

**NOTICE OF PUBLIC HEARING**

**THE TOWN OF FOREST HEIGHTS ANNEXATION**

(Land of Mount Joy Baptist Church of Washington D.C., Located Generally East and North of the Present Municipal Boundaries of the Town of Forest Heights)

NOTICE is hereby given by the Mayor and Council of the Town of Forest Heights, Maryland that on March 15, 2023 Annexation Resolution No. 02-2023 (the “Resolution”), known as the 11<sup>th</sup> Extension (2023) was introduced and read at a regular/special meeting of the Town Council of the Town of Forest Heights (the “Town Council”) proposing and recommending that the boundaries of the Town of Forest Heights be changed so as to annex to and include within the boundaries of the Town all that certain area of land therein identified as:

A PARCEL OF LAND LOCATED GENERALLY NORTH AND EAST OF THE PRESENT CORPORATE LIMITS OF THE TOWN OF FOREST HEIGHTS EXTENDING ALONG, ABUTTING TO, AND INCLUDING IMPROVED REAL PROPERTY NEAR THE INTERSECTION OF INDIAN HEAD HIGHWAY AND LIVINGSTON ROAD KNOWN AS THE MCDANIEL'S SUBDIVISION LOCATED AT AND FRONTING UPON 5410 INDIAN HEAD HWY, OXON HILL, MD 20745 (PARCEL 10 – 1.456 ACRES) OWNED BY THE MOUNT JOY BAPTIST CHURCH OF WASHINGTON, D.C. AS DEPICTED ON TAX MAP 96, GRID A2, PARCEL 10 (ACCOUNT NO. 12-1354836) INTO THE CORPORATE TERRITORY OF THE TOWN OF FOREST HEIGHTS (THE “ANNEXATION PROPERTY”) AS DEPICTED ON A PLAT OF THE AREA PROPOSED TO BE ANNEXED REFERENCED HEREIN BELOW.

The Resolution was initiated by the Town Council pursuant to §4-403 of the LG Art., of Md. Ann. Code. NOTICE is further hereby given by the Mayor and Council that it will hold a **PUBLIC HEARING** on said Resolution and the said annexation therein proposed and recommended on:

**Wednesday, May 17, 2023**  
**at 8:00 o'clock P.M.**  
**in the Forest Heights Municipal Building**  
**Forest Heights, Maryland**

and that all interested persons are invited to attend said public hearing and present their views. Conditions of proposed annexation are as follows:

1. The Town shall pay the costs in regard to said annexation, and all advertising, professional consultant and legal expenses related to the annexation. The owners of assessable and taxable property within the Annexation Property, if any, shall begin paying municipal property taxes immediately or within the upcoming fiscal year, as permitted by law. Currently all or a portion of real property located within the Annexation Property appears to be at least

partially taxable and thereby is not now or in the immediate future may be subject to the municipal tax on real property.

2. The Town will require that all necessary infrastructure and improvements, including, but not limited to, roads, stormwater management, sewer expansion and/or extensions and utility delivery systems, and all other facilities necessary to serve the proposed use shall be installed in accordance with sound engineering principles, and shall be subject to location, design, and construction approvals by the County and other applicable agencies.

3. Certain municipal services will be available to the Annexation Property upon annexation, subject to compliance with the Annexation Resolution and consistent with the Annexation Plan. Services not currently available will be extended to the Annexation Property in accordance with the aforesaid documents.

In accordance with the Local Government Article, §4-406, of the Annotated Code of Maryland (the “Maryland Code”), this Notice shall be published two (2) times, at consecutive weekly intervals, beginning on or about April 13, 2023.

Notice is further hereby given by the Town Council that following such public hearing, the Town Council is empowered by law to enact said Resolution and, if so enacted, the Resolution provides that it shall take effect upon the forty-sixth (46<sup>th</sup>) day following passage, and that said resolution is further subject within such period to a Petition for Referendum by qualified voters of the municipality pursuant to the requirements of the Local Government Article, §4-409, *et seq.* of the Maryland Code.

The Resolution, including and together with the exhibits, plats and/or the map entitled “Boundary Survey Land of Mount Joy Baptist Church of Washington D.C.,” prepared by Kevin Norris Surveying, LLC on February 22, 2023, and certified by Kevin S. Norris, Professional Land Surveyor, which is referenced and attached to said Resolution, and a metes and bounds description of the lands which are the subject of the annexation, and a proposed Annexation Plan are all incorporated by reference herein and are available for inspection at the Forest Heights Municipal Building during regular office hours. Please consult all items or exhibits referenced and incorporated herein for an accurate and more detailed description of the Annexation Property.

**By Authority of:** The Hon. Calvin Washington, Mayor, The Town of Forest Heights, Maryland

**TOWN OF FOREST HEIGHTS  
RESOLUTION 33-23**

**ANNEXATION PLAN  
11<sup>th</sup> Extension- Mt. Joy Baptist Church**

FOR THE ANNEXATION OF CERTAIN REAL PROPERTY LOCATED GENERALLY NORTH AND EAST OF THE PRESENT CORPORATE LIMITS OF THE TOWN OF FOREST HEIGHTS EXTENDING ALONG, ABUTTING TO, AND INCLUDING IMPROVED REAL PROPERTY NEAR THE INTERSECTION OF INDIAN HEAD HIGHWAY AND LIVINGSTON ROAD KNOWN AS THE MCDANIEL'S SUBDIVISION LOCATED AT AND FRONTING UPON 5410 INDIAN HEAD HWY, OXON HILL, MD 20745 (PARCEL 10 – 1.454 ACRES) OWNED BY THE MOUNT JOY BAPTIST CHURCH OF WASHINGTON, D.C. AS DEPICTED ON TAX MAP 96, GRID A2, PARCEL 10 (ACCOUNT NO. 12-1354836) INTO THE CORPORATE TERRITORY OF THE TOWN OF FOREST HEIGHTS

WHEREAS, the Town Council of the Town of Forest Heights (the "Town") has initiated a resolution (Annexation Resolution 02-2023) proposing to annex a certain property contiguous and adjoining to the boundary of the Town, comprised of one (1) parcel of at least partially taxable land (Tax Map 96, Parcel 10) totaling an area of approximately 1.454 Acres of land, more or less, contiguous and adjoining to the existing corporate boundaries of the Town, as further depicted on the Prince George's County Tax Map (Tax Map 96, Grid A2 (Dist. 12, Account No. 1354836), said parcel is further described by the premises address as 5410 Indian Head Highway and Plat No. A12-5171 (the "Annexation Property"); and

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

WHEREAS, the Annexation Property consists of lands currently, in part, leased by the Town for a public purpose and owned by MOUNT JOY BAPTIST CHURCH OF WASHINGTON D.C., (Md. SDAT No. F15826985), a District of Columbia corporation; and

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Forest Heights hereby adopts, and approves the following:

A. **Introduction.** This Annexation Plan has been prepared by the Town pursuant to Section 4-415 of the Local Government Article, of the Annotated Code of Maryland. Pursuant to State law, said plan is not intended to be formally part of, but is approved contemporaneously thereto to compliment and be read together with Annexation Resolution 02-2023, along with any exhibits referenced therein, which is hereby incorporated by reference herein as if written herein word for word.

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

(1) The Annexation Property further known as the Parcel 10 - McDaniel's Subdivision (Plat No. A12-5171) is located approximately along the eastern and northern boundaries of the Town's corporate limits and includes land situated along or abutting Livingston Road (County Route Number CO 1203), and Maryland Route 210 (Indian Head Highway). The Annexation Property is specifically shown in the Prince George's County Tax Records as Tax Map 96, Grid A2, Sub. 3600 (Dist. 12, Account No. 1354836). The Annexation Property is further located in Assessment District 12 and Subregion VII (Planning Area 76A – "Henson Creek"). The Annexation Property is more particularly described or depicted on a plat or exhibit entitled "Boundary Survey Land of Mount Joy Baptist Church of Washington D.C.," prepared by Kevin Norris Surveying, LLC on February 22, 2023, and certified by Kevin S. Norris, Professional Land Surveyor, which is attached hereto as Exhibit A.

(2) The Annexation Property is under the land use jurisdiction of the Maryland-National Capital Park and Planning Commission ("M-NCPPC") and the District Council. The Annexation Property is currently zoned "Commercial, General and Office Zone" designated as "CGO" which permits lands to be used for a diverse range of business, civic, and mixed-use development, typically at or near major intersections where visibility and good access are important, in a form that supports connections and a balance between automobile access and pedestrian-friendliness pursuant to the County Zoning Ordinance. Upon annexation into the Town, the Annexation Property will likely remain as currently classified under the County Zoning Ordinance.

**C. Availability of Land for Public Facilities.** The office building on site is currently being partially leased by the Forest Heights Police Department. There are no existing or pending agreements between the Town and the landowner (i.e., Mount Joy Baptist Church of Washington D.C.) concerning dedication of portions of the Annexation Property for public facilities. Land use, zoning, subdivision, building construction and storm water regulations are generally administered by the County, the Washington Suburban Sanitary Commission (the "WSSC"), or the Maryland-National Capital Park and Planning Commission. All necessary infrastructure and improvements, including road access, sidewalks, storm water management systems, water and sewer systems and/or extensions and utility delivery systems, and all other facilities necessary to service the Annexation Property shall be installed in accordance with sound engineering principles, and shall be subject to location, design and construction approvals and/or Mandatory Referrals reviewed by Prince George's County, WSSC, the Prince George's Soil Conservation District or the County Planning Board.

**D. Public Water and Sewer.** Public water and sewer service is or will be supplied by the Washington Suburban Sanitary Commission for the Annexation Property. The sewer basin is basin ID: 18, basin name: Oxon Run. The current water and sewer categories are as follows: sewer category, sewer code: S-3, sewer description code: Community System and the Sewer Envelope Availability: Planned or Existing Community System. The water category is water code: W-3, water description code: Community System. According to the County's 2018 Water and Sewer Plan, Category 3 - Community System means the property is or will be served by public water and sewer.

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

(1) Police Service. As permitted by law, the Annexation Property is to be concurrently served by both the Prince George's County Police Department, and the Forest Heights Police Department for

purposes of police protection. Certain police services may be provided by either the Prince George's County Police Department or the Forest Heights Police Department, or both, pursuant to a Memorandum of Understanding regarding jurisdictional police services or a mutual aid agreement as permitted by law and previously entered into between the Town and the County governments. The Forest Heights Police Department will serve as the primary or lead law enforcement agency having police jurisdiction over the Annexation Area. Such services will commence after annexation, using existing personnel and equipment, at the same or similar level of service now being provided to the Town in areas where police protective services are provided on a concurrent basis with other police agencies.

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

(3) Street Maintenance. The Annexation Property contains no streets or highways under the jurisdiction of the Town of Forest Heights or other public entity. Any existing public streets or roadways nearby or adjoining will continue to be maintained for public use by the County, State or the Municipal governments into the foreseeable future.

(4) Refuse Collection. The Town presently offers only residential trash collection. There is no residential development within the Annexation Area and presently there are no municipal trash collection services proposed for the Annexation Area unless such services are deemed necessary by the current or subsequent property owners, or the Town finds that it is necessary for public health and safety.

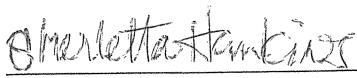
**F. Financing Services.** Financing for any municipal services extended to the Annexation Property will be provided through the general fund as currently provided to the Town. The largest source of tax revenues collected by the Town is attributable to the municipal property tax which is levied against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

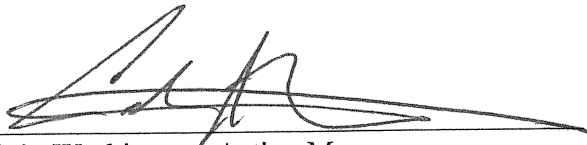
**APPROVED:** By the Town Council of The Town of Forest Heights, Maryland.

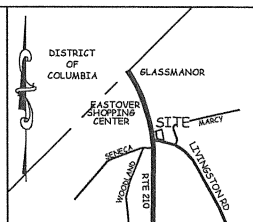
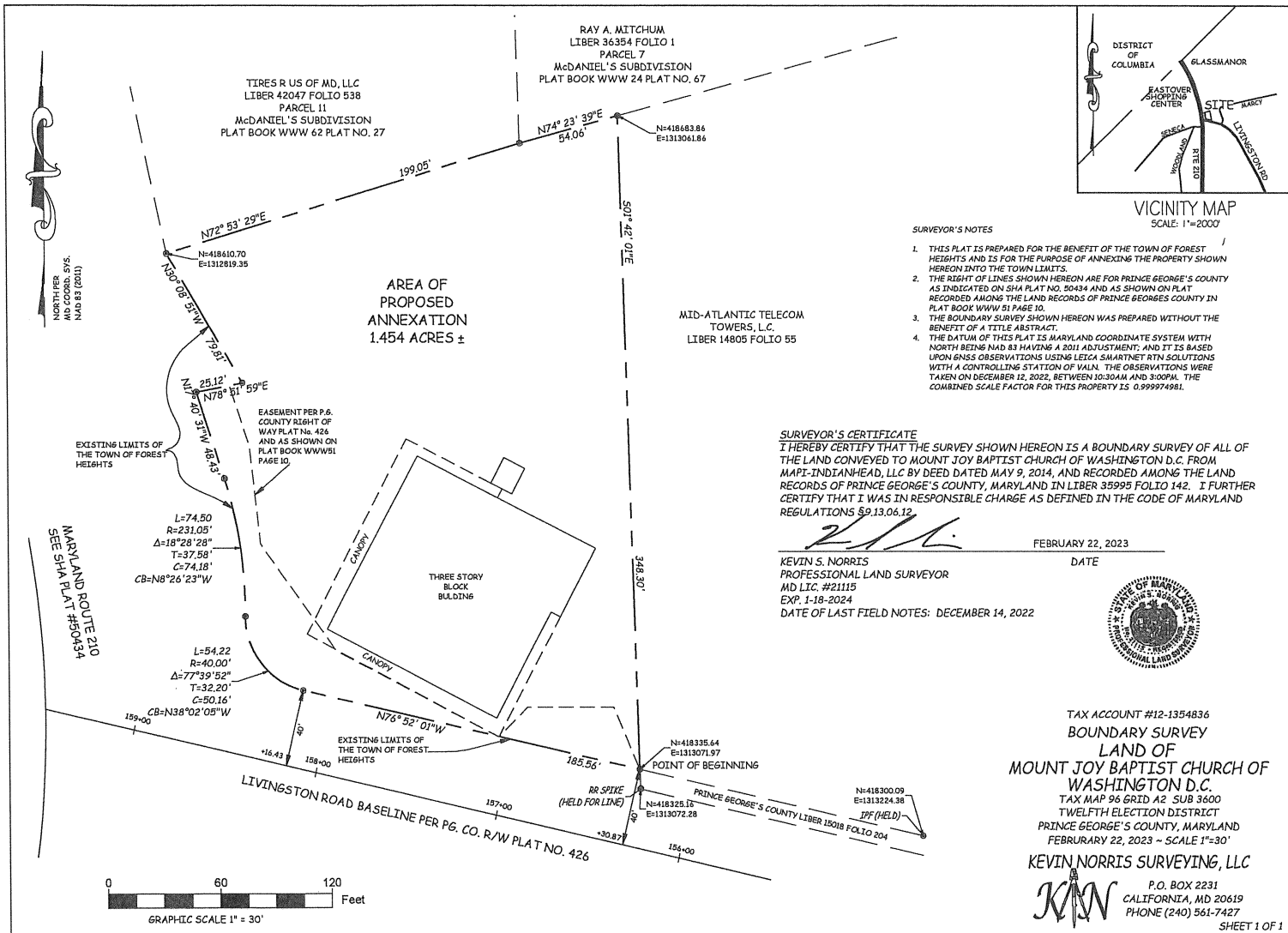
I HEREBY CERTIFY that the above Annexation Plan was passed by the required yea and nay vote of the Mayor and Council of Forest Heights on the 15<sup>th</sup> day of March 2023.

ATTEST:

MAYOR AND COUNCIL OF THE TOWN OF  
FOREST HEIGHTS, MARYLAND

  
\_\_\_\_\_  
Sherletta Hawkins, Town Clerk

  
\_\_\_\_\_  
Calvin Washington, Acting Mayor



**SURVEYOR'S NOTES**

1. THIS PLAT IS PREPARED FOR THE BENEFIT OF THE TOWN OF FOREST HEIGHTS AND IS FOR THE PURPOSE OF ANNEXING THE PROPERTY SHOWN HEREON INTO THE TOWN LIMITS.
2. THE RIGHT OF LINES SHOWN HEREON ARE FOR PRINCE GEORGE'S COUNTY AS INDICATED ON SHA PLAT NO. 50434 AND AS SHOWN ON PLAT RECORDED AMONG THE LAND RECORDS OF PRINCE GEORGE'S COUNTY IN PLAT BOOK WWW 51 PAGE 10.
3. THE BOUNDARY SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF A TITLE ABSTRACT.
4. THE DATUM OF THIS PLAT IS MARYLAND COORDINATE SYSTEM WITH NORTH BEING NAD 83 HAVING A 2011 ADJUSTMENT, AND IT IS BASED UPON GNSS OBSERVATIONS USING LEICA SMARTNET RTN SOLUTIONS WITH A CONTROLLING STATION OF VALN. THE OBSERVATIONS WERE TAKEN ON DECEMBER 12, 2022, BETWEEN 10:30AM AND 3:00PM. THE COMBINED SCALE FACTOR FOR THIS PROPERTY IS 0.999974981.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON IS A BOUNDARY SURVEY OF ALL OF THE LAND CONVEYED TO MOUNT JOY BAPTIST CHURCH OF WASHINGTON D.C. FROM MAPI-INDIANHEAD, LLC BY DEED DATED MAY 9, 2014, AND RECORDED AMONG THE LAND RECORDS OF PRINCE GEORGE'S COUNTY, MARYLAND IN LIBER 35995 FOLIO 142. I FURTHER CERTIFY THAT I WAS IN RESPONSIBLE CHARGE AS DEFINED IN THE CODE OF MARYLAND REGULATIONS §9.13.06.12.

KEVIN S. NORRIS  
 PROFESSIONAL LAND SURVEYOR  
 MD LIC. #21115  
 EXP. 1-18-2024  
 DATE OF LAST FIELD NOTES: DECEMBER 14, 2022

FEBRUARY 22, 2023  
 DATE



TAX ACCOUNT #12-1354836  
 BOUNDARY SURVEY  
 LAND OF  
 MOUNT JOY BAPTIST CHURCH OF  
 WASHINGTON D.C.  
 TAX MAP 96 GRID A2 SUB 3600  
 TWELFTH ELECTION DISTRICT  
 PRINCE GEORGE'S COUNTY, MARYLAND  
 FEBRUARY 22, 2023 ~ SCALE 1"=30'

KEVIN NORRIS SURVEYING, LLC

*KN*  
 P.O. BOX 2231  
 CALIFORNIA, MD 20619  
 PHONE (240) 561-7427

