



MCPB No. 25-023

M-NCPPC No. 25-02

**Disposition and Acceptance of Land to Correct Boundary of
Parcel N466, Black Hill Regional Park, Clarksburg, MD**

RESOLUTION

WHEREAS, the Maryland-National Capital Park and Planning Commission (“**Commission**”) is authorized by Md. Code Ann., Land Use, §17-101 (formerly Article 28, Section 5-101), to acquire, develop, maintain and operate a public park system within the Maryland-Washington Metropolitan District; and

WHEREAS, the Commission is authorized under the Md. Code, Ann., Land Use, § 17-206(b), to exchange land when the Commission determines such exchange is more suitable for Commission purposes; and

WHEREAS, in 1969, the Commission purchased Parcel N466 with an overlapping boundary between Parcel N466 (Tax ID 00025487, M-NCPPC) and P457 (Tax ID 00018618, Linthicum Properties Management, LLC) consisting of +/- 4,456 square feet (“**Overlap Property**”), and the boundary error was not remedied at the time of purchase; and

WHEREAS, there exists a gap between Parcel N466 and abutting parcel owned by Linthicum Properties Management, LLC (“**Linthicum**”), Parcel P651 (Tax ID 03409441), and the area not included in the boundaries of either parcel consists of +/- 1,706 square feet (“**Gap Property**”); and

WHEREAS, the Commission intends to correct the current erroneous boundary of Parcel N466 by disposing of the Overlap Property to Linthicum, and accepting into Parcel N466 the Gap Property; and

WHEREAS, on February 13, 2025, the Montgomery County Planning Board (“**Planning Board**”) held a public hearing at which the Planning Board heard testimony and received evidence submitted for the record and voted to recommend that the Commission authorize the exchange of the Overlap Property and acceptance of the Gap Property to correct the prior boundary errors not corrected at the time of purchase.

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board finds that the correction of the said boundary errors is necessary and desirable, thus serving the public purpose; and

BE IT FURTHER RESOLVED that, the Planning Board hereby recommends that the Commission approves the exchange of the Overlap Property and the Gap Property to correct the inaccurate boundary description for Parcel N466; and


BE IT FURTHER RESOLVED that, the Commission hereby adopts the Planning Board's finding, accepts the Planning Board's recommendation, and approves the exchange by the disposition of the Overlap Property and acceptance of the Gap Property on this 19th day of February, 2025 and the Executive Director is authorized to execute necessary instruments approved by the Office of General Counsel on behalf of the Commission.

This is to certify the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 4-0, with Chair Harris, Vice Chair Pedoeem, and Commissioners Hedrick and Linden voting in favor, Commissioner Bartley being necessarily absent, at its regular meeting held on Thursday, February 13, 2025 in Wheaton, Maryland and via video conference.




Artie L. Harris, Chair

APPROVED AS TO LEGAL SUFFICIENCY:


M-NCPPC Legal Department
Date: 2/13/2025

CERTIFICATION

This is to certify that the forgoing is a true and correct copy of Resolution 25-02 adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Bailey, Bartley, Geraldo, Hedrick, Harris, Pedoeem, Shapiro and Washington in favor of the motion, with Commissioners Doerner and Linden being absent for the vote at its regular meeting held on February 19, 2025.


William Spencer, Acting Executive Director