

Resolution No.: 18-393  
Introduced: January 12, 2016  
Adopted: February 2, 2016

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: County Council

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**SUBJECT:** Approval of Declaration of No Further Need: Disposition of Silver Spring Library  
2<sup>nd</sup> Floor, 900 Wayne Avenue, Silver Spring, Maryland, to Levine Music

**Background**

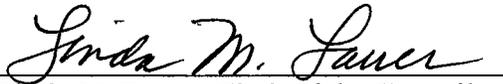
1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
  - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
  - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.
2. On November 20, 2015 the Council received a memo from Greg Ossont, Deputy Director of the Department of General Services, transmitting the County Executive's recommended material terms for the disposition of the 2<sup>nd</sup> Floor of the new Silver Spring Library. The material terms include leasing approximately 9,000 square feet of space to Levine Music. Levine Music will build-out the space and will pay a prorated share of utilities and operating expenses. The lease term is 10 years with an option for two five-year renewals. The Executive has requested the Council waive the requirement for a full market value transaction.
3. On January 5, 2016 the Council received Executive Order 189-15, Disposition of Silver Spring Library 2<sup>nd</sup> Floor, 900 Wayne Avenue, Silver Spring, Maryland. This is the County Executive's Declaration of No Further Need.
4. The Government Operations and Fiscal Policy Committee and Health and Human Services Committee held a joint worksession on February 2, 2016 and unanimously recommended approval.
5. A public hearing was held on February 2, 2016.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

The Declaration of No Further Need for the 2<sup>nd</sup> Floor of the County-owned Silver Spring Library located at 900 Wayne Avenue in Silver Spring, Maryland is approved and the property may be disposed of as described in the material terms provided to the Council on November 20, 2015. The County Council waives the requirement that the disposition be a full market value transaction.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council