

Ordinance No. _____ ORDINANCE: To grant Street Closing and Abandonment Application No. SCA2011-00099, Mr. Gustavo Alonso Moreno, Applicant

WHEREAS, Mr. Gustavo Alonso Moreno, filed application No. SCA2011-00099, requesting that an unimproved right-of-way located between Woodland Road and Ashley Manor Drive, in Rockville, Maryland, containing 2,600 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 February 22, 2011 meeting minutes; and

WHEREAS, Gustavo Alonso Moreno & Sonia Vicente, Benjamin Creitz Et Al, Brian & Judith Hinds, Tho Nguyen & Yen-Bach Pham, and Thomas Warmack, 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 September 19, 2011, 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 September 19, 2011, 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.

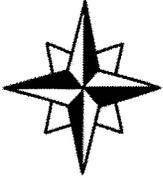
NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

1. That Street Closing and Abandonment Application No. SCA2011-00099, for the closing and abandonment of an unimproved right-of-way located between Woodland Road and Ashley Manor Drive, in Rockville, Maryland, containing 2,600 square feet of land, more or less, being more fully described in Schedule A, be 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

Brenda Bean, Acting City Clerk



NTT Associates, Inc.
 16205 Old Frederick Road
 Mt. Airy, Maryland 21771

Description of the 10 foot wide alley between Woodland Road and Ashley Road in Block "N" as shown on "Plat of Croyden Park Addition to Rockville, MD" recorded in Plat Book 3 at Plat 272

BEGINNING for the same at a point at the intersection of the northerly side of Woodland Road 40 foot wide right-of-way and the easterly side of a 10 foot wide alley (unimproved), said point also being the southwesterly corner of Lot 21, Block "N" as shown on "Plat of Croyden Park Addition to Rockville, MD" recorded among the Land Records of Montgomery County, Maryland in Plat Book 3 at Plat 272; thence leaving said road binding on the easterly side of said alley and westerly lines of Lots 21 through 30, Block "N" as shown on aforesaid plat

- 1) N 02° 41' E 260.00 feet to a point on the southerly side of Ashley Road 40 foot wide right-of-way, said point also being the northwesterly corner of Lot 30, Block "N" as shown on aforesaid plat; thence crossing said alley for new lines of division and binding on the southerly side of Ashley Road
- 2) N 87° 19' W 10.00 feet to a point on the westerly side of said alley, said point also being the northeasterly corner of Lot 20, Block "N" as shown on aforesaid plat; thence leaving Ashley Road binding on the westerly side of said alley and easterly lines of Lot 20 and Lot 10, Block "N" as shown on aforesaid plat
- 3) S 02° 41' W 260.00 feet to a point on the northerly side of Woodland Road, said point also being the southeasterly corner of Lot 10, Block "N" as shown on aforesaid plat, thence crossing said alley binding on the northerly side of Woodland Road
- 4) S 87° 19' E 10.00 feet to the point of beginning containing 2,600 square feet more or less.

This description is compiled from plats of record and does not represent a boundary survey performed by NTT Associates, Inc.

BEING the 10 foot alley lying between Woodland Road and Ashley Road in Block "N" as shown on Plat of Croyden Park Addition to Rockville, MD" recorded among the Land Records of Montgomery County, Maryland in Plat Book 3 at Plat 272.

