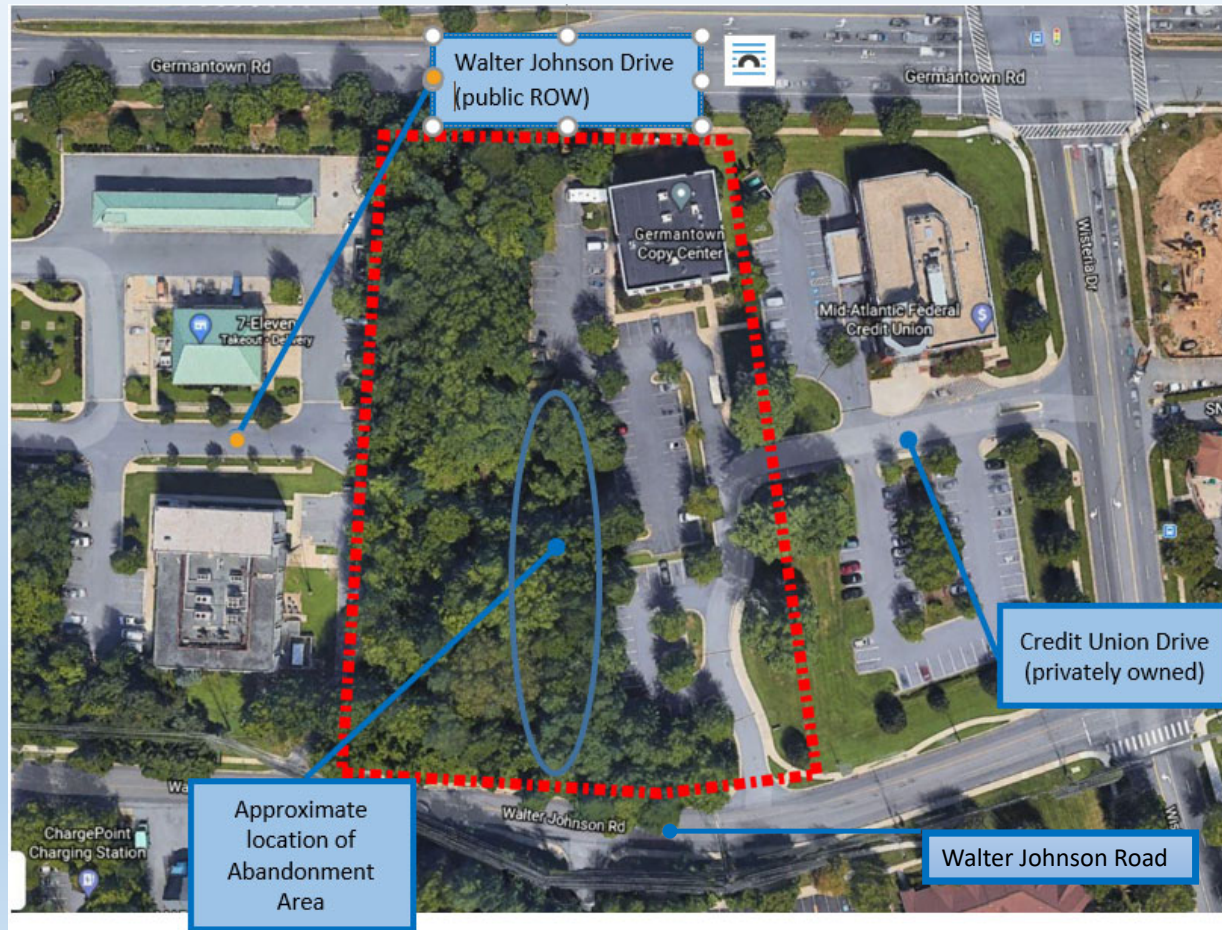


Lidl US, LLC
County ROW Abandonment Request
Walter Johnson Road
Germantown, MD

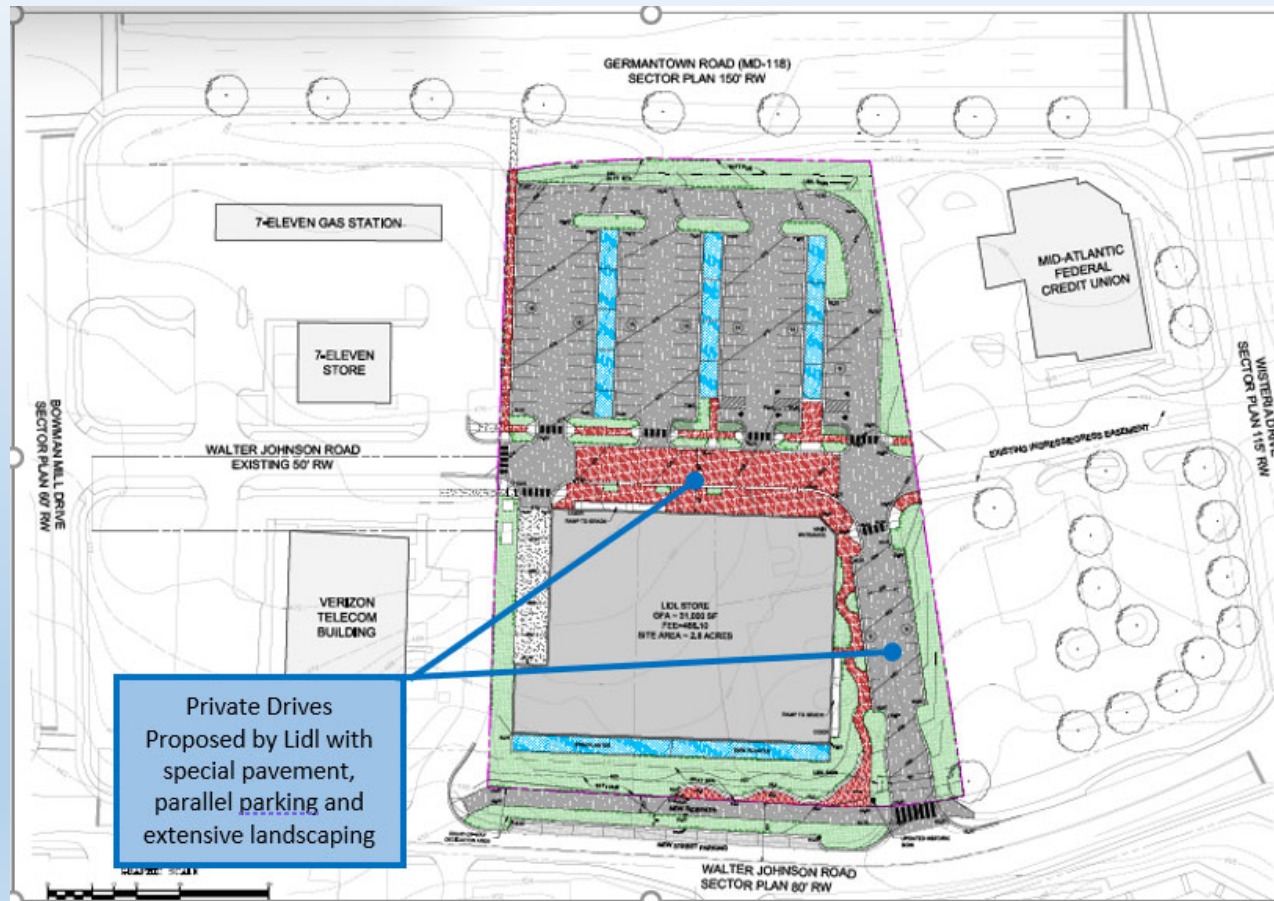
Public Hearing Presentation
February 16, 2022



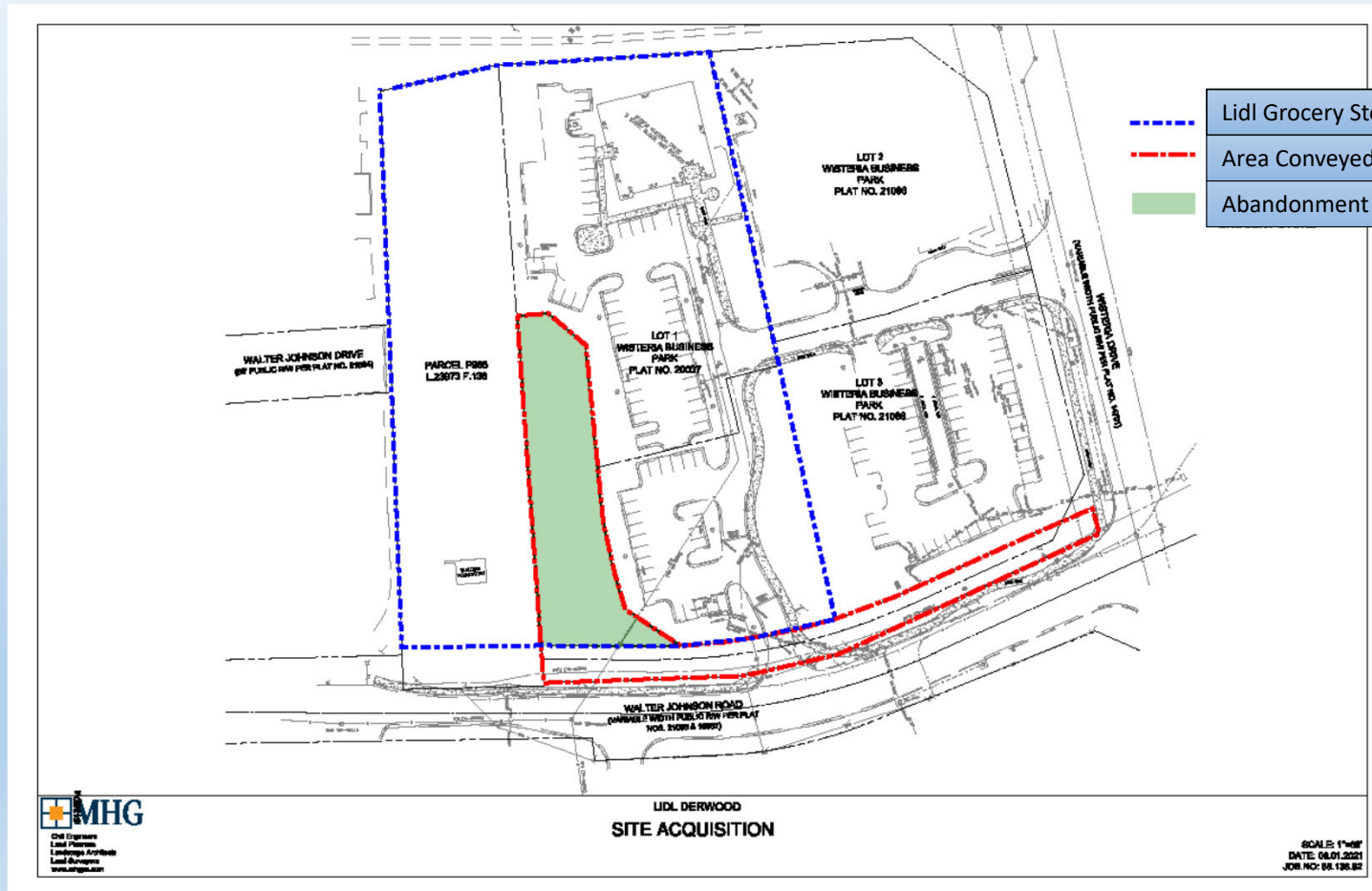
Project Site and Surrounding Area



Project Site Plan



Site Acquisition Exhibit



Abandonment Property Legal Description/Drawing

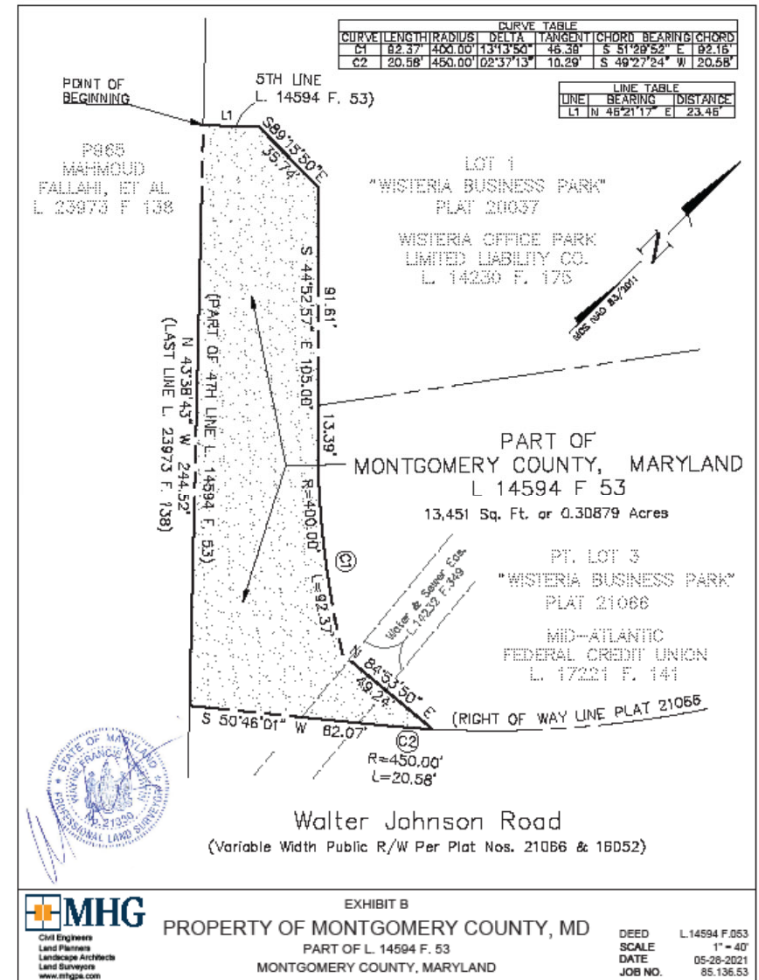
PARENT TAX ID Number: 02-2744112

**DESCRIPTION OF PART OF THE PROPERTY
DEDICATED TO MONTGOMERY COUNTY, MARYLAND
LIBER 14594 FOLIO 53**

Being a parcel of land located in the Second (2nd) Election District in Montgomery County, Maryland, hereinafter described in, through, over and across the property dedicated in fee simple and released by Phillip D. Keller and W. K. Trummel, Jr. to Montgomery County, Maryland, by a deed of dedication dated October 21, 1996 and recorded among the Land Records of Montgomery County, Maryland in Liber 14594 at Folio 53; and being more particularly described by MHG, P. A. on March 30, 2021 in the datum of said deed as follows:

Beginning for said parcel of land at a rebar and cap found at the beginning of the fifth (5th) or North 46°21'17" East, 23.46 foot dead line of said Deed of Dedication to Montgomery County, Maryland recorded in Liber 14594 at Folio 53 among the aforesaid Land Records; said point being also at the southerly end of the South 46°21'17" West, 23.46 foot plat line as delineated on a plat entitled "LOT 1, WISTERIA BUSINESS PARK" recorded among said Land Records as Plat No. 20037, and running and binding then with the outline of said Lot 1 and with all of the fifth (5th) through seventh (7th) lines of said Deed of Dedication the following three (3) courses and distances:

1. North 46°21'17" East, 23.46 feet to a rebar and cap found, then
2. South 89°15'50" East, 35.74 feet to a rebar and cap found, then
3. South 44°52'57" East, 91.61 feet to a rebar and cap found, then leaving the outline of said Lot 1 and running and binding with the outline of Lot 3 as delineated on a plat of subdivision entitled "LOTS 2 & 3, WISTERIA BUSINESS PARK" as recorded among said Land Records as Plat No. 21066 and with the eighth (8th) through the tenth (10th) lines of the aforesaid Deed of Dedication the following three (3) courses and distances;
4. South 44°52'57" East, 13.39 feet to a rebar and cap found, then



Abandonment Property 1996 Deed of Dedication

- “dedicate in fee simple”
- “To have and to hold the property hereby conveyed”

15 10094.053

Tax ID No: 2-02-2744112 ✓
JST/1/05 - NA -

DEED OF DEDICATION

THIS DEED OF DEDICATION, dated October 21, 1996, from PHILLIP D. NEILLER and W. E. TRUMBELL, JR., Grantors, to MONTGOMERY COUNTY, MARYLAND, Grantee.

The Grantors, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and acknowledgment of which is hereby acknowledged, do dedicate in fee simple and release unto the Grantee, its successors and assigns, the real property located in Montgomery County, Maryland, and described as follows:

See Schedule A attached hereto and incorporated herein by reference. REG. NO. 0000 REG. FEE \$0.00

Together with all improvements thereupon, the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

To have and to hold the property hereby conveyed to the Grantee, its successors and assigns, in fee simple, forever.

The Grantors covenant to warrant specially the property hereby conveyed, and to execute such further assurances of the property as may be requisite.

Witness the hands and seals of the Grantors.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Montgomery County

AGRICULTURE TRANSFER TAX IN THE
AMOUNT OF \$ 11.94
SIGNATURE [Signature]


28
30

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MOR 14894, p. 0053, MSA_C883_14849. Date available 08/15/2005. Printed 08/17/2020.

Abandonment Property 1995 Planning Board Opinion

- Condition of approval: “Dedication of all rights-of-way to be in conformance with Germantown Town Center Study”
- Study called for road connection using, in part, the Abandonment Property. Depicted more clearly in subsequent master plans.
- Lidl’s project includes building the road for which the Abandonment Property dedication was intended.

Date of mailing: October 26, 1995

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**
8787 Georgia Avenue • Silver Spring, Maryland 20910-3703

Action: Approved Staff Recommendation with Modifications
(Motion of Comm. Richardson, seconded by Comm. Bolney, with a vote of 5-0; Chas. Richardson, Holmes, Baptiste, Aren, and Bushanan voting in favor).

MONTGOMERY COUNTY PLANNING BOARD
OPINION

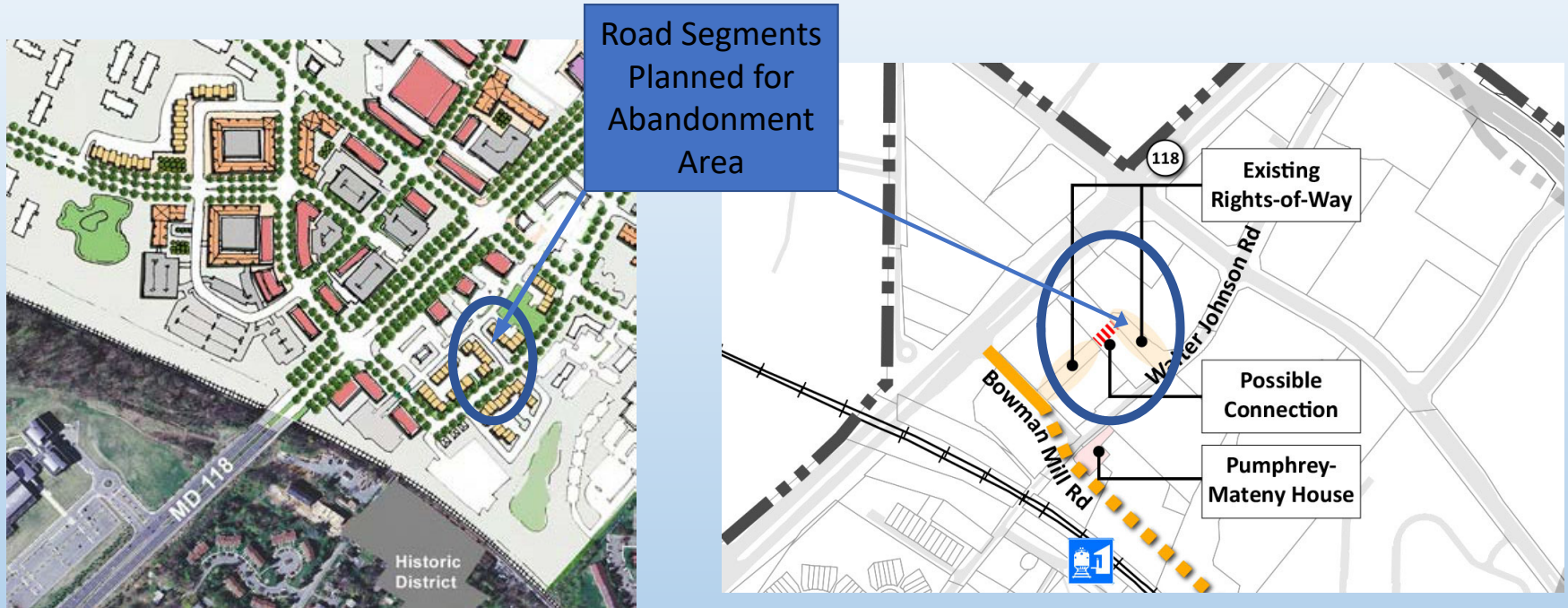
Preliminary Plan 1-90068
NAME OF PLAN: K & T DEVELOPMENT

On 03-16-90, W.K. TRUNNELL, JR., submitted an application for the approval of a preliminary plan of subdivision of property in the R200 zone. The application proposed to create 1 lots on 3.92 ACRES of land. The application was designated Preliminary Plan 1-90068. On 10-12-95, Preliminary Plan 1-90068 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-90068 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-90068, subject to the following conditions:

- (1) Compliance with Environmental Planning Division approval regarding the requirements of the forest conservation legislation. Applicant shall satisfy all conditions prior to recording of plat(s) or MCDP issuance of sediment and erosion control permit, as appropriate.
- (2) Prior to recording of plat(s) applicant to submit agreement with Planning Board limiting development to a maximum of 200 children enrollment daycare center, 20,000 square feet of office, 7,450 square feet retail and 3,000 square feet bank facility as outlined in 10-5-95 Transportation Division memo.
- (2) Final building location shall be consistent with Historic Area Work Sheet and finalized at site plan.
- (4) Dedication of all rights-of-way to be in conformance with Germantown Town Center Study.
- (5) Preservation and development of area to be developed at site plan.
- (6) Provide area of possible future dedication of MARC Train "Loop road" as shown on plan.

- continued -

Road Connection per Master Plans



2009 Germantown Master Plan, p. 54

2019 MARC Rail Communities Master Plan, p. 63

Proposed Development



- **32,000 Square Foot Grocery Store with Surface Parking**
- **New Roadway Connection from Bowman Mill Drive to Wisteria Drive and from both to Walter Johnson Road, Fulfilling Master Goal of 1996 Dedication of Abandonment Area**

Project Site Plan



Planning Dept. Subject Property Map

