

Resolution No.: 18-25
 Introduced: November 25, 2014
 Adopted: January 20, 2015

**COUNTY COUNCIL
 FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Optional Procedure for Condemnation of Land, Advance Taking
 Snowden Farm Parkway, Clarksburg

In accordance with Article III, Section 40A, Maryland Constitution and
 Section 49-50, 2004, Montgomery County Code, as amended.

Background

1. It has been requested that Council authorize the condemnation of those portions of land necessary to construct Snowden Farm Parkway in accordance with Section 49-50 of the 2004 Montgomery County Code, as amended.

2. Snowden Farm Parkway is a County master-planned road critical to the development of the Clarksburg area of the County. In order to complete the connection of Snowden Farm Parkway to Ridge Road (Md. Rte. 27) as set forth in the Clarksburg Master Plan, it is necessary for the County to acquire additional right-of-way as set forth below. Negotiations with the remaining property owner to acquire the necessary right-of-way have been unsuccessful.

RIGHT OF WAY (in sq. ft.)

Owner	Account Number	Legal Description	Liber/ Folio	Temporay Construction Easement	Permanent Drainage Easement	Public Utility Easement	Public Improve. Easement	Fee Simple
David & Alan Yegher	2898373	Parcel A. Block A Brink Meadow	36324/ 482	7,893	43,494	8,206	9,029	49,224

Action

- I. The County Council finds that there is an immediate need to take possession of the property listed above for the public use of constructing a portion of Snowden Farm Parkway, a County master-planned road, and approves the Resolution authorizing the condemnation of land under the optional method for condemnation of land as set forth in Section 49-50 of the Montgomery County Code (2004) as amended (Advance Taking) effective upon the following conditions:
 1. Montgomery County guarantees the payment of the condemnation award as may be subsequently awarded by a jury.
 2. Treffer Appraisal Group is hereby appointed to appraise the fair market value of the property.
- II. Montgomery County may take immediate possession of the property described above, upon payment into Court of the fair market value thereof, as determined by the County's appraiser. The County reserves the right to abandon this proceeding at any time prior to such payment into Court.
- III. The County Attorney is hereby directed to take all necessary steps to acquire the property.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council