



MONTGOMERY COUNTY EXECUTIVE ORDER

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

Disposition of County Property: 17.47 acres on Hawkins Creamery Road	Executive Order No. 173-18	Subject Suffix
Montgomery County Department of General Services	Department No.	Effective Date 9/27/18

BACKGROUND

WHEREAS, the property on Hawkins Creamery Road in Gaithersburg, Maryland (“Property”) was purchased in fee simple by the County to accommodate airport operations; and

WHEREAS, the Property is 17.47 acres, is zoned AR, and is located in an area that is bordered by a residential lot and agricultural land to the north, the Davis Airport runway to the east, undeveloped land to the south, and forested County-owned properties to the west; and

WHEREAS, the deed to the County prohibits any above-ground structures or overhead wires that would interfere with the navigable air space of the Davis Airport, including the runway; and

WHEREAS, the Property is largely unimproved; and

WHEREAS, the Davis Airport requires 600 feet of additional runway to meet additional safety standards; and

WHEREAS, the Montgomery County Council adopted Zoning Text Amendment No. 18-04 on July 17, 2018, supporting the expansion and enlargement of lawful, nonconforming uses in the Agricultural Reserve zone if it is required for safety purposes; and

WHEREAS, the Davis Airport is owned by the Laytonsville Airport, LLC, which operates the airport; and

WHEREAS, the Laytonsville Airport, LLC received state funding to support the cost of the runway expansion; and

WHEREAS, a fee simple transaction is appropriate for the planned capital investment; and

WHEREAS, the County may consider a purchase amount at less than fair market value if it is determined to be in the best interest of the County after completion of an appraisal of the property; and

WHEREAS, the County Executive has determined that the Property is no longer needed for County use and should be conveyed to the Laytonsville Airport, LLC for the purpose of expanding the existing runway for safety purposes insofar as permitted by law; and



MONTGOMERY COUNTY EXECUTIVE ORDER

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

Disposition of County Property: 17.47 acres on Hawkins Creamery Road	Executive Order No. 173-18	Subject Suffix
Montgomery County Department of General Services	Department No.	Effective Date 9/27/18

WHEREAS, in accordance with the provision of Montgomery County Code Section 11B-45, Disposition of Real Property, the County Executive must issue an Executive Order declaring that County owned or controlled land is no longer needed for County use.

ACTION

In consideration of the above recitals, the County Executive hereby declares that the Property identified in the attached Exhibit A, located on Hawkins Creamery Road, Gaithersburg, MD 20882, comprising approximately 17.47 acres, is no longer needed for County use and is available for disposition to the Laytonsville Airport, LLC.

Approved as to Form and Legality
Office of the County Attorney

By: Clifford Reynolds
Date: 9/27/18

Based on Rep. Not Advised Analysis
Officer COMPUTER

APPROVED

Fariba Kassiri

Fariba Kassiri
Assistant Chief Administrative

Distribution:

- County Council
- County Attorney
- Department of General Services