



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

MCPB Agenda Item: #4

Agenda Date: July 7, 2011

June 29, 2011

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Bradford, Director of Parks

FROM: William E. Gries, <sup>weg</sup>Land Acquisition Specialist

SUBJECT: Resolution designating the 1.83 acre, more or less, improved Barbara L. Payne, et al, property as a Natural Resource Area under the Legacy Open Space Master Plan and recommending the purchase of the Payne, et al, property as an addition to Upper Paint Branch Stream Valley Park by The Maryland-National Capital Park and Planning Commission.

**RECOMMENDATION**

Staff recommends that the Montgomery County Planning Board approve the attached Resolution which designates the 1.83 acre, more or less, improved Barbara L. Payne, et al, property as a Natural Resource Area under the Legacy Open Space Master Plan and further recommends the purchase of the Payne, et al, property as an addition to Upper Paint Branch Stream Valley Park by the Commission. The property is located east of Good Hope Road, south of Spencerville Road (MD Rte. 198) at 15815 Good Hope Road, Silver Spring, Maryland. This acquisition will be funded with Commission General Obligation Bond monies available in the Commission's Legacy Open Space CIP. The property will be acquired for a purchase price of \$180,000. Details of this recommended parkland acquisition were presented to the Board in closed session on June 30, 2011.



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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**RESOLUTION**

WHEREAS, The Maryland-National Capital Park and Planning Commission ("Commission") is authorized by Article 28, Section 5-101 of the Annotated Code of Maryland to acquire, develop, maintain and operate a public park system within the Maryland-Washington Metropolitan District; and

WHEREAS, the Montgomery County Planning Board received and considered a recommendation from staff of the Commission, in closed session on June 30, 2011, that it approve the acquisition of 1.83 acres, more or less, of improved land from Barbara L. Payne, et al, as an addition to Upper Paint Branch Stream Valley Park; and

WHEREAS, the Payne, et al, property meets parkland acquisition criteria as an Natural Resource Area under the Legacy Open Space (LOS) Master Plan of 2001 and staff of the Commission further recommended that the Payne, et al, property be designated as a Natural Resource Area under said Master Plan; and

WHEREAS, there are sufficient Commission General Obligation Bond monies available in the Commission's Legacy Open Space (LOS) Capital Improvement Program (CIP) to pay the \$180,000.00 negotiated purchase price;

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board hereby designates the Barbara L. Payne, et al, property consisting of 1.83 acres, more or less, of improved land as a Natural Resource Area under the Legacy Open Space Master Plan of 2001; and

BE IT FURTHER RESOLVED, that the purchase of real property from Barbara L. Payne, et al, as described above, for a purchase price of \$180,000.00, in accordance with a proposed Land Purchase Agreement between the Commission and Barbara L. Payne, et al, is hereby approved by the Montgomery County Planning Board on this 7<sup>th</sup> day of July 2011 and the Executive Director is authorized to execute said Agreement on behalf of The Maryland-National Capital Park and Planning Commission.

\* \* \* \* \*

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 \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, with Commissioners \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ all voting in favor of the motion, at its regular meeting held on Thursday, July 7, 2011 in Silver Spring, Maryland.

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Françoise M. Carrier, Chair  
Montgomery County Planning Board