

THE TOWN OF UPPER MARLBORO, MARYLAND

ANNEXATION PLAN

FOR THE ANNEXATION OF CERTAIN TAX EXEMPT AND OTHER PUBLICALLY-OWNED PROPERTIES LOCATED EAST AND SOUTH OF THE PRESENT CORPORATE LIMITS OF THE TOWN OF UPPER MARLBORO (TAX MAP 102, PARCEL 32, [NORTH AND SOUTH OF PENNSYLVANIA AVENUE/STEPHANIE ROPER HIGHWAY (MD 4)] & TAX MAP 102, PARCEL 115; & TAX MAP 101, PARCEL 245; & TAX MAP 101, PARCEL 60 INTO THE TOWN OF UPPER MARLBORO (THE FIRST ANNEXATION))

June 10, 2019

WHEREAS, The Board of Commissioners of The Town of Upper Marlboro (The “Town”) has initiated a Resolution (Annexation Resolution 01-2019) proposing to annex certain property contiguous and adjoining to the boundary of the Town, including the following: two (2) segments of State Highways (rights-of-way of MD 4 & MD 717) and approximately five (5) parcels (including portions of parcels already located within the Town’s corporate limits) of land consisting of an annexation area of 189.08 acres of land, more or less, located in the 3rd Assessment District of Prince George’s County, and located generally south and east of the present corporate limits of the Town of Upper Marlboro, including lands situated South of Marlboro Pike (MD 725) bounded by or straddling Marlboro Race Track Road (private road), the western basin of Depot Pond located within Parcel 32 and West of the CSX Transportation railroad right-of-way, Parcel 115, a portion of Parcel 60, a portion of Parcel 245, a segment of Pennsylvania Avenue/Stephanie Roper Highway (MD 4) bisecting Parcel 32, and a segment of Water Street (MD 717) into the corporate territory of the Town of Upper Marlboro as more fully described in Annexation Resolution 01-2019; and

WHEREAS, said Annexation Resolution was initiated by the Board of Commissioners pursuant to §4-403 of the LG Art., of Md. Ann. Code; and

WHEREAS, the Annexation Property currently has no residential dwellings, and no residential occupants residing upon the premises or parcels owned and maintained by governmental owners named herein; therefore, the Board of Commissioners finds that there are no qualified voters residing in the Annexation Property; and

WHEREAS, the Board of Commissioners further finds that all of the parcels, ways or lands of the Annexation Property are owned by tax exempt entities including the State of Maryland, Prince George County, and the Prince George’s Soil Conservation District; and

WHEREAS, the Board of Commissioners further finds that this annexation plan is consistent with any applicable municipal growth element of any comprehensive or related plan of the municipality; and

WHEREAS, on the 10th day of June 2019, the Board of Commissioners of The Town of Upper Marlboro introduced a resolution proposing the aforementioned municipal annexation initiated by the Town.

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.

B. Land Use and Zoning Pattern for the Annexation Property

(1) The Annexation Property is located approximately along the Southern and Eastern boundaries of the Town's current corporate limits. The area to be annexed (the "Annexation Property") is described in the metes and bounds legal description of Annexation Resolution 01-2019, Section 2 as a parcel or parcels of land referenced therein as the First Annexation, and the Annexation Property is more further described or depicted on a map exhibit entitled "Map of the First Annexation of the Town of Upper Marlboro, Prince George's County, Maryland, 1" = 300', June 2019" prepared by Charles P. Johnson and Associates, Inc., which is attached hereto as Exhibit 1, and the Annexation Property is further shown on the Prince George's County TAX MAP (Tax Map 102, Parcel 32 (Account No. 0238873), & Tax Map 102, Parcel 115 (Account No. 3733714); & Tax Map 101, Parcel 245 (Account No. 0229864); & Tax Map 101, Parcel 60 (Account No. 0192286).

(2) The Annexation Property is currently zoned R-O-S or Reserved Open Space, RA or Residential-Agricultural, RR or Rural Residential and C-S-C or Commercial Shopping Center on certain portions of the subject parcels pursuant to the County Zoning Ordinance. 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 land owners (i.e., the Prince George's County Government, the State of Maryland and the Prince George's Soil Conservation District) concerning dedication of portions of the Annexation Property 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 unless preempted by federal law. 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 Property shall be installed in accordance with sound engineering principles, and shall be subject to location, design and construction approvals and/or Mandatory Referrals reviewed by Prince George's County, WSSC 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 Property. The sewer basin is basin ID: 14, basin name: Western Branch. 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 2008 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. The Annexation Property is served by the Maryland-National Capital Park Police and the Prince George's County Police Department, and also, as permitted by law, may be further served by the Upper Marlboro Police Department on a limited basis for purposes of police protection. Certain services may also be provided by the Prince George's County Police Department pursuant to a Memorandum of Understanding or Mutual Aid Agreement regarding jurisdictional police services entered into between the Town and the County governments. Such services may commence after annexation, using existing personnel and equipment, at the same or similar level of service now being provided to the Town in areas where police protective services are provided on a concurrent basis with another police agency.

(2) Emergency Service. The Marlboro Volunteer Fire Department, Station #1 presently provides fire protection and emergency medical services to the Annexation Property. 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 Property contains no streets or highways under the jurisdiction of the Town of Upper Marlboro. Any existing public streets or roadways will continue to be maintained for public or private use by the County, the State of Maryland or other public entities into the foreseeable future.

(4) Refuse Collection. The Town presently offers only residential trash collection. There is no residential development within the Annexation Area and presently there are no municipal trash collection services proposed for the Annexation Area.

(5) Code Enforcement. Since the land to be annexed is owned and operated by governmental entities, such land is generally exempt from the enforcement of municipal building, livability and safety codes and ordinances.

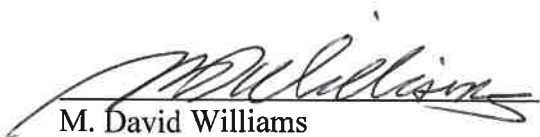
F. Financing Services

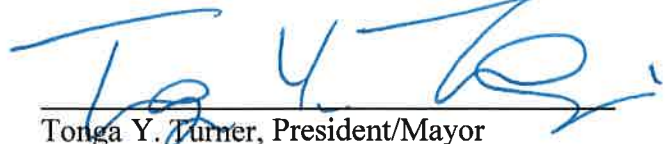
Financing for any municipal services extended to the Annexation Property will be provided through the general fund as currently provided to the Town. The largest source of tax revenues collected by the Town is attributable to the municipal property tax which is levied only against taxable property of which no portion of the Annexation Property contains such taxable property; however, the Town may fund certain extended services by way of intergovernmental grants, fees, payments in lieu of taxes and/or pursuant to memoranda of understanding.

PASSED and approved by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular or special meeting on the 10th day of June, 2019.

ATTEST:

BOARD OF COMMISSIONERS OF THE TOWN
OF UPPER MARLBORO, MARYLAND


M. David Williams
Clerk


Tonga Y. Turner, President/Mayor


Linda Pennoyer, Commissioner

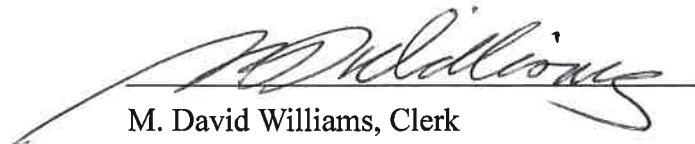
Approval Date: June 10, 2019


Wanda Leonard, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Clerk of the Town of Upper Marlboro and that the Board of Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Annexation Plan, and that said Plan is in full force and effect and has not been amended or repealed.

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 10th day of June, 2019.


M. David Williams, Clerk