



EXHIBIT A

DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

MEMORANDUM

May 7, 2020

TO: Christopher R. Conklin, Director
Department of Transportation

FROM: Eric Willis, Chief, Property Acquisition Section
Division of Transportation Engineering, Department of Transportation

SUBJECT: **Request for Abandonment – Application for Abandonment of Portions of Executive Boulevard and Old Georgetown Road**

The Montgomery County Department of Transportation, Division of Transportation Engineering (the “Applicant”) is requesting the abandonment of two separate portions of the public rights of way known as Executive Boulevard and Old Georgetown Road, pursuant to Section 49-62(b) of the Montgomery County Code (the “Application”). Please find copies of the following Application materials:

1. Narrative and Justification Statement in Support of the Application of both portions of public right of way
2. Drawing Depicting Road Improvements (Exhibit A)
3. Plat of Abandonment for Executive Boulevard portion (Exhibit B)
4. Legal Description of Executive Boulevard portion to be Abandoned (Exhibit C)
5. Plat of Abandonment for Old Georgetown Road portion (Exhibit D)
6. Legal Description of Old Georgetown Road portion to be Abandoned (Exhibit E)
7. Excerpt from the White Flint Sector Plan (Exhibit F)

As described in the Narrative and Justification Statement referenced above, this request for Abandonment is in conjunction with the White Flint Western Workaround Capital Improvement Project (CIP No. 501506) and in conformance with the realignment of the road network per the White Flint Sector Plan. The Applicant requests that the Montgomery County Department of Transportation take all necessary actions to allow the County Executive or his designee to make a recommendation on the proposed abandonment and forward that recommendation to the County Council for approval.

Division of Transportation Engineering

100 Edison Park Drive, 4th Floor * Gaithersburg, Maryland 20878 * 240-777-7220 Office * 240-777-7277 FAX
www.montgomerycountymd.gov

*Montgomerycountymd.gov/311 * 240-777-3556 TTY*

NARRATIVE and JUSTIFICATION STATEMENT

Pursuant to the provisions of Section 49-62 of the Montgomery County Code, the Montgomery County Department of Transportation, Division of Transportation Engineering (the “Applicant”) requests the abandonment of two separate portions of County right of way located within the White Flint sector plan area.

The County has programmed and funded a Capital Improvement Project known as the White Flint Western Workaround (CIP No. 501506), pursuant to which the County is constructing a series of road improvements within the White Flint sector plan area, including 1) the relocation and extension of Executive Boulevard; 2) the construction of a new Banneker Street to run between Old Georgetown to the west and Rockville Pike to the east; 3) the realignment of the intersection of Old Georgetown Road and Executive Boulevard; and 4) the construction of Hoya Street (old Old Georgetown Road), which will connect Old Georgetown Road to Montrose Parkway (collectively these four projects are referred to as the “Road Improvements”). A drawing depicting the realignment of the road network as a result of the Road Improvements is attached as **Exhibit A**.

As a result of these Road Improvements, the Applicant has identified two portions of existing County right of way that will no longer be necessary for present or anticipated future public use.

A. Executive Boulevard.

The first portion of excess right of way identified for Abandonment is part of the previous alignment of Executive Boulevard and is described and delineated on a Plat of Abandonment attached as **Exhibit B.** The realignment of Executive Boulevard as it intersects with Old Georgetown Road will create an approximate 3,046 square foot area of excess right of way no longer needed for the maintenance of any existing or future County improvements as per the Sector Plan. Subject to the County Council approving the abandonment of this section of the Executive Boulevard right of way, the County proposes to transfer the underlying land (which is owned by the County in fee simple) to the abutting property owner, CPH 6000, LLC (Guardian Realty), in exchange for the dedication of other land and property interests owned by Guardian Realty that are needed for the Road Improvements. This proposed exchange is set forth in the Public Improvements Easement Agreement entered into by the County and Guardian Realty on or about April 18, 2019. A legal description of this excess right of way is attached to this Applicant as **Exhibit C.**

B. Old Georgetown Road

The second portion of excess right of way identified for Abandonment is part of the previous alignment of Old Georgetown Road as it curves toward the intersection with Maryland Rte 355 (Rockville Pike). Ownership of this portion of Old Georgetown Road was previously transferred to the County from the State Highway Administration (SHA) pursuant to a Road Transfer Agreement dated July 13, 2016 and subsequent Deed dated October 3, 2017. Said area

is described and delineated on a Plat of Abandonment attached as **Exhibit D** and contains a combined 37,363 square feet. A legal description of this excess right of way is attached as **Exhibit E**. The new alignment of the intersection of Old Georgetown Road and Executive Boulevard as a result of the Road Improvements makes this area no longer necessary for present or future use. An excerpt from the White Flint Sector Plan noting this realignment is attached as **Exhibit F**.

Pursuant to that Amended and Restated Memorandum of Understanding dated May 1, 2019, entered into between the County and Old Georgetown Nissan Property, LLC and Old Georgetown Saab Property, LLC (VOB), upon approval of the abandonment by the County Council, the County's interest in the subject land is to be transferred to VOB in exchange for the dedication of other land and interests owned by VOB that are needed for the Road Improvements.

Pursuant to Section 49-63(c)(1) of the Montgomery County Code the requested abandonment of the two portions of excess ROW described above is appropriate in that upon completion of the Road Improvements the subject rights of way will no longer be necessary for present or anticipated future public use and the proposed transfer of the subject land pursuant to the agreements referenced herein will allow for future development as envisioned by the White Flint Sector Plan. For these reasons, the Applicant requests that the Montgomery County Department of Transportation move to allow a hearing by the Executive or his designee in order to forward a recommendation of approval to County Council in support of this Abandonment.

Respectfully Submitted,

Eric Willis

Eric Willis

Chief, Property Acquisition Section

Department of Transportation Engineering



MONTGOMERY COUNTY EXECUTIVE ORDER

EXHIBIT B

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: Abandonment - Portions of Executive Boulevard and Old Georgetown Road	Executive Order No. 085-20	Subject Suffix
Originating Department: Transportation	Department Number PA 9-20	Effective Date 6/30/2020

1. Pursuant to Section 49-62 of Montgomery County Code (2014) as amended, the County Executive or his Designee shall conduct a Public Hearing virtually

At 11:00 a.m. on Monday, September 14th, 2020 via the internet-based platform known as Zoom™

to consider an application received from the Montgomery County Department of Transportation, Division of Transportation Engineering (the "Applicant"), seeking abandonment of two portions of Executive Boulevard and Old Georgetown Road in the White Flint Sector area.

2. The Hearing shall be conducted virtually via Zoom™. A link to the virtual meeting will be provided to all registrants several days prior to the Hearing date. Special Accommodations will be addressed as needed.
3. After the aforesaid Hearing, the presiding Hearing Officer shall report the Officer's findings and recommendations to the County Executive for further consideration as prescribed by County Code.

Approved as to Form and Legality:
Office of the County Attorney

By: Robert Birenbaum
Date: 6/10/2020

APPROVED:

Adriana D. Hochberg
Adriana Hochberg
Assistant Chief Administrative Officer
Date: 6/30/2020

Distribution:

Department of Transportation
Department of Finance
Office of County Attorney

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MCDOT Calendar

EXHIBIT

Public Hearing for Abandonment 772 MONDAY, SEPTEMBER 14, 2020, 11AM - 12PM

A Public Hearing will be held virtually to consider an application to abandon portions of public Right of Way near the current intersection of Executive Boulevard and Old Georgetown Road in conjunction with the White Flint Western Workaround Capital Improvement Project (CIP# 0501506). To register please complete the form provided in the web link.

Location	Virtually Via Zoom
Category	Boards, Committees & Commissions, Government, Transportation
Age	Adult
Area	Rockville
Contact Name	Josh Tracy
Contact Phone	2407777256
Contact Email	Joshua.Tracy@montgomerycountymd.gov
Cost	\$0
Link	forms.office.com...

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NOTICE OF PUBLIC HEARING

ABANDONMENT OF PORTIONS OF EXECUTIVE BOULEVARD & OLD GEORGETOWN ROAD AB 772

Pursuant to Section 49-62 of the Montgomery County Code (2004) as amended, the County Executive or his Designee shall conduct a virtual Public Hearing via the internet-based platform known as Zoom on 11:00 a.m. on September 14, 2020, to consider an application received from The Montgomery County Department of Transportation - Division of Transportation Engineering, the Applicant, seeking the abandonment of portions of County Right of Way at the intersection of Executive Boulevard & Old Georgetown Road. The abandonment is being requested by the Applicant in conjunction with the County's White Flint Western Workaround Capital Improvement Project (CIP#0501506) which calls for a significant realignment of the intersection in question.

Scanning the attached QR Code with your mobile device will direct you to the registration form required to participate. Completion of the registration form ensures you to receive an electronic invitation prior to the Hearing:



After the aforementioned Hearing, the Hearing Officer shall report his findings and recommendations to the County Executive for further consideration as prescribed by the County Code.

Written statements for consideration in this matter may be submitted to Joshua Tracy, Property Acquisition, MCDOT, 100 Edison Park Drive, 4th Floor, Gaithersburg, Maryland 20878.

NOTE: If you require special accommodations for this hearing, please call 240-777-7256 or email Joshua.Tracy@montgomerycountymd.gov

Run Dates: August 31 and September 7, 2020

AD#

**MONTGOMERY COUNTY
EXECUTIVE**

HAS SET A VIRTUAL PUBLIC HEARING
FOR ABANDONMENT OF THIS
RIGHT OF WAY ON MONDAY
SEPTEMBER 14 2020 AT 11 AM

FOR REGISTRATION
INFORMATION
SCAN THE QR CODE
OR CALL
240-777-7254



NORTH
MARYLAND

187



EXHIBIT

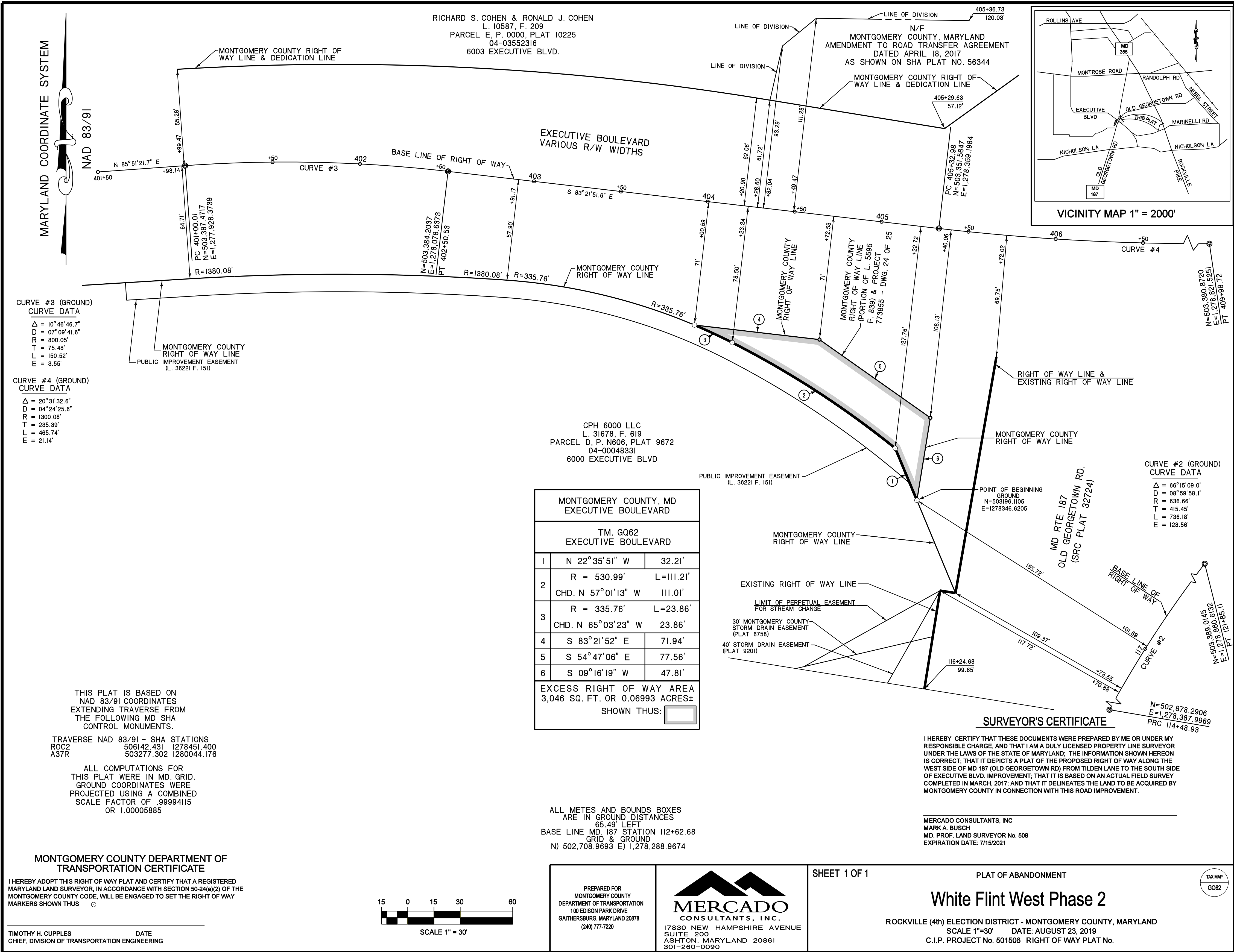


EXHIBIT "G"
DESCRIPTION OF A
PARCEL TO BE ABANDONED
BY
MONTGOMERY COUNTY, MARYLAND

BEING a strip or parcel of Land herein after described as running in, through, over and across the abandoned right of way of Executive Boulevard, where it meets Old Georgetown Road, Maryland Route 187, shown as the Montgomery County MD. Executive Boulevard excess right of way parcel on a Montgomery County right of way plat entitled "RIGHT OF WAY PLAT, WHITE FLINT PHASE 2" recorded in the Land Records of Montgomery County, Maryland as right of way plat No. 1172, and being more particularly described in the Maryland Coordinate System, (NAD83/91), projected to ground dimension, using Grid and Ground coordinate of N) 502708.7693 E) 1278288.9769 at a point 65.49' left of the Base Line of Right of Way, MD 187, Station 112+62.68, and using a combined scale factor of 1.00005885, from the beginning point, described below, as follows:

BEGINNING for the same at a point on the southeasterly right of way of Executive Boulevard as it now exist, at the Beginning Point of the above described parcel, having NAD83/91, ground projected, coordinates N) 503196.111, E) 1278346.621, thence from the **POINT OF BEGINNING**, so fixed and through the existing excess right of way of Executive Boulevard as described above, the following six courses and distances, projected to ground dimensions as mentioned above, VIZ:

1. North 22°35'51" West, 32.21 feet, thence,
2. 111.21 feet along the arc of a non-tangent curve to the left, having a radius of 530.99 feet and being subtended by a chord of North 57°01'13" West, 111.01 feet, thence,
3. 23.86 feet, along the arc of a tangent curve to the left, having a radius of 335.76 feet, and being subtended by a chord of North 65°03'23" West, 23.86, thence binding on the right of way of Executive Boulevard as it now exist, the following three courses and distances,
4. South 83°21'52" East, 71.94 feet, thence,
5. South 54°47'06" East, 77.56 feet, thence,
6. South 09°16'19" West, 47.81 feet, to the **POINT OF BEGINNING**, containing a computed area of 3,046 square feet or 0.06993 acres of land, more or less.

SURVEYOR'S CERTIFICATE

I hereby certify that I was in responsible charge of the preparation of this metes and bounds description, and the survey work reflected in it, all in compliance with the requirements set forth in 09.13.06.12 of the COMAR Regulations.

Mark A. Busch

Date:

Professional Land Surveyor MD. Reg. No. 508

Exp. 07/15/2021

EXHIBIT H

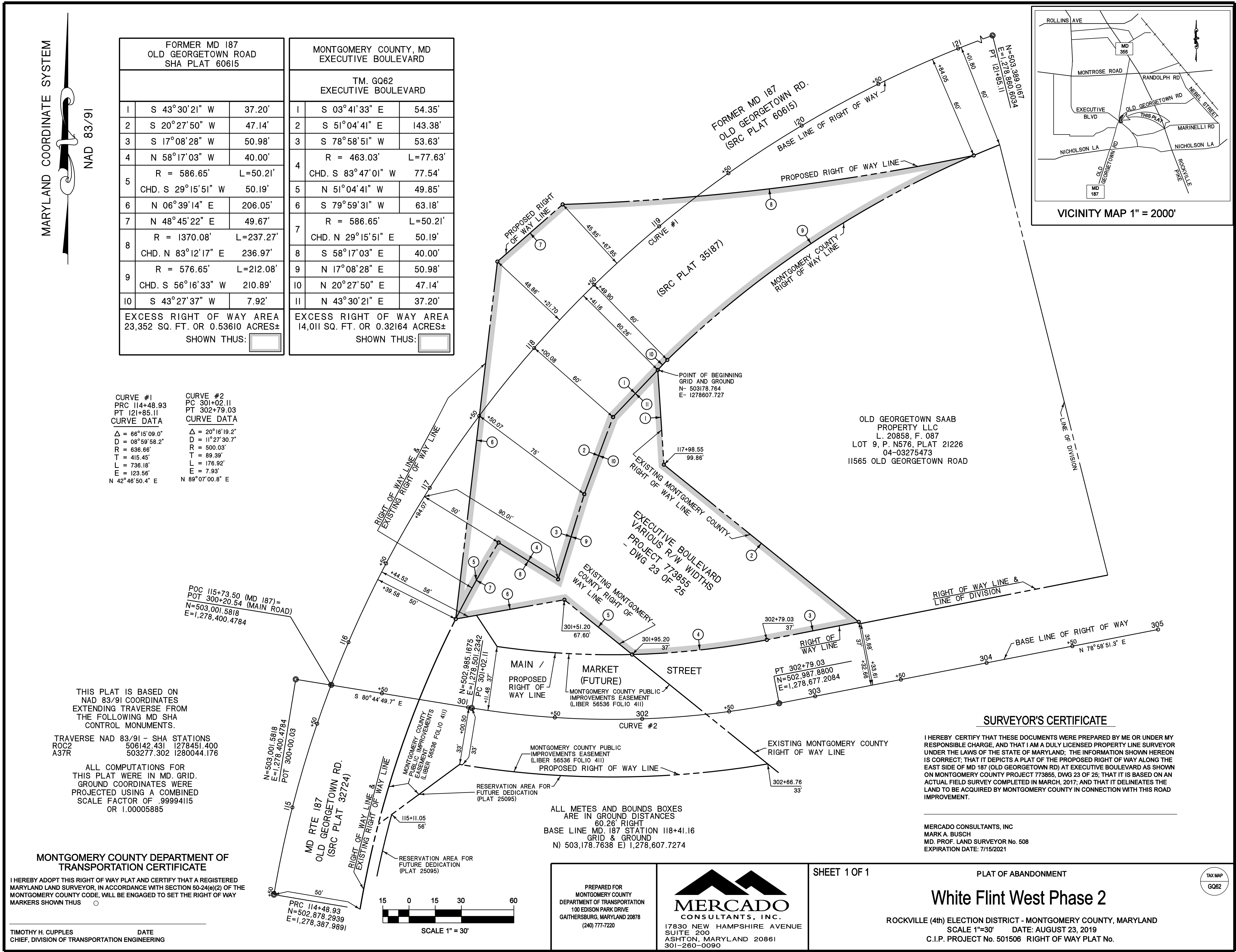


EXHIBIT “I”
DESCRIPTION OF
PARCELS TO BE ABANDONED
BY
MONTGOMERY COUNTY, MARYLAND

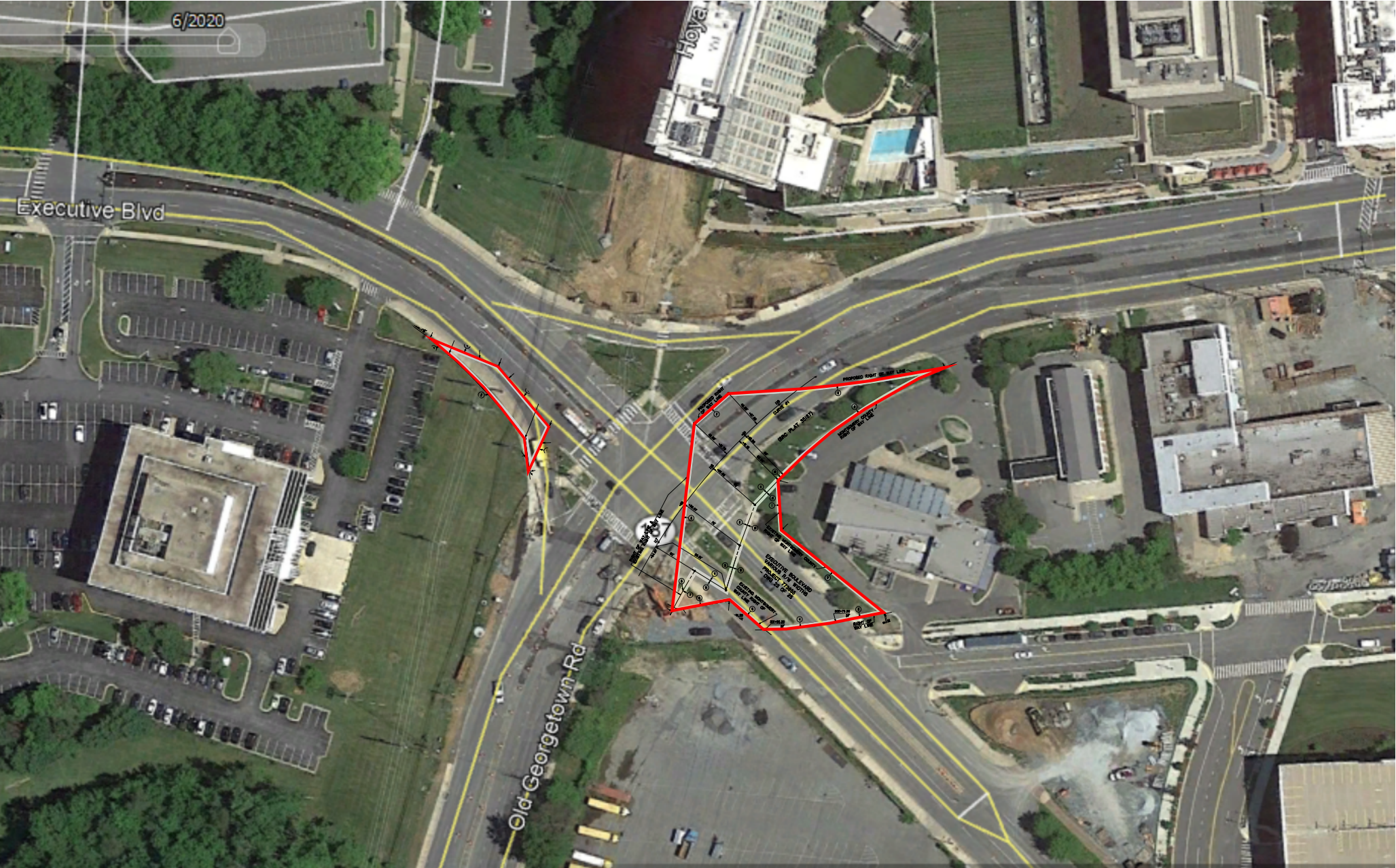
BEING two strips or parcels of land herein after described as running in, through, over and across the abandoned right of way of Executive Boulevard, as shown on Montgomery County Project 773855, Drawing 23 of 25 and Maryland route 187 (Old Georgetown Road) and further shown on Maryland State Roads Commission plat number 35187, and being more particularly described in the Maryland Coordinate System (NAD83/91), projected to ground dimensions using a combined scale factor of 1.00005885, from the point of beginning described below:

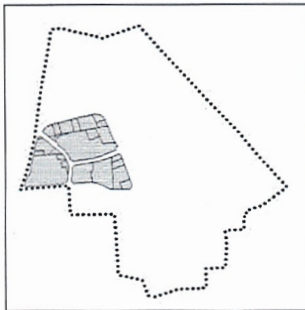
EXECUTIVE BOULEVARD

BEGINNING for the same at a point on the easterly right of way of Executive Boulevard as it now exist, at the beginning point of the above described right of way plat, having NAD83/91, both grid and ground projected, coordinates N) 503178.764, E) 1278607.727, thence from the **POINT OF BEGINNING**, so fixed and binding on the Montgomery County Executive Boulevard Parcel as defined on the above mentioned Plat, the following eleven courses and distances, projected to ground dimensions as mentioned above, and binding on the right of way of Executive Boulevard, for the first two courses and distances, VIZ:

1. South 03°41'33" East, 54.35 feet, thence,
2. South 51°04'41" East, 143.38 feet, thence binding on the Relocated Main/Market Street Right of Way, the following two courses and distances,
3. South 78°58'51" West, 53.63 feet, thence,
4. 77.63 feet along the arc of a tangent curve to the right, having a radius of 463.03 feet, and being subtended by a chord of South 83°47'01" West, 77.54 feet, thence binding on westerly right of way of Executive Boulevard for the following two courses and distances,
5. North 51°04'41" West, 49.85 feet, thence,
6. South 79°59'31" West, 63.18 feet, to bind along the easterly right of way of MD 187, thence binding along said right of way the following five courses and distances,
7. 50.21 feet, along the arc of a tangent curve to the right, having a radius of 586.65 feet, and being subtended by a chord of North 29°15'51" East, 50.19 feet, thence,
8. South 58°17'03" East, 40.00 feet, thence,
9. North 17°08'28" East, 50.98 feet, thence,
10. North 20°27'50" East, 47.14 feet, thence,
11. North 43°30'21" East, 37.20 feet, to the **POINT OF BEGINNING**, containing a computed area of 14,011 square feet or 0.32164 acres of land, more or less.

EXHIBIT





Metro West District

This 54-acre district, bounded by Old Georgetown Road, Nicholson Lane and Rockville Pike, forms the western part of the Sector Plan core. There is substantial public investment in the Aquatic Center, Wall Local Park, and the Bethesda North Conference Center and Hotel. The realignment of Executive Boulevard and Old Georgetown Road will create a street grid within the district and improve traffic circulation in the entire Sector

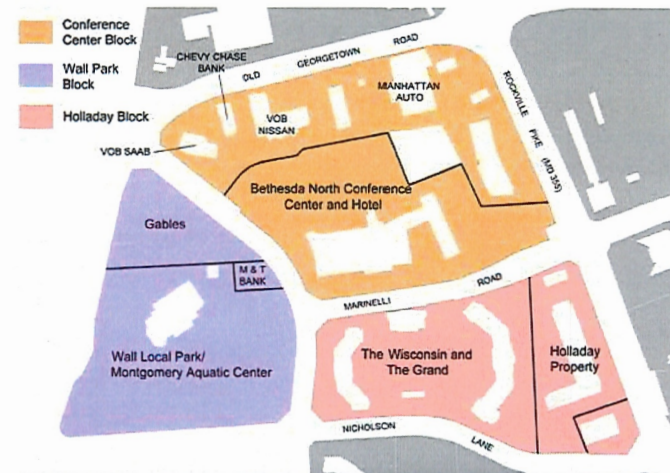
Plan area. The District is divided into three blocks: Conference Center, Wall Local Park and Holladay (Map 13).

The Plan recommends public investment in the Market Street Civic Green promenade, and outdoor recreational facilities at Wall Local Park. Assembly or combined development would best create the proposed street grid, especially in Blocks 1 and 2. When Executive Boulevard and Old Georgetown Road are reconfigured and Market Street is constructed, Blocks 1 and 2 will be divided into smaller blocks. Development in the smaller blocks should be organized with lower building heights at the northwest corner of the Old Georgetown Road and the realigned Executive Boulevard intersection.

Block 1: Conference Center

The Bethesda North Conference Center and Hotel (TS-R Zone), surrounded by automobile sales and other commercial uses, is the main feature in this block. These properties are in the C-2 and TS-R Zones. The new civic green, public use spaces, and Market Street will create the backdrop for future private redevelopment. The road alignments and location of public facilities indicated in Map 18 are not meant to represent specific or final locations and could shift. Development at the intersection of Rockville Pike and Marinelli Road at the Metro station entrance should have a significant public use space.

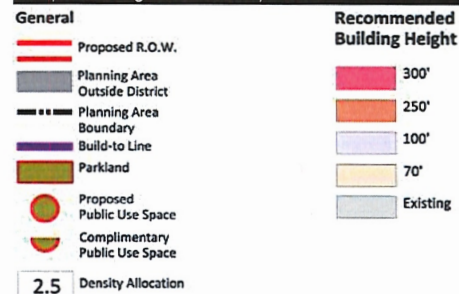
- Properties zoned C-2 and TS-R fronting Rockville Pike should be rezoned to CR 4: C 3.5, R 3.5, and H 300 with the remainder of the block CR 4: C 2.0, R 3.5, and H 250. The lower height in the block's interior will be consistent with residential development across Marinelli Road, which is 200 feet or greater. The Conference Center property is split zoned to accommodate taller buildings along Rockville Pike and lower buildings on the west.
- The Conference Center Block contains 11 different properties. The proposed street alignment will create smaller blocks. The civic green is to be located on the north side of Market Street. Redevelopment in this block will require careful coordination between property owners and the public sector to align, dedicate, acquire, and build the public

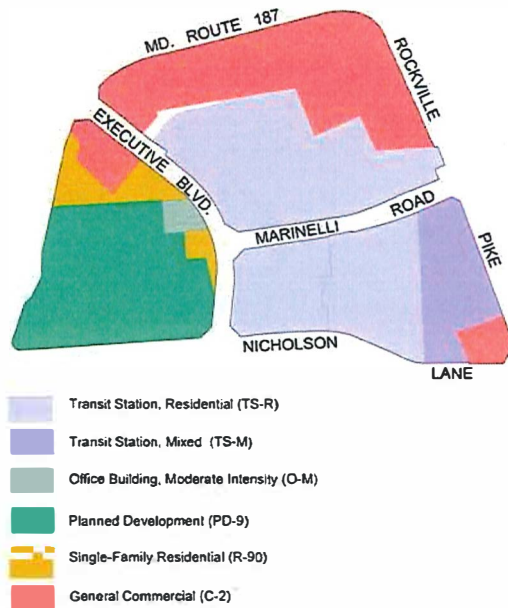


Map 13: Location

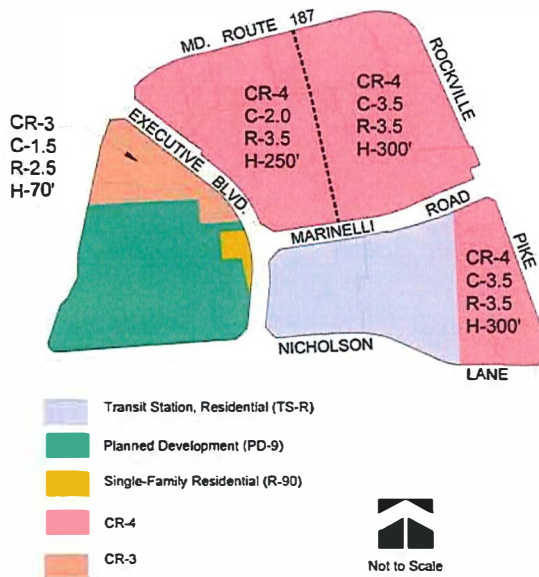


Map 14: Height and Density





Map 15: Existing Zoning



Map 16: Proposed Zoning

roads so that the new blocks formed by the new street network are of a size and configuration that is suitable for redevelopment and can accommodate the one-to-two-acre civic green. The Planning Board should attempt to maximize the size of the civic green, provided it does not compromise functionality. When the Conference Center site redevelops, there should be a complementary public use space on the south side of Market Street to anchor the civic green.

Block 2: Wall Local Park

This block contains the 11-acre Wall Local Park and Montgomery Aquatic Center. There are two other properties, the Gables (now used as a parking lot) and a bank. The land area remaining after the intersection realignment of Old Georgetown Road and Executive Boulevard will be reconfigured into rectangular blocks in sizes more conducive to redevelopment. Wall Local Park should be redesigned with more active outdoor facilities through developer contributions. It may also be an appropriate location for a new community recreation center. This area should be primarily residential in character and use. The Metro East District, because of its proximity to transit in the center of the Sector Plan area, is a suitable alternate location for the co-location of the recommended library and regional services center.

- Confirm the PD-9 and R-90 Zones on Wall Local Park.
- Rezone the rest of the block to CR 3: C 1.5, R 2.5, and H 70 to ensure a transition in height and density between Block 1 at the Metro station and the existing residential development across Old Georgetown Road.

Block 3: Holladay

This 15-acre block is bounded by Marinelli Road, Nicholson Lane, Executive Boulevard, and Rockville Pike. Properties are zoned TS-M, TS-R, and C-2. The Wisconsin and The Grand multifamily developments reflect earlier success with high-rise residential development, while the Holladay development along Rockville Pike represents the type of mixed-use envisioned in this Plan. There is already substantial residential development in this block and redevelopment should focus on employment and retail uses.

- Confirm existing residential development (Grand and Wisconsin) in the TS-R Zone since redevelopment with mixed uses is unlikely.
- Rezone the TS-M zoned Holladay property, located at Marinelli Road and Rockville Pike, and the C-2 property at the corner of Nicholson Lane and Rockville Pike to CR 4: C 3.5, R 3.5, and H 300. The Holladay property is currently subject to a development plan with a maximum 2.2 FAR. If the owners choose to take advantage of the greater potential FAR of the CR Zone, the new plan will be subject to the requirements of the CR Zone.

ATTACHMENT C: ACQUISITION AND ABANDONMENT

LEGEND
 --- EXISTING RIGHT OF WAY
 --- PROPOSED RIGHT OF WAY

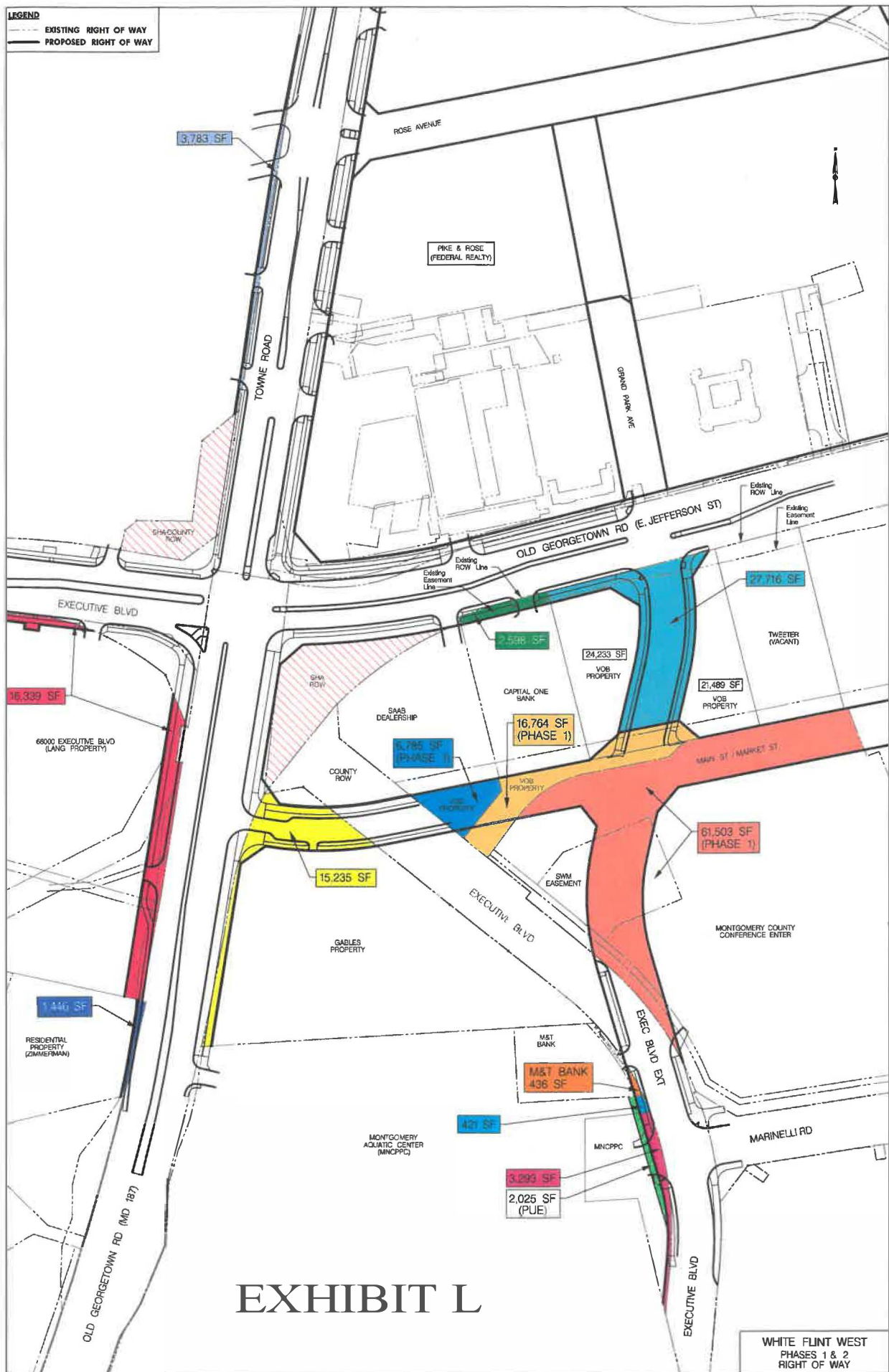


EXHIBIT L

WHITE FLINT WEST
 PHASES 1 & 2
 RIGHT OF WAY

EXHIBIT M



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

MEMORANDUM

May 26, 2020

TO: Eric Willis Real Estate Specialist
Property Acquisition Section
Division of Transportation Engineering

FROM: Rebecca Torma, Manager
Development Review Team
Transportation Policy

SUBJECT: AB772, Abandon portions of Executive Boulevard and Old Georgetown Road

Thank you for the opportunity to review the proposed abandonments for portions of Executive Boulevard and Old Georgetown Road in White Flint as shown in Exhibits B and D of the memo dated May 7, 2020. This abandonment was requested by Eric Willis, Chief, Property Acquisition Section of Montgomery County.

We recommend approval of the requested abandonments for portions of Executive Boulevard and Old Georgetown Road. The abandonment is not subject to any conditions.

Thank you for cooperation and assistance. If you have any questions regarding this memo, please contact me at your earliest convenience.

[SharePoint/Transportation/Director's Office/Development Review/Rebecca/Developments/White Flint/AB772 – Abandonment Executive and Old Georgetown.docx](#)

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX
www.montgomerycountymd.gov

Subject: RE: Requests for comments on ROW Abandonment (AB 772 Portions of Executive Blvd & Old Georgetown Road)
Date: Thursday, August 27, 2020 at 3:58:57 PM Eastern Daylight Time
From: Panjshiri, Atiq
To: Tracy, Joshua, Willis, Eric
CC: Jeeves, Brian, Emery, Henry
Attachments: Re: Requests for comments on ROW Abandonment (AB 772 Portions of Executive Blvd & Old Georgetown Road).eml

Joshua: This was previously discussed as part of white flint redevelopment, NO comment from DPS.

Atiq Panjshiri

Manager, Right of Way Plan Review
Division of Land Development, MCDPS
Montgomery County, Maryland
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850
Tel: 240-777-6352
email: Atiq.Panjshiri@montgomerycountymd.gov

Have you tried DPS eServices?

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Subject: Fw: Requests for comments on ROW Abandonment (AB 772 Portions of Executive Blvd & Old Georgetown Road)
Date: Thursday, May 21, 2020 at 11:15:10 AM Eastern Daylight Time
From: LaBaw, Marie
To: Tracy, Joshua
Attachments: Jan 2019 Plans.pdf

At this time MCDPS section of Fire Department Access and Water Supply supports this abandonment conditioned on the opportunity to review any revisions to the attached plan set.

S Marie LaBaw PhD, PE
Fire Department Access and Water Supply
Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, MD 20850
(240) 773-8917 Office
Marie.LaBaw@montgomerycountymd.gov

From: Tracy, Joshua <Joshua.Tracy@montgomerycountymd.gov>
Sent: Thursday, May 14, 2020 3:32 PM
To: Terry, Mark <Mark.Terry@montgomerycountymd.gov>; Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>; Pallas, Edward <Edward.Pallas@montgomerycountymd.gov>; Warnick, Pastora <Pastora.Warnick@montgomerycountymd.gov>; Panjshiri, Atiq <Atiq.Panjshiri@montgomerycountymd.gov>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Stanbury-Woolery, Caville <Caville.Stanbury-Woolery@wsscwater.com>; Washington Gas Light <Slincoln@washgas.com>; Bergling, Autumn D:(Contractor - BGE) <Autumn.Bergling@bge.com>
Cc: Willis, Eric <Eric.Willis@montgomerycountymd.gov>; Cupples, Tim <Tim.Cupples@montgomerycountymd.gov>
Subject: Requests for comments on ROW Abandonment (AB 772 Portions of Executive Blvd & Old Georgetown Road)

All,

Please find attached an application from the Montgomery County Department of Transportation- Division of Transportation Engineering, to abandon a portions of Executive Boulevard and Old Georgetown Road in the White Flint Sector Area. The attached application includes:

1. Cover Letter Memorandum
2. Narrative & Justification Statement
3. Exhibits A-F describing the area sought for abandonment

Please review the attached and submit any comments you may have concerning the subject request to me no later than **July 15th, 2020**.

An Executive Order authorizing a public hearing to consider abandonment petition will be issued once a new hearing officer is appointed by the County. Additional information will be provided in regard to said hearing as information becomes available.

I thank you in advance for your consideration and attention to this matter. Should you have any questions, please feel free to give me a call.

Regards,

Joshua Tracy, RWA, R/W-NAC, R/W-RAC
Real Estate Specialist

Department of Transportation
Division of Transportation Engineering
Property Acquisition Section
100 Edison Park Drive, 4th Floor
Gaithersburg, MD 20878
240-777-7256
Joshua.Tracy@montgomerycountymd.gov
<image002.png>

Take 10 minutes to be counted now – visit: <https://2020census.gov/>



For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19

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For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19

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For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19

EXHIBIT P



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

DATE: September 2, 2020

TO: Gwen Wright, Planning Director

VIA: Carrie Sanders, Chief *CS*

FROM: Jessica McVary, Supervisor *JM*
Nkosi Yearwood, Planner Coordinator *NY*
Mid-County Planning Division

SUBJECT: Right-of-Way Abandonment Case No. AB-772
Portions of Executive Boulevard and Old Georgetown Road

RECOMMENDATION

Staff supports the subject abandonment petition and hereby transmits the following staff comments to the Montgomery County Department of Transportation (MCDOT) in accordance with Montgomery County Code Chapter 49-62, "Abandonment and Closing Rights-of-Way: Abandonment Authority; Scope of Article; Procedures." The Planning Board has not reviewed this proposal, but it has reviewed and approved new developments associated with this petition.

DISCUSSION

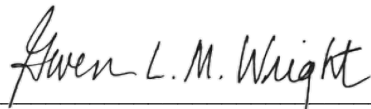
The subject abandonment is requested by the Montgomery County Department of Transportation (MCDOT), Division of Transportation Engineering, to abandon two portions of excess public right-of-way that will no longer be needed for current or future use. The areas include a portion of Executive Boulevard and a portion of Old Georgetown Road. These roadways are located in the White Flint plan areas.

The first portion of excess right-of-way, approximately 3,046 square feet, is located along the frontage of 6000 Executive Boulevard in the 2018 *White Flint 2 Sector Plan* area. In 2018, this property received a Sketch Plan (No. 320180140) approval from the Planning Board. The underlying land will be transferred to the property owner of 6000 Executive Boulevard (Guardian Realty), upon Council approval of the abandonment.

The roadway realignment at Executive Boulevard and Old Georgetown Road will create an approximate 37,363-square foot area of excess right-of-way, which is the second portion identified for abandonment. This area was previously owned by the Maryland Department of Transportation State Highway Administration (MDOT SHA) and was transferred to the County

in 2016. This area is associated with the VOB development, which has received two approvals from the Planning Board, including a Preliminary Plan. Upon Council approval of the abandonment, this area will be transferred to the property owner.

The proposed abandonment of these two public rights-of-way will contribute toward the implementation of the White Flint Western Workaround (CIP No. 501506) and new development approved in the White Flint Sector Plans. Therefore, the Montgomery County Planning Department recommends approval of the abandonment case, AB 772 Portions of Executive Boulevard and Old Georgetown Road, based on Planning Staff's review as described in this memorandum.



Gwen Wright, Planning Director

September 2, 2020

Date Approved

GW:jm:ny:ha

Attachment

1. Abandonment Request

Subject: RE: [External] Requests for comments on ROW Abandonment (AB 772 Portions of Executive Blvd & Old Georgetown Road)
Date: Thursday, May 14, 2020 at 4:15:49 PM Eastern Daylight Time
From: Lincoln, Stephen
To: Tracy, Joshua
Attachments: image002.jpg, image003.png, image004.png, image005.png

[EXTERNAL EMAIL]

Joshua,

As Washington Gas relocated their facilities into the new ROW in conjunction with Phase 1 and 2 of the White Flint West project by Montgomery County Department of Transportation, we have no objections to the proposed abandonments.

Thanks,

STEPHEN LINCOLN

Engineer III – System Replacement

Washington Gas | A WGL Company

P 703.750.4739 | M 571.308.5261 | slincoln@washgas.com

6801 Industrial Rd., Springfield, VA 22151

ENERGY ANSWERS. ASK US.

WashingtonGas.com [f](#) [t](#) [in](#)

From: Tracy, Joshua <Joshua.Tracy@montgomerycountymd.gov>

Sent: Thursday, May 14, 2020 3:32 PM

To: Terry, Mark <Mark.Terry@montgomerycountymd.gov>; Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>; Pallas, Edward <Edward.Pallas@montgomerycountymd.gov>; Warnick, Pastora <Pastora.Warnick@montgomerycountymd.gov>; Panjshiri, Atiq <Atiq.Panjshiri@montgomerycountymd.gov>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Stanbury-Woolery, Caville <Caville.Stanbury-Woolery@wsscwater.com>; Lincoln, Stephen <Slincoln@washgas.com>; Bergling, Autumn D:(Contractor - BGE) <Autumn.Bergling@bge.com>

Cc: Willis, Eric <Eric.Willis@montgomerycountymd.gov>; Cupples, Tim <Tim.Cupples@montgomerycountymd.gov>

Subject: [External] Requests for comments on ROW Abandonment (AB 772 Portions of Executive Blvd & Old Georgetown Road)

All,

Please find attached an application from the Montgomery County Department of Transportation- Division of Transportation Engineering, to abandon a portions of Executive Boulevard and Old Georgetown Road in the White Flint Sector Area. The attached application includes:

1. Cover Letter Memorandum
2. Narrative & Justification Statement
3. Exhibits A-F describing the area sought for abandonment

Please review the attached and submit any comments you may have concerning the subject request to me no later than **July 15th, 2020**.

An Executive Order authorizing a public hearing to consider abandonment petition will be issued once a new hearing officer is appointed by the County. Additional information will be provided in regard to said hearing as information becomes available.

I thank you in advance for your consideration and attention to this matter. Should you have any questions, please feel free to give me a call.

Regards,

Joshua Tracy, RWA, R/W-NAC, R/W-RAC
Real Estate Specialist

Department of Transportation

Division of Transportation Engineering

Property Acquisition Section

100 Edison Park Drive, 4th Floor

Gaithersburg, MD 20878

240-777-7256

Joshua.Tracy@montgomerycountymd.gov



Take 10 minutes to be counted now – visit: <https://2020census.gov/>

For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19

WARNING: This email originated outside of Washington Gas. **EXERCISE CAUTION** when clicking on links or attachments, or inputting data.

Disclaimer: This e-mail and any files transmitted with it are for the sole use of the intended recipient(s) and may contain confidential and privileged information. If you are not the intended recipient(s), please reply to the sender and destroy all copies of the original message. Any unauthorized review, use, disclosure, dissemination, forwarding, printing or copying of this email, and/or any action taken in reliance on the contents of this e-mail is strictly prohibited and may be unlawful. Where permitted by applicable law, this e-mail and other e-mail communications sent to and from Washington Gas e-mail addresses may be monitored.

EXHIBIT R

Resolution No.: 18-21
Introduced: January 13, 2015
Adopted: January 13, 2015

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By County Council

SUBJECT: DOT Docket No. AB739
Abandonment Portion of Executive Boulevard
White Flint District, North Bethesda

Background

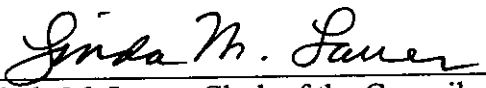
1. By memorandum dated May 27, 2013 from the Director of the Montgomery County Department of Transportation, the Applicant, a request was made for the County to abandon a portion of Executive Boulevard in the White Flint District of North Bethesda. The portion of the right-of-way for which abandonment is sought is owned in fee by the County. Pursuant to the 2010 White Flint Sector Plan this abandonment and associated realignment are recommended.
2. A Public Hearing to consider the abandonment proposal was held on September 18, 2013 by the designee of the County Executive.
3. Verizon indicated that it would require easements and a written statement that the County will pay all costs associated with relocating its facilities.
4. Washington Suburban Sanitary Commission conditioned its approval upon being granted a right-of-way 20 feet wide.
5. Washington Gas did not respond within 60 days and therefore, concurrence is presumed.
6. PEPCO did not respond within 60 days and therefore, concurrence is presumed.
7. The Montgomery County Police Department did not respond within 60 days and therefore, concurrence is presumed.
8. The Montgomery County Planning Board did not respond within 60 days and therefore, concurrence is presumed.
9. The Department of Fire and Rescue Services conditioned its approval provided that the new alignment is in service prior to the closure of the right-of-way.
10. The County Executive recommends approval of the proposed abandonment.

Action

The County Council for Montgomery County, Maryland, finds that a portion of Executive Boulevard in the White Flint District of North Bethesda as shown on the attached drawing is no longer necessary for public use, pursuant to Section 49-63 of the Montgomery County Code, and approves the abandonment subject to the following conditions which must be satisfied at Applicant's sole cost and expense prior to the abandonment becoming effective:

1. The Applicant must grant easements and provide a written statement to Verizon concerning the Applicant's paying all costs associated with relocating Verizon's facilities;
2. The Applicant must grant Washington Suburban Sanitary Commission a right-of-way twenty feet wide;
3. The County Attorney must record among the Land Records of Montgomery County, Maryland, a copy of this Resolution approving the abandonment of the subject area; and
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.

This is a correct copy of Council Action.



Linda M. Lauer, Clerk of the Council



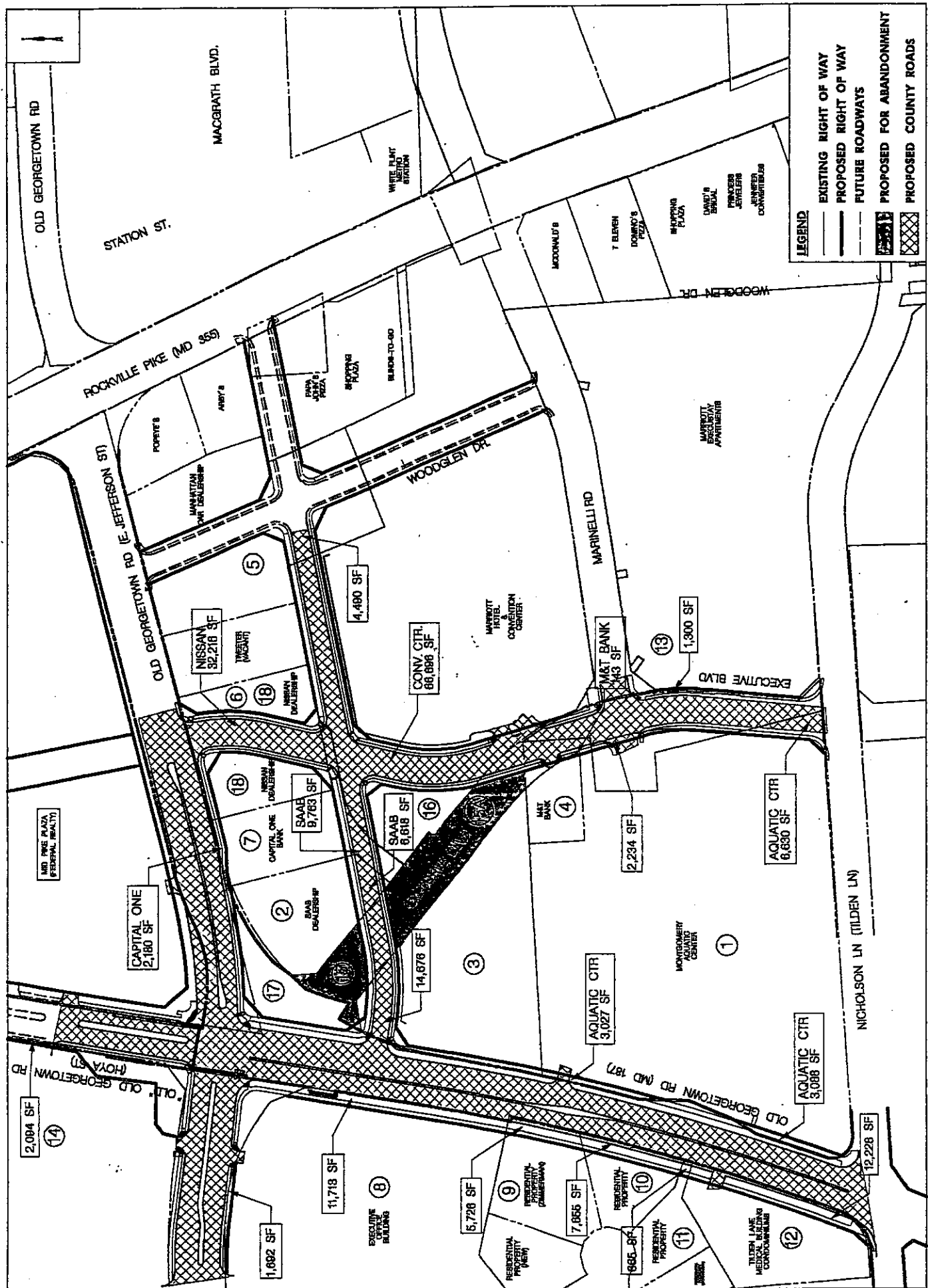


EXHIBIT S

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) HMS 5595, p. 0839, MSA CE63-5553, Date available 07/01/2005, Printed 02/07/11

NO FEE - MONTG. CO. MD.

1980 OCT 17 PM 2:02

CLERK'S OFFICE
MONTGOMERY COUNTY, MD

LIBER 5595 FOLIO 839

D E E D

THIS DEED made this 22nd day of September, 1980,
by and between EXECUTIVE ASSOCIATES LIMITED PARTNERSHIP
hereinafter called GRANTORS, and the following, MONTGOMERY
COUNTY, MARYLAND, GRANTEE, hereinafter called the "COUNTY".

W I T N E S S E T H:

That in consideration of the sum of SIXTY THOUSAND
AND SIX HUNDRED DOLLARS (\$ 60,600.00) and other good and
valuable consideration, the said GRANTOR does hereby grant, con-
vey in fee simple and release unto the COUNTY, a body corporate,
its successors and assigns, all those pieces or parcels of
ground and other rights situate and lying in Montgomery County,
Maryland, and more particularly described as follows:

FEE TAKING

Being part of a tract of land acquired by Executive
Associates, Ltd., by deed dated August 8, 1968, and
recorded among the Land Records of Montgomery County,
Maryland in Liber 3777 at Folio 472, and also shown
as part of "Parcel D" of a record plat known as
"Washington Science Center" and recorded among the
Land Records of Montgomery County at plat book 90,
plat 9672, and beginning for the same at a point on
the southerly right of way line of Executive Boulevard
said point being at the end of the South 80°47'20"
East 108.86 feet line of said plat, and thence along
the lines of said plat the following three courses
as now surveyed in the daum of the Washington Metro-
politan Area Transit Authority.

LIBER 5595 FOLIO 840

1. South 35°49'32" East 70.710 feet to a point on the Westerly right of way line of Md. Rte. 187, known as Old Georgetown Road, thence
2. South 09°10'28" West 91.240 feet, thence
3. North 80°49'32" West 1.086 feet, thence leaving said right of way and crossing said Parcel D, the following three courses, these courses also being the new right of way lines of Executive Boulevard
4. North 22°50'10" West 89.794 feet to a point on a curve to the left; said point not being a point of tangency, thence
5. Along the arc of said curve, having a radius of 530.958 feet, for a distance of 111.204 feet (Chord bearing and distance North 57°01'43" West 111.000 feet) to a point of compound curvature, thence
6. Along the arc of said compound curve, having a radius of 335.739 feet for a distance of 134.567 feet (Chord bearing and distance North 74°30'38" West 133.664 feet), to another point of compound curvature, said point also being on the existing right of way line of Executive Boulevard, thence along this existing right of way line as shown on plat 9201, plat book 87, the following two courses
7. Along the arc of a curve to the right, having a radius of 1380.00 feet, for a distance of 124.445 feet (Chord bearing and distance South 83°24'32" East 124.403 feet) to a point of tangency, thence
8. South 80°49'33" East 108.860 feet to the place of beginning, containing 8,825.40 square feet or 0.20260 acres, all as shown on a drawing entitled "Right of Way Plan of Executive Boulevard", Montgomery County Project No. 77-3855.

And the said Grantor does further grant and convey unto the County, its successors and assigns, easements for the purpose of creating and maintaining graded slopes necessary for stabilizing and draining the roadway and abutting property over 8,010 square feet, more or less, of the property of said Grantor as it abuts the proposed right of way of Executive Boulevard, and removing and reconstructing the two drive-ways. Said slopes to extend varying distances from 0 feet minimum to 45 feet maximum into said property, all as shown on the right of way plans for Montgomery County Department of Transportation Project No. 77-3855 on file at the Department of Transportation, Montgomery County, Maryland.

Said slope easement shall be extinguished after all required improvements have been completed and accepted for maintenance by Montgomery County.

Montgomery County at its sole expense shall relocate underground water system and provide adequate temporary access to property, all to the reasonable satisfaction of seller.

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) HMS 5595, p. 0841, MSA CE63_5553, Date available 07/01/2005, Printed 02/07/12

LIBER 5595 FOLIO 841

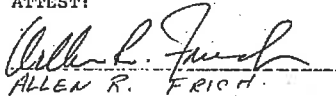
TOGETHER WITH ALL the rights, privileges, easements, appurtenances and advantages thereto belonging or appertaining.

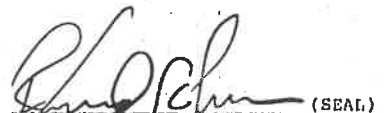
TO HAVE AND TO HOLD the above granted property and rights unto the said COUNTY, its successors or assigns in fee simple.

AND the said GRANTOR does hereby covenant that he will warrant specially the property hereby conveyed, and that he will execute such further assurances of said lands as may be requisite.

WITNESS his hand and seal the day and year first above written.

ATTEST:

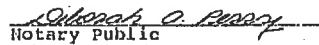

ALLEN R. FRISCH

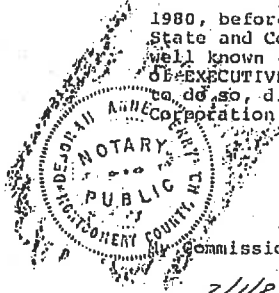
 (SEAL)
EXECUTIVE ASSOCIATES LIMITED
PARTNERSHIP By Its General
Partner WILLCO ASSOCIATES: By
Richard S. Cohen, General Partner

STATE OF MARYLAND)
COUNTY OF MONTGOMERY) ss

I hereby certify that on this 23rd day of September, 1980, before me, the subscriber, a Notary Public of the aforesaid State and County, personally appeared Richard S. Cohen personally well known (or satisfactorily proven) to be *
OF EXECUTIVE ASSOCIATES LIMITED PARTNERSHIP, and being authorized to do so, did acknowledge the same to be the act and deed of said Corporation.

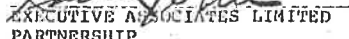
* the General Partner of WILLCO ASSOCIATES Which is the General Partner


Notary Public
Deborah A. Perry



Commission Expires: 2/1/82

This is to certify that the property transferred hereby does not constitute all or substantially all of the property and assets of the transferror corporation as defined by the General Law of the State of Maryland, contained in the Corporations and Associations Volume, Annotated Code of Maryland.


EXECUTIVE ASSOCIATES LIMITED
PARTNERSHIP
Richard S. Cohen

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) HMS 5595, P. 0842 MSA CE63 5553 Date available: 07/01/2005. Printed 02/07/17

LIBER 5595 FOLIO 842

Montgomery County, Maryland
County Office Building
Rockville, Maryland 20850

OFFICE OF
THE COUNTY ATTORNEY

TELEPHONE
AREA CODE 301
279-1245

October 8, 1980

#60-79

Richard S. McKernon
51 Monroe Street
Suite 600
Rockville, Maryland 20850

Judgment - July 5, 1980
Lmsth, A-3114 & Co. CI
of Howard Co. docketed
in Md. Co. as Lmsth/CI 8/6/80
PHID 511715 FICD

Re: Executive Assoc. Property

Dear Dick:

Attached please find my letter to you advising that there was a problem with Andris Realty, whose attorney is Thomas Yewell in Prince George's County. The letter from Cohen Investments indicated this was paid. I wanted to call this to your attention as you made your final title run-down.

Present this letter to the Clerk of the Court to indicate authorization to act as Montgomery County's agent so that the usual recordation fees can be waived.

Sincerely,

PAUL A. MCGUCKIAN
COUNTY ATTORNEY

Chuck
Charles S. Rand
Assistant County Attorney

PAM:CSR:kdc

Attachment

LIBER 5595 FOLIO 843

HEREBY CERTIFY THIS PROPERTY HAS BEEN ONLY
TRANSFERRED ON THE MONTGOMERY COUNTY
ASSESSMENT BOOKS.
I, [Signature]
Recorder - now ASSESSMENT DEPARTMENT
4-1-# 48331

TRANSFER TO GOVERNMENT
OR CHARITABLE ORGANIZATION

[Signature]

All Taxes on assessments certified to the
Collector of Taxes for Montgomery County
Md. by *[Signature]* have been paid Dept. of
Finance - Montgomery County, Md. This
statement is for the purpose of permitting
recognition and is not assurance against
future taxation, even for prior periods, nor
does it guarantee satisfaction of outstanding
tax bills.

OCT 16 1980
4-1-48331

EXHIBIT T

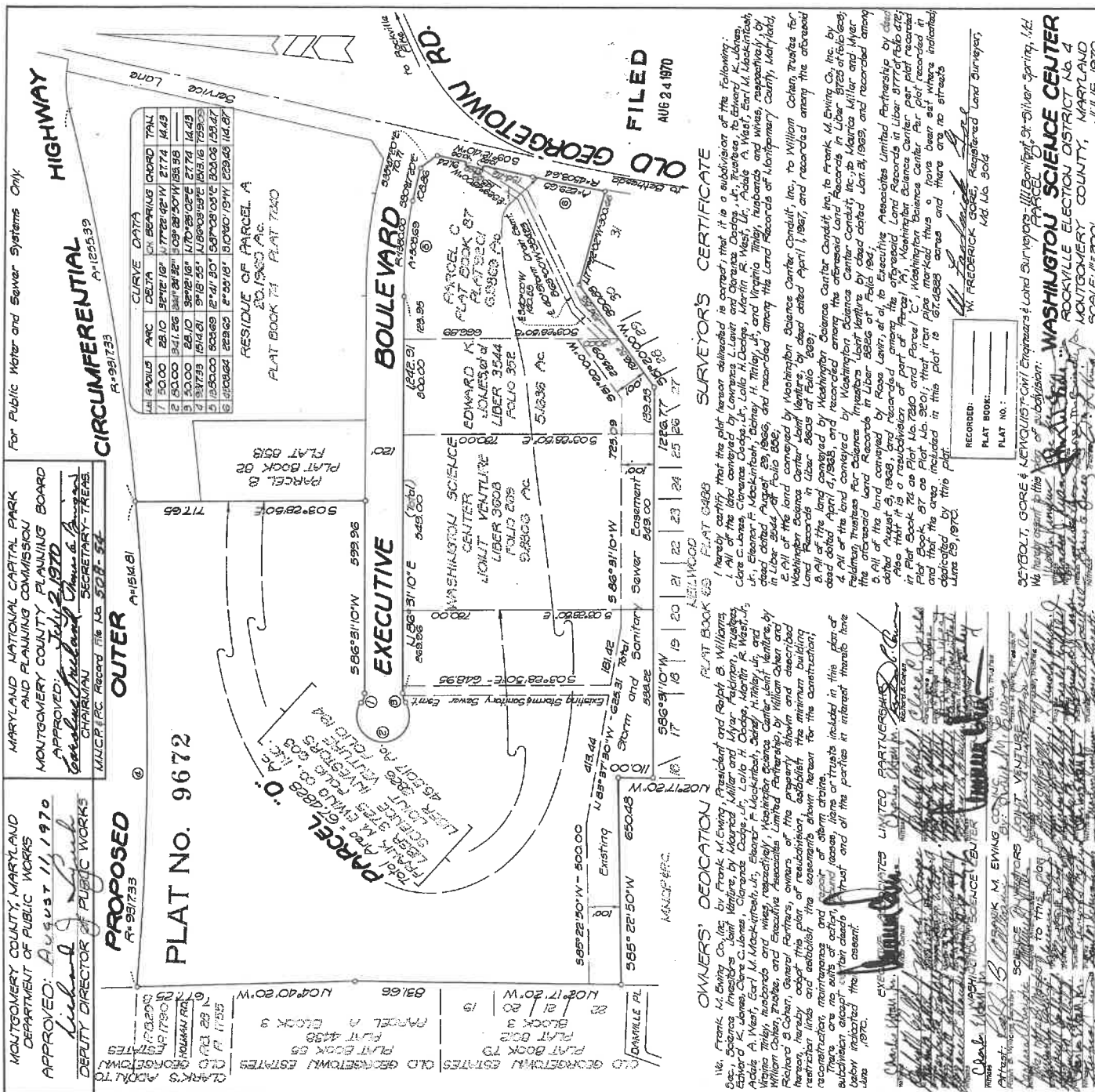


EXHIBIT U

SHA 63.00-26D 4/20/93

Mailing Address:

Records & Research Section
Mail Stop - M-202
707 North Calvert Street
Baltimore, MD 21202

STANDARD ROAD CONVEYANCE DEED

FROM THE STATE HIGHWAY ADMINISTRATION
OF THE MARYLAND DEPARTMENT
OF TRANSPORTATION AND THE BOARD
OF PUBLIC WORKS OF MARYLAND

Right of Way Item No.: N/A

Road Transfer Item No. 43631

THIS ROAD CONVEYANCE DEED, made this 3rd day of OCTOBER in the year, 2017, by and between the **STATE HIGHWAY ADMINISTRATION** of the **MARYLAND DEPARTMENT OF TRANSPORTATION**, acting for and on behalf of the **STATE OF MARYLAND**, party of the first part; and the **BOARD OF PUBLIC WORKS OF MARYLAND**, party of the second part hereinafter sometimes called "**GRANTORS**"; and **the MONTGOMERY COUNTY, MARYLAND**, a body corporate and politic, hereinafter sometimes called "**GRANTEE**."

WHEREAS, the STATE HIGHWAY ADMINISTRATION of the Maryland Department of Transportation, acting for and on behalf of the State of Maryland, has heretofore acquired certain property and rights, situate, lying and being in Montgomery County, State of Maryland; and

WHEREAS, a Road Transfer Agreement dated July 13, 2016, wherein the STATE HIGHWAY ADMINISTRATION of the Maryland Department of Transportation has agreed to transfer and convey to Montgomery County, Maryland, the hereinafter described section of roadway which heretofore was constructed by the State of Maryland, and Montgomery County, Maryland has agreed to accept responsibility and jurisdiction over, and the responsibility for, the maintenance of said state roadway; and,

WHEREAS, the STATE HIGHWAY ADMINISTRATION has constructed a certain roadway area, known and designated as **MD 187 - Old Georgetown Road**: from Executive Boulevard (at current Mile Point 05.040) to MD 355, Rockville Pike (at current Mile Point 05.320) for the total distance of 0.28 mile. Also included is the eastern portion of the "turn flare" at the Old Georgetown Road intersection with Executive Blvd and (future) Hoya/Towne Road. Total conveyance to consist of 161,522 square feet or 3.708 acres \pm ; and

WHEREAS, the State Highway Administration has prepared, or caused to be prepared One (1) Right of Way Plat designated as State Highway Administration Plat number **60615**, which Plat has been or will be duly filed for record with and electronically recorded by the Maryland State Archives; and

WHEREAS, the said Plat shows the land, easements, rights and controls of access which have been determined by the State Highway Administration as necessary to be retained by the State for the construction, operation, maintenance, use and protection of the highway and/or bridge constructed, or to be constructed, as aforesaid; and

WHEREAS, the STATE HIGHWAY ADMINISTRATION has agreed, for good and valuable consideration, to convey unto GRANTEE herein certain portion of land/roadway, hereinafter described, which the STATE HIGHWAY ADMINISTRATION has determined is no longer needed by it in connection with the construction, operation, maintenance, use and protection of the State Highway System; and

WHEREAS, under the provisions of Section 8-304 of the Transportation Article of the Annotated Code of Maryland, it is necessary for the Board of Public Works of Maryland to join in the

conveyance of any land by the STATE HIGHWAY ADMINISTRATION of the Maryland Department of Transportation.

NOW, THEREFORE, THIS DEED WITNESSETH: That for and in consideration of the sum of One (\$1.00) Dollar, and other good and valuable considerations, the receipt of which is hereby acknowledged, the said parties of the first and second parts do hereby grant, convey and quit claim unto **MONTGOMERY COUNTY, MARYLAND**, all rights, title and interests of the STATE HIGHWAY ADMINISTRATION and the State of Maryland, in and to containing a grand total of 161,522 square feet or 3.708 acres of land, more or less, in fee simple, in and to anywise appertaining, lying between the outermost lines designated "Right of Way Line and Right of Way of through Highway Line" more or less, shown borders shaded, on State Highway Plat numbered **60615**, all of which plat is made a part hereof, so far as the property and/or rights may be affected by the highway, and the appurtenances thereto belonging, or in anywise appertaining.

NOTHING CONTAINED HEREIN, however, shall be construed as a release by STATE HIGHWAY ADMINISTRATION of any of the other easements, fee simple rights of way and other rights and controls retained by the STATE HIGHWAY ADMINISTRATION as shown on any town, city, county or state plats.

RIGHT OF WAY CONVEYED BY THE STATE HIGHWAY ADMINISTRATION - STATE ROADS COMMISSION OF MARYLAND TO MONTGOMERY COUNTY, MARYLAND, A BODY CORPORATE AND POLITIC AS DESCRIBED IN THE AFORESAID LEGAL DESCRIPTION, i.e., SHA PLAT NO. **60615** ATTACHED HERETO AND MADE A PART HEREOF AS **EXHIBIT NO.1.**

SUBJECT TO and excepting from the operation and effect of this deed any and all rights and reservations that may have been granted or reserved by former owners of this property or their predecessors in title and/or covenants or restrictions which may have been established with respect to said land by such former owners or their predecessors in title.

SUBJECT TO and excepting from the operation and effect of this deed any and all existing rights now held or used by any public utility or public utilities across or adjacent to the land herein conveyed.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the land and premises, hereinbefore described and mentioned, to the extent of the State's right, title and interest thereto, unto **MONTGOMERY COUNTY, MARYLAND**, a body corporate and politic, its successors and assigns.

SUBJECT, HOWEVER, TO EACH AND EVERY RESERVATION, RESTRICTION, CONDITION, COVENANT AND CONTROL SET FORTH IN THIS INSTRUMENT OF WRITING.

AND GRANTEE HEREIN, by the acceptance of this deed, does hereby covenant and agree, on behalf of itself, its successors and assigns, to abide by and respect each and every reservation, restriction, condition, covenant and control set forth in this instrument of writing, it being the intention hereof to perpetuate all of the rights and privileges retained by the State of Maryland, to the use of the STATE HIGHWAY ADMINISTRATION of the Maryland Department of Transportation, by this deed. It is expressly understood and agreed that these covenants shall run with and bind the property, hereby conveyed and the remaining property of GRANTEE and shall be binding upon GRANTEE, its successors and assigns, forever.

IN TESTIMONY WHEREOF, Witness the hands and seals of the parties hereto:

WITNESS:

Marilyn D. Hill

STATE HIGHWAY ADMINISTRATION OF THE
MARYLAND DEPARTMENT OF TRANSPORTATION

By: [Signature] (Seal)
Gregory Slater
State Highway Administrator

Approved as to Form and
Legal Sufficiency:

[Signature]
Ellen Callahan
Assistant Attorney General

[Signature] (Seal)
Lawrence J. Hogan, Jr.
Governor of Maryland

Concurred in by:

for [Signature]
Olu A. Okunola
Director, Office of Real Estate

[Signature] (Seal)
Peter Franchot
Comptroller of Maryland

WITNESS:

[Signature]
Secretary

[Signature] (Seal)
Nancy K. Kopp
Treasurer of Maryland

Constituting the BOARD OF
PUBLIC WORKS OF MARYLAND

STATE OF MARYLAND - COUNTY OF BALTIMORE, To Wit: Gregory Slater

I HEREBY CERTIFY that, before me, the subscriber, a NOTARY PUBLIC of the STATE OF MARYLAND, in and for the County/City aforesaid, personally appeared **Gregory Slater**, State Highway Administrator, and acknowledged the foregoing deed to be the act of the STATE HIGHWAY ADMINISTRATION and, at the same time, made oath in due form of law that she is fully authorized to execute and acknowledge the same.

AS WITNESS MY HAND AND NOTARIAL SEAL, this 10th day of July in the year 2017.

[Signature] (Seal)
Notary Public

My Commission Expires: MOHAMMAD AKBARIEH
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires March 13, 2021



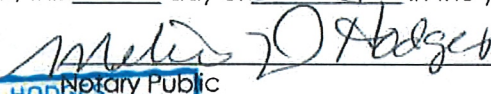
STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, To Wit:

I HEREBY CERTIFY that, before me, the subscriber, a NOTARY PUBLIC of the STATE OF MARYLAND, in and for the County aforesaid, personally appeared

Lawrence J. Hogan, Jr. - Governor of Maryland
Peter Franchot - Comptroller of Maryland
Nancy K. Kopp - Treasurer of Maryland

whom constitute the **BOARD OF PUBLIC WORKS OF MARYLAND**, and acknowledged the foregoing Road Conveyance Deed to be the act of the said Board of Public Works of Maryland.

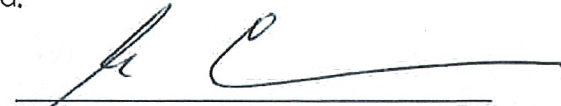
AS WITNESS MY HAND AND NOTARIAL SEAL, this 3rd day of October in the year 2017

 (Seal)
Notary Public

My Commission Expires

MELISSA D. HODGES
Notary Public-Maryland
Anne Arundel County
My Commission Expires
October 07, 2020

I hereby certify that this instrument was prepared under my supervision, an attorney admitted to practice by the Court of Appeals of Maryland.


Ellen Callahan
Assistant Attorney General



REC'D		FOWLER MAR 197	
FOLIO			
LIBRA	3 20' 15" 30"	367.45	
1	3 20' 15" 30"	1.4237 47	
2	3 20' 15" 30"	1.4237 47	
3	3 20' 15" 30"	1.4237 47	
4	3 20' 15" 30"	1.4237 47	
5	3 20' 15" 30"	1.4237 47	
6	3 20' 15" 30"	1.4237 47	
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9	3 20' 15" 30"	1.4237 47	
10	3 20' 15" 30"	1.4237 47	
11	3 20' 15" 30"	1.4237 47	
12	3 20' 15" 30"	1.4237 47	
13	3 20' 15" 30"	1.4237 47	

AREA CONVEYED OR TO BE CONVEYED BY THE STATE HIGHWAY
ADMINISTRATION ----- STATE ROADS COMMISSION OF MARYLAND
161,522 SQ. FT. OR 3.7000 ACRES:
SECTION THREE

STATE OF MARYLAND
 DEPARTMENT OF TRANSPORTATION
 STATE HIGHWAY ADMINISTRATION
 STATE ROAD'S COMMISSION

COUNTY OF _____
 DISTRICT OF _____
 ROAD NO. _____
 PLAT NO. **60615**

SECTION 1
 PREPARED BY: **AMERICAN CONSULTANTS, INC.**
 ADDRESS: **1120 N. HANOVER ST., APT. 200, BALTIMORE, MD. 21201**
 CONTRACT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**

SECTION 2
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 3
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 4
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 5
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 6
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 7
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 8
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 9
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 10
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 11
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 12
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 13
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 14
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 15
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 16
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 17
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 18
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 19
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 20
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 21
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 22
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 23
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 24
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 25
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 26
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1-65**
 SCALE **1" = 40'**
 DRAWN BY **W. J. BROWN**
 CHECKED BY **W. J. BROWN**

SECTION 27
 PROJECT NO. **MD 60615-2-1**
 DATE OF PREP. **11-1**

