



# SPECIAL TOWN COUNCIL MEETING | OCTOBER 24, 2024

October 24, 2024 at 5:30 PM

4229 Edmonston Road, Bladensburg, MD 20710

## AGENDA

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1. Call to Order – 1 min
2. Approval of Agenda – 1 min
3. Public Comments – 3 min each
4. New Business
  - A. ANNEXATION PLAN | Resolution 07- 2025
  - B. ANNEXATION RESOLUTION NO. 01-2025 | A RESOLUTION BY THE MAYOR AND COUNCIL OF THE TOWN OF BLADENSBURG TO ENLARGE THE CORPORATE BOUNDARIES OF THE TOWN BY ANNEXATION OF 113 ACRES OF LAND MORE OR LESS
5. Adjournment

**THE TOWN OF  
BLADENSBURG, MARYLAND  
ANNEXATION RESOLUTION NO. 1-2025**

**A RESOLUTION BY THE MAYOR AND COUNCIL OF THE TOWN OF  
BLADENSBURG TO ENLARGE THE CORPORATE BOUNDARIES OF THE  
TOWN BY ANNEXATION OF 113 ACRES OF LAND MORE OR LESS**

**WHEREAS**, pursuant to the authority of Section 3 (Home Rule) of Article XI-E (Municipal Corporations) of the Constitution of Maryland and Subtitle 4 (Annexation) of Title 4 (In General) of Division II (Municipalities) of the Local Government Article of the Annotated Code of Maryland, the Mayor and Council of the Town of Bladensburg (“the Town”) are vested with the authority to enlarge the boundaries of the Town; and

**WHEREAS**, the Town has approved an Annexation Plan for the annexation of certain tax-exempt real property located generally south of the present corporate limits of the Town of Bladensburg including a segment of the right of way of Kenilworth Avenue (MD 201) and abutting land owned by the Washington Suburban Sanitary Commission (Parcel 156) and the Maryland-National Capital Park and Planning Commission (Parcel 155), and a segment of the right of way of the Baltimore-Washington Parkway (MD 295) generally from the intersection of MD Route 201 north to the vicinity of Monroe Street and land owned by Prince George’s County (Parcels 117, 122, 126, and 184, and Lots 101 through 144 and Lots 55 through 70, said lots having 28 separate tax identification accounts, situated along Inwood Street (undeveloped)), and land owned by the Redevelopment Authority of Prince George’s County (Parcel 28) said parcel commonly known as the Prince George’s Hospital Center containing a total of 113 acres of land more or less and including any public or private ways found therein as further described below in said Annexation Plan; and

**WHEREAS**, Charles P. Johnson & Associates Inc. has prepared a Map of the 2024 Extension of the Town of Bladensburg dated October 2024 along with a Description of Area to be Annexed by the Town of Bladensburg (Prince George’s County, Maryland – 16 pages), attached hereto and incorporated herein as “Exhibits A and B,” which shall be interpreted to control as the official description of the area proposed to be annexed by said Annexation Resolution and said Annexation Plan; and

**WHEREAS**, the Mayor and Council of the Town finds that there are no persons who reside in the area to be annexed and there are no registered voters in the County elections precinct in which the territory to be annexed is located, and that the owners of the real property located in the area to be annexed would not be burdened by municipal taxation because the properties are all owned by governmental entities and are tax exempt; therefore, no consents to annexation are necessary.

**IT IS, THEREFORE, RESOLVED**, by the Mayor and Council of the Town of Bladensburg that the following rights of way, parcels and lots of land adjacent to the corporate boundaries of the Town, which is more particularly described on a Map of the

2024 Extension of the Town of Bladensburg dated October 2024 prepared by Charles P. Johnson & Associates Inc. and certified by Steven William Jones, Professional Land Surveyor (No. 21072) bearing his professional seal, which is attached hereto and incorporated herein by reference as Exhibit A, along with a metes and bounds description entitled as a “Description of Area to be Annexed by the Town of Bladensburg, Prince George’s County, Maryland” (16 pages) prepared by said firm, which is attached hereto and incorporated herein by reference as Exhibit B.

**BE IT FURTHER RESOLVED**, that any persons that may in the future reside in said area to be annexed shall become residents of the Town, generally subject to the provisions of the Charter, Ordinances and other rules and regulations of the Town; and

**BE IT FURTHER RESOLVED**, that in the future should the property within the annexation area become nonexempt from municipal taxation, the area to be annexed shall be subject to municipal *ad valorem* real estate taxes (“Town Taxes”) in accordance with current, applicable provisions of the Town Code; and

**BE IT FURTHER RESOLVED**, that extension of public sanitary sewer, water, and storm drain lines, streets, curbs, gutters and all other public improvements typically provided by the Town to the area to be annexed, to the extent allowed by law and unless provided otherwise by written agreement, shall be at the expense of the owner(s) requesting the same and shall be at no cost to the Town; and

**BE IT FURTHER RESOLVED**, that subject to all appropriate laws and administrative requirements, the area to be annexed will retain its zoning classifications under County law and the Town Zoning Map shall be amended to reflect such classifications; and

**BE IT FURTHER RESOLVED**, that the Mayor shall cause a copy of this Resolution to be published not fewer than four times at not less than weekly intervals in a newspaper of general circulation in the Town, together with a public notice that shall specify the time and place at which a public hearing will be held by the Mayor and Council upon the Resolution, which hearing shall be set for not less than fifteen (15) days after the fourth (4th) publication of the notices and to be held at the Town Hall;

**BE IT FURTHER RESOLVED**, that the Annexation Property is under the land use jurisdiction of the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) and the District Council and the annexation area is currently zoned CGO (Commercial, General and Office), IE (Industrial, Employment) and further partially classified as I-D-O (Intense Development Overlay) in the Chesapeake Bay Critical Area, and a portion is classified in the Reserved Open Space (ROS) Zone, and upon annexation into the Town, the Annexation Property will likely remain as currently classified under the County Zoning Ordinance.

**BE IT FURTHER RESOLVED**, that the Town has prepared an Annexation Plan with regard to the Annexation Property, and the Annexation Plan is attached hereto as Exhibit C but is not part hereof and the Town reserves the right to amend the Annexation Plan

prior to final adoption of this Resolution in a manner consistent with Local Government (“LG”) Article, Section 4-415 of the Maryland Code, and the Annexation Plan may not be construed in any way as an amendment to this Resolution, and a copy of the Annexation Plan will be provided to the Prince George’s County Council and the County Executive, M-NCPPC, and to the Maryland Department of State Planning (“MDP”) at least thirty (30) days prior to the date of the public hearing conducted by the Mayor and Council on this Resolution.

**BE IT FURTHER RESOLVED**, that a public hearing, as required by the provisions of LG Article, Section 4-406 of the Maryland Code, shall be held by the Town at a time to be determined by the Mayor and Council, and duly advertised according to the provisions of that statute, and public notice of the proposed public hearing shall be given at least four (4) times, at no less than weekly intervals, in a newspaper of general circulation in Bladensburg, Maryland, and the last day of which public notice shall precede the public hearing by at least fifteen (15) days, all in accordance with the provisions of Section 4-406, LG Article of the Maryland Code, and upon the first publication of the public notice a copy thereof, including exhibits, shall be provided to:

- (a) the Prince George’s County Council, and the County Executive,
- (b) the Maryland-National Capital Park and Planning Commission (c/o the Prince George’s County Planning Department), and
- (c) The Prince George’s County Planning Board.

**BE IT FURTHER RESOLVED**, that within ten (10) days of the effective date of this Resolution, in accordance with the provisions of the Local Government Article, Sections 4-414 and 4-308 of the Maryland Code, the Mayor, or her designee, shall promptly forward a copy of this Resolution with the new municipal boundaries to the Town Clerk, the Clerk of the Circuit Court for Prince George’s County, Maryland, the M-NCPPC, and to the Maryland Department of Legislative Services, and each such official or agency shall hold this Resolution with the new municipal boundaries on record and available for public inspection.

**BE IT FURTHER RESOLVED**, that this Resolution shall be deemed “finally enacted” on the date on which the Mayor indicates Council’s approval of the Resolution by affixing her signature hereto, and this Resolution shall become effective forty-five (45) days after final enactment, unless it is subject to a petition for referendum by at least 20% of the qualified voters of the municipality (or 20% of the registered voters of the area to be annexed), whereas should said petition come to pass and be verified to be in compliance with law, the Mayor shall suspend this Resolution by proclamation pending the results of the referendum.

INTRODUCED THE 24<sup>TH</sup> DAY OF OCTOBER 2024

\_\_\_\_\_  
REGINE WATSON, TOWN CLERK

ENACTED THIS 9<sup>TH</sup> DAY OF DECEMBER 2024

\_\_\_\_\_  
TAKISHA D. JAMES, MAYOR

EFFECTIVE THIS 23<sup>RD</sup> DAY OF JANUARY 2025

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TAKISHA D. JAMES, MAYOR

ANNEXATION RESOLUTION SCHEDULE

ANNEX. RESOLUTION INTRODUCTION DATE:	<u>October 24, 2024</u>
ANNEXATION PLAN TO COUNTY, MDP, M-NCPPC & PGCPB (AT LEAST 30 DAYS BEFORE HEARING):	<u>October 28, 2024</u>
HEARING NOTICE PUBLICATION DATES:	1. <u>November 7, 2024</u>
(4 NOTICES FOR 4 WEEKS PRIOR TO HEARING*)	2. <u>November 14, 2024</u>
	3. <u>November 21, 2024</u>
	4. <u>November 28, 2024</u>
MAIL PUBLIC NOTICE TO CO. COUNCIL, MDP & M-NCPPC (IMMEDIATELY AFTER THE FIRST PUBLICATION OF THE PUBLIC NOTICE):	<u>November 29, 2024</u>
PUBLIC HEARING DATE (NOT LESS THAN 15 DAYS AFTER THE FINAL PUBLICATION OF THE NOTICES):	<u>December 9, 2024</u>
ENACTMENT DATE (ON OR AFTER HEARING DATE):	<u>December 9, 2024</u>
EFFECTIVE DATE (45 DAYS AFTER ENACTMENT):	<u>January 23, 2025</u>
FILE ENACTED RESOLUTION (WITH CLERK OF CIR. COURT, MD. DEPT. LEGISLATIVE SERVICES, COUNTY TAX ASSESSOR & M-NCPPC W/I 10 DAYS):	<u>February 2, 2025</u>

*Notes: All items to be delivered or mailed to the County or the County Council shall include a separate delivery or publication to the County Executive. \*More than 25 acres to be annexed requires four (4) newspaper notices to be published.*

**Description of  
Area to be Annexed  
By the Town of  
Bladensburg  
Prince George's County, Maryland**

**Beginning** at a point on the South 89°04'59" West, 725.00 feet boundary line of the town of Bladensburg, as described in "Section 102. Corporate Limits" in Article I. of the Charter for Bladensburg", distant, 116.05 feet from the beginning thereof, and running thence, reversely with and binding on said 725.00 feet boundary line, the following course and distance,

1. South 89°28'05" East, 116.05 feet to a point at the end of the North 34°49'00" West, 967 feet boundary line, as described in said "Section 102. Corporate Limits", and running thence, reversely with and binding on said 967 feet boundary line, the following course and distance
2. South 33°22'04" East, 967.00 feet to a point at the end of the South 77°00'39" West, 413.52 feet boundary line as described in said "Section 102. Corporate Limits", and running thence, reversely with and binding on said 413.52 feet boundary line, the following course and distance
3. North 78°27'35" East, 395.94 feet to a point at the northerly end of the westerly or 94.97 feet arc right of way line of 49<sup>th</sup> Avenue (50' R/W), as shown on a subdivision record plat entitled "Blocks A,B,C&D, Newton Village" and recorded among the Prince George's County Land Records in Plat Book BB 7 as Plat Number 73, and running thence with and binding on the westerly right of way lines of said 49<sup>th</sup> Avenue, as shown on said plat, the following three (3) courses and distances
4. 94.97 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 250.00 feet and a chord bearing and distance of South 31°10'18" West, 94.39 feet to a point, thence with a tangent line
5. South 42°03'10" West, 120.00 feet to a point., thence
6. 114.76 feet along the arc of a tangent curve, deflecting to the left, having a radius of 220.62 feet and a chord bearing and distance of South 27°09'03" West, 113.47 feet to a point on the easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, (a variable width right

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of way), said point being 104 feet easterly of, and perpendicular to, the base line at Station 96+86, as shown on a State Roads Commission of Maryland plat entitled "Relocation of River Road", being State Roads Commission Plat Number 11612, and running thence with and binding on said easterly right of way lines of Kenilworth Avenue, as shown on said State Roads Commission Plat No. 11612, the following nine (9) courses and distances

7. South 59°38'31" East, 58.68 feet to a point, thence
8. 4.14 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 170.62 feet and a chord bearing and distance of South 05°59'10" West, 4.14 feet to a point, thence with a tangent line
9. South 05°17'30" West, 35.15 feet to a point, thence
10. 34.25 feet along the arc of a tangent curve, deflecting to the left, having a radius of 20.00 feet and a chord bearing and distance of South 43°46'01" East, 30.22 feet to a point, thence running in, through over and across Monroe Street, with a non-tangent line, the following course and distance
11. South 13°44'33" East, 50.82 feet to a point, thence
12. South 77°06'11" West, 10.77 feet to a point, thence
13. South 17°39'15" West, 44.20 feet to a point, thence
14. South 34°41'54" East, 73.00 feet to a point, thence
15. South 78°34'05" East, 32.84 feet to a point, thence running in, through, over and across the Service Road, as shown on said State Roads Commission Plat No. 11612, the following course and distance
16. South 18°17'48" East, 80.60 feet to a point on the easterly right of way line of said Kenilworth Avenue – Maryland Rte. 201, said point being 45 feet easterly of, and



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perpendicular to, the base line at Station 93+28, as shown on a State Roads Commission of Maryland plat entitled "Relocation of River Road", being State Roads Commission Plat Number 14277, and running thence with and binding on said easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, as shown on said Plat Number 14277, the following course and distance

17. South 34°41'54" East, 78.00 feet to a point, thence running in, through, over and across Lawrence Place (50' R/W), as shown on said State Road Commission Plat No. 14277, the following course and distance
18. South 34°41'54" East, 70.08 feet to a point on the easterly right of way line of said Kenilworth Avenue – Maryland Rte. 201, said point being 45 feet easterly of, and perpendicular to, the base line at station 91+79.92, as shown on said State Roads Commission Plat Number 14277, and running thence with and binding on said easterly right of way lines of Kenilworth Avenue – Maryland Rte. 201, as shown on said Plat Number 14277, the following three (3) courses and distances
19. South 34°41'54" East, 33.40 feet to a point, thence
20. 107.18 feet along the arc of a tangent curve, deflecting to the right, having a radius of 2909.79 feet and a chord bearing and distance of South 33°38'35" East, 107.17 feet to a point, thence
21. South 51°24'00" East, 11.15 feet to a point, thence running in through, over and across Lawrence Street (50' R/W), as shown on said State Roads Commission Plat No. 14277, the following course and distance
22. South 38°17'55" East, 94.77 feet to a point at the northerly end of the easterly or 206.51 feet arc line of Parcel F-4 as shown on a subdivision record plat entitled "Edmonds Subdivision" and recorded among the aforesaid Land Records in Plat Book CEC 91 as Plat Number 29, said line being the easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, and

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running thence, reversely with and binding on said Parcel and right of way lines, the following three (3) courses and distances

23. 206.51 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 2924.79 feet and a chord bearing and distance of South 28°28'58" East, 206.47 feet to a point, thence with a non-tangent line
24. South 34°37'47" East, 18.78 feet to a point, thence
25. 35.28 feet along the arc of a tangent curve, deflecting to the left, having a radius of 30.02 feet and a chord bearing and distance of South 68°19'04" East, 33.28 feet to a point, thence running in, through, over and across Kilmer Place, with a non-tangent line
26. South 63°56'07" East, 29.04 feet to a point at the northerly end of easterly or 25' right of way line of said Kenilworth Avenue – Maryland Rte. 201, said point being 25 feet northerly of, and perpendicular to, the base line for Kilmer Place, at Station 1+00, as shown on a State Roads Commission of Maryland plat entitled "Relocation of River Road", being State Roads Commission Plat Number 11136, and running thence with and biding on the easterly right of way lines of said Kenilworth Avenue – Maryland Rte. 201, the following eleven (11) courses and distances
27. South 12°01'59" East, 25.00 feet to a point, thence
28. South 26°32'17" West, 61.17 feet to a point, thence
29. South 23°58'54" East, 10.69 feet to a point, thence
30. South 66°01'06" West, 5.00 feet to a point, thence
31. South 23°58'54" East, 220.53 feet to a point, thence

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- 32. 102.42 feet along the arc of a tangent curve, deflecting to the left, having a radius of 2246.83 feet and a chord bearing and distance of South 25°17'15" East, 102.41 feet to a point, thence with a non-tangent line
  
- 33. South 65°29'17" East, 33.69 feet to a point, thence
  
- 34. South 27°36'21" East, 26.22 feet to a point, thence
  
- 35. South 84°51'49" West, 22.76 feet to a point, thence
  
- 36. 176.47 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 2246.83 feet and a chord bearing and distance of South 29°58'06" East, 176.42 feet to a point, thence with a non-tangent line
  
- 37. North 77°49'32" East, 88.20 feet to a point, thence running in, through, over and across 52<sup>nd</sup> Avenue (formerly River Road, a 50' R/W), as shown on said State Roads Commission Plat Number 11136, the following course and distance
  
- 38. North 61°05'47" East, 55.04 feet to a point at the northerly end of the easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, said point being 25 feet easterly of and perpendicular to station 2+88 of the baseline for 52<sup>nd</sup> Avenue as shown on said Plat Number 11136, and running thence with and binding on the easterly right of way lines for Kenilworth Avenue – Maryland Rte. 201, as shown on said Plat Number 11136, the following four (4) courses and distances
  
- 39. South 48°06'00" East, 71.86 feet to a point, thence
  
- 40. North 85°46'19" East, 57.79 feet to a point, thence
  
- 41. South 04°10'41" East, 139.86 feet to a point at the northerly end of the easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, as shown on a State Roads Commission of Maryland plat entitled "Relocation of River Road", and being State Roads Commission Plat Number 12085, said point being 35 feet easterly of and radial to the baseline at the point of

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curvature at Station 1+39.86, as shown thereon, and running thence with and binding on the easterly right of way lines of Kenilworth Avenue – Maryland Rte. 201, the following two (2) courses and distances

42. 191.38 feet along the arc of a tangent curve, deflecting to the left, having a radius of 283.31 feet and a chord bearing and distance of South 23°31'47" East, 187.76 feet to a point, thence with a tangent line
43. South 42°52'54" East, 170.21 feet to a point, thence running in through, over and across Inwood Street, as shown on said State Roads Commission Plat Number 12085, the following course and distance
44. South 73°14'08" West, 77.96 feet to a point at the northerly end of the easterly right of way line for Kenilworth Avenue – Maryland Rte. 201, as shown on said Plat Number 12085, said point being 45 feet easterly of and perpendicular to the baseline at Station 74+51, running thence with and binding on said easterly right of way line, the following course and distance
45. South 42°52'54" East, 425.19 feet to a point at the end of the third (3<sup>rd</sup>) or North 81°47'06" West, 142.72 feet line described in a deed from Joseph Nazario to Public Storage Institutional Fund a California Limited Partnership, dated December 22, 1986 and recorded among the aforesaid Land Records in Liber 6517 at Folio 167, and running thence, reversely with and binding on the outline of the lands described in said deed, the following three (3) courses and distances
46. South 81°24'35" East, 142.72 feet to a point on the westerly right of way lines of the Baltimore Washington Parkway – Maryland Rte. 295, (variable width), and running thence with and binding on the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following Seventeen (17) courses and distances
47. North 34°20'18" East, 331.40 feet to a point, thence

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- 48. North 84°27'48" West, 4.77 feet to a point at the southerly end of the easterly line of Lot 3, as shown on a subdivision record plat entitled "Capital View" and recorded among the aforesaid Land Records in Plat Book RNR 2 as Plat No. 13, and running thence with and binding on said easterly lot line, and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
- 49. North 05°48'43" East, 131.56 feet to a point on the southerly right of way line of "Capital Street" as shown on said Plat No. 13 and running thence with and binding on said southerly right of way line, and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
- 50. South 84°11'17" East, 60.00 feet to a point, thence running in, through, over and across said "Capital Street" and running with and binding on the easterly line of Lot 77, as shown on said Plat No. 13, the following course and distance
- 51. North 05°48'43" East, 160.95 feet to a point, thence
- 52. North 06°02'18" East, 15.00 feet to a point at the southerly end of the easterly or South 06°09'48" West, 98.21 feet line of Parcel M as shown on a subdivision record plat entitled "Foudray's Land" and recorded among the aforesaid Land Records in Plat Book PM 217 as Plat No. 53, said line being the westerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, and running thence with and binding on the outline of said Plat No. 53 and continuing with the westerly lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following three (3) courses and distances
- 53. North 06°16'06" East, 98.21 feet to a point, thence
- 54. North 29°18'46" East, 335.70 feet to a point, thence
- 55. North 47°06'46" East, 308.60 feet to a point at the southerly end of the easterly or South 46°53'14" West, 134.07 feet line of Lot 12 as shown on a subdivision record plat entitled "Parkway Overlook Industrial Subdivision" and recorded among the aforesaid Land Records

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in Plat Book VJ 189 as Plat No. 65, said line being the westerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, and running thence with and binding on the outline of said Plat No. 65, and continuing with the westerly lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following two (2) courses and distances

56. North 43°26'46" East, 132.39 feet to a point, thence
  
57. North 01°31'06" West, 199.74 feet to a point at the southerly end of the easterly or South 01°00'40" East, 288.59 feet line of Parcel No. 11 as shown on a subdivision record plat entitled "Industrial City" and recorded among the aforesaid Land Records in Plat Book WWW 70 as Plat No. 74, , said line being the westerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, and running thence reversely with and binding on said 288.59 feet parcel line, the following course and distance, and continuing with the westerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
  
58. North 00°28'33" West, 283.34 feet to a point on the southerly or North 78°03'40" West, 345.00 feet line as shown on a subdivision record plat entitled "Industrial City" and recorded among the aforesaid Land Records in Plat Book WWW 74 as Plat No. 20, said line being a northerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, and running thence reversely with and binding on the outline of said Plat No. 20 and continuing with the northerly and westerly lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following two (2) courses and distances
  
59. South 77°31'33" East, 345.00 feet to a point, continuing thence, reversely with and binding on the outline of said Plat No. 20 and running reversely with and binding on the easterly or South 14°40'50" West, 21.60 feet line of Parcel A, as shown on a subdivision record plat entitled "Monroe South" recorded among the aforesaid Land Records in Plat Book WWW 57 as Plat No. 58, and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance

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- 60. North 15°11'02" East, 340.76 feet to a point, continuing thence, reversely with and binding on the outline of said Plat No. 58 and running reversely with and binding on the southerly or South 75°20'20" East, 301.35 feet line as shown on a subdivision record plat entitled "South Cheverly Forest" and recorded among the aforesaid Land Records in Plat Book WWW 18 as Plat No. 49, and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
  
- 61. South 82°23'25" East, 446.54 feet to a point, continuing thence, reversely with and binding on the outline of said Plat No. 58 and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
  
- 62. North 61°37'32" East, 612.26 feet to a point, thence running reversely with and binding on the southerly or South 66°27'19" East, 1457.96 feet line as shown on a subdivision record plat entitled "Cheverly, Section 7" and recorded among the aforesaid Land Records in Plat Book SDH 3 as Plat No. 41, and continuing with the westerly right of way line of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
  
- 63. South 66°11'37" East, 96.97 feet to a point at the southernmost corner of Lot 1085 as shown on said Plat 41, and running thence, in, through, over and across the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
  
- 64. South 67°37'58" East, 502.24 feet to a point at the beginning of the fifth (5<sup>th</sup>) or South 64°55'36" East, 237.34 line as described in a deed from Prince George's County, Maryland, a body corporate and politic, and Redevelopment Authority of Prince George's County, Maryland, a body corporate and politic, dated October 6, 2023 and recorded among the aforesaid Land Records in Liber 49441 at Folio 130, and running thence with and binding on the outline of the land described in said deed, the following nine (9) courses and distances
  
- 65. South 64°56'09" East, 237.34 feet to a point, thence
  
- 66. South 20°03'19" West, 768.92 feet to a point, thence

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- 67. South 18°23'46" West, 50.99 feet to a point, thence
- 68. South 17°27'10" West, 256.67 feet to a point, thence
- 69. South 18°55'59" West, 50.26 feet to a point, thence
- 70. South 18°33'55" West, 332.01 feet to a point, thence
- 71. South 18°53'45" West, 133.93 feet to a point, thence
- 72. North 68°02'29" West, 424.76 feet to a point, thence continuing with the outline of the lands described in Liber 49441 at folio 130 and running reversely with and binding on the sixth (6<sup>th</sup>) or South 69°45'34" East, 41.22 feet line as described in a deed from Eugene Allen, et ux. To the Mayor and town Council of Cheverly, a municipal corporation, dated April 15, 1958 and recorded among the aforesaid Land Records in Liber 2249 at Folio 504, and running reversely with and binding on the third (3<sup>rd</sup>) or South 69°45'34" East, 117.70 feet line as described in an inquisition, between the Board of County Commissioners of Prince George's County, Maryland, plaintiff vs. Parkwood, Incorporated, et al., dated July 28, 1965 and recorded among the aforesaid Land Records in Liber 3208 at Folio 47, the following course and distance
- 73. North 69°17'37" West, 146.69 feet to a point, thence continuing with the outline of the lands described in said Inquisition, the following two (2) courses and distances
- 74. South 42°23'14" West, 281.21 feet to a point at the northerly end of the easterly or North 41°03' East, 328.70 feet line as shown on the aforesaid subdivision record plat entitled "Capital View" and recorded among the aforesaid Land Records in Plat Book RNR 2 as Plat No. 13, and running thence, reversely with and binding on the outline of said Capital View Record Plat, the following two (2) courses and distances
- 75. South 37°01'54" West, 327.51 feet to a point, thence



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- 76. North 84°22'01" West, 258.51 feet to a point at the southerly end of the 126.85 feet common lot line between Lots 55 and 56 as shown on said Plat No. 13, and running thence with and binding on said common lot line, and an extension thereof, the following course and distance
  
- 77. North 05°54'29" East, 156.39 feet to a point on the northerly line of Capital Street, as shown on said Plat No. 13, and running thence with and binding on said northerly line of Capital Street, the following course and distance
  
- 78. North 84°05'31" West, 638.99 feet to a point, thence running in, through, over and across said Capital Street, and running with and binding on the 129.45 feet common line between Lots 24 and 25 as shown on said Plat No. 13, the following course and distance
  
- 79. South 05°54'29" West, 159.41 to a point at the northerly end of the westerly or North 29°52'30' East, 48.65 feet line of Parcel B as shown on a subdivision record plat entitled "Cheverly Industrial Center" and recorded among the aforesaid Land Records in Plat Book WWW 48 as Plat No. 65, and running thence, reversely with and binding on the outline of said Plat No. 65, the following three (3) courses and distances
  
- 80. South 30°00'06" West, 48.70 feet to a point, thence
  
- 81. 150.01 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 370.00 feet and a chord bearing and distance of South 18°23'14" West, 148.98 feet to a point, thence continuing with the outline of said Parcel B and running reversely with and binding on the westerly or North 29°52'30" East, 208.14 line of Parcel A as shown on a subdivision record plat entitled "Cheverly Industrial Center" and recorded among the aforesaid Land Records in Plat Book WWW 37 as Plat No. 63, the following course and distance
  
- 82. South 30°00'06" West, 336.27 feet to a point, thence continuing reversely with and binding on the outline of said Parcel A, the following two (2) courses and distances

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- 83. 113.01 feet along the arc of a tangent curve, deflecting to the left, having a radius of 16354.17 feet and a chord bearing and distance of South 28°01'19" West, 112.98 feet to a point, thence with a tangent line
  
- 84. South 26°02'31" West, 21.73 feet to a point at the northerly end of the westerly or 15.89 feet arc line of Parcel C, as shown on a subdivision record plat entitled "Cheverly Industrial Center" and recorded among the aforesaid Land Records in Plat Book WWW 83 as Plat No. 62, and running thence, reversely with and binding on the outline of said Parcel C, the following two (2) courses and distances
  
- 85. 15.89 feet along the arc of a tangent curve, deflecting to the left, having a radius of 28.87 feet and a chord bearing and distance of South 10°16'39" West, 15.69 feet to a point, thence with a tangent line
  
- 86. South 05°29'14" East, 103.29 feet to a point, thence running in, through, over and across Lydell Road (70' R/W) the following course and distance
  
- 87. South 41°27'08" West, 167.14 feet to a point at the easterly end of the northerly or 58.33 feet arc line of Lot 1, Block A as shown on a subdivision plat entitled "Kenilworth Interchange Industrial Park" and recorded among the aforesaid Land Records in Plat Book WWW 55 as Plat No. 77, and running thence, reversely with and binding on said northerly line of Lot 1, Block A, the following course and distance
  
- 88. 58.33 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 40.00 feet and a chord bearing and distance of South 42°44'27" West, 53.30 feet to a point on the easterly side of said Kenilworth Avenue – Maryland Rte. 201, said point being 51 feet easterly of and radial to the baseline at station 63+17 as shown on a State Roads Commission of Maryland plat entitled "Relocation of River Road", and being State Roads Commission Plat Number 11135, and running thence, in, through, over and across said Kenilworth Avenue – Maryland Rte. 201, and the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance

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- 89. North 42°00’04” West, 497.46 feet to a point on the westerly right of way line of Kenilworth Avenue – Maryland Rte. 201, said point being 25 feet westerly of and radial to the baseline at Station 3+00, shown on said State Roads Commission Plat No. 11135, said point also being at the southerly end of the easterly or 65.02 feet arc line of Parcel A as shown on a subdivision record plat entitled “Saglinbene Industrial Tract” and recorded among the aforesaid Land Records in Plat Book WWW 87 as Plat No. 13, running thence with and binding on the westerly right of way lines of said Kenilworth Avenue – Maryland Rte. 201, the following four (4) courses and distances
  
- 90. 64.36 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 363.77 feet and a chord bearing and distance of North 23°39’17” West, 64.27 feet to point, thence, with a tangent line
  
- 91. North 28°43’24” West, 280.88 feet to a point, thence
  
- 92. 142.01 feet along the arc of a tangent curve, deflecting to the left, having a radius of 929.89 feet and a chord bearing and distance of North 33°05’54” West, 141.87 feet to a point, thence with a tangent line
  
- 93. North 37°28’24” West, 230.18 feet to a point, thence running in, through, over and across 52<sup>nd</sup> Avenue, the following course and distance
  
- 94. North 49°11’54” West, 210.42 feet to a point at the southerly end of the easterly or South 19°41’30” East, 30.85 feet line of Parcel A as shown on a subdivision record plat entitled “People’s Supply Co. Inc.” and recorded among the aforesaid Land Records in Plat Book WWW 83 as Plat No. 42 and running thence reversely with and binding on the outline of said Parcel A, and the westerly right of way lines of said Kenilworth Avenue – Maryland Rte. 201, the following two (2) courses and distances
  
- 95. North 19°34’24” West, 30.85 feet to a point, thence

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- 96. 105.46 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 2351.83 feet and a chord bearing and distance of North 37°57'40" West, 105.45 feet to a point on the southerly or South 79°54'30" West, 426.58 feet line of Parcel 2 as shown on a subdivision record plat entitled "J. W. Watson Property" and recorded among the aforesaid Land Records in Plat Book WWW 51 as Plat No. 3, distant, 16.80 feet westerly from the easterly end thereof, and running thence, reversely with and binding on the outline of said Parcel 2, the following two (2) courses and distances
- 97. North 80°01'36" East, 16.80 feet to a point, thence continuing with the westerly right of way lines of Kenilworth Avenue – Maryland Rte. 201, the following seven (7) courses and distances
- 98. 525.45 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 2337.06 feet and a chord bearing and distance of North 30°25'24" West, 524.35 feet to a point, thence with a tangent line
- 99. North 23°58'54" West, 231.22 feet to a point, thence
- 100. 10.15 feet along the arc of a tangent curve, deflecting to the left, having a radius of 2819.79 feet and a chord bearing and distance of North 24°05'05" West, 10.15 feet to a point, thence with a non-tangent line
- 101. South 65°48'44" West, 5.00 feet to a point, thence
- 102. 9.83 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 2814.79 feet and a chord bearing and distance of North 24°17'16" West, 9.83 feet to a point, thence with a non-tangent line
- 103. North 65°36'44" East, 5.00 feet to a point, thence
- 104. 330.49 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 2819.79 feet and a chord bearing and distance of North 27°44'43" West, 330.29 feet to a

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point, thence running in, through, over and across Lawrence Street, with a non-tangent line, the following course and distance

105. North  $34^{\circ}34'52''$  West, 138.05 feet to a point on the westerly right of way line of Kenilworth Avenue – Maryland Rte. 201, said point being 50 feet westerly and radial to the baseline at Station 91+07, as shown on said State Roads commission Plat No. 11612, and continuing thence with and binding on the westerly right of way lines of Kenilworth Avenue – Maryland Rte. 201, the following three (3) courses and distances

106. 38.77 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 2814.79 feet and a chord bearing and distance of North  $34^{\circ}18'13''$  West, 38.77 feet to a point, thence with a tangent line

107. North  $34^{\circ}41'54''$  West, 263.16 feet to a point on the southerly right of way line of Lloyd Street, as shown on a subdivision record plat entitled “Edmonds Subdivision” and recorded among the aforesaid Land Records in Plat Book PM 226 as Plat No. 43, and running thence reversely with and binding on said southerly right of way lines of Lloyd Street, the following three (3) courses and distances

108. South  $77^{\circ}21'31''$  West, 282.57 feet to a point, thence

109. South  $12^{\circ}39'14''$  East, 15.00 feet to a point, thence

110. South  $77^{\circ}20'46''$  West, 279.10 feet to a point on the easterly side of the CSX Transportation Inc. right of way, and running thence with and binding on said easterly right of way lines of CSX Transportation Inc., the following course and distance

111. 959.38 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 3786.83 feet and a chord bearing and distance of North  $29^{\circ}50'22''$  West, 956.82 feet to a point, at the westerly end of the southerly or South  $60^{\circ}223'10''$  West, 452.00 feet line of Parcel 1 as shown on a subdivision record plat entitled “Mindle Tract, Bladensburg” and recorded among the aforesaid Land Records in Plat Book WWW 49 as Plat No. 26, and

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running thence with and binding on the outline of said Parcel 1, the following three (3) courses and distances, commencing with a non-tangent line,

112. North 60°26’52” East, 452.00 feet to a point, on the westerly right of way of Kenilworth Avenue – Maryland Rte. 201, and running thence with and binding on said westerly right of way lines of Kenilworth Avenue – Maryland Rte. 201, the following two courses and distances

113. North 34°41’54” West, 261.19 feet to a point, thence

114. 214.68 feet along the arc of a curve, deflecting to the right, having a radius of 1477.40 feet and a chord bearing and distance of North 30°32’08” West, 214.49 feet to the point of beginning, containing 113 acres of land, more or less.



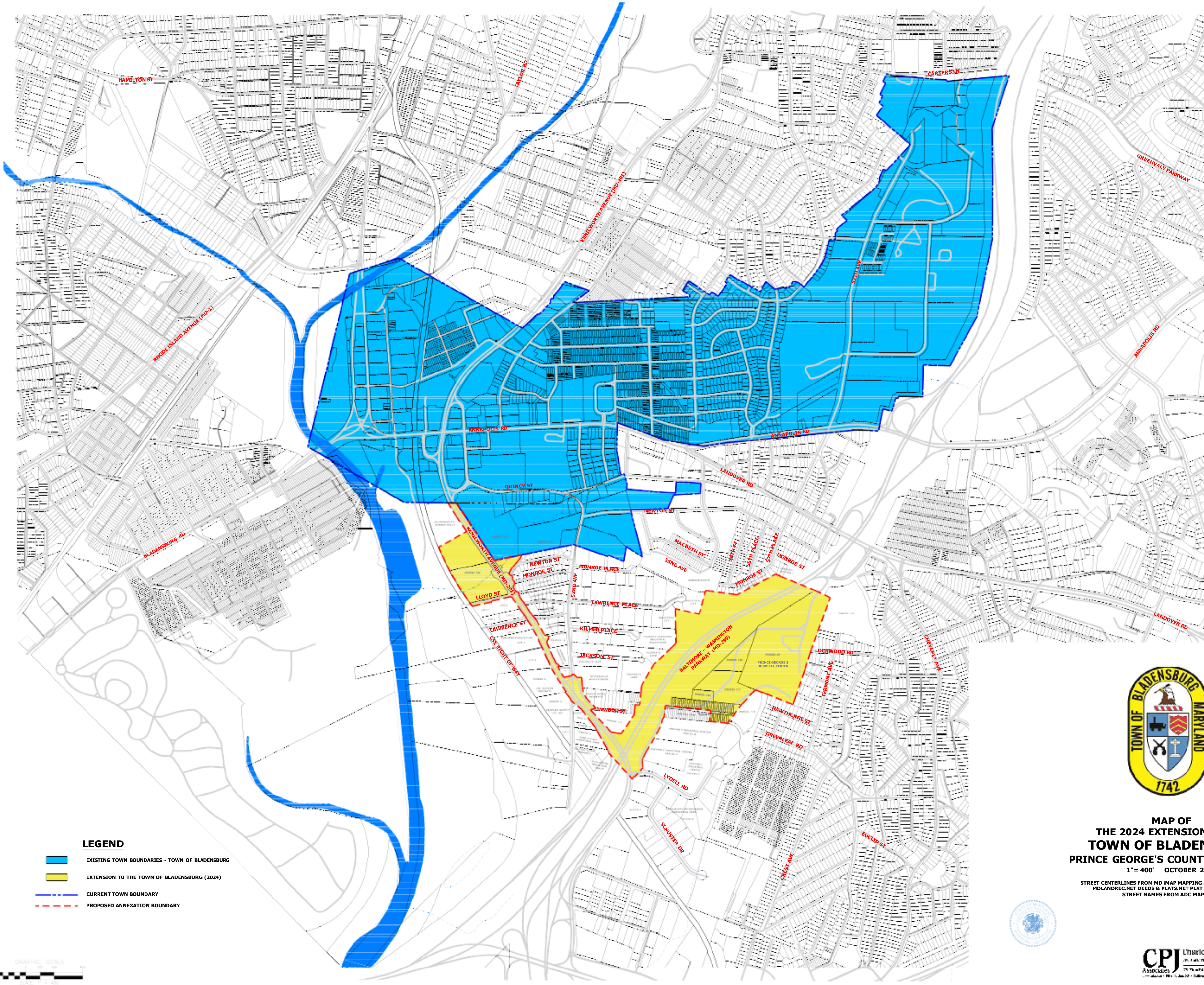


EXHIBIT B

LEGEND

- EXISTING TOWN BOUNDARIES - TOWN OF BLADENSBURG
- EXTENSION TO THE TOWN OF BLADENSBURG (2024)
- CURRENT TOWN BOUNDARY
- PROPOSED ANNEXATION BOUNDARY



MAP OF  
 THE 2024 EXTENSION OF THE  
 TOWN OF BLADENSBURG  
 PRINCE GEORGE'S COUNTY, MARYLAND  
 1" = 400' OCTOBER 2024

STREET CENTERLINES FROM MD MAP MAPPING AND GIS DATA PORTAL  
 MDLANDREC.NET DEEDS & PLATS.NET PLAT BOUNDARY LINES  
 STREET NAMES FROM ADC MAP BOOK





### **Annexation Process by State Statute (LG Article 4-101 et seq.)**

**§ 4-401 – Prerequisites:** (i) land must be contiguous and adjoining, (ii) not create illegal enclave, and (iii) not be land in another municipality. Not all enclaves are illegal.

**§ 4-402 – Initiation:** By legislative body or petition.

**§ 4-403 – Proposal by legislative body:** Done like a regular piece of legislation similar to a charter amendment resolution, need consent of 25% of registered voters in annexation area and the owners of 25% of the assessed (taxable/nonexempt) value of land. Resolution needs survey of courses and distances and description of any conditions of annexation.

**§ 4-404 – Initiative of Voters/Owners:** Petition signed by 25% of registered voters in annexation area and the owners of 25% of the assessed value of land. Presiding officer verifies petition. Introduce a resolution.

**§ 4-405 – Resolution Provisions:** State whether residents and property of annexation area is subject to specific provision of charter. State whether there is special treatment for rates of taxation or municipal services or facilities.

**§ 4-406 – Notice and Hearing:** After introduction of resolution, publish notice describing annexation area and date, time and place of hearing on the proposed annexation. If greater than 25 acres, 4 weekly notices in newspaper of general circulation and if less than 25 acres then twice. A public hearing held in the municipality or the area to be annexed and can be held no sooner than 15 days after the last notice is published. Notice to county and planning agencies. First right to be heard to county and planning agencies.

**§ 4-407 – Resolution enactment:** After hearing the resolution can be passed. Takes effect 45 days later.

**§ 4-408 – Referendum petition (Annex Area):** Within the 45 days of enactment, 20% of the voters in the annexation area may petition to referendum the annexation. If so, the CEO suspends the resolution.

**§ 4-409 – Referendum petition (Municipality):** Within the 45 days of enactment, 20% of the voters in the municipality may petition to referendum the annexation. If so, the CEO suspends the resolution.

**§ 4-410 – Referendum petition (County):** Within the 45 days of enactment, 2/3rds vote of County Council may petition to referendum the annexation. If so, the CEO suspends the resolution.

**§ 4-411 – Referendum date and location:** Must give notice in newspaper and wait 15 days.

**§ 4-412 – Referendum:** Town can make rules on conducting a referendum.

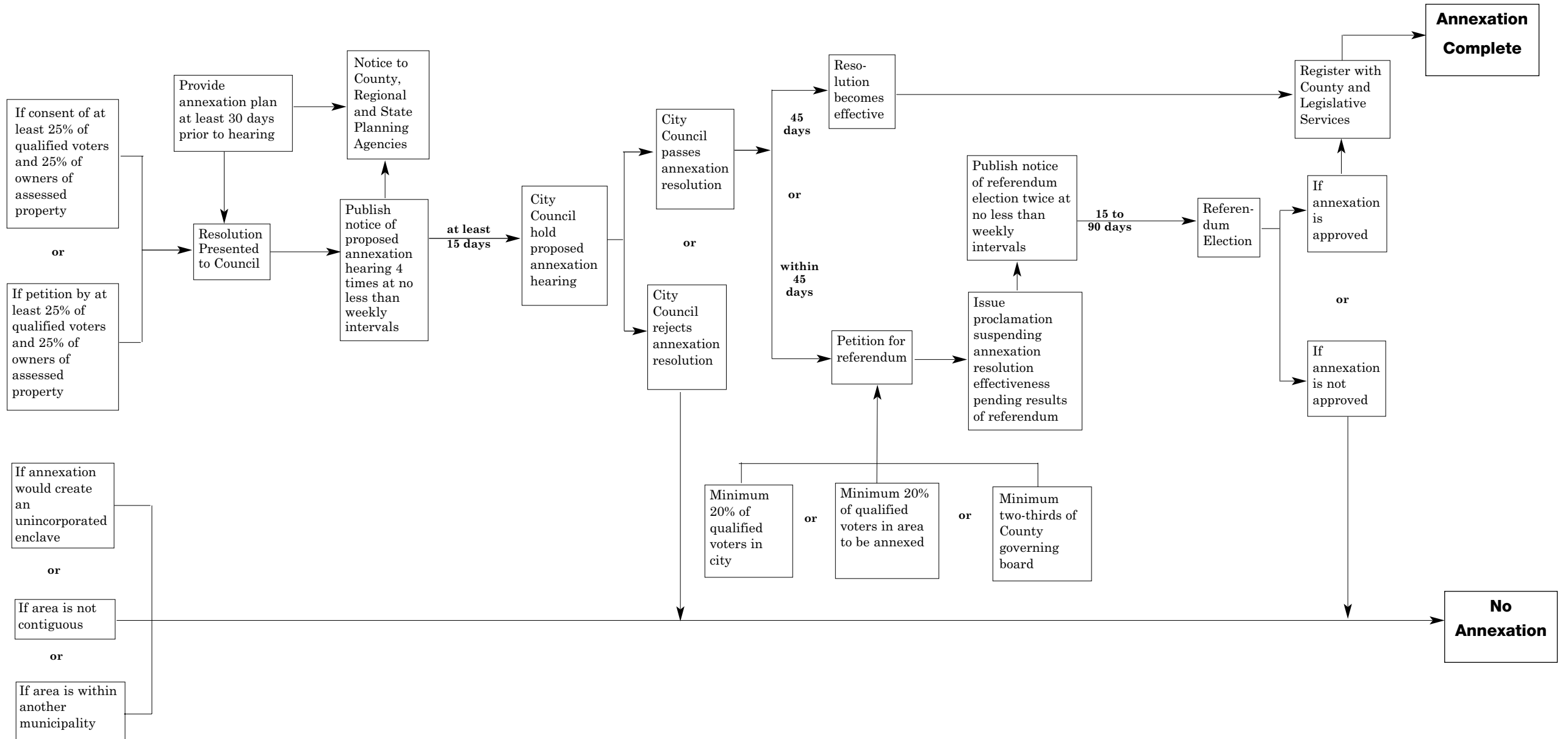
**§ 4-413 – Property owners may vote in special circumstances:** If less than 20 population in area proposed, property owners can vote like a registered voter.

**§ 4-414 – Send copies of resolution:** To County Court Clerk, DLS, & M-NCPPC.

**§ 4-415– Annexation Plan:** Must adopt separate regular resolution of plan prior to AR. Send copy to County Council, County Executive, M-NCPPC, County Dept. of Planning, & MDP.



# Maryland Municipal Annexation Procedures



**Description of  
Area to be Annexed  
By the Town of  
Bladensburg  
Prince George's County, Maryland**

**Beginning** at a point on the South 89°04'59" West, 725.00 feet boundary line of the town of Bladensburg, as described in "Section 102. Corporate Limits" in Article I. of the Charter for Bladensburg", distant, 116.05 feet from the beginning thereof, and running thence, reversely with and binding on said 725.00 feet boundary line, the following course and distance,

1. South 89°28'05" East, 116.05 feet to a point at the end of the North 34°49'00" West, 967 feet boundary line, as described in said "Section 102. Corporate Limits", and running thence, reversely with and binding on said 967 feet boundary line, the following course and distance
2. South 33°22'04" East, 967.00 feet to a point at the end of the South 77°00'39" West, 413.52 feet boundary line as described in said "Section 102. Corporate Limits", and running thence, reversely with and binding on said 413.52 feet boundary line, the following course and distance
3. North 78°27'35" East, 395.94 feet to a point at the northerly end of the westerly or 94.97 feet arc right of way line of 49<sup>th</sup> Avenue (50' R/W), as shown on a subdivision record plat entitled "Blocks A,B,C&D, Newton Village" and recorded among the Prince George's County Land Records in Plat Book BB 7 as Plat Number 73, and running thence with and binding on the westerly right of way lines of said 49<sup>th</sup> Avenue, as shown on said plat, the following three (3) courses and distances
4. 94.97 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 250.00 feet and a chord bearing and distance of South 31°10'18" West, 94.39 feet to a point, thence with a tangent line
5. South 42°03'10" West, 120.00 feet to a point., thence
6. 114.76 feet along the arc of a tangent curve, deflecting to the left, having a radius of 220.62 feet and a chord bearing and distance of South 27°09'03" West, 113.47 feet to a point on the easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, (a variable width right

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of way), said point being 104 feet easterly of, and perpendicular to, the base line at Station 96+86, as shown on a State Roads Commission of Maryland plat entitled "Relocation of River Road", being State Roads Commission Plat Number 11612, and running thence with and binding on said easterly right of way lines of Kenilworth Avenue, as shown on said State Roads Commission Plat No. 11612, the following nine (9) courses and distances

7. South 59°38'31" East, 58.68 feet to a point, thence
8. 4.14 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 170.62 feet and a chord bearing and distance of South 05°59'10" West, 4.14 feet to a point, thence with a tangent line
9. South 05°17'30" West, 35.15 feet to a point, thence
10. 34.25 feet along the arc of a tangent curve, deflecting to the left, having a radius of 20.00 feet and a chord bearing and distance of South 43°46'01" East, 30.22 feet to a point, thence running in, through over and across Monroe Street, with a non-tangent line, the following course and distance
11. South 13°44'33" East, 50.82 feet to a point, thence
12. South 77°06'11" West, 10.77 feet to a point, thence
13. South 17°39'15" West, 44.20 feet to a point, thence
14. South 34°41'54" East, 73.00 feet to a point, thence
15. South 78°34'05" East, 32.84 feet to a point, thence running in, through, over and across the Service Road, as shown on said State Roads Commission Plat No. 11612, the following course and distance
16. South 18°17'48" East, 80.60 feet to a point on the easterly right of way line of said Kenilworth Avenue – Maryland Rte. 201, said point being 45 feet easterly of, and

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perpendicular to, the base line at Station 93+28, as shown on a State Roads Commission of Maryland plat entitled "Relocation of River Road", being State Roads Commission Plat Number 14277, and running thence with and binding on said easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, as shown on said Plat Number 14277, the following course and distance

17. South 34°41'54" East, 78.00 feet to a point, thence running in, through, over and across Lawrence Place (50' R/W), as shown on said State Road Commission Plat No. 14277, the following course and distance
18. South 34°41'54" East, 70.08 feet to a point on the easterly right of way line of said Kenilworth Avenue – Maryland Rte. 201, said point being 45 feet easterly of, and perpendicular to, the base line at station 91+79.92, as shown on said State Roads Commission Plat Number 14277, and running thence with and binding on said easterly right of way lines of Kenilworth Avenue – Maryland Rte. 201, as shown on said Plat Number 14277, the following three (3) courses and distances
19. South 34°41'54" East, 33.40 feet to a point, thence
20. 107.18 feet along the arc of a tangent curve, deflecting to the right, having a radius of 2909.79 feet and a chord bearing and distance of South 33°38'35" East, 107.17 feet to a point, thence
21. South 51°24'00" East, 11.15 feet to a point, thence running in through, over and across Lawrence Street (50' R/W), as shown on said State Roads Commission Plat No. 14277, the following course and distance
22. South 38°17'55" East, 94.77 feet to a point at the northerly end of the easterly or 206.51 feet arc line of Parcel F-4 as shown on a subdivision record plat entitled "Edmonds Subdivision" and recorded among the aforesaid Land Records in Plat Book CEC 91 as Plat Number 29, said line being the easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, and

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running thence, reversely with and binding on said Parcel and right of way lines, the following three (3) courses and distances

23. 206.51 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 2924.79 feet and a chord bearing and distance of South 28°28'58" East, 206.47 feet to a point, thence with a non-tangent line
24. South 34°37'47" East, 18.78 feet to a point, thence
25. 35.28 feet along the arc of a tangent curve, deflecting to the left, having a radius of 30.02 feet and a chord bearing and distance of South 68°19'04" East, 33.28 feet to a point, thence running in, through, over and across Kilmer Place, with a non-tangent line
26. South 63°56'07" East, 29.04 feet to a point at the northerly end of easterly or 25' right of way line of said Kenilworth Avenue – Maryland Rte. 201, said point being 25 feet northerly of, and perpendicular to, the base line for Kilmer Place, at Station 1+00, as shown on a State Roads Commission of Maryland plat entitled "Relocation of River Road", being State Roads Commission Plat Number 11136, and running thence with and biding on the easterly right of way lines of said Kenilworth Avenue – Maryland Rte. 201, the following eleven (11) courses and distances
27. South 12°01'59" East, 25.00 feet to a point, thence
28. South 26°32'17" West, 61.17 feet to a point, thence
29. South 23°58'54" East, 10.69 feet to a point, thence
30. South 66°01'06" West, 5.00 feet to a point, thence
31. South 23°58'54" East, 220.53 feet to a point, thence

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- 32. 102.42 feet along the arc of a tangent curve, deflecting to the left, having a radius of 2246.83 feet and a chord bearing and distance of South 25°17'15" East, 102.41 feet to a point, thence with a non-tangent line
  
- 33. South 65°29'17" East, 33.69 feet to a point, thence
  
- 34. South 27°36'21" East, 26.22 feet to a point, thence
  
- 35. South 84°51'49" West, 22.76 feet to a point, thence
  
- 36. 176.47 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 2246.83 feet and a chord bearing and distance of South 29°58'06" East, 176.42 feet to a point, thence with a non-tangent line
  
- 37. North 77°49'32" East, 88.20 feet to a point, thence running in, through, over and across 52<sup>nd</sup> Avenue (formerly River Road, a 50' R/W), as shown on said State Roads Commission Plat Number 11136, the following course and distance
  
- 38. North 61°05'47" East, 55.04 feet to a point at the northerly end of the easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, said point being 25 feet easterly of and perpendicular to station 2+88 of the baseline for 52<sup>nd</sup> Avenue as shown on said Plat Number 11136, and running thence with and binding on the easterly right of way lines for Kenilworth Avenue – Maryland Rte. 201, as shown on said Plat Number 11136, the following four (4) courses and distances
  
- 39. South 48°06'00" East, 71.86 feet to a point, thence
  
- 40. North 85°46'19" East, 57.79 feet to a point, thence
  
- 41. South 04°10'41" East, 139.86 feet to a point at the northerly end of the easterly right of way line of Kenilworth Avenue – Maryland Rte. 201, as shown on a State Roads Commission of Maryland plat entitled "Relocation of River Road", and being State Roads Commission Plat Number 12085, said point being 35 feet easterly of and radial to the baseline at the point of

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curvature at Station 1+39.86, as shown thereon, and running thence with and binding on the easterly right of way lines of Kenilworth Avenue – Maryland Rte. 201, the following two (2) courses and distances

42. 191.38 feet along the arc of a tangent curve, deflecting to the left, having a radius of 283.31 feet and a chord bearing and distance of South 23°31'47" East, 187.76 feet to a point, thence with a tangent line

43. South 42°52'54" East, 170.21 feet to a point, thence running in through, over and across Inwood Street, as shown on said State Roads Commission Plat Number 12085, the following course and distance

44. South 73°14'08" West, 77.96 feet to a point at the northerly end of the easterly right of way line for Kenilworth Avenue – Maryland Rte. 201, as shown on said Plat Number 12085, said point being 45 feet easterly of and perpendicular to the baseline at Station 74+51, running thence with and binding on said easterly right of way line, the following course and distance

45. South 42°52'54" East, 425.19 feet to a point at the end of the third (3<sup>rd</sup>) or North 81°47'06" West, 142.72 feet line described in a deed from Joseph Nazario to Public Storage Institutional Fund a California Limited Partnership, dated December 22, 1986 and recorded among the aforesaid Land Records in Liber 6517 at Folio 167, and running thence, reversely with and binding on the outline of the lands described in said deed, the following three (3) courses and distances

46. South 81°24'35" East, 142.72 feet to a point on the westerly right of way lines of the Baltimore Washington Parkway – Maryland Rte. 295, (variable width), and running thence with and binding on the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following Seventeen (17) courses and distances

47. North 34°20'18" East, 331.40 feet to a point, thence

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- 48. North 84°27'48" West, 4.77 feet to a point at the southerly end of the easterly line of Lot 3, as shown on a subdivision record plat entitled "Capital View" and recorded among the aforesaid Land Records in Plat Book RNR 2 as Plat No. 13, and running thence with and binding on said easterly lot line, and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
- 49. North 05°48'43" East, 131.56 feet to a point on the southerly right of way line of "Capital Street" as shown on said Plat No. 13 and running thence with and binding on said southerly right of way line, and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
- 50. South 84°11'17" East, 60.00 feet to a point, thence running in, through, over and across said "Capital Street" and running with and binding on the easterly line of Lot 77, as shown on said Plat No. 13, the following course and distance
- 51. North 05°48'43" East, 160.95 feet to a point, thence
- 52. North 06°02'18" East, 15.00 feet to a point at the southerly end of the easterly or South 06°09'48" West, 98.21 feet line of Parcel M as shown on a subdivision record plat entitled "Foudray's Land" and recorded among the aforesaid Land Records in Plat Book PM 217 as Plat No. 53, said line being the westerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, and running thence with and binding on the outline of said Plat No. 53 and continuing with the westerly lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following three (3) courses and distances
- 53. North 06°16'06" East, 98.21 feet to a point, thence
- 54. North 29°18'46" East, 335.70 feet to a point, thence
- 55. North 47°06'46" East, 308.60 feet to a point at the southerly end of the easterly or South 46°53'14" West, 134.07 feet line of Lot 12 as shown on a subdivision record plat entitled "Parkway Overlook Industrial Subdivision" and recorded among the aforesaid Land Records



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in Plat Book VJ 189 as Plat No. 65, said line being the westerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, and running thence with and binding on the outline of said Plat No. 65, and continuing with the westerly lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following two (2) courses and distances

56. North 43°26’46” East, 132.39 feet to a point, thence

57. North 01°31’06” West, 199.74 feet to a point at the southerly end of the easterly or South 01°00’40” East, 288.59 feet line of Parcel No. 11 as shown on a subdivision record plat entitled “Industrial City” and recorded among the aforesaid Land Records in Plat Book WWW 70 as Plat No. 74, , said line being the westerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, and running thence reversely with and binding on said 288.59 feet parcel line, the following course and distance, and continuing with the westerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance

58. North 00°28’33” West, 283.34 feet to a point on the southerly or North 78°03’40” West, 345.00 feet line as shown on a subdivision record plat entitled “Industrial City” and recorded among the aforesaid Land Records in Plat Book WWW 74 as Plat No. 20, said line being a northerly line of the Baltimore-Washington Parkway, Maryland Rte. 295, and running thence reversely with and binding on the outline of said Plat No. 20 and continuing with the northerly and westerly lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following two (2) courses and distances

59. South 77°31’33” East, 345.00 feet to a point, continuing thence, reversely with and binding on the outline of said Plat No. 20 and running reversely with and binding on the easterly or South 14°40’50” West, 21.60 feet line of Parcel A, as shown on a subdivision record plat entitled “Monroe South” recorded among the aforesaid Land Records in Plat Book WWW 57 as Plat No. 58, and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance

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- 60. North 15°11’02” East, 340.76 feet to a point, continuing thence, reversely with and binding on the outline of said Plat No. 58 and running reversely with and binding on the southerly or South 75°20’20” East, 301.35 feet line as shown on a subdivision record plat entitled “ South Cheverly Forest” and recorded among the aforesaid Land Records in Plat Book WWW 18 as Plat No. 49, and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
- 61. South 82°23’25” East, 446.54 feet to a point, continuing thence, reversely with and binding on the outline of said Plat No. 58 and continuing with the westerly right of way lines of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
- 62. North 61°37’32” East, 612.26 feet to a point, thence running reversely with and binding on the southerly or South 66°27’19” East, 1457.96 feet line as shown on a subdivision record plat entitled “Cheverly, Section 7” and recorded among the aforesaid Land Records in Plat Book SDH 3 as Plat No. 41, and continuing with the westerly right of way line of the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
- 63. South 66°11’37” East, 96.97 feet to a point at the southernmost corner of Lot 1085 as shown on said Plat 41, and running thence, in, through, over and across the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance
- 64. South 67°37’58” East, 502.24 feet to a point at the beginning of the fifth (5<sup>th</sup>) or South 64°55’36” East, 237.34 line as described in a deed from Prince George’s County, Maryland, a body corporate and politic, and Redevelopment Authority of Prince George’s County, Maryland, a body corporate and politic, dated October 6, 2023 and recorded among the aforesaid Land Records in Liber 49441 at Folio 130, and running thence with and binding on the outline of the land described in said deed, the following nine (9) courses and distances
- 65. South 64°56’09” East, 237.34 feet to a point, thence
- 66. South 20°03’19” West, 768.92 feet to a point, thence

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- 67. South 18°23'46" West, 50.99 feet to a point, thence
- 68. South 17°27'10" West, 256.67 feet to a point, thence
- 69. South 18°55'59" West, 50.26 feet to a point, thence
- 70. South 18°33'55" West, 332.01 feet to a point, thence
- 71. South 18°53'45" West, 133.93 feet to a point, thence
- 72. North 68°02'29" West, 424.76 feet to a point, thence continuing with the outline of the lands described in Liber 49441 at folio 130 and running reversely with and binding on the sixth (6<sup>th</sup>) or South 69°45'34" East, 41.22 feet line as described in a deed from Eugene Allen, et ux. To the Mayor and town Council of Cheverly, a municipal corporation, dated April 15, 1958 and recorded among the aforesaid Land Records in Liber 2249 at Folio 504, and running reversely with and binding on the third (3<sup>rd</sup>) or South 69°45'34" East, 117.70 feet line as described in an inquisition, between the Board of County Commissioners of Prince George's County, Maryland, plaintiff vs. Parkwood, Incorporated, et al., dated July 28, 1965 and recorded among the aforesaid Land Records in Liber 3208 at Folio 47, the following course and distance
- 73. North 69°17'37" West, 146.69 feet to a point, thence continuing with the outline of the lands described in said Inquisition, the following two (2) courses and distances
- 74. South 42°23'14" West, 281.21 feet to a point at the northerly end of the easterly or North 41°03' East, 328.70 feet line as shown on the aforesaid subdivision record plat entitled "Capital View" and recorded among the aforesaid Land Records in Plat Book RNR 2 as Plat No. 13, and running thence, reversely with and binding on the outline of said Capital View Record Plat, the following two (2) courses and distances
- 75. South 37°01'54" West, 327.51 feet to a point, thence

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- 76. North 84°22'01" West, 258.51 feet to a point at the southerly end of the 126.85 feet common lot line between Lots 55 and 56 as shown on said Plat No. 13, and running thence with and binding on said common lot line, and an extension thereof, the following course and distance
  
- 77. North 05°54'29" East, 156.39 feet to a point on the northerly line of Capital Street, as shown on said Plat No. 13, and running thence with and binding on said northerly line of Capital Street, the following course and distance
  
- 78. North 84°05'31" West, 638.99 feet to a point, thence running in, through, over and across said Capital Street, and running with and binding on the 129.45 feet common line between Lots 24 and 25 as shown on said Plat No. 13, the following course and distance
  
- 79. South 05°54'29" West, 159.41 to a point at the northerly end of the westerly or North 29°52'30' East, 48.65 feet line of Parcel B as shown on a subdivision record plat entitled "Cheverly Industrial Center" and recorded among the aforesaid Land Records in Plat Book WWW 48 as Plat No. 65, and running thence, reversely with and binding on the outline of said Plat No. 65, the following three (3) courses and distances
  
- 80. South 30°00'06" West, 48.70 feet to a point, thence
  
- 81. 150.01 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 370.00 feet and a chord bearing and distance of South 18°23'14" West, 148.98 feet to a point, thence continuing with the outline of said Parcel B and running reversely with and binding on the westerly or North 29°52'30" East, 208.14 line of Parcel A as shown on a subdivision record plat entitled "Cheverly Industrial Center" and recorded among the aforesaid Land Records in Plat Book WWW 37 as Plat No. 63, the following course and distance
  
- 82. South 30°00'06" West, 336.27 feet to a point, thence continuing reversely with and binding on the outline of said Parcel A, the following two (2) courses and distances

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- 83. 113.01 feet along the arc of a tangent curve, deflecting to the left, having a radius of 16354.17 feet and a chord bearing and distance of South 28°01’19” West, 112.98 feet to a point, thence with a tangent line
  
- 84. South 26°02’31” West, 21.73 feet to a point at the northerly end of the westerly or 15.89 feet arc line of Parcel C, as shown on a subdivision record plat entitled “Cheverly Industrial Center” and recorded among the aforesaid Land Records in Plat Book WWW 83 as Plat No. 62, and running thence, reversely with and binding on the outline of said Parcel C, the following two (2) courses and distances
  
- 85. 15.89 feet along the arc of a tangent curve, deflecting to the left, having a radius of 28.87 feet and a chord bearing and distance of South 10°16’39” West, 15.69 feet to a point, thence with a tangent line
  
- 86. South 05°29’14” East, 103.29 feet to a point, thence running in, through, over and across Lydell Road (70’ R/W) the following course and distance
  
- 87. South 41°27’08’ West, 167.14 feet to a point at the easterly end of the northerly or 58.33 feet arc line of Lot 1, Block A as shown on a subdivision plat entitled “Kenilworth Interchange Industrial Park” and recorded among the aforesaid Land Records in Plat Book WWW 55 as Plat No. 77, and running thence, reversely with and binding on said northerly line of Lot 1, Block A, the following course and distance
  
- 88. 58.33 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 40.00 feet and a chord bearing and distance of South 42°44’27” West, 53.30 feet to a point on the easterly side of said Kenilworth Avenue – Maryland Rte. 201, said point being 51 feet easterly of and radial to the baseline at station 63+17 as shown on a State Roads Commission of Maryland plat entitled “Relocation of River Road”, and being State Roads Commission Plat Number 11135, and running thence, in, through, over and across said Kenilworth Avenue – Maryland Rte. 201, and the Baltimore-Washington Parkway, Maryland Rte. 295, the following course and distance

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- 89. North 42°00’04” West, 497.46 feet to a point on the westerly right of way line of Kenilworth Avenue – Maryland Rte. 201, said point being 25 feet westerly of and radial to the baseline at Station 3+00, shown on said State Roads Commission Plat No. 11135, said point also being at the southerly end of the easterly or 65.02 feet arc line of Parcel A as shown on a subdivision record plat entitled “Saglinbene Industrial Tract” and recorded among the aforesaid Land Records in Plat Book WWW 87 as Plat No. 13, running thence with and binding on the westerly right of way lines of said Kenilworth Avenue – Maryland Rte. 201, the following four (4) courses and distances
  
- 90. 64.36 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 363.77 feet and a chord bearing and distance of North 23°39’17” West, 64.27 feet to point, thence, with a tangent line
  
- 91. North 28°43’24” West, 280.88 feet to a point, thence
  
- 92. 142.01 feet along the arc of a tangent curve, deflecting to the left, having a radius of 929.89 feet and a chord bearing and distance of North 33°05’54” West, 141.87 feet to a point, thence with a tangent line
  
- 93. North 37°28’24” West, 230.18 feet to a point, thence running in, through, over and across 52<sup>nd</sup> Avenue, the following course and distance
  
- 94. North 49°11’54” West, 210.42 feet to a point at the southerly end of the easterly or South 19°41’30” East, 30.85 feet line of Parcel A as shown on a subdivision record plat entitled “People’s Supply Co. Inc.” and recorded among the aforesaid Land Records in Plat Book WWW 83 as Plat No. 42 and running thence reversely with and binding on the outline of said Parcel A, and the westerly right of way lines of said Kenilworth Avenue – Maryland Rte. 201, the following two (2) courses and distances
  
- 95. North 19°34’24” West, 30.85 feet to a point, thence

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- 96. 105.46 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 2351.83 feet and a chord bearing and distance of North 37°57'40" West, 105.45 feet to a point on the southerly or South 79°54'30" West, 426.58 feet line of Parcel 2 as shown on a subdivision record plat entitled "J. W. Watson Property" and recorded among the aforesaid Land Records in Plat Book WWW 51 as Plat No. 3, distant, 16.80 feet westerly from the easterly end thereof, and running thence, reversely with and binding on the outline of said Parcel 2, the following two (2) courses and distances
- 97. North 80°01'36" East, 16.80 feet to a point, thence continuing with the westerly right of way lines of Kenilworth Avenue – Maryland Rte. 201, the following seven (7) courses and distances
- 98. 525.45 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 2337.06 feet and a chord bearing and distance of North 30°25'24" West, 524.35 feet to a point, thence with a tangent line
- 99. North 23°58'54" West, 231.22 feet to a point, thence
- 100. 10.15 feet along the arc of a tangent curve, deflecting to the left, having a radius of 2819.79 feet and a chord bearing and distance of North 24°05'05" West, 10.15 feet to a point, thence with a non-tangent line
- 101. South 65°48'44" West, 5.00 feet to a point, thence
- 102. 9.83 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 2814.79 feet and a chord bearing and distance of North 24°17'16" West, 9.83 feet to a point, thence with a non-tangent line
- 103. North 65°36'44" East, 5.00 feet to a point, thence
- 104. 330.49 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 2819.79 feet and a chord bearing and distance of North 27°44'43" West, 330.29 feet to a

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point, thence running in, through, over and across Lawrence Street, with a non-tangent line, the following course and distance

105. North 34°34’52” West, 138.05 feet to a point on the westerly right of way line of Kenilworth Avenue – Maryland Rte. 201, said point being 50 feet westerly and radial to the baseline at Station 91+07, as shown on said State Roads commission Plat No. 11612, and continuing thence with and binding on the westerly right of way lines of Kenilworth Avenue – Maryland Rte. 201, the following three (3) courses and distances

106. 38.77 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 2814.79 feet and a chord bearing and distance of North 34°18’13” West, 38.77 feet to a point, thence with a tangent line

107. North 34°41’54” West, 263.16 feet to a point on the southerly right of way line of Lloyd Street, as shown on a subdivision record plat entitled “Edmonds Subdivision” and recorded among the aforesaid Land Records in Plat Book PM 226 as Plat No. 43, and running thence reversely with and binding on said southerly right of way lines of Lloyd Street, the following three (3) courses and distances

108. South 77°21’31” West, 282.57 feet to a point, thence

109. South 12°39’14” East, 15.00 feet to a point, thence

110. South 77°20’46” West, 279.10 feet to a point on the easterly side of the CSX Transportation Inc. right of way, and running thence with and binding on said easterly right of way lines of CSX Transportation Inc., the following course and distance

111. 959.38 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 3786.83 feet and a chord bearing and distance of North 29°50’22” West, 956.82 feet to a point, at the westerly end of the southerly or South 60°223’10” West, 452.00 feet line of Parcel 1 as shown on a subdivision record plat entitled “Mindle Tract, Bladensburg” and recorded among the aforesaid Land Records in Plat Book WWW 49 as Plat No. 26, and



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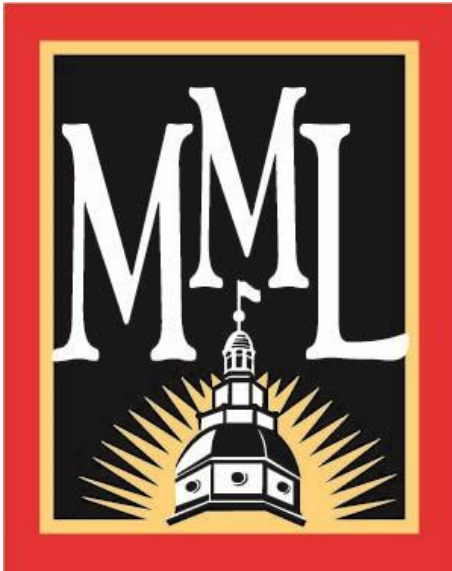
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running thence with and binding on the outline of said Parcel 1, the following three (3) courses and distances, commencing with a non-tangent line,

112. North 60°26'52" East, 452.00 feet to a point, on the westerly right of way of Kenilworth Avenue – Maryland Rte. 201, and running thence with and binding on said westerly right of way lines of Kenilworth Avenue – Maryland Rte. 201, the following two courses and distances

113. North 34°41'54" West, 261.19 feet to a point, thence

114. 214.68 feet along the arc of a curve, deflecting to the right, having a radius of 1477.40 feet and a chord bearing and distance of North 30°32'08" West, 214.49 feet to the point of beginning, containing 113 acres of land, more or less.



THE  
MARYLAND  
MUNICIPAL  
LEAGUE

# Municipal Annexation Handbook

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# Municipal Annexation

## Introduction

Municipal annexation is the process of legally including within the corporate limits of a city or town an unincorporated area that is outside the municipality. For many cities and towns in Maryland, annexation of surrounding areas plays an important role in influencing the economic growth, environmental protection, quality of life, and municipal fiscal well-being of their communities.

The Maryland Municipal League prepared this handbook to provide basic guidance to municipal government officials on procedures and considerations associated with municipal annexation in Maryland. This publication is not intended to provide in-depth analyses of annexation issues but rather to provide a brief overview of annexation procedures and considerations. Included for your information is the full text of Subtitle 4-400 of the Local Government Article of the *Annotated Code of Maryland* which makes up the primary source of Maryland law concerning annexation.

League staff members are available to answer any questions you may have relating to annexation.

# Procedures

## 1. Minimum Prerequisites

In order to be annexed to an existing municipality, an area must be contiguous and adjoining to the existing municipal corporate area and may not be located within another incorporated municipality. Also, annexation of the area may not create an enclave of unincorporated area that would be completely surrounded on all sides by land within the municipality upon completion of the annexation.

## 2. Annexation Petition/Consent

An annexation petition signed by at least 25% of the qualified voters along with the owners of 25% of total assessed property in the area to be annexed may be filed with the municipal legislative body. Alternatively, the legislative body may initiate an annexation by obtaining the consent of a like percentage of qualified voters and property owners.

## 3. Annexation Resolution

Upon verification that the annexation petition signatures meet the requirements of law and that all other prerequisites of the law have been met, the elected body should promptly introduce a resolution proposing the annexation. Similarly the elected body may initiate the resolution upon receipt of the consent of the required percentage of voters and property owners. The resolution should describe the area to be annexed together with any conditions or circumstances applicable to the proposed annexation.

## 4. Annexation Plan

A municipal governing body must prepare, adopt and make available to the public a plan detailing (1) the proposed land use or uses in the area to be annexed, (2) available land that could be used for anticipated public facilities that may be needed, (3) a schedule for extending municipal services to the area to be annexed, and (4) anticipated means of financing the extension of services. The plan must be provided at least 30 days prior to holding the public hearing required by law for an annexation to the county in which the municipality is located as well as to the Maryland Department of Planning and any regional and state planning agencies having jurisdiction within the county.

Legislation passed in 2006 (House Bill 1141) by the Maryland General Assembly added to the level of detail of an annexation plan for most cities and towns. For a municipality that exercises planning and zoning authority under Land Use Article of the *Annotated Code of Maryland*, by October 1, 2009 it must amend its comprehensive plan to include a growth element that serves as a basis for any annexation plan it prepares. Upon a showing of good cause, the Maryland Department of Planning may authorize extensions through October 1, 2010 for preparation of a municipal growth element. Once a comprehensive plan growth element is in place for a municipality, a municipal annexation plan must be consistent with growth element of the municipality. At that point, the required level of detail in an annexation plan could be much greater for municipalities that exercise planning and zoning authority than was required prior to the passage of House Bill 1141.

### **5. Proposed Annexation Publication, Hearing and Resolution Passage**

After introduction of the resolution, a municipality must publish at least four times at a minimum of weekly intervals in one or more newspapers of general circulation a notice of the proposed annexation; notice of the time and place of a hearing on the resolution must also appear in the newspaper advertisements. For annexations where the area to be annexed is 25 acres or less, the required publication need only be done twice at weekly intervals. A copy of the public notice must be provided to the county governing board and regional and state planning agencies as soon as it is initially published. At the hearing itself, the county and planning agencies must be afforded first right to be heard, after which the general public may make comment. After conducting the required hearing, the municipal elected body may pass (or reject) the resolution which becomes effective 45 days after its passage unless it is petitioned to referendum.

## **6. Petitions to Referendum**

Within the 45 days prior to the effective date of the resolution, any of three groups may petition the annexation resolution to referendum. At least 20% of the registered voters in the existing municipality or in the area to be annexed may petition the resolution to referendum; alternatively, a minimum of two-thirds of the county governing board may petition to call for a referendum on the annexation question. After verification of petition signatures or county governing board compliance with the law's requirements (whichever is applicable), the effectiveness of the resolution is suspended pending results of the referendum.

## **7. Annexation Referendum**

The annexation referendum may be held from 15 to 90 days following newspaper publication of notice of the referendum. The notice must occur a minimum of two times at a minimum of weekly intervals. Should the referendum pass, the annexation will become effective on the fourteenth day following the referendum. Which voters participate in a referendum is dependent upon where the referendum petition emanated. If the petition was submitted by the county governing body or the residents in the area to be annexed, the voters in the area to be annexed may participate in the referendum. If the petition was submitted by residents of the municipality, the voters in the municipality participate. If both circumstances exist, separate elections are held for both the existing municipal voters and for voters in the area to be annexed. In the case of two elections, both sets of voters must approve the referendum in order for the annexation to proceed.

## **8. Registration of Resolution and Boundaries**

Regardless of whether or not the annexation is brought to referendum, the annexation resolution and the new municipal boundaries of the municipality must be promptly sent to (1) the county clerk of courts in the county in which the annexation occurred, (2) the Department of Legislative Services, and (3) where applicable the Maryland-National Capital Park and Planning Commission.

# Annexation Considerations

## Why annex? What are the advantages of annexation?

- To extend municipal services to communities that are adjacent to existing city/town corporate limits and that may not have such services.
- To expand the size, population base, property tax assessable base, and—in some cases—the political influence of a city or town.
- To ensure local input into and control over future development around the periphery of existing municipal corporate boundaries and to facilitate implementation of the Maryland Growth Management Act which focuses future growth in and around existing urban centers.
- Through legal agreements with developers, to exact concessions that will meet adequate public facility requirements and provide added amenities (for example: roads, parks, affordable housing) that are beneficial to the community.
- To support economic and community development goals by negotiating annexation agreements to attract business, industry and housing development.
- To unify currently incorporated and fringe unincorporated areas that share common sociological, economic, cultural, and geographic characteristics.
- To provide residents of areas adjacent to cities and towns a direct role in local community affairs through access to municipal election voting rights and the opportunity to serve in municipal elected and appointed offices.
- To achieve logical city/town growth and boundaries.



## Why not annex? What are the possible drawbacks to annexation?

- The city or town may lack adequate financial, personnel or infrastructure resources to extend public services to the area to be annexed.
- Annexation of an area may prove to be a fiscal drain on the city or town where potential revenues to be raised from the area to be annexed do not meet the costs of providing municipal services to the area.
- Residents in a potential area to be annexed may wish to maintain a separate community identity rather than having their identity subsumed within that of the existing city or town.
- Residents in an area to be annexed may consider municipal government to be unneeded, undesirable, or duplicative and may not wish to pay added taxes or fees to pay for the costs of municipal public services.
- There are difficulties set forth in law in achieving a successful annexation, including the ability of the county to veto for five years significant changes in zoning classifications in an area to be annexed and the ability of various parties to petition an annexation to referendum where it can potentially be voted down.

## Annexation Zoning—The Five-Year Rule

Cities and towns authorized to exercise and exercising planning and zoning powers under Land Use Article of the Annotated Code of Maryland have exclusive authority over planning and zoning in newly annexed areas. However, Subsection 4-416(b) the Local Governments Article of the *Annotated Code* provides that no city or town may for five years following an annexation allow development of property within an annexed area if the development would be substantially different than the use authorized under county zoning at the time of the annexation. Also, for five years following an annexation, development density of newly annexed property may not be greater than 50% higher than would have been permitted under county zoning at the time of annexation. A county governing body may waive this requirement if its members so desire.

As a practical matter, the impact of this provision of law is to give county governments a major role in municipal annexations where substantial changes in land use are anticipated. Development projects dependent upon annexation and annexations themselves can be not just delayed, but derailed by action (or inaction) of the county to withhold approval of land use changes in some circumstances. It is recommended therefore that county planners and elected officials be contacted early in the annexation process to negotiate these issues when the possibility of such changes is under consideration.

# Annexation Agreements

An annexation agreement is a contract typically made between a city or town and the owner or owners of land or private developers of land in an area to be annexed. An agreement is used to overcome obstacles to potential annexations by exacting concessions from one or more of the parties involved prior to consenting to annexation. It normally sets out the terms and conditions under which an annexation is to occur as well as any special obligations of the parties relating to a proposed annexation.

Provisions included in annexation agreements frequently address the following:

- The intent of the parties to enter into a contract.
- On-site and off-site public improvements to be provided by the developer of land in the area to be annexed.
- Financial terms such as temporary or phased municipal property tax abatements or service fee reductions.
- Timetables for the extension and provision of public utilities and other services.
- Land use stipulations. (Note however that "contract zoning" or offering to guarantee a specified zoning classification as a precondition for annexation is prohibited in Maryland.)
- Construction and environmental protection requirements.
- Agreement enforcement provisions.
- Conditions for terminating the agreement under specified circumstances.

Given the legal complexities involved, it is strongly recommended that professional legal counsel be employed throughout the process of negotiating, drafting, and carrying out the provisions of any annexation agreement.

# Annotated Code of Maryland

## Local Government Article , Subtitle 4-400

### §4-401. **Enlargement of Municipal Corporate Boundaries Authorized**

- (a) Subject to subsections (b) and (c) of this section, the legislative body of a municipality may enlarge its boundaries by annexation as provided in this subtitle.
- (b) The power of annexation applies only to land that:
- (1) is contiguous and adjoining to the existing boundaries of the municipality; and
  - (2) does not create an unincorporated area that is bounded on all sides by:
    - (i) real property presently in the boundaries of the municipality;
    - (ii) real property proposed to be in the boundaries of the municipality as a result of the proposed annexation; or
    - (iii) any combination of real property described in item (i) or (ii) of this item.
- (c) A municipality may not annex land that is in another municipality.

### §4-402. **How Annexation Initiated**

An annexation proposal may be initiated by:

- (1) the legislative body of the municipality as provided in § 4-403 of this subtitle; or
- (2) a petition in accordance with § 4-404 of this subtitle.

### §4-403. **Initiation by Legislative Body**

- (a) Subject to subsection (b) of this section, an annexation resolution may be introduced in the legislative body of the municipality in accordance with:
- (1) the requirements and practices applicable to its legislative enactments; and
  - (2) the requirements of § 4-303(a) of this title.
- (b) Before an annexation resolution is introduced, the legislative body shall obtain consent from:
- (1) at least 25% of the registered voters who are residents in the area to be annexed;
- and

(2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.

(c) The annexation resolution:

(1) shall describe by a survey of courses and distances the exact area to be annexed;

(2) may also describe by landmarks and other well-known terms the exact area to be annexed; and

(3) shall contain a complete and detailed description of the conditions and circumstances that apply to:

(i) the change in boundaries; and

(ii) the residents and property in the area to be annexed.

#### §4-404. **Annexation Petition**

(a) Subject to § 4-413 of this subtitle, an annexation petition shall be signed by:

(1) at least 25% of the registered voters who are residents in the area to be annexed; and

(2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.

(b) After an annexation petition is presented to the legislative body of the municipality, the presiding officer of the legislative body shall verify:

(1) the signatures on the petition; and

(2) that the petition meets the requirements of subsection (a) of this section.

(c) (1) After verifying compliance with the requirements of this section, the presiding officer of the legislative body promptly shall cause a resolution proposing the change of boundaries as requested by the petition to be introduced in the legislative body.

(2) The annexation resolution shall conform to the form and content requirements of this subtitle.

#### §4-405. **Annexation Resolution**

(a) An annexation resolution shall provide that the residents in the area to be annexed and their property shall be added to the municipality, generally subject or not, as applicable, to specific provisions of the municipal charter.

(b) (1) Notwithstanding subsection (a) of this section, an annexation resolution may provide, for stated periods and under specific conditions, special treatment of the residents in the area to be annexed and their property as to:

*Annexation Procedures Flow Chart*

- (i) rates of municipal taxation; and
- (ii) municipal services and facilities.

(2) After an annexation resolution takes effect, any change in the provisions for special treatment for stated periods and under specific conditions may be made only by a resolution enacted under this subtitle.

#### §4-406. **Public Notice and Hearing**

(a) After an annexation resolution is introduced, the chief executive and administrative officer of the municipality shall publish notice in accordance with the requirements of this section that:

- (1) briefly and accurately describes the proposed annexation and the applicable conditions and circumstances; and
- (2) specifies the date, time, and place that the legislative body sets for the public hearing on the proposed annexation.

(b) (1) Public notice of the annexation resolution shall be published:

- (i) 1. at least four times; or
- 2. if the total area of the proposed annexation is 25 acres or less, at least two times;
- (ii) at not less than weekly intervals; and
- (iii) in at least one newspaper of general circulation in the municipality and the area to be annexed.

(2) The public hearing shall be:

- (i) set no sooner than 15 days after the final required publication of the public notice; and
- (ii) held in the municipality or the area to be annexed.

(c) Immediately after the first publication of the public notice, the municipality shall provide a copy of the public notice to:

- (1) the governing body of the county in which the municipality is located; and
- (2) any regional or State planning agency with jurisdiction in the county.

(d) The county and any regional or State planning agency with jurisdiction in the county has the right to be heard before the public at the hearing on the proposed annexation.

(e) (1) The public hearing may be rescheduled for or continued to a later date not more than 30 days after:

- (i) the date when the hearing was originally scheduled; or
- (ii) the date on which the hearing began but was not completed.

- (2) If the hearing is rescheduled or continued, public notice shall be published:
  - (i) at least 7 days before the date of the rescheduled or continued hearing; and
  - (ii) in a newspaper of general circulation in the municipality and the area to be annexed.
- (3) The public notice shall:
  - (i) briefly and accurately describe the area to be annexed; and
  - (ii) specify the date, time, and place of the rescheduled or continued public hearing.

**§4–407. Enactment and Effective Date**

- (a) After a public hearing, the legislative body of a municipality may enact an annexation resolution in accordance with its normal legislative procedure.
- (b) The annexation resolution may not take effect until at least 45 days after its enactment.

**§4–408. Petition of Resolution to Referendum by Residents of Areas to be Annexed**

- (a) Subject to § 4–413 of this subtitle, at any time within 45 days after enactment of an annexation resolution, at least 20% of the registered voters who are residents in the area to be annexed may petition the chief executive and administrative officer of the municipality in writing for a referendum on the resolution.
- (b) After a petition is presented to the chief executive and administrative officer, the officer shall verify:
  - (1) the signatures on the petition; and
  - (2) that the petition meets the requirements of subsection (a) of this section.
- (c) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

**§4–409. Petition of Resolution to Referendum by Residents of Municipality**

- (a) At any time within 45 days after enactment of an annexation resolution, at least 20% of the qualified voters of the municipality may petition the chief executive and administrative officer of the municipality in writing for a referendum on the resolution.
- (b) After a petition is presented to the chief executive and administrative officer, the officer shall verify:

- (1) the signatures on the petition; and
- (2) that the petition meets the requirements of subsection (a) of this section.
- (c) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

**§4-410. Petition of Resolution to Referendum by County Governing Body**

- (a) At any time within 45 days after enactment of an annexation resolution, the governing body of the county or counties in which the municipality is located, by at least a two-thirds majority vote, may petition the chief executive and administrative officer of the municipality for a referendum on the resolution.
- (b) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

**§4-411. Referendum Timing and Public Notice**

- (a) The chief executive and administrative officer of the municipality shall schedule a referendum on the annexation resolution and publish notice of the date, time, and place at which the referendum will be held.
- (b) The referendum shall be held:
  - (1) no sooner than 15 days and no later than 90 days after notices of the referendum are published; and
  - (2) at one or more places in:
    - (i) the municipality, for the referendum in the municipality; and
    - (ii) the area to be annexed, for the referendum in that area.
- (c) Public notice of the referendum shall be published:
  - (1) twice at not less than weekly intervals; and
  - (2) in at least one newspaper of general circulation in the municipality and

**§4-412. Conduct of Referendum**

- (a) The governing body of a municipality, by ordinance, resolution, or regulation, may provide for conducting and tabulating the results of a referendum held under this subtitle.
- (b) (1) The annexation resolution shall be submitted to:



- (i) a referendum of the qualified voters of the municipality if the petition for referendum was presented by the residents of the municipality;
  - (ii) subject to § 4-413 of this subtitle, a referendum of the registered voters who are residents in the area to be annexed if the petition for referendum was presented by the residents of the area to be annexed; or
  - (iii) separate referendums of the voters specified in items (i) and (ii) of this paragraph if a petition for referendum was presented by the residents of the municipality and the residents in the area to be annexed.
- (2) A petition for referendum presented by the governing body of a county shall be acted on in the same manner as a petition for referendum presented by the residents of the area to be annexed.
- (c) The ballot shall:
- (1) contain a summary of the annexation resolution; and
  - (2) provide for the voter to indicate a choice for or against the annexation resolution.
- (d) (1) If only one petition for a referendum is filed and if a majority of the persons voting on the annexation resolution vote for the resolution, the resolution takes effect on the 14th day after the referendum.
- (2) (i) If a referendum is conducted for both the residents of the municipality and the residents in the area to be annexed, the votes cast for the two referendums shall be tabulated separately to show the votes cast in the municipality and the area to be annexed.
- (ii) If in both referendums a majority of the persons voting on the annexation resolution vote for the resolution, the resolution takes effect on the 14<sup>th</sup> day after the referendum.
- (iii) If two referendums are held, the annexation resolution is void unless a majority in both referendums vote for the resolution.
- (e) The municipality shall pay for a referendum held under this subtitle.

**§4-413. Who May Sign Petition and Vote in Referendum in Special Circumstances**

If fewer than 20 residents in an area to be annexed are eligible to sign a petition for annexation and vote in a referendum under this subtitle, any person, including the two or more joint owners of jointly owned property, who owns real property in the area to be annexed may sign the petition and vote in the referendum.

#### §4-414. **Completed Annexation Notification Requirements**

- (a) (1) The chief executive and administrative officer of a municipality that has annexed property shall send a copy of the annexation resolution with the new boundaries to:
- (i) the clerk or similar official of the municipality;
  - (ii) (ii) the clerk of the court in any county in which the municipality is located;
  - (iii) (iii) the Department of Legislative Services in accordance with paragraph (2) of this subsection; and
  - (iv) (iv) for any municipality located in the regional district, the Maryland–National Capital Park and Planning Commission.
- (2) The annexation resolution shall be sent to the Department of Legislative Services within 10 days after the resolution takes effect.
- (b) Each official or agency that receives an annexation resolution under subsection (a) of this section shall:
- (1) keep on record the resolution with the new boundaries; and
  - (2) make the resolution available for public inspection during regular business hours.

#### §4-415. **Annexation Plan Requirements**

- (a) In addition to, but not as part of, an annexation resolution, the legislative body of the municipality shall adopt an annexation plan for the area to be annexed.
- (b) Except as provided in subsection (e) of this section, for an annexation that began before October 1, 2009, the annexation plan shall:
- (1) contain a description of the land use pattern proposed for the area to be annexed, which may include a county master plan already in effect for the area;
  - (2) describe the schedule to extend each municipal service performed in the municipality at the time of the annexation to the area to be annexed;
  - (3) describe the general methods by which the municipality anticipates financing the extension of municipal services to the area to be annexed; and
  - (4) be presented so as to demonstrate the available land for public facilities that may be considered reasonably necessary for the proposed use, including facilities for schools, water or sewage treatment, libraries, recreation, or fire or police services.
- (c) Except as provided in subsection (e) of this section, for annexation that begins on or after October 1, 2009, the annexation plan shall be consistent with the municipal growth element of the comprehensive plan of the municipality.

- (d) For purposes of subsections (b) and (c) of this section, an annexation begins when a proposal for annexation is initiated by:
- (1) resolution under § 4-403 of this subtitle; or
  - (2) petition under § 4-404 of this subtitle.
- (e) (1) On or after October 1, 2009, a municipality may submit an annexation plan under subsection (b) of this section if the municipality is granted an extension for the inclusion of a municipal growth element under § 3-304 of the Land Use Article.
- (2) After the expiration of a final extension granted under § 3-304 of the Land Use Article for the inclusion of a municipal growth element, an annexation plan shall be submitted in accordance with subsection (c) of this section.
- (f) At least 30 days before the public hearing on an annexation resolution required under § 4-406 of this subtitle, a copy of the annexation plan shall be provided to:
- (1) the governing body of any county in which the municipality is located;
  - (2) the Department of Planning; and
  - (3) any regional or State planning agency with jurisdiction in the county.
- (g) (1) The annexation plan shall be open to public review and discussion at the public hearing on the annexation resolution.
- (2) An amendment to the annexation plan does not:
- (i) amend the proposed annexation resolution; or
  - (ii) cause a reinitiation of the annexation procedure then in process.

#### §4-416. **Zoning within Annexed Area**

- (a) (1) Notwithstanding § 4-104(f) of this title, if an area is annexed to a municipality that has planning and zoning authority at the time of annexation, the municipality shall have exclusive jurisdiction over planning, subdivision control, and zoning in the area annexed.
- (2) Paragraph (1) of this subsection does not grant any planning or zoning power or subdivision control to a municipality that is not authorized to exercise planning or zoning power or subdivision control at the time of annexation.
- (b) Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation.

(c) Notwithstanding § 4–204 of the Land Use Article and if the county expressly approves, the municipality may place the annexed land in a zoning classification that allows a land use or density different from the land use or density specified in the zoning classification of the county or agency with planning and zoning jurisdiction over the land prior to its annexation applicable at the time of the annexation.

# Annexation Checklist

1. \_\_\_\_\_ Receive written consent of (if initiated by municipal governing body) or petition from at least 25% of qualified voters and the owners of 25% of assessed property in area to be annexed.
2. \_\_\_\_\_ Present resolution to municipal governing body.
3. \_\_\_\_\_ Provide annexation plan to (1) the county governing body, (2) regional and state planning agencies at least 30 days prior to the public hearing, and (3) the Maryland Department of Planning.
4. \_\_\_\_\_ Publish notice of proposed annexation hearing as required.
5. \_\_\_\_\_ Provide immediately to the county governing body, to the regional planning agency where applicable and the Maryland Department of Planning a copy of the first hearing notice.
6. \_\_\_\_\_ Conduct public hearing at least 15 days after the final hearing notice is published.
7. \_\_\_\_\_ Pass the resolution.
8. \_\_\_\_\_ Wait 45 days to allow time for petition to annexation referendum.
9. \_\_\_\_\_ If no petition is received, promptly send the resolution and new boundaries to (1) the county clerk of courts, (2) the Department of Legislative Services, and (3) where applicable the Maryland-National Capital Park and Planning Commission.

## The Maryland Municipal League

The Maryland Municipal League, founded in 1936, represents 157 municipal governments and two special taxing districts throughout the State. A voluntary, nonprofit, nonpartisan association controlled and maintained by city and town governments, the League works to strengthen the role and capacity of municipal government through research, legislation, technical assistance, training, and the dissemination of information for its members. Through its membership in the National League of Cities, the League offers legislative representation in Washington, urban research programs, and a national municipal government information exchange.



### **MARYLAND MUNICIPAL LEAGUE**

**an association of cities and towns**

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TOWN OF BLADENSBURG, MARYLAND

**ANNEXATION PLAN  
Resolution 07 - 2025**

**FOR THE ANNEXATION OF CERTAIN TAX-EXEMPT REAL PROPERTY LOCATED GENERALLY SOUTH OF THE PRESENT CORPORATE LIMITS OF THE TOWN OF BLADENSBURG INCLUDING A SEGMENT OF THE RIGHT OF WAY OF KENILWORTH AVENUE (MD 201) AND ABUTTING LAND OWNED BY THE WASHINGTON SUBURBAN SANITARY COMMISSION (PARCEL 156) AND THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (PARCEL 155), AND A SEGMENT OF THE RIGHT OF WAY OF THE BALTIMORE-WASHINGTON PARKWAY (MD 295) GENERALLY FROM THE INTERSECTION OF MD. ROUTE 201 NORTH TO THE VICINITY OF MONROE STREET AND LAND OWNED BY PRINCE GEORGE’S COUNTY (PARCELS 117, 122, 126, AND 184, AND LOTS 101 THROUGH 144 AND LOTS 55 THROUGH 70, SAID LOTS HAVING 28 SEPARATE TAX IDENTIFICATION ACCOUNTS, SITUATED ALONG INWOOD STREET (UNDEVELOPED)), AND LAND OWNED BY THE REDEVELOPMENT AUTHORITY OF PRINCE GEORGE’S COUNTY (PARCEL 28) CONTAINING A TOTAL OF 113 ACRES OF LAND MORE OR LESS AND INCLUDING ANY PUBLIC OR PRIVATE WAYS FOUND THEREIN AS FURTHER DESCRIBED BELOW IN THIS ANNEXATION PLAN.**

**WHEREAS**, the Mayor and Town Council of the Town of Bladensburg (the “Town”) has initiated a resolution (Annexation Resolution 01-2024) proposing to annex certain property contiguous and adjoining to the boundaries of the Town (the “Annexation Area”), comprised of the following parcels, lots and public roadways or rights of way (ROW):

**Lands to be Annexed**

Parcel/ Lot/ ROW	Ac.	Tax ID No.	Address	Tax Map/ Grid No.	Owner
P. 156	11.43	02-0184416	4141 LLOYD ST, HYATTSVILLE, MD 20781	50/D4	WASHINGTON SUB. SANITARY COMM
P. 155	7.78	02-0184218	KENILWORTH AVE, BLADENSBURG, MD 20710	50/D4	M-NCPPC
MD 201	-	n/a	n/a	50/D4	SHA
MD 295	-	n/a	n/a	50/D4	NPS
P. 184	.63	02-0161760	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE’S COUNTY
LOT 55	.06	02-0161356	INWOOD ST, HYATTSVILLE, MD	58/F1	PRINCE GEORGE’S COUNTY

			20781		
LOTS 56-58	.17	02-0161711	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 59-62	.23	02-016144	INWOOD ST, HYATTSVILLE, MD 20781	58/F1	PRINCE GEORGE'S COUNTY
LOTS 63-66	.23	02-0161745	INWOOD ST, HYATTSVILLE, MD 20781	58/F1	PRINCE GEORGE'S COUNTY
LOTS 67-68	.11	02-0161513	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 69-70	.17	02-0161505	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 101-104	.23	02-0161661	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 105-107	.17	02-0161695	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 108-109	.11	02-0161463	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGES COUNTY
LOTS 110-112	.17	02-0161687	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 113-114	.11	02-0161638	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 115-116	.11	02-0161620	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 117-119	.17	02-0161562	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 120-121	.11	02-0161554	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 122-123	.11	02-0161422	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 124-125	.11	02-0161539	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY



LOT 126	.05	02-0161737	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 127-128	.11	02-0161588	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 129-130	.11	02-0161570	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 131-132	.11	02-0161729	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 133-134	.11	02-0161471	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOT 135	.05	02-0161646	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 136-137	.11	02-0161547	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 138-139	.11	02-0161489	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 140-141	.11	02-0161455	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOTS 142-143	.11	02-0161612	INWOOD ST, HYATTSVILLE, MD 20781	58/E1	PRINCE GEORGE'S COUNTY
LOT 144	.05	02-0161430	INWOOD ST, HYATTSVILLE, MD 20781	58/F1	PRINCE GEORGE'S COUNTY
Pepsi Place	-	n/a	n/a (0380)	58/E1	PRINCE GEORGE'S COUNTY
Hospital Drive	-	n/a	n/a (CO 4852)	58/F1	PRINCE GEORGE'S COUNTY
View-point Place	-	n/a	n/a (PVT)	58/F1	PRINCE GEORGE'S COUNTY
Mercy Lane	-	n/a	n/a (CO 4853)	58/F1	PRINCE GEORGE'S COUNTY
P. 122	3.22	02-0161802	3011 HOSPITAL DR., LANDOVER, MD 20785	58/E1	PRINCE GEORGE'S COUNTY
P. 117	5.35	02-0161786	3007 HOSPITAL DR	58/E1	PRINCE GEORGE'S

			LANDOVER 20785		COUNTY
P. 126	3.22	02-0161794	3005 HOSPITAL DR LANDOVER 20785	58/E1	PRINCE GEORGE'S COUNTY
P. 28	23.09	02-0161810	3001 HOSPITAL DR LANDOVER 20785	58/F1	REDEVELOPMENT AUTHORITY OF PRINCE GEORGE'S COUNTY

; and

**WHEREAS**, Charles P. Johnson & Associates Inc. has prepared a Map of the 2024 Extension of the Town of Bladensburg dated October 2024 along with a Description of Area to be Annexed by the Town of Bladensburg (Prince George’s County, Maryland – 16 pages), attached hereto and incorporated herein as exhibits, which shall be interpreted to control as the official description of the area proposed to be annexed by said Annexation Resolution and this Annexation Plan; and

**WHEREAS**, said Annexation Resolution will be initiated by the Town Council pursuant to §4-403 of the LG Art., of Md. Ann. Code; and

**WHEREAS**, §4-415 of the LG Art. states that in addition to, but not as part of, an annexation resolution, the legislative body of the municipality shall adopt an annexation plan for the area to be annexed, and that the annexation plan shall be open to public review and discussion at the public hearing on the annexation resolution; and

**WHEREAS**, the Annexation Area currently has no known qualified voters or residents presently residing as residential occupants or tenants upon the premises, or parcels owned and maintained by said public entities; therefore, the Mayor and Council further finds and concludes that there are no qualified voters residing in the Annexation Area and the property owners of tax-exempt lands are not entitled to vote, petition, consent to, or otherwise participate in a municipal annexation referendum.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Town Council of the Town of Bladensburg hereby adopts, and approves the following:

**A. Introduction.** This Annexation Plan has been prepared by the Town pursuant to Section 4-415 of the Local Government Article, of the Annotated Code of Maryland. Pursuant to State law, said plan is not intended to be formally part of, but is approved contemporaneously thereto to compliment and be read together with Annexation Resolution 01-2024, along with any exhibits referenced therein, which is hereby incorporated by reference herein as if written herein word for word.

**B. Land Use and Zoning Pattern for the Annexation Property.**

(1) The Annexation Area, which includes exclusively public lands, as listed by each property (i.e., ROW, lot or parcel) and as described in the first recital of this Resolution and Plan and incorporated herein by reference is located approximately along the southern boundary of the

Town's corporate limits near and including land situated along or near Kenilworth Avenue (MD Route 201), and the Baltimore-Washington Parkway (MD 295). The Annexation Area shall be referenced as the "Bladensburg Overlook Site Annexation (2024 Extension)." The Annexation Area is specifically shown or described in a Map of the 2024 Extension of the Town of Bladensburg dated October 2024 prepared by Charles P. Johnson & Associates Inc. and certified by Steven William Jones, Professional Land Surveyor (No. 21072), which is attached hereto and incorporated herein by reference as Exhibit A, along with a Description of Area to be Annexed by the Town of Bladensburg, Prince George's County, Maryland (16 pages) prepared by said firm, which is attached hereto and incorporated herein by reference as Exhibit B. The Annexation Area is further located in Subregion II, Planning Area 69 (Bladensburg-New Carrollton & Vicinity).

(2) The Annexation Area is under the land use jurisdiction of the Maryland-National Capital Park and Planning Commission ("M-NCPPC") and the Prince George's County Council sitting as the Regional District Council. The Annexation Property area comprising of five parcels (Parcels 28, 117, 122, 126, & 184) and approximately 57 lots (Lots 101-144 & Lots 55-70) located near Hospital Drive and the Prince George's Hospital Center is currently zoned CGO (Commercial, General and Office). The purposes of the Commercial, General and Office (CGO) Zone are: (A) To provide lands for a diverse range of business, civic, and mixed-use development, typically at or near major intersections where visibility and good access are important, in a form that supports connections and a balance between automobile access and pedestrian-friendliness; (B) To incorporate development with multiple uses, shared parking, and coordinated signage and landscaping; and (C) To accommodate higher-density residential uses as part of vertically or horizontally mixed-use development. Upon annexation into the Town, the Annexation Property will likely remain as currently classified under the County Zoning Ordinance.

(3) The Annexation Property area comprising of Parcel 156 near Lloyd Street is zoned IE (Industrial, Employment). Said parcel is also classified as I-D-O (Intense Development Overlay) in the Chesapeake Bay Critical Area. Upon annexation into the Town, the Annexation Property will likely remain as currently classified under the County Zoning Ordinance.

(4) The Annexation Property area comprising of Parcel 155 near 49<sup>th</sup> Avenue is zoned ROS (Reserved Open Space). Said parcel is also classified partially as I-D-O (Intense Development Overlay) in the Chesapeake Bay Critical Area. The purposes of the Reserved Open Space (ROS) Zone are: (i) To encourage the preservation of large areas of agriculture, trees, and open spaces; (ii) To protect scenic and environmentally-sensitive areas; (iii) To ensure the retention of certain areas for non-intensive, active, or passive recreation uses; and (iv) To provide for a limited range of public, recreational, and agricultural uses. The use of the ROS Zone is intended to facilitate the permanent maintenance of certain areas of the County, both publicly and privately owned, in an undeveloped state. Upon annexation into the Town, the Annexation Property will likely remain as currently classified under the County Zoning Ordinance.

**C. Availability of Land for Public Facilities.** There are no existing or pending agreements between the Town and the public landowners concerning dedication of portions of the Annexation Area for public facilities. Land use, zoning, subdivision, building construction and

storm water regulations are generally administered by the County, the Washington Suburban Sanitary Commission (the “WSSC”), or the Maryland-National Capital Park and Planning Commission. All necessary infrastructure and improvements, including road access, sidewalks, storm water management systems, water and sewer systems and/or extensions and utility delivery systems, and all other facilities necessary to service the Annexation Area shall be installed and maintained in accordance with sound engineering principles, and shall be subject to location, design and construction approvals and/or Mandatory Referrals or permits reviewed by Prince George’s County, M-NCPPC, WSSC, the Prince George's Soil Conservation District or the County Planning Board.

**D. Public Water and Sewer.** Public water and sewer service is or will be supplied by the Washington Suburban Sanitary Commission for the Annexation Area. The sewer basin is basin ID: 09, basin name: Lower Anacostia. The current water and sewer categories are as follows: sewer category, sewer code: S-3, sewer description code: Community System and the Sewer Envelope Availability: Planned or Existing Community System. The water category is water code: W-3, water description code: Community System. According to the County’s 2018 Water and Sewer Plan, Category 3 - Community System means the property is or will be served by public water and sewer.

**E. Other Municipal or Related Services.**

(1) **Police Service.** As permitted by law, the Annexation Property is to be concurrently served by the United States Park Police, the Prince George’s County Police Department, the M- NCPPC Park Police and the Bladensburg Police Department for purposes of police protection. Certain police services may be provided by either of the aforementioned police departments, or any of the four agencies, pursuant to any applicable state law, memoranda of understanding regarding jurisdictional police services or any mutual aid agreements as permitted by law and previously or subsequently entered into between the Town, the U.S.A., the County and bi- regional district governments. The Bladensburg Police Department will serve as a secondary, or otherwise a supporting law enforcement agency having concurrent police jurisdiction over the Annexation Area. Such services will commence after annexation, using existing personnel and equipment, at a limited or similar level of service now being provided to the Town in areas where police protective services are provided on a concurrent basis with other police agencies.

(2) **Emergency Service.** The Bladensburg Volunteer Fire Department & Rescue Squad presently provides fire protection and emergency medical services to the Annexation Area. Such services will continue after annexation, using existing personnel and equipment, at the same or similar level of service now being provided.

(3) **Street Maintenance.** The Annexation Area contains no thorough streets or highways under the jurisdiction of the Town of Bladensburg for the general use of the travelling public. Any existing public streets or roadways located within, nearby or adjoining the Annexation Area will continue to be maintained for public use by the County, or State governments into the foreseeable future. Non-private driveways or access roads to land within the Annexation area will continue to be maintained by the County or other public entity.

(4) **Refuse Collection.** The Town presently offers only residential trash collection. The Public Works Department picks up all litter and debris on town-maintained streets. If litter or debris is on private property, removal is the responsibility of the property owner. There is no residential development or occupancy within the Annexation Area and presently there are no municipal trash collection services proposed for the Annexation Area unless such services are deemed necessary by the current or subsequent property owners, or the Town finds that it is necessary for public health and safety. Any waste or trash generated by the public amenities located with the Annexation Area will continue to be collected by the County.

**F. Financing Services.** Financing for any municipal services extended to the Annexation Property will be provided through the general fund as currently provided to the Town. The largest source of tax revenues collected by the Town is attributable to the municipal property tax which is levied against taxable property of which portions of the Annexation Area owned by a tax-exempt entity may in the future contain such taxable property especially where portions of the premises are leased to taxable entities; however, the Town may fund certain extended services by way of intergovernmental grants and/or memoranda of understanding.

**APPROVED:** By the Mayor and Council of the Town of Bladensburg, Maryland.

**I HEREBY CERTIFY** that the above Annexation Plan was passed by the required yeas and nay vote of the Mayor and Council of the Town of Bladensburg on the 24th day of October 2024.

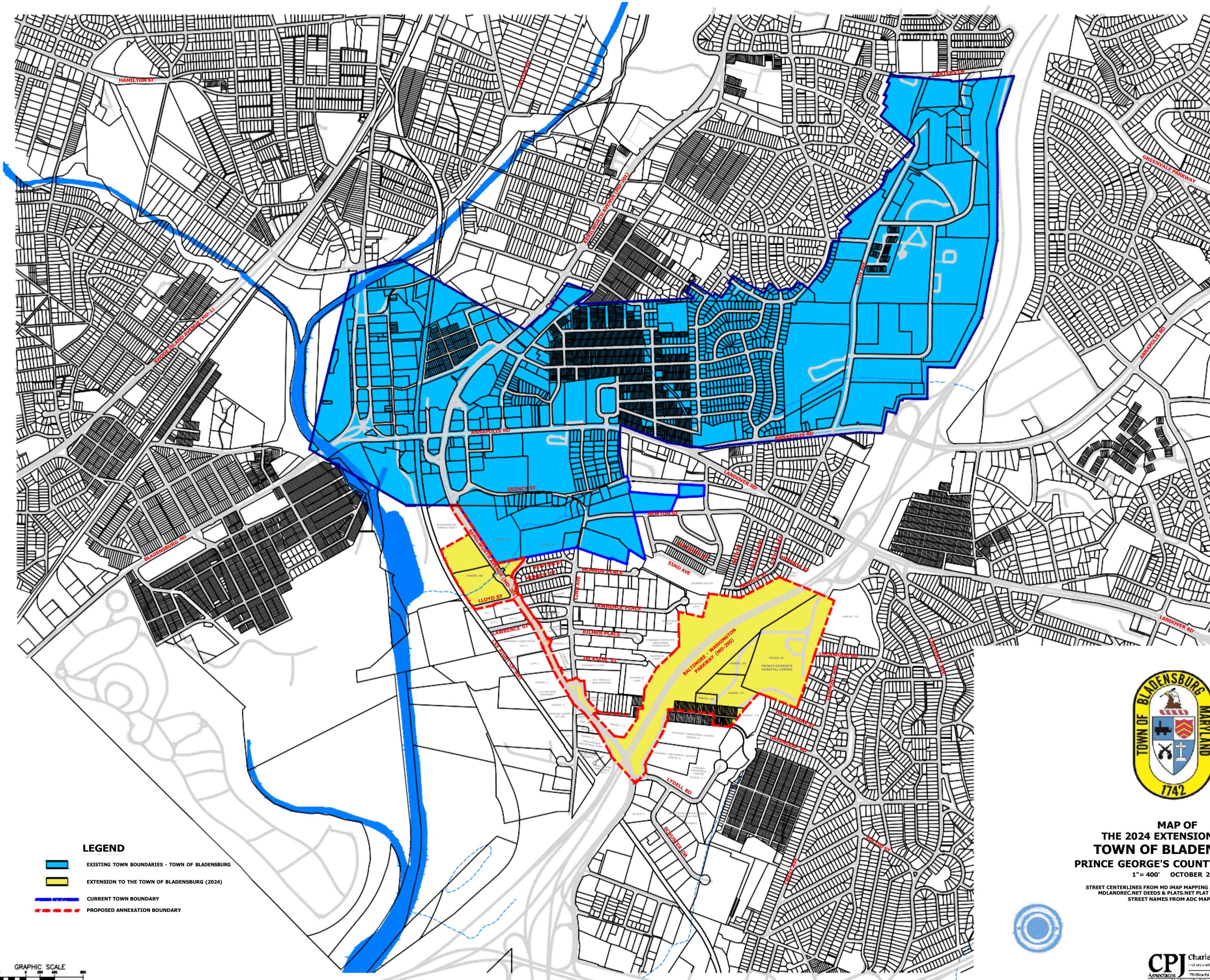
BE IT FURTHER RESOLVED that this Resolution be and is hereby adopted this 24th day of October 2024 may be signed by the Mayor on behalf of the governing body and shall take effect immediately upon its adoption.

Attest:

\_\_\_\_\_  
Michelle Bailey-Hedgepeth  
Town Administrator

\_\_\_\_\_  
Takisha D. James, Mayor

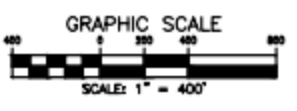




**EXHIBIT A  
ANNEXATION PLAN**

**LEGEND**

- EXISTING TOWN BOUNDARIES - TOWN OF BLADENSBURG
- EXTENSION TO THE TOWN OF BLADENSBURG (2024)
- CURRENT TOWN BOUNDARY
- PROPOSED ANNEXATION BOUNDARY



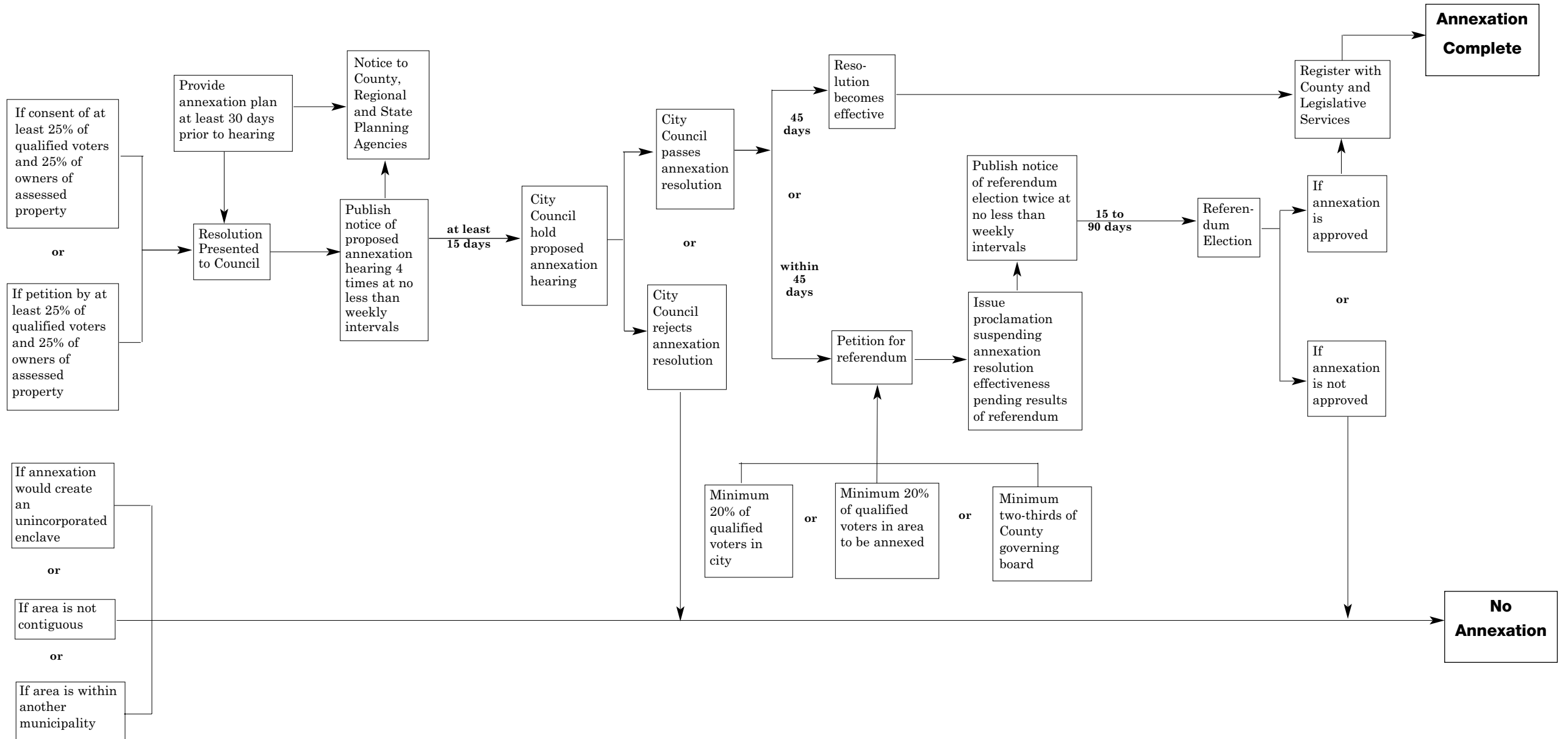
**MAP OF  
THE 2024 EXTENSION OF THE  
TOWN OF BLADENSBURG  
PRINCE GEORGE'S COUNTY, MARYLAND**  
1" = 400' OCTOBER 2024

STREET CENTERLINES FROM MD IMAP MAPPING AND GIS DATA PORTAL  
MDLANDREC.NET DEEDS & PLATS.NET PLAT BOUNDARY LINES  
STREET NAMES FROM ADC MAP BOOK

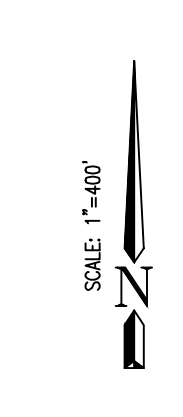
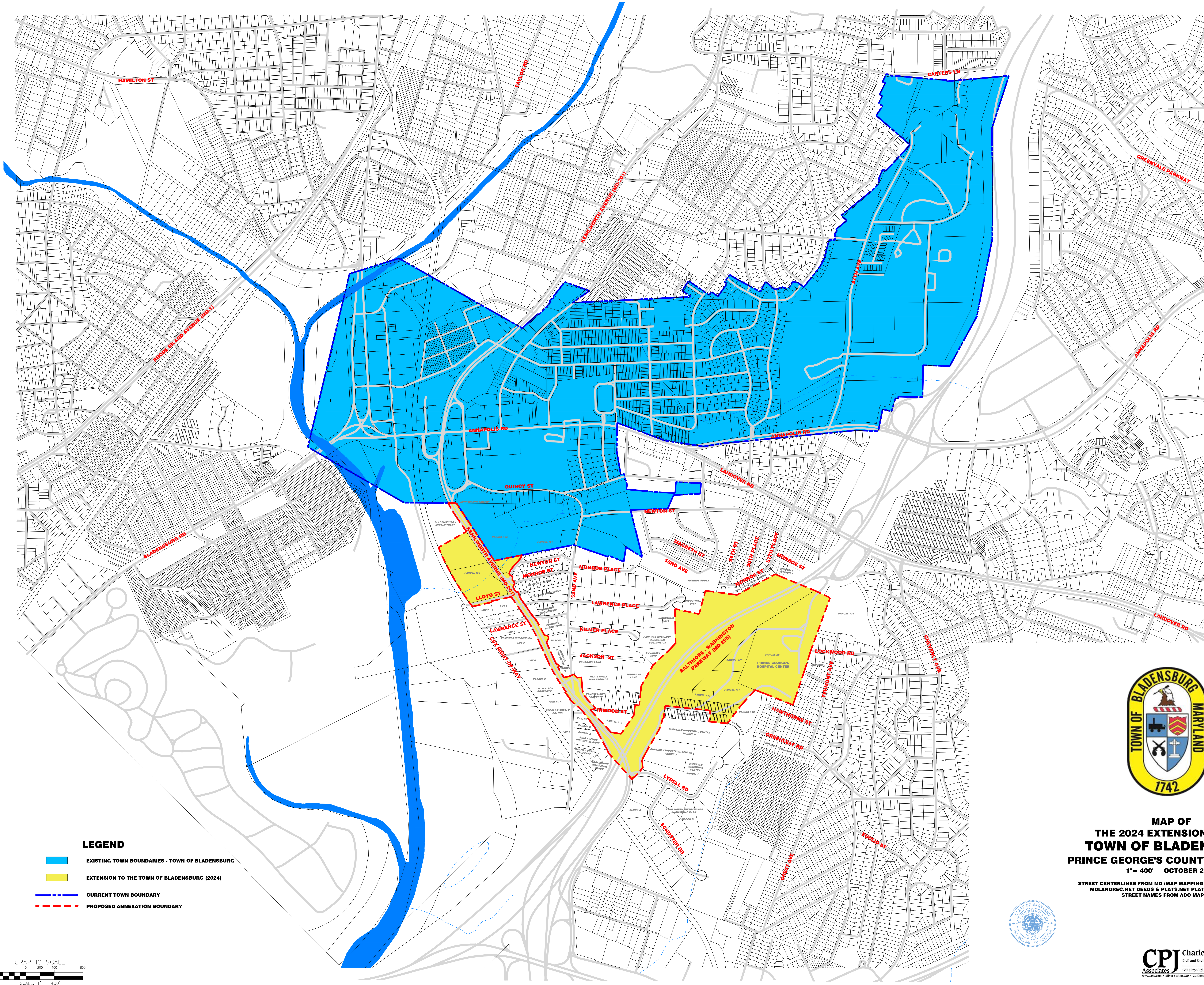




# Maryland Municipal Annexation Procedures







**MAP OF  
THE 2024 EXTENSION OF THE  
TOWN OF BLADENSBURG  
PRINCE GEORGE'S COUNTY, MARYLAND**  
1" = 400' OCTOBER 2024

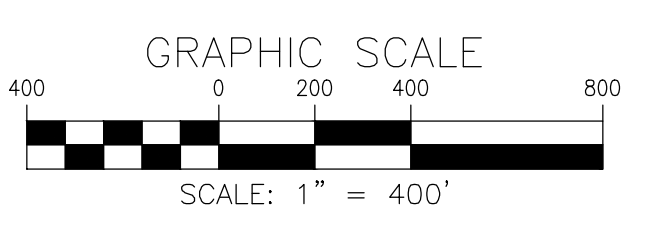
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**LEGEND**

- EXISTING TOWN BOUNDARIES - TOWN OF BLADENSBURG
- EXTENSION TO THE TOWN OF BLADENSBURG (2024)
- CURRENT TOWN BOUNDARY
- PROPOSED ANNEXATION BOUNDARY





### **Annexation Process by State Statute (LG Article 4-101 et seq.)**

**§ 4-401 – Prerequisites:** (i) land must be contiguous and adjoining, (ii) not create illegal enclave, and (iii) not be land in another municipality. Not all enclaves are illegal.

**§ 4-402 – Initiation:** By legislative body or petition.

**§ 4-403 – Proposal by legislative body:** Done like a regular piece of legislation similar to a charter amendment resolution, need consent of 25% of registered voters in annexation area and the owners of 25% of the assessed (taxable/nonexempt) value of land. Resolution needs survey of courses and distances and description of any conditions of annexation.

**§ 4-404 – Initiative of Voters/Owners:** Petition signed by 25% of registered voters in annexation area and the owners of 25% of the assessed value of land. Presiding officer verifies petition. Introduce a resolution.

**§ 4-405 – Resolution Provisions:** State whether residents and property of annexation area is subject to specific provision of charter. State whether there is special treatment for rates of taxation or municipal services or facilities.

**§ 4-406 – Notice and Hearing:** After introduction of resolution, publish notice describing annexation area and date, time and place of hearing on the proposed annexation. If greater than 25 acres, 4 weekly notices in newspaper of general circulation and if less than 25 acres then twice. A public hearing held in the municipality or the area to be annexed and can be held no sooner than 15 days after the last notice is published. Notice to county and planning agencies. First right to be heard to county and planning agencies.

**§ 4-407 – Resolution enactment:** After hearing the resolution can be passed. Takes effect 45 days later.

**§ 4-408 – Referendum petition (Annex Area):** Within the 45 days of enactment, 20% of the voters in the annexation area may petition to referendum the annexation. If so, the CEO suspends the resolution.

**§ 4-409 – Referendum petition (Municipality):** Within the 45 days of enactment, 20% of the voters in the municipality may petition to referendum the annexation. If so, the CEO suspends the resolution.

**§ 4-410 – Referendum petition (County):** Within the 45 days of enactment, 2/3rds vote of County Council may petition to referendum the annexation. If so, the CEO suspends the resolution.

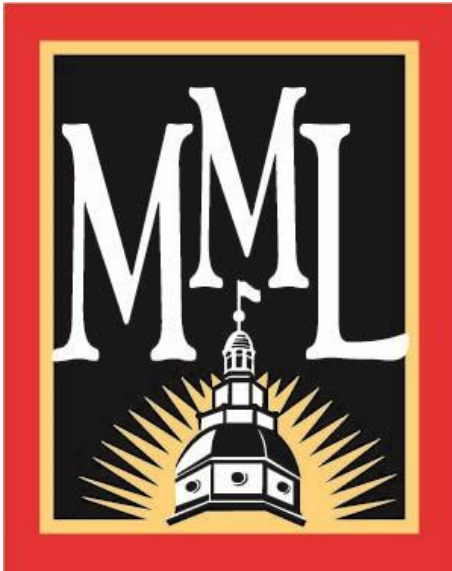
**§ 4-411 – Referendum date and location:** Must give notice in newspaper and wait 15 days.

**§ 4-412 – Referendum:** Town can make rules on conducting a referendum.

**§ 4-413 – Property owners may vote in special circumstances:** If less than 20 population in area proposed, property owners can vote like a registered voter.

**§ 4-414 – Send copies of resolution:** To County Court Clerk, DLS, & M-NCPPC.

**§ 4-415– Annexation Plan:** Must adopt separate regular resolution of plan prior to AR. Send copy to County Council, County Executive, M-NCPPC, County Dept. of Planning, & MDP.



THE  
MARYLAND  
MUNICIPAL  
LEAGUE

# Municipal Annexation Handbook

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# Municipal Annexation

## Introduction

Municipal annexation is the process of legally including within the corporate limits of a city or town an unincorporated area that is outside the municipality. For many cities and towns in Maryland, annexation of surrounding areas plays an important role in influencing the economic growth, environmental protection, quality of life, and municipal fiscal well-being of their communities.

The Maryland Municipal League prepared this handbook to provide basic guidance to municipal government officials on procedures and considerations associated with municipal annexation in Maryland. This publication is not intended to provide in-depth analyses of annexation issues but rather to provide a brief overview of annexation procedures and considerations. Included for your information is the full text of Subtitle 4-400 of the Local Government Article of the *Annotated Code of Maryland* which makes up the primary source of Maryland law concerning annexation.

League staff members are available to answer any questions you may have relating to annexation.

# Procedures

## 1. Minimum Prerequisites

In order to be annexed to an existing municipality, an area must be contiguous and adjoining to the existing municipal corporate area and may not be located within another incorporated municipality. Also, annexation of the area may not create an enclave of unincorporated area that would be completely surrounded on all sides by land within the municipality upon completion of the annexation.

## 2. Annexation Petition/Consent

An annexation petition signed by at least 25% of the qualified voters along with the owners of 25% of total assessed property in the area to be annexed may be filed with the municipal legislative body. Alternatively, the legislative body may initiate an annexation by obtaining the consent of a like percentage of qualified voters and property owners.

## 3. Annexation Resolution

Upon verification that the annexation petition signatures meet the requirements of law and that all other prerequisites of the law have been met, the elected body should promptly introduce a resolution proposing the annexation. Similarly the elected body may initiate the resolution upon receipt of the consent of the required percentage of voters and property owners. The resolution should describe the area to be annexed together with any conditions or circumstances applicable to the proposed annexation.

## 4. Annexation Plan

A municipal governing body must prepare, adopt and make available to the public a plan detailing (1) the proposed land use or uses in the area to be annexed, (2) available land that could be used for anticipated public facilities that may be needed, (3) a schedule for extending municipal services to the area to be annexed, and (4) anticipated means of financing the extension of services. The plan must be provided at least 30 days prior to holding the public hearing required by law for an annexation to the county in which the municipality is located as well as to the Maryland Department of Planning and any regional and state planning agencies having jurisdiction within the county.

Legislation passed in 2006 (House Bill 1141) by the Maryland General Assembly added to the level of detail of an annexation plan for most cities and towns. For a municipality that exercises planning and zoning authority under Land Use Article of the *Annotated Code of Maryland*, by October 1, 2009 it must amend its comprehensive plan to include a growth element that serves as a basis for any annexation plan it prepares. Upon a showing of good cause, the Maryland Department of Planning may authorize extensions through October 1, 2010 for preparation of a municipal growth element. Once a comprehensive plan growth element is in place for a municipality, a municipal annexation plan must be consistent with growth element of the municipality. At that point, the required level of detail in an annexation plan could be much greater for municipalities that exercise planning and zoning authority than was required prior to the passage of House Bill 1141.

### **5. Proposed Annexation Publication, Hearing and Resolution Passage**

After introduction of the resolution, a municipality must publish at least four times at a minimum of weekly intervals in one or more newspapers of general circulation a notice of the proposed annexation; notice of the time and place of a hearing on the resolution must also appear in the newspaper advertisements. For annexations where the area to be annexed is 25 acres or less, the required publication need only be done twice at weekly intervals. A copy of the public notice must be provided to the county governing board and regional and state planning agencies as soon as it is initially published. At the hearing itself, the county and planning agencies must be afforded first right to be heard, after which the general public may make comment. After conducting the required hearing, the municipal elected body may pass (or reject) the resolution which becomes effective 45 days after its passage unless it is petitioned to referendum.

## **6. Petitions to Referendum**

Within the 45 days prior to the effective date of the resolution, any of three groups may petition the annexation resolution to referendum. At least 20% of the registered voters in the existing municipality or in the area to be annexed may petition the resolution to referendum; alternatively, a minimum of two-thirds of the county governing board may petition to call for a referendum on the annexation question. After verification of petition signatures or county governing board compliance with the law's requirements (whichever is applicable), the effectiveness of the resolution is suspended pending results of the referendum.

## **7. Annexation Referendum**

The annexation referendum may be held from 15 to 90 days following newspaper publication of notice of the referendum. The notice must occur a minimum of two times at a minimum of weekly intervals. Should the referendum pass, the annexation will become effective on the fourteenth day following the referendum. Which voters participate in a referendum is dependent upon where the referendum petition emanated. If the petition was submitted by the county governing body or the residents in the area to be annexed, the voters in the area to be annexed may participate in the referendum. If the petition was submitted by residents of the municipality, the voters in the municipality participate. If both circumstances exist, separate elections are held for both the existing municipal voters and for voters in the area to be annexed. In the case of two elections, both sets of voters must approve the referendum in order for the annexation to proceed.

## **8. Registration of Resolution and Boundaries**

Regardless of whether or not the annexation is brought to referendum, the annexation resolution and the new municipal boundaries of the municipality must be promptly sent to (1) the county clerk of courts in the county in which the annexation occurred, (2) the Department of Legislative Services, and (3) where applicable the Maryland-National Capital Park and Planning Commission.

# Annexation Considerations

## Why annex? What are the advantages of annexation?

- To extend municipal services to communities that are adjacent to existing city/town corporate limits and that may not have such services.
- To expand the size, population base, property tax assessable base, and—in some cases—the political influence of a city or town.
- To ensure local input into and control over future development around the periphery of existing municipal corporate boundaries and to facilitate implementation of the Maryland Growth Management Act which focuses future growth in and around existing urban centers.
- Through legal agreements with developers, to exact concessions that will meet adequate public facility requirements and provide added amenities (for example: roads, parks, affordable housing) that are beneficial to the community.
- To support economic and community development goals by negotiating annexation agreements to attract business, industry and housing development.
- To unify currently incorporated and fringe unincorporated areas that share common sociological, economic, cultural, and geographic characteristics.
- To provide residents of areas adjacent to cities and towns a direct role in local community affairs through access to municipal election voting rights and the opportunity to serve in municipal elected and appointed offices.
- To achieve logical city/town growth and boundaries.



## Why not annex? What are the possible drawbacks to annexation?

- The city or town may lack adequate financial, personnel or infrastructure resources to extend public services to the area to be annexed.
- Annexation of an area may prove to be a fiscal drain on the city or town where potential revenues to be raised from the area to be annexed do not meet the costs of providing municipal services to the area.
- Residents in a potential area to be annexed may wish to maintain a separate community identity rather than having their identity subsumed within that of the existing city or town.
- Residents in an area to be annexed may consider municipal government to be unneeded, undesirable, or duplicative and may not wish to pay added taxes or fees to pay for the costs of municipal public services.
- There are difficulties set forth in law in achieving a successful annexation, including the ability of the county to veto for five years significant changes in zoning classifications in an area to be annexed and the ability of various parties to petition an annexation to referendum where it can potentially be voted down.

## Annexation Zoning—The Five-Year Rule

Cities and towns authorized to exercise and exercising planning and zoning powers under Land Use Article of the Annotated Code of Maryland have exclusive authority over planning and zoning in newly annexed areas. However, Subsection 4-416(b) the Local Governments Article of the *Annotated Code* provides that no city or town may for five years following an annexation allow development of property within an annexed area if the development would be substantially different than the use authorized under county zoning at the time of the annexation. Also, for five years following an annexation, development density of newly annexed property may not be greater than 50% higher than would have been permitted under county zoning at the time of annexation. A county governing body may waive this requirement if its members so desire.

As a practical matter, the impact of this provision of law is to give county governments a major role in municipal annexations where substantial changes in land use are anticipated. Development projects dependent upon annexation and annexations themselves can be not just delayed, but derailed by action (or inaction) of the county to withhold approval of land use changes in some circumstances. It is recommended therefore that county planners and elected officials be contacted early in the annexation process to negotiate these issues when the possibility of such changes is under consideration.

# Annexation Agreements

An annexation agreement is a contract typically made between a city or town and the owner or owners of land or private developers of land in an area to be annexed. An agreement is used to overcome obstacles to potential annexations by exacting concessions from one or more of the parties involved prior to consenting to annexation. It normally sets out the terms and conditions under which an annexation is to occur as well as any special obligations of the parties relating to a proposed annexation.

Provisions included in annexation agreements frequently address the following:

- The intent of the parties to enter into a contract.
- On-site and off-site public improvements to be provided by the developer of land in the area to be annexed.
- Financial terms such as temporary or phased municipal property tax abatements or service fee reductions.
- Timetables for the extension and provision of public utilities and other services.
- Land use stipulations. (Note however that "contract zoning" or offering to guarantee a specified zoning classification as a precondition for annexation is prohibited in Maryland.)
- Construction and environmental protection requirements.
- Agreement enforcement provisions.
- Conditions for terminating the agreement under specified circumstances.

Given the legal complexities involved, it is strongly recommended that professional legal counsel be employed throughout the process of negotiating, drafting, and carrying out the provisions of any annexation agreement.

# Annotated Code of Maryland

## Local Government Article , Subtitle 4-400

### §4-401. **Enlargement of Municipal Corporate Boundaries Authorized**

- (a) Subject to subsections (b) and (c) of this section, the legislative body of a municipality may enlarge its boundaries by annexation as provided in this subtitle.
- (b) The power of annexation applies only to land that:
- (1) is contiguous and adjoining to the existing boundaries of the municipality; and
  - (2) does not create an unincorporated area that is bounded on all sides by:
    - (i) real property presently in the boundaries of the municipality;
    - (ii) real property proposed to be in the boundaries of the municipality as a result of the proposed annexation; or
    - (iii) any combination of real property described in item (i) or (ii) of this item.
- (c) A municipality may not annex land that is in another municipality.

### §4-402. **How Annexation Initiated**

An annexation proposal may be initiated by:

- (1) the legislative body of the municipality as provided in § 4-403 of this subtitle; or
- (2) a petition in accordance with § 4-404 of this subtitle.

### §4-403. **Initiation by Legislative Body**

- (a) Subject to subsection (b) of this section, an annexation resolution may be introduced in the legislative body of the municipality in accordance with:
- (1) the requirements and practices applicable to its legislative enactments; and
  - (2) the requirements of § 4-303(a) of this title.
- (b) Before an annexation resolution is introduced, the legislative body shall obtain consent from:
- (1) at least 25% of the registered voters who are residents in the area to be annexed;
- and

(2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.

(c) The annexation resolution:

(1) shall describe by a survey of courses and distances the exact area to be annexed;  
(2) may also describe by landmarks and other well-known terms the exact area to be annexed; and

(3) shall contain a complete and detailed description of the conditions and circumstances that apply to:

(i) the change in boundaries; and

(ii) the residents and property in the area to be annexed.

#### §4-404. **Annexation Petition**

(a) Subject to § 4-413 of this subtitle, an annexation petition shall be signed by:

(1) at least 25% of the registered voters who are residents in the area to be annexed;  
and

(2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.

(b) After an annexation petition is presented to the legislative body of the municipality, the presiding officer of the legislative body shall verify:

(1) the signatures on the petition; and

(2) that the petition meets the requirements of subsection (a) of this section.

(c) (1) After verifying compliance with the requirements of this section, the presiding officer of the legislative body promptly shall cause a resolution proposing the change of boundaries as requested by the petition to be introduced in the legislative body.

(2) The annexation resolution shall conform to the form and content requirements of this subtitle.

#### §4-405. **Annexation Resolution**

(a) An annexation resolution shall provide that the residents in the area to be annexed and their property shall be added to the municipality, generally subject or not, as applicable, to specific provisions of the municipal charter.

(b) (1) Notwithstanding subsection (a) of this section, an annexation resolution may provide, for stated periods and under specific conditions, special treatment of the residents in the area to be annexed and their property as to:

*Annexation Procedures Flow Chart*

- (i) rates of municipal taxation; and
- (ii) municipal services and facilities.

(2) After an annexation resolution takes effect, any change in the provisions for special treatment for stated periods and under specific conditions may be made only by a resolution enacted under this subtitle.

#### §4-406. **Public Notice and Hearing**

(a) After an annexation resolution is introduced, the chief executive and administrative officer of the municipality shall publish notice in accordance with the requirements of this section that:

- (1) briefly and accurately describes the proposed annexation and the applicable conditions and circumstances; and
- (2) specifies the date, time, and place that the legislative body sets for the public hearing on the proposed annexation.

(b) (1) Public notice of the annexation resolution shall be published:

- (i) 1. at least four times; or
- 2. if the total area of the proposed annexation is 25 acres or less, at least two times;
- (ii) at not less than weekly intervals; and
- (iii) in at least one newspaper of general circulation in the municipality and the area to be annexed.

(2) The public hearing shall be:

- (i) set no sooner than 15 days after the final required publication of the public notice; and
  - (ii) held in the municipality or the area to be annexed.
- (c) Immediately after the first publication of the public notice, the municipality shall provide a copy of the public notice to:
- (1) the governing body of the county in which the municipality is located; and
  - (2) any regional or State planning agency with jurisdiction in the county.
- (d) The county and any regional or State planning agency with jurisdiction in the county has the right to be heard before the public at the hearing on the proposed annexation.
- (e) (1) The public hearing may be rescheduled for or continued to a later date not more than 30 days after:
- (i) the date when the hearing was originally scheduled; or
  - (ii) the date on which the hearing began but was not completed.

- (2) If the hearing is rescheduled or continued, public notice shall be published:
  - (i) at least 7 days before the date of the rescheduled or continued hearing; and
  - (ii) in a newspaper of general circulation in the municipality and the area to be annexed.
- (3) The public notice shall:
  - (i) briefly and accurately describe the area to be annexed; and
  - (ii) specify the date, time, and place of the rescheduled or continued public hearing.

**§4–407. Enactment and Effective Date**

- (a) After a public hearing, the legislative body of a municipality may enact an annexation resolution in accordance with its normal legislative procedure.
- (b) The annexation resolution may not take effect until at least 45 days after its enactment.

**§4–408. Petition of Resolution to Referendum by Residents of Areas to be Annexed**

- (a) Subject to § 4–413 of this subtitle, at any time within 45 days after enactment of an annexation resolution, at least 20% of the registered voters who are residents in the area to be annexed may petition the chief executive and administrative officer of the municipality in writing for a referendum on the resolution.
- (b) After a petition is presented to the chief executive and administrative officer, the officer shall verify:
  - (1) the signatures on the petition; and
  - (2) that the petition meets the requirements of subsection (a) of this section.
- (c) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

**§4–409. Petition of Resolution to Referendum by Residents of Municipality**

- (a) At any time within 45 days after enactment of an annexation resolution, at least 20% of the qualified voters of the municipality may petition the chief executive and administrative officer of the municipality in writing for a referendum on the resolution.
- (b) After a petition is presented to the chief executive and administrative officer, the officer shall verify:

- (1) the signatures on the petition; and
- (2) that the petition meets the requirements of subsection (a) of this section.
- (c) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

**§4-410. Petition of Resolution to Referendum by County Governing Body**

- (a) At any time within 45 days after enactment of an annexation resolution, the governing body of the county or counties in which the municipality is located, by at least a two-thirds majority vote, may petition the chief executive and administrative officer of the municipality for a referendum on the resolution.
- (b) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

**§4-411. Referendum Timing and Public Notice**

- (a) The chief executive and administrative officer of the municipality shall schedule a referendum on the annexation resolution and publish notice of the date, time, and place at which the referendum will be held.
- (b) The referendum shall be held:
  - (1) no sooner than 15 days and no later than 90 days after notices of the referendum are published; and
  - (2) at one or more places in:
    - (i) the municipality, for the referendum in the municipality; and
    - (ii) the area to be annexed, for the referendum in that area.
- (c) Public notice of the referendum shall be published:
  - (1) twice at not less than weekly intervals; and
  - (2) in at least one newspaper of general circulation in the municipality and

**§4-412. Conduct of Referendum**

- (a) The governing body of a municipality, by ordinance, resolution, or regulation, may provide for conducting and tabulating the results of a referendum held under this subtitle.
- (b) (1) The annexation resolution shall be submitted to:



- (i) a referendum of the qualified voters of the municipality if the petition for referendum was presented by the residents of the municipality;
  - (ii) subject to § 4-413 of this subtitle, a referendum of the registered voters who are residents in the area to be annexed if the petition for referendum was presented by the residents of the area to be annexed; or
  - (iii) separate referendums of the voters specified in items (i) and (ii) of this paragraph if a petition for referendum was presented by the residents of the municipality and the residents in the area to be annexed.
- (2) A petition for referendum presented by the governing body of a county shall be acted on in the same manner as a petition for referendum presented by the residents of the area to be annexed.
- (c) The ballot shall:
- (1) contain a summary of the annexation resolution; and
  - (2) provide for the voter to indicate a choice for or against the annexation resolution.
- (d) (1) If only one petition for a referendum is filed and if a majority of the persons voting on the annexation resolution vote for the resolution, the resolution takes effect on the 14th day after the referendum.
- (2) (i) If a referendum is conducted for both the residents of the municipality and the residents in the area to be annexed, the votes cast for the two referendums shall be tabulated separately to show the votes cast in the municipality and the area to be annexed.
- (ii) If in both referendums a majority of the persons voting on the annexation resolution vote for the resolution, the resolution takes effect on the 14<sup>th</sup> day after the referendum.
- (iii) If two referendums are held, the annexation resolution is void unless a majority in both referendums vote for the resolution.
- (e) The municipality shall pay for a referendum held under this subtitle.

**§4-413. Who May Sign Petition and Vote in Referendum in Special Circumstances**

If fewer than 20 residents in an area to be annexed are eligible to sign a petition for annexation and vote in a referendum under this subtitle, any person, including the two or more joint owners of jointly owned property, who owns real property in the area to be annexed may sign the petition and vote in the referendum.

#### §4-414. **Completed Annexation Notification Requirements**

- (a) (1) The chief executive and administrative officer of a municipality that has annexed property shall send a copy of the annexation resolution with the new boundaries to:
- (i) the clerk or similar official of the municipality;
  - (ii) (ii) the clerk of the court in any county in which the municipality is located;
  - (iii) (iii) the Department of Legislative Services in accordance with paragraph (2) of this subsection; and
  - (iv) (iv) for any municipality located in the regional district, the Maryland–National Capital Park and Planning Commission.
- (2) The annexation resolution shall be sent to the Department of Legislative Services within 10 days after the resolution takes effect.
- (b) Each official or agency that receives an annexation resolution under subsection (a) of this section shall:
- (1) keep on record the resolution with the new boundaries; and
  - (2) make the resolution available for public inspection during regular business hours.

#### §4-415. **Annexation Plan Requirements**

- (a) In addition to, but not as part of, an annexation resolution, the legislative body of the municipality shall adopt an annexation plan for the area to be annexed.
- (b) Except as provided in subsection (e) of this section, for an annexation that began before October 1, 2009, the annexation plan shall:
- (1) contain a description of the land use pattern proposed for the area to be annexed, which may include a county master plan already in effect for the area;
  - (2) describe the schedule to extend each municipal service performed in the municipality at the time of the annexation to the area to be annexed;
  - (3) describe the general methods by which the municipality anticipates financing the extension of municipal services to the area to be annexed; and
  - (4) be presented so as to demonstrate the available land for public facilities that may be considered reasonably necessary for the proposed use, including facilities for schools, water or sewage treatment, libraries, recreation, or fire or police services.
- (c) Except as provided in subsection (e) of this section, for annexation that begins on or after October 1, 2009, the annexation plan shall be consistent with the municipal growth element of the comprehensive plan of the municipality.

- (d) For purposes of subsections (b) and (c) of this section, an annexation begins when a proposal for annexation is initiated by:
- (1) resolution under § 4-403 of this subtitle; or
  - (2) petition under § 4-404 of this subtitle.
- (e) (1) On or after October 1, 2009, a municipality may submit an annexation plan under subsection (b) of this section if the municipality is granted an extension for the inclusion of a municipal growth element under § 3-304 of the Land Use Article.
- (2) After the expiration of a final extension granted under § 3-304 of the Land Use Article for the inclusion of a municipal growth element, an annexation plan shall be submitted in accordance with subsection (c) of this section.
- (f) At least 30 days before the public hearing on an annexation resolution required under § 4-406 of this subtitle, a copy of the annexation plan shall be provided to:
- (1) the governing body of any county in which the municipality is located;
  - (2) the Department of Planning; and
  - (3) any regional or State planning agency with jurisdiction in the county.
- (g) (1) The annexation plan shall be open to public review and discussion at the public hearing on the annexation resolution.
- (2) An amendment to the annexation plan does not:
- (i) amend the proposed annexation resolution; or
  - (ii) cause a reinitiation of the annexation procedure then in process.

#### §4-416. **Zoning within Annexed Area**

- (a) (1) Notwithstanding § 4-104(f) of this title, if an area is annexed to a municipality that has planning and zoning authority at the time of annexation, the municipality shall have exclusive jurisdiction over planning, subdivision control, and zoning in the area annexed.
- (2) Paragraph (1) of this subsection does not grant any planning or zoning power or subdivision control to a municipality that is not authorized to exercise planning or zoning power or subdivision control at the time of annexation.
- (b) Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation.

(c) Notwithstanding § 4–204 of the Land Use Article and if the county expressly approves, the municipality may place the annexed land in a zoning classification that allows a land use or density different from the land use or density specified in the zoning classification of the county or agency with planning and zoning jurisdiction over the land prior to its annexation applicable at the time of the annexation.

# Annexation Checklist

1. \_\_\_\_\_ Receive written consent of (if initiated by municipal governing body) or petition from at least 25% of qualified voters and the owners of 25% of assessed property in area to be annexed.
2. \_\_\_\_\_ Present resolution to municipal governing body.
3. \_\_\_\_\_ Provide annexation plan to (1) the county governing body, (2) regional and state planning agencies at least 30 days prior to the public hearing, and (3) the Maryland Department of Planning.
4. \_\_\_\_\_ Publish notice of proposed annexation hearing as required.
5. \_\_\_\_\_ Provide immediately to the county governing body, to the regional planning agency where applicable and the Maryland Department of Planning a copy of the first hearing notice.
6. \_\_\_\_\_ Conduct public hearing at least 15 days after the final hearing notice is published.
7. \_\_\_\_\_ Pass the resolution.
8. \_\_\_\_\_ Wait 45 days to allow time for petition to annexation referendum.
9. \_\_\_\_\_ If no petition is received, promptly send the resolution and new boundaries to (1) the county clerk of courts, (2) the Department of Legislative Services, and (3) where applicable the Maryland-National Capital Park and Planning Commission.

## The Maryland Municipal League

The Maryland Municipal League, founded in 1936, represents 157 municipal governments and two special taxing districts throughout the State. A voluntary, nonprofit, nonpartisan association controlled and maintained by city and town governments, the League works to strengthen the role and capacity of municipal government through research, legislation, technical assistance, training, and the dissemination of information for its members. Through its membership in the National League of Cities, the League offers legislative representation in Washington, urban research programs, and a national municipal government information exchange.



### **MARYLAND MUNICIPAL LEAGUE**

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