

Resolution No.: 19-1422
Introduced: October 18, 2022
Adopted: October 25, 2022

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Optional Procedure for Condemnation of Land, Advance Taking CIP Project No. 508000 In accordance with Article III, Section 40A, Maryland Constitution and Section 49-50, Montgomery County Code (2014), as amended.

Background

- I. The Council has been requested to authorize the condemnation of a portion of land necessary to construct improvements contemplated by CIP No. 508000 at or near the intersection of Clarksburg Road @ Snowden Farm Parkway in accordance with §49-50 of the Montgomery County Code (2014), as amended.
1. In order to meet the project construction schedule, as authorized by the Montgomery County Council, the County must acquire the properties referenced below in a timely manner.
 2. The County has been unable to complete negotiations to acquire the necessary property interests with the Property Owners listed below.

RIGHT OF WAY IN SQUARE FEET

<u>OWNER</u>	<u>ACCT. #</u>	<u>MAP/ PARCEL</u>	<u>LIBER / FOLIO</u>	<u>FEE SIMPLE</u>	<u>TEMPORARY EASEMENT</u>
Li Yan	02-00028572	EW32/P182	48740/23	6,797	6,450

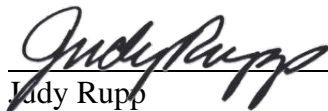
Action

- I. The County Council finds that there is an immediate need to take possession of the portions of the property listed above and approves the Resolution authorizing the condemnation of land under the optional method for condemnation of land for streets or roads as specified in Section 49-50, Montgomery County Code (2014), as amended, for the construction of the improvements

contemplated by CIP No. 508000 at or near the intersection of Clarksburg Road @ Snowden Farm Parkway. In furtherance of these actions, the County Council hereby:

1. Guarantees the payment of any amount above the estimated fair market value later awarded by a jury; and
 2. Appoints Gary Lee Sapperstein, MAI, SRPA, MRICS, Maryland Certified General Appraiser, to appraise the fair market value of the property.
 3. Orders the County Attorney to acquire the listed property under this procedure.
- II. Montgomery County will take immediate possession of the listed property upon filing petitions of advance taking in the Circuit Court for Montgomery County, Maryland and depositing with the Court the fair market value of the property, as determined by the appraiser appointed above. The County may abandon these proceedings at any time prior to payment of the fair market value of the listed property into the Court.
- III. The County Attorney is hereby directed to take all necessary steps to acquire the property.

This is a correct copy of Council action.



Judy Rupp
Clerk of the Council