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June 26, 2023

Via Email

Tiara McCray  
Acting Chief, Property Acquisition  
Montgomery County, Department of Transportation  
Division of Transportation Engineering  
Property Acquisition Section  
100 Edison Park Drive, 4<sup>th</sup> Floor  
Gaithersburg, Maryland 20878  
[Tiara.McCray@montgomerycountymd.gov](mailto:Tiara.McCray@montgomerycountymd.gov)

**Re: AB-784 Abandonment of Areas Along Washington Grove Lane in Gaithersburgh**

Dear Ms. McCray:

Following-up on your recent request, this is a brief up-date for your file on the status of the above-captioned matter. In summary, Petition AB-784 is currently stayed pending the resolution of certain issues that are being resolved through the County's concept plan process. A more detailed explanation is provided below.

Petition AB-784 was filed by The Housing Opportunities Commission of Montgomery County (HOC) and involves a request for the abandonment of any interest the County may retain in several road widening right-of-way easements on either side of Washington Grove Lane, between Mid-County Highway and Shady Spring Drive in Gaithersburg. This proposed abandonment is phase one of a much larger project, known as "Heritage Emory Grove." The abandonment area is approximately 1.45 acres. The larger area is a little over 1.3 acres on the southeast side of Washington Grove Lane and the smaller area is approximately 0.1 acres on the northwest side of Washington Grove Lane. HOC is not requesting the abandonment of utility or other easements. Dedications for utilities and any other easements will be specifically addressed at a later stage in the development process.

The Petition was filed on November 1, 2022, and was initially set for hearing on March 23, 2023. Prior to the hearing the Montgomery County Department of Transportation (McDOT) and MNCP&P (Park and Planning) expressed a concern. Specifically, staff indicated that the County was willing to release most of the existing road widening right-of-way easement but that the County is interested in retaining sufficient right-of-way so that it has the option to realign and

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straighten the intersection of Washington Grove Lane, Emory Grove Road, and Shady Spring Drive, if this becomes necessary in the future. Identifying a viable design for the potential realignment of this intersection and how much of the existing right-of-way might be required to implement this design requires a fairly technical analysis and requires some significant discussions between McDOT and HOC. Therefore, reviewing staff suggested the submission of a concept plan to the Development Review Committee in order to analyze the proposed abandonment and determine how much of this area the County should preserve for the potential intersection realignment. County staff further indicated that the Concept Plan review and the Petition process could be undertaken in tandem. In short, the parties could: a) stay the current petition and leave it pending; b) work through the potential intersection realignment issues in the concept plan process; and then c) make any necessary revisions to the petition and complete the abandonment process.

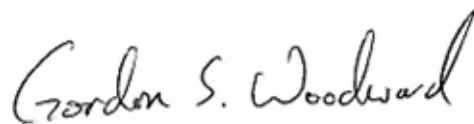
HOC has agreed to proceed in this fashion. As a result, HOC prepared and submitted a concept plan. The plan acceptance date was May 30, 2023, the number is 520230260, and name of the concept plan is Heritage Emory Grove ROW Abandonment. Once the intersection realignment issues are addressed, HOC will make any necessary revisions to the petition and complete the abandonment process.

We will calendar this matter for 45 days and will provide you with a brief update at that time.

Thank you for your attention to this matter. Should you require further information, please let us know.

Sincerely,

GORDON REES SCULLY MANSUKHANI, LLP

A handwritten signature in black ink that reads "Gordon S. Woodward". The signature is written in a cursive, slightly slanted style.

Gordon S. Woodward  
*Counsel for The Housing Opportunities  
Commission of Montgomery County*

GSW:bag