

Ordinance No. 15-23

ORDINANCE: To grant Street Closing and Abandonment Application SCA2024-00001, Mayor and Council of Rockville, Applicant

WHEREAS, the Mayor and Council of Rockville (hereinafter "Mayor and Council") filed Street Closing and Abandonment Application No. SCA2024-00001, requesting that a section of unimproved right of way described as three contiguous portions of the unimproved Joseph Street right of way dedicated to public use between Grandin Avenue and Maple Avenue in the City of Rockville containing, respectively, 429 square feet, 373 square feet, and 1,135 square feet of land, more or less, lying in the Fourth Election District, Montgomery County, Maryland, and more particularly described and shown on Attachment A to this Ordinance, be permanently closed and abandoned pursuant to the provisions of Chapter 21, Article V, Division 2 entitled "Permanent Closing and Abandonment," of the Rockville City Code; and

WHEREAS, the Mayor and Council gave notice that a public hearing on said application would be held by the Mayor and Council both virtually and in the Mayor and Council Chambers at Rockville City Hall on October 9, 2023, 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, all owners, according to the assessment records, of real property immediately adjacent to the public right-of-way that is the subject of the aforesaid application, including Richard E. Bisnett and Catherine Higgins-Bisnett, Jorge N. Mouco and Fernanda M. Mouco, Jeffrey S. Broadhurst and Gail E. Broadhurst, Mumm-Lau Joint Revocable Trust, and Mary Lee Hancock and John P. Hancock, and all public utility companies authorized by the State 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; and

WHEREAS, on October 9, 2023, 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.

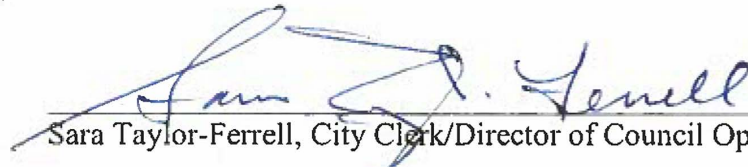
NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

1. That Street Closing and Abandonment Application No. SCA2024-00001, for the closing and abandonment of a section of unimproved right of way described as three contiguous portions of the unimproved Joseph Street right of way dedicated to public use between Grandin Avenue and Maple Avenue in the City of Rockville containing, respectively, 429 square feet, 373 square feet, and 1,135 square feet of land, more or less, lying in the Fourth Election District, Montgomery County, Maryland, and more particularly described and shown on Attachment A to this Ordinance, be and the same is hereby granted; and
2. That this Ordinance shall become effective upon the recordation of this Ordinance in the Land Records for Montgomery County, Maryland.

Ordinance No. 15-23

-3-

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 October 23, 2023.


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

Attachment A – Sketches and Descriptions of Areas to Be Abandoned



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Tax I.D. # Montgomery Co. No. 0400178277

**Description of a
Partial Right of Way Abandonment of Joseph Street**

**For the Use of
Jorge N. Mouco and Fernanda M. Mouco**

**City of Rockville
Montgomery County, Maryland**

Being a strip or parcel of land, running in, through, over and across the existing right of way of the City of Rockville's unimproved Joseph Street; being more particularly described in Maryland State Plane Coordinates (NAD83/2011) as follows:

Beginning for the said strip or parcel of land at a point on the easterly right of way line of Joseph Street (unimproved), 60 feet wide, said point being the common corner of the lands of Jeffrey S. and Gail E. Broadhurst as recorded in Liber 8662 at Folio 40 and Jorge N. and Fernanda M. Mouco deed as recorded in Liber 4711 at Folio 33, said point being the end of the first or South 30° 06' 00" West 107.33 foot line of the Jorge N. and Fernanda M. Mouco deed as recorded in Liber 4711 at Folio 33, thence leaving said right of way and running in, through, over and across said existing right of way of Joseph Street, as now surveyed, the following three (3) courses and distances

1. North 75° 13' 38" West, 4.09 feet to a point; thence,
2. North 26° 34' 26" East, 107.16 feet to a point; thence,
3. South 75° 13' 38" East, 4.09 feet to a point where the southerly right of way line of Maple Avenue intersects the easterly right of way line of Joseph Street, said point being the beginning of the first or South 30° 06' 00" West 107.33 foot line of the Jorge N. and



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Fernanda M. Mouco deed as recorded in Liber 4711 at Folio 33; thence running with said right of way line of Joseph Street the following course and distance

4. South 26° 34' 26" West, 107.16 feet to the point of beginning, containing 429 square feet or 0.0098 of an acre of land.

Surveyor's Certificate

This Metes and Bounds description, as prepared by Wallace Montgomery, 10150 York Road, Suite 200, Hunt Valley, Maryland, 21030, was prepared by me or under my responsible charge, complies with the requirements of COMAR 09.13.06.12 and is based on the Maryland coordinate (NAD83/2011) datum and bearing system.

Jeffrey L. Bleach
Professional Land Surveyor
MD. No. 21307 (expiration date 6-26-24)



Exhibit "A"
Sketch of
Partial Right of Way
Abandonment of Joseph Street for
Jorge N. Mouco and Fernanda M. Mouco
Montgomery County, Maryland
August, 2023 Scale 1"=20'

MARYLAND
COORDINATE
SYSTEM
SCALE 1"=20'
NAD 83/2011

MAPLE AVE

Lot 47 & P/O Lot 46, Block 5
Rockville Park
Richard E. & Catherine Higgins-Bisnell
L. 8934 F. 321

JOSEPH ST
(UNIMPROVED)

RIGHT OF WAY
ABANDONMENT AREA
429 S.F. OR 0.0098 AC.

R&C FND
NOT YET D

S 75°13'38" E
4.09'

N 70°10'00" W 55.50'
Parcel Line
L. 4711 F. 33

N 26°34'26" E 107.16'
S 26°34'26" W 107.16'
S 30°06'00" W 107.33'
Parcel Line
L. 4711 F. 33

JANETA
PB A P 10
P/O LOT 4

JORGE N. MOUCO &
FERNANDA M. MOUCO
L. 4711 F. 33

N 19°50'00" E 105.00'
Parcel Line
L. 4711 F. 33

Lot 7 & P/O Lot 9, Block 2

Janeta
Richard E. & Catherine Higgins-Bisnell



8-17-23

POINT OF
BEGINNING

N 75°13'38" W
4.09'

10' P.U.E.

S 70°10'00" E 78.80'
Parcel Line
L. 4711 F. 33

Lot 10, Block 2
Janeta
Jeffrey S. & Gail E. Broadhurst
L. 8662 F. 40
L. 8190 F. 703



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www.WallaceMontgomery.com
A Limited Liability Partnership

Jeffrey L. Bleach
JEFFREY L. BLEACH
PROF. LAND SURVEYOR NO. 21307
EXP. DATE 06/26/2024



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Tax I.D. # Montgomery Co. No. 0402772963

**Description of a
Partial Right of Way Abandonment of Joseph Street**

**For the Use of
Jeffrey S. Broadhurst and Gail E. Broadhurst**

**City of Rockville
Montgomery County, Maryland**

Being a strip or parcel of land, running in, through, over and across the existing right of way of the City of Rockville's unimproved Joseph Street; being more particularly described in Maryland State Plane Coordinates (NAD83/2011) as follows:

Beginning for the said strip or parcel of land at a point on the easterly right of way line of Joseph Street (unimproved), 60 feet wide, said point being the common corner of the lands of Mumm-Lau Joint Revocable Trust as recorded in Liber 66634 at Folio 180 and Jeffrey S. and Gail E. Broadhurst as recorded in Liber 8662 at Folio 40 and Liber 8154 at Folio 281, said point also being the end of the first or North 70° 10' 00" West 260.54 foot line of the Jeffrey S. and Gail E. Broadhurst as recorded in Liber 8662 at Folio 40, thence leaving said right of way and running in, through, over and across said existing right of way of Joseph Street, the following three (3) courses and distances, as now surveyed, the following course and distance

1. North 75° 13' 38" West, 4.09 feet to a point; thence
2. North 24° 34' 26" East, 93.19 feet to a point; thence,
3. South 75° 13' 38" East, 4.09 feet to a point on the easterly existing right of way of Joseph Street, point also being the end of the first or North 32° 21' 38" East 76.83 foot line in Liber 8154 at Folio 281; thence running reversely with and binding on said first deed line and easterly right of way line of Joseph Street



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Tax I.D. # Montgomery Co. No. 0402772963

4. South 24° 34' 26" West, 93.19 feet to the point of beginning, containing 373 square feet or 0.0086 of an acre of land.

Surveyor's Certificate

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Jeffrey L. Bleach
Professional Land Surveyor
MD. No. 21307 (expiration date 6-26-24)



SCALE 1"=30'
MARYLAND COORDINATE SYSTEM
NAD 83/2011

Exhibit "A"
Sketch of
Partial Right of Way
Abandonment of Joseph Street for
Jeffrey S. Broadhurst and Gail E. Broadhurst
Montgomery County, Maryland
August, 2023 Scale 1"=30'

Lot 47 & P/O Lot 46, Block 5
Rockville Park
Richard E. & Catherine Higgins-Bis.
L.8934 F.321

JOSEPH ST
(UNIMPROVED)

P/O Lot 1, Block 2
Janeta
Mumm-Lau Joint
Revocable Trust
L.66634 F.180

P/O Lot 1, Block 2
Janeta
Brian W. & Amy E. Tindell
L.54857 F.64

JANETA
PLAT 16957
LOT 10

JEFFREY S. AND
GAIL E. BROADHURST
L.8154 F.281
L.8662 F.40
L.8190 F.703

P/O Lot 4, Block 2
Janeta
Jorge N. & Fernanda M. Mouco
L.4711 F.33

Lot 7 & P/O Lot 9, Block 2
Janeta
Richard E. & Catherine Higgins-Bisnett
L.25535 F.369



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JEFFREY L. BLEACH
PROF. LAND SURVEYOR NO. 21307
EXP. DATE 06/26/2024



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Tax I.D. # Montgomery Co. No. 0400177592

**Description of a
Partial Right of Way Abandonment of Joseph Street**

**For the Use of
Mumm-Lau Joint Revocable Trust**

**City of Rockville
Montgomery County, Maryland**

Being a strip or parcel of land, running in, through, over and across the existing right of way of the City of Rockville's unimproved Joseph Street; being more particularly described in Maryland State Plane Coordinates (NAD83/2011) as follows:

Beginning for the said strip or parcel of land at a point on the easterly right of way line of Joseph Street (unimproved), 60 feet wide, said point being the common corner of the lands of Jeffrey S. and Gail E. Broadhurst as recorded in Liber 8662 at Folio 40 and Mumm-Lau Joint Revocable Trust as recorded in Liber 66634 at Folio 180, said point also being the end of the fourth or North 30° 06' 00" East 184 foot line of the Mumm-Lau Joint Revocable Trust deed, running thence reversely with and binding on said fourth deed line and easterly right of way line of Joseph Street, as now surveyed, the following course and distance

1. South 26° 34' 26" West, 183.95 feet to a point; thence leaving said right of way line and running in, through, over and across said existing right of way of Joseph Street, the following four (4) courses and distances
2. North 17° 12' 49" East, 91.12 feet to a point; thence
3. North 58° 25' 23" East, 20.50 feet to a point; thence
4. North 26° 34' 26" East, 75.80 feet to a point; thence



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Tax I.D. # Montgomery Co. No. 0400177592

5. South 75° 13' 38" East, 4.09 feet to the point of beginning, containing 1,135 square feet or 0.0261 of an acre of land.

Surveyor's Certificate

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Professional Land Surveyor
MD. No. 21307 (expiration date 6-26-24)



SCALE 1"=30'
MARYLAND COORDINATE SYSTEM

NAD 83/2011

Exhibit "A"
Sketch of
Partial Right of Way
Abandonment of Joseph Street for
Mumm-Lau Joint Revocable Trust
Montgomery County, Maryland
August, 2023 Scale 1"=30'

Lot 49, Block 5
Rockville Park
Mary L. & John P. Hancock
L. 38354 F. 168

Lot 10, Block 2
Janeta
Jeffrey S. & Gail E. Broadhurs
L. 8662 F. 40
L. 8190 F. 703

GRANDIN
AVE

RIGHT OF WAY
ABANDONMENT AREA
1,135 S.F. OR 0.0261 AC

○ R&C FND
NOT HELD

JOSEPH ST
(UNIMPROVED)

POINT OF
BEGINNING

S 75°13'38" E
4.09'

S 70°10'00" E 53.20'
Parcel Line
L. 66634 F. 180

N 58°25'23" E
20.50'

N 26°34'26" E 75.80'

JANETA
PB A P 10
P/O LOT 1
MUMM-LAU JOINT
REVOCABLE TRUST
L. 66634 F. 180

S 19°50'00" W 180.00'
Parcel Line
L. 66634 F. 180

P/O Lot 1, Block 2
Janeta
Brian W. & Amy E. Tindell
L. 54857 F. 64

N 70°10'00" W 90.00'
Parcel Line
L. 66634 F. 180

IP FND &
HELD FOR
PROP COR

GRANDIN AVE



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EXP. DATE 06/26/2024