




THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

August 15, 2003

Agenda Date: September 11, 2003

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Michael F. Riley, Chief, Park Development Division 

FROM: William E. Gries, Land Acquisition Specialist ^{weg}

SUBJECT: ICC Right-of-Way Property - Authorization to Convey to State Highway Administration 0.331 acres in Fee, 0.405 acres in Temporary Construction Easement, and 0.033 acres in Perpetual Drainage Easement for the U.S. Rte. 29 and Briggs Chaney Road Intersection Improvements.

BACKGROUND

The State Highway Administration has presented an offer to the Commission to purchase an interest in small portions of Commission owned land originally acquired as right-of-way for the Intercounty Connector through the Commission's Advance Land Acquisition Revolving Fund. These acquisitions are necessary for the construction of intersection improvements at U.S. Rte. 29 and Briggs Chaney Road. See map "A" attached.

The property interests to be acquired include 0.331 acres in fee and 0.404 acres in Temporary Construction Easement within the 22.4 acre former Gudelsky property acquired by the Commission in March 1991 and 0.033 acres in Perpetual Drainage Easement within the 7.8 acre former Marlow property acquired by the Commission in January 1994. The properties impacted by this project are located immediately adjacent to and parallel with the existing eastern right-of-way line of U.S. Rte. 29, south of its intersection with Briggs Chaney Road.

The proposed intersection improvements at U.S. Rte. 29 and Briggs Chaney Road were reviewed and approved, with comments, by the Montgomery County Planning Board as a mandatory referral item on November 1, 2001. At that time, the Board expected that this project would only impact Airy Hill Local Park, an unimproved park property south of Paint Branch High School. After the engineering plans for this project were finalized, and the exact impacts were identified, the Board approved the conveyance of 1.488 acres in fee and 0.646 acres in easement at Airy Hill Park to SHA for the project. This sale of land was reviewed and approved by the

Board on January 9, 2003 and the Commission received \$144,300 for the property interests conveyed.

Subsequent to the Board taking this action, SHA further refined its engineering plans for the intersection improvements and determined that additional M-NCPPC land, albeit a relatively small amount, was needed for the project. As indicated above, this additional land is not parkland but ICC right-of-way acquired by the Commission through its ALARF program. The additional areas needed by SHA are generally shown on Map "B" attached.

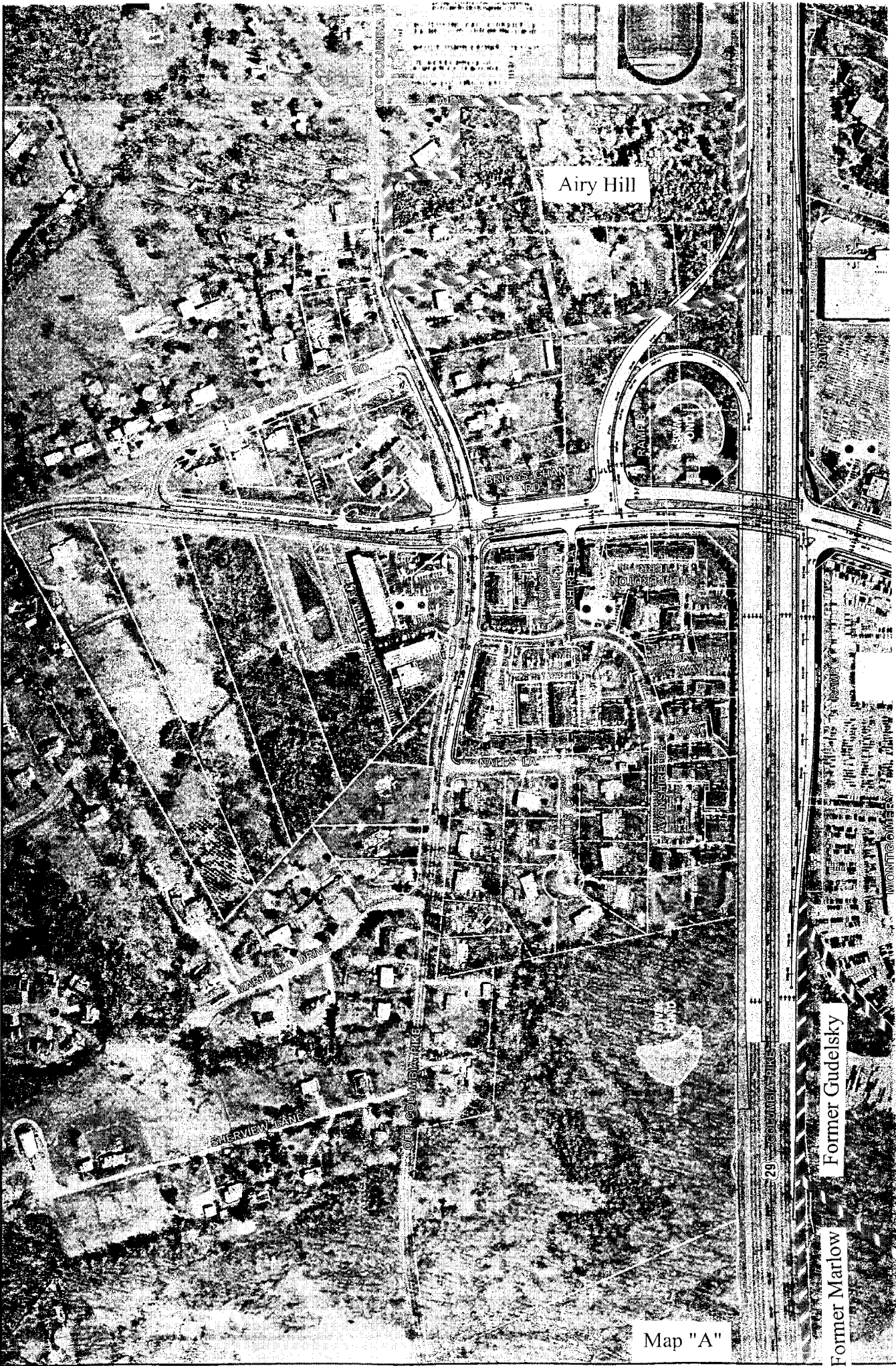
OFFER

SHA had the taking areas appraised by an independent real estate appraiser who valued the 0.331 acres in fee at \$71,713; the 0.405 acres in Temporary Construction Easement at \$8,775; and the 0.033 acres in Perpetual Drainage Easement at \$3,517 for a total appraised value of \$84,005. This amount was rounded to an offer price of \$84,050.00. The base fee value of the acreage appraised was between \$213,000 and \$217,000 per acre. All proceeds from this sale will be credited back to the Commission's Advance Land Acquisition Revolving Fund.

RECOMMENDATION

Staff recommends that the Planning Board accept this offer of \$84,050 for the additional right-of-way needed by SHA for the U.S. Rte. 29 and Briggs Chaney Road intersection improvements. Assuming the Board approves the staff recommendation, this matter will be scheduled for final approval action by the full M-NCPPC as the property is titled in the name of the Commission.

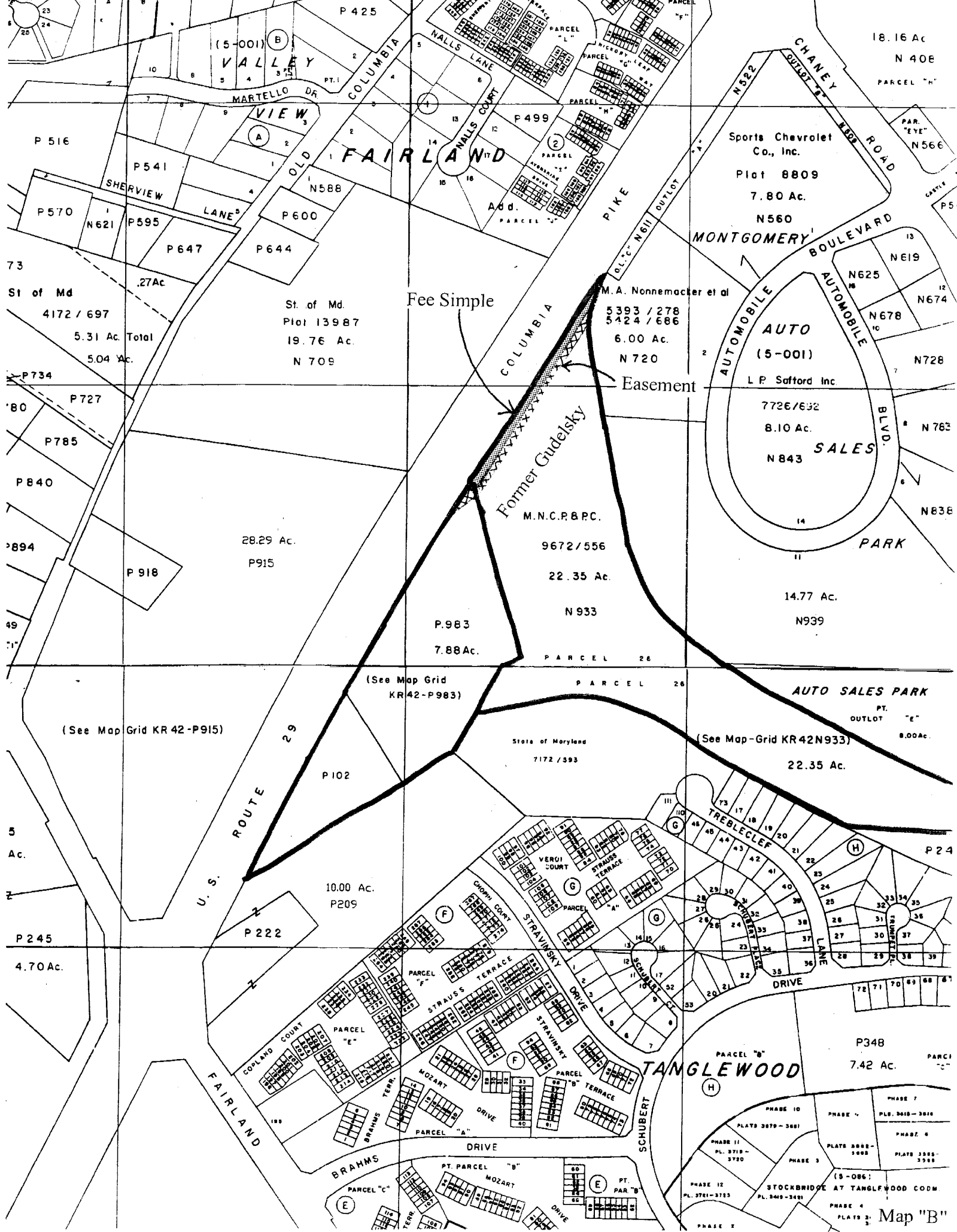
US 29/BRIGGS CHANEY ROAD INTERCHANGE



Map "A"

Former Marlow

Former Gudelsky



(See Map Grid KR 42-P915)

(See Map Grid KR 42-P983)

(See Map-Grid KR 42N933)

18.16 Ac
N 40E
PARCEL "H"

PAR "EYE"
N 566

Sports Chevrolet
Co., Inc.
Plat 8809

7.80 Ac.
N 560

MONTGOMERY BOULEVARD

AUTO
(5-001)

L.P. Safford Inc

7726/632
8.10 Ac.

N 843

SALES

PARK

14.77 Ac.
N 939

AUTO SALES PARK

PT.
OUTLOT "E"
8.00Ac.

Former Gudelsky

M.N.C.R.B.P.C.

9672/556

22.35 Ac.
N 933

PARCEL 26

State of Maryland
7172/593

Fee Simple

Easement

Map "B"