

Resolution No.:	<u>19-1479</u>
Introduced:	<u>November 15, 2022</u>
Adopted:	<u>November 29, 2022</u>

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the request of the County Executive

SUBJECT: Approval of Disposition via Transfer of the abandoned portion of Walter Johnson Road, located in Germantown, Maryland, to Lidl US, LLC

Background

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
 - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
 - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.
2. On September 23, 2022, the Executive transmitted the material terms of the proposed disposition. The Executive proposes to transfer the subject property, comprising of approximately 13,451 square feet of unimproved land to Lidl US, LLC ("Lidl"), who intends the subject property and adjacent parcels to develop a retail grocery store on the site, as well as build two sections of private roadway that will be open to public use, completing road connections for the block.
3. The proposed sale price is \$375,000, which is less than the appraised value of \$500,000. Lidl and the County negotiated a reduced sale price due to Lidl's intent to build two private roadways for public use/access to its site.
4. On September 21, 2022 Executive Order 198-22 was published in the County Register to give notice of the County's intent to proceed with disposition to Lidl and that there was no further need for public use.

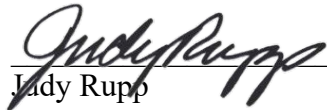
5. The Council is scheduled for a public hearing and action on this recommended disposition on November 29, 2022.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The Declaration of No Further Need for the Transfer of the abandoned portion of Walter Johnson Road, located in Germantown, Maryland, to Lidl US, LLC is approved and the property may be disposed of as described in the material terms provided to the Council on September 23, 2022, the memorandum dated November 8, 2022, and in Executive Order 198-22 as published in the County Register on September 21, 2022. The County Council waives the requirement that the disposition be a fair market value transaction.

This is a correct copy of Council action.



Judy Rupp
Clerk of the Council