

Resolution No.: 15-1678  
Introduced: October 31, 2006  
Adopted: October 31, 2006

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By County Council

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**SUBJECT:** DPWT Docket No. AB664  
Abandonment - Portion of Cameron Street Air Rights  
Silver Spring, Maryland

**Background**

1. By letter dated June 10, 2004, from Holland & Knight, on behalf of its client, United Therapeutics Corporation, the applicant, application to the County was made to abandon a portion of Cameron Street air rights in Silver Spring.
2. A public hearing to consider the abandonment proposal was conducted on November 3, 2004, by the designee of the County Executive.
3. The Police Department had no objection to the proposed abandonment.
4. The Washington Suburban Sanitary Commission conditioned approval upon applicant granting any necessary easement to protect the integrity of existing water and sewer lines.
5. Washington Gas had no objection to the proposed abandonment.
6. Potomac Electric Power Company conditioned approval upon applicant agreeing to reimburse the company for relocating overhead facilities and granting any necessary easements.
7. Verizon had no objection to the proposed abandonment.
8. The Maryland-National Capital Park and Planning Commission indicated that the proposed abandonment was consistent with the Planning Board's approval of applicant's Subdivision Waiver, Preliminary Plan, and Project Plan.

9. The Department of Public Works and Transportation (DPWT) conditioned approval upon an agreement dated October 18, 2006, made between the applicant and Montgomery County relating to inspection, maintenance and liability requirements. Said agreement is in the file maintained by DPWT.
10. The Department of Fire and Rescue Services had no objection to the proposed abandonment.
11. The County Executive recommends approval of the proposed abandonment.

**Action**

The County Council for Montgomery County, Maryland, finds that the portion of Cameron Street air rights described on Schedule A (Revised) is no longer necessary for public use, pursuant to Section 49-62 and Section 49-63 of the 2004 Montgomery County Code, and approves the abandonment subject to the following conditions:

1. The applicant must abide by all conditions enumerated in the Background Section and record all necessary easements and if necessary relocate facilities for any affected public utility companies and Montgomery County for storm drainage facilities in place, as well as proposed facilities, for purposes of repair and maintenance.
2. The applicant must bear all costs for the preparation and recordation of all necessary easement documents and plats.
3. The County Attorney must record among the Land Records of Montgomery County, Maryland, a copy of the Resolution approving abandonment of the subject area.
4. Any person aggrieved by the action of the Council for abandonment may appeal to the Circuit Court within 30 days after the date such action is taken by Council.

Attachment – Schedule A (Revised) Description

This is a correct copy of Council Action.



Linda M. Lauer, Clerk of the Council

**REVISED****SCHEDULE "A"  
DESCRIPTION OF A  
PARTIAL ABANDONMENT OF  
CAMERON STREET**

Being a parcel of land, located in Election District No. 13 of Montgomery County, Maryland, hereinafter described in, through, over and across part of CAMERON STREET, a 72.5 foot wide right-of-way in downtown Silver Spring and being more particularly described by Macris, Hendricks & Glascock, P.A. in the Maryland State Plane NAD 83/91 datum as follows:

Beginning for said parcel of land at a point at the northerly end of the westerly or North 73°15'15" East, 35.33 foot line of Lot 1 as delineated on a plat of subdivision entitled "Lot 1, United Therapeutics' Addition to SILVER SPRING" as recorded among the Land Records of Montgomery County, Maryland as Plat No. 22877, said point also being on the southerly right-of-way line of Spring Street at the north end of the truncation between the easterly right-of-way line of Cameron Street and the southerly right-of-way line of Spring Street, then binding with said truncation, said easterly right-of-way line of Cameron Street and the westerly line of Lot 1.

1. South 73°15'15" West, 35.33 feet to a point, then continuing with the said westerly line of Lot 1 and the easterly right-of-way line of Cameron Street
2. South 28°12'34" West, 50.33 feet to a point, then leaving said westerly line of Lot 1 and the easterly right-of-way line of Cameron Street to cross and include part of said Cameron Street
3. North 61°54'11" West, 72.50 feet to a point on the westerly right-of-way line of said Cameron Street, said point also being at the

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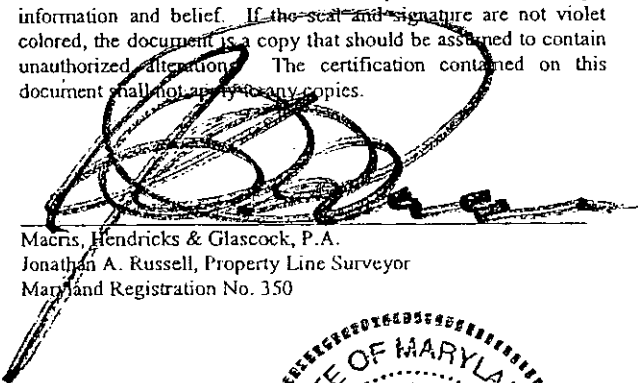
southerly end of the easterly or South 28°09'00" West,  
75.00 foot line of Lot 11, Block A, as delineate on a plat of  
subdivision entitled "Lot 11, Block A, J.C. Wilson Estate,  
SILVER SPRING" as recorded among said Land Records  
as Plat No. 22601, then binding with part of said westerly  
right-of-way line of Cameron Street and the easterly  
line of Lot 11, Block A

4. North 28°09'00" East, 75.00 feet to a point, then continuing with said  
easterly line of Lot 11, Block A and the westerly right-of-  
way of Cameron Street
5. 23.56 feet along the arc of a curve deflecting to the left, having a radius of  
15.00 feet and a chord bearing and length of North  
16°51'00" West, 21.21 feet to a point, said point being on  
the southerly right-of-way line of Spring Street, then  
binding with part of said Spring Street right-of-way to cross  
and include part of said Cameron Street and part of said  
Spring Street
6. South 61°54'11" East, 112.56 feet to a point, then
7. South 28°05'49" West, 14.77 feet to the point of beginning; containing an  
area of 7,259 square feet or 0.16665 of an acre of land and  
having a lower limit elevation of 389.0 feet, based on  
National Geodetic Vertical Datum of 1929 (NGVD29),  
which said elevation is approximately 54 feet above the

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existing paving of Cameron Street and an upper limit elevation of 428.0 feet (NGVD29), which is approximately 93 feet above the existing paving of Cameron Street and as delineated on Schedule "B" attached hereto and made a part hereof by this reference.

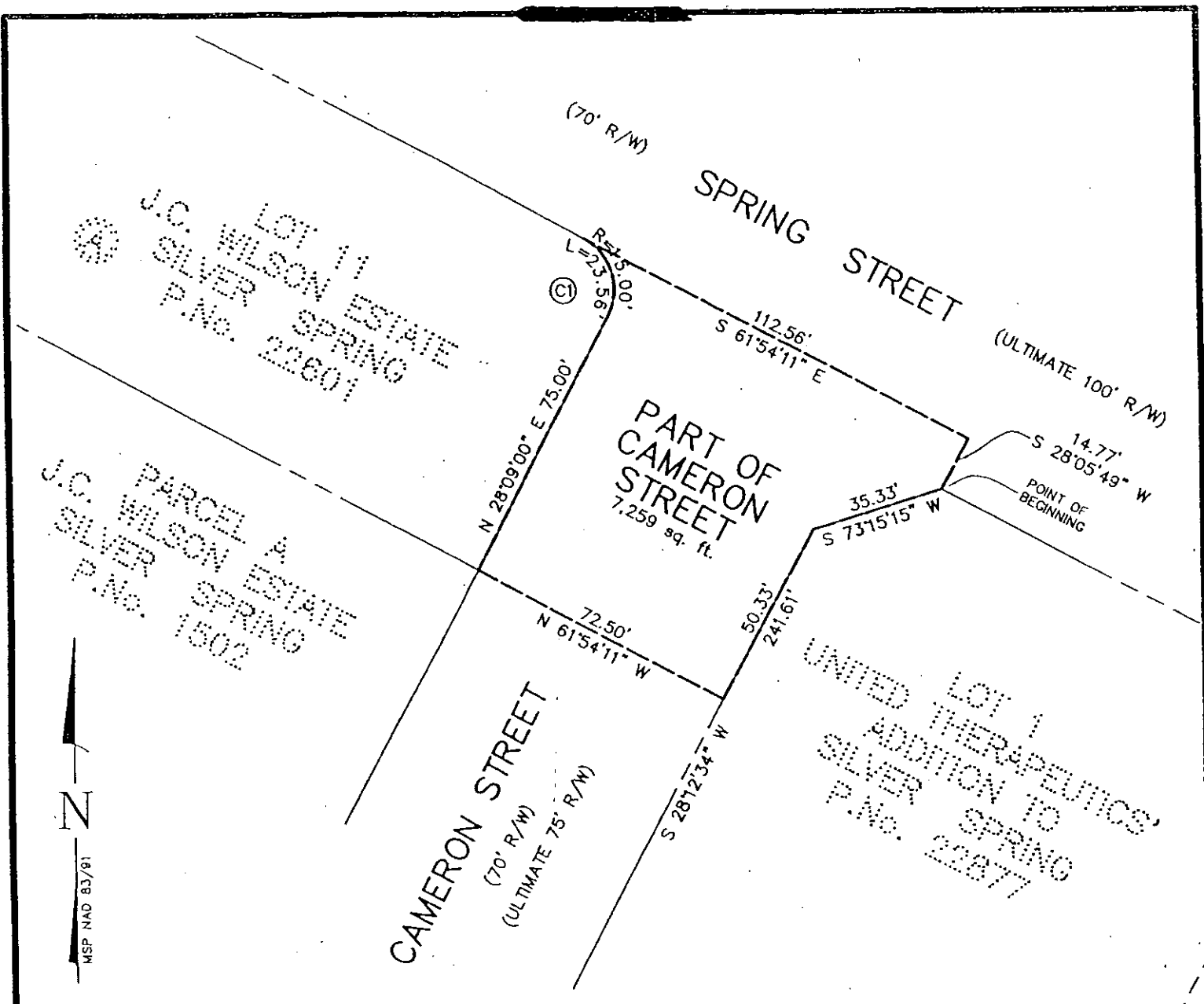
Certified correct to the best of our professional knowledge, information and belief. If the seal and signature are not violet colored, the document is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any copies.



Macris, Hendricks & Glascock, P.A.  
Jonathan A. Russell, Property Line Surveyor  
Maryland Registration No. 350

02-216  
SA004JR





CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
C1	15.00'	23.56'	90°00'00"	15.00'	N 16°51'00" W	21.21'

NOTES:

1. The Horizontal Datum is based on Maryland State Plane (MSP) NAD 83/91 datum.
2. The Vertical Datum is based on National Geodetic Vertical Datum of 1929, (NGVD29).
3. The lower limit elevation of this abandonment is 389.0 feet (NGVD29), which is approximately 54 feet above the existing paving of Cameron Street, and the upper limit elevation is 428.0 feet (NGVS29), which is approximately 93 feet above the existing paving of Cameron Street.

**SCHEDULE B**  
 PARTIAL ABANDONMENT OF  
**CAMERON STREET**  
 SCALE: 1" = 40' NOVEMBER, 2004  
 MONTGOMERY COUNTY, MARYLAND

**MHG** Macris, Hendricks & Glascock, P.A.  
 Engineers • Planners  
 Landscape Architects • Surveyors

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