

Ordinance No. 6-15 ORDINANCE:

To grant Street Closing and Abandonment
Application No. SCA2015-00103,
Rockville Town Center, LLC, Applicant

WHEREAS, the Rockville Town Center, LLC filed application No. SCA2015-00103, requesting that a 174-square-foot portion of the unimproved Beall Avenue right-of-way located along the southern property line of Lot 23, Block D, City Center (255 North Washington Street) in the northeast quadrant of the intersection of Beall Avenue and North Washington Street, 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, Rockville Town Center, Street Retail, Inc., RTS Residential, George Snowden et al, Lau Yuet A & L A S, and PMIG, owners, according to the assessment records, of property adjacent to the unimproved 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 in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland on March 23, 2015, 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 March 23, 2015, said application came on for hearing at the time and place provided in said advertisement; and

WHEREAS, the Traffic and Transportation Commission of the City of Rockville recommended that the application be approved as set forth in the minutes of the Traffic and Transportation Commission's meeting on February 24, 2015; and

WHEREAS, based upon the testimony presented and other evidence of record in the proceedings, the Mayor and Council determined that 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. SCA2015-00103, for the closing and abandonment of a 174-square-foot portion of the unimproved Beall Avenue right-of-way located along the southern property line of Lot 23, Block D, City Center (255 North Washington Street) in the northeast quadrant of the intersection of Beall Avenue and North Washington Street, be and the same is hereby granted being more fully described on Exhibit A, and shown on Exhibit B attached hereto.

2. That this ordinance shall become effective upon the recordation of this Ordinance in the Land Records for Montgomery County, Maryland.

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 April 13, 2015

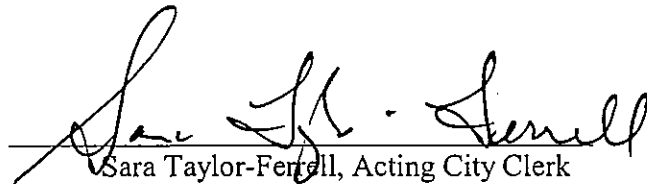

Sara Taylor-Fennell, Acting City Clerk

EXHIBIT A
DESCRIPTION of
PART OF BEALL AVENUE
CONVEYED BY
LIBER 3610 FOLIO 187

A certain piece or parcel of land located in the City of Rockville, Election District No. 4 in Montgomery County, Maryland, being a portion of the land conveyed by N. Richard Kimmel and Elizabeth B. Kimmel to The Mayor and Council of Rockville by deed dated April 14, 1967 and recorded among the Land Records of Montgomery County, Maryland in Liber 3610 at Folio 187, and being more particularly described as follows:

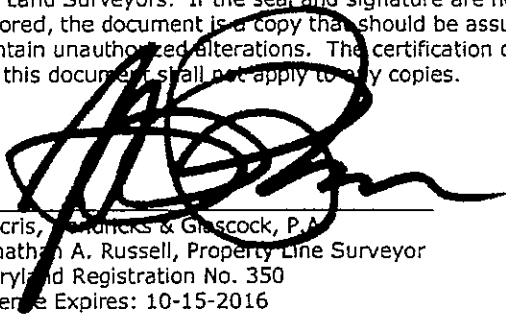
Beginning for said piece or parcel of land at a point on and 8.72 feet east of the west end of the southerly or South $88^{\circ}27'21''$ West, 131.27 foot line of Lot 23, Block D as delineated on a plat of subdivision entitled "Lot 23, Block D, CITY CENTER" as recorded among said Land Records as Plat No. 23592; said point also being on the first or South $88^{\circ}17'20''$ West (which should read North $88^{\circ}17'20''$ East), 548.50 foot line of said Liber 3610 at Folio 187; said point also being on the northerly right-of-way line of Beall Avenue, then binding with part of the southerly limits of said Lot 23, Block D and the northerly right-of-way line of Beall Avenue and part of said first line of Liber 3610 at Folio 187

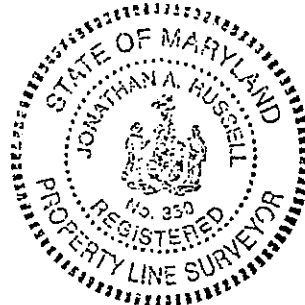
1. North $88^{\circ}27'21''$ East, 53.52 feet to a point, then leaving said southerly limits of said Lot 23, Block D, the northerly right-of-way line of Beall Avenue and the first line of

said Liber 3610 at Folio 187 to cross and include part of said Beall Avenue and Liber 3610 at Folio 187 the following two (2) courses and distances

2. South 80°03'02" West, 44.36 feet to a point, then
3. North 57°36'02" West, 11.61 feet to the point of beginning; containing an area of 174 square feet, 0.00398 of an acre 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. If the seal and signature are not violet colored, the document is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any copies.

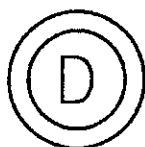

Macris, Honicks & Glascock, P.A.
Jonathan A. Russell, Property Line Surveyor
Maryland Registration No. 350
License Expires: 10-15-2016



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ROCKVILLE TOWN CENTER LLC
L.19905 F.571

LOT 23
CITY CENTER
P.No. 23592



NORTH WASHINGTON ST.
(60° R/W P.No. 9585)
L = 170.59' R = 848.51' (PLAT LINE)

(PLAT LINE)
S 88°27'21" W 131.27'
L1 L2

S 79°35'00" W
129.04'
(PLAT LINE)

ROADWAY ABANDONMENT

174 sq. ft.
0.00398 Acres

BEALL AVENUE

L. 3610 F. 187
(VARIABLE WIDTH R/W)

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 88°27'21" E	53.52'
L2	S 80°03'02" W	44.36'
L3	N 57°36'02" W	11.61'



EXHIBIT B
ROADWAY ABANDONMENT
PART OF BEALL AVENUE
CONVEYED BY LIBER 3610 FOLIO 187

SCALE: 1" = 30' MARCH, 2015
MONTGOMERY COUNTY, MARYLAND



MHG Macris, Hendricks & Glascock, P.A.
Engineers • Planners
Landscape Architects • Surveyors

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JOB NO.2002.202.41.20