

COUNCIL OF THE TOWN OF LA PLATA
Resolution No. 05-6

Introduced by: Mayor William F. Eckman

Date Introduced: April 12, 2005

Planning Commission Public Hearing: May 17, 2005

Town Council Public Hearing: May 24, 2005

Amendments Adopted: October 11, 2005

Date Adopted: October 11, 2005

Date Effective: November 25, 2005

1 A RESOLUTION concerning

2
3 **Potomac Investment Group, LLC and**
4 **Maryland State Highway Administration Annexation – ~~22.38~~ 23.02 Acres**

5
6 **FOR** the purpose of authorizing the annexation of ~~22.38~~ 23.02 acres, more or less, of
7 contiguous land into the corporate limits of the Town of La Plata by amending the
8 corporate limits of the Town; establishing certain terms, conditions and circumstances
9 applicable to such land and to the owners thereof; providing for the zoning of such land
10 upon annexation; and all matters relating to the annexation of such ~~22.38~~ 23.02 acres of
11 land, more or less, into the Town of La Plata.

12
13 * * * * *

14
15 **WHEREAS**, the Town of La Plata has received a written petition from Potomac
16 Investment Group, LLC and Maryland State Highway Administration to extend the boundaries
17 of the Town; and

18
19 **WHEREAS**, the Town has verified that the petition satisfies the requirements of
20 Article 23A, Section 19(c) of the *Annotated Code of Maryland* (1998 2005 Replacement
21 Volume); and

22
23 **WHEREAS**, all public hearings, notifications and approvals as required by law have
24 occurred;

25

26 **NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN**
 27 **OF LA PLATA** that the corporate boundaries of the Town of La Plata are enlarged and
 28 extended to include into the Town of La Plata that land referred to and described in “Exhibit
 29 A” attached hereto and incorporated herein by reference.

30
 31 **BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF**
 32 **LA PLATA** that the property hereby annexed into the Town of La Plata shall be zoned ~~LI~~
 33 ~~Light Industrial and PL Public Lands~~ AS FOLLOWS from the effective date of the annexation
 34 until such zoning is changed as provided by law, and the Town’s Comprehensive Zoning Maps
 35 shall be amended to reflect the annexation of such property and its zoning as provided by this
 36 Resolution.

37
 38 “LI LIGHT INDUSTRIAL ZONING CLASSIFICATION SHALL BE
 39 APPLIED TO THE 12.10 ACRES OF LAND, MORE OR LESS, OWNED BY POTOMAC
 40 INVESTMENT GROUP, LLC, PURSUANT TO A DEED DATED NOVEMBER 15, 2001,
 41 AND RECORDED AMONG THE LAND RECORDS OF CHARLES COUNTY,
 42 MARYLAND IN LIBER 3389, FOLIO 496, AND GENERALLY AS DEPICTED AS
 43 PARCEL 4 ON CHARLES COUNTY TAX MAP 33.

44
 45 “LI LIGHT INDUSTRIAL ZONING CLASSIFICATION SHALL BE
 46 APPLIED TO THE 1.68 ACRES OF LAND, MORE OR LESS, OWNED BY THE STATE
 47 HIGHWAY ADMINISTRATION, PURSUANT TO A DEED DATED JULY 26, 1929, AND
 48 RECORDED AMONG THE LAND RECORDS OF CHARLES COUNTY, MARYLAND IN
 49 LIBER 50, FOLIO 379, AND GENERALLY AS DEPICTED AS PARCEL 5 ON CHARLES
 50 COUNTY TAX MAP 33.

51
 52 “PL PUBLIC LANDS ZONING CLASSIFICATION SHALL BE APPLIED
 53 TO THE TWO CONTIGUOUS PARCELS OF LAND COLLECTIVELY COMPRISING
 54 8.65 ACRES OF LAND, MORE OR LESS, OWNED BY STATE HIGHWAY
 55 ADMINISTRATION PURSUANT TO DEEDS DATED NOVEMBER 1, 1955 AND
 56 AUGUST 24, 1981, AND RECORDED AMONG THE LAND RECORDS OF CHARLES
 57 COUNTY, MARYLAND IN LIBER 120, FOLIO 505, AND LIBER 802, FOLIO 91,
 58 RESPECTIVELY, AND GENERALLY AS DEPICTED AS PARCELS 2A AND 147 ON
 59 CHARLES COUNTY TAX MAP 33.

60
 61 “PL PUBLIC LANDS ZONING CLASSIFICATION SHALL BE APPLIED
 62 TO THE 0 .59 ACRE, MORE OR LESS, PORTION OF WASHINGTON AVENUE THAT
 63 IS OWNED BY COUNTY COMMISSIONERS OF CHARLES COUNTY, AND WHICH
 64 ROADWAY ABUTS THE POTOMAC INVESTMENT GROUP, LLC AND STATE
 65 HIGHWAY ADMINISTRATION PROPERTIES DESCRIBED ABOVE.”
 66

67 **BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF**
68 **LA PLATA** that after the effective date of the amendment to the boundaries of the Town of
69 La Plata provided for by this Resolution, the property annexed into the Town of La Plata by
70 this Resolution, and all owners of such property and all persons residing within the areas
71 annexed, shall be subject to the Charter, laws, ordinances and resolutions of the Town of
72 La Plata, Maryland.

73
74 **BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF**
75 **LA PLATA** that the annexation of the ~~22.38~~ 23.02 acres, more or less, of land provided for in
76 this Resolution is subject to an Annexation Agreement, and the terms, conditions and
77 circumstances provided for in that Agreement, attached hereto and incorporated herein by
78 reference as Exhibit B; and such Annexation Agreement is ratified, confirmed, validated and
79 approved.

80
81 **BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF**
82 **LA PLATA** that the amendment to the boundaries of the Town of La Plata as provided for by
83 this Resolution shall be and become effective on the forty-fifth day following the date of its
84 passage unless a proper petition for a referendum shall be filed as permitted by law. A
85 complete and exact copy of this Resolution shall be posted in the Town Hall for a period of
86 thirty days from the date of passage.

87
88 **BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF**
89 **LA PLATA** that as soon as the amendment to the boundaries of the Town of La Plata hereby
90 enacted shall become effective either as herein provided or following a referendum, the Chief
91 Executive Officer of the Town of La Plata shall cause to be sent, separately by mail, bearing a
92 postmark from the United States Postal Service, to the Department of Legislative Reference of
93 Maryland, and to the Clerk of the Circuit Court of Charles County, Maryland, the following
94 information concerning the Resolution:

- 95
96 1. A copy of this Resolution with a statement of the new boundaries;
97 2. The date of the referendum election, if any;
98 3. The number of votes cast for or against the annexation, whether in the
99 legislative body or in a referendum; and
100 4. The effective date of the annexation.

101
102 **BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF**
103 **LA PLATA** that the Chief Executive Officer of the Town of La Plata, as evidence of
104 compliance with the aforementioned requirements, shall cause to be filed among the permanent
105 records of the Town the appropriate certificates of publication of the newspaper in which the
106 title of this Resolution shall have been published.

107

108 ADOPTED this _____ day of _____, 2005.

109

110 SEAL:

COUNCIL OF THE TOWN OF LA PLATA

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Gene Ambrogio, Mayor

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R. Wayne Winkler, Councilman

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C. Keith Back, Councilman

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ATTEST:

Paretta D. Mudd, Councilwoman

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126

Judith T. Frazier, Town Clerk

Vic E. Newman, Councilman

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Date: _____

<p style="text-align: center;">EXPLANATION:</p> <p>CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. ((Double Parenthesis)) indicate matter deleted from existing law. <u>Underlining</u> indicates amendments to bill. Strike Out indicates matter stricken from bill by amendment or deleted from the law by amendment.</p>
