

Ordinance No. 02-22

ORDINANCE: To grant Street Closing and Abandonment  
Application No. SCA2022-00108,  
Seth Weissman, Applicant

WHEREAS, Seth Weissman, filed application No. SCA2022-00108, requesting that a section of unimproved and unnamed right-of-way north of Mount Vernon Place and delineated on a plat of subdivision entitled "Section Two, Hungerford" recorded among the Montgomery County Land Records as Plat No. 3772, in Rockville, Maryland, containing 2,126 square feet of land, more or less, lying in the Fourth Election District (City of Rockville), Montgomery County, Maryland, be permanently closed and abandoned pursuant to the provisions of Chapter 21, Article III, Division 2 entitled "Permanent Closing and Abandonment," of the Rockville City Code; and

WHEREAS, Seth and Paula M. Weissman, and Carmen L. Koldaro, and the Board of Education of Montgomery County, the owners, according to the assessment records, of property adjacent to the public right-of-way, which is the subject of the aforesaid application, and all public utility companies authorized by the Public Service Commission to operate within the City of Rockville, were duly notified by certified mail that said application had been filed and that a public hearing thereon would be held as specified in the public advertisement of the Mayor and Council of Rockville, Maryland; and

WHEREAS, the Mayor and Council of Rockville gave notice that a public hearing on said application would be held by the Mayor and Council of Rockville virtually on December 6, 2021, at 7:00 p.m., or as soon thereafter as it may be heard, which notice was published not less than ten days prior to the time of such hearing in a newspaper of general circulation in the City of Rockville; and

WHEREAS, on December 6, 2021, said application came on for hearing at the time and place provided in said advertisement; and

WHEREAS, based upon the testimony presented and other evidence of record in the proceedings, the Mayor and Council determined that there is no public need for the subject right-of-way and the granting of the application would not adversely affect the health, safety, security and best interests of the community of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

1. That Street Closing and Abandonment Application No. SCA2022-00108, for the closing and abandonment of a section of unimproved and unnamed right-of-way north of Mount Vernon Place and delineated on a plat of subdivision entitled "Section Two, Hungerford" recorded among the Montgomery County Land Records as Plat No. 3772 , in Rockville, Maryland, containing 2,126 square feet of land, more or less, being more fully described in Exhibit A, and shown on Exhibit B and the "Special Purpose Survey," be and the same is hereby granted.
2. That this ordinance shall become automatically effective upon the recordation of this ordinance in the Land Records for Montgomery County, Maryland by the City Attorney's Office.

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I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council at its meeting of January 10, 2022.

  
\_\_\_\_\_  
Sara Taylor-Ferrell, City Clerk/Director of Council Operations

**EXHIBIT A**  
**DESCRIPTION OF A PARTIAL ABANDONMENT**  
**PART OF AN UNNAMED STREET**  
**SHOWN ON PLAT NOs. 3772 & 4217**

**Being** a parcel of land located in the City of Rockville in the Fourth (4th) Election District in Montgomery County, Maryland, hereinafter described in, through, over and across part of the property conveyed by Annie E. Wilson, et vir, et al to Henry A. Dawson, by deed dated the 25<sup>th</sup> day of November, 1913 and recorded among the Land Records of Montgomery County, Maryland in Liber 332 at Folio 347; said portion of said property having also been dedicated to the public use as an unnamed street delineated on a plat of subdivision entitled "Section Two, Hungerford" recorded among said Land Records as Plat No. 3772, and being more particularly described by MHG, P. A. on December 11, 2020 in the Maryland Coordinate System NAD 83/2011 datum as follows:

**Beginning** for said parcel of land at a point at the northerly end of the North 26°23'05" West, 23.33 foot line of the right of way limits of an unnamed street (60 foot right of way) as shown on a plat entitled "Section 4, Hungerford" recorded among said Land Records as Plat No. 4217 said point being the westerly most platted corner of Lot 1, Block 8 of said plat, then running with said right of way limits and the platted southwesterly lines of said Lot, reversely, the following three courses and distances, as now surveyed

1. South 26°23'33" East, 23.33 feet to a point at the beginning of Curve No. 1 of said right of way limits as shown on the aforementioned Plat No. 3772, then running with all of said Curve No. 1

2. 69.97 feet along the arc of a tangent curve deflecting to the left with a radius of 190.02 feet and a chord bearing and distance of South  $36^{\circ}56'30''$  East, 69.58 feet to a point at the beginning of Curve No. 3 of said right of way limits as shown on the aforementioned Plat No. 3772 , then running with all of said Curve No. 3
3. 39.27 feet along the arc of a curve deflecting to the left with a radius of 25.00 feet and a chord bearing and distance of North  $87^{\circ}30'32''$  East, 35.36 feet to a point at the southwesterly end of the North  $42^{\circ}31'$  East, 59.92 foot plat line of said Lot 1, Block 8, said point being on the right of way limits of Mount Vernon Place (60 foot right of way) as shown on said plat entitled "Section 4, Hungerford" recorded among said Land Records as Plat No. 4217, then leaving the platted limits of said Lot and running with new lines of division to cross and include part of the platted public street rights-of-way, the following five courses and distances
4. South  $42^{\circ}30'32''$  West, 18.00 feet to a point, then
5. 39.27 feet along the arc of a tangent curve deflecting to the right with a radius of 25.00 feet and a chord bearing and distance of South  $87^{\circ}30'32''$  West, 35.36 feet to a point, then
6. 76.60 feet along the arc of a curve deflecting to the right with a radius of 208.02 feet and a chord bearing and distance of North  $36^{\circ}56'30''$  West, 76.17 feet to a point, then
7. North  $26^{\circ}23'33''$  West, 16.34 feet to a point on the South  $42^{\circ}21'55''$  West, 63.35 foot plat line as delineated on said Plat No. 3772, then reversely with part of said line

8. North 42°21'27" East, 19.31 feet to the point of beginning; containing an area of 2,126 square feet or 0.04881 acres of land and as delineated on Exhibit B, attached hereto and made a part hereof by this reference.

Certified correct to the best of my professional knowledge, information and belief and this description was prepared by me and is in conformance with Title 9, Subtitle 13, Chapter 6, Section .12 of the Minimum Standards of Practice for Land Surveyors.

 12-11-20

MHG, P.A.  
Wayne F. Aubertin, Professional Land Surveyor  
Maryland Registration No. 21330  
License Expires: Jan. 07, 2021



**AFTER RECORDATION PLEASE RETURN TO:**

MHG, P.A.  
9220 Wightman Rd., Suite 120  
Montgomery Village, MD 20086  
Attn: Barry Hoyle

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For sketch see: I:\20256\dwg\EX\_11\_01.dwg

MONTGOMERY COUNTY  
 BOARD OF EDUCATION  
 PARCEL 1, BLOCK 5  
 "HUNGERFORD"  
 PLAT 23788

LOT 1, BLOCK 8  
 PLAT 4217  
 SETH AND  
 PAULA M. WEISSMAN  
 B. 38951 P. 166

THE N 26°23'05" W 23.33 FOOT  
 LINE AS SHOWN ON PLAT 4127

CURVE NO. 1 AS  
 SHOWN ON PLAT 3772

CURVE NO. 3 AS SHOWN  
 ON PLAT 3772

THE N 42°31' E 59.92 FOOT  
 LINE OF LOT 1, PLAT 4217

UNNAMED  
 STREET  
 (60' PUBLIC R/W)  
 ALSO SHOWN  
 ON PLAT 4127

MOUNT VERNON PLACE  
 (60' PUBLIC R/W)  
 PLAT 4217

PART OF  
 LOT 12, BLOCK 5  
 PLAT 3772  
 CARMEN M. KOLDARO  
 L. 26186 F. 616

PARTIAL  
 STREET  
 ABANDONMENT  
 2,126 S.F. OR 0.04881 AC.



LINE	BEARING	DISTANCE
L1	S 26°23'33" E	23.33'
L2	S 42°30'32" W	18.00'
L3	N 26°23'33" W	16.34'
L4	N 42°21'27" E	19.31'

CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
C1	190.02'	69.97'	21°05'55"	35.39'	S 36°56'30" E	69.58'
C2	25.00'	39.27'	90°00'00"	25.00'	N 87°30'32" E	35.36'
C3	25.00'	39.27'	90°00'00"	25.00'	S 87°30'32" W	35.36'
C4	208.02'	76.60'	21°05'55"	38.74'	N 36°56'30" W	76.17'



Civil Engineers  
 Land Planners  
 Landscape Architects  
 Land Surveyors  
 www.mhgpa.com

EXHIBIT B  
**PARTIAL STREET ABANDONMENT**  
 OF AN UNNAMED ROAD  
 ROCKVILLE, MARYLAND

PLAT NO. 3772  
 SCALE 1" = 30'  
 DATE 12/11/2020  
 JOB NO. 2020.256.11.02

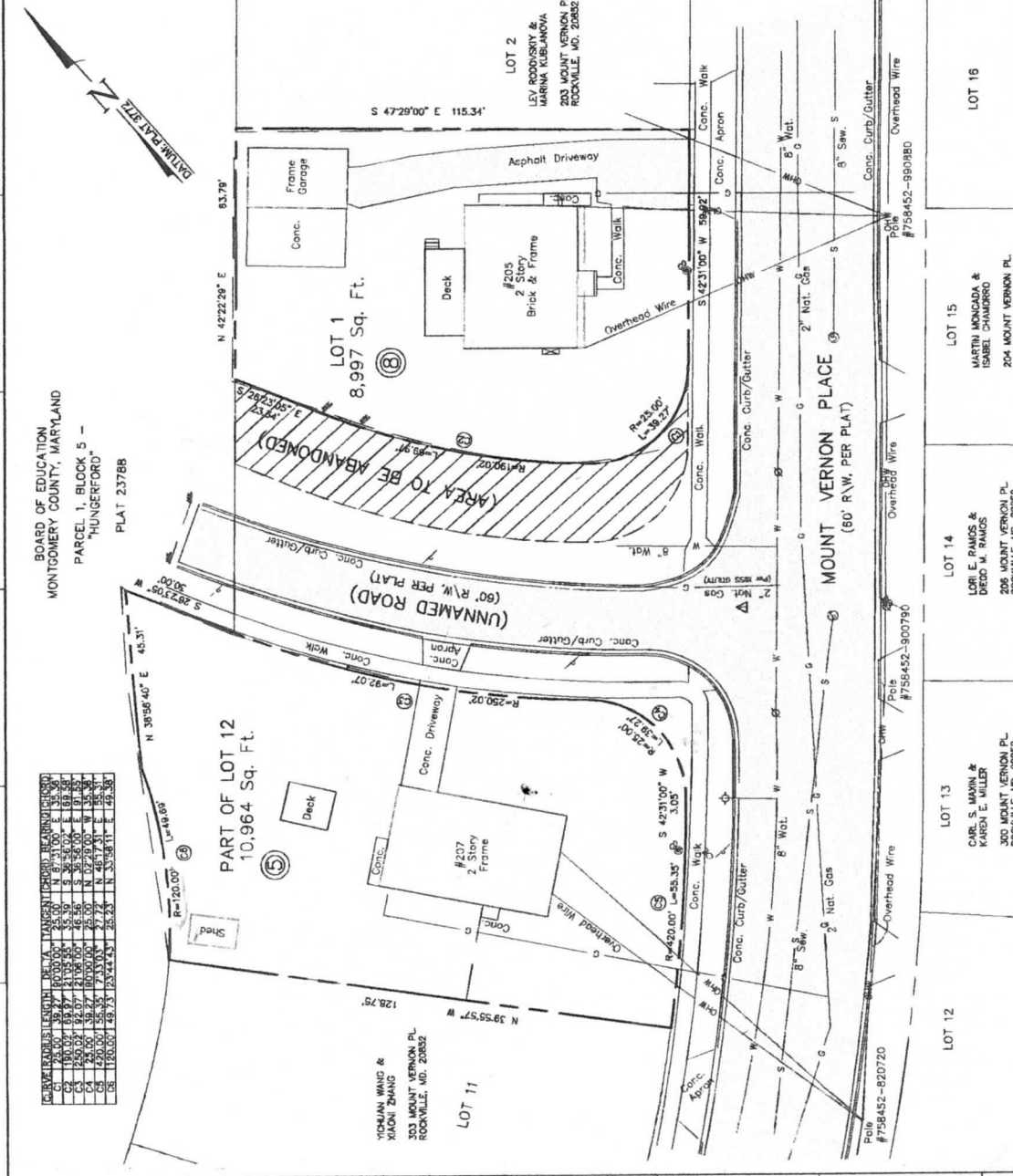


**GENERAL NOTES:**

1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL ENCUMBRANCES AFFECTING THE PROPERTIES INCLUDED IN THIS SPECIAL PURPOSE SURVEY. THE PROPERTIES SHOWN HEREON ARE RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.
2. THE PROPERTIES SHOWN SHOULD BE CONSIDERED TO BE APPROXIMATE AS THERE LOCATION IS SHOWN PER RECORDS RECEIVED FROM VARIOUS UTILITY SERVICE PROVIDERS AND ABOVE GROUND EVIDENCE AS TO THEIR BELOW GRADE LOCATION. UTILITIES SHOWN MAY NOT REFLECT ALL UTILITIES IN THE AREA EITHER IN USE OR ABANDONED IN PLACE.
3. THIS SPECIAL PURPOSE SURVEY IS NOT TO BE USED FOR THE CONSTRUCTION OF FENCES OR IMPROVEMENTS, OR ANY OTHER USE NOT STATED IN THE SPECIAL PURPOSE SURVEY NOTE.

**SPECIAL PURPOSE NOTE:**  
 THIS SPECIAL PURPOSE SURVEY WAS PREPARED TO SATISFY THE REQUIREMENTS OF THE CITY OF ROCKVILLE FOR A SURVEY, SHOWING THE IMPROVEMENTS ON THE SUBJECT PROPERTIES AND ADJACENT PUBLIC RIGHTS OF WAY. BE INCLUDED IN THE APPLICATION FOR A STREET CLOSURE REQUEST/APPLICATION.

**SURVEYOR'S CERTIFICATE**  
 I hereby certify, to the best of my professional knowledge, information and belief that the survey shown hereon is correct and the property is as delineated on the above stated deed as recorded among the Land Records of Montgomery County, Maryland. The improvements were located by acceptable surveying practices made on 10/17/2020.  
 The undersigned, being a licensed surveyor, personally prepared or was in responsible charge of the preparation of this survey and is duly qualified under Subtitle 13, Chapter 06, Regulation 12.  
 Date of Plat or Map: 10/20/2020  
 By: Wayne F. Alberts, Surveyor  
 Maryland Reg. No. 21330  
 Expiration Date: Jan. 07, 2021



**OWNER INFORMATION FOR THE SUBJECT PROPERTIES ARE AS FOLLOWS:**

205 MOUNT VERNON PLACE  
 PAULA M. AND SETH WEISSMAN  
 LOT 1, BLOCK 8, SECTION 4 - "HUNGERFORD"  
 DEED REF. LIBER 38951 FOLIO 158

207 MOUNT VERNON PLACE  
 PAULA M. AND SETH WEISSMAN  
 DEED REF. LIBER 26188 FOLIO 816  
 PLAT 3772

LOT 13  
 CURT S. MAWEL &  
 KAREN E. HULLER  
 300 MOUNT VERNON PL.  
 ROCKVILLE, MD. 20852

LOT 14  
 LORI E. RAJES &  
 DEED M. RAJES  
 205 MOUNT VERNON PL.  
 ROCKVILLE, MD. 20852

LOT 15  
 MARTIN MONCADA &  
 ISABEL CHIMBORRO  
 204 MOUNT VERNON PL.  
 ROCKVILLE, MD. 20852

LOT 16  
 LEV RODOSKY &  
 MARINA ULJANOVIC  
 203 MOUNT VERNON PL.  
 ROCKVILLE, MD. 20852

**FOR UTILITY LOCATIONS  
 CONTACT "ONE CALL" AT 811  
 AT LEAST 48 HOURS  
 PRIOR TO CONSTRUCTION**

**811**  
 Know what's below.  
 Call before you dig.

