



**Council of the Town of Leonardtown
Annexation Resolution No. 2-20 (reintroduced January 11, 2021)**

Date Introduced on First Reading: January 11, 2021

Council Public Hearing: February 8, 2021

Date Adopted on Second Reading: February 8, 2021

Date Effective: March 26, 2021

AN ANNEXATION RESOLUTION of the Council of the Town of Leonardtown pursuant to § 4-401, *et seq.* of the Local Government Article of the Annotated Code of Maryland for the purpose of annexing four parcels of real property consisting in the aggregate of 37.6845 acres of land, more or less, shown on Tax Map 41, Grid 1, Parcels 2, 21, and 57 and on State Roads Commission Plat Nos. 52610 through 52612, each of which are contiguous and adjacent to the eastern boundary of the Town and are more fully described in this Annexation Resolution; providing for the terms of such annexation in the Annexation Plan and Annexation Agreement; amending the Charter of Leonardtown, St. Mary's County for the purpose of including the annexed properties within the legal descriptions and plats depicting the corporate limits of the Town; and generally relating to the annexation of the foregoing properties to the Town of Leonardtown.

WHEREAS, the Council of the Town of Leonardtown (the "Council") is authorized by the Charter of Leonardtown, St. Mary's County (the "Charter") and Md. Code Ann., Local Gov't § 4-401, *et seq.* to expand the municipal boundaries of the Town of Leonardtown (the "Town") by annexing lands which are adjoining and contiguous; and

WHEREAS, the properties to be annexed consist of four (4) parcels of real property consisting in the aggregate of 37.6845 acres of land, more or less, contiguous and adjoining to the eastern boundary of the Town (collectively, the "Annexation Properties"), and more particularly described as follows: (1) Tax Map 41, Grid 1, Parcel 2, Tax Identification No. 03-002314, containing 20.4825 acres, more or less, and Tax Map 41, Grid 1, Parcel 221, Tax Identification No. 03-002349, containing 0.5490 acres, more or less, as more fully shown and described by metes and bounds as Parcels A and B, respectively, on that land title survey prepared by Neal F. Offenbacher, dated September 27, 2019, and titled "ALTA/NSPS Land Title Survey Parcels A & B Bennett Property 3rd Election District St. Mary's County, Maryland" (the "SMALF Survey"), and more particularly described in a deed to St. Mary's Assisted Living Facility, LLC, dated November 12, 2020 and recorded among the Land Records of St. Mary's County, Maryland at

Liber D.J.B. No. 5556, folio 127 (the “SMALF Properties”); (2) Tax Map 41, Grid 1, Parcel 57, Tax Identification No. 03-020789, containing 2.147 acres of land, more or less, as more fully shown on that boundary survey prepared by Jeffrey T. Nieman, dated September 27, 2019, and titled “Boundary Survey for Valli Investments, LLC Per Liber DJB 5049, Folio 391 (St. Mary’s County Tax Map 41, Grid 1, Parcel 57) Third Election District St. Mary’s County, Maryland” (the “Valli Investments Survey”), and more particularly described in a deed to Valli Investments, LLC, dated March 28, 2019 and recorded among the Land Records of St. Mary’s County, Maryland at Liber D.J.B. No. 5049, folio 391 (the “Valli Investments Property”); and (3) a parcel of real property containing 14.5040 acres, more or less, owned by the State of Maryland State Highway Administration of the Department of Transportation (the “SHA Property”), as more fully shown on that boundary survey prepared by R. Wade Collinson, Jr. dated November 17, 2020, and titled “Boundary Survey 14.5040 Acres of Land to be Annexed into the Corporate Boundaries of the Town of Leonardtown The Property of State Highway Administration of the Department of Transportation District No. 3 St. Mary’s County, Maryland” (the “SHA Survey”); and

WHEREAS, the owners of the SMALF Properties and the Valli Investments Property (collectively, the “Petitioners”) filed a Petition for Annexation with the Town on January 4, 2021, which is attached hereto as Exhibit A and incorporated herein by reference (the “Annexation Petition”), whereby the Petitioners formally request municipal annexation of the Annexation Properties to the Town; and

WHEREAS, the SMALF Properties are more particularly shown and described by metes and bounds on the SMALF Survey, which is attached hereto as Exhibit A-1 and incorporated herein by reference; and

WHEREAS, the Valli Investments Property is more particularly shown on the Valli Investments Survey, which is attached hereto as Exhibit A-1 and incorporated herein by reference; and

WHEREAS, the SHA Property is more particularly shown on the SHA Survey, which is attached hereto as Exhibit A-1 and incorporated herein by reference; and

WHEREAS, the SMALF Properties are more particularly described in the metes and bounds legal description prepared by Neal F. Offenbacher, which is attached hereto as Exhibit A-2 and incorporated herein by reference; and

WHEREAS, the Valli Investments Property is more particularly described in the metes and bounds legal description prepared by Jeffrey T. Nieman, which is attached hereto as Exhibit A-2 and incorporated herein by reference; and

WHEREAS, the SHA Property is more particularly described in the metes and bounds legal description prepared by R. Wade Collinson, Jr., which is attached hereto as Exhibit A-2 and incorporated herein by reference; and

WHEREAS, the Petitioners represent at least twenty-five percent (25%) of the owners of the assessed valuation of the real property in the area to be annexed and at least twenty-five percent (25%) of the registered voters who are residents in the area to be annexed; and

WHEREAS, a proposed Annexation Plan consistent with the requirements of Md. Code Ann., Local Gov't § 4-415 shall be prepared and submitted to the Town and made available for public review and discussion, and a copy thereof shall be provided to the Board of County Commissioners for St. Mary's County, Maryland and the Maryland Department of State Planning at least thirty (30) days prior to the date of the public hearing conducted on this Annexation Resolution by the Council; and

WHEREAS, all requirements of the Laws of the State of Maryland, St. Mary's County, and the Charter and laws of the Town regarding initiation of this annexation by the Petitioners have been satisfied, and the Council has determined that it is desirable to initiate by petition the annexation process for the benefit of the Town; and

NOW, THEREFORE BE IT RESOLVED on this 8th day of February, 2021, by the Council of the Town of Leonardtown that:

Section 1. Modification of Town Boundaries. The municipal boundaries of the Town of Leonardtown, Maryland shall be and are hereby amended to incorporate into the Town of Leonardtown the Annexation Properties, as shown and described on the SMALF Survey, the Valli Investments Survey, and the SHA Survey which are attached hereto as Exhibit A-1, and incorporated herein by reference. The Annexation Properties are also described in the metes and bounds legal descriptions attached hereto as Exhibit A-2 and incorporated herein by reference. The foregoing surveys shall be subject to technical review and correction by the Town, or its designee, prior to the public hearing to be held on this Annexation Resolution.

Section 2. Amendment of Charter. Pursuant to the authority of Article XI-E of the Constitution of Maryland and Md. Code Ann., Local Gov't §§ 4-301, et seq. and 4-401, et seq., the Charter of Leonardtown, St. Mary's County, Maryland (as published in Chapter 87, Volume 5, Compilation of Municipal Charters, and as amended from time to time) be and the same is hereby amended in § 104 of the Charter by adding the following metes and bounds description of the Annexation Property:

“2020 ANNEXATION (St. Mary's Assisted Living Facility Properties, Valli Investments Property, and State Highway Administration Property)”

See METES AND BOUNDS DESCRIPTION as set forth in Exhibit A-2

Section 3. Application of Charter and Ordinances. Upon the effective date of this Annexation Resolution, the provisions of the Charter, Code, and ordinances of the Town of Leonardtown, and any local public laws enacted or to be enacted affecting the Town of Leonardtown, shall be effective within the Annexation Properties except to the extent that this Annexation Resolution, an Annexation Agreement, or the Annexation Plan provides otherwise.

Section 4. Zoning Classification; Right to Withdraw Request for Annexation.

(a) The Annexation Properties are described in full in Exhibits A-1 and A-2. The SMALF Properties are improved with two residential dwellings, a tobacco barn, and a dilapidated structure. The Valli Investments Property is improved by a two-story brick and frame dwelling which is being used as a commercial office. The SHA Property is owned by the State of Maryland State Highway Administration of the Department of Transportation and consists primarily of a portion of Maryland State Route 5.

(b) Parcel A of the SMALF Properties is currently zoned Residential, Low Density ("RL") by St. Mary's County. Parcel B of the SMALF Properties is currently zoned Rural Preservation District ("RPD") by St. Mary's County. The Valli Investments Property is currently zoned RL by St. Mary's County. Subject to the satisfaction of all statutory and regulatory requirements, including, but not limited to, the review of the Town's Planning Commission and the approval of the Board of County Commissioners of St. Mary's County, it is the Town's intent to apply the Institutional/Office ("I/O") zoning classification to the SMALF Properties and the Commercial Office ("C-O") zoning classification to the Valli Investments Property. The SHA Property does not have a zoning classification.

(c) All of the proposed zoning classifications are consistent with nearby property uses and compatible with adjacent zoning. The April 2010 Comprehensive Plan for the Town of Leonardtown, as amended (the "Comprehensive Plan"), designates the Annexation Properties as a potential future growth area for the Town. The Annexation Properties will be requested to be designated as a growth area in St. Mary's County and within a Priority Funding Area which is eligible for State funding upon annexation. The SMALF Properties are intended for development as a memory care facility. The Valli Investments Property is expected to continue to be used for commercial purposes. Thus, the annexation request set forth in the Annexation Petition is compatible with the Comprehensive Plan.

(d) In conjunction with the adoption of this Annexation Resolution, the Council may introduce and enact an ordinance to provide the intended zoning.

(e) At any time prior to the adoption of this Annexation Resolution, the Petitioners may request to withdraw their Annexation Petition subject to the requirements of Section 8.

Section 5. Annexation Plan. The Town has prepared an Annexation Plan with regard to the Annexation Properties. The Annexation Plan is attached hereto as Exhibit B but is not part hereof, and the Council reserves the right to amend the Annexation Plan prior to final adoption of this Annexation Resolution in a manner consistent with Md. Code Ann., Local Gov't § 4-415. The Annexation Plan may not be construed in any way as an amendment to this Annexation Resolution. A copy of the Annexation Plan has been provided to the Board of County Commissioners of St. Mary's County and also the Maryland Department of Planning at least thirty (30) days prior to the date of the public hearing conducted by the Council on this Annexation Resolution.

Section 6. Public Hearing and Public Notice. A public hearing, as required by the provisions of Md. Code Ann., Local Gov't § 4-406, shall be held by the Council at a time to be determined thereby 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 Leonardtown, 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 Md. Code Ann., Local Gov't § 4-406. Upon the first publication of the public notice a copy thereof, including exhibits, shall be provided to:

- (a) The Board of County Commissioners of St. Mary's County; and
- (b) Any regional or State planning agency having jurisdiction in St. Mary's County.

Section 7. Registration of Boundaries. Within ten (10) days of the effective date of this Resolution, in accordance with the provisions of Md. Code Ann., Local Gov't § 4-414, the Mayor of the Town of Leonardtown, or his designee, shall promptly forward a copy of this Annexation Resolution with the new municipal boundaries to the Town Clerk, the Clerk of the Circuit Court for St. Mary's County, Maryland, and also to the Maryland Department of Legislative Services. Each such official or agency shall hold this Annexation Resolution with the new municipal boundaries on record and available for public inspection.

Section 8. Annexation Agreement and Expenses. The Council is authorized to execute an Annexation Plan, an Annexation Agreement, an agreement for the extension of the public services and facilities, and/or other agreements of a similar nature with regard to the Annexation Properties, provided that the terms of this Annexation Resolution shall prevail over any inconsistent term in any such agreement. Pursuant to the Annexation Petition, the Petitioners have agreed to be responsible for all fees and expenses incurred by the Town associated with the proposed annexation, including, but not limited to, all legal fees (including the cost of preparing and reviewing the Annexation Resolution, Annexation Plan, and any Annexation Agreement(s)), engineering fees, and advertising expenses. The Petitioners have further agreed to pay all such fees prior to adoption of this Annexation Resolution. Additionally, the Petitioners shall prepare, or cause to be prepared, for the Town a composite plat of the Town's municipal boundaries, inclusive of the Annexation Property.

Section 9. Effective Date. This Annexation Resolution shall be deemed "finally enacted" on the date on which the Council indicates their approval of the Annexation Resolution by affixing their signatures hereto. This Annexation Resolution shall become effective forty-five (45) days after final enactment, unless a petition for referendum has been filed prior thereto in accordance with Md. Code Ann., Local Gov't §§ 4-408, 4-409, 4-410 and 4-412. In the event that a petition for referendum is properly filed, the effective date of this Resolution shall be determined in accordance with Md. Code Ann., Local Gov't § 4-412.

ADOPTED this 04th day of February, 2021.

Attest:

Laschelle E. McKay
Laschelle E. McKay
Town Administrator

Seal:

Councilpersons of Leonardtown:

J. Maguire Mattingly, IV
J. Maguire Mattingly, IV
Vice President

Tyler Alt
Tyler Alt
Councilperson

Christy Hollander
Christy Hollander
Councilperson

Mary Maday Slade
Mary Maday Slade
Councilperson

Nick B. Colvin
Nick B. Colvin
Councilperson

EXHIBIT A
to
ANNEXATION PLAN
PETITION FOR ANNEXATION

**PETITION FOR ANNEXATION OF 37.6845 ACRES OF LAND MORE OR LESS
INTO THE MUNICIPALITY OF LEONARDTOWN, MARYLAND
(Assisted Living Facility Property and Valli Investments Property)**

COMES NOW, THE UNDERSIGNED PETITIONERS, and hereby petition the Council of the Town Leonardtown (the “Town Council”), pursuant to Md. Local Government Code Ann §§4-401 *et seq.*, to annex those parcels of land into the corporate limits of The Commissioners of Leonardtown, a Maryland municipal corporation (the “Town”), as shown on the following plats of survey: (i) that ALTA/NSPS Land Title Survey prepared by Neal F. Offenbacher, dated September 27, 2019 and titled “Parcels A & B-Bennett Property”; (ii) that survey titled “Boundary Survey for Valli Investments, LLC” dated April 30, 2020; and (iii) that boundary survey prepared by R. Wade Collinson, Jr. dated November 17, 2020 and titled “The Property of State Highway Administration of the Department of Transportation” which are attached hereto as **Exhibit A-1**, and as more particularly described in legal descriptions of each said property, collectively attached hereto as **Exhibit A-2**, which parcels (collectively, the “Property”) are described as follows:

1. Parcel A, containing 20.4825 acres, more or less, and Parcel B, containing 0.5490 acres, more or less, as more specifically shown and described on that ALTA/NSPS Land Title Survey prepared by Neal F. Offenbacher, dated September 27, 2019 and titled “Parcels A & B-Assisted Living Facility Property” (the “Assisted Living Facility Property”) being all that property conveyed to St. Mary’s Assisted Living Facility, LLC, a Maryland not for profit limited liability company from Stephen Richard Bennett, Louise Blanche Bennett, Robert Henry Bennett and Ruth Delma Bertrand, known of record as Ruth Delma Bertrend by that deed dated November 12, 2020 and recorded among the Land Records of St. Mary’s County, Maryland at Book No. 5556, Page 127;

2. That parcel containing 2.149 acres, more or less, as more specifically shown and described on that survey titled “Boundary Survey for Valli Investments, LLC” dated April 30, 2020 (the “Valli Investments Property”) being all that property conveyed to Valli Investments, LLC, a Maryland limited liability company, from Community Bank of the Chesapeake by deed dated March 28, 2019 and recorded among the aforesaid Land Records at Book No. 5049, Page 391; and

3. That parcel containing 14.5040 acres, more or less, as more specifically shown on that boundary survey prepared by R. Wade Collinson, Jr. dated November 17, 2020 and titled "The Property of State Highway Administration of the Department of Transportation".

AND THAT as a condition of such annexation that the properties which are subject to the zoning by the Town be zoned under the Leonardtown Zoning Ordinance as follows:

	<u>Current County Zoning</u>	<u>New Town Zoning</u>
1. Assisted Living Facility Property	RL/RPD	L-I/O
2. Valli Investments Property	RL	C-O

AND IN SUPPORT of this Petition, the undersigned certify as follows:

1. That the Property extends south and east from, and is contiguous to the existing corporate limits of the Town; and

2. That the annexation of the Property will not cause there to be any unincorporated area which is bound on all sides by property within the corporate limits of the Town; and

3. That the undersigned are the undersigned petitioners are the owners of at least twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed; and

4. That the undersigned constitute at least twenty-five percent (25%) of the persons who reside in the area to be annexed and who are registered voters of St. Mary's County, Maryland; and

5. That the undersigned petitioners entitled to vote will cast their ballot in favor of annexation in the event that any resolution to annex the Property is put to referendum; and

6. This Petition can be executed in counterparts.

WHEREFORE, it is requested that the above described Property be annexed to the corporate boundary of the municipality of Leonardtown, Maryland.

SIGNATURES ON FOLLOWING PAGES

**SIGNATURE PAGE FOR PETITION FOR ANNEXATION OF 37.6845 ACRES OF
LAND MORE OR LESS
INTO THE MUNICIPALITY OF THE COMMISSIONERS OF
LEONARDTOWN, MARYLAND
(Assisted Living Facility Property and Valli Investments Property)**

**St. Mary's Assisted Living Facility,
LLC, a Maryland not for profit
limited liability company**

Date: 12/30/20, 2020

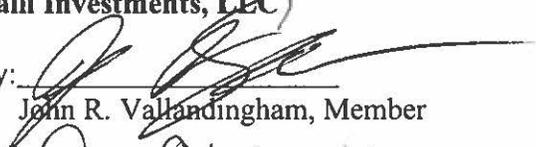
By: 
Name:
Title:

**SIGNATURE PAGE FOR PETITION FOR ANNEXATION OF 37.6845 ACRES OF
LAND MORE OR LESS
INTO THE MUNICIPALITY OF THE COMMISSIONERS OF
LEONARDTOWN, MARYLAND**

(Assisted Living Facility Property and Valli Investments Property)

Valli Investments, LLC

Date: Dec 28TH, 2020

By: 
John R. Vallandingham, Member

Date: December 28 2020

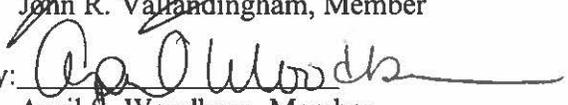
By: 
April S. Woodburn, Member

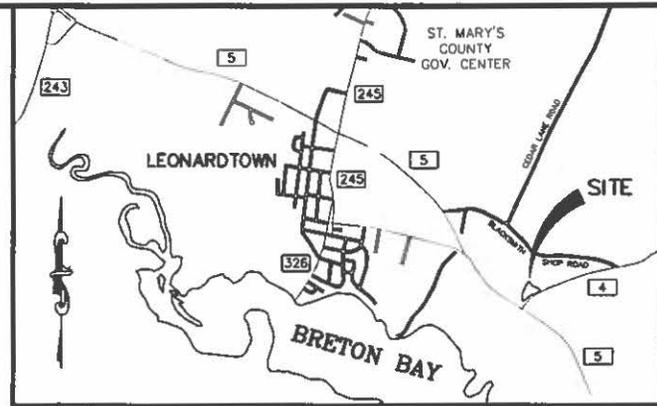
EXHIBIT A-1 TO PETITION FOR ANNEXATION

**SURVEYS SHOWING ST. MARY'S ASSISTED LIVING FACILITY PROPERTY,
VALLI INVESTMENTS PROPERTY AND SHA PROPERTY**

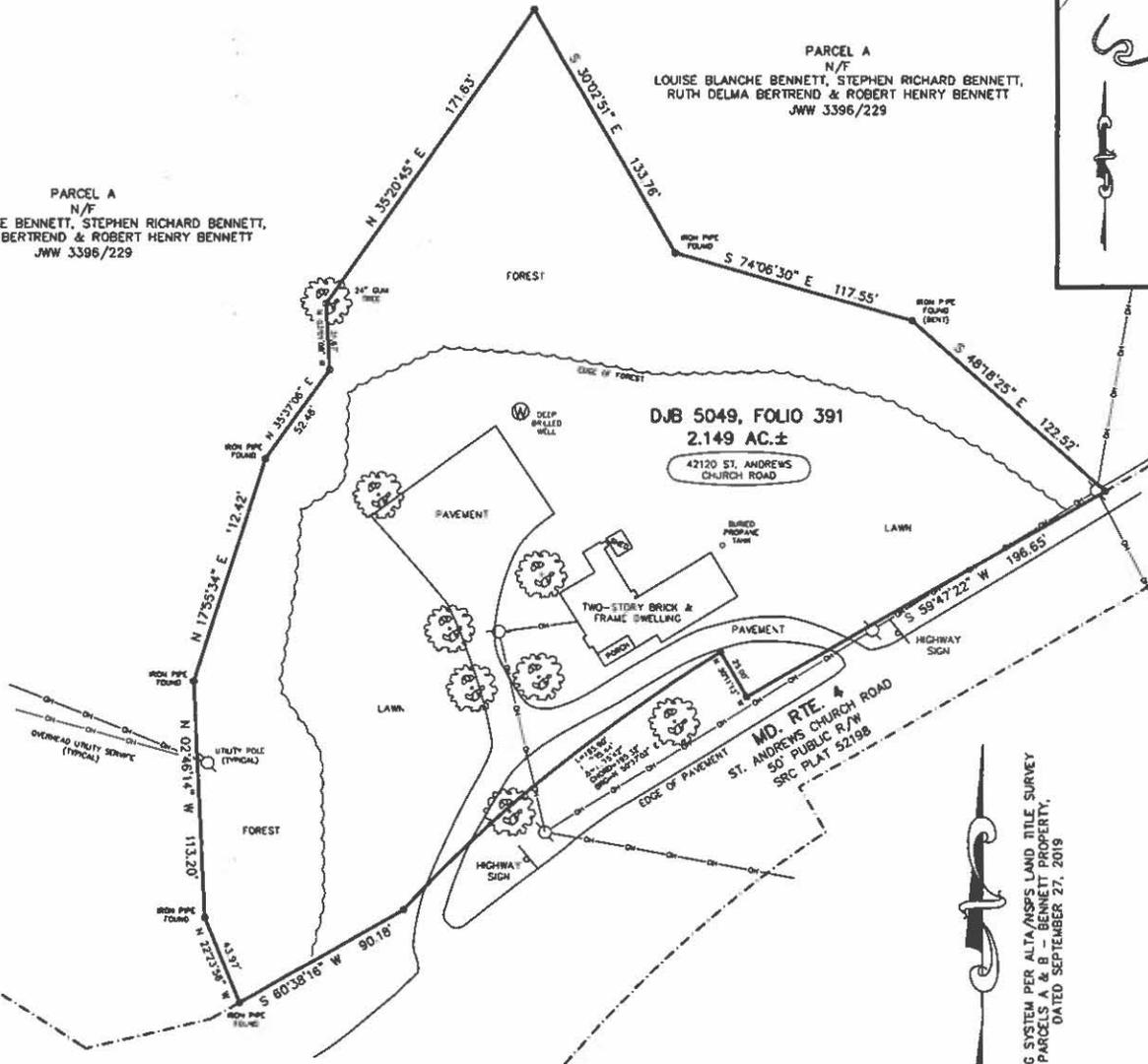
PARCEL A
N/F
LOUISE BLANCHE BENNETT, STEPHEN RICHARD BENNETT,
RUTH DELMA BERTREND & ROBERT HENRY BENNETT
JWW 3396/229

PARCEL A
N/F
LOUISE BLANCHE BENNETT, STEPHEN RICHARD BENNETT,
RUTH DELMA BERTREND & ROBERT HENRY BENNETT
JWW 3396/229

DJB 5049, FOLIO 391
2.149 AC.±
42120 ST. ANDREWS
CHURCH ROAD



VICINITY MAP SCALE: 1" = 2,000'



MD. RTE. 5
160' PUBLIC R/W
SRC PLAT 52612

BEARING SYSTEM PER ALTA/NSPS LAND TITLE SURVEY
PARCELS A & B - BENNETT PROPERTY,
DATED SEPTEMBER 27, 2019

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE PLAT SHOWN HEREON IS CORRECT AND CONFORMS TO THE MARYLAND MINIMUM STANDARDS ACCORDING TO COMAR 09.13.06.12 FOR BOUNDARY SURVEYS; THIS IS A BOUNDARY SURVEY OF ALL OF PROPERTY CONVEYED UNTO VALLI INVESTMENTS, L.L.C. BY DEED DATED MARCH 28, 2019 FROM COMMUNITY BANK OF THE CHESAPEAKE, AS RECORDED AMONG THE LAND RECORDS OF ST. MARY'S COUNTY, MARYLAND IN LIBER DJB 5049, FOLIO 391.

THIS BOUNDARY SURVEY WAS PREPARED UNDER MY DIRECT SUPERVISION AND RESPONSIBLE CHARGE IN ACCORDANCE WITH COMAR 09.13.06.12.
MY CURRENT LICENSE EXPIRES 1/4/22.



Jeffrey T. Nieman
JEFFREY T. NIEMAN, L.S. DATE: 4/30/20
PROFESSIONAL LAND SURVEYOR
REG. MD LAND SURVEYOR NO. 21553

LINEAR SURVEYS INC.
PROFESSIONAL LAND SURVEYORS
42120 ST. ANDREWS CHURCH ROAD
LEONARDTOWN, MARYLAND 20650
PHONE: (301)475-9000 FAX: (301)475-0363

BOUNDARY SURVEY
FOR VALLI INVESTMENTS, LLC
PER LIBER DJB 5049, FOLIO 391
(ST. MARY'S COUNTY TAX MAP 41, GRID 1, PARCEL 57)
THIRD ELECTION DISTRICT
ST. MARY'S COUNTY, MARYLAND

DRAWING: 41057B	DATE: 4/30/20	SCALE: 1" = 40'	SHEET 1 OF 1
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EXHIBIT A-2 TO PETITION FOR ANNEXATION

**METES AND BOUNDS DESCRIPTION OF ST. MARY'S ASSISTED LIVING
FACILITY PROPERTY, VALLI INVESTMENTS PROPERTY AND SHA PROPERTY**

LEGAL DESCRIPTION
Tax Map 41, Parcels 2 and 221
3rd Election District, St. Mary's County, Maryland

All those certain lots or parcels of land lying and being in the 3rd Election District of St. Mary's County, Maryland, and being more particularly described as follows in Maryland State Plane Datum NAD 83/11:

Parcel "A"

Beginning for the same at an iron rod set at the intersection of the Northerly right of way line of St. Andrews Church Road, a 50 foot right of way and the Westerly side of Old Clay Hill Road (now abandoned), said beginning point being further described as being the most southeasterly corner of the herein described, said beginning point being even further described as bearing South 61°33'12" West 30.23 feet from the most Southerly West corner of Parcel "B" as shown on a plat of survey dated September 27, 2019, by Ben Dyer Associates, Inc., thence; leaving the beginning point so fixed and running and binding on the said Northerly right of way line of St. Andrews Church Road and with a curve to the left described as having a delta angle of 01° 20' 17", a radius of 1930.25 feet, an arc length of 45.08 feet, and a chord bearing and distance of South 60° 26' 08" West 45.08 feet to a point marking the P.T. of said curve, thence; South 59° 45' 53" West 143.49 feet to an iron pipe found, said pipe marking the most Easterly corner of a tract or parcel of land standing in the name of Valli Investments, LLC, as recorded in the Land Records of St. Mary's County, Maryland in Liber DJB 5049 at folio 391, thence; leaving the said Northerly right of way of St. Andrews Church Road and running and binding on the said Valli Investments, North 48° 18' 25" West 122.15 feet to an iron pipe found, thence; North 74° 06' 30" West 117.55 feet to an iron pipe found, thence North 30 °02' 51" West 133.76 feet to a point, thence; South 35° 20' 45" West 171.63 feet to a 24 inch Gum Tree, thence; South 03° 01' 08" West 31.67 feet to a point; thence; South 35°37' 06" West 52.46 feet to an iron pipe found, thence; South 17° 55' 34" West 112.42 feet to an iron pipe found, thence; South 02° 46' 14" East 113.20 feet to an iron pipe found, thence; South 22° 23' 56" East 43.97 feet to an iron pipe found in the afore-mentioned Northerly right of way line of St. Andrews Church Road, as shown on Maryland State Roads Commission Plats of Maryland State Route 5, Numbers 52198, 52611 and 52612, thence; leaving the said Valli Investments Tract and running and binding on the said Northerly right of way line of St. Andrews Church Road South 60° 27' 44" West 15.96 feet to a point, thence; South 76° 48' 41" West 61.39 feet to an iron pipe found at the intersection of the said Northerly right of way line of St. Andrews Church Road and the Easterly North right of way line of Maryland State Route 5, thence; leaving the said Northerly right of way line of St. Andrews Church Road and running and binding on the said Easterly North right of way line of Route 5, as shown on the afore-mentioned State Roads Commission Plats North 57° 24' 07" West 249.68 feet to a point, thence North 47° 07' 19" West 98.34 feet to a point, thence North 65° 35' 46" West 100.19 feet to a point marking the P.C. of a curve to the right, thence; with said curve described as having a delta angle of 12° 08' 08", a radius of 1855.72 feet, an arc length of 393.05 feet and a chord bearing and distance of North 47° 55' 57" West 392.32 feet to an iron rod found, said pipe marking the Southerly East corner of a tract or parcel of land standing in the

name of Mattingly as recorded in the afore-mentioned Land Records in Liber MRB 326 at folio 260, thence; leaving the said Easterly North right of way line of Route 5 and running and binding on the said Mattingly outline North 47° 58' 45" East 441.63 feet to an iron pipe found in the Easterly South outline of a tract or parcel of land standing in the name of Mattingly, as recorded in the afore-mentioned Land Records in Liber MRB 326 at folio 260, passing over an iron pipe found at 316.39 feet along said course, said pipe marking the common corner between the said Mattingly Tracts, thence; running and binding on the said Mattingly Tract North 28° 04' 43" East 792.10 feet to an iron rod set on the Westerly side of Blacksmith Shop Road, said pipe marking the most Easterly North corner of a tract or parcel of land standing in the name of Williams as recorded among the afore-mentioned Land Records in Liber EWA 2295 at folio 511 passing over an iron pipe found at 456.11 feet along said course, said pipe being the common corner between the afore-mentioned Mattingly Tract and the above-mentioned Williams Parcel, thence; leaving the said Williams Parcel and running and binding on the Westerly side of Blacksmith Shop Road and the abandoned Clay Hill Road South 47° 50' 58" East 20.54 feet, South 40° 43' 16" East 77.12 feet, South 37° 25' 48" East 52.68 feet; South 30° 46' 57" East 368.78 feet to an iron rod set, thence; South 24° 51' 36" East 201.38 feet to an iron rod set, thence; South 28° 46' 08" East 166.30 feet, South 21° 51' 12" East 122.49 feet, South 25° 47' 33" East 147.55 feet to an iron rod set, thence; South 21° 24' 28" East 141.94 feet to the point and place of beginning, containing a total of 20.4825 acres of land, more or less.

Parcel "B"

Beginning for the same at an iron rod set at the intersection of the Northerly right of way line of St. Andrews Church Road, a 50 foot right of way and the Easterly side of Old Clay Hill Road (now abandoned), said beginning point being further described as being the most Southerly West corner of the here-in described, said beginning point being even further described as bearing North 61° 33' 12" East 30.23 feet from the most Easterly South corner of Parcel "A" as shown on a Plat of Survey dated September 27, 2019 by Ben Dyer Associates, Inc., thence; leaving the beginning point so fixed and running and binding on the Easterly side of said Old Clay Hill Road North 21° 24' 28" West 142.32 feet to an iron pipe found, said pipe marking the most Southerly West corner of a tract or parcel of land standing in the name of Spence as recorded among the Land Records of St. Mary's County, Maryland in Liber JWW 4305 at folio 416, thence; leaving said Old Clay Hill Road and running and binding on the said Spence outline North 64° 31' 30" East 169.95 feet to an iron pipe found in the Westerly outline of a tract or parcel of land, now or formerly, standing in the name of Oscar Buchanan as recorded among the afore-mentioned Land Records in Liber CBG 101 at Folio 14, thence; leaving the said Spence Tract and running and binding on the said Buchanan outline South 21° 24' 28" East 142.32 feet to an iron pipe found in the afore-mentioned Northerly right of way line of St. Andrews Church Road, thence; leaving the said Buchanan outline and running and binding on the said Northerly right of way line and with a curve to the left, described as having a delta angle of 05° 02' 46", a radius of 1930.25 feet, an arc length of 170.00 feet and a chord bearing and distance of South 64° 31' 30" West 169.95 feet to the point and place of beginning, containing a total of 0.5490 acres of land, more or less.

LINEAR SURVEYS

PROFESSIONAL LAND SURVEYORS

42120 St. Andrews Church Rd, Leonardtown, Maryland 20650

Phone: (301) 475-9000 Fax: (301) 475-0363

E-Mail: jeff@linearsurveys.com



MAY 14, 2020

**A DESCRIPTION OF 2.147 ACRES OF LAND
SITUATED AT 42120 ST. ANDREWS CHURCH ROAD
THIRD ELECTION DISTRICT, ST. MARY'S COUNTY, MARYLAND**

BEGINNING for the same at an iron pipe found on the northerly right-of-way line of St. Andrews Church Road (Maryland Route 4), a 50' Public Right-of-Way per SRC Plat No. 52198, same iron pipe found being the corner of Parcel A standing, now or formerly, in the name of Louise Blanche Bennett, Stephen Richard Bennett, Ruth Delma Bertrend and Robert Henry Bennet per deed recorded among the Land Records of St. Mary's County, Maryland at Liber JWW 3396, Folio 229; thence leaving said northerly right-of-way line of St. Andrews Church Road and running with said Parcel A the following nine (9) courses,

1. **North 22° 23' 56" West, 44.00 feet** to an iron pipe found; thence,
2. **North 2° 46' 14" West, 113.20 feet** to an iron pipe found; thence,
3. **North 17° 55' 34" East, 112.42 feet** to an iron pipe found; thence,
4. **North 35° 37' 06" East, 52.46 feet** to a point; thence,
5. **North 3° 1' 8" West, 31.67 feet** to a 24 inch Gum Tree; thence,
6. **North 35° 20' 45" East, 171.63 feet** to a point; thence,
7. **South 30° 2' 51" East, 133.76 feet** to an iron pipe found; thence,
8. **South 74° 6' 30" East, 117.55 feet** to a bent iron pipe found; thence,
9. **South 48° 18' 25" East, 122.15 feet** to a point on said northerly right-of-way line of St. Andrews Church Road; thence leaving said Parcel A and running with said northerly right-of-way line of St. Andrews Church Road,
10. **South 59° 45' 10" West, 196.54 feet** to a point; thence,
11. **North 30° 13' 49" West, 25.00 feet** to a point; thence by an arc of a circle to the left having a radius of 735.44 feet with an arc distance of 195.90 feet and a chord bearing and distance of
12. **South 50° 34' 26" West, 195.32 feet** to a point; thence,
13. **South 60° 34' 6" West, 90.18 feet** to the point and place of **BEGINNING**.

BEING all that tract or parcel of land located in the Third Election District of St. Mary's County, Maryland acquired by Valli Investments, LLC from Community Bank of the Chesapeake by deed dated March 28, 2019 recorded among the Land Records of St. Mary's County, Maryland at Liber DJB 5049, Folio 391.

CONTAINING 2.147 acres of land, more or less.

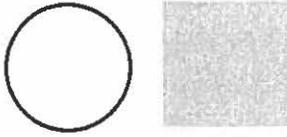
SUBJECT to Title Search and to any and all Rights-of-Way and/or Easements of Record.

11721 WOODMORE ROAD, SUITE 200
MITCHELLVILLE, MD 20721

TELEPHONE: 301-430-2000

FAX: 301-430-2001

E-MAIL: bendyer@bendyer.com



BEN DYER ASSOCIATES, INC.
Engineers / Surveyors / Planners

November 16, 2020
J-B19552-8191
WO-154393

DESCRIPTION OF
14.5040 ACRES OF LAND
TO BE ANNEXED INTO THE CORPORATE BOUNDARY OF THE
TOWN OF LEONARDTOWN
DISTRICT NO. 3
ST. MARY'S COUNTY, MARYLAND

Being a piece or parcel of land, hereinafter described, running in, through over and across a portion of Maryland Route 4 and Maryland Route 5, variable width public rights-of-way as shown on State Roads Commission of Maryland Right-of-Way Plat No.'s 52610-52612, and being more particularly described as referenced to the Maryland State Plane Coordinate System (NAD 83) as follows:

Beginning for the same at an iron pipe found at the beginning of the North 05°15'00" West, 60.34 foot line in the southwesterly outline of the conveyance from Philip Earle Gray to Aldridge Ford, Inc. by deed dated January 19, 1982 and recorded among the Land Records of St. Mary's County, Maryland in Liber 111 Folio 208 and said point of beginning being in the southeasterly outline of the herein described; thence leaving the point of beginning, so fixed, and the Aldridge Ford, Inc. property (L. 111 F. 208) and running through a portion of Maryland Route 5, the following course and distance;

1. South 32°23'50" West, 221.87 feet to a point in the north easterly outline of the conveyance from The Xaverian Brothers USA Inc., formerly known as The American Central Province of the Xaverian Brothers, Inc., to St. Mary's Ryken, Inc. by deed dated February 1, 2008 and recorded among the aforesaid Land Records in Liber 3133 at Folio 309; thence running with the northerly outline of said conveyance to St. Mary's Ryken, Inc. (L. 3133 F. 309) and the southerly right-of-way line of Maryland Route 5 the following thirteen (13) courses and distances;
2. North 57°36'10" West, 77.53 feet to a point;
3. North 74°06'56" West, 105.05 feet to a point;
4. North 50°40'03" West, 205.16 feet to a point;
5. North 43°57'32" West, 308.86 feet to a point;

6. North 50°58'36" West, 201.96 feet to a point;
7. North 87°17'09" West, 193.60 feet to a point;
8. North 36°44'35" West, 364.49 feet to a point;
9. North 51°11'15" West, 209.37 feet to a point;
10. North 33°26'04" West, 103.58 feet to a point;
11. North 40°15'40" West, 204.70 feet to a point;
12. North 35°57'48" West, 102.43 feet to a point;
13. North 37°45'40" West, 157.41 feet to a point; and
14. South 75°41'22" West, 21.03 feet to a point; thence leaving the St. Mary's Ryken, Inc. property (L. 3133 F. 309) and running through a portion of Maryland Route 5 the following two (2) courses and distances,
15. North 06°49'57" West, 194.66 feet to a point; and
16. North 51°41'54" East, 198.18 feet to a non-tangential point of curvature in the westerly outline of Lot 1 as shown on the plat entitled "St. Mary's Medical Arts, Lots 1 and 2" as recorded among the aforesaid Land Records in Plat Book 50 at Plat No. 107; thence running with the outline of said Lot 1 and the northerly right-of-way line of Maryland Route 5 the following three (3) courses and distances;
17. 90.41 feet along the arc of a non-tangent curve deflecting to the right having a radius of 920.08 feet and subtended by a chord bearing South 04°58'43" West, 90.37 feet to a non-tangential point of curvature;
18. 147.10 feet along the arc of a non-tangent curve deflecting to the right having a radius of 5,644.58 feet and subtended by a chord bearing South 36°17'38" East, 147.10 feet to a non-tangential point of curvature; and
19. 132.86 feet along the arc of a non-tangent curve deflecting to the right having a radius of 1,552.41 feet and subtended by a chord bearing South 58°44'20" East, 132.82 feet to an iron pipe found at the southwesterly corner of Lot 2 as shown on the aforesaid plat entitled "St. Mary's Medical Arts, Lots 1 and 2" (P.B. 50 P. No. 107); thence continuing with the aforesaid arc and Maryland Route 5 right-of-way
20. 161.04 feet along the arc of a non-tangent curve deflecting to the right having a radius of 1,552.41 feet and subtended by a chord bearing South 53°18'55" East, 160.97 feet to an iron pipe found at the southwesterly corner of the conveyance from Michael J. Mattingly to Michael J. Mattingly and Christine G. Mattingly by deed dated January 25, 2010 and recorded among the aforesaid Land Records in Liber 3399 at Folio 419; thence leaving Lot 2 (P.B. 50 P. No. 107) and running with said conveyance to Mattingly (L. 3399 F. 419)
21. South 44°28'07" East, 263.96 feet to the southwest corner of the conveyance from Alfred S. Mattingly and Joan C. Mattingly, his wife, to Alfred S. Mattingly and Joan C. Mattingly, his wife, by deed dated December 17, 1986 and recorded among the aforesaid Land Records in Liber 326 at Folio 260; thence leaving said conveyance to Michael and Christine Mattingly (L. 3399 F. 419) and running with said conveyance to Alfred and Joan Mattingly (L. 326 F. 260) the following two (2) courses and distances
22. South 44°28'07" East, 52.43 feet to an iron pipe found; and
23. South 37°53'28" East, 498.70 feet to an iron pipe found at the southwesterly corner of the conveyance from Stephen Richard Bennett and Louise Blanche Bennett, Personal Representatives of the Estate of Delma Lenore Bennett, to Louise Blanche Bennett, Stephen Richard Bennett, Ruth Delma Bertrend and Robert Henry Bennett by deed dated January 6, 2010 and recorded among the aforesaid Land Records in Liber 3396 at Folio 229; thence leaving the Alfred and Joan Mattingly property (L.

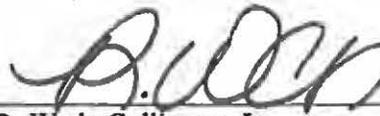
- 326 F. 260) and running with said conveyance to Bennett et at. (L. 3396 F. 229) the following six (6) courses and distances
24. 393.92 feet along the arc of a non-tangent curve deflecting to the left having a radius of 1,855.72 feet and subtended by a chord bearing South 47°55'57" East, 392.32 feet to a point of non-tangency;
 25. South 65°35'46" East, 100.19 feet to a point;
 26. South 47°07'18" East, 98.34 feet to a point;
 27. South 57°24'07" East, 249.68 feet to an iron pipe found on the northwesterly right-of-way line of Maryland Route 4, also known as St. Andrews Church Road; thence leaving Maryland Route 5 and continuing with said conveyance to Bennett et at. (L. 3396 F. 229) and the northwesterly right-of-way line of Maryland Route 4,
 28. North 76°48'41" East, 61.39 feet to a point; and
 29. North 60°27'44" East, 15.96 feet to an iron pipe found at the southernmost corner of the conveyance from Community Bank of the Chesapeake to Valli Investments, LLC, by deed dated March 28, 2019 and recorded among the aforesaid Land Records in Liber 5049 at Folio 391; 'hence leaving the Bennett et at. property (L. 3396 F. 229) and running with said conveyance to Valli Investments, LLC (L. 5049 F. 391) the following two (2) courses and distances;
 30. North 60°35'13" East, 90.18 feet to a non-tangential point of curvature; and
 31. 195.90 feet along the arc of a non-tangent curve deflecting to the right having a radius of 735.44 feet and subtended by a chord bearing North 50°34'26" East, 195.32 feet to a point of non-tangency; thence leaving the Valli Investments, LLC property (L. 5049 F. 391) and running through a portion of Maryland Route 4;
 32. South 30°24'08" East, 100.80 feet to an iron pipe found in the northerly outline of the conveyance to Aldridge Ford, Inc. (L. 111 F. 208); thence running with the northerly outline of said Aldridge Ford, Inc. property (L. 111 F. 208) and the southerly right-of-way line of Maryland Route 4 the following two (2) courses and distances;
 33. 245.67 feet along the arc of a non-tangent curve deflecting to the left having a radius of 604.49 feet and subtended by a chord bearing South 47°53'08" West, 243.98 feet to a point of non-tangency; and
 34. South 12°51'46" East, 60.34 feet to the point and place of beginning, containing an area of 631,793 square feet or 14.5040 acres of land.

This description was prepared by me or under my responsible charge in compliance with requirements set forth in COMAR 09.13.06.12 and I am a duly licensed Professional Land Surveyor under the laws of the State of Maryland.

November 17, 2020

Date

Ben Dyer Associates, Inc.



R. Wade Collinson, Jr.
Professional Land Surveyor
MD No. 21638

License Renewal Date: December 26, 2021



EXHIBIT B
ANNEXATION PLAN

Town of Leonardtown
Annexation Plan
St. Mary's Assisted Living Facility, Valli Investments and SHA Properties
Leonardtown, St. Mary's County, Maryland

January 4, 2021

Introduction

Property owners are requesting consideration of annexation into the Town of Leonardtown (the "Town") of **37.6845** acres of land, more or less, consisting of: (i) two parcels known as the "St. Mary's Assisted Living Facility Property", containing 20.4825 acres and 0.5490 acres, more or less; (ii) a parcel known as the "Valli Investments Property" containing 2.149 acres, more or less; and (iii) a parcel of land owned by the State of Maryland State Highway Administration of the Department of Transportation known as the "SHA Property", containing 14.5040 acres, more or less, pursuant to a Petition for Annexation attached hereto as **Exhibit A**. The foregoing properties are collectively referred to herein as the "Annexation Properties." This Annexation Plan is submitted in accordance with Md. Local Government Code Ann §§4-401 et seq.

Property

Copies of the surveys showing the Annexation Properties are attached to the Petition for Annexation as **Exhibit A-1**. The Annexation Properties are described by metes and bounds on **Exhibit A-2** attached to the Petition for Annexation. The St. Mary's Assisted Living Facility Property is improved with two residential dwellings, a tobacco barn and dilapidated structure. The St. Mary's Assisted Living Facility Property is owned by St. Mary's Assisted Living Facility, LLC, a Maryland not for profit limited liability company ("St. Mary's Assisted Living Facility"), which intends to redevelop the St. Mary's Assisted Living Facility Property into a memory care facility. The St. Mary's Assisted Living Facility Property wraps around the Valli Investments Property, which is improved by a two-story brick and frame dwelling which is being used as a commercial office. The Town is unaware of any proposed redevelopment of the Valli Investments Property and expects the commercial office use of the property to continue in the near future. The SHA Property is owned by the Maryland State Highway Administration and consists primarily of Maryland State Route 5/Point Lookout Road ("MD 5").

The Valli Investments Property and the larger portion of the St. Mary's Assisted Living Facility Property are currently zoned Residential, Low Density ("RL") pursuant to the St. Mary's County Comprehensive Zoning Ordinance. The small parcel which is part of the St. Mary's Assisted Living Facility Property is zoned Rural Preservation District ("RPD") pursuant to the St. Mary's County Comprehensive Zoning Ordinance. The St. Mary's Assisted Living Facility Property is planned to be zoned by the Town as Institutional/Office ("I/O") and the Valli Investments Property is planned to be zoned Commercial Office ("C-O"). All of the proposed

zoning classifications are consistent with nearby property uses and compatible with adjacent zoning. However, the Town's proposed zoning categories are substantially different from the existing County zoning categories; therefore the Town notified, and obtained the consent of, the St. Mary's County Board of County Commissioners for the change of zoning and the proposed annexation.

Compatibility with Town's Comprehensive Plan

The Comprehensive Plan for the Town of Leonardtown is in the process of being amended to designate the properties as an area for potential future growth area for the Town. The Town is in the process of having the St. Mary's Assisted Living Facility Property and Valli Investments Property designated as a Priority Funding Area which will make the properties eligible for State funding. The current and proposed use of the properties will be in accordance with the Comprehensive Plan, and this annexation request will be compatible with the Comprehensive Plan for the Town of Leonardtown as amended.

Roads

The St. Mary's Assisted Living Facility Property and Valli Investments Property are served by Maryland Route 4/St. Andrews Church Road ("MD 4") which is two lanes and classified as a secondary roadway. The St. Mary's Assisted Living Facility Property and Valli Investments Property are near the intersection of MD 4 and MD 5. MD 5 is classified as a minor arterial roadway. Both MD 4 and MD 5 are owned and maintained by the Maryland State Highway Administration. Lenhart Traffic Consulting, Inc. prepared a traffic study in anticipation of the annexation and proposed development of the St. Mary's Assisted Living Facility Property, which is titled "Traffic Impact Analysis for St. Mary's Nursing and Rehab Center" dated March 3, 2020 and is attached as **Exhibit B-1** (the "Traffic Study"). Section 5 of the Traffic Study indicates that, after the development of the St. Mary's Assisted Living Facility Property with the memory care facility, the facility will have minimal impact on the study intersections, and the intersections are projected to operate at acceptable levels of service in both AM and PM peak hours. The Traffic Report also indicates that, due to the minimal trip generation, no improvements are necessary to the roads.

Pursuant to a letter dated May 29, 2020 from the Maryland Department of Transportation – State Highway Administration ("MDOT SHA") to Lenhart Traffic Consulting, Inc., a copy of which is attached as **Exhibit B-2**, MD SHA has concurred with the Traffic Report findings.

Schools

The Annexation Properties are not intended for development which will result in any impact for the school system; therefore the proposed annexation will have no impact on schools.

Public Safety

Public safety for property within the Town limits is served by the St. Mary's County, Maryland Sheriff's Department (the "Sherriff's Department"), as is the case outside the Town limits. The Town and the Sherriff's Department have a funding agreement that governs the coverage provided by the Sheriff's Department to the Town. The St. Mary's Assisted Living Facility Property and Valli Investments Property are located within two miles of the Maryland State Police Barracks, the office of the St. Mary's County Sheriff, the Public Safety Office, St. Mary's Hospital and the Advanced Life Support facility. Additionally, the Leonardtown Volunteer Fire Department and the Leonardtown Volunteer Rescue Squad are both less than a mile and a half from the Annexation Properties, which would be served by these departments whether annexed or not. The Town has been advised by the St. Mary's Assisted Living Facility that the proposed memory care facility will be staffed on-site on a 24-hour basis, seven days per week and will be secured in order to promote the safety and security of the residents.

Recreation

The Town provides recreation areas for its residents and the surrounding community as well as private facilities that have been built by developers for some of the private communities. Due to the nature of the proposed uses of the St. Mary's Assisted Living Facility Property and Valli Investments Property following annexation, no adverse impact on the Town's recreation resources is anticipated. The Town has been advised by the St. Mary's Assisted Living Facility that the memory care facility will provide an activities program for the residents of the facility. These activities will be developed to address the physical and cognitive needs of the residents of the facility.

Water and Sewer Service

Existing public water service is available approximately 2,200 feet from the St. Mary's Assisted Living Facility Property and Valli Investments Property within the Town limits. An eight-inch ductile iron pipe runs down Cedar Lane Court, crosses MD 5, and continues down Fenwick Street. The Town recently completed construction of a project to loop the water line and increase flow in this area. As shown on **Exhibit C**, St. Mary's Assisted Living Facility proposes to extend the water line from the existing supply at Cedar Lane, along a course that runs parallel to the northwestern side of MD 5, and terminate in the area of the intersection of MD 4 and MD 5. Supply to the St. Mary's Assisted Living Facility Property would be tapped from a location, as shown, along MD 5. The Valli Investments Property is currently served by a private well and will be eligible for connection to the public water system. All connections to the public water system shall require the payment of prevailing impact fees and connection fees.

A wastewater pump station is located approximately 725 feet south of the St. Mary's Assisted Living Facility Property along MD 5. The wastewater pump station pumps sewage via a six-inch force main past the property and up approximately 80 vertical feet along MD 5 to a gravity system near the existing water line. The St. Mary's County Metropolitan Commission

("METCOM") owns and operates the wastewater pump station and it pumps sewage to the Town's wastewater treatment plant under an agreement between the Town and METCOM. METCOM has advised that the wastewater pump station is operating at about seven percent of its design capacity, so the additional volume generated by the St. Mary's Assisted Living Facility Property should not present a problem to the operating system. Providing gravity service from the site along Route 4 and under Route 5 to the wastewater pump station may be hindered by a box culvert crossing Glebe Run. There is limited cover over the box culvert and the ground leading to the culvert is flat. This is currently under review and a topographic survey is being performed. As needed, other options include construction of another wastewater pump station to tie into the force main or potentially using a grinder pump and low-pressure line to the wastewater pump station. These options will need to be explored further in the design phase of the development of the St. Mary's Assisted Living Facility Property.

The Town has determined that there is sufficient capacity at the wastewater treatment plant to accommodate Phase One of the proposed memory care living facility. The Town has calculated the EDU capacity generated by Phase One of the memory care facility, and St. Mary's Assisted Living Facility has agreed to these calculations. The applicable EDUs would be allocated to the St. Mary's Assisted Living Facility Property as part of the site plan approval process.

The owners of the Valli Investments Property have been advised that they will not be allowed to utilize the new sanitary lines for at least three years until future improvements to facilities are completed, and this is a condition of the annexation.

All connections to the public sewer system shall require the payment of prevailing impact fees and connection fees.

Environmental Impacts

ECS Mid-Atlantic, LLC ("ECS") conducted a Phase I Environmental Site Assessment for the St. Mary's Assisted Living Facility Property which is dated August 26, 2019 and is attached as **Exhibit D-1** (the "Phase I ESA"). The Phase I ESA revealed no evidence of recognized environmental conditions in connection with the St. Mary's Assisted Living Facility Property except the possible existence of an underground storage tank serving one of the dwellings and evidence that the dilapidated building had historically been used for automobile repair.

ECS subsequently conducted a shallow soil sampling of the St. Mary's Assisted Living Facility Property to determine whether the underground storage tank has impacted shallow subsurface conditions. Pursuant to that letter from ECS dated November 26, 2019, a copy of which is attached as **Exhibit D-2**, ECS concluded that the soil sampling did not result in concerns of significant risk to human health or the environment. The Phase I ESA, determined that there were underground storage tanks used in connection with the operation of the automobile repair shop. However, the Phase I ESA notes that the tanks were removed by the State of Maryland as part of the widening of MD 5. The area where the tanks are located is now part of the MD 5 right of way. As such, it is owned by the State of Maryland and is not part of the property being annexed into the Town. As part of the redevelopment of the St. Mary's Assisted Living Facility Property, St.

Mary's Assisted Living Facility will have to comply with any applicable laws and regulations regarding the removal and remediation involved with the discovery of any underground storage tanks or any petroleum impacted soils.

Due to the age of the structures located on the St. Mary's Assisted Living Facility Property, ECS subsequently conducted an inspection of the interior and exterior areas of the buildings and roofs of the dwellings located on the St. Mary's Assisted Living Facility Property to determine the existence of asbestos related materials. The results of the inspection are set forth in that report titled "Asbestos Containing Material Survey" dated November 22, 2019, a copy of which is attached as **Exhibit D-3** (the "Asbestos Report"). The Asbestos Report did find the existence of asbestos in joint compound, floor tiles, glazing and some other items. As part of the demolition of the structures, the St. Mary's Assisted Living Facility will have to properly handle and dispose of any asbestos or any lead-based paint found.

Additionally, as part of the proposed development of the St. Mary's Assisted Living Facility Property, St. Mary's Assisted Living Facility will be required to provide for further environmental reviews with appropriate environmental protection plans including by way of illustration, stormwater management and forest conservation. Stream areas and wetlands will be required to be buffered. As other properties are developed similar environmental review and protections will be required as part of the development review process.

Financing Public Improvements

The owners of the St. Mary's Assisted Living Facility Property and Valli Investments Property shall be responsible for the cost of engineering and construction of any on-site infrastructure serving the properties, i.e. internal water, sewer, stormwater management and related improvements. If any infrastructure improvements or any part thereof are going to be conveyed to the Town incident to future development of the property, then a Public Works Agreement would be prepared and executed between the Town and the property owner(s) detailing the terms and conditions associated with any improvements necessary to serve the property.

Public Need

St. Mary's Assisted Living Facility retained Province Consulting Group, health care appraisers and consultants, to conduct a market study which included an analysis of the need for active adult, independent and assisted living/memory care services for Leonardtown (the "Needs Report"). The Needs Report is dated April 9, 2020, and excerpts thereof are attached hereto as **Exhibit E**. The Needs Report indicates that there are limited facilities in the immediate area that provide for state-of-the-art Alzheimer's treatment, no facilities that provide specialized programming and physical plant design specifically for clients suffering from memory care and determines that there is a good demand for Alzheimer's services in this area. The Town has determined that the annexation of the St. Mary's Assisted Living Facility Property is in the best interests of the Town since it is likely to result in the construction of a facility which will serve the health needs of the residents of the Town and surrounding areas. In connection with the

annexation, it is appropriate to annex the Valli Investments Property since it is largely surrounded by the St. Mary's Assisted Living Facility Property.

Summary

The Council of the Town of Leonardtown is in receipt of the Petition for Annexation for the aforesaid property and will consider enactment of the Annexation Resolution subsequent to a public hearing scheduled for **February 8, 2021**. The annexation of the Annexation Properties is expected to be a welcome asset to the continuing growth and development of the Town.

Laschelle McKay
Town Administrator
The Commissioners of Leonardtown
22670 Washington Street
Leonardtown, MD 20650
301-475-9791
Laschelle.mckay@leonardtownmd.gov

Annexation Petitioner Representative:
Bill D. McKissick, Jr., Esq.
Dugan, McKissick & Longmore, LLC
22738 Maple Road, Suite 210
Lexington Park, MD 20653
301 862-3764
billm@paxlawyers.com

n:\zoning\annexation to town\St. Mary's Assisted Living Facility\annexation plan - clean 122820.docx

EXHIBIT B-1

TRAFFIC IMPACT ANALYSIS FOR ST. MARY'S NURSING AND REHAB CENTER

TRAFFIC IMPACT ANALYSIS

FOR

ST. MARY'S NURSING AND
REHAB CENTER

Prepared by:

LENHART TRAFFIC CONSULTING, INC.

TRAFFIC ENGINEERING & TRANSPORTATION PLANNING

March 3, 2020



List of Exhibits

Page

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Study Intersections:
 1. MD 4 at MD 5
 2. MD 4 at Site Access

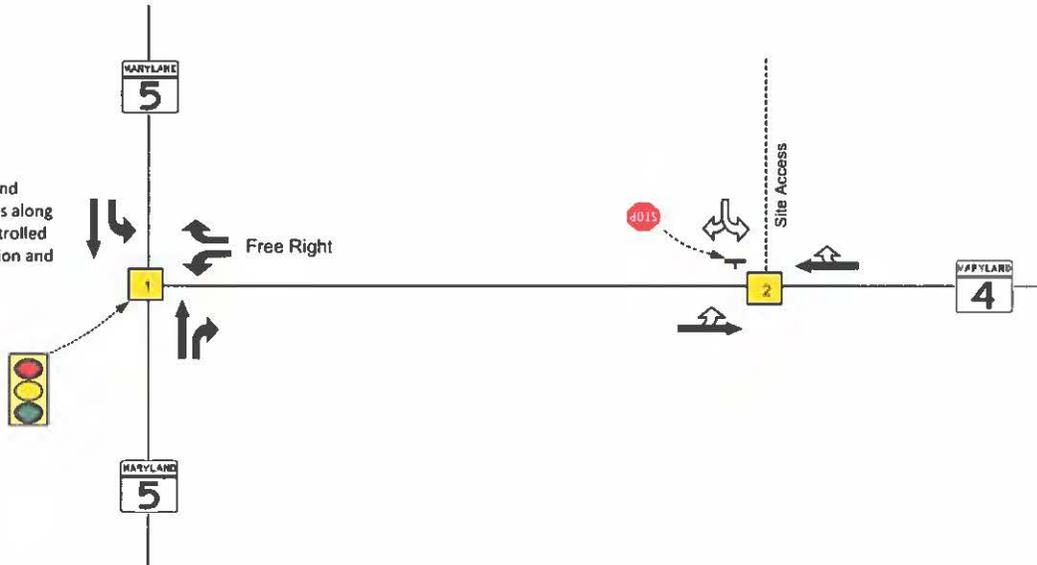
Traffic Impact Analysis

LENHART TRAFFIC CONSULTING, INC.
 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
 SEVERNA PARK, MD 21146
www.lenharttraffic.com

Site Location
 Map

**Exhibit
 1**

Note: Southbound through volumes along MD 5 is not controlled by the intersection and does not stop.



Traffic Impact Analysis

Lane Use & Traffic Control Devices

**Exhibit
2**



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com



Existing Lane Use



Proposed Lane Use

Section 3 Background Conditions

3.1 Annual Growth

The project is assumed to be completed in three (3) years.

Per the scoping correspondence with Town of Leonardtown staff, a 1.5% growth rate was applied for three years to the volumes shown on Exhibit 3b. These volumes represent the Background Peak Hour Volumes and are shown on **Exhibit 4**.

3.2 Background Peak Hour Volumes

Per the scoping correspondence in Appendix A, there are no background developments included in this study. The volumes shown on Exhibit 4 were evaluated and the results are shown on Exhibit 8.

Section 4 Projected Conditions with Site

4.1 Site Trip Generation

This Traffic Impact Analysis was prepared for the St. Mary's Nursing and Rehab Center to be located on the north side of MD 4 near the intersection of MD 5 and MD 4. Access to the site will be via one full movement driveway along MD 4. The property is currently developed with a single family household and is proposed to be developed with a 32 bed assisted living facility.

Exhibit 5 shows the trip generation for the site. The trip generation rates were obtained from the ITE Trip Generation Manual, 10th Edition.

4.2 Site Trip Distribution & Trip Assignment

The trip assignments for the site is shown on **Exhibit 6**.

4.3 Total Traffic Volumes

The Total Peak Hour Volumes are shown on **Exhibit 7**.

4.4 Projected Level of Service

The results of the analyses are shown on **Exhibit 8**.

4.5 Site Access Improvements

The proposed site access is located along MD 4 which, at this location, is designated as a secondary roadway by MD SHA. The SHA Access Permit Manual was evaluated to determine the need for acceleration / deceleration lanes at the site access as well as the need for a left turn lane / bypass lane for vehicles along MD 4 entering the site via a left turn.

Acceleration / Deceleration Lanes

Partial acceleration lanes along secondary highways are required only if 30 or more peak hour right turns are expected. The site will generate no more than 3 peak hour right turns out of the site and therefore, an acceleration lane is not required.

Partial deceleration lanes along secondary highways are required if 10 to 29 peak

Trip Generation Rates

Assisted Living (ITE-254, Beds)

Morning Trips = 0.19 x Beds

Evening Trips = 0.26 x Beds

Trip Distribution (In/Out)

63/37

38/62

Trip Generation Totals

			AM Peak			PM Peak		
			In	Out	Total	In	Out	Total
LU Code 254	Assisted Living (ITE-254, Beds)	32 beds	4	2	6	3	5	8

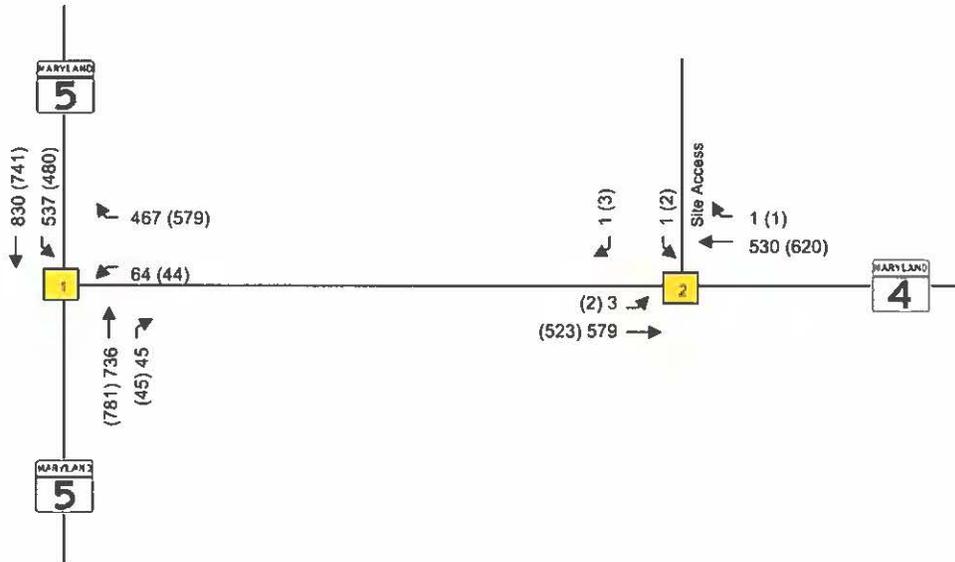
NOTE: Trip Generation Rates obtained from the ITE Trip Generation Manual, 10th Edition

Traffic Impact Analysis

Trip Generation for
Site

**Exhibit
5**

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com



Traffic Impact Analysis

Total Peak Hour Volumes

Exhibit

7



LENHART TRAFFIC CONSULTING, INC.
 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
 SEVERNA PARK, MD 21146
 www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Section 5 Conclusions / Recommendations

5.1 Results of Analysis

This Traffic Impact Analysis was prepared for the St. Mary's Nursing and Rehab Center to be located on the north side of MD 4 near the intersection of MD 5 and MD 4. Access to the site will be via one full movement driveway along MD 4. The property is currently developed with a single family household and is proposed to be developed with a 32 bed assisted living facility.

Based on the analyses contained in this report:

- The signalized intersection of MD 5 & MD 4 operates within acceptable levels of service under total conditions during both the AM and PM peak hours.
- The proposed site access intersection operates with minimal delay under total conditions during both the AM and PM peak hours and within acceptable levels of service.
- Per the discussion in Section 4.5, no improvements along MD 4 at the proposed site access should be required.

In conclusion, all of the study intersections will operate at acceptable levels of service and well within acceptable level of service thresholds according to both St. Mary's County and SHA Guidelines. Furthermore, the proposed development will have a minimal impact on the study intersections and therefore the annexation of the property and proposed development should be approved.

Dylan McAndrew

From: mlenhart
Sent: Thursday, February 13, 2020 3:00 PM
To: Dylan McAndrew
Cc: Nick Driban; mlenhart
Subject: FW: St. Mary's Nursing Center - Traffic Study Scope
Attachments: 2020-0204 Proposed Site Plans - Option 1 - Phase 1.pdf; Scoping Exhibits.pdf; Historical Growth on MD 4.pdf

Dylan,

Scoping email below and documents attached. Please include these in the Appendix to the report.

Thanks,
Mike

Mike Lenhart, P.E., PTOE
President

PLEASE NOTE NEW PHONE AND ADDRESS

Office: [\(410\) 216-3333](tel:4102163333) (Ext. 1)
Mobile: [\(410\) 980-2367](tel:4109802367)
Fax: [\(443\) 782-2288](tel:4437822288)



LENHART TRAFFIC CONSULTING, INC.

645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

From: Laschelle McKay <Laschelle.McKay@leonardtowntmd.gov>
Sent: Monday, February 10, 2020 2:07 PM
To: mlenhart <mlenhart@LENHARTTRAFFIC.COM>
Cc: Nick Driban <ndriban@LENHARTTRAFFIC.COM>; Jonathan Makhlof <JMakhlof2@mdot.maryland.gov>
Subject: RE: St. Mary's Nursing Center - Traffic Study Scope

Hi Mike. That all makes sense to me. Seems like a good plan. Thank you.

Laschelle E. McKay, Town Administrator

22670 Washington Street
Leonardtwn, MD 20650
301-475-9791

Please note: This is a new email address. Please update your records. Thank you.

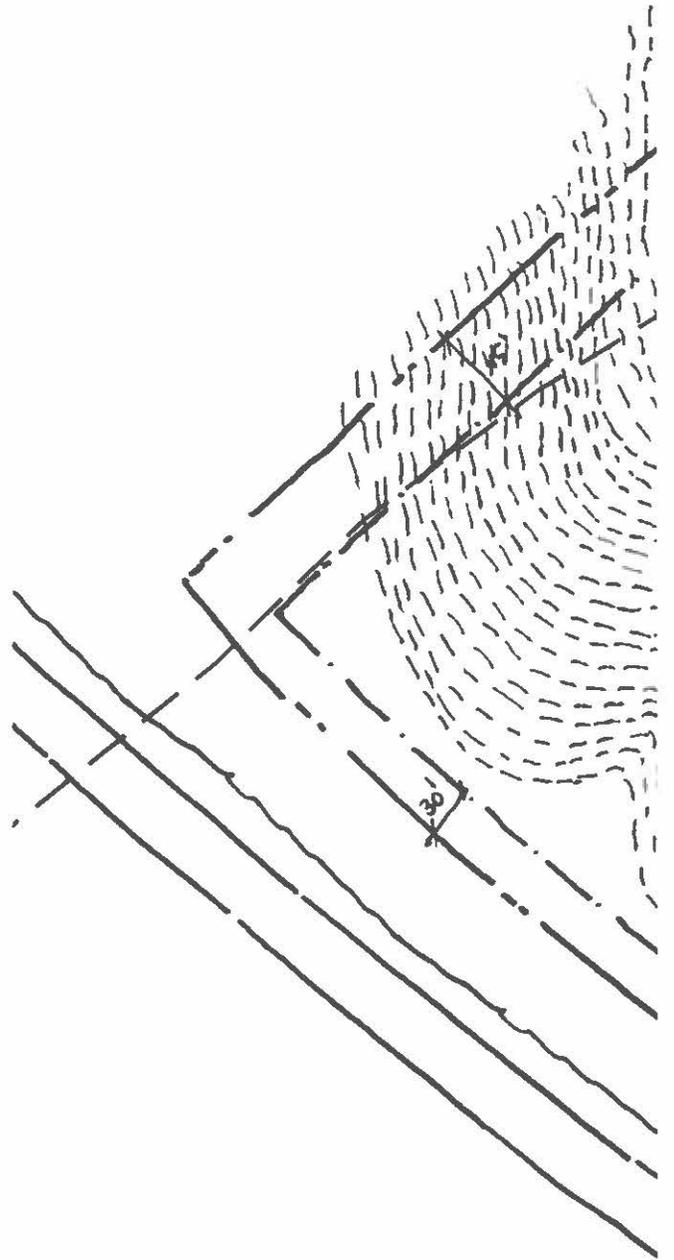


Traffic Impact Analysis

Site Location Map



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 SEVERNA PARK, MD 21146
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Conceptual Site Plan - Option 1 (Phase 1)



| 0' | 50' | 1" = 100' | 200' |

Weekday Morning Peak Hour (6:30 am - 9:30 am)																						
		MD 5 Northbound					MD 5 Southbound					N/A Eastbound					MD 4 Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total	
6:30-6:45	0		123	9	0	0	118	142		0					0	0	3		84	0	479	
6:45-7:00	0		127	7	0	0	109	172		0					0	0	22		67	0	504	
7:00-7:15	0		165	9	0	0	103	197		0					0	0	10		56	0	540	
7:15-7:30	0		195	16	0	0	124	189		0					0	0	13		106	0	643	
7:30-7:45	0		156	13	0	0	153	227		0					0	0	20		122	0	691	
7:45-8:00	0		188	4	0	0	132	181		0					0	0	18		162	0	685	
8:00-8:15	0		176	1	0	0	114	128		0					0	0	6		94	0	519	
8:15-8:30	0		144	7	0	0	86	93		0					0	0	3		90	1	423	
8:30-8:45	0		158	7	0	0	112	113		0					0	0	4		124	0	518	
8:45-9:00	0		167	6	0	0	92	90		0					0	0	4		92	0	451	
9:00-9:15	0		100	3	0	0	83	98		0					0	0	3		71	0	358	
9:15-9:30	0		109	6	0	0	95	76		0					0	0	8		80	0	374	

Hourly Totals																					
6:30-7:30	0		610	41	0	0	454	700		0					0	0	48		313	0	2166
6:45-7:45	0		643	45	0	0	489	785		0					0	0	65		351	0	2378
7:00-8:00	0		704	42	0	0	512	794		0					0	0	61		446	0	2559
7:15-8:15	0		715	34	0	0	523	725		0					0	0	57		484	0	2538
7:30-8:30	0		664	25	0	0	485	629		0					0	0	47		468	1	2319
7:45-8:45	0		666	19	0	0	444	515		0					0	0	31		470	1	2146
8:00-9:00	0		645	21	0	0	404	424		0					0	0	17		400	1	1912
8:15-9:15	0		569	23	0	0	373	394		0					0	0	14		377	1	1751
8:30-9:30	0		534	22	0	0	382	377		0					0	0	19		367	0	1701

AM Peak Hour		Northbound					Southbound					Eastbound					Westbound					Total
7:00-8:00	0		704	42	0	0	512	794		0					0	0	61		446	0	2559	

Weekday Evening Peak Hour (4 pm - 7 pm)																						
		MD 5 Northbound					MD 5 Southbound					N/A Eastbound					MD 4 Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total	
4:00-4:15	0		195	6	0	0	104	204		0					0	0	5		129	0	643	
4:15-4:30	0		188	6	0	0	98	154		0					0	0	15		142	0	603	
4:30-4:45	0		191	10	0	0	110	184		0					0	0	11		143	0	649	
4:45-5:00	0		180	12	0	0	148	181		0					0	0	4		125	0	650	
5:00-5:15	0		169	10	0	0	105	168		0					0	0	13		137	0	602	
5:15-5:30	0		207	10	0	0	95	176		0					0	0	13		147	0	648	
5:30-5:45	0		166	9	0	0	88	171		0					0	0	13		133	0	580	
5:45-6:00	0		144	6	0	0	88	137		0					0	0	9		109	0	493	
6:00-6:15	0		133	15	0	1	62	117		0					0	0	6		118	0	452	
6:15-6:30	0		107	5	0	0	65	93		0					0	0	8		104	0	382	
6:30-6:45	0		80	7	0	0	69	102		0					0	0	1		91	0	350	
6:45-7:00	0		75	6	0	0	48	92		0					0	0	6		94	0	321	

Hourly Totals																					
4:00-5:00	0		754	34	0	0	460	723		0					0	0	35		539	0	2545
4:15-5:15	0		728	38	0	0	461	687		0					0	0	43		547	0	2504
4:30-5:30	0		747	42	0	0	458	709		0					0	0	41		552	0	2549
4:45-5:45	0		722	41	0	0	436	696		0					0	0	43		542	0	2480
5:00-6:00	0		686	35	0	0	376	652		0					0	0	48		526	0	2323
5:15-6:15	0		650	40	0	1	333	601		0					0	0	41		507	0	2173
5:30-6:30	0		550	35	0	1	303	518		0					0	0	36		464	0	1907
5:45-6:45	0		464	33	0	1	284	449		0					0	0	24		422	0	1677
6:00-7:00	0		395	33	0	1	244	404		0					0	0	21		407	0	1505

PM Peak Hour		Northbound					Southbound					Eastbound					Westbound					Total
4:30-5:30	0		747	42	0	0	458	709		0					0	0	41		552	0	2549	

Peak Hour
Turning Movement Count

Intersection: MD 5 & MD 4
Weather: Clear

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SEVERNA PARK, MD 21146
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Count Day/Date: Tuesday, January 28, 2020
County: St. Mary's

Station ID: S2005180003

County: St Marys

Comments:

Date: Tuesday 01/28/2020

Town: none

Location: MD 4 at MD 5

Weather: Sunny/Cold

Interval (dd): 15 min

PEAK HOURS	AM PERIOD 6:00AM-12:00PM					LOS	V/C	PM PERIOD 12:00PM-19:00P				
	Start	End	Volume	LOS	V/C			Start	End	Volume		
	07:15	St Ma	2559	C	0.80	16:45	St Ma	254				

5:15	0	35	36	0	71	0	0	30	2	32	0	1	0	16	17	0
5:30	0	49	65	0	114	0	0	36	2	38	0	1	0	15	16	0
5:45	0	62	63	0	125	0	0	42	3	45	0	0	0	25	25	0
6:00	0	86	103	0	189	0	0	66	2	68	0	1	0	27	28	0
6:15	0	90	95	0	185	0	0	63	4	67	0	1	0	44	45	0
6:30	0	103	133	0	236	0	0	100	5	105	0	6	0	51	57	0
6:45	0	118	142	0	260	0	0	123	9	132	0	3	0	84	87	0
7:00	0	109	172	0	281	0	0	127	7	134	0	22	0	67	89	0
7:15	0	103	197	0	300	0	0	165	9	174	0	10	0	56	66	0
7:30	0	124	189	0	313	0	0	195	16	211	0	13	0	106	119	0
7:45	0	153	227	0	360	0	0	156	13	169	0	20	0	122	142	0
8:00	0	132	181	0	313	0	0	188	4	192	0	18	0	162	180	0
8:15	0	114	128	0	242	0	0	176	1	177	0	6	0	94	100	0
8:30	0	86	93	0	179	0	0	144	7	151	0	3	0	90	93	0
8:45	0	112	113	0	225	0	0	158	7	165	0	4	0	124	128	0
9:00	0	92	90	0	182	0	0	167	6	173	0	4	0	92	96	0
9:15	0	83	98	0	181	0	0	100	3	103	0	3	0	71	74	0
9:30	0	95	76	0	171	0	0	109	6	115	0	8	0	80	88	0
9:45	0	83	94	0	177	0	0	119	8	127	0	6	0	96	102	0
10:00	0	106	100	0	206	0	0	131	3	134	0	2	0	85	87	0
10:15	0	76	96	0	172	0	0	94	9	103	0	7	0	74	81	0
10:30	0	84	87	0	171	0	0	96	4	100	0	3	0	71	74	0
10:45	0	70	67	0	137	0	0	86	7	93	0	4	0	83	87	0
11:00	0	105	90	0	195	0	0	108	6	114	0	3	0	70	73	0
11:15	0	72	100	0	172	0	0	104	8	112	0	4	0	106	110	0
11:30	0	95	104	0	199	0	0	132	9	141	0	3	0	82	85	0

Station ID: S2005180003
Date: Tuesday 01/28/2020
Location: MD 4 at MD 5
Interval (dd): 15 min

County: St Marys
Town: none
Weather: Sunny/Cold

Comments:

PEAK HOURS	AM PERIOD 6:00AM-12:00PM					LOS	V/C	PM PERIOD 12:00PM-19:00P				
	Start	End	Volume	LOS	V/C			Start	End	Volume		
	07:15	St Ma	2559	C	0.80		16:45	St Ma	254			

18:15	0	62	117	0	179	0	0	133	15	148	0	6	0	118	124	0
18:30	0	65	93	0	158	0	0	107	5	112	0	8	0	104	112	0
18:45	0	69	102	0	171	0	0	80	7	87	0	1	0	91	92	0
19:00	0	48	92	0	140	0	0	75	6	81	0	6	0	94	100	0
19:15	0	66	80	0	146	0	0	61	3	64	0	4	0	71	75	0
19:30	0	46	90	0	136	0	0	41	3	44	0	7	0	62	69	0
19:45	0	57	93	0	150	0	0	41	7	48	0	0	0	62	62	0
20:00	0	47	54	0	101	0	0	29	4	33	0	8	0	47	55	0
20:15	0	46	68	0	114	0	0	59	6	65	0	6	0	39	45	0
20:30	0	40	57	0	97	0	0	46	7	53	0	4	0	42	46	0
20:45	0	41	71	0	112	0	0	32	4	36	0	3	0	28	31	0
21:00	0	31	41	0	72	0	0	36	0	36	0	3	0	27	30	0
21:15	0	34	47	0	81	0	0	26	2	28	0	5	0	25	30	0
21:30	0	29	34	0	63	0	0	25	2	27	0	2	0	23	25	0
21:45	0	21	28	0	49	0	0	28	1	29	0	1	0	23	24	0
22:00	0	25	22	0	47	0	0	12	1	13	0	0	0	12	12	0
22:15	0	20	35	0	55	0	0	18	0	18	0	2	0	22	24	0
22:30	0	15	42	0	57	0	0	10	1	11	0	1	0	26	27	0
22:45	0	24	21	0	45	0	0	20	0	20	0	0	0	7	7	0
23:00	0	10	21	0	31	0	0	10	0	10	0	0	0	9	9	0
23:15	0	13	12	0	25	0	0	5	1	6	0	0	0	11	11	0
23:30	0	7	17	0	24	0	0	5	0	5	0	0	0	9	9	0
23:45	0	7	11	0	18	0	0	7	0	7	0	1	0	7	8	0
0:00	0	7	8	0	15	0	0	3	0	3	0	0	0	10	10	0



Aerial
Diagram

Intersection: MD 5 & MD 4 (Intersection 1)
and
MD 4 & Site Access (Intersection 2)

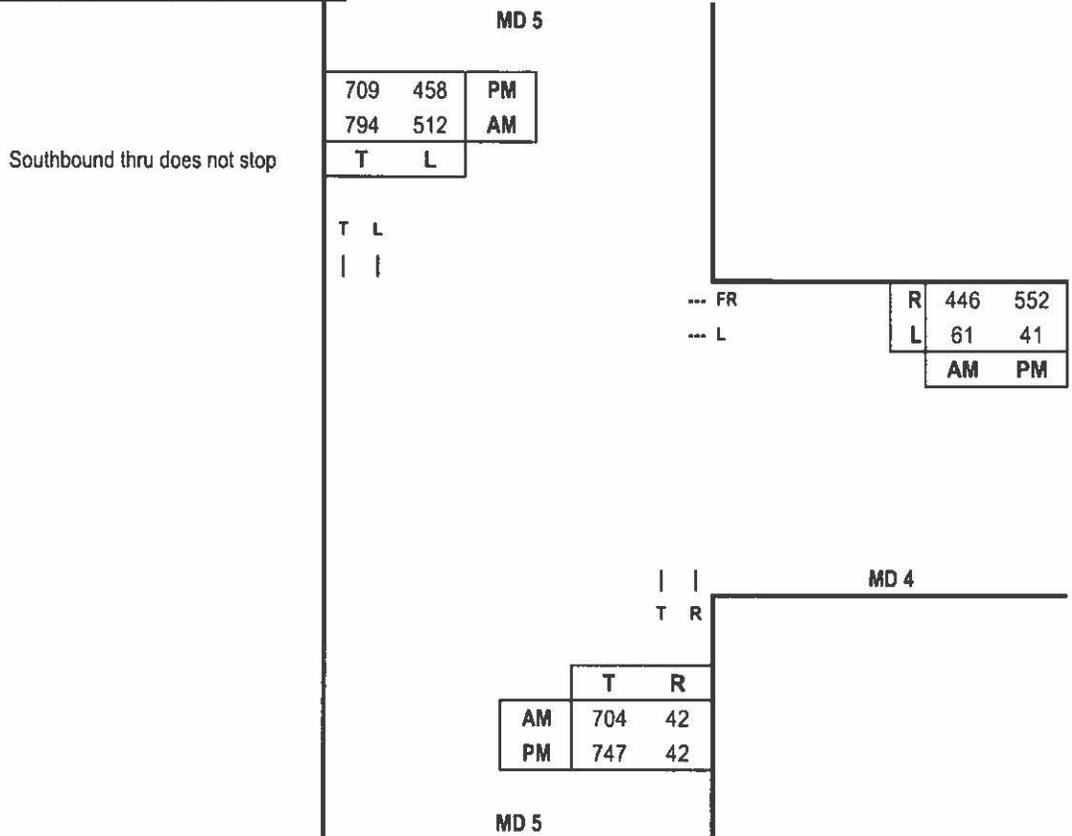
 **LENHART TRAFFIC CONSULTING, INC.**
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

County: St. Mary's

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: MD 5
and: MD 4
Conditions: Existing Traffic

Lane Use + Traffic Volumes



Capacity Analysis

Morning Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			AM
	VOL	x LUF	= Total	VOL	x LUF	= Total	CLV
WB	61	1.00	61				61
NB	704	1.00	704	512	1.00	512	1216
SB	0	1.00	0				
CLV TOTAL =							1277
Level of Service (LOS) =							C

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM
	VOL	x LUF	= Total	VOL	x LUF	= Total	CLV
WB	41	1.00	41				41
NB	747	1.00	747	458	1.00	458	1205
SB	0	1.00	0				
CLV TOTAL =							1246
Level of Service (LOS) =							C

Critical Lane Volume Analysis

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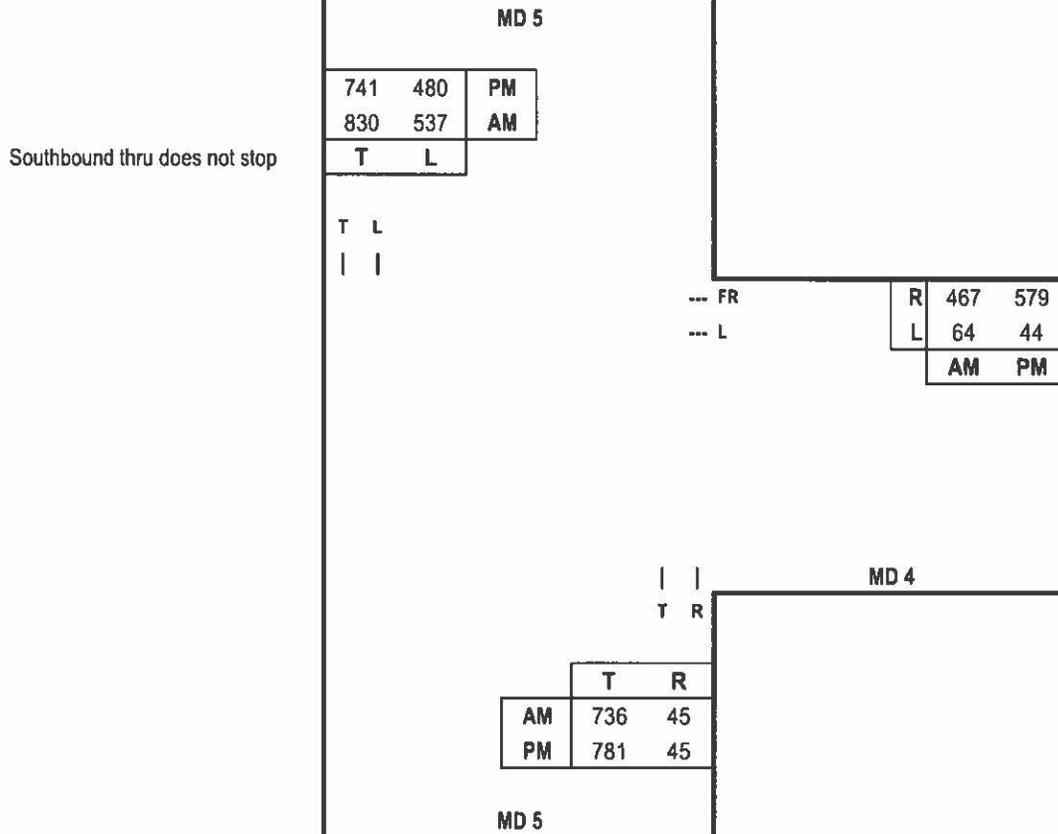
**MD 5 &
MD 4**
(Existing Traffic)

**Intersection
1**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: MD 5
and: MD 4
Conditions: Total Traffic

Lane Use + Traffic Volumes



Capacity Analysis

Morning Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			AM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
WB	64	1.00	64				64
NB	736	1.00	736	537	1.00	537	1273
SB	0	1.00	0				
CLV TOTAL =							1337
Level of Service (LOS) =							D

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
WB	44	1.00	44				44
NB	781	1.00	781	480	1.00	480	1261
SB	0	1.00	0				
CLV TOTAL =							1305
Level of Service (LOS) =							D

Critical Lane Volume Analysis

LENHART TRAFFIC CONSULTING, INC.
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SEVERNA PARK, MD 21146
www.lenharttraffic.com



MD 5 &
MD 4
(Total Traffic)

Intersection
1

HCM Unsignalized Intersection Capacity Analysis
 2: MD 4 & Site Access

St. Mary's Nursing and Rehab Center
 PM Total



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↗		↘	
Traffic Volume (veh/h)	2	523	620	1	2	3
Future Volume (Veh/h)	2	523	620	1	2	3
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	2	568	674	1	2	3
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	675				1246	674
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	675				1246	674
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	100				99	99
cM capacity (veh/h)	916				191	454
Direction, Lane #	EB 1	WB 1	SB 1			
Volume Total	570	675	5			
Volume Left	2	0	2			
Volume Right	0	1	3			
cSH	916	1700	293			
Volume to Capacity	0.00	0.40	0.02			
Queue Length 95th (ft)	0	0	1			
Control Delay (s)	0.1	0.0	17.5			
Lane LOS	A		C			
Approach Delay (s)	0.1	0.0	17.5			
Approach LOS			C			
Intersection Summary						
Average Delay			0.1			
Intersection Capacity Utilization			42.7%	ICU Level of Service	A	
Analysis Period (min)			15			

EXHIBIT B-2

**LETTER DATED MAY 29, 2020 FROM THE MARYLAND DEPARTMENT OF
TRANSPORTATION -STATE HIGHWAY ADMINISTRATION**



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Acting Administrator

May 29, 2020

Mr. Nick Driban, P. E.
Lenhart Traffic Consulting, Inc
645 Baltimore Annapolis Road
Suite 214
Severna Park MD 21146

Dear Mr. Driban:

Thank you for the opportunity to review the Traffic Impact Analysis (TIA) for the St. Mary's Nursing Center in St. Mary's County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) review is complete. The MDOT SHA concurs with the report findings for this project as currently proposed and will not require the submission of any additional traffic analyses. However, an access permit is required for all construction within the MDOT SHA right-of-way.

St. Mary's Nursing Center
MDOT SHA Tracking No. 20APSM004XX
MD 4 (St. Andrews Church Road)
Mile Point: 0.48
St. Mary's County

Please reference the MDOT SHA tracking number on future submissions. If you have any questions or concerns, then please contact the District Five Access Management, Regional Engineer, Mr. Jonathan Makhoulf, P.E. at 410-841-1084, toll-free 1-800-331-5603 (x1084) or via email at JMakhoulf2@mdot.maryland.gov. Mr. Makhoulf will be happy to assist you.

Sincerely,

A handwritten signature in black ink, appearing to read "Corren Johnson". Below the signature is the word "for" in a small, black, sans-serif font.

Ms. Corren Johnson
District Five Engineer

Mr. Nick Driban
Page Two

Attachments: [TIS comment]

cc: Mr. Michael Lenhart, Lenhart Traffic Consulting, Inc.
Mr. John Deatrick, Director, Department of Public Work and Transportation, St. Mary's County
Ms. Brandy Glenn, Department of Land Use & Growth Management, St. Mary's County
Mr. Don Mills, Permit, Department of Public Works and Transportation, St. Mary's County
Ms. Sharon White, Permit Coordinator, Department of Public Works and Transportation, St. Mary's County
Ms. Rola Daher, Consultant for the Maryland Department of Transportation, Travel Forecasting and Analysis Division, MDOT SHA
Mr. Jonathan Makhlof, District Five Access Management Regional Engineer, MDOT SHA
Mr. Ray Mercado, Consultant for the Maryland Department of Transportation, District Five Traffic, MDOT SHA
Ms. Caroline Pecker, Team Leader, Travel Forecasting and Analysis Division, MDOT SHA
Ms. Lisa Shemer, Division Chief, Travel Forecasting and Analysis Division, MDOT SHA
Mr. Errol Stoute, Team Leader, Traffic Development and Support Division, MDOT SHA
Ms. Kimberly Tran, Deputy District Five Engineer, MDOT SHA
Ms. Michelle Vrikkis, Assistant District Engineer-Traffic, District Five, MDOT SHA

Mr. Nick Driban
Page Three

Traffic Impact Study

The proposed development will have direct access to MD 4 via one (1) full movement driveway. The property is to be developed with a 32 bed assisted living facility.

- The following intersections were analyzed under existing, background and future conditions:
 - MD 4 and MD 5
 - MD 4 at Site Access

Based on the information provided, please address the following comments in a point-by-point response:

District Five Traffic Comments – Ray Mercado

1. Agree with the methodology in which the study was conducted and agree with the conclusions with the levels of service at the intersections studied.

Traffic Development and Support Division Comments – Naizhong Cui

1. The results of the Traffic Impact Analysis indicate that all study intersections are operating at acceptable levels of service and will continue to operate with acceptable levels of service during each of the peak periods using the CLV and CM Methodologies under Total Traffic conditions. We concur with the findings/methodology of the report and offer no critical comments at this time.

Please submit the analysis, plans and supporting documentation in PDF format using the Access Management Electronic Plans Submittal system. The system can be accessed at www.roads.maryland.gov by selecting the Business Center drop down menu and Permits and Miss Utility Information, and click the link stating, “Click here for Electronic plans Submittal Link”.

EXHIBIT C

WATER/SEWER EXHIBIT

EXHIBIT D-1

PHASE I ENVIRONMENTAL SITE ASSESSMENT

PHASE I ENVIRONMENTAL SITE ASSESSMENT



BENNETT PROPERTY

42156 & 42160 ST. ANDREWS CHURCH ROAD
LEONARDTOWN, ST. MARY'S COUNTY, MARYLAND 20650
ECS PROJECT NO. 47:8804

FOR

ST. MARY'S NURSING CENTER, INC.

AUGUST 26, 2019





August 26, 2019

William Hasson
St. Mary's Nursing Center, Inc.
21585 Peabody Street
Leonardtown, Maryland 20650

ECS Project No. 47: 8804

Reference: Phase I Environmental Site Assessment Report, Bennett Property, 42156 & 42160 St. Andrews Church Road, Leonardtown, St. Mary's County, Maryland 20650

Dear Mr. Hasson:

ECS Mid-Atlantic, LLC (ECS) is pleased to provide you with the results of our Phase I Environmental Site Assessment (ESA) for the referenced site. ECS services were provided in general accordance with ECS Proposal No. 47:12140-EP authorized on August 7, 2019 and generally meet the requirements of ASTM E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process and EPA Standards and Practices for All Appropriate Inquiries contained in 40 CFR Part 312.

If there are questions regarding this report, or a need for further information, please contact the undersigned.

ECS Mid-Atlantic, LLC

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Project Summary

Bennett Property
42156 & 42160 St. Andrews Church Road
Leonardtown, Maryland 20650

Report Section	No Further Action	REC	CREC	HREC	BER	Comment
4.0 User Provided Information	✓					
5.1 Federal ASTM Databases	✓					
5.2 State ASTM Databases	✓					
5.3 Additional Environmental Record Sources	✓					
6.0 Historical Use Information	✓					
7.0 Site and Area Reconnaissance		✓				Approximate 500-gallon petroleum UST onsite
8.0 Additional Services	✓					
9.0 Interviews		✓				Approximate 500-gallon petroleum UST

EXHIBIT D-2

**LETTER FROM ECS TO THE NURSING CENTER DATED NOVEMBER 26, 2019
REGARDING SUBSURFACE TESTING**