



# MONTGOMERY COUNTY EXECUTIVE ORDER

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

<b>Subject</b> Sale of Public Parking Lot # 39 to Gallery Associates, LLC	<b>Executive Order No.</b> 28-12	<b>Subject Suffix</b>
<b>Originating Department</b> Department of Transportation	<b>Department Number</b>	<b>Effective Date</b> 2/7/2012

### BACKGROUND

1. Public Parking Lot No. 39 is located in the 4800 block of Del Ray Avenue in the Bethesda Parking Lot District. The property is made up of approximately 7,500 square feet and contains 21 public parking spaces.
2. Effective September 2, 2009 the County entered into a General Development Agreement with Gallery Associates, LLC, which provides for the sale of the County property for its fair market value and certain covenants on the development of the property. The covenants include residential development with all legally required Moderately Priced Dwelling Units and the construction of a stipulated minimum number of parking spaces. The development includes the County property and a number of properties in the same block assembled by Gallery Associates, LLC.
3. The sale of the County property has been advertised and has been submitted for mandatory referral to the Maryland-National Capital Park and Planning Commission.
4. In accord with the provisions of Article 25a, Section 5(B) of the Maryland Code Lot 39 has been determined to no longer be needed for public use.
5. Parking Lot 39 is further inexpedient and unprofitable for use in connection with the Parking Lot District.

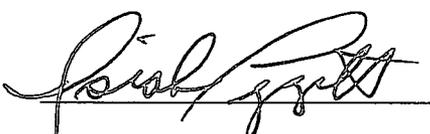
### ACTION

It is hereby ordered that Bethesda Parking Lot No. 39 be sold to Gallery Associates, LLC under the terms of the proposed General Development Agreement between the parties, as modified to allow for development as set forth in Section 2 above.

Approved as to Form and Legality by  
The Office of the County Attorney

APPROVED

By: 



Date: 2/2/12

Isiah Leggett  
County Executive