

RESOLUTION OF THE COUNCIL OF THE CITY OF HAGERSTOWN TO ENLARGE THE CORPORATE BOUNDARIES AND THEREBY AMEND THE CORPORATE BOUNDARIES AS CONTAINED IN SECTION 104 OF ARTICLE 1 OF THE CHARTER OF THE CITY OF HAGERSTOWN, MARYLAND AND AT THE SAME TIME ESTABLISH THE ZONING CLASSIFICATION OF THE AREA TO BE ANNEXED.

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF HAGERSTOWN, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Sections 4-40, et seq. of the Local Government Article of the Annotated Code of Maryland (hereinafter "Local Government Article" to enlarge the corporate boundaries of the CITY OF HAGERSTOWN, a municipal corporation existing under and by virtue of the Laws of the State of Maryland, by adding or annexing to said corporate boundaries areas immediately adjacent and adjoining the present corporate boundary.

WHEREAS, the City of Hagerstown, pursuant to its rights and authority under Section 4-404 of the Local Government, may annex into the City additional lands in accordance with the requirements set forth therein; and

WHEREAS, the proposal to enlarge the corporate boundaries of the City of Hagerstown by adding or annexing thereto the below described areas which are immediately adjacent to and adjoining the present corporate boundaries thereof, as contained in the Petition for Annexation of +/- 28.347 acres McDade Road Into the City of Hagerstown, submitted to this legislative body on February 24, 2023, by Burkentine Real Estate Group, LLC, and signed by the requisite number of persons as prescribed and set forth in Section 4-404(a) of the Local Government Article, as residents, registered voters, and/or owners of the realty contained within the area to be annexed; the Petition being incorporated herein by reference as if set forth herein and made a part hereof; and

WHEREAS, pursuant to the Maryland Annotated Code, Local Government Article §4-403(b)(1), the City may annex land with the consent of at least twenty-five (25) percent of the registered voters residing within the area to be annexed, and George R. Jones and Rhonda Jones are the only residents of "Blaine Properties, LP", and both George R. Jones and Rhonda Jones have agreed and consented to the annexation as exhibited in the attached Consent, **See Exhibit 4 – Consent of Resident Registered Voters;**

R-23-06

WHEREAS, all other necessary documents have been introduced, and will be made available for public viewing, and made available for discussion at the public hearing to held on May 23, 2023; and

WHEREAS, the Mayor, who is the presiding officer of the legislative body, has caused to be made a verification of the signatures on said Petition, and has ascertained that the requirements of Section 4-404(b) of the Local Government Article have been met; and

WHEREAS, the Petition for Annexation meets all requirements of the law, and pursuant to Section 4-406(d) of the Local Government Article, the Annexation shall be referred to the appropriate State, Regional and County planning authorities; and

WHEREAS, in accordance with City practice in processing annexations, the proposed zoning of the area to be annexed to the corporate limits was referred to the Planning Commission for the City of Hagerstown, which said Commission has studied the proposed zoning of the tracts described herein in relation to the Comprehensive Plan, the Zoning Ordinance, and all other applicable ordinances, the needs of the City and County, and the needs of the particular neighborhoods and vicinities of the areas, and have approved the same and that the rezoning of said tract of land is proper and desirable under all the circumstances and should be accomplished at this time; and

WHEREAS, pursuant to Section 4-416(b) of the Local Government, the annexed area can be developed using City zoning five years after the annexation because there is no express approval of a change in zoning from the County Commissioners.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Hagerstown, that the boundaries of the City, pursuant to the provisions of MD Code, Local Government §4-401, et seq., be and the same are hereby amended and enlarged so as to annex and include within said City all that certain area of land contiguous to the corporate limits of the City and being more particularly shown and described as the "Lands of Blaine Properties LP and Edward A. Blaine Revocable Trust of 1991" on the plat entitled "Plat of Annexation Lands of Blaine Properties LP and Edward A. Blaine Revocable Trust of 1991," prepared by Fox & Associates, Inc., dated February 8, 2023 which is attached hereto and incorporated herein as Exhibit 1, and more particularly described by the metes and bounds description attached hereto and incorporated herein as Exhibit 2.

R-23-06

AND BE IT FURTHER RESOLVED, that the subject property to be annexed shall have zoning classification of RMED (Residential-Medium Density) upon annexation, as more depicted on the Zoning Exhibit attached hereto and incorporated herein as Exhibit 3.

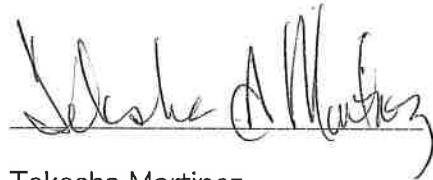
AND BE IT FURTHER RESOLVED, that the conditions and circumstances applicable to the change in said corporate boundaries and to the residents and property within the area so annexed shall be subject to the provisions of the Charter of the City of Hagerstown, the Code of the City of Hagerstown, and all acts, ordinances, resolutions, and policies.

AND BE IT FURTHER RESOLVED, that this Resolution shall become effective at the end of forty-five (45) days following its final enactment, unless a proper petition for referendum hereon shall be filed.

WITNESS AND ATTEST AS TO CORPORATE SEAL BY THE MAYOR AND THE CITY COUNCIL OF HAGERSTOWN, MARYLAND



Donna K. Spickler
City Clerk



Tekesha Martinez
Mayor

Date Introduced: March 28, 2023
Public Hearing: May 23, 2023
Date of Passage: February 27, 2024
Effective Date: April 12, 2024

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SURVEYORS CERTIFICATION

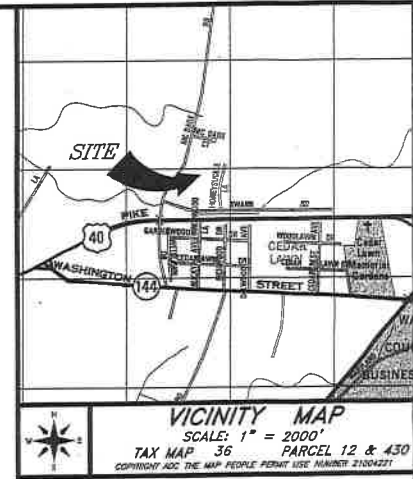
I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND THAT THIS PLAN WAS PERSONALLY PREPARED BY ME, OR THAT I WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED HEREON, ALL IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN COMAR 09.13.06.12 IN EFFECT AT THE TIME THIS SURVEY WAS PERFORMED.

02/13/2023
DATE

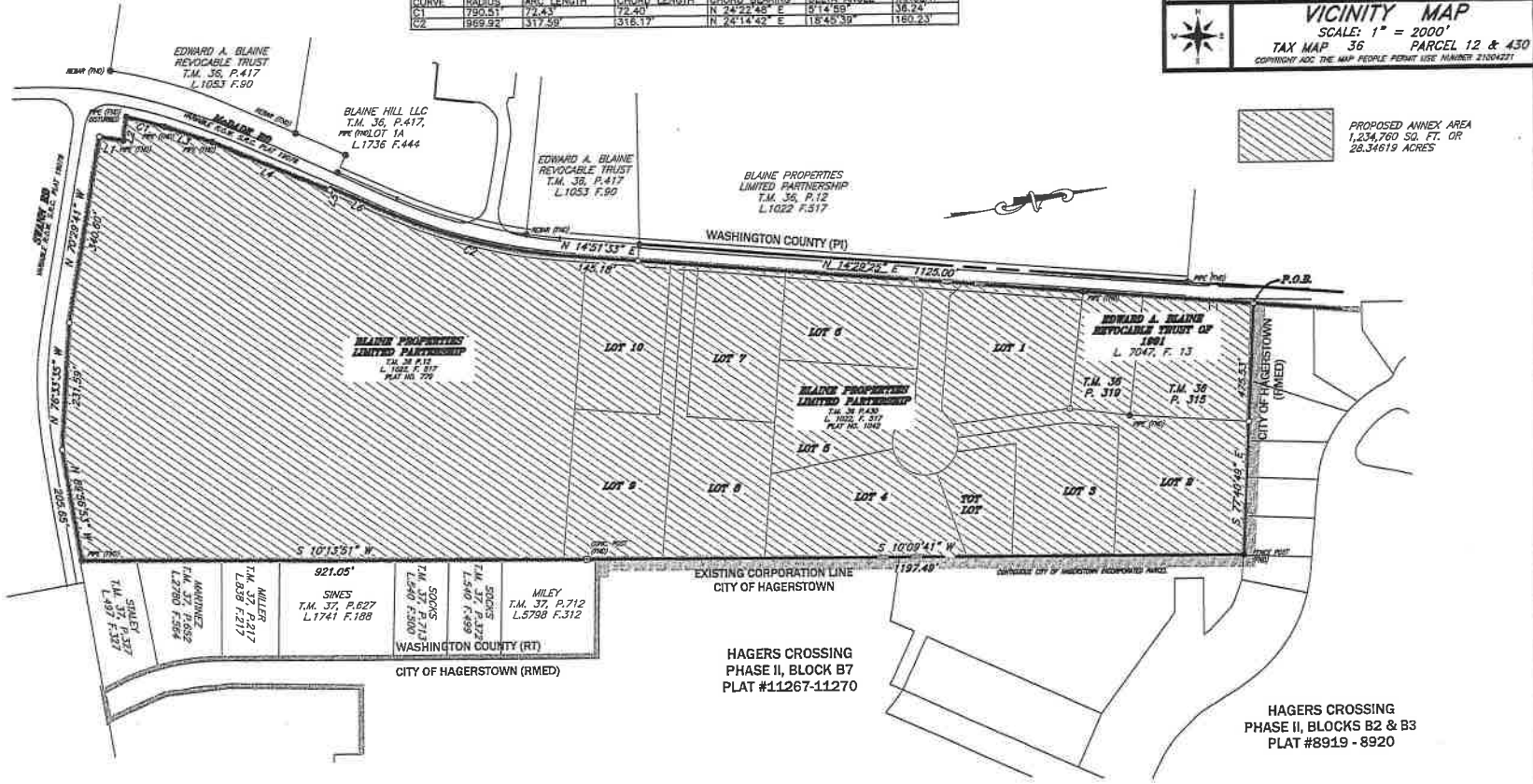
GEORGE E. NAGEL
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 21052
EXPIRATION/RENEW DATE: 8/24/2024



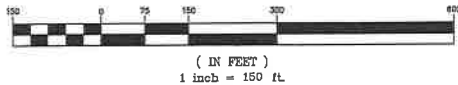
EXHIBIT #1



LINE	BEARING	DISTANCE				
L1	N 19°30'19" E	44.02				
L2	N 71°43'55" W	42.49				
L3	N 28°24'21" E	83.32				
L4	N 32°20'58" E	230.38				
L5	N 55°50'12" W	5.00				
L6	N 33°37'30" E	1118.82				
CHORD	BEARING	ARC LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT	
C1		750.51	72.43	N 24°22'48" E	914.68	36.24
C2		1959.92	1317.59	N 24°14'42" E	1845.39	180.23



GRAPHIC SCALE



PLAT OF ANNEXATION
LANDS OF
BLAINE PROPERTIES LIMITED PARTNERSHIP & EDWARD A. BLAINE REVOCABLE TRUST OF 1991
SITUATE ALONG THE EAST SIDE OF M-DADE ROAD AND NORTH OF SWANN ROAD
WASHINGTON COUNTY, MARYLAND

SHEET No. 1 OF 1

DRAWN BY: AMS
CHECKED BY: GDV
SCALE: 1" = 150'

DATE: 8-19-22
DATE: 2-5-23

FOX & ASSOCIATES, INC.
ENGINEERS • SURVEYORS • PLANNERS
881 MT. AETHA ROAD
HAGERSTOWN, MARYLAND 21740
PHONE: (301)733-8553
FAX: (301)733-1853

FOX & ASSOCIATES INC.

DISTRICT 13
TAX MAP No. 36
DWG. No. C-3772

R-23-06



981 Mt. Aetna Road
Hagerstown, MD 21740
Phone: 301-733-8503
Fax: 301-733-1853
Email: foxhagerstown@foxassociatesinc.com

August 30, 2022

**DESCRIPTION OF
THE OF PART OF THE LANDS OF
BLAINE PROPERTIES LIMITED PARTNERSHIP &
ALL OF THE LANDS OF EDWARD A. BLAINE
REVOCABLE TRUST OF 1991**
Liber 1022, folio 517; Liber 7047, folio 13

Situate west of McDade Road and north of Swann Road in District Number 13, Washington County, Maryland.

Beginning at a point in the eastern right of way for McDade Road, said point being the northwest corner of Parcel 1 as described in a deed from Patricia A. Harbaugh to Cynthia B. Griswold, Successor Trustee of Edward A. Blaine Revocable Trust of 1991, dated June 24, 2022 and recorded in Liber 7047 at folio 13 among the Land Records of Washington County, Maryland, thence with the northern line of Parcel 1 and the northern line of Lot 2 as graphically shown on a plat entitled "Section 1, McDade Farms", recorded as Plat Number 1042 among the said land records,

- | | |
|---------------------------|---|
| 1) South 77° 40' 49" East | 457.53 feet to a fence post found at the northeast corner of Lot 2, thence with the eastern line of the Lot 2, Lot 3, the Tot Lot, Lot 4, Lot 8, and a portion of Lot 9 as graphically shown on Plat Number 1042 |
| 2) South 10° 09' 41" West | 1,197.48 feet concrete post found, said post graphically shown as the northeast corner of Lot 2 on plat entitled "Lots 1 & 2, McDade Farms", recorded as Plat Number 779 among the aforesaid land records, thence with the remaining eastern boundary of the aforesaid Lot 9 (Plat Number 1042) and the eastern line of Lot 2 |
| 3) South 10° 13' 51" West | 921.05 feet to a pipe found at the southeast corner of Lot 2, said pipe being along the northern right of way for Swann Road, thence with the northern right of way for Swann Road the following five (5) courses; |
| 4) North 89° 56' 53" West | 205.65 feet, thence |
| 5) North 76° 33' 35" West | 231.59 feet, thence |
| 6) North 70° 29' 41" West | 340.60 feet, thence |
| 7) North 19° 30' 19" East | 44.02 feet to a pipe found, thence |
| 8) North 71° 43' 55" West | 43.49 feet to pipe found along the western right of way for McDade Road, thence with the western right of way for McDade Road the following eight |

(8) courses; the first being a non-tangent curve to the right, having a radius of 790.51 feet, an arc length of 72.43 feet, a delta of $05^{\circ} 14' 59''$, and a chord of

- 9) North $24^{\circ} 22' 48''$ East 72.40 feet to a pipe found, thence
- 10) North $28^{\circ} 24' 21''$ East 90.92 feet to a pipe found, thence
- 11) North $32^{\circ} 20' 58''$ East 230.36 feet, thence
- 12) North $55^{\circ} 50' 12''$ West 5.05 feet, thence
- 13) North $33^{\circ} 37' 30''$ East 118.52 feet, thence by a non-tangent curve to the left, having a radius of 969.92, feet, an arc length of 317.59 feet, a delta of $18^{\circ} 45' 39''$, and a chord of
- 14) North $24^{\circ} 14' 42''$ East 316.17 feet, thence
- 15) North $14^{\circ} 51' 33''$ East 145.18 feet, thence
- 16) North $14^{\circ} 29' 25''$ East 1,125.00 feet to the Point of Beginning.

Containing 1,234,760 square feet or 28.34619 acres of land, more or less.

Being part of the land conveyed by Edward A. Blaine to Blaine Properties Limited Partnership by deed dated December 31, 1991, and recorded among the Land Records of Washington County, Maryland in Liber 1022 at folio 517 and being all of the lands conveyed by Patricia A. Harbaugh to Cynthia B. Griswold, Successor Trustee of the Edward A. Blaine Revocable Trust of 1991.



George E. Nagel
Professional Land Surveyor
Maryland Registration No. 21052
Expiration/Renewal Date: August 24, 2024



A-2023-02: Blaine Properties Annexation

EXHIBIT #3

Legend

Zoning Districts	
	C2 (Commercial General)
	CG (Commercial General)
	CR (Commercial Regional)
	INST (Institutional)
	IR (Industrial Restricted)
	POM (Professional Office Mixed)
	RH (Residential-High Density)
	RMED (Residential-Medium Density)
	RMOD (Residential-Moderate Density)
Zoning Overlays	
	CONVERSION DISTRICT
	LANDMARK
	LOCAL CONVERSION DISTRICT
	PLANNED UNIT DEVELOPMENT

Proposed Annexation - 28.347 acres
RMED Zoning

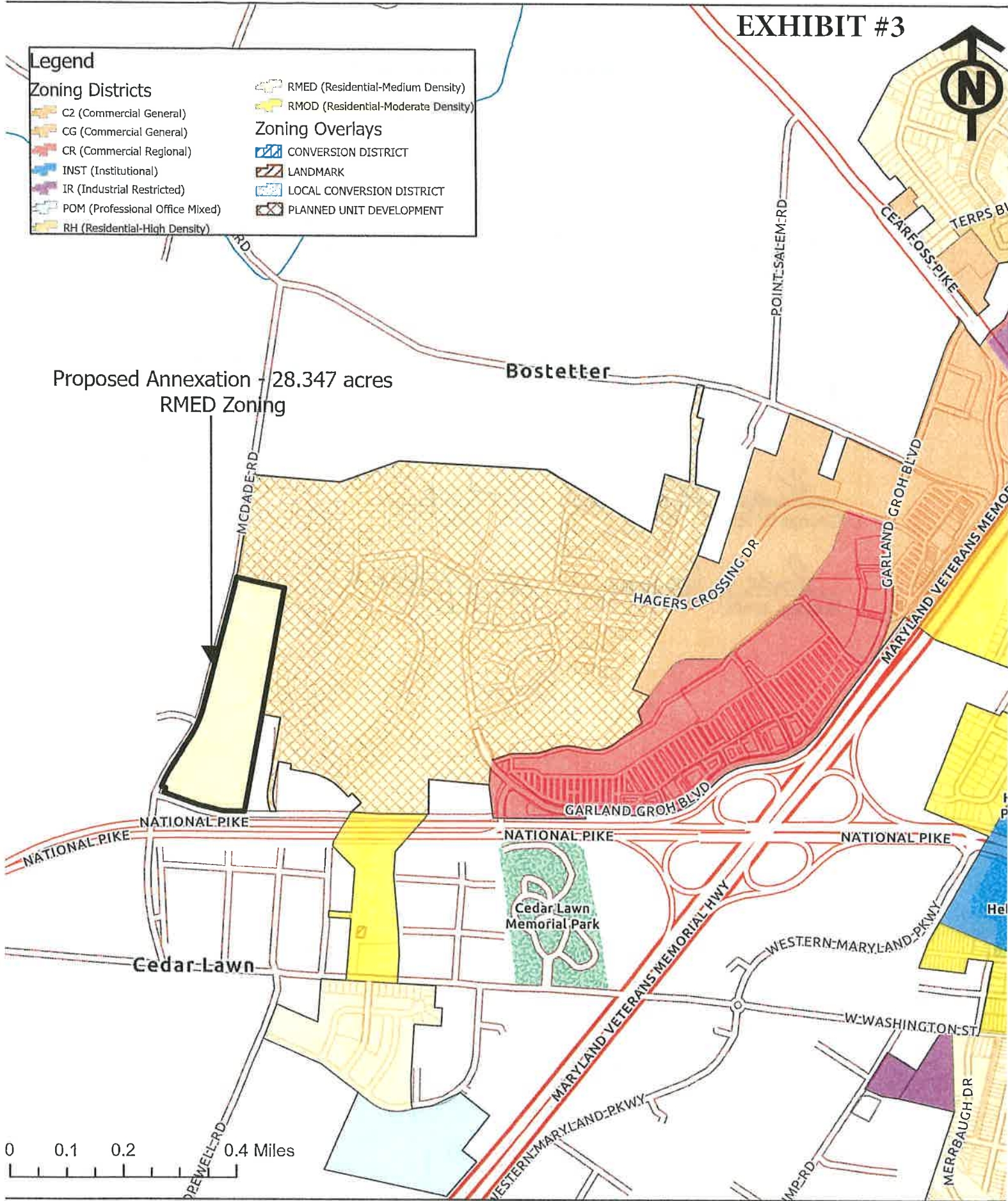


EXHIBIT #4

George and Rhonda Jones

12421 McDade Road
Hagerstown MD 21740

I, George Jones, and my wife, Rhonda Jones, are registered voters who rent and reside at 12421 McDade Road Hagerstown MD 21740. We are aware the property owners have requested annexation of the rental property into the City of Hagerstown and that we are not opposed to the annexation.

The property: 12461 McDade Rd is located on Tax Map Parcel 0036-0018-0016. The portion of this parcel that is located on the east side of McDade Road is part of the proposed annexation.

George R Jones 2-19-23
George R. Jones Date

Rhonda J. Jones 12-19-2023
Rhonda Jones Date

R-23-06