

RECEIVED  
JUL 13 2021

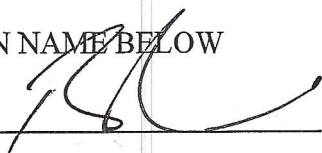
MONTGOMERY COUNTY, MARYLAND  
ROAD ABANDONMENT APPLICATION  
(AMENDED)

APPLICATION # 770  
[to be assigned by the Montgomery  
County Department of Transportation  
(the "Department")]

DATE: \_\_\_\_\_  
(date application mailed or hand  
delivered to the Department – NOT  
date collection of signatures is begun).

- I. This application is submitted for consideration in accordance with Section 49-62 of of the Montgomery County Code of Ordinances. The undersigned hereby applies and petitions that the below-described public county right-of-way be closed to public use and that the County's right to use the right-of-way be abandoned.
- II. Applicant Name: Banc Realty, LLC  
Mailing Address: 11300 Veirs Mill Road  
Wheaton, MD 20902  
Phone Number: 301-675-2112
- III. The road (or portion thereof) being petitioned for abandonment is described as follows:
- (a) is named Kensington Boulevard (see yellow areas on attached page 1, and green areas on attached page 1)
  - (b) from Upton Drive to and just past East Avenue
  - (c) is in subdivision or locality named Wheaton, Maryland
- IV. The undersigned Applicant does further petition that the above described road/right of way be returned to private ownership to Banc Realty, LLC (for yellow areas on attached page 1) and HOC AT 11250 Veirs Mill Road, LLC (for green area on attached page 1)

SIGN NAME BELOW



PRINT NAME

Dr. Bahram Nesehi, Managing  
Member, Banc Realty, LLC

- V Pursuant to Section 49-62 of the Montgomery County Code of Ordinances, the following procedural requirements must be met for this application:
- a. With this application, an application fee of \$2,500.00 must be paid. Applicant previously submitted said fee.
  - b. After receiving this application, the Department must promptly notify by certified mail each property owner listed in the County assessment records whose property abuts the right-of-way proposed to be closed or abandoned. However, the fact that any property owner did not receive a notice under this section does not invalidate an otherwise valid closing or abandonment.
  - c. The Department must prominently post a notice of the application in or adjacent to the right-of-way to be closed or abandoned. The Department also must publish notice of the application once each week for 2 successive weeks in a newspaper of general circulation in the County. This notice, and those sent under subsection (d), must inform recipients of the opportunity for a hearing and the date a hearing will be held.
  - d. The Executive or the Executive's designee must hold a hearing on the application not earlier than 30 days after notice is mailed as set forth above.
  - e. Executive's report; comments of government agencies and utilities. After the hearing held under this section, the County Executive must forward to the County Council the application, a report based on the record of the proceedings, and the Executive's recommendation on the proposed abandonment or closing. The report must state whether the government agencies and utilities listed in subsection (h) have endorsed the proposal and the conditions, if any, of each agency's or utility's endorsement. The Executive must not forward the report or recommendation until the Executive receives a response from each agency or other party. If an agency or other party does not respond within 60 days after notice is first published as set forth above, the County Executive must presume that the agency or other party does not oppose the proposal.
  - f. Agencies. The government agencies and other parties from which the Executive must solicit a response are:
    - (1) the Department of Transportation;
    - (2) the Maryland-National Capital Park and Planning Commission;
    - (3) the Washington Suburban Sanitary Commission, if any part of the right-of-way is located in the Washington Suburban Sanitary District;
    - (4) each public utility authorized by the Public Service Commission to operate in the area and which has any overhead or underground facilities in the vicinity;
    - (5) the governing body of each incorporated municipality or special taxing district in which any of the right-of-way is located;

- (6) The Police Department;
- (7) the County Fire and Rescue Service; and
- (8) Any grantee of a franchise under Article 2 of the Montgomery County Code of Ordinances, if the franchise authorizes the grantee to install or use any facility in, over, or under the affected right-of-way.

***ALL INFORMATION MUST BE COMPLETE, LEGIBLE, SIGNED, and WITNESSED***

I have read and understand the above Application:

Name(s)

(signed) \_\_\_\_\_

(printed) \_\_\_\_\_

I am the Managing Member of Banc Realty, LLC

Address 11300 Veirs Mill Road, Wheaton, MD 20902

Phone No. 301-675-2112

I hereby certify that I am an officer or authorized representative of Banc Realty, LLC, and that I have applicable actual and apparent authority to submit this application and that this has been duly authorized by the members of Banc Realty, LLC.

Signature(s) Witnessed by \_\_\_\_\_

*John P. Reu*



SCALE: 1"=30'  
 N  
 MARYLAND STATE PLANE COORDINATES MD 83/91

# NEW ABANDONMENT OPTION

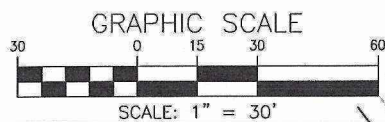


## Legend

- 1. Abandonment to Gateway/Venture
- 2. Abandonment to Banc
- 4. New Public Use Easement
- 5. Banc CR Lot
- 6. Banc R- 60 Lot

## NOTES:

1. STAIRS AND SIDEWALK LOCATION IS DIAGRAMATIC AND IS FOR CONCEPTUAL DESIGN ONLY. EXACT LOCATION WILL BE FINALIZED DURING SITE PLAN REVIEW.



KENSINGTON BLVD  
ADA RAMP EXHIBIT

7/31/20

**CPI** Charles P. Johnson & Associates, Inc.  
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors  
 1751 Elton Rd., Ste. 300 Silver Spring, MD 20905 301-434-7000 Fax: 301-434-9394  
 www.cpijs.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

# NEW PUE OPTION

SCALE: 1"=30'  
N  
MARYLAND STATE PLANE COORDINATES MD 83/91



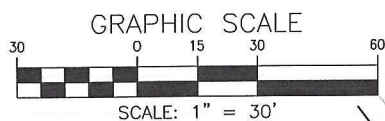
## Legend

- 1. Ultimate 60' WSSC Access Area
- 2. New WSSC Easement from Gateway
- 3. New WSSC Easement from Banc

## NOTES:

1. STAIRS AND SIDEWALK LOCATION IS DIAGRAMATIC AND IS FOR CONCEPTUAL DESIGN ONLY. EXACT LOCATION WILL BE FINALIZED DURING SITE PLAN REVIEW.

FOR ILLUSTRATIVE  
PURPOSES ONLY



KENSINGTON BLVD  
ADA RAMP EXHIBIT

7/31/20

**CPI** Charles P. Johnson & Associates, Inc.  
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors  
1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394  
www.cpija.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA