Resolution No.: 17-326
Introduced: December 13, 2011
Adopted: December 13, 2011

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By County Council

SUBJECT: Subject: DOT Docket No. AB726
Amendment to Council Resolution No. 17-109
Modification of Condition for Sidewalk Buffer Area
Woodhaven Subdivision, Bethesda, Maryland

Background

1. Montgomery County Council Resolution No. 17-109, adopted May 3, 2011, approved the abandonment of a portion of Whittier Boulevard in the Woodhaven Subdivision of Bethesda with conditions. Action No. 2 required the Applicants to file a new record plat providing for "sufficient right-of-way where necessary for the sidewalk along the west side of Whittier Boulevard and that the area that is two feet from the westerly side of the existing sidewalk shall be excluded from the Abandonment Area".

2. The County Executive has recommend to the County Council that County Council Resolution No. 17-109, Action No. 2 be amended by allowing the Applicants to provide a perpetual sidewalk easement of sufficient size in place of a right-of-way dedication.

Action

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

1. County Council Resolution No. 17-109 is hereby amended by deleting in its entirety, Action Item No. 2 and replacing it with the followings condition: by allowing the Applicants to provide a perpetual sidewalk easement of sufficient size in place of a right-of-way dedication.

2. All other conditions of the abandonment as set forth in County Council Resolution No. 17-109 shall remain in full force and effect.

3. The County Attorney must record among the Land Records of Montgomery County, Maryland, a copy of this Resolution.

4. Any person aggrieved by the action of the Council for abandonment 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

Linda M. Lauer

Linda M. Lauer, Clerk of the Council