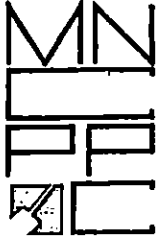


ITEM 5b



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

MCPB 16-075

M-NCPPC 16-16

Approval of Exchange of Commission Real Estate with Montgomery County, Maryland
for Platt Ridge Drive Extended

Date of Commission Hearing: July 20, 2016

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission ("Commission") is authorized under the Maryland Code Ann., Land Use Article, §17-206(b) ("Land Use Article") to exchange recreational land held by it for any other land held by other public body or agency, which the Commission determines to be more suitable for its statutory purposes; and

WHEREAS, the Montgomery County Department of Transportation ("MCDOT") proposes to construct a road improvement project known as Platt Ridge Drive Extended ("Project") to alleviate traffic congestion in the vicinity of Chevy Chase Valley expected from the U.S. Department of Defense's Base Realignment and Closure Plan ("BRAC");

WHEREAS, the Commission holds certain real property interests in parkland known as North Chevy Chase Local Park ("Park") which is recorded among the Land Records of Montgomery County, Maryland in Liber 3388 at folio 604, and;

WHEREAS, MCDOT has communicated to the Commission's Montgomery County Departments of Parks of MCDOT's need for 1.50 acres, more or less, of the Park property to complete the Project; and

WHEREAS, on July 10, 2014 the Montgomery County Planning Board approved, with comments, MCDOT's Mandatory Referral for the Project (Mandatory Referral No. MR2014012) which included the requirement that the County convey to the Commission acceptable replacement land for any parkland needed for the Project; and

WHEREAS, staff of the Montgomery Department of Parks on June 16, 2016 presented a report to the Montgomery County Planning Board describing the various properties MCDOT investigated for meeting the acceptable replacement requirement for the parkland needed for the Project; and

WHEREAS, the staff report contained a recommendation that the Montgomery County Planning Board accept as the replacement parkland, 4.55 acres, more or less, of land owned by the Montgomery County, Maryland, behind the Germantown Library as set forth in the staff report; and

WHEREAS, the Montgomery County Planning Board at its public meeting held on June 16, 2016 reviewed and approved the analysis concerning the exchange of Commission property with Montgomery County to accommodate MCDOT's Platt Ridge Extended Project, subject to the Commission's approval of the said exchange of Commission property.

NOW, THEREFORE, BE IT RESOLVED that, the Commission hereby adopts the findings of the Montgomery County Planning Board; accepts the Montgomery County Planning Board's recommendation; and hereby approves the exchange of the Commission property interests with Montgomery County, conditioned on the Commission not providing title to the North Chevy Chase Local Park Property needed for the Project until the Commission has received from the County the fee simple deed to the exchange property.

BE IT FURTHER RESOLVED that, in connection with the transaction contemplated herein, the Executive Director is authorized to execute and deliver, on behalf of the Commission, any and all such agreements, certificates, documents, and/or instruments, and to do or cause to be done, any and all such acts, as the Executive Director deems necessary or appropriate to make effective or to implement the intended purposes of the foregoing resolution, without limitation, and the taking of all such actions deemed conclusively to be authorized hereby.

* * * * *

CERTIFICATION

This is to certify the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Fani-Gonzalez, with Commissioners Dreyfuss, Fani-Gonzales, Presley, and Wells-Harley, voting in favor of the motion, with Commissioner Anderson being absent, at its regular meeting held on Thursday, June 16, 2016 in Silver Spring, Maryland.

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

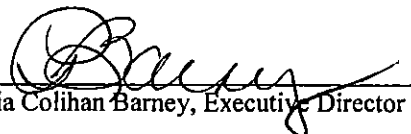
Date 6/24/2016


Casey Andersen, Chair
Montgomery County Planning Board

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of Resolution No. 16-16, adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Shoaff, with Commissioners Anderson, Hewlett, Bailey, Fani-Gonzalez, Geraldo, and Wells-Harley, voting in favor of the motion, and Commissioners, Dreyfuss and Washington being absent from the meeting held on July 20, 2016, in the Montgomery Regional Office in Silver Spring, Maryland.


Patricia Colihan Barney, Executive Director