

COUNCIL OF THE TOWN OF LA PLATA
Resolution 06-8

Introduced By:	Mayor Gene Ambrogio
Date Introduced:	August 8, 2006
Date Adopted:	September 12, 2006
Date Effective:	September 12, 2006

1 **A RESOLUTION** authorizing the acquisition of certain property owned by Henry J. Stehr and Anita S.
2 Gibson by eminent domain for the purposes of the construction of Heritage Green Parkway; determining
3 that acquisition of such property for the construction of Heritage Green Parkway is for a public purpose;
4 and matters relating generally thereto.

5
6 **EXPLANATORY STATEMENT:** The acquisition of certain lands is needed for the
7 construction of an arterial road known as Heritage Green Parkway extending northward from Maryland
8 Route 6 (Charles Street) to Washington Avenue in the Town of La Plata. The construction of Heritage
9 Green Parkway, formerly referred to as the “Northern Bypass”, has been contemplated for more than 15
10 years, and was an integral consideration in the approval of the annexation of the Davis property for what
11 now is being developed as “Heritage Green.”

12
13 Henry J. Stehr and Anita S. Gibson are the owners of all that real property described in a Deed
14 recorded among the Land Records of Charles County, Maryland in Liber 1190, folio 356, and known and
15 designated as Parcel 4 as shown on Charles County Tax Map 113. The Town has attempted, in good faith
16 and without success, to acquire by negotiation the fee simple and easement interests in this property that
17 are needed for the construction of Heritage Green Parkway. These interests consist of 44,666 square feet,
18 or 1.0254 acres, in fee simple and 20,996 square feet, or .482 acres, for a variable width temporary
19 construction easement, both as depicted on Exhibit 1 attached to this Resolution and incorporated by
20 reference. The Town is authorized by Section C13-2 of the Town Charter to acquire fee simple and
21 easement interests by eminent domain. Now, therefore,

22
23 **SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LA PLATA,**
24 That the Council finds that the acquisition of the fee simple and temporary construction easement interests
25 in the property of Henry J. Stehr and Anita S. Gibson described in the EXPLANATORY STATEMENT
26 above is necessary for a public purpose, which purpose is the construction of Heritage Green Parkway, and
27 that the Town is authorized to acquire such fee simple and temporary construction easement interests by
28 eminent domain.

29
30 **SECTION 2. AND BE IT FURTHER RESOLVED,** That the Town shall proceed to acquire
31 by eminent domain the fee simple and temporary construction easement interests in the property of Henry

32 J. Stehr and Anita S. Gibson described in the EXPLANATORY STATEMENT above.

33

34 **SECTION 3. AND BE IT FURTHER RESOLVED**, That this Resolution is effective

35 immediately.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Gene Ambrogio, Mayor

R. Wayne Winkler, Councilman

C. Keith Back, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Judith T. Frazier, Town Clerk

Vic E. Newman, Councilman

Date: _____