



City of Bowie

2614 Kenhill Drive
Bowie, Maryland 20715

MEMORANDUM

TO: City Council

FROM: David J. Deutsch, City Manager

SUBJECT: Woodson Landing Annexation
R-39-07 (Revised)
Public Hearing

DATE: August 29, 2007

Resolution R-39-07 (Revised) is the Annexation Resolution enlarging the City boundaries by annexing the portion of the approved but unbuilt Woodson Landing subdivision that lies outside the current City limits. Woodson Landing is the name of the 14-lot subdivision approved within the former A-44 right-of-way, just west of Tall Oaks Crossing. The Preliminary Plan of subdivision for Woodson Landing (#4-04043) was approved by the County Planning Board in September, 2004 and the lots have been recorded.

The annexation area is adjacent to the undeveloped portion of Woodson Landing that is located within the City and is approximately 1.7209 acres in land area. The current property owner, Mr. Ross Snider, has consented to the annexation. There are no residents living on the property, and the property is contiguous to the City. No enclaves would be created by the annexation of the property. Resolution R-39-07 has been reviewed and approved by the City Attorney.

Following the Introduction of the Resolution of Annexation on June 18, 2007, the public hearing date was advertised in the local newspaper for four (4) consecutive weeks. The City Council holds a public hearing on the Annexation Resolution at least 15 days after the public hearing advertising requirement has been met. Annexations become effective 45 days after adoption. Forty-five days from the Annexation Resolution adoption date is Friday, October 19, 2007. R-39-07 was revised after Introduction to specify a later public hearing date, which was necessitated by advertising requirements, and to include more specific reference in the exhibits to the existing City corporate boundary line.

Recommendation

Staff recommends approving Resolution R-39-07 (Revised) annexing a portion of the Woodson Landing subdivision into the corporate limits of the City.

Attachment - R-39-07 (Revised)

**RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
ENLARGING THE CORPORATE BOUNDARIES OF THE CITY OF BOWIE
BY ANNEXING TO THE CITY OF BOWIE CERTAIN RESIDENTIAL
PROPERTY, CONTIGUOUS AND ADJOINING TO THE CITY'S EXISTING
CORPORATE BOUNDARIES, KNOWN AS A PORTION OF THE
WOODSON LANDING SUBDIVISION, CONSISTING OF APPROXIMATELY
1.7209 ACRES OF LAND LOCATED NEAR THE END OF PEPPERTREE
DRIVE, WEST OF PIN OAK PARKWAY**

WHEREAS, the Council of the City of Bowie, Maryland (“the Bowie City Council”), a municipal corporation of the State of Maryland, has determined to enlarge and extend the limits of the City of Bowie (“City”) by including therein property within Prince George’s County as shown on the plat map attached hereto as Exhibit A *(as amended)* and more specifically described in the legal description attached hereto as Exhibit B *(as amended)*, which is contiguous and adjoining to the existing boundaries of the City of Bowie in accordance with the procedures set forth in Article 23A Section 19 of the Annotated Code of Maryland (2001 Rep. Vol.); and

WHEREAS, the owner of the proposed development known as the Woodson Landing subdivision, Mr. Ross Snider, (hereinafter, “the Owner”), has consented to annexation; and

WHEREAS, it has been determined that the Owner owns not less than Twenty-Five Percent (25%) of the assessed valuation of the property proposed for annexation and the Owner has attested that there are no persons residing on the property; and

WHEREAS, based on the aforesaid consent, the Bowie City Council has determined to initiate a Resolution to enlarge and extend the limits of the City of Bowie to include the area described more fully in Exhibit A, and to make applicable to that area all laws which are now in force and effect or which may be hereafter enacted in the City of Bowie.

NOW, THEREFORE BE IT RESOLVED by the Bowie City Council in legislative session assembled:

Section 1. That there is hereby annexed into the corporate boundaries of the City of Bowie, a municipal corporation of the State of Maryland, all of that land contiguous and adjoining the current boundaries of the City of Bowie in Prince George's County, Maryland, consisting of approximately 1.7209 acres of land as more particularly and fully described by a survey of courses and distances attached hereto as Exhibit B, and known generally as a portion of Woodson Landing subdivision.

Section 2. That the annexation of the land described in Exhibit B will not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the City of Bowie, real property proposed to be within the corporate limits of the City of Bowie, or any combination of such properties.

Section 3. That the City has the consent to annexation of the owners of 25% of the assessed value of land within the Annexation Area and that there are no persons who are registered voters residing in the annexation area who have not consented to the annexation.

Section 4. That from and after the effective date of this Resolution, all provisions of the Constitution of Maryland, all laws of the State of Maryland applicable to the City of Bowie, and all duly adopted Charter and Ordinance provisions of the City of Bowie shall be and are hereby extended and made applicable to such portion of Prince George's County as is, under the provisions of the Resolution, annexed to and made a part of the City of Bowie, Maryland. Nothing herein or elsewhere in the Resolution shall affect the power of the Bowie City Council to amend or to repeal any Charter provision or Ordinance existing at the date of passage of this Resolution, or to enact and ordain any Ordinance which, at the date of passage of this Resolution, or hereafter, it may be authorized to enact or ordain;

Section 5. That the inhabitants of the territory annexed to the City of Bowie by this Resolution shall, in all respects and to all intents and purposes, be subject to the powers, jurisdiction and authority vested, or to be vested by law, in the Bowie City Council, as far as the same may be consistent with the provisions of this Resolution, and the territory so annexed shall, in all respects, be taken and considered as part of the municipal corporation of the City of Bowie.

Section 6. The City Manager of Bowie shall cause a public notice to be published not fewer than four (4) times at not less than weekly intervals in a newspaper having general circulation in the City of Bowie and in the area to be annexed which briefly and accurately describes the proposed change and the conditions and circumstances applicable thereto. The public notice shall further specify that a public hearing will be held on this Resolution by the Bowie City

Council at 8:00 p.m. in the Bowie City Hall, 2614 Kenhill Drive, Bowie, Maryland 20715, on the [First day of August, 2007] Fourth day of September, 2007;

Section 7. This Resolution shall become effective forty-five (45) days from the date of enactment by the Bowie City Council, unless within forty-five (45) days of the date of enactment the Bowie City Council receives a Petition for Referendum filed in accordance with the provisions of Article 23A, Section 19 (g) of the Annotated Code of Maryland (2001 Rep. Vol.);

AND BE IT FURTHER RESOLVED, by the Bowie City Council that the City Manager, immediately upon the first publication of the public notice, shall transmit a copy of the public notice to the County Executive, County Council, the Executive Director of the Maryland-National Capital Park and Planning Commission and the Director, Office of Planning of the State of Maryland, each of which shall have the first right to be heard at the scheduled public hearing prior to opening the hearing to the general public.

AND BE IT FURTHER RESOLVED, by the Bowie City Council that the City Manager shall, on or after the effective date of the Resolution, promptly register both the original and new corporate boundaries of the City of Bowie with the City Clerk, the Clerk of the Circuit Court for Prince George's County, the Department of Legislative Reference for the State of Maryland, and the Maryland-National Capital Park and Planning Commission.

INTRODUCED by the Bowie City Council at a regular legislative session on June 18, 2007.

ENACTED by the Bowie City Council at a legislative session on

_____, 2007.

WITNESS:

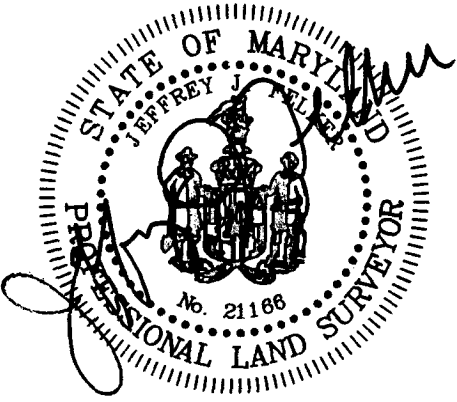
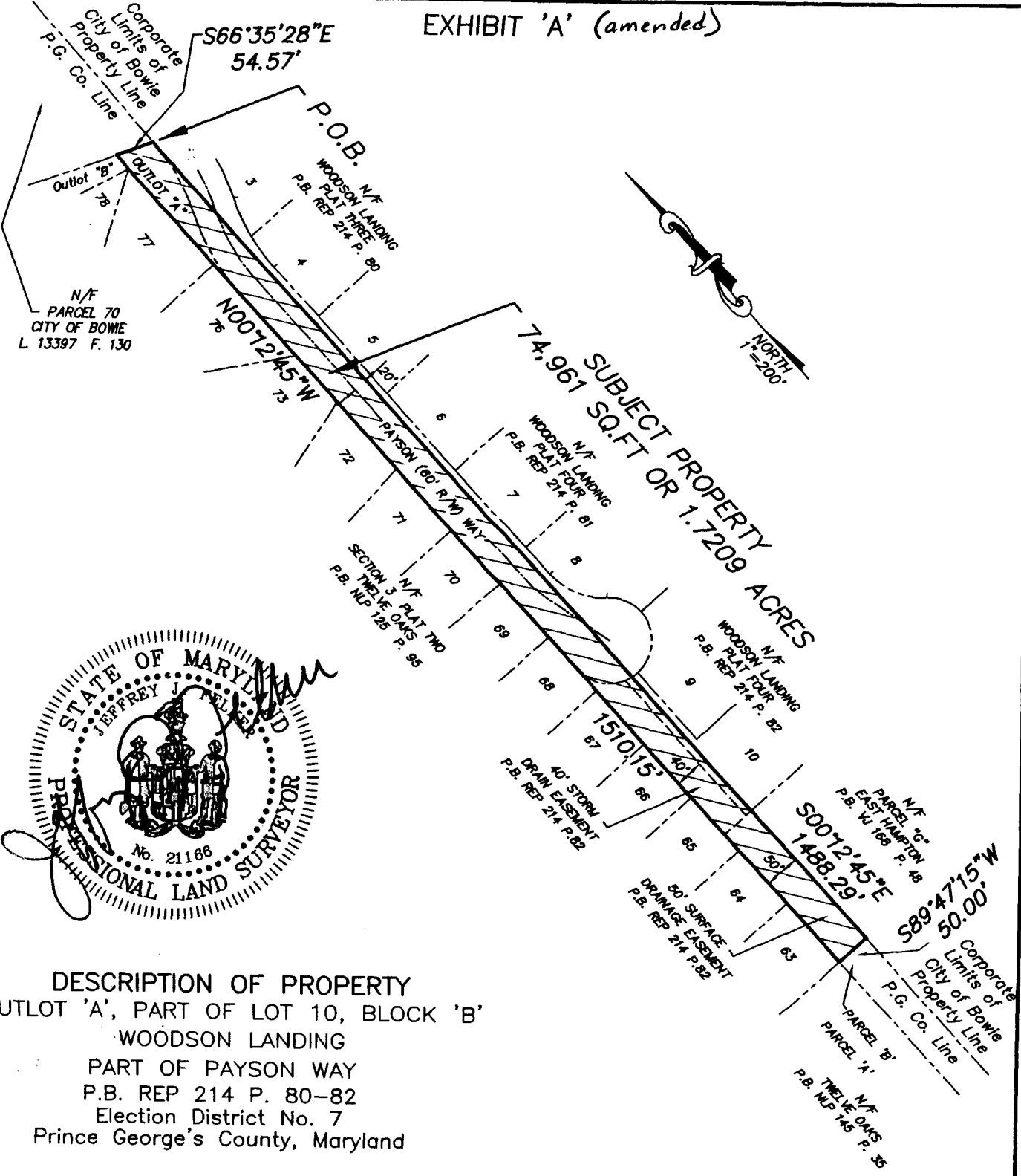
THE CITY OF BOWIE, MARYLAND

Pamela A. Fleming
City Clerk

G. Frederick Robinson, Mayor

[] = Brackets indicate original language proposed for deletion;
italicized underlining = Italicized underlining indicates revised language to be added.

EXHIBIT 'A' (amended)



DESCRIPTION OF PROPERTY
 OUTLOT 'A', PART OF LOT 10, BLOCK 'B'
 WOODSON LANDING
 PART OF PAYSON WAY
 P.B. REP 214 P. 80-82
 Election District No. 7
 Prince George's County, Maryland


DATE	REVISIONS	 ENGINEERS * SURVEYORS * PLANNERS 2905 MITCHELLVILLE ROAD SUITE NO. 111 BOWIE, MARYLAND 20716 (301) 249-8802			
				DRAWN BY: D.H.	JOB NO. 03-062
				DATE: 8-01-07	SCALE: 1"=200'
				CHECKED BY: J.F.	

EXHIBIT "B" (amended)

DESCRIPTION OF PROPERTY
SITUATED IN THE SEVENTH (7th) TAX DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND

Being all of the property formerly known as Parcel 'C' Twelve Oaks as shown on a plat entitled the same and recorded among the Land Records of Prince George's County, Maryland in Plat Book NLP 145 at plat 34. Currently, the subject property being all of Outlot 'A', part of Lot 10, Block 'B' and part of Payson Way, an approved sixty (60) foot right-of-way as shown on plats entitled Woodson Landing and recorded among the aforementioned Land Records in Plat Book REP 214 at Plat 80 and Plat Book REP 214 at Plat 82, respectfully; being more particularly described as follows:

Beginning for the same at a point on the western right of way line of Payson Way, an approved 60' County Right-of-Way, additionally, said point being the eastern most corner of Outlot 'A' Woodson Landing as shown on the aforementioned record plat; additionally, said point being on the property line designated as The Corporate Limits of the City of Bowie; thence following the western right-of-way line, 20 feet from the centerline of said right-of-way:

1. South 00 degrees 12 minutes 45 seconds East 1488.29 feet along The Corporate Limits of The City of Bowie to a point on the line of division between the subject property and Parcel 'G' - East Hampton, as shown on a plat recorded among the aforementioned Land Records in Plat Book VJ 168 at plat 48; thence leaving said line of division and binding on the line of division between the subject property and Parcel 'B' Twelve Oaks as shown on a plat entitled the same recorded among the aforementioned Land Records in Plat Book NLP 145 at plat 35; thence,
2. South 89 degrees 47 minutes 15 seconds West 50.00 feet to a point, said point being the corner in common with the subject site and Parcel 'A' Twelve Oaks, as shown on a plat entitled the same and recorded among the aforementioned Land Records in Plat Book REP NLP 145 at plat 35 and Lot 63, Block 'A' Twelve Oaks, as shown on a plat entitled the same and recorded in the aforementioned Land Records at Plat Book NLP 125 at plat 95; thence binding on the line of division between the subject property and the eastern property line of Twelve Oaks,
3. North 00 degrees 12 minutes 45 seconds East 1,510.15 feet to the point on the line of division between the subject property and the property of The Corporate Limits of The City of Bowie as described in a deed dated September 29, 1999 and recorded among the aforementioned Land Records in Liber 13397 at folio 130, said point being the corner in common of the subject property and Outlot 'B' Twleve Oaks, as shown on a plat entitled the same and recorded among the aforementioned Land Records in Plat Book NLP 125 at plat 95; thence, binding on line of division between the subject property and the property of The Corporate Limits of The City of Bowie,

4. South 66 degrees 35 minutes 28 seconds 54.57 feet to the point of beginning

Containing 74, 961 square feet or 1.7209 acres of land, more or less and being in the Seventh Election District of Prince George's County, Maryland.

Tax Account # 0721142

