

the proceedings and his recommendations on the proposed abandonment or closing to the County Council. Such report shall state whether or not the agencies or governmental bodies listed below have consented to the proposal and the conditions of consent, if any. No report or recommendation shall be so forwarded until the County Executive has received recommendations of the agency or governmental bodies listed below; provided, however, that if such agency or governmental body has not filed its recommendation within sixty days from the date of the application, its consent to the proposal shall be presumed:

(1) The Director of the Department of Public Works;

(2) The Maryland-National Capital Park and Planning Commission if any part of the property is in the Maryland-Washington Regional District in the County;

(3) The Washington Suburban Sanitary Commission if any part of the property is in the Washington Suburban Sanitary District;

(4) All public utility companies authorized by the Public Service Commission to operate within the area and which have overhead or underground facilities in the vicinity; and

(5) The governing body of such incorporated city, town or special taxing area in which any of the property may be located.

SEC. 26. Section 24-44, Chapter 24, title "Streets and Roads," of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows:

24-44. Findings of Council.

The findings of the Council shall be based upon the written report and recommendation of the County Executive, including the recommendations of the governmental agencies referred to in the preceding Section.

SEC. 27. Section 24-45, Chapter 24, title "Streets and Roads," of the Montgomery County Code 1965, is hereby repealed in its entirety.

SEC. 28. Section 24-46, Chapter 24, title "Streets and Roads," of the Montgomery County Code 1965, is hereby repealed in its entirety.

SEC. 29. Section 24-47, Chapter 24, title "Streets and Roads," of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows:

24-47. Finding by Council that road is no longer necessary required.

No road or right-of-way may be abandoned and closed unless the Council shall find that the evidence of record clearly indicates that