

**DRAFT**

MCPB 09-  
M-NCPPC 09-16

**RESOLUTION**

WHEREAS, the Board of Education of Montgomery County conveyed to The Maryland-National Capital Park and Planning Commission (the "Commission"), along with other property, a parcel of land identified as Tax Account No. 4-1-51874 (0.75 acres) by deed dated August 16, 1948 and recorded in Liber 1182 at Folio 244 among the Land Records of Montgomery County, Maryland, which land was acquired to be part of Garrett Park Estates Local Park; and

WHEREAS, the Montgomery County Planning Board received and considered a recommendation from staff of the Commission at its regularly scheduled meeting on Thursday, July 9, 2009 that the herein described Commission owned property consisting of 0.75 acres, more or less, improved with a Park Activity Building, is appropriate for conveyance to the Town of Garrett Park as a long term solution to the maintenance, management and operational issues associated with the property; and

WHEREAS, at its regularly scheduled meeting of Thursday, July 9, 2009, the Montgomery County Planning Board concluded that the Commission owned property consisting of 0.75 acres, more or less, improved with a Park Activity Building, as described herein, is no longer needed for public park use or other public use of the Commission; and

WHEREAS, the Montgomery County Planning Board approved at its regularly scheduled meeting on Thursday, July 9, 2009 that the herein describe Commission owned property consisting of 0.75 acres, improved with a Park Activity Building, be conveyed to the Town of Garrett Park subject to the following two conditions:

1. That a reverter clause be included in the deed requiring that the property be transferred back the Commission, if the property ever ceases to be used to support a recreation center.
2. That the Town of Garrett Park enter a Memorandum of Understanding (MOU) with the Commission that ensures that the Town will continue to provide routine day to day maintenance of Garrett Park-Waverly Neighborhood Park.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that pursuant to Section 5-111, Article 28, Annotated Code of Maryland, The Maryland-National Capital Park and Planning Commission hereby declares the 0.75 acres, improved, as described herein, is not needed for park purposes or other public purpose under Title 5, Article 28, Annotated Code of Maryland; and

BE IT FURTHER RESOLVED, that pursuant to Article 28, Annotated Code of Maryland, The Maryland-National Capital Park and Planning Commission hereby approves the conveyance of the property interest described herein to the Town of Garrett Park, consisting of 0.75 acres, more or less, improved, in fee simple, subject to the following conditions: 1) that a reverter clause be included in the

