

SHA 63.00-26D 4/20/93

Mailing Address:

Records & Research Section  
Mail Stop - M-202  
707 North Calvert Street  
Baltimore, MD 21202

## STANDARD ROAD CONVEYANCE DEED

FROM THE STATE HIGHWAY ADMINISTRATION  
OF THE MARYLAND DEPARTMENT  
OF TRANSPORTATION AND THE BOARD  
OF PUBLIC WORKS OF MARYLAND

Right of Way Item No.: N/A

Road Transfer Item No. 43631

**THIS ROAD CONVEYANCE DEED**, made this 3<sup>rd</sup> day of OCTOBER in the year, 2017, by and between the **STATE HIGHWAY ADMINISTRATION** of the **MARYLAND DEPARTMENT OF TRANSPORTATION**, acting for and on behalf of the **STATE OF MARYLAND**, party of the first part; and the **BOARD OF PUBLIC WORKS OF MARYLAND**, party of the second part hereinafter sometimes called "**GRANTORS**"; and **the MONTGOMERY COUNTY, MARYLAND**, a body corporate and politic, hereinafter sometimes called "**GRANTEE**."

WHEREAS, the STATE HIGHWAY ADMINISTRATION of the Maryland Department of Transportation, acting for and on behalf of the State of Maryland, has heretofore acquired certain property and rights, situate, lying and being in Montgomery County, State of Maryland; and

WHEREAS, a Road Transfer Agreement dated July 13, 2016, wherein the STATE HIGHWAY ADMINISTRATION of the Maryland Department of Transportation has agreed to transfer and convey to Montgomery County, Maryland, the hereinafter described section of roadway which heretofore was constructed by the State of Maryland, and Montgomery County, Maryland has agreed to accept responsibility and jurisdiction over, and the responsibility for, the maintenance of said state roadway; and,

WHEREAS, the STATE HIGHWAY ADMINISTRATION has constructed a certain roadway area, known and designated as **MD 187 - Old Georgetown Road**: from Executive Boulevard (at current Mile Point 05.040) to MD 355, Rockville Pike (at current Mile Point 05.320) for the total distance of 0.28 mile. Also included is the eastern portion of the "turn flare" at the Old Georgetown Road intersection with Executive Blvd and (future) Hoya/Towne Road. Total conveyance to consist of 161,522 square feet or 3.708 acres  $\pm$ ; and

WHEREAS, the State Highway Administration has prepared, or caused to be prepared One (1) Right of Way Plat designated as State Highway Administration Plat number **60615**, which Plat has been or will be duly filed for record with and electronically recorded by the Maryland State Archives; and

WHEREAS, the said Plat shows the land, easements, rights and controls of access which have been determined by the State Highway Administration as necessary to be retained by the State for the construction, operation, maintenance, use and protection of the highway and/or bridge constructed, or to be constructed, as aforesaid; and

WHEREAS, the STATE HIGHWAY ADMINISTRATION has agreed, for good and valuable consideration, to convey unto GRANTEE herein certain portion of land/roadway, hereinafter described, which the STATE HIGHWAY ADMINISTRATION has determined is no longer needed by it in connection with the construction, operation, maintenance, use and protection of the State Highway System; and

WHEREAS, under the provisions of Section 8-304 of the Transportation Article of the Annotated Code of Maryland, it is necessary for the Board of Public Works of Maryland to join in the

conveyance of any land by the STATE HIGHWAY ADMINISTRATION of the Maryland Department of Transportation.

NOW, THEREFORE, THIS DEED WITNESSETH: That for and in consideration of the sum of One (\$1.00) Dollar, and other good and valuable considerations, the receipt of which is hereby acknowledged, the said parties of the first and second parts do hereby grant, convey and quit claim unto **MONTGOMERY COUNTY, MARYLAND**, all rights, title and interests of the STATE HIGHWAY ADMINISTRATION and the State of Maryland, in and to containing a grand total of 161,522 square feet or 3.708 acres of land, more or less, in fee simple, in and to anywise appertaining, lying between the outermost lines designated "Right of Way Line and Right of Way of through Highway Line" more or less, shown borders shaded, on State Highway Plat numbered **60615**, all of which plat is made a part hereof, so far as the property and/or rights may be affected by the highway, and the appurtenances thereto belonging, or in anywise appertaining.

NOTHING CONTAINED HEREIN, however, shall be construed as a release by STATE HIGHWAY ADMINISTRATION of any of the other easements, fee simple rights of way and other rights and controls retained by the STATE HIGHWAY ADMINISTRATION as shown on any town, city, county or state plats.

RIGHT OF WAY CONVEYED BY THE STATE HIGHWAY ADMINISTRATION - STATE ROADS COMMISSION OF MARYLAND TO MONTGOMERY COUNTY, MARYLAND, A BODY CORPORATE AND POLITIC AS DESCRIBED IN THE AFORESAID LEGAL DESCRIPTION, i.e., SHA PLAT NO. **60615** ATTACHED HERETO AND MADE A PART HEREOF AS **EXHIBIT NO.1.**

SUBJECT TO and excepting from the operation and effect of this deed any and all rights and reservations that may have been granted or reserved by former owners of this property or their predecessors in title and/or covenants or restrictions which may have been established with respect to said land by such former owners or their predecessors in title.

SUBJECT TO and excepting from the operation and effect of this deed any and all existing rights now held or used by any public utility or public utilities across or adjacent to the land herein conveyed.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the land and premises, hereinbefore described and mentioned, to the extent of the State's right, title and interest thereto, unto **MONTGOMERY COUNTY, MARYLAND**, a body corporate and politic, its successors and assigns.

SUBJECT, HOWEVER, TO EACH AND EVERY RESERVATION, RESTRICTION, CONDITION, COVENANT AND CONTROL SET FORTH IN THIS INSTRUMENT OF WRITING.

AND GRANTEE HEREIN, by the acceptance of this deed, does hereby covenant and agree, on behalf of itself, its successors and assigns, to abide by and respect each and every reservation, restriction, condition, covenant and control set forth in this instrument of writing, it being the intention hereof to perpetuate all of the rights and privileges retained by the State of Maryland, to the use of the STATE HIGHWAY ADMINISTRATION of the Maryland Department of Transportation, by this deed. It is expressly understood and agreed that these covenants shall run with and bind the property, hereby conveyed and the remaining property of GRANTEE and shall be binding upon GRANTEE, its successors and assigns, forever.



IN TESTIMONY WHEREOF, Witness the hands and seals of the parties hereto:

WITNESS:

Marilyn D. Hill

STATE HIGHWAY ADMINISTRATION OF THE  
MARYLAND DEPARTMENT OF TRANSPORTATION

By: [Signature] (Seal)  
**Gregory Slater**  
State Highway Administrator

Approved as to Form and  
Legal Sufficiency:

[Signature]  
**Ellen Callahan**  
Assistant Attorney General

[Signature] (Seal)  
**Lawrence J. Hogan, Jr.**  
Governor of Maryland

Concurred in by:

for [Signature]  
**Olu A. Okunola**  
Director, Office of Real Estate

[Signature] (Seal)  
**Peter Franchot**  
Comptroller of Maryland

WITNESS:

[Signature]  
Secretary

[Signature] (Seal)  
**Nancy K. Kopp**  
Treasurer of Maryland

Constituting the BOARD OF  
PUBLIC WORKS OF MARYLAND

STATE OF MARYLAND - COUNTY OF BALTIMORE, To Wit: Gregory Slater

I HEREBY CERTIFY that, before me, the subscriber, a NOTARY PUBLIC of the STATE OF MARYLAND, in and for the County/City aforesaid, personally appeared **Gregory Slater**, State Highway Administrator, and acknowledged the foregoing deed to be the act of the STATE HIGHWAY ADMINISTRATION and, at the same time, made oath in due form of law that she is fully authorized to execute and acknowledge the same.

AS WITNESS MY HAND AND NOTARIAL SEAL, this 10th day of July in the year 2017.

[Signature] (Seal)  
Notary Public

My Commission Expires: MOHAMMAD AKBARIEH  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires March 13, 2021



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STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, To Wit:

I HEREBY CERTIFY that, before me, the subscriber, a NOTARY PUBLIC of the STATE OF MARYLAND, in and for the County aforesaid, personally appeared

**Lawrence J. Hogan, Jr. - Governor of Maryland**  
**Peter Franchot - Comptroller of Maryland**  
**Nancy K. Kopp - Treasurer of Maryland**

whom constitute the **BOARD OF PUBLIC WORKS OF MARYLAND**, and acknowledged the foregoing Road Conveyance Deed to be the act of the said Board of Public Works of Maryland.

AS WITNESS MY HAND AND NOTARIAL SEAL, this 3rd day of October in the year 2017

 (Seal)  
Notary Public

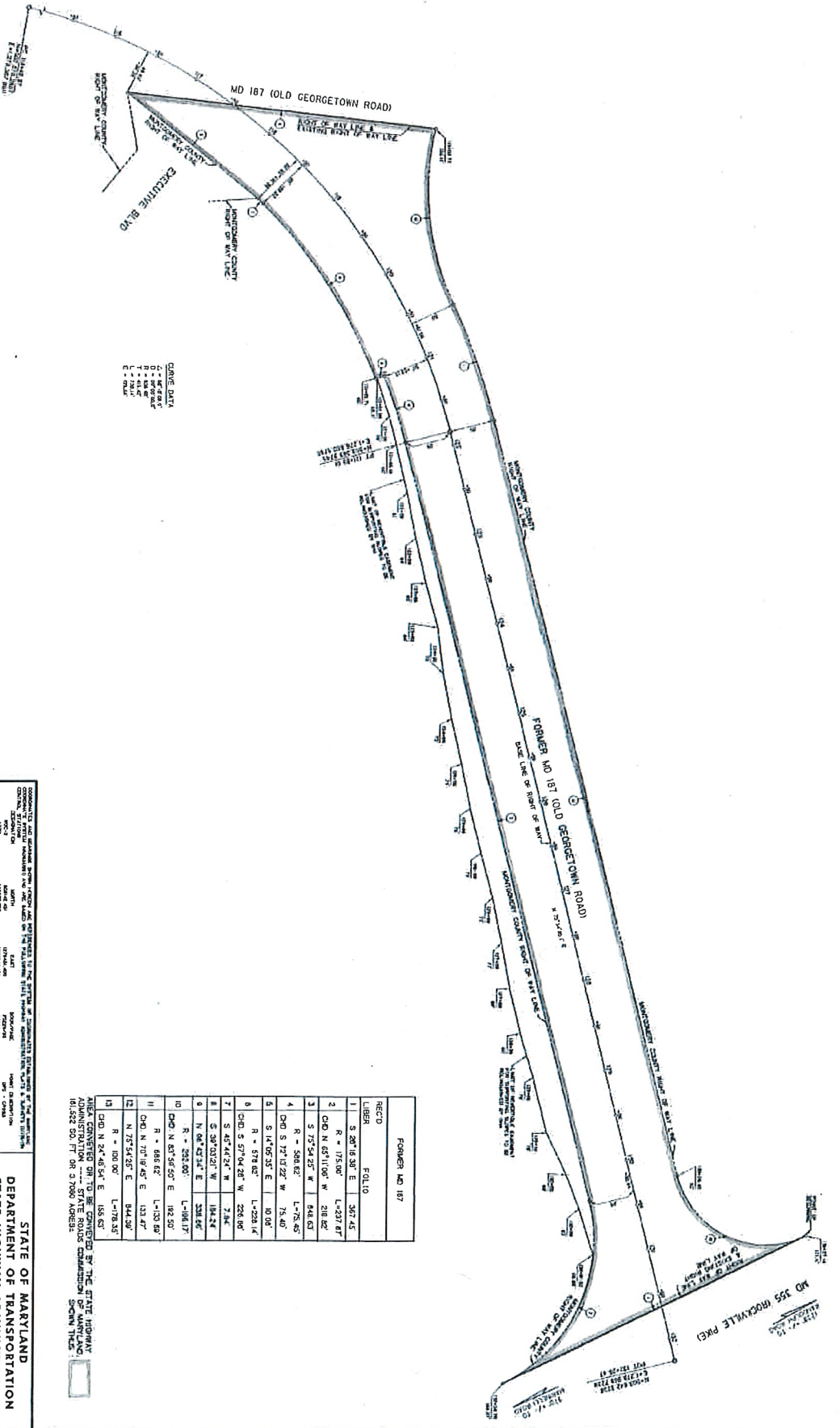
My Commission Expires



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I hereby certify that this instrument was prepared under my supervision, an attorney admitted to practice by the Court of Appeals of Maryland.

  
Ellen Callahan  
Assistant Attorney General



CONVEYANCE DATA

NO.	DATE	BY	FOR
1	10/1/88	W. J. HARRIS	CONVEYANCE
2	10/1/88	W. J. HARRIS	CONVEYANCE
3	10/1/88	W. J. HARRIS	CONVEYANCE
4	10/1/88	W. J. HARRIS	CONVEYANCE
5	10/1/88	W. J. HARRIS	CONVEYANCE
6	10/1/88	W. J. HARRIS	CONVEYANCE
7	10/1/88	W. J. HARRIS	CONVEYANCE
8	10/1/88	W. J. HARRIS	CONVEYANCE
9	10/1/88	W. J. HARRIS	CONVEYANCE
10	10/1/88	W. J. HARRIS	CONVEYANCE

FORMER MD 187

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9	10/1/88	W. J. HARRIS	CONVEYANCE
10	10/1/88	W. J. HARRIS	CONVEYANCE

THIS PLAN IS A PART OF THE RECORD DRAWING FOR THE CONVERSION OF A PORTION OF MD 187 TO A STATE ROAD. IT IS TO BE CONSIDERED A PART OF THE RECORD DRAWING AND NOT A SEPARATE DOCUMENT.

THE RIGHT OF WAY AND LINES OF DIVISION JOHN HARRIS AND AN ADMINISTRATIVE PART OF THE STATE HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY COMMISSION, IS HEREBY CONVEYED TO THE STATE OF MARYLAND FOR THE PURPOSE OF BEING USED AS A STATE ROAD. THE CONVEYANCE IS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE MARYLAND CONVEYANCE ACT, CHAPTER 10, SECTION 10-101, AND THE MARYLAND CONVEYANCE ACT, CHAPTER 10, SECTION 10-102. THE CONVEYANCE IS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE MARYLAND CONVEYANCE ACT, CHAPTER 10, SECTION 10-101, AND THE MARYLAND CONVEYANCE ACT, CHAPTER 10, SECTION 10-102.

PROJECT NO. 60615  
DATE 07/15/2017  
BY W. J. HARRIS

STATE OF MARYLAND  
DEPARTMENT OF TRANSPORTATION  
STATE HIGHWAY COMMISSION

RIGHT OF WAY PROJECT  
NO. 60615  
SCALE 1"=50'

PLAT NO. 60615

