

Ordinance No. _____ ORDINANCE: To grant Street Closing and Abandonment Application No. SCA2012-000100, City of Rockville, Maryland, Applicant

WHEREAS, the City of Rockville filed an application requesting that an unimproved right-of-way located between Anderson Avenue and Beall Avenue, in Rockville, Maryland, containing 5,642 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, the Traffic and Transportation Commission of the City of Rockville recommends that the application be approved as recorded in the Commission's July 26, 2011 meeting minutes; and

WHEREAS, Ida Wallenmeyer, John Adams Trustees Et Al, Mehryar Ebrahimi & Rassa Davoodpour, David H. Sonoda Et Al, and Timothy Rand Et Al, 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 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 26, 2012, at 7:00 p.m., or as soon thereafter as it may be heard, which notice was published not less than ten days

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prior to the time of such hearing in a newspaper of general circulation in the City of Rockville;
and

WHEREAS, on March 26, 2012, 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. SCA2012-00100, for the closing and abandonment of an unimproved right-of-way located between Anderson Avenue and Beall Avenue, in Rockville, Maryland, containing 5,642 square feet of land, more or less, being more fully described in Schedule A, be one and the same is hereby granted.

2 That this ordinance shall become effective upon its recordation in the Land Records for Montgomery County, Maryland by the City Attorney's Office.

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

Douglass A. Barber, City Clerk/ Treasurer

SCHEDULE A

Description of a
15' wide Alley
 Between
Anderson Avenue and Beall Avenue
 City of Rockville
 4th Election District
 Montgomery County, Maryland

Being a strip of land fifteen feet wide and running between the northerly right-of-way line of Anderson Avenue and the southerly right-of-way of Beall Avenue, and being defined by the easterly limits of Block 5, West End Park per subdivision record plat recorded in Plat Book A as Plat 43, and by the westerly limits of Block 5, West End Park per subdivision record plats recorded as Plat numbers 18074, 18176 and 19386 all among the Land Records of Montgomery County, Maryland and being more particularly described as follows:

Beginning for the same at a point on the northerly right-of-way line of Anderson Avenue (50 feet wide), said point being the southeasterly corner of Lot 1, Block 5, West End Park as recorded in Plat Book A as Plat 43 among the aforesaid Land Records, thence leaving said Anderson Avenue and running along the easterly limits of said Lot 1 and Lot 9, as now surveyed

1. **North 09° 08' 36" East 377.24 feet** to a point on the northeasterly corner of said Lot 9, thence leaving said Lot 9 and running with the southerly right-of-way line of Beall Avenue (50 feet wide), as now surveyed
2. **South 78° 59' 30" East 7.50 feet** to a point, thence
3. **South 09° 08' 36" West 0.32 feet** to a point, thence
4. **South 81° 52' 20" East 7.50 feet** to an iron pipe found at the northwesterly corner of Lot 18, Block 5, West End Park recorded as Plat 18074; thence leaving the southerly right-of-way line of Beall Avenue and running with the westerly limits of said Lot 18, the westerly limits of Lot 22, Block 5, West End Park recorded as Plat 18176, and the westerly limits of Lot 25, Block 5, West End Park recorded as plat number 19386, all among the aforesaid Land Records, as now surveyed
5. **South 09° 08' 36" West 375.00 feet** to an iron pipe found at the southwest corner of said Lot 25, said point also being on the northerly right-of-way line of Anderson Avenue aforesaid, thence leaving the westerly limits of Lot 25 and running with the said northerly right-of-way line, as now surveyed
6. **North 81° 52' 20" West 7.50 feet** to a point, thence
7. **South 09° 08' 36" West 1.92 feet** to a point, thence
8. **North 78° 59' 30" West 7.50 feet** to the place of beginning, containing 5,642 square feet, or 0.1295 acres, of land, more or less, as surveyed by Maddox Engineers & Surveyors, Inc. Maddox Project number 08021.26

Certified Correct: _____

Russell E. Reese, registered professional Land Surveyor
 MD No. 11014
 License expires 8/24/12

