

COUNCIL OF THE TOWN OF LA PLATA
Resolution No. 05-4

Introduced by: Mayor Gene Ambrogio

Date Introduced: July 26, 2005

Planning Commission Public Hearing: [not required]

Town Council Public Hearing: April 12, 2005

Amendments Adopted:

Date Adopted: **MOTION TO ADOPT FAILED AT TOWN COUNCIL MEETING ON JULY 26, 2005**

Date Effective:

1 A RESOLUTION concerning

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Amendment of the Morris, et al., Annexation Agreement

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5 **FOR** the purpose of approving and authorizing the amendment of a certain Annexation
6 Agreement between the Town of La Plata, George R. Morris and others; and all
7 matters relating to the amendment of the annexation agreement.

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11 **EXPLANATORY STATEMENT:** In conjunction with the annexation of certain land into
12 the Town of La Plata, the Town, Frank Monopoli, George R. Morris and Susan C. Morris,
13 Joseph V. Kneib and Patricia Earnshaw Kneib, and Lawrence J. Hogan and Ilona M. Hogan,
14 parties of the second part, and George E. Andrews and Robert J. Schick, Trustees, and
15 Howard B. Silberberg and Nathan L. Silberberg, Trustees, entered into an Annexation
16 Agreement (hereinafter referred to as "Annexation Agreement") dated June 8, 1989, which was
17 recorded on January 24, 1990, among the Land Records of Charles County, Maryland, in Liber
18 1441, page 430. This Annexation Agreement was approved by the Council of the Town of
19 La Plata pursuant to Charter Amendment Resolution No. 88-9 approved by the Town Council
20 on August 8, 1989, which also annexed such land into the Town of La Plata. The Annexation
21 Agreement was amended pursuant to an Amendment to Annexation Agreement dated March 1,
22 1994, recorded among the Land Records of Charles County, Maryland in Liber 1940, page 082
23 entered into between the Town, Frank Monopoli (the owner of one of the other properties subjected
24 to the Annexation Agreement) and Monopoli's lienholders. This Amendment did not affect the
25 Morris parcel. George R. Morris and Susan C. Morris desire to amend a certain provision of

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26 the Annexation Agreement and the Town Council desires to authorize and approve such
27 amendment. Now, therefore,

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29 **SECTION I: BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF**
30 **LA PLATA**, that it hereby approves an amendment to the Annexation Agreement as embodied
31 in the form of Second Amendment to Annexation Agreement attached to this Resolution, and
32 authorizes the execution thereof on behalf of the Town
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34 **SECTION II: BE IT FURTHER RESOLVED** that the amendment to the
35 Annexation Agreement as provided for by this Resolution shall be and become effective on the
36 forty-fifth day following the date of its passage unless a proper petition for a referendum shall
37 be filed as permitted by law. A complete and exact copy of this Resolution shall be posted in
38 the Town Hall for a period of thirty days from the date of its passage.
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40 **SECTION III: BE IT FURTHER RESOLVED** that as soon as the amendment to
41 the Annexation Agreement shall become effective either as herein provided or following a
42 referendum, the Chief Executive Officer of the Town of La Plata shall cause to be sent,
43 separately by mail, bearing a postmark from the United States Postal Service, to the
44 Department of Legislative Reference of Maryland, and to the Clerk of the Circuit Court of
45 Charles County, Maryland, the following information concerning the Resolution:
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- 47 A. The complete text of this Resolution as hereby enacted, including the
48 number of votes cast for and against the Resolution by the members of the Town Council.
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- 50 B. (1) The date of the referendum election, if any, held with respect thereto.
51 (2) If a referendum election is held, then the number of votes cast for
52 and against the question contained in the Resolution.
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- 54 C. The effective date of the amendment to the Annexation Agreement.
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- 56 D. A statement that there is no change to the boundaries of the Town of
57 La Plata as a result of the enactment of this Resolution.
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59 **SECTION IV: BE IT FURTHER RESOLVED** that the Chief Executive Officer of
60 the Town of La Plata, as evidence of compliance, shall cause to be filed among the permanent
61 records of the Town a certification from the Town Clerk that the requirements of Sections II
62 and III of this Resolution have been satisfied.
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64 **ADOPTED** this _____ day of _____, 2005.
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66 **SEAL:** **COUNCIL OF THE TOWN OF LA PLATA**

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Gene Ambrogio, Mayor

R. Wayne Winkler, Councilman

C. Keith Back, Councilman

Paretta D. Mudd, Councilwoman

ATTEST:

Judith T. Frazier, Town Clerk

Vic E. Newman, Councilman

Date: _____

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.