

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

SPECIAL TOWN MEETING **December 28, 2021 – 6:30 p.m.**

AGENDA

This meeting will be conducted via Zoom Video Teleconference. As the Town Hall remains closed to the public at this time, citizens may participate by video or phone (*please sign-in with the Clerk*):
<https://uppermarlbormd-gov.zoom.us/j/81403730302?pwd=cnBuNHordDM2bE5oa28xazdhOFNCQT09>
Meeting ID: 814 0373 0302; Passcode: 165150; Dial-in only: 301-715-8592.

Call To Order

- **Roll Call**
- **Pledge of Allegiance**
- **Consent to the Agenda**

Business

*Public comment will be taken prior to Business line items
(2 minutes per item)*

- 1) Annexation Resolution 01-2021: A Resolution of the Board to move forward with the 2nd & 3rd annexations of the Town of Upper Marlboro. (Board Vote)**

Adjournment

All meetings are subject to closure in accordance with the State Open Meetings Act—House Bill 217

Sarah Franklin
President

Janice Duckett
Commissioner/Treasurer

Thomas Hanchett
Commissioner

Karen Lott
Commissioner

PUBLIC COMMENT PROCEDURES

Your Town government appreciates citizen input. So, in an effort to maximize effective resolutions on resident's issues, we encourage Town residents and businesses to contact us at Town Hall first, weekdays: 9 a.m.–5 p.m., or by written correspondence (or email to info@uppermarlboromd.gov). You are always welcome to schedule an appointment with the President or a Commissioner to discuss municipal problems and quality-of-life issues one-on-one and work together towards a satisfactory solution.

Agendas for meetings are posted on our website and notices of legislative items are also posted on the Town's social media accounts (Facebook & Twitter).

Our meetings are open to the public, and we ask that residents who want to comment to please follow the rules that have been established by "Resolution 2019-02: Adoption of Rules of Order and Regulations for Public Meetings" . . .

III. Citizen Input

A. At regular and special meetings, residents of the Town may have the opportunity to address the Board on any item on the agenda provided a resident is recognized and allowed to speak by the President. Recognized public comment and/or questions that are germane to the immediate agenda item shall be limited to (1) minute. Furthermore, each regular meeting shall also have an agenda item for citizen input regarding any municipal question, during which time any resident of the Town may address the Board for up to three (3) minutes on matters or items not necessarily placed on the agenda. Individuals not residing in the Town may speak at regular or special meetings under conditions specified by the Board. The President or the Board may uniformly change or adjust the time limitations for all speakers depending on the circumstances or provide additional time for experts or other officials.

B. Except in instances where the presiding officer expressly invites or allocates time for public testimony, questions, comments, or other forms of participation, or when public participation is otherwise authorized by law, no member of the public attending an open meeting session may actively participate in the session. Public comment by members of the public is not typically designed or intended for interactive dialogue between the Commission and the public unless the presiding officer specifically allows it or the Commission elects to suspend its rules to allow such colloquy.

C. Speakers shall state their name for the record, and their address (**street name only**). Ordinarily, for each agenda item, including citizen input, speakers shall have one opportunity to speak and may not poll or ask questions of individual commissioners, staff, or public officials. Otherwise, the Board shall determine the conduct of the public discussions on any issue and may set reasonable time limits for such.

D. Ordinarily, work sessions are open to public observation only and public participation is at the discretion of the Board. At work sessions, residents and non-residents may be allowed to speak on any municipal issue, but only under conditions specified by the Board.

Each individual speaker must stand, state their name and home of record (street name only) and approach the Board to a designated position in order to be recognized by the Chair of the Board, and to be heard by the recording Clerk, as well as others in attendance.

When the meeting is held on a virtual platform, please sign-in with your first and last name.



Town of Upper Marlboro

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Mailing address: P.O. Box 280 • Upper Marlboro, MD 20773-0280

MEMORANDUM

To: Board of Town Commissioners
From: Kyle Snyder, Town Administrator
Date: Thursday December 23rd, 2021
Re: Annexation Phase 2 & 3 Update

Commissioners,

As you are aware, the Board of Town Commissioners chose to table Annexation Resolution 2021-01 during the November 30th, 2021, Special Town Meeting/Public Hearing. This postponement was to allow the Town time to review the concerns on the Annexation from the Office of the County Executive and the Sasscer Family. During the past few weeks, both staff and elected officials have communicated with both parties through email, phone conversations, and official correspondence (listed below).

A special Town Meeting will be held on Tuesday December 28th, 2021, at 6:30pm prior to the regular Board Worksession to allow the Annexation Resolution to be brought back before the Board for a vote.

Attachments-

- Letter from Robert Sanders Dated December 8th, 2021
- Testimony of Deputy Chief Administrative Officer Angie Rodgers
- Sasscer Family Response Letter Dated December 17th, 2021
- County Response Letter Dated December 23rd, 2021
- Letter from Robert Sanders Dated December 27th, 2021

ROBERT C. SANDERS
LAW OFFICE OF ROBERT C. SANDERS

12051 Old Marlboro Pike
Upper Marlboro, MD 20772
Telephone: 410-371-2132
E-Mail: Robert.sanders@verizon.net

RECEIVED
DEC 08 2021

BY: _____

Admitted:
U.S. Supreme Court, U.S.
Courts of Appeals for the
Third, Fourth, Sixth and
D.C. Circuits and the Bars
of Maryland and the District
of Columbia

December 8, 2021

The Honorable President/Mayor Linda Pennoyer
Town of Upper Marlboro
Board of Town Commissioners
Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

Re: Town of Upper Marlboro 2nd and 3rd Annexations (Resolution 01-2021)


Dear President Pennoyer:

I am one of nine family members who own the Meadows Farm west of the Town of Upper Marlboro. The farm is currently one of the properties slated for annexation as part of Annexation Area 2. For the reasons explained more fully in the attached written testimony, our family opposes annexation of the farm.

The farm has been held by the family for over a hundred years and remains a working farm today. We do not understand why the Town would want to place a working farm within the Town limits. Neither the Annexation Resolution nor the Annexation Plan give a reason for including the farm, and we have been unable to learn from the Town why the farm has been included. We have been informed only that the Town intends to take no actions that would change the farm or its present use. This being so, there appears to be no reason to annex the farm.

As there appears to be no reason for annexing the farm, we request that the Board of Commissioners amend Annexation Resolution 01-2021 to exclude it from the properties to be annexed. If you have any questions, please feel free to contact me.

Respectfully,


Robert C. Sanders

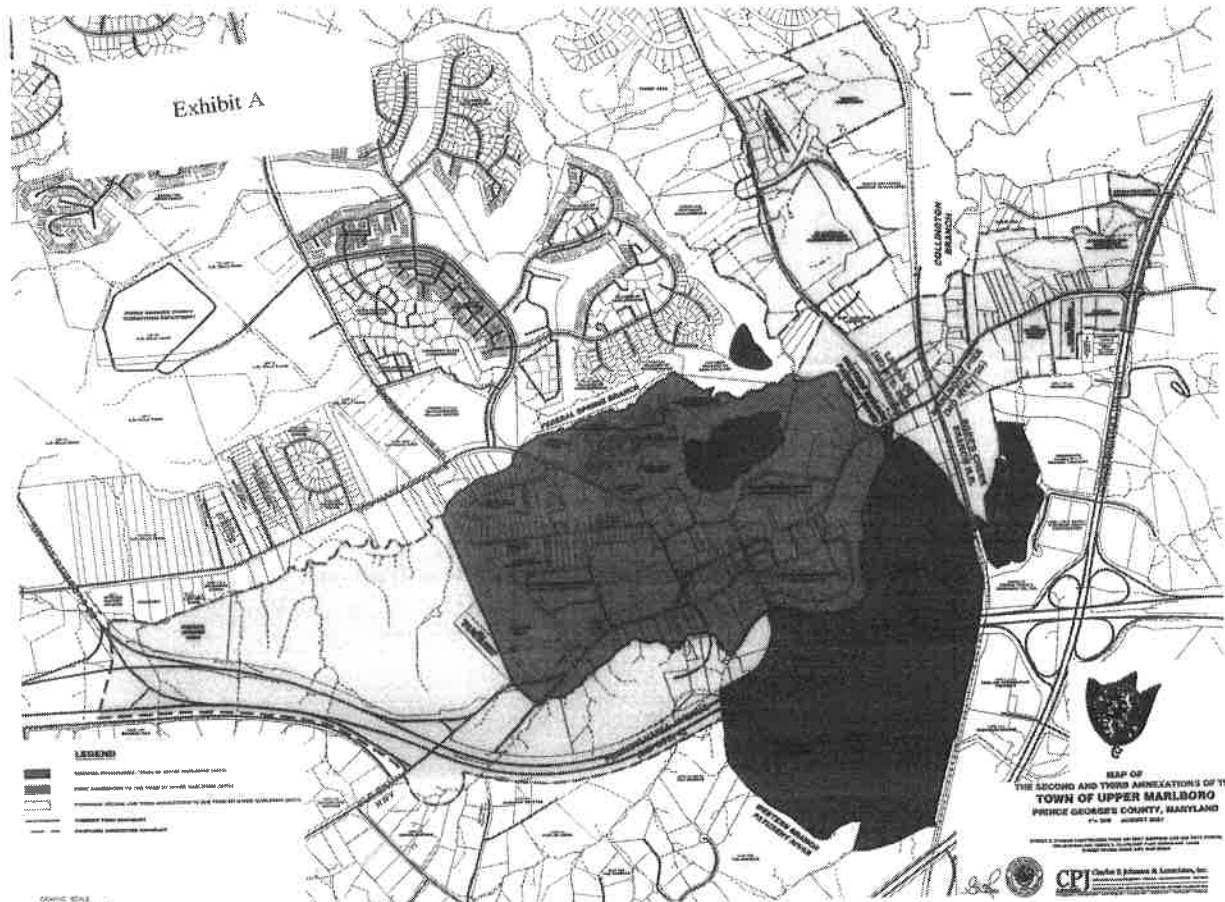
WRITTEN TESTIMONY OF THE OWNERS OF THE MEADOWS FARM IN OPPOSITION TO INCLUSION OF THE FARM IN ANNEXATION AREA 2

The owners of the Meadows Farm respectfully oppose the annexation of the farm by the Town of Upper Marlboro.

BACKGROUND

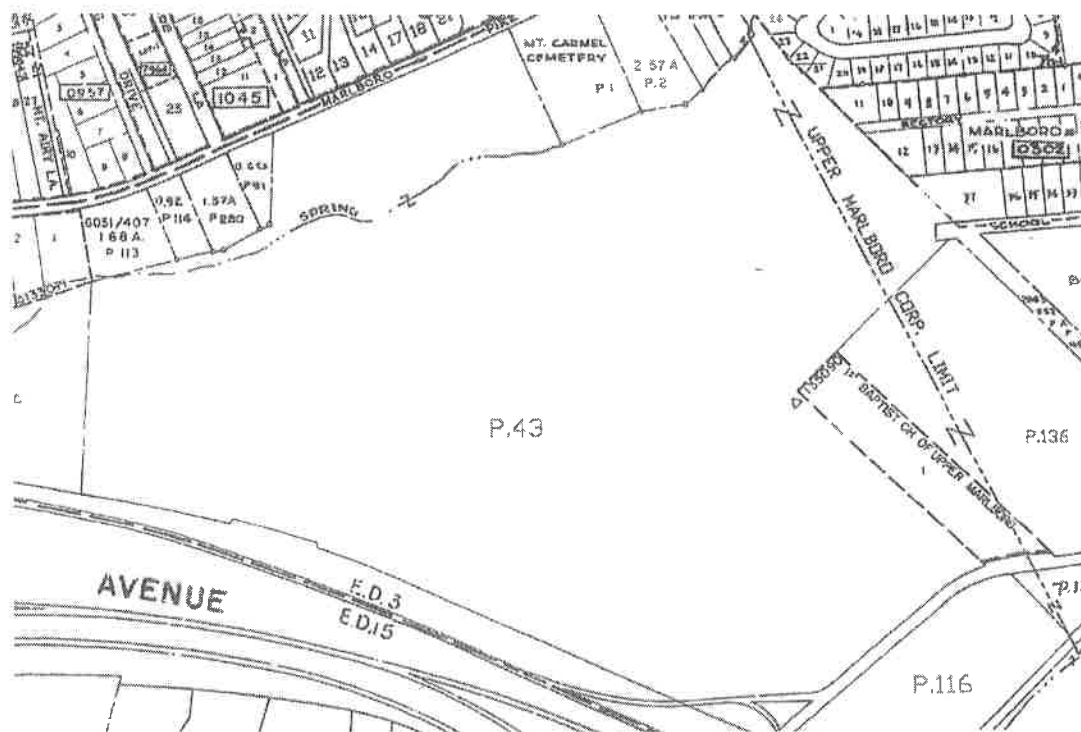
The Town of Upper Marlboro is in the process of expanding its town limits through a series of annexations. The annexation of Annexation Area 1 is complete. Pending is the Town's proposed annexation of Annexation Areas 2 and 3.

The map below shows the original Town limits in the center (with the School House Pond in black). Annexation Area 1, which is already annexed, is the black area to the east and south of the original limits. The light gray area to the west and south of Town is Annexation Area 2. The light gray area to the east and north of Town is Annexation Area 3.



Annexation Area 2 consists of 258 acres. The Meadows Farm makes up 109.86 acres of those 258 acres. The references for the Meadows Farm are: Tax Account Number 3-0000-

0235259, 5611 Old Crain Highway, Upper Marlboro, Tax Map 101, Grid D, Parcel 43). The Meadows Farm is designated as P.43 on the Tax Map below.



A small portion of the Meadows Farm (the triangle at the northeast portion of the property) is within the Town limits.

The property has been farmed by our family for over a hundred years and remains a working farm today. The farm is used solely to grow crops. There are no habitable buildings on the farm.

Notices regarding the proposed annexation were mailed to the senior member of the family, Lansdale G. Sasscer, Jr., who has passed away after a prolonged illness. As a result, the family was generally unaware of the proposed annexation of the farm, and only learned of it shortly before the scheduled hearing on Annexation Resolution 01-2021 on November 30, 2021. I participated at that hearing on behalf of the family. In light of the concerns raised by my family, along with unrelated concerns raised by Prince George's County, the Board of Commissioners has postponed a vote on Annexation Resolution 01-2021 by thirty days, i.e., until December 30, 2021.

DISCUSSION

Annex Resolution No. 01-2021 does not explain why the Town included the Meadows Farm in Annexation Area 2. Instead, the Resolution addresses Annexation Areas 2 and 3 jointly in a general manner. The Resolution only states that the Board of Commissioners finds it to be in the "best interest of the Town" to initiate this Resolution proposing the annexation, and that it is

“desirable to initiate by resolution the annexation process described herein for the benefit of the Town.” The Annexation Plan also contains no explanation why the farm is included in the proposed annexation. It only states that the Board finds that the Annexation Plan for Areas 2 and 3 is “consistent with any applicable municipal growth element of any comprehensive or related plan of the municipality.”

The Town has advised us that it had no intention of altering the farm or its current use. This being the case, we do not see why the Town would have any reason to annex the farm.

Although the present administration has no plans to issue administrative orders or ordinances that would affect the farm, we have no way of knowing whether future administrations might burden the farm in ways that we cannot now anticipate. We are wary of adding another layer of governmental control over the property, at least not until we have understood the ramifications.

CONCLUSION

For the reasons stated, we respectfully request that Annexation Resolution 01-2021 be amended to exclude the Meadows Farm from the properties in Annexation Area 2.

Very truly yours,


Robert C. Sanders

On his own behalf and on
behalf of the other eight
owners of the Meadows Farm

**TESTIMONY OF ANGIE RODGERS
DEPUTY CHIEF ADMINISTRATIVE OFFICER FOR DEVELOPMENT
PRINCE GEORGE'S COUNTY, MD**

**ANNEXATION HEARING FOR THE TOWN OF UPPER MARLBORO, MD
NOVEMBER 30, 2021**

Good evening – thank you for your time tonight to hear the perspective that I am sharing on behalf of the Prince George's County Government.

For the record, I am Angie Rodgers and I am the Deputy Chief Administrative Officer for Economic Development.

I want to start by saying how much we value our relationship with the Town of Upper Marlboro and all of the municipalities. We know you are part of the fabric of our rich community here in Prince George's County. We know that our success as a diverse, dynamic and sustainable community is intertwined, and our mutual priority is to create opportunities and benefits that inure to residents of the County and the Town.

We are, however, opposed to several elements of the Town's annexation plans.

- 1) Under state statute, the annexation property is required to be "contiguous and adjoining." As seen by the maps and the plans, there is a significant piece of property in the proposed annexation that is neither. We are concerned that, as a result, this plan may exceed the annexation authority granted to municipalities in state law.
- 2) Related, the county opposes the portion of the annexation plan that purports to use Route 202 as a connector to a portion of the property that is arguably not "contiguous and adjoining."
- 3) The consistency of a municipality created by these principles for "contiguous and adjoining" parcels is also important from the perspective of service delivery. Where the planned annexation takes two areas and leaves residential areas in the middle can create confusion in the community as to who is obligated to provide key government services to which areas. Further, developing pockets of responsibility, as the planned map does, also makes the actual delivery of services difficult.
- 4) Finally, even though the vast majority of the properties are tax-exempt, and the traditional public input process may not be required, we do think there is a lot to reconcile between the Town and the County as to which entity will provide which essential government services. We think some communication between the Town and the County to discuss the division of responsibilities as it relates to providing certain services for the proposed annexed properties and their owners is prudent.

For the above referenced reasons, the County opposes the annexation plan in its current form, but hope this can be the beginning of a dialogue on this issue.

I would be happy to answer any of your questions. Thank you for your consideration of these concerns.



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December 17th, 2021

By U.S. Mail and Email (Robert.sanders@verizon.net)

Robert Claggett Sanders, Esq.
Law Office of Robert C. Sanders
12051 Old Marlboro Pike
Upper Marlboro, MD 20772

Re: Town of Upper Marlboro 2nd and 3rd Annexations (Res. 01-2021)

Dear Mr. Sanders:

We are in receipt of your letter dated December 8, 2021, written on behalf of the nine owners, regarding Meadows/Sasscer Farm and Town's pending annexations. Thank you for your recent testimony at the public hearing held on November 30, 2021, which will accompany your letter in the record.

Like other municipalities, the Town has many reasons to annex land, in this case, to include the following specific reasons: (1) To expand the size, population base, property tax assessable base, and—in some cases—the political influence of the Town, (2) To ensure local input into and a role in determining the future development around the periphery of the existing municipal corporate boundaries and to provide input into the implementation of the Maryland Growth Management Act which focuses future growth in and around existing urban and village centers, and (3) To achieve logical town growth, buffers and boundaries.

The Meadows/Sasscer Farm is a large and integral part of the Town's growth planning area. The Maryland Annexation Statute does not permit the Town to expand and leave enclaves of unincorporated parcels or lots. Removing Parcel 43 may prevent or hamper any future annexations of properties adjacent to Old Marlboro Pike (SHA Index County Route # 4024). The proposed annexation will also eliminate Sasscer Park from straddling the corporate boundary line, which can cause problems or confusion with local law enforcement coverage and coordination of mutual aid.

While the Annexation Resolution and Plan may not expressly mention the Meadows/Sasscer Farm they do describe the property by parcel and tax account number as being within the proposed 2nd Annexation Area and the documents further state that the property is governed under the land use jurisdiction of the District Council of Prince George's County and the Maryland-National Capital Park and Planning Commission ("M-NCPPC").

The Town possesses little to no independent planning and zoning authority of its own and must rely on the County Council sitting as the District Council and the Maryland-National Capital Park and Planning Commission ("M-NCPPC") to respectively govern and administer these local land use

functions. The Meadows/Sasscer Farm is repeatedly mentioned in area planning documents published by the M-NCPPC.

The M-NCPPC *Subregion 6 Master Plan* references the *2008 Town of Upper Marlboro Revitalization and Action Plan*, which states that “[b]uilding upon the town vision, a number of principles were created to guide plan recommendations for development and enhancements in and around the Town of Upper Marlboro: “...The town is currently buffered from surrounding development and roadways by a greenbelt composed of the Western Branch corridor, the Schoolhouse Pond/M-NCPPC park lands, the Villages of Marlborough Golf Course, and undeveloped lands to the west and south. Future development should promote these assets and continue this greenbelt loop in the form of parks, bike trails, open space buffers, etc.” A greenbelt or green buffer is a policy and land-use zone designation used in land-use planning to retain areas of largely undeveloped, wild, or agricultural land surrounding or neighboring urban or municipal areas. Similar concepts are greenways or green wedges, which have a linear character and may run through an urban or municipal area instead of around it.

Regardless, the Action Plan states, “Action 6. Promote single-family residential development on the Sasscer property.” (Emphasis added.) Appendix 5 of the Action Plan presented three different development ideas for the Town and its environs referenced as “Development Scenarios.” One of the main plan elements introduced in the first scenario included the Sasser (Meadows) Farm stating as follows:

As indicated in meetings with the county staff, the extension of Brown Station and connection with the Old Crain Highway is in the County Capital Improvement transportation plans. In the event that such initiative takes place, the Sasscer farmland property will become developable. The new development should be compatible in character and scale to the adjacent single family residential homes and should connect with the existing street network. (Emphasis added.)

A third planning approach in Appendix 5 of the Town Action Plan introduced a series of development opportunities that could potentially happen in the Town further in the future including the following: “Extension of Brown Station Road and connection with Old Crain Highway along with single-family residential development on Sasscer farm land.” (Emphasis added.) To be sure, the Action Plan’s Exhibit 5.5: Scenario Plan III labels an area as “Potential Sasscer Farm Property Single Family Dwelling residential infill Development.”

From these planning documents, it is clear possibility that in the not-too-distant future the Meadows/Sasscer Farm could be developed. The Town would like to have some jurisdiction over the property should it be developed to ensure that green space is maintained. While we value your assurances that you wish to maintain the property as farmland, it is not best practice for municipalities to rely on individual assurances where questions of development are at play.

Your letter states that notices regarding the proposed annexation were mailed to the senior member of the family (Landsdale G. Sasser, Jr.) who we now understand passed away on April 13, 2020, after a prolonged illness. We are sorry for the loss of your family member and understand that there is a lot of mail and other items to go through during an extremely emotional time.

Regardless, we are compelled to inform you that the Town has expended a considerable amount of time and resources on this annexation to date and would have to expend considerable money and

time in amending the plan and removing the Sasscer Farm. Further time and resources would have to be expended at a later annexation to avoid having an unincorporated enclave in the middle of Town, which is not permitted by law.

Whether Parcel 43 continues to be used for agricultural purposes or not for the next 10 or 20 years, the Town still has compelling reasons to annex the adjoining land. The Town has no intent and virtually no regulatory power to change the use or further regulate or interfere with you and your family's continued use and enjoyment of Parcel 43.

The Town Board welcomes your input and thanks you for your cooperation in this matter and do not hesitate to call, write, or email if you wish to discuss this further.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sarah Franklin', is written over the printed name and title.

Sarah Franklin
Mayor/President

on behalf of the Upper Marlboro Board of Town Commissioners



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December 22nd, 2021

Mr. John Erzen, II, Deputy Chief of Staff
Office of the County Executive
1301 McCormick Drive Suite 4000
Largo, MD 20774

Re: Town of Upper Marlboro 2nd and 3rd Annexations (Res. 01-2021)

Dear Mr. Erzen:

On behalf of the Town Board of Commissioners for the Town of Upper Marlboro, I would like to thank both yourself and Deputy Chief Administrative Officer Angie Rodgers for taking the time to share the perspective of the Prince George's County Office of the County Executive regarding the Town of Upper Marlboro's Annexation phases 2 & 3. As you are aware, the Board voted to table the final approval of Annexation Resolution for a few weeks in order to consider and discuss the County's concerns.

We understand your concern about the two annexation areas being non-contiguous to one another. The areas are both contiguous to the Town and we have collected the necessary consents of both registered voters and property ownership for each area to be annexed independently. We have simply combined both into one Annexation Resolution. This complies with statutory and case law regarding Annexations.

We would like to point out that the vast majority of properties in both of these annexation areas are not tax exempt, but are non-exempt residential and commercial properties. Town staff and elected officials have spoken with and engaged at length the majority of property owners and residents in these areas over the past two years. They are excited to be included within the Town.

With regard to the short 150 ft "pipestem" in the second phase of the annexation along MD 202, we agree that this is not ideal, but it is relatively short, serves to unify the community, and would not substantially impair local service delivery. While we were unable to bring in a few of the residential properties along Chesley Lane and MD 202, we intend to bring these properties into Town in future annexation phases in the near term. This will ensure the "pipestem" concern is temporary and will be mitigated within the next few years.

As you may know, the Town of Upper Marlboro has very recently undergone a change in elected leadership. This new leadership hopes to have more regular dialogue with the County. We look forward to a collaborative approach to Municipal-County relations. In future annexations the hope is to collaborate earlier in the process, prior to the Town expending significant amounts

of time and funds into the final Annexation Resolution, Annexation Plan, and supporting documentation. At this time, the Town Board of Commissioners intends to move forward with the approval of the subject Annexation Resolution. This, in part, is due to the legal nature of this Annexation Resolution and the Board's commitment to be responsible with taxpayers resources and the Town's future sustainability.

I will be personally reaching out to you over the next few weeks in the hopes that we can begin the relationship that will make this process more collaborative in the future.

Sincerely,



Sarah Franklin
Mayor/President

on behalf of the Town of Upper Marlboro Board of Commissioners

CC: The Honorable Sydney J. Harrison, County Council Member District 9
14741 Governor Oden Bowie Drive Upper Marlboro, MD 20772

ROBERT C. SANDERS
LAW OFFICE OF ROBERT C. SANDERS

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Admitted:
U.S. Supreme Court, U.S.
Courts of Appeals for the
Third, Fourth, Sixth and
D.C. Circuits and the Bars
of Maryland and the District
of Columbia

December 27, 2021

BY HAND DELIVERY

The Honorable President/Mayor Sarah Franklin
Town of Upper Marlboro
Board of Town Commissioners
Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

Re: Town of Upper Marlboro 2nd and 3rd Annexations (Resolution 01-2021)

Dear President Franklin:

Thank you for your letter of December 17, 2021 regarding the referenced annexations. The Sasscer Farm is slated to be included in Annexation Area 2.

Section 4-403(b) of the Local Government Article of Maryland Annotated Code provides that before an annexation resolution is introduced the legislative body "shall obtain the 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."

The family wishes to confirm that the Town obtained both consents. Please provide me with:

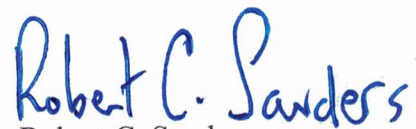
- **a list of the registered voters who are residents of Annexation Area 2 along with an identification of those residents who provided consent;**
and
- **a list of assessed real property in Annexation Area 2, the assessed value of each property, and an identification of the owners of each assessed property who provided consent.**

Section 4-403(c)(3) of the same Article provides that the annexation resolution “shall contain a **complete and detailed description of the conditions and circumstances that apply to ... (ii) the residents and property in the area to be annexed.**” We do not see any description of such “conditions and circumstances” for any of the residents or any of the properties in Annexation Area 2, much less a “detailed description” of such conditions and circumstances. If we are mistaken and such detailed description is included in the resolution, please direct our attention to the page and paragraph of the resolution in which the detailed description appears. If such detailed description is not included, we request that the Board of Commissioners issue a resolution that complies with Section 4-403(c)(3).

The family intends to petition for a referendum on whether the Sasscer Farm should be included among the properties in Annexation Area 2. Section 4-408 of the Local Government Article provides that a petition on an annexation resolution shall be signed by “at least 20% of the registered voters who are residents in the area to be annexed.” **Please provide us with the names and addresses of the registered voters in Annexation Area 2.**

Please accept our appreciation for your public service.

Respectfully,



Robert C. Sanders

On his own behalf and on
behalf of the other owners of
the Sasscer Farm

THE TOWN OF UPPER MARLBORO, MARYLAND

Annexation Resolution No. 01-2021

AN ANNEXATION RESOLUTION of the Board of Commissioners of the Town of Upper Marlboro (the “Town”) pursuant to § 4-401 *et seq.* of the Local Government Article of the Annotated Code of Maryland for the purpose of annexing certain parcels, lots and rights-of-way of real property located in two (2) distinct and separate annexation areas with each area adjoining and contiguous to the Town including the second annexation area to be annexed since the Town was incorporated to be referred to as the “Second (2nd) Annexation Area” consisting in the aggregate of approximately 258 acres, and located west and south of the current municipal corporate territory of the Town and further described as a portion of Ritchie Marlboro Road right-of-way intersecting the Pennsylvania Avenue (MD 4) right-of-way west of Town and the lands north of said Pennsylvania Avenue right-of-way and east of Ritchie Marlboro Road including Federal Springs Park and the lands south of the Federal Spring Branch of the Patuxent River extending east to where said Branch becomes the northern corporate limits of the existing Town of Upper Marlboro and extending east and south of the Town including and along the north side of the Pennsylvania Avenue (MD 4) right-of-way to the existing corporate limits bounded to the east by the Show Place Arena, MD Route 4 right-of-way, the Water Street (MD 717) right-of-way and the existing corporate limits of the Town near the Western Branch of the Patuxent River, as further described in more detail in the metes and bounds description found below in Section 2 of this Resolution and the map exhibit referenced hereinbelow; and including the third annexation area to be annexed since the Town was incorporated to be referred to as the “Third (3rd) Annexation Area” consisting in the aggregate of approximately 246 acres, located east and north of the current municipal corporate territory of the Town and further described as the lands east of the existing corporate limits consisting of the Western Branch of the Patuxent River near the Federal Spring Branch where the Collington Branch crosses MD 725 (Marlboro Pike) and MD 202 (Largo Road) including lands along the east and west of MD 202 (Largo Road), north of Marlboro Pike (MD 725) proceeding to the Wurtz and Weeks Tract Resubdivision near Perseus Way (Undeveloped) and Largo Road (MD 202) and lands known as the Wurtz and Weems Tract east to the Pope’s Creek Branch Railroad right-of-way, and including, but not limited to, lands along either side (North & South) of Marlboro Pike (MD 725) east to the intersection of Crain Highway (US 301) including but not limited to the Marlboro Tobacco Market Subdivision, the Marlboro Shell Subdivision (McDonald’s Restaurant & Dash In Food Store), the Agricultural Fair Association Subdivision and lands near the intersection of Crain Highway (US 301) and Peerless Avenue, as further described in more detail in the metes and bounds description found below in Section 2 of this Resolution and the map exhibit referenced hereinbelow; and providing for the terms and conditions of the annexation to the Town of Upper Marlboro; and amending the Charter of the Town of Upper Marlboro for the purposes of including the annexed property within the legal descriptions and plats depicting the corporate limits of the Town; and generally all matters related to said annexation and annexation areas.

WHEREAS, The Town is authorized by the Town Charter and provisions of Title 4, Subtitle 4 of the Local Government Article, of the Annotated Code of Maryland (the “Maryland

Code”) to expand its municipal boundaries by annexing lands which are adjoining and contiguous; and

WHEREAS, this Resolution is initiated by the Town Board of Commissioners pursuant to §4-403 of the LG Art., of Maryland Code; and

WHEREAS, the Local Government Article (“LG”), §4-403 of the Maryland Code states that “[b]efore 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 of 25% of the assessed valuation of real property in the area to be annexed...”; and

WHEREAS, the President of the Town Board of Commissioners has obtained signed consent forms from at least twenty-five percent (25%) of the owners of assessed valuation of the real property in each of the two (2) referenced areas to be annexed and at least twenty-five percent (25%) of the registered voters who are residents in each of the two (2) referenced areas to be annexed; and

WHEREAS, the Board of Commissioners finds it to be in the best interest of the Town of Upper Marlboro (the “Town”) to initiate this Resolution proposing the annexation of all or a portion of certain parcels or lots in the aforementioned ***Second (2nd) Annexation Area*** located to the west and south of the Town (Tax Map 101 – Parcel 286, Parcel 43, Lot 1 Eq. 2.9018 AC., Lot 1 EQ. 1.6155, Parcel 136, Parcel 130, a portion of right-of-way of Ritchie Marlboro Road (CO Rte. No. 974), a portion of right-of-way of MD 4 (Pennsylvania Avenue), a portion of right of way of Old Crain Highway (CO Rte. No. 1212), Parcel 116, all or a portion of right-of-way of Old Croom Road (Unimproved), Parcel 228, Parcel 197, Parcel 194, Parcel 195, Parcel 196, Parcel 198, Parcel 199, Parcel 200, Parcel 201, Parcel 203, Parcel 204, Parcel 204, Parcel 205, Parcel 206, Parcel 206, Parcel 297, Parcel 219, Parcel 220, Parcel 221, Parcel 222, Parcel 207, Parcel 208, all or a portion of right-of-way of Valley Lane (CO Rte. No. 1010 & Rte. No. OP 664), Parcel 238, Parcel 266, Parcel of Unknown Ownership (S. of Parcel 218), and Parcel 218; Tax Map 102, Parcel 32), and the aforementioned ***Third (3rd) Annexation Area*** located east and north of the Town (Tax Map 102 - Parcel 75, Parcel 32, Parcel 70, Parcel 39, Parcel 95, Parcel 1, Parcel 102; Tax Map 101 – Parcel 285; Tax Map 92 – Parcel 33, Parcel of Unknown Ownership (S. of Parcel 76), Parcel 76, PT Lot 1 EQ. 3.6142 AC., PT Lot 2 EQ. 1.5148 AC., a portion of right of way of MD 202, Parcel 45, Parcel 77, Parcel A, Outparcel D, all or a portion of right of way of Tranrail Drive (Unimproved), Outparcel B, a portion of right of way of Celestial Court (Private), Lot 13, Lot 12, Lot 14, Lot 11, Lot 15, Lot 10, Lot 16, Lot 9, Parcel A, all or a portion of right of way of Perseus Court (Unimproved), a portion of right of way of Dustream Terrace (Unimproved), Lot 8, Lot 2, Lot 7, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, Outparcel E, Outparcel C, Outparcel A; Tax Map 102 – Parcel 39, Parcel 43, Parcel of Unknown Ownership (E. of Parcel 43), Parcel 37, Parcel 79, Parcel 72, Parcel 32, Parcel 78, Parcel 6, Parcel 77, Parcel 110, Parcel 40, Parcel 41, Parcel 100, Parcel 101; Tax Map 93 – Parcel 22; Tax Map 102 – Parcel 50; Tax Map 93 – Parcel 65, Parcel 23, Parcel 64, Parcel 67, Lot 2-A, Lot 2-B, Parcel 51, Parcel 25, Parcel 24, Lot 1, Lot 2, Lot 1; Tax Map 102 – Parcel 2, Parcel 4, Parcel 77; Tax Map 93 – Parcel 14; Tax Map 102 – Parcel 3, Parcel 44; Tax Map 93 – Parcel 17, all or a portion of right of way of Buck Lane (CO Rte. No. 5181 & OP Rte. No. 142), Parcel 16; Tax

Map 102 – Parcel 122, Parcel 107; Tax Map 93 – Parcel 99, Parcel 203, Parcel 21, Parcel of Unknown Ownership (W. of Parcel 21), Parcel 83, Parcel 192, Parcel 9, all or a portion of right of way of Peerless Avenue (Private), Parcel 160, Parcel 120, Parcel 121, Parcel of Unknown Ownership (E. of Parcel 121), Parcel 18, Parcel 122, Parcel 123, Parcel 124, Parcel 20, Parcel 119, Parcel 118, Parcel 117, Parcel 115, Parcel A, Parcel 114, Parcel 113, Parcel 96, Parcel 112, Parcel 30, Parcel 110, Parcel 111, Parcel 109, Parcel 108, Parcel 146, Parcel 107, Parcel 106, Parcel 104, Parcel 103, Parcel 102, Parcel 101, Parcel 69, Lots 1 & 2, Lot 17, a portion of right-of-way of Robert Crain Highway (US 301), all or a portion of right-of-way of Peerless Avenue (OP Rte. No. 4261), Outparcel 1, and Parcel 1) as more fully described herein below and particularly as described in the metes and bounds description of Section 2 provided below and the Map of the Second and Third Annexations of the Town of Upper Marlboro, Prince George’s County, Maryland prepared by Charles P. Johnson and Associates, Inc. (August 2021) attached hereto; and

WHEREAS, the properties to be annexed will consist of approximately 504 acres adjoining public and other public (referenced herein using route numbers from SHA Route Index Maps) or private ways and approximately 151 parcels or lots or parts of parcels or lots of land, as more particularly described herein below (the “Annexation Property”) owned by various public and private entities, private individuals, the various levels of State and local government including but not limited to the State of Maryland, Prince George’s County, the Maryland-National Capital Park and Planning Commission, the Prince George’s County Board of Education and the Town of Upper Marlboro; and

WHEREAS, the Annexation Property is described in the metes and bounds legal description of a parcel or parcels of land referenced herein below as the Second and Third Annexation, and the Annexation Property is more further described or depicted on a map exhibit entitled “Map of the Second Annexation of the Town of Upper Marlboro, Prince George’s County, Maryland, 1” = 300’, August 2021” prepared by Charles P. Johnson and Associates, Inc., which is attached hereto as Exhibit A; and

WHEREAS, a proposed Annexation Plan consistent with the requirements of Section 4-415 of the Local Government Article, of the Annotated Code of Maryland has been prepared and submitted to the Town and made available for public review and discussion; a copy of the Annexation Plan has been provided to the Prince George’s County Council and the County Executive, the Maryland-National Capital Park and Planning Commission, and the Maryland Department of State Planning at least thirty (30) days prior to the date of the public hearing to be conducted on this Resolution by the Board of Commissioners of the Town of Upper Marlboro; and

WHEREAS, all requirements of the Laws of the State of Maryland, Prince George’s County and the Charter and laws of The Town of Upper Marlboro regarding initiation of this annexation by the Town’s legislative body have been satisfied, and the Town Board of Commissioners has determined that it is desirable to initiate by resolution the annexation process described herein for the benefit of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO the following:

Section 1. Modification of Town Boundaries. The municipal boundaries of The Town of Upper Marlboro, Maryland shall be and are hereby amended to incorporate into The Town of Forest Heights the Annexation Property, as described in the metes and bounds legal description of parcels of land referenced herein below in Section 2 (new § 82-2(c) of the Town Charter) as the Second 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’, July 2021” prepared by Charles P. Johnson and Associates, Inc., and certified by Steven William Jones, Professional Land Surveyor, which is attached hereto as Exhibit A, and the Annexation Property is further shown on the Prince George’s County Tax Maps and described above as all or a portion of certain parcels or lots in the aforementioned Second (2nd) Annexation Area located to the west and south of the Town (Tax Map 101 – Parcel 286 (Tax ID # 0227082), Parcel 43 (Tax ID # 0235259), Lot 1 Eq. 2.9018 AC. (Tax ID # 0202317), Lot 1 EQ. 1.6155 (Tax ID # 0235267), Parcel 136 (Tax ID # 0192344), Parcel 130 (Tax ID # 0204818), a portion of right-of-way of Ritchie Marlboro Road (CO Rte. No. 974), a portion of right-of-way of MD 4 (Pennsylvania Avenue), a portion of right of way of Old Crain Highway (CO Rte. No. 1212), Parcel 116 (Tax ID # 0235382), all or a portion of right-of-way of Old Croom Road (Unimproved), Parcel 228 (Tax ID # 0235358), Parcel 197 (Tax ID # 0235176), Parcel 194 (Tax ID # 0229088), Parcel 195 (Tax ID # 0196758), Parcel 196 (Tax ID # 0215533), Parcel 198 (Tax ID # 0248153), Parcel 199 (Tax ID # 0201194), Parcel 200 (Tax ID # 0201186), Parcel 201 (Tax ID # 0228429), Parcel 203 (Tax ID # 0198069), Parcel 204 (Tax ID # 0244020), Parcel 205 (Tax ID # 0202630), Parcel 206 (Tax ID # 0204198), Parcel 297 (Tax ID # 0200444), Parcel 219 (Tax ID # 0200444), Parcel 220 (Tax ID # 0215921), Parcel 221 (Tax ID # 0202945), Parcel 222 (Tax ID # 0199869), Parcel 207 (Tax ID # 0247866), Parcel 208 (Tax ID # 019619), all or a portion of right-of-way of Valley Lane (CO Rte. No. 1010 & Rte. No. OP 664), Parcel 238 (Tax ID # 0246926), Parcel 266 (Tax ID # 0229856), Parcel of Unknown Ownership (S. of Parcel 218), and Parcel 218 (Tax ID # 0235416); Tax Map 102, Parcel 32 (Tax ID # 0238873), and the aforementioned “Third (3rd) Annexation Area” located east and north of the Town (Tax Map 102 - Parcel 75 (Tax ID # 0229872), Parcel 32 (Tax ID # 0238873), Parcel 70 (Tax ID # 0248161), Parcel 39 (Tax ID # 020143), Parcel 95 (Tax ID # 0240135), Parcel 1 (Tax ID # 0231308), Parcel 102 (Tax ID # 0237958); Tax Map 101 – Parcel 285 (Tax ID # 0231530); Tax Map 92 – Parcel 33 (Tax ID # 0197012), Parcel of Unknown Ownership (S. of Parcel 76), Parcel 76 (Tax ID # 0228692), PT Lot 1 EQ. 3.6142 AC. (Tax ID # 0202572), PT Lot 2 EQ. 1.5148 AC. (Tax ID # 0202564), a portion of right of way of MD 202, Parcel 45 (Tax ID # 0203166), Parcel 77 (Tax ID # 0203158), Parcel A (Tax ID # 5510858), Outparcel D (Tax ID # 3152634), all or a portion of right of way of Tranrail Drive (Unimproved), Outparcel B (Tax ID # 31552618), a portion of right of way of Celestial Court (Private), Lot 13 (Tax ID # 3746641), Lot 12 (Tax ID # 3746633), Lot 14 (Tax ID # 3746658), Lot 11 (Tax ID # 3746625), Lot 15 (Tax ID # 3746666), Lot 10 (Tax ID # 3746617), Lot 16 (Tax ID # 3746674), Lot 9 (Tax ID # 3746609), Parcel A (Tax ID # 3746526), all or a portion of right of way of Perseus Court (Unimproved), a portion of right of way of Dustream Terrace (Unimproved), Lot 8 (Tax ID # 3746591), Lot 2 (Tax ID # 3746534), Lot 7 (Tax ID # 3746583), Lot 3 (Tax ID # 3746542), Lot 4 (Tax ID # 3746559), Lot 5 (Tax ID # 3746567), Lot 6 (Tax ID # 3746575), Lot 7 (Tax ID # 3746583), Outparcel E (Tax ID # 3152642), Outparcel C (Tax ID #

3152626), Outparcel A (Tax ID # 3152600); Tax Map 102 – Parcel 39 (Tax ID # 0240143), Parcel 43 (Tax ID # 0201053), Parcel of Unknown Ownership (E. of Parcel 43), Parcel 37 (Tax ID # 0192179), Parcel 79 (Tax ID # 0229484), Parcel 72 (Tax ID # 0205344), Parcel 32 (Tax ID # 0238873), Parcel 78 (Tax ID # 0229443), Parcel 6 (Tax ID # 0205351), Parcel 77 (Tax ID # 0229435), Parcel 110 (Tax ID # 0228262), Parcel 40 (Tax ID # 0204156), Parcel 41 (Tax ID # 0227199), Parcel 100 (Tax ID # 0228387), Parcel 101 (Tax ID # 0203422); Tax Map 93 – Parcel 22 (Tax ID # 0237974); Tax Map 102 – Parcel 50 (Tax ID # 0237974); Tax Map 93 – Parcel 65 (Tax ID # 0238584), Parcel 23 (Tax ID # 0219774), Parcel 64 (Tax ID # 0198283), Parcel 67 (Tax ID # 0197343), Lot 2-A (Tax ID # 5606615), Lot 2-B (Tax ID # 5606626), Parcel 51 (Tax ID # 0797640), Parcel 25 (Tax ID # 0229641), Parcel 24 (Tax ID # 0229633), Lot 1 (Tax ID # 3568193), Lot 2 (Tax ID # 291743), Lot 1 (Tax ID # 2917235); Tax Map 102 – Parcel 2 (Tax ID # 0235044), Parcel 4 (Tax ID # 0231506), Parcel 77 (Tax ID # 0229435); Tax Map 93 – Parcel 14 (Tax ID # 0229427); Tax Map 102 – Parcel 3 (Tax ID # 0231514), Parcel 44 (Tax ID # 0230193); Tax Map 93 – Parcel 17 (Tax ID # 0231621), all or a portion of right of way of Buck Lane (CO Rte. No. 5181 & OP Rte. No. 142), Parcel 16 (Tax ID # 0215715); Tax Map 102 – Parcel 122 (Tax ID # 5570908), Parcel 107 (Tax ID # 2812089); Tax Map 93 – Parcel 99 (Tax ID # 0196824), Parcel 203 (Tax ID # 3156593), Parcel 21 (Tax ID # 0228940), Parcel of Unknown Ownership (W. of Parcel 21), Parcel 83 (Tax ID # 0196915), Parcel 192 (Tax ID # 0228080), Parcel 9 (Tax ID # 0197681), all or a portion of right of way of Peerless Avenue (Private), Parcel 160 (Tax ID # 0248948), Parcel 120 (Tax ID # 0239616), Parcel 121 (Tax ID # 022741), Parcel of Unknown Ownership (E. of Parcel 121), Parcel 18 (Tax ID # 0247056), Parcel 122 (Tax ID # 0247064), Parcel 123 (Tax ID # 0247486), Parcel 124 (Tax ID # 0197186), Parcel 20 (Tax ID # 0197699), Parcel 119 (Tax ID # 0204735), Parcel 118 (Tax ID # 0198143), Parcel 117 (Tax ID # 0205153), Parcel 115 (Tax ID # 0244046), Parcel A (Tax ID # 0237909), Parcel 114 (Tax ID # 0244038), Parcel 113 (Tax ID # 0229526), Parcel 96 (Tax ID # 0204065), Parcel 112 (Tax ID # 0203000), Parcel 30 (Tax ID # 0202994), Parcel 110 (Tax ID # 0247031), Parcel 111 (Tax ID # 0202986), Parcel 109 (Tax ID # 0228106), Parcel 108 (Tax ID # 0198150), Parcel 146 (Tax ID # 0228916), Parcel 107 (Tax ID # 0198168), Parcel 106 (Tax ID # 0215053), Parcel 104 (Tax ID # 0231159), Parcel 103 (Tax ID # 0248898), Parcel 102 (Tax ID # 0205146), Parcel 101 (Tax ID # 0238337), Parcel 69 (Tax ID # 0246199), Lots 1 & 2 (Tax ID # 0215061), Lot 17 (Tax ID # 0200832), a portion of right-of-way of Robert Crain Highway (US 301), all or a portion of right-of-way of Peerless Avenue (OP Rte. No. 4261), Outparcel 1 (Tax ID # 0237982), and Parcel 1 (Tax ID # 0197269). The annexation plat or map shall be subject to technical review and correction by the Town, or its designee, prior to the public hearing to be held on this Resolution.

Section 2. Amendment of Town Charter. Pursuant to the authority of Article XI-E of the Constitution of Maryland and the Local Government Article (Division II) of the Maryland Code, the Charter of the Town of Upper Marlboro (as published in the *Public Local Laws of Maryland – Compilation of Municipal Charters*) be and the same is hereby amended in Section 82-2 of said Charter by amending said Section to read as follows (changes underlined and/or in *italics* below in this Section 2 but not **bold** font and three asterisks (***) signifying language to remain as is) by adding the following subsection containing the metes and bounds description of the Annexation Property:

**Charter
of the

Town of Upper Marlboro

Prince George's County, Maryland**

Corporate Limits

Section 82–2. The corporate limits of the Town shall be as follows:

- (a) Original Boundaries. Commencing at the mouth of the Federal Spring Branch at its confluence with the Western Branch and running down with the meanders of the Western Branch on the south side thereof, and exclusive of said branch, to the stream beyond James B. Belt's meadow; then up and with said stream to the small bridge culvert on the road from Upper Marlboro to Rosaryville, back of the former residence of A. S. Brooke; then in an air or direct line across the land of Frederick Sasscer to the Federal Spring Branch at a point which will throw into the corporation all the land formerly purchased by Thomas E. Williams and C. C. Magruder, Jr., of the trustees of D. Benedict J. Gardiner; then down and with the meanders of said Federal Spring Branch on the south side thereof, and exclusive of said branch to its mouth, the beginning point aforesaid.
- (b) First Annexation. The boundaries of Upper Marlboro are hereby extended to include the following parcel or area of land:

- (c) Second and Third Annexations. The boundaries of Upper Marlboro are hereby extended to include the following parcels or areas of land:

- (1) Beginning for the same at a point on the Southerly side of the Federal Spring Branch of the Patuxent River, said point also being at the end of the direct line across the land of Frederick Sasscer as described in the Original Corporate limits of the Town, thence leaving the aforesaid Southerly side of the Federal Spring Branch of the Patuxent River, and running reversely with and binding on the aforesaid direct line across the land of Frederick Sasscer as described in the Original Corporate limits of the Town, which line is also the present western boundary line of the Town of Upper Marlboro, the following course and distance

- (i) South 22°29'49" East, 2,089.03 feet to a point at the small bridge culvert on the road from Upper Marlboro to Rosaryville, back of the former residence of A. S. Brooke, as described in the aforesaid Original Corporate limits of the Town, thence continuing reversely with and binding on the present western boundary line of the Town of Upper Marlboro the following course and distance

- (ii) South 47°29'58" East, 330.25 feet to a point in the stream beyond James B. Belt's meadow as described in the aforesaid Original Corporate limits of the Town, thence running reversely with and binding on the aforesaid stream beyond James B. Belt's meadow as described in the Original Corporate limits of the Town, which line is also the present southern boundary lines of the Town of Upper Marlboro, the following sixty courses and distances
- (iii) South 45°18'18" East, 25.00 feet to a point, thence
- (iv) South 61°11'57" East, 21.76 feet to a point, thence
- (v) North 62°30'46" East, 70.78 feet to a point, thence
- (vi) North 21°45'49" East, 67.97 feet to a point, thence
- (vii) North 88°53'00" East, 49.37 feet to a point, thence
- (viii) South 83°13'15" East, 66.32 feet to a point, thence
- (ix) North 68°39'45" East, 45.49 feet to a point, thence
- (x) South 73°16'51" East, 43.91 feet to a point, thence
- (xi) North 47°53'16" East, 62.91 feet to a point, thence
- (xii) North 72°36'28" East, 52.13 feet to a point, thence
- (xiii) North 24°50'52" East, 57.89 feet to a point, thence
- (xiv) North 74°16'27" East, 50.40 feet to a point, thence
- (xv) North 46°40'56" East, 59.16 feet to a point, thence
- (xvi) North 34°16'54" East, 101.76 feet to a point, thence
- (xvii) North 59°08'05" East, 47.25 feet to a point, thence
- (xviii) North 47°03'21" East, 63.96 feet to a point, thence
- (xix) North 61°57'39" East, 136.01 feet to a point, thence
- (xx) North 43°14'35" East, 39.62 feet to a point, thence
- (xxi) North 61°54'24" East, 32.58 feet to a point, thence
- (xxii) North 41°42'33" East, 106.32 feet to a point, thence
- (xxiii) North 65°24'24" East, 33.45 feet to a point, thence
- (xxiv) North 46°54'28" East, 54.87 feet to a point, thence
- (xxv) North 56°37'52" East, 42.61 feet to a point, thence
- (xxvi) North 83°21'33" East, 37.63 feet to a point, thence
- (xxvii) North 18°37'36" East, 43.39 feet to a point, thence
- (xxviii) North 67°10'00" East, 60.64 feet to a point, thence
- (xxix) South 66°52'34" East, 74.35 feet to a point, thence
- (xxx) South 76°37'52" East, 111.95 feet to a point, thence
- (xxxi) North 71°30'22" East, 85.58 feet to a point, thence
- (xxxii) South 64°33'00" East, 122.30 feet to a point, thence
- (xxxiii) South 68°50'09" East, 48.83 feet to a point, thence
- (xxxiv) South 19°54'26" East, 11.35 feet to a point, thence
- (xxxv) South 37°44'27" West, 24.19 feet to a point, thence
- (xxxvi) South 07°51'25" East, 10.92 feet to a point, thence
- (xxxvii) South 54°14'36" East, 42.59 feet to a point, thence
- (xxxviii) South 84°24'41" East, 9.81 feet to a point, thence
- (xxxix) North 04°35'01" East, 14.73 feet to a point, thence
- (xl) North 18°45'29" West, 26.41 feet to a point, thence
- (xli) North 32°46'05" East, 16.10 feet to a point, thence
- (xlii) South 79°13'49" East, 29.77 feet to a point, thence

- (xliii) South 69°50'05" East, 42.59 feet to a point, thence
- (xliv) North 49°02'17" East, 14.71 feet to a point, thence
- (xlv) North 14°04'20" West, 33.70 feet to a point, thence
- (xlvi) North 45°17'10" West, 29.59 feet to a point, thence
- (xlvii) North 69°08'38" East, 30.74 feet to a point, thence
- (xlviii) South 83°33'51" East, 38.26 feet to a point, thence
- (xlix) North 17°19'02" East, 46.34 feet to a point, thence
- (l) North 40°34'20" East, 54.60 feet to a point, thence
- (li) North 83°04'48" East, 198.66 feet to a point, thence
- (lii) South 75°37'35" East, 80.41 feet to a point, thence
- (liii) South 58°15'40" East, 50.27 feet to a point, thence
- (liv) South 24°39'15" East, 36.64 feet to a point, thence
- (lv) South 03°19'59" East, 41.92 feet to a point, thence
- (lvi) North 81°17'46" East, 36.68 feet to a point, thence
- (lvii) South 52°11'11" East, 28.77 feet to a point, thence
- (lviii) South 46°46'22" West, 47.33 feet to a point, thence
- (lix) South 58°30'28" East, 24.65 feet to a point, thence
- (lx) South 62°03'50" East, 66.79 feet to a point, thence
- (lxi) South 09°05'16" West, 21.76 feet to a point, thence
- (lxii) South 49°18'06" East, 57.64 feet to a point on the Northerly side of the Western Branch of the Patuxent River as described in the aforesaid Original Corporate limits of the Town, thence leaving the aforesaid stream beyond James B. Belt's meadow as described in the Original Corporate limits of the Town, and running reversely with and binding on the Northerly side of the aforesaid Western Branch of the Patuxent River as described in the Original Corporate limits of the Town, so as to exclude said Branch, which line is also the present southern boundary lines of the Town of Upper Marlboro, the following six courses and distances
- (lxiii) North 39°21'35" East, 192.87 feet to a point, thence
- (lxiv) North 31°33'38" East, 136.49 feet to a point, thence
- (lxv) North 35°44'16" East, 111.12 feet to a point, thence
- (lxvi) North 44°44'11" East, 99.58 feet to a point, thence
- (lxvii) North 53°15'14" East, 113.35 feet to a point, thence
- (lxviii) North 59°22'15" East, 45.99 feet to a point on the Westerly Right-of-Way line of Water Street (30' wide), said point also being at the end of the Ninety-Ninth or North 23°57'20" West, 47.30 feet line of the First Annexation to the Town of Upper Marlboro, thence leaving the aforesaid Northerly side of the Western Branch of the Patuxent River as described in the Original Corporate limits of the Town, and running with and binding on the aforesaid Westerly Right-of-Way line of Water Street, and also running reversely with and binding on the aforesaid Ninety-Ninth line of the First Annexation to the Town of Upper Marlboro, which line is also the present western boundary line of the Town of Upper Marlboro, the following course and distance
- (lxix) South 23°57'20" East, 47.30 feet to a point on the Northerly Right-of-Way line of Pennsylvania Avenue (Relocated MD Rte. 4, variable width) as shown on State Roads Commission Plat Number 19984, thence leaving the aforesaid

- Westerly Right-of-Way line of Water Street, and running with and binding on the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue, and also running reversely with and binding on the Ninety-Eighth through Ninety-fourth lines as described in the aforesaid First Annexation to the Town of Upper Marlboro, which line is also the present western boundary line of the Town of Upper Marlboro, the following five courses and distances
- (lxx) South 66°02'40" West, 47.00 feet to a point, thence
- (lxxi) South 23°57'20" East, 19.39 feet to a point of curvature, thence
- (lxxii) 247.41 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 400.00 feet and a chord bearing and distance of South 06°14'11" East, 243.48 feet to a point of compound curvature, thence
- (lxxiii) 429.67 feet along the arc of a tangent curve, deflecting to the right, having a radius of 700.00 feet and a chord bearing and distance of South 29°04'02" West, 422.96 feet to a point, thence with a non-tangent line
- (lxxiv) South 62°17'50" West, 440.10 feet to a point, thence leaving the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue, and running in, through, over and across the aforesaid Pennsylvania Avenue, and also running reversely with and binding on the Ninety-third line as described in the aforesaid First Annexation to the Town of Upper Marlboro, which line is also the present western boundary line of the Town of Upper Marlboro, the following course and distance
- (lxxv) South 04°54'22" East, 325.42 feet to a point on the Southerly Right-of-Way line of the aforesaid Pennsylvania Avenue as shown on State Roads Commission Plat Number 19979, thence leaving the aforesaid Ninety-third line as described in the First Annexation to the Town of Upper Marlboro, and running with and binding on the aforesaid Southerly Right-of-Way line of Pennsylvania Avenue, and also running for a new boundary line of Upper Marlboro, the following nine courses and distances
- (lxxvi) South 62°18'12" West, 742.34 feet to a point of curvature, thence
- (lxxvii) 1,014.15 feet along the arc of a tangent curve, deflecting to the right, having a radius of 3,014.79 feet and a chord bearing and distance of South 71°56'25" West, 1,009.38 feet to a point, thence with a non-tangent line
- (lxxviii) South 71°20'03" West, 53.64 feet to a point of curvature, thence
- (lxxix) 422.34 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 3,024.79 feet and a chord bearing and distance of South 86°34'38" West, 422.00 feet to a point, thence with a non-tangent line
- (lxxx) North 00°34'38" East, 10.00 feet to a point of curvature, thence
- (lxxxi) 905.43 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 3,014.79 feet and a chord bearing and distance of North 80°49'09" West, 902.03 feet to a point of curvature, thence
- (lxxxii) 506.41 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 300.00 feet and a chord bearing and distance of South 34°02'41" West, 448.39 feet to a point of compound curvature, thence
- (lxxxiii) 226.63 feet along the arc of a tangent curve, deflecting to the right, having a radius of 395.00 feet and a chord bearing and distance of North 81°09'34" West, 223.54 feet to a point of compound curvature, thence

- (lxxxiv) 298.70 feet along the arc of a tangent curve, deflecting to the right, having a radius of 300.00 feet and a chord bearing and distance of North 36°11'58" West, 286.51 feet to a point on the Easterly Right-of-Way line of Old Crain Highway (variable width right-of-way) as shown on State Roads Commission Plat Number 24759, thence leaving the aforesaid Easterly Right-of-Way line of Old Crain Highway, and also leaving the aforesaid Southerly Right-of-Way line of Pennsylvania Avenue, and running in, through, over and across the aforesaid Old Crain Highway the following course and distance
- (lxxxv) North 28°31'00" West, 175.15 feet to a point of curvature on the Westerly Right-of-Way line of the aforesaid Old Crain Highway, said point also being on the Common line between the Southerly Right-of-Way line of Through Highway of Pennsylvania Avenue and the Northerly Right-of-Way line of William Beanes Road (variable width service road right-of-way), thence leaving the aforesaid Westerly Right-of-Way line of Old Crain Highway, and running with and binding on the aforesaid Common line between the Southerly Right-of-Way line of Through Highway of Pennsylvania Avenue and the Northerly Right-of-Way line of William Beanes Road the following five courses and distances
- (lxxxvi) 259.79 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 904.93 feet, and a chord bearing and distance of North 49°51'26" West, 258.90 feet to a point, thence with a tangent line
- (lxxxvii) North 58°04'54" West, 363.54 feet to a point of curvature, thence
- (lxxxviii) 372.15 feet along the arc of a tangent curve, deflecting to the left, having a radius of 1,859.86 feet and a chord bearing and distance of North 63°48'51" West, 371.53 feet to a point of curvature, thence
- (lxxxix) 1,785.69 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 6,415.90 feet and a chord bearing and distance of North 84°47'19" West, 1,779.93 feet to a point, thence with a tangent line
- (xc) South 87°14'17" West, 743.90 feet to a point, thence leaving the aforesaid Common line between the Southerly Right-of-Way line of Through Highway of Pennsylvania Avenue and the Northerly Right-of-Way line of William Beanes Road, and running in, through, over and across Pennsylvania Avenue the following course and distance
- (xci) North 15°05'06" East, 680.73 feet to a point on the Westerly Right-of-Way line of Ritchie Marlboro Road (a variable width right-of-way) as shown on State Roads Commission Plat Number 19981, thence leaving the aforesaid Westerly Right-of-Way line of Ritchie Marlboro Road, and also leaving Pennsylvania Avenue, and running in, through, over and across the aforesaid Ritchie Marlboro Road the following course and distance
- (xcii) North 06°02'15" West, 454.17 feet to a point on the Easterly Right-of-Way line of the aforesaid Ritchie Marlboro Road, said point also being at the Westerly end of the Southerly or North 88°11'38" West, 271.69 feet Plat line as shown on a Record Plat entitled "Lot 1, Antioch Baptist Church" and recorded among the Land Records of Prince George's County, Maryland in plat Book 193 on Page 83, thence leaving the aforesaid Easterly Right-of-Way line of

- Ritchie Marlboro Road, and running reversely with and binding on the aforesaid Southerly Plat line as shown on the Record Plat recorded in Plat Book 193 on Page 83 the following course and distance
- (xciii) South 88°15'44" East, 271.69 feet to a point, thence continuing with the outline of the aforesaid Record Plat recorded in Plat Book 193 on Page 83, and also running reversely with and binding on the outline of a Plat of Subdivision entitled "Woolfolk" and recorded among the aforesaid Land Records in Plat Book 12 on Page 41, the following course and distance
- (xciv) South 79°47'51" East, 263.99 feet to a point, thence continuing with the aforesaid outline of the Plat of Subdivision recorded in Plat Book 12 on Page 41, and also running reversely with and binding on the Fourth or South 69°05' West, 6.7 feet line as described in a Deed from Ernest C. Woolfolk, et ux, to John M. Ellis, et ux, dated October 15, 1946 and recorded among the aforesaid Land Records in Liber 905 at Folio 219, the following course and distance
- (xcv) North 63°44'21" East, 148.50 feet to a point, thence running reversely with and binding on the Third line as described in the aforesaid Deed recorded in Liber 905 at Folio 219, and also running reversely with and binding on the Southerly outline of a Plat of Subdivision entitled "Lots 1 and 2, Campbell Subdivision" and recorded among the aforesaid Land Records in Plat Book 165 on Page 15, and further running reversely with and binding on the Southerly outline of a Plat of Subdivision entitled "Lots 1 & 2, Marlboro Green" and recorded among the aforesaid Land Records in Plat Book 133 on Page 71, the following course and distance
- (xcvi) North 69°53'02" East, 709.46 feet to a point, thence continuing with the Southerly outline of the Plat of Subdivision recorded in Plat Book 133 on Page 71, and also running reversely with and binding on the Fourth or South 81°55'00" West, 288.60 feet line as described in a Deed from Dennis E. Barnhart, et al, to Cheryl Tang How, dated February 21, 2019 and recorded among the aforesaid Land Records in Liber 41908 at Folio 56, and further running reversely with and binding on the Second or South 81°55' West, 133.70 feet line as described in a Deed from Mary R. Norris, et al, to Calvert Smith, et ux, dated September 20, 1956 and recorded among the aforesaid Land Records in Liber 2086 at Folio 430, and also further running reversely with and binding on the Third or South 81°55' West, 42.7 feet line as described in a Deed by and between Donald C. Gray, et al, dated July 26, 2004 and recorded among the aforesaid Land Records in Liber 21973 at Folio 529, the following course and distance
- (xcvii) North 73°57'49" East, 515.00 feet to a point, thence running reversely with and binding on the Second and First lines as described in the aforesaid Deed recorded in Liber 21973 at Folio 529 the following two courses and distances
- (xcviii) North 55°07'49" East, 191.40 feet to a point, thence
- (xcix) North 06°46'49" East, 37.48 feet to a point on the aforesaid Southerly side of the Federal Spring Branch of the Patuxent River, thence leaving the aforesaid First line as described in the Deed recorded in Liber 21973 at Folio 529, and running with and binding on the aforesaid Southerly side of the Federal

Spring Branch of the Patuxent River the following sixty-eight courses and distances

- (c) North 60°23'43" East, 32.27 feet to a point, thence
- (ci) North 78°20'11" East, 20.34 feet to a point, thence
- (cii) South 63°56'40" East, 21.76 feet to a point, thence
- (ciii) South 20°38'47" East, 20.81 feet to a point, thence
- (civ) South 39°57'40" East, 30.94 feet to a point, thence
- (cv) North 77°22'02" East, 45.55 feet to a point, thence
- (cvi) North 80°41'25" East, 38.70 feet to a point, thence
- (cvii) North 56°35'07" East, 34.79 feet to a point, thence
- (cviii) North 11°25'27" East, 25.88 feet to a point, thence
- (cix) North 01°54'47" East, 35.83 feet to a point, thence
- (cx) North 35°08'57" East, 18.20 feet to a point, thence
- (cxi) North 58°12'36" East, 20.28 feet to a point, thence
- (cxii) North 77°28'45" East, 16.05 feet to a point, thence
- (cxiii) South 40°25'41" East, 27.77 feet to a point, thence
- (cxiv) South 43°37'07" East, 25.43 feet to a point, thence
- (cxv) South 80°19'09" East, 28.97 feet to a point, thence
- (cxvi) North 85°10'19" East, 21.81 feet to a point, thence
- (cxvii) North 72°34'43" East, 19.54 feet to a point, thence
- (cxviii) South 75°43'24" East, 36.27 feet to a point, thence
- (cxix) South 74°03'44" East, 35.31 feet to a point, thence
- (cxx) North 33°18'29" East, 33.57 feet to a point, thence
- (cxxi) North 26°00'06" East, 42.46 feet to a point, thence
- (cxxii) North 60°50'45" East, 33.48 feet to a point, thence
- (cxxiii) North 73°04'48" East, 32.24 feet to a point, thence
- (cxxiv) North 29°42'52" East, 45.70 feet to a point, thence
- (cxxv) North 32°56'17" East, 58.16 feet to a point, thence
- (cxxvi) North 38°45'11" East, 65.02 feet to a point, thence
- (cxxvii) North 49°46'49" East, 33.04 feet to a point, thence
- (cxxviii) North 83°44'11" East, 21.83 feet to a point, thence
- (cxxix) South 34°04'08" East, 55.86 feet to a point, thence
- (cxxx) South 65°36'51" East, 31.77 feet to a point, thence
- (cxxxii) South 81°40'25" East, 30.55 feet to a point, thence
- (cxxxiii) North 87°28'13" East, 89.01 feet to a point, thence
- (cxxxiv) North 61°11'22" East, 44.38 feet to a point, thence
- (cxxxv) North 17°30'33" East, 61.99 feet to a point, thence
- (cxxxvi) North 49°58'13" East, 18.18 feet to a point, thence
- (cxxxvii) North 84°13'33" East, 22.81 feet to a point, thence
- (cxxxviii) South 19°01'56" East, 45.65 feet to a point, thence
- (cxxxix) South 08°52'02" West, 32.17 feet to a point, thence
- (cxli) South 30°18'00" East, 43.51 feet to a point, thence
- (cxlii) North 86°18'46" East, 50.41 feet to a point, thence
- (cxliii) South 86°01'39" East, 48.47 feet to a point, thence
- (cxliiii) South 84°11'14" East, 51.67 feet to a point, thence
- (cxliiii) North 39°37'54" East, 38.39 feet to a point, thence

(cxliv) North 09°02'25" East, 49.44 feet to a point, thence
(cxlv) North 87°51'49" East, 45.85 feet to a point, thence
(cxlvi) South 77°03'08" East, 44.85 feet to a point, thence
(cxlvii) South 37°16'19" East, 34.23 feet to a point, thence
(cxlviii) South 53°41'19" East, 36.74 feet to a point, thence
(cxlix) South 74°40'56" East, 24.62 feet to a point, thence
(cl) North 54°54'07" East, 33.36 feet to a point, thence
(cli) North 84°28'13" East, 36.25 feet to a point, thence
(clii) North 76°04'23" East, 66.93 feet to a point, thence
(cliii) North 60°16'54" East, 74.47 feet to a point, thence
(cliv) North 60°23'59" East, 53.65 feet to a point, thence
(clv) North 35°26'53" East, 44.18 feet to a point, thence
(clvi) North 17°36'50" East, 34.39 feet to a point, thence
(clvii) North 71°46'44" East, 23.46 feet to a point, thence
(clviii) North 63°56'17" East, 29.60 feet to a point, thence
(clix) North 18°17'49" East, 30.13 feet to a point, thence
(clx) North 26°27'05" West, 25.55 feet to a point, thence
(clxi) North 65°17'45" West, 30.06 feet to a point, thence
(clxii) North 17°23'37" West, 17.24 feet to a point, thence
(clxiii) North 03°05'31" East, 22.76 feet to a point, thence
(clxiv) North 27°28'31" East, 15.07 feet to a point, thence
(clxv) North 69°26'40" East, 37.81 feet to a point, thence
(clxvi) North 82°21'34" East, 56.85 feet to a point, thence
(clxvii) North 78°41'25" East, 49.03 feet to the point of beginning, containing 257.53
acres of land.

- (2) Beginning for the same at a point on the Westerly line of the Pope's Creek Railroad Right-of-Way, said point also being at the end of the Thirty-Ninth or South 15°28' East, 608.50 line as described in a Deed from Southern Maryland Agricultural Association, Inc., a Maryland corporation, to Prince George's County, Maryland, a Municipal corporation, dated August 26, 1980 and recorded among the Land Records of Prince George's County, Maryland in Liber 5299 at Folio 269, said point further being at the end of the Forty-Ninth or South 23°03'37" East, 608.50 feet line of the First Annexation to the Town of Upper Marlboro, thence leaving the aforesaid Westerly line of the Pope's Creek Railroad Right-of-Way, and running reversely with and binding on the aforesaid Thirty-Ninth line, and the Thirty-Eighth and Thirty-Seventh lines as described in the aforesaid Deed recorded in Liber 5299 at Folio 269, and also running reversely with and binding on the aforesaid Forty-Ninth, and the Forty-Eighth and Forty-Seventh lines as described in the aforesaid First Annexation to the Town of Upper Marlboro, which line is also the present eastern boundary line of the Town of Upper Marlboro, the following three courses and distances
- (i) North 23°03'37" West, 608.50 feet to a point, thence
(ii) North 39°18'37" West, 470.00 feet to a point, thence
(iii) North 57°45'59" West, 269.71 feet to a point at the beginning of the Third or South 43°04'53" West, 110.97 feet line as described in a Deed from Prince George's County to L. Thomas Wellons, III and Thomas Franklin Houck, Sr.,

dated January 13, 1987 and recorded among the Land Records of Prince George's County, Maryland in Liber 6627 at Folio 682, thence leaving the aforesaid Thirty-Seventh line as described in the aforesaid Deed recorded in Liber 5299 at Folio 269, and running with and binding on the aforesaid Third line, and the Fourth through Seventh lines, and an extension of the aforesaid Seventh line, as described in the aforesaid Deed recorded in Liber 6627 at Folio 682, and also running reversely with and binding on the Forty-Sixth through Forty-Second lines as described in the aforesaid First Annexation to the Town of Upper Marlboro, which line is also the present eastern boundary line of the Town of Upper Marlboro, the following five courses and distances

- (iv) South 43°26'56" West, 110.97 feet to a point, thence
- (v) South 83°24'34" West, 18.27 feet to a point, thence
- (vi) North 06°35'26" West, 140.00 feet to a point, thence
- (vii) North 83°24'34" East, 20.30 feet to a point, thence
- (viii) North 27°41'57" West, 74.04 feet to a point on the Southerly Right-of-Way line of Marlboro Pike (MD Rte. 725 [formerly MD Rte. 4], variable width) as shown on State Roads Commission Plat Number 26495, thence leaving the aforesaid extension of the Seventh line as described in the aforesaid Deed recorded in Liber 6627 at Folio 682, and running with and binding on the aforesaid Southerly Right-of-Way line of Marlboro Pike, and also running reversely with and binding on the Forty-First through Thirty-Ninth lines as described in the aforesaid First Annexation to the Town of Upper Marlboro, which line is also the present eastern boundary line of the Town of Upper Marlboro, the following three courses and distances
- (ix) South 62°31'27" West, 39.26 feet to a point, thence
- (x) South 31°46'10" East, 35.06 feet to a point, thence
- (xi) South 61°30'04" West, 105.88 feet to a point on the Westerly side of the Western Branch of the Patuxent River as described in the aforesaid Original Corporate limits of the Town, thence leaving the aforesaid Southerly Right-of-Way line of Marlboro Pike, and also leaving the aforesaid Thirty-Ninth line as described in the aforesaid First Annexation to the Town of Upper Marlboro, and running with and binding on the aforesaid Westerly side, and the Southerly side, of the Western Branch of the Patuxent River as described in the aforesaid Original Corporate limits of the Town, which line is also the present eastern boundary line of the Town of Upper Marlboro, the following twenty-three courses and distances
- (xii) North 24°14'35" West, 4.69 feet to a point, thence
- (xiii) North 27°22'08" West, 37.58 feet to a point, thence
- (xiv) North 50°19'50" West, 31.49 feet to a point, thence
- (xv) North 72°00'27" West, 105.34 feet to a point, thence
- (xvi) North 69°22'30" West, 61.70 feet to a point, thence
- (xvii) North 49°39'54" West, 32.39 feet to a point, thence
- (xviii) North 34°10'04" West, 83.33 feet to a point, thence
- (xix) North 27°04'17" West, 21.53 feet to a point, thence
- (xx) North 06°34'28" West, 31.47 feet to a point, thence
- (xxi) North 00°44'01" West, 68.02 feet to a point, thence

- (xxii) North 21°22'28" West, 62.75 feet to a point, thence
- (xxiii) North 47°41'09" West, 97.96 feet to a point, thence
- (xxiv) North 37°16'08" West, 73.71 feet to a point, thence
- (xxv) North 22°27'20" West, 76.22 feet to a point, thence
- (xxvi) North 16°22'48" West, 71.39 feet to a point, thence
- (xxvii) North 39°32'50" West, 65.96 feet to a point, thence
- (xxviii) North 89°36'12" West, 64.16 feet to a point, thence
- (xxix) South 68°14'11" West, 131.81 feet to a point, thence
- (xxx) South 78°02'50" West, 141.60 feet to a point, thence
- (xxxi) North 86°42'04" West, 45.28 feet to a point, thence
- (xxxii) South 88°38'37" West, 69.49 feet to a point, thence
- (xxxiii) North 45°49'00" West, 45.54 feet to a point, thence
- (xxxiv) North 14°24'48" West, 53.96 feet to a point on the Southerly side of the mouth of the Federal Spring Branch of the Patuxent River at its confluence with the aforesaid Southerly side of the Western Branch of the Patuxent River as described in the Original Corporate limits of the Town, thence leaving the aforesaid Southerly side of the mouth of the Federal Spring Branch of the Patuxent River at its confluence with the Southerly side of the Western Branch of the Patuxent River as described in the Original Corporate limits of the Town, and running for a new boundary line of Upper Marlboro, the following course and distance
- (xxxv) South 30°25'44" East, 47.54 feet to a point in the aforesaid Western Branch of the Patuxent River, said point also being on the extension of the First or South 34°36' West, 733.83 feet line of Parcel One as described in a Deed of Correction from James Henry Reed, Jr., Personal Representative of the Estate of Della R. Reed, to Victoria L. Gardner and Hosia Gardner, III, dated November 04, 2019 and recorded among the aforesaid Land Records in Liber 42783 at Folio 223, thence leaving the aforesaid Western Branch of the Patuxent River, and running reversely with and binding on the aforesaid extension of the First line of Parcel One as described in the Deed recorded in Liber 42783 at Folio 223, the following course and distance
- (xxxvi) North 27°33'57" East, 740.28 feet to a point on the Southerly Right-of-Way line of Largo Road (MD Rte. 202, variable width) as shown on State Roads Commission Plat Number 43418, thence leaving the aforesaid extension of the First line of Parcel One as described in the Deed recorded in Liber 42783 at Folio 223, and running with and binding on the aforesaid Southerly Right-of-Way line of Largo Road the following six courses and distances
- (xxxvii) North 44°24'41" West, 49.94 feet to a point, thence
- (xxxviii) North 70°58'35" West, 11.18 feet to a point, thence
- (xxxix) North 35°19'16" West, 50.64 feet to a point, thence
- (xl) North 59°20'34" West, 77.62 feet to a point, thence
- (xli) North 41°21'31" West, 75.11 feet to a point, thence
- (xlii) North 35°19'14" West, 74.30 feet to a point on the Second or South 54°28' West, 125.20 feet line as described in a Deed from George Raymond Wells and Albert W. Wells, III to Joseph E. Canter, Sr., dated November 28, 2001 and recorded among the aforesaid Land Records in Liber 15211 at Folio 138,

- distant 103.50 feet from the end thereof, thence leaving the aforesaid Southerly Right-of-Way line of Largo Road, and running with and binding on the aforesaid First line, and the Second line as described in the aforesaid Deed recorded in Liber 15211 at Folio 138 the following two courses and distances
- (xliii) South 46°05'32" West, 103.50 feet to a point, thence
 - (xliv) South 16°33'28" East, 110.89 feet to a point on the First or South 54°57' West, 540 feet line of the First Parcel as described in a Deed from Norman S. Weber and Jacqueline R. Weber to Audrey Blackwell, dated August 20, 2003 and recorded among the aforesaid Land Records in Liber 18355 at Folio 178, thence leaving the aforesaid Second line as described in the Deed recorded in Liber 15211 at Folio 138, and running with and binding on the aforesaid First line of the First Parcel as described in the Deed recorded in Liber 18355 at Folio 178, and also running reversely with and binding on the Easterly or North 46°28'30" East, 19.64 feet Plat line as shown on a Record Plat entitled "Plat Seven, Villages of Marlborough" and recorded among the aforesaid Land Records in Plat Book 129 on Page 96, the following course and distance
 - (xlv) South 46°34'32" West, 373.45 feet to a point, thence continuing reversely with and binding on the outline of the aforesaid Record Plat recorded in Plat Book 129 on Page 96 the following eight courses and distances
 - (xlvii) North 88°33'40" West, 78.25 feet to a point, thence
 - (xlviii) North 12°23'58" West, 190.00 feet to a point, thence
 - (xlix) North 12°51'02" East, 158.00 feet to a point, thence
 - (l) North 23°23'58" West, 72.00 feet to a point, thence
 - (li) North 46°23'58" West, 220.00 feet to a point, thence
 - (lii) North 58°46'10" West, 226.66 feet to a point, thence
 - (liii) North 77°44'20" West, 177.33 feet to a point, thence
 - (liiii) North 21°45'40" West, 261.81 feet to a point on the extension of the Common or North 63°19' East, 467.7 feet line between Lots 2 and 3 as shown on a Plat of Subdivision entitled "Section One, North East Marlboro" and recorded among the aforesaid Land Records in Plat Book 15 on Page 10, thence leaving the aforesaid outline of the Record Plat recorded in Plat Book 129 on Page 96, and running reversely with and binding on the extension and with the Common lines between the aforesaid Lots 2 & 3 as shown on the Plat of Subdivision recorded in Plat Book 15 on Page 10 the following two courses and distances
 - (liv) North 54°56'32" East, 469.89 feet to a point, thence
 - (lv) North 76°06'32" East, 215.85 feet to a point on the aforesaid Westerly Right-of-Way line of Largo Road as shown on States Roads Commission Plat Number 43419, thence leaving the aforesaid Common line between Lots 2 & 3 as shown on the Plat of Subdivision recorded in Plat Book 15 on Page 10, and running with and binding on the aforesaid Westerly Right-of-Way line of Largo Road the following fifteen courses and distances
 - (lvi) North 25°05'07" West, 27.83 feet to a point, thence
 - (lvii) North 05°14'41" West, 101.12 feet to a point, thence
 - (lviii) North 01°52'01" East, 51.92 feet to a point, thence
 - (lix) North 02°55'26" East, 52.20 feet to a point, thence
 - (lx) North 10°51'58" West, 61.87 feet to a point, thence

- (lxi) North 08°37'54" West, 76.52 feet to a point, thence
- (lxii) North 13°46'31" West, 412.00 feet to a point, thence
- (lxiii) North 43°53'20" West, 57.80 feet to a point, thence
- (lxiv) North 28°21'00" West, 51.66 feet to a point, thence
- (lxv) North 01°52'01" East, 51.92 feet to a point, thence
- (lxvi) North 06°01'25" East, 53.14 feet to a point, thence
- (lxvii) North 02°27'56" West, 50.99 feet to a point, thence
- (lxviii) North 13°46'31" West, 25.00 feet to a point of curvature, thence
- (lxix) 265.23 feet along the arc of a tangent curve, deflecting to the left, having a radius of 788.51 feet and a chord bearing and distance of North 23°24'41" West, 263.98 feet to a point, thence with a tangent line
- (lxx) North 33°02'51" West, 95.20 feet to a point, thence leaving the aforesaid Westerly Right-of-Way line of Largo Road, and running in, through, over and across the aforesaid Largo Road the following course and distance
- (lxxi) North 56°57'09" East, 60.00 feet to a point on the Easterly Right-of-Way line of the aforesaid Largo Road as shown on State Roads Commission Plat Number 43420, said point also being on the extension of the Northerly or North 71°25'54" East, 942.69 feet Plat line as shown on a Record Plat entitled "Lot 1 & Outparcels 'A' thru 'E', Wurtz & Weeks Tract" and recorded among the aforesaid Land Records in Plat Book 182 on Page 89, thence leaving the aforesaid Easterly Right-of-Way line of Largo Road, and running with and binding on the extension and with the outline of the aforesaid Record Plat recorded in Plat Book 182 on Page 89 the following twenty courses and distances
- (lxxii) North 71°26'21" East, 943.55 feet to a point, thence
- (lxxiii) North 40°13'14" West, 138.88 feet to a point, thence
- (lxxiv) North 63°53'24" West, 270.09 feet to a point, thence
- (lxxv) North 69°39'37" East, 798.29 feet to a point, thence
- (lxxvi) North 70°54'37" East, 198.00 feet to a point, thence
- (lxxvii) North 67°24'37" East, 68.75 feet to a point, thence
- (lxxviii) South 34°25'19" East, 105.05 feet to a point, thence
- (lxxix) South 31°34'27" East, 87.21 feet to a point, thence
- (lxxx) South 35°31'10" East, 56.00 feet to a point, thence
- (lxxxi) South 39°36'18" East, 84.21 feet to a point, thence
- (lxxxii) South 28°56'15" East, 26.17 feet to a point, thence
- (lxxxiii) South 09°28'50" West, 35.36 feet to a point, thence
- (lxxxiv) South 35°18'47" East, 61.62 feet to a point, thence
- (lxxxv) South 69°39'19" East, 47.29 feet to a point, thence
- (lxxxvi) South 18°26'42" East, 35.53 feet to a point, thence
- (lxxxvii) South 25°59'24" East, 144.45 feet to a point, thence
- (lxxxviii) South 16°44'01" East, 207.91 feet to a point, thence
- (lxxxix) South 10°00'24" East, 193.55 feet to a point, thence
- (xc) South 01°26'29" East, 27.61 feet to a point, thence
- (xci) South 65°15'02" West, 1,021.48 feet to a point on the Westerly or North 33°26'48" West, 50.61 feet Plat line as shown on a Record Plat entitled "Parcels 'B' & 'C', Wurtz and Weeks Addition to Marlboro" and recorded

- among the aforesaid Land Records in Plat Book 95 on Page 65, thence leaving the aforesaid outline of the Record Plat recorded in Plat Book 182 on Page 89, and running reversely with and binding on the outline of the aforesaid Record Plat recorded in Plat Book 95 on Page 65 the following two courses and distances
- (xcii) South 33°26'22" East, 50.61 feet to a point, thence
 - (xciii) South 56°39'11" West, 30.00 feet to a point of curvature on Easterly Dedication line of Proposed Maryland Route 202 as shown on the aforesaid Record Plat recorded in Plat Book 95 on Page 65, thence leaving the aforesaid outline of the Record Plat recorded in Plat Book 95 on Page 65, and running reversely with and binding on the aforesaid Easterly Dedication line of Proposed Maryland Route 202 as shown on the Record Plat recorded in Plat Book 95 on Page 65 the following five courses and distances
 - (xciv) 383.92 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 15,679.21 feet and a chord bearing and distance of South 32°38'44" East, 383.91 feet to a point, thence with a non-tangent line
 - (xcv) South 31°52'13" East, 40.41 feet to a point of curvature, thence
 - (xcvi) 616.29 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 15,679.21 feet and a chord bearing and distance of South 30°40'13" East, 616.25 feet to a point, thence with a non-tangent line
 - (xcvii) South 29°28'14" East, 40.41 feet to a point of curvature, thence
 - (xcviii) 75.81 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 15,679.21 feet and a chord bearing and distance of South 29°15'29" East, 75.81 feet to a point on the Northerly or North 71°17'13" East, 369.76 feet Plat line as shown on a Record Plat entitled "Parcels F and G, Wurtz and Weeks Addition to Marlboro" and recorded among the aforesaid Land Records in Plat Book 169 on Page 41, thence leaving the aforesaid Easterly Dedication line of Proposed Maryland Route 202 as shown on the Record Plat recorded in Plat Book 95 on Page 65, and reversely with and binding on the outline of the aforesaid Record Plat recorded in Plat Book 169 on Page 41 the following five courses and distances
 - (xcix) South 71°17'39" West, 10.17 feet to a point of curvature, thence
 - (c) 126.41 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 15,669.21 feet and a chord bearing and distance of South 28°53'43" East, 126.41 feet to a point, thence with a tangent line
 - (ci) South 28°39'51" East, 101.59 feet to a point, thence
 - (cii) North 61°20'09" East, 25.00 feet to a point, thence
 - (ciii) South 28°39'51" East, 32.12 feet to a point on the Tenth or North 77°44' East, 111.00 feet line of the Second Parcel as described in a Deed from Emily W. Gilman, surviving Tenant by the Entirety of Arthur N. Gilman, to Theodore Cardinal McCarrick, Roman Catholic Archbishop of Washington, a Corporation Sole, dated January 30, 2004 and recorded among the aforesaid Land Records in Liber 19428 at Folio 545, distant 78.72 feet from the beginning thereof, thence leaving the aforesaid outline of the Record Plat recorded in Plat Book 169 on Page 41, and running reversely with and binding on the aforesaid Tenth line, and the Ninth through First lines of the aforesaid

Second Parcel, and also running with and binding on the Seventh line of the First Parcel, all as described in the aforesaid Deed recorded in Liber 19428 at Folio 545 the following eleven courses and distances

- (civ) South 70°13'03" West, 78.72 feet to a point, thence
- (cv) South 46°07'03" West, 99.80 feet to a point, thence
- (cvi) South 61°53'03" West, 60.04 feet to a point, thence
- (cvii) South 52°55'03" West, 65.51 feet to a point, thence
- (cviii) South 34°59'03" West, 44.89 feet to a point, thence
- (cix) South 79°38'03" West, 45.94 feet to a point, thence
- (cx) South 62°10'03" West, 48.73 feet to a point, thence
- (cxi) South 53°47'03" West, 176.76 feet to a point, thence
- (cxii) North 39°30'57" West, 38.93 feet to a point, thence
- (cxiii) South 55°12'28" West, 158.61 feet to a point, thence
- (cxiv) South 55°54'23" West, 237.41 feet to a point on the Easterly Right-of-Way line of the aforesaid Largo Road as shown on the aforesaid State Roads Commission Plat Number 43418, thence leaving the aforesaid Seventh line of the First Parcel as described in the Deed recorded in Liber 19428 at Folio 545, and running with and binding on the aforesaid Easterly Right-of-Way line of Largo Road the following four courses and distances
- (cxv) South 45°35'19" West, 19.48 feet to a point, thence
- (cxvi) South 44°24'41" East, 171.00 feet to a point, thence
- (cxvii) South 44°32'55" East, 81.86 feet to a point, thence
- (cxviii) South 44°39'41" East, 192.90 feet to a point on the Sixth or South 72°32' West, 397.93 feet line as described in a Deed from William P. Egri to William P. Egri and Jacqueline M. Hudak, dated November 18, 2014 and recorded among the aforesaid Land Records in Liber 36570 at Folio 363, distant 383.48 feet from the beginning thereof, thence leaving the aforesaid Easterly Right-of-Way line of Largo Road, and running reversely with and binding on the aforesaid Fifth line, and the Fourth line, as described in the Deed recorded in Liber 36570 at Folio 363 the following two courses and distances
- (cxix) North 65°16'03" East, 383.48 feet to a point, thence
- (cxx) North 64°25'59" East, 450.72 feet to a point at the Westerly end of the Southerly or South 64°15'13" West, 38.26 feet Plat line as shown on the aforesaid Record Plat recorded in Plat Book 169 on Page 41, thence running reversely with and binding on the aforesaid Southerly Plat line of the Record Plat recorded in Plat Book 169 on Page 41, and also continuing reversely with and binding on the aforesaid Fourth line as described in the Deed recorded in Liber 36570 at Folio 363, the following course and distance
- (cxxi) North 64°15'39" East, 38.26 feet to a point on the aforesaid Westerly line of the Pope's Creek Railroad Right-of-Way, thence leaving the aforesaid Southerly Plat line of the Record Plat recorded in Plat Book 169 on Page 41, and also leaving the aforesaid Fourth line as described in the Deed recorded in Liber 36570 at Folio 363, and further leaving the aforesaid Westerly line of the Pope's Creek Railroad Right-of-Way, and running in, through, over and across the aforesaid Pope's Creek Railroad Right-of-Way the following course and distance

- (cxxii) North 69°11'01" East, 75.59 feet to a point on the Easterly line of the aforesaid Pope's Creek Railroad Right-of-Way, said point also being at the end of the Fifty-Ninth or South 89°03'00" West, 294.55 feet line of Parcel 1 as described in a Deed from Buck Real Estate Holdings, LLC to Four Thousand Four Branch Avenue, LLC, dated November 25, 2003 and recorded among the aforesaid Land Records in Liber 18512 at Folio 355, thence leaving the aforesaid Easterly line of the Pope's Creek Railroad Right-of-Way, and running reversely with and binding on the aforesaid Fifty-Ninth line, and the Fifty-Eighth through Fifty-Second lines, as described in the aforesaid Deed recorded in Liber 18512 at Folio 355 the following eight courses and distances
- (cxxiii) North 89°02'59" East, 294.55 feet to a point, thence
- (cxxiv) North 23°14'46" West, 6.59 feet to a point, thence
- (cxxv) North 37°52'33" East, 94.05 feet to a point, thence
- (cxxvi) North 06°48'10" West, 117.42 feet to a point, thence
- (cxxvii) North 32°07'14" East, 38.29 feet to a point, thence
- (cxxviii) North 75°50'03" East, 62.62 feet to a point, thence
- (cxxix) North 65°38'03" East, 66.22 feet to a point, thence
- (cxxx) North 36°32'25" East, 39.70 feet to a point on the extension of the Fifth or South 00°53' East, 742.5 feet line of Parcel No. 1 as described in a Deed from Joseph Albert Ireland and Mattie C. Ireland to Eugene Chaney and Grace W. Chaney, dated October 28, 1953 and recorded among the aforesaid Land Records in Liber 1664 at Folio 304, thence leaving the aforesaid Fifty-Second line as described in the aforesaid Deed recorded in Liber 18512 at Folio 355, and running with the aforesaid extension of the Fifth line of Parcel No. 1 as described in the aforesaid Deed recorded in Liber 1664 at Folio 304 the following course and distance
- (cxxxix) South 02°55'12" East, 57.55 feet to a point at the beginning of the aforesaid Fifth line of Parcel No. 1 as described in the Deed recorded in Liber 1664 at Folio 304, thence leaving the aforesaid Fifth line of Parcel No. 1 as described in the Deed recorded in Liber 1664 at Folio 304, and running reversely with and binding on the Fourth and Third lines of the aforesaid Parcel No. 1 as described in the Deed recorded in Liber 1664 at Folio 304 the following two courses and distances
- (cxxxixii) South 70°17'12" East, 99.00 feet to a point, thence
- (cxxxixiii) North 88°12'48" East, 33.00 feet to a point at the Southerly end of the Westerly or North 08°43'04" East, 494.45 feet line of Parcel "A" as shown on a Plat of Subdivision entitled "Sugar Hill" and recorded among the aforesaid Land Records in Plat Book 106 on Page 24, thence leaving the aforesaid Third line of Parcel No. 1 as described in the Deed recorded in Liber 1664 at Folio 304, and running with and binding on the outline of the aforesaid Parcel "A" as shown on the Plat of Subdivision recorded in Plat Book 106 on Page 24 the following twenty-one courses and distances
- (cxxxixiv) North 08°43'25" East, 494.45 feet to a point, thence
- (cxxxixv) South 80°41'56" East, 97.10 feet to a point, thence
- (cxxxixvi) North 01°59'03" East, 36.93 feet to a point, thence
- (cxxxixvii) South 76°25'25" East, 16.72 feet to a point, thence

- (cxxxviii) North 82°52'51" East, 24.19 feet to a point, thence
(cxxxix) South 82°27'17" East, 34.30 feet to a point, thence
(cxl) North 75°58'11" East, 18.55 feet to a point, thence
(cxli) South 79°59'10" East, 34.53 feet to a point, thence
(cxlii) North 81°10'58" East, 29.84 feet to a point, thence
(cxliii) North 51°36'38" East, 33.81 feet to a point, thence
(cxliv) South 83°33'09" East, 31.20 feet to a point, thence
(cxlv) North 79°23'10" East, 40.70 feet to a point, thence
(cxlvi) South 62°31'11" East, 28.18 feet to a point, thence
(cxlvii) South 81°10'26" East, 29.35 feet to a point, thence
(cxlviii) North 89°03'04" East, 30.00 feet to a point, thence
(cxlix) North 75°58'11" East, 30.92 feet to a point, thence
(cl) South 88°42'56" East, 112.03 feet to a point, thence
(cli) South 85°25'13" East, 25.08 feet to a point, thence
(clii) North 87°37'12" East, 36.03 feet to a point, thence
(cliii) North 78°36'59" East, 25.04 feet to a point, thence
(cliv) South 05°34'38" East, 110.50 feet to a point on the Twelfth or North 87°55'06" East, 545.27 feet line of Parcel I.D. No. 03-0228916 as described in a Deed from L. Thomas Wellons, III and Diane L. Wellons to Green Century Partners, LLC, a Maryland limited liability company, dated August 28, 2017 and recorded among the aforesaid Land Records in Liber 40122 at Folio 369, distant 311.12 feet from the end thereof, thence leaving the aforesaid outline of Parcel "A" as shown on the Plat of Subdivision recorded in Plat Book 106 on Page 24, and running with and binding on the aforesaid Twelfth line, and the Thirteenth line of Parcel I.D. No. 03-0228916, and also running with and binding on the Second through Seventh lines of Parcel I.D. No. 03-0215061, all as described in the aforesaid Deed recorded in Liber 40122 at Folio 369 the following eight courses and distances
(clv) North 87°56'51" East, 311.12 feet to a point, thence
(clvi) South 77°17'34" East, 139.60 feet to a point, thence
(clvii) North 15°11'57" West, 131.98 feet to a point, thence
(clviii) North 82°41'38" East, 105.60 feet to a point, thence
(clix) South 81°48'22" East, 87.12 feet to a point, thence
(clx) South 44°33'22" East, 66.00 feet to a point, thence
(clxi) South 69°48'22" East, 54.78 feet to a point, thence
(clxii) North 88°41'38" East, 49.55 feet to a point at the Southerly end of the Westerly or North 05°25'31" West, 307.88 feet Plat line as shown on a Record Plat entitled "Plat One, Parcel 1 & Outparcel 1, Townes at Peerless" and recorded among the aforesaid Land Records in Plat Book 255 on Page 94, thence leaving the aforesaid Seventh line of Parcel I.D. No. 03-0215061 as described in the Deed recorded in Liber 40122 at Folio 369, and running with and binding on the outline of the aforesaid Record Plat recorded in Plat Book 255 on Page 94 the following nine courses and distances
(clxiii) North 05°25'31" West, 307.87 feet to a point, thence
(clxiv) North 83°44'12" East, 57.75 feet to a point, thence
(clxv) North 73°02'17" East, 116.20 feet to a point, thence

- (clxvi) North 05°25'31" West, 330.26 feet to a point, thence
- (clxvii) North 83°28'21" East, 35.26 feet to a point, thence
- (clxviii) South 74°46'39" East, 280.50 feet to a point, thence
- (clxix) North 66°43'21" East, 85.14 feet to a point, thence
- (clxx) South 48°16'39" East, 105.60 feet to a point, thence
- (clxxi) South 68°31'39" East, 120.49 feet to a point on the Westerly Right-of-Way line of Crain Highway (U.S. Rte. 301, variable width) as shown on State Roads Commission Plat Number 6607, thence running with and binding on the aforesaid Westerly Right-of-Way line of Crain Highway, and also continuing with and binding on the aforesaid outline of the Record Plat recorded in Plat Book 255 on Page 94 the following three courses and distances
- (clxxii) South 28°03'21" West, 11.48 feet to a point, thence
- (clxxiii) South 62°11'12" East, 26.80 feet to a point, thence
- (clxxiv) South 12°01'39" East, 67.87 feet to a point, thence leaving the aforesaid Westerly Right-of-Way line of Crain Highway, and also leaving the aforesaid outline of the Record Plat recorded in Plat Book 255 on Page 94, and running in, through, over and across the aforesaid Crain Highway Right-of-Way the following course and distance
- (clxxv) South 84°42'34" East, 162.09 feet to a point of curvature on the Easterly Right-of-Way line of the aforesaid Crain Highway, thence running with and binding on the aforesaid Easterly Right-of-Way line of Crain Highway the following five courses and distances
- (clxxvi) 816.79 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 4,766.90 feet and a chord bearing and distance of South 22°59'21" West, 815.79 feet to a point, thence with a non-tangent line
- (clxxvii) South 24°53'26" East, 81.42 feet to a point, thence
- (clxxviii) North 89°53'21" West, 57.68 feet to a point of curvature, thence
- (clxxix) 508.24 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 4,766.90 feet and a chord bearing and distance of South 14°05'46" West, 508.00 feet to a point, thence with a tangent line
- (clxxx) South 11°02'31" West, 242.31 feet to a point, thence leaving the aforesaid Easterly Right-of-Way line of Crain Highway, and running in, through, over and across the aforesaid Crain Highway Right-of-Way the following course and distance
- (clxxxii) North 78°57'29" West, 150.00 feet to a point on the aforesaid Westerly Right-of-Way line of Crain Highway, said point also being at the Easterly end of the Southerly or North 88°05'50" West, 288.20 feet Plat line as shown on a Record Plat entitled "Lot 1 and 2, Marlboro Shell" and recorded among the aforesaid Land Records in Plat Book 171 on Page 1, thence leaving the aforesaid Westerly Right-of-Way line of Crain Highway, and running with and binding on the outline of the aforesaid Record Plat recorded in Plat Book 171 on Page 1 the following three courses and distances
- (clxxxiii) North 88°04'49" West, 288.20 feet to a point, thence
- (clxxxiv) North 43°04'49" West, 34.26 feet to a point, thence
- (clxxxv) North 89°12'13" West, 155.36 feet to a point on the Easterly or South 01°59'48" West, 428.53 feet Plat line as shown on a Record Plat entitled "Lot

- 1, Upper Marlboro 84-Lumber Subdivision” and recorded among the aforesaid Land Records in Plat Book 198 on Page 25, distant 66.39 feet northerly from the Southerly end thereof, thence leaving the aforesaid outline of the Record Plat recorded in Plat Book 171 on Page 1, and running with and binding on the outline of the aforesaid Record Plat recorded in Plat Book 198 on Page 25 the following four courses and distances
- (clxxxv) South 01°40’11” West, 66.39 feet to a point, thence
- (clxxxvi) North 87°51’13” West, 50.10 feet to a point, thence
- (clxxxvii) South 01°48’10” West, 283.47 feet to a point, thence
- (clxxxviii) North 88°23’00” West, 190.00 feet to a point at the beginning of the First or North 88°09’46” West, 82.00 feet line as described in a Deed from 84 Holdings 3, LLC, a Pennsylvania limited liability company, to Pierce Hardy Limited Partnership, a Pennsylvania limited partnership, dated March 07, 2016 and recorded among the aforesaid Land Records in Liber 38321 at Folio 286, thence leaving the aforesaid outline of the Record Plat recorded in Plat Book 198 on Page 25, and running with and binding on the aforesaid First line as described in the Deed recorded in Liber 38321 at Folio 286 the following course and distance
- (clxxxix) North 88°11’55” West, 82.00 feet to a point on the Easterly Right-of-Way line of a Right-of-Way (16’ wide) as shown on plat of Clement Hill Estate filed in Equity No. 1430 of the Circuit Court for Prince George’s County, Maryland as described in a Deed from Charles E. Tighe, II, et al, to Joseph A Ripple, et al, dated April 04, 1983 and recorded among the aforesaid Land Records in Liber 5667 at Folio 812, thence leaving the aforesaid First line as described in the Deed recorded in Liber 38321 at Folio 286, and running with and binding on the aforesaid Easterly Right-of-Way line of a Right-of-Way as described in the Deed recorded in Liber 5667 at Folio 812 the following course and distance
- (cxc) South 04°23’53” East, 180.59 feet to a point at the Northerly end of the Westerly or North 04°23’38” West, 7.98 feet Plat line as shown on a Record Plat entitled “Lots 1, 2 & 3, Weymouth” and recorded among the aforesaid Land Records in Plat Book 111 on Page 47, the leaving the aforesaid Easterly Right-of-Way line of a Right-of-Way as described in the Deed recorded in Liber 5667 at Folio 812, and running reversely with and binding on the outline of the aforesaid Record Plat as recorded in Plat Book 111 on Page 47 the following five courses and distances
- (cxci) South 04°23’38” East, 7.98 feet to a point, thence
- (cxcii) South 85°20’28” West, 397.64 feet to a point, thence
- (cxciii) South 03°00’26” East, 4.38 feet to a point, thence
- (cxciv) South 86°48’35” West, 50.75 feet to a point, thence
- (cxcv) South 64°08’25” East, 43.85 feet to a point, thence continuing with and binding on the aforesaid outline of the Record Plat as recorded in Plat Book 111 on Page 47, and an extension thereof, the following course and distance
- (cxcvi) South 74°11’35” West, 392.22 feet to a point on the extension of the Seventh or South 10°23’23” East, 314.33 feet line as described in a Deed from Roger A. Graham and Barbara M. Graham to Decatur Properties, LLC, a Maryland limited liability company, dated January 31, 2008 and recorded among the

aforesaid Land Records in Liber 29337 at Folio 242, thence running with and binding on the aforesaid extension of the Seventh line, and also running with and binding on the Eighth through Thirteenth lines as described in the aforesaid Deed recorded in Liber 29337 at Folio 242 the following seven courses and distances

- (cxcvii) South 10°13'35" East, 346.68 feet to a point, thence
- (cxcviii) South 10°58'06" East, 271.80 feet to a point, thence
- (cxcix) South 02°11'45" West, 165.31 feet to a point, thence
- (cc) South 54°34'15" East, 146.06 feet to a point, thence
- (cci) South 40°41'45" West, 35.81 feet to a point, thence
- (ccii) South 14°35'25" West, 724.21 feet to a point, thence
- (cciii) South 86°03'45" West, 171.73 feet to a point on the aforesaid Easterly line of the Pope's Creek Railroad Right-of-Way, thence leaving the aforesaid Thirteenth line as described in the Deed recorded in Liber 29337 at Folio 242, and also leaving the aforesaid Easterly line of the Pope's Creek Railroad Right-of-Way, and running in, through, over and across the aforesaid Pope's Creek Railroad Right-of-Way the following course and distance
- (cciv) North 68°44'42" West, 116.68 feet to the point of beginning, containing 246.34 acres of land.

Section 3. Application of Town Charter and Ordinances. Upon the effective date of this Resolution, the provisions of the Charter, and ordinances of The Town of Upper Marlboro, and any local public laws enacted or to be enacted affecting The Town of Upper Marlboro, shall be effective within the Annexation Property except to the extent that federal or state law, this Resolution, an Annexation Agreement or the Annexation Plan provides otherwise.

Section 4. Zoning Classifications. The Annexation Property is governed under the land use jurisdiction of the District Council of Prince George's County and the Maryland-National Capital Park and Planning Commission ("M-NCPPC"). The Annexation Property (both Second and Third Annexation Areas) is currently zoned R-R, R-80, R-O-S, C-M, I-L, O-S, M-X-T, and R-E (See *Guide to Zoning Categories Prince George's County, Maryland*, (M-NCPPC 2010) on certain portions of the subject parcels or lots pursuant to the County Zoning Ordinance.

Section 5. Annexation Plan. The Town has prepared an Annexation Plan with regard to the Annexation Property. The Annexation Plan is attached hereto as Exhibit B, 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. The Annexation Plan may not be construed in any way as an amendment to this Resolution. A copy of the Annexation Plan has been provided to the Prince George's County Council and the County Executive, M-NCPPC, and also to the Maryland Department of State Planning ("MDP") at least thirty (30) days prior to the date of the public hearing conducted by the Board of Commissioners on this Resolution.

Section 6. Public Hearing and Public Notice. 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 Board of Commissioners, and duly advertised according to the provisions of that statute. 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 Upper Marlboro, Maryland, 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. 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.

Section 7. Registration of Boundaries. 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 President/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. Each such official or agency shall hold this Resolution with the new municipal boundaries on record and available for public inspection.

Section 8. Annexation Agreement. The Board of Commissioners is authorized to execute an Annexation Plan, an Annexation Agreement, an agreement for the extension of public services and facilities, and/or other agreements of a similar nature with regard to the Annexation Properties including any special treatment for municipal taxation, services, and facilities as permitted and limited by Section 4-405 of the LG Article of the Md. Ann. Code, provided that the terms of this Annexation Resolution shall prevail over any inconsistent term in any such agreement. Said agreements shall be considered to be incorporated by reference herein provided such agreements were approved by resolution of the Board prior to the enactment date of this Annexation Resolution.

Section 9. Effective Date. This Resolution shall be deemed "finally enacted" on the date on which the Commissioners indicate their approval of the Resolution by affixing their signatures hereto. 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, whereas should said petition come to pass and be verified to be in compliance with law, the President/Mayor shall suspend this Resolution by proclamation pending the results of the referendum.

Section 10. Severability. If any provision of this Resolution is held to be invalid or unenforceable, all other provisions hereof shall nevertheless continue in full force and effect. The Board intends that the Second (2nd) Annexation Area and the Third (3rd) Annexation Area each separately comply with the law and may each be separately petitioned to referendum.

AND BE IT FURTHER RESOLVED, by the Board of Commissioners of the Town of Upper Marlboro, that the corporate boundaries of the Town of Upper Marlboro be, and they hereby are, enlarged and extended by including therein the Annexation Area(s) referred to and described in this Resolution and in Exhibit A ("Map of the Second and Third Annexations of the Town of Upper Marlboro, Prince George's County, Maryland, 1" = 300', August 2021") prepared by Charles P. Johnson and Associates, Inc., attached hereto and incorporated herein by reference.

PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular/special meeting on the _____ day of _____, 2021.

ATTEST:

BOARD OF COMMISSIONERS OF THE
TOWN OF UPPER MARLBORO,
MARYLAND

John Hoatson
Clerk

Sarah Franklin, President

Janice Duckett, Commissioner

Enactment Date: _____

Thomas Hanchett, Commissioner

Karen Lott , Commissioner

Vacant , Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: _____

CERTIFICATION

I, HEREBY CERTIFY THAT THE FOREGOING RESOLUTION OF THE TOWN OF UPPER MARLBORO DESIGNATED ANNEXATION RESOLUTION NO. 01 - 2021, WAS DULY INTRODUCED AND READ, AND THEREAFTER ADVERTISED FOR FOUR SUCCESSIVE WEEKS, AND CONSIDERED AT A PUBLIC HEARING ON NOVEMBER 30th 2021 AND WAS ADOPTED BY THE BOARD OF COMMISSIONERS AT A DULY ANNOUNCED PUBLIC MEETING, IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND AND CHARTER OF THE TOWN OF UPPER MARLBORO.

ATTEST:

John Hoatson, Clerk

EXHIBIT A - “Map of the Second and Third Annexations of the Town of Upper Marlboro, Prince George’s County, Maryland, 1” = 300’, August 2021” prepared by Charles P. Johnson and Associates, Inc.

EXHIBIT B – Annexation Plan for the 2nd and 3rd Annexations

ANNEXATION RESOLUTION SCHEDULE

RESOLUTION INTRODUCTION DATE: Tues October 12th, 2021

ANNEXATION PLAN TO COUNTY, MDP, M-NCPPC & PGCPB
(AT LEAST 30 DAYS BEFORE HEARING): Weds October 13th, 2021

HEARING NOTICE PUBLICATION DATES: 1 Thur. October 21st, 2021
(4 NOTICES FOR 4 WEEKS PRIOR TO HEARING) 2. Thur. October 28th, 2021
3. Thur. November 4th, 2021
4. Thur. November 11th, 2021

MAIL PUBLIC NOTICE TO CO. COUNCIL, MDP & M-NCPPC: Fri. October 15th, 2021

PUBLIC HEARING DATE: Tues. November 30th, 2021, 6PM
(NOT LESS THAN 15 DAYS AFTER THE FINAL PUBLICATION OF THE NOTICES)

ENACTMENT DATE (ON OR AFTER HEARING DATE): Tues. December 28th, 2021

EFFECTIVE DATE (45 DAYS AFTER ENACTMENT): Fri. February 11th, 2022

FILE ENACTED RESOLUTION Mon. February 21, 2022
(WITH CLERK OF CIR. COURT, MD. DEPT. LEGISLATIVE SERVICES, COUNTY TAX ASSESSOR & M-NCPPC W/I 10 DAYS)

Note: 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.