

Resolution No:	<u>20-720</u>
Introduced:	<u>February 11, 2025</u>
Adopted:	<u>February 11, 2025</u>

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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

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**SUBJECT:** DOT Docket Nos. AB 783  
Abandonment – Portion of Old Georgetown Road, Rockville, 1<sup>st</sup> Election District

**Background**

1. By letter dated July 14, 2022, SSL Investment Partners II, LP (the “Applicant”) petitioned for the abandonment of 166 square foot (±) area of Public Right of Way off of Old Georgetown Road in White Flint (“Abandonment Area”).
2. The Applicant’s petition is in conjunction with the redevelopment of the surrounding areas and is necessary to facilitate the harmonious development of the Property. The Applicant desires to construct steps from their property, located at the northwest corner of 11565 Old Georgetown Road in Rockville, into the Abandoned Area to provide access to ground-floor retail space that would otherwise be difficult to achieve due to the existing topography of the Property.
3. A Public Hearing to consider the abandonment proposal was held on February 15, 2023, by the designee of the County Executive.
4. The County Executive forwarded to the County Council the application for abandonment, a report based on the record of the proceedings, together with exhibits relied upon and a transcription of the hearing, and recommended the approval of the proposed abandonment request subject to conditions contained in the Executive's Report.

**Action**

1. The County Council for Montgomery County, Maryland, finds that the Abandonment Area is no longer necessary for public use, pursuant to Section 49-63 of the Montgomery County Code, and approves the abandonment subject to the following conditions, which must be satisfied at Applicant’s sole cost and expense prior to the abandonment becoming effective:
  - a) The Applicant must demonstrate, via an opinion of title, that the Abandonment Area is owned or controlled by Montgomery County, Maryland.

- b) The Applicant must demonstrate the nature of the title held by Montgomery County, Maryland to the Abandonment Area.
  - c) The Applicant must reach an agreement with Montgomery County, Maryland concerning the mechanism for, and the compensation to be paid to Montgomery County, Maryland, for the rights sought by the Applicant to the Abandonment Area.
  - d) Applicant must prepare and record a new subdivision plat that incorporates the Abandonment Area into the adjacent property in accordance with County Code Section 49-65.
  - e) The Applicant must grant, prepare, and record any necessary easements for County storm drains and public utility facilities, including but not limited to gas lines, electric facilities, and water and sewer facilities to the satisfaction of the County or the public utility, as applicable, allowing such facilities to remain at their current location or relocated locations, and providing perpetual right of ingress and egress from the easement areas at any time (which rights must not be subordinate to other interests).
- 2. The County Attorney must record, among the Land Records of Montgomery County, Maryland, a copy of this Resolution approving the abandonment of the subject area.
  - 3. Any person aggrieved by the action of the Council for the abandonments may appeal to the Circuit Court within 30 days after the date such action is taken by Council.

This is a correct copy of Council action.



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Sara R. Tenenbaum  
Clerk of the Council