

33819

(Equity #33819)

### EQUITY

J. Grahame Walker

In re: The abandonment of an alley running between Lots 7 to 15 inclusive and Lots 16 to 24, inclusive in Block numbered 5, in the subdivision known as "West Chevy Chase Heights" as per plat recorded in Plat Book 2, Plat 186, among the Land Records of Montgomery County, Maryland

John S. Samperton and Novella D. Samperton  
Petitioners

#### FOR ABANDONMENT

- Sept. 8, 1967 - Petition filed.
- Order of Publication filed Sept. 20, 1967.
- Consent of Maryland-National Capital Park and Planning Commission filed Sept. 25, 1967.
- Consent of W.S.S.C. filed Oct. 20, 1967.
- Printers Certificate of Order of Publication filed Oct. 20, 1967.
- Resolution of Montgomery County Council filed Oct. 23, 1967.
- Final Decree filed Oct. 26, 1967

EXHIBIT I

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LEGIBILITY  
BEST STRIP

5. That service of this petition has been made on the Montgomery County Council, the Maryland National Capital Park and Planning Commission, the Washington Suburban Sanitary Commission and Frances C. Stevens, owner of Lots 16 through 18, seeking the consents thereof.

6. That no person, persons or corporation other than your petitioners and the said Frances C. Stevens has any interest in the alley to be abandoned and that no injury or damage will be suffered by anyone if the relief herein be granted.

WHEREFORE, the premises considered the petitioners pray:

1. That the alley running between Lots 7 to 15, both inclusive, and Lots 16 to 24, both inclusive, in Block numbered 5, in the subdivision known as "West Chevy Chase Heights", as per plat recorded in Plat Book 2, Plat 186, among the Land Records of Montgomery County, Maryland, be abandoned and that all public rights, title and interest or use in said alley be extinguished and the rights, title and interest therein revert to private use and ownership.

2. That an Order of publication be granted, notifying all persons interested in the prayed abandonment to show cause, if any they have, within a time certain to be named in said order, why said abandonment should not be granted.

3. For such other and further relief as is just.

*J. Grahame Walker*  
J. Grahame Walker  
8400 Wisconsin Avenue  
Bethesda, Maryland 20014  
Phone: 656-1600  
Attorney for Petitioners

FILED  
SEP 8 - 1967

49777



REGISTRY  
WEST SEPT

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Petition were mailed by me to the Clerk to the County Council at County Building, Rockville, Maryland; the Maryland National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring, the Washington Suburban Sanitary Commission, 4017 Hamilton Street, Hyattsville, Maryland, and Mrs. Frances C. Stevens, 4707 West Virginia Avenue, Bethesda, Maryland, this 8th day of September, 1967.

*J. G. Walker*  
J. G. Walker

FILED  
SEP 8 - 1967

4978



IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

In re: The abandonment of an alley  
running between Lots 7 to 15,  
inclusive and Lots 16 to 24,  
inclusive in Block numbered 5,  
in the subdivision known as  
"West Chevy Chase Heights" as  
per plat recorded in Plat Book  
2, Plat 186, among the Land  
Records of Montgomery County,  
Maryland.

Equity No. 33819

FILED  
OCT 28 1967

FINAL DECREE

The proceedings in this cause having been read and considered, it appearing that due notice has been given to all persons having an interest in or affected by the abandonment of an alley running between Lots 7 to 15, inclusive and Lots 16 to 24, inclusive in Block numbered 5, in the subdivision known as "West Chevy Chase Heights" as per plat recorded in Plat Book 2, Plat 186, among the Land Records of Montgomery County, Maryland, and it appearing to the Court that no damage can in any wise be sustained by any persons other than the Petitioner, Consents having heretofore been filed by the Washington Suburban Sanitary Commission and the Maryland National Capital Park and Planning Commission, and the Montgomery County Council having by Resolution No. 6-784, dated October 10, 1967, recommended approval of the abandonment of said alley, it is, thereupon, this 25<sup>th</sup> day of October, 1967, by the Circuit Court for Montgomery County, Maryland, sitting as a Court of Equity,

ADJUDGED, ORDERED and DECREED that the alley running between Lots 7 to 15, inclusive and Lots 16 to 24, inclusive in Block numbered 5, in the subdivision known as "West Chevy Chase Heights" as per plat recorded in Plat Book 2, Plat 186, among the Land Records of Montgomery County, be, and it is hereby, abandoned

LEGIBILITY  
TEST STRIP

10/28/67



LEGISLATIVE  
RECORDS  
DIVISION  
WEST VIRGINIA

as a dedicated alley of said subdivision and decreed free from any public rights, claims, title and interest and revert to the abutting land owners in accordance with the law of abandonment so as to revert to the private properties of abutting land owners as their interests may appear, in fee simple, and it is further

ORDERED that the Clerk of the Court shall endorse on the plat affected hereby the date and place of record of these proceedings.

*James H. Payne*  
\_\_\_\_\_  
JUDGE

FILED  
OCT 26 1967

4915