

COUNCIL OF THE TOWN OF LA PLATA
Resolution No. 05-2

Introduced by: Mayor pro tem Roy G. Hale

Date Introduced: February 8, 2005

Planning Commission Public Hearing:

Town Council Public Hearing:

Amendments Adopted:

Date Adopted:

Date Effective:

1 A RESOLUTION concerning

2
3 **American Legion Annexation – 41.51 Acres**

4
5 **FOR** the purpose of authorizing the annexation of 41.51 acres, more or less, of contiguous
6 land into the corporate limits of the Town of La Plata by amending the corporate limits
7 of the Town; establishing certain terms, conditions and circumstances applicable to such
8 land and to the owners thereof; providing for the zoning of such land upon annexation;
9 and all matters relating to the annexation of such 41.51 acres of land, more or less, into
10 the Town of La Plata.

11
12 * * * * *

13
14 **WHEREAS**, the Town of La Plata has received a written petition from Harry White
15 Wilmer Post #82 (“American Legion”) and Hawthorne Development, LLC to extend the
16 boundaries of the Town; and

17
18 **WHEREAS**, the Town has verified that the petition satisfies the requirements of
19 Article 23A, Section 19(c) of the *Annotated Code of Maryland* (1998 Replacement Volume);
20 and

21
22 **WHEREAS**, all public hearings, notifications and approvals as required by law have
23 occurred;

24
25 **NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN**

26 **OF LA PLATA** that the corporate boundaries of the Town of La Plata are enlarged and
27 extended to include into the Town of La Plata that land referred to and described in “Exhibit
28 A” attached hereto and incorporated herein by reference.

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
33 _____ from the effective date of the annexation until such zoning is changed as
34 provided by law, and the Town’s Comprehensive Zoning Maps shall be amended to reflect the
35 annexation of such property and its zoning as provided by this Resolution.

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

44 **BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF**
45 **LA PLATA** that the annexation of the 41.51 acres, more or less, of land provided for in this
46 Resolution is subject to an Annexation Agreement, and the terms, conditions and circumstances
47 provided for in that Agreement, attached hereto and incorporated herein by reference as Exhibit
48 B; and such Annexation Agreement is ratified, confirmed, validated and approved.

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

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

- 64
65 1. A copy of this Resolution with a statement of the new boundaries;
66 2. The date of the referendum election, if any;

- 67 3. The number of votes cast for or against the annexation, whether in the
- 68 legislative body or in a referendum; and
- 69 4. The effective date of the annexation.
- 70
- 71

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

77
 78 **ADOPTED** this _____ day of _____, 2005.

79
 80 **SEAL:** **COUNCIL OF THE TOWN OF LA PLATA**

81
 82
 83 _____
 84 **William F. Eckman, Mayor**

85
 86 _____
 87 **Wayne Winkler, Councilman**

88
 89 _____
 90 **C. Keith Back, Councilman**

91
 92 _____
 93 **Eugene Ambrogio, Councilman**

94 **ATTEST:**

95 _____
 96 **Judith T. Frazier, Town Clerk**

97 _____
 98 **Roy G. Hale, Councilman**

Date: _____

<p>EXPLANATION: 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>
