



**Council of the Town of Leonardtown  
Annexation Resolution No. 3-24**

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**Date Introduced on First Reading: April 8, 2024**

**Date of Public Hearing: June 10, 2024**

**Date Adopted on Second Reading: June 10, 2024**

**Date Effective: July 25, 2024**

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**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 a parcel of real property consisting of 19.51± acres of land shown on Tax Map 41, Grid 1, Parcel 195, Tax Identification No. 03-016781, and owned by Alfred S. Mattingly and Joan C. Mattingly, which property is contiguous and adjacent to the corporate boundaries of the Town and is 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 property within the legal descriptions and plats depicting the corporate limits of the Town; and generally relating to the annexation of the foregoing property into the Town of Leonardtown.

RECITALS

**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**, on March 13, 2024, Alfred S. Mattingly and Joan C. Mattingly (the "Petitioners") submitted a Petition for the Annexation of 19.51 Acres of Land, More or Less, into the Municipality of Leonardtown (the "Petition"), which Petition is attached hereto as Exhibit 1 and incorporated herein by reference as if fully set forth, pursuant to which the Petitioners request that a parcel of real property consisting of 19.51± acres of land shown on Tax Map 41, Grid 1, Parcel 195, Tax Identification No. 03-016781, owned by the Petitioners in fee simple (the "Annexation Property"), be annexed into the Town

**WHEREAS**, the Annexation Property is contiguous and adjoining to the corporate boundaries of the Town, as more fully shown on the boundary survey plat prepared by Little

Silences Rest, Inc. dated January 5, 2024, and entitled “The Lands of Alfred S. Mattingly and Joan C. Mattingly” (the “Annexation Plat”) and as more fully described in the metes and bounds legal description of the Annexation Property, which Annexation Plat and legal description are attached as Exhibits A and B, respectively, to the Petition; and

**WHEREAS**, the Petitioners represent one hundred percent (100%) of the owners of the assessed valuation of the real property in the area to be annexed and one hundred percent (100%) 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 10<sup>th</sup> day of June, 2024, 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 Property, as shown and described on the Annexation Plat attached as Exhibit A to the Petition. The Annexation Property is also described in the metes and bounds legal description attached as Exhibit B to the Petition. The foregoing 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:

“2024 ANNEXATION (Alfred C. Mattingly and Joan C. Mattingly Property)”

See METES AND BOUNDS DESCRIPTION as set forth in Exhibit B to the Petition.

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 Property 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 Property is described in full in Exhibit 1 and is vacant and unimproved.

(b) The Annexation Property is currently zoned Residential, Low Density (“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 Annexation Property.

(c) The proposed zoning classification is 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 Property as a potential future growth area for the Town. The Annexation Property 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. Thus, the Petitioners’ annexation request set forth in the 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 Petition subject to the requirements of Section 8.

Section 5. Annexation Plan. The Town has prepared an Annexation Plan with regard to the Annexation Property. The Annexation Plan is attached hereto as Exhibit B but is not part hereof, and the 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) 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:

- i. The Board of County Commissioners of St. Mary's County; and
- ii. Any regional or State planning agency having jurisdiction in St. Mary's County.

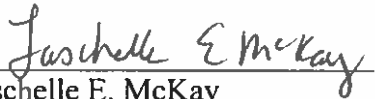
(b) Pursuant to Md. Code Ann., Local Gov't § 4-406(b), the Mayor of the Town of Leonardtown or the Town Administrator shall notify any commercial property owners in the area to be annexed of all personal property taxes and fees imposed by the Town and the date, time, and place that the Council sets for the public hearing on this Annexation Resolution.

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 Property, provided that the terms of this Annexation Resolution shall prevail over any inconsistent term in any such agreement. Pursuant to the 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 10<sup>th</sup> day of June, 2024.

  
Laschelle E. McKay  
Town Administrator

Seal:

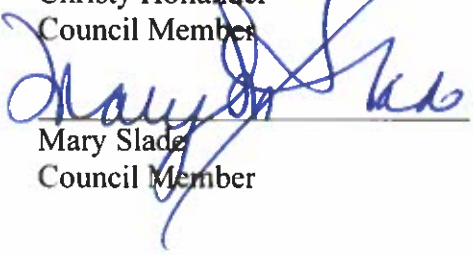
Councilpersons of Leonardtown:

  
J. Maguire Mattingly, IV  
Vice President

  
Nick Colvin  
Council Member

  
Heather Earhart  
Council Member

  
Christy Hollander  
Council Member

  
Mary Slade  
Council Member

Rec'd 2/13/24

**PETITION FOR THE ANNEXATION OF 19.51 ACRES OF LAND, MORE OR LESS, INTO THE MUNICIPALITY OF LEONARDTOWN**

COMES NOW, the UNDERSIGNED PETITIONERS, and hereby petition the Commissioners of Leonardtown, Maryland pursuant to Md. Local Government Code Ann. 4-401, et. seq., to annex those parcels of land into the municipality of Leonardtown as shown on the following plats of survey: the boundary survey plat prepared by Little Silences Rest, Inc. dated January 5, 2024 and titled "THE LANDS OF ALFRED S. MATTINGLY and JOAN C. MATTINGLY" which is attached hereto as EXHIBIT A, and as more particularly described in legal descriptions of said property, collectively attached hereto as EXHIBIT B which parcels ("the Property") are described as follows:

1. The Property, containing 19.51 acres, more or less, is the same property conveyed to Alfred S. Mattingly and Joan C. Mattingly, his wife, by the following deeds:
  - A. From Elizabeth G. Mattingly Church by deed dated January 4, 1973 and recorded among the Land Records of St. Mary's County, Maryland at Liber 185, Page 237, said acreage being 16.23 acres, more or less;
  - B. From Helen S. Mattingly by deed dated July 24, 1981 and recorded among the Land Records of St. Mary's County, Maryland at Liber 101, Page 466, said acreage being 3.28 acres, more or less;
  - C. From Alfred S. Mattingly and Joan C. Mattingly, his wife, by deed dated December 17, 1986 and recorded among the Land Records of St. Mary's County, Maryland at Liber 326, Page 260. Said deed was executed to combine the previously separate, adjoining tracts into one deed.

AND THAT as a condition of such annexation that the property be zoned under the Leonardtown Zoning Ordinance as follows:

CURRENT ST. MARY'S COUNTY ZONING

NEW LEONARDTOWN ZONING

RL

I/O

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

1. That the Property extends south and east from, and, is contiguous across Maryland Route 5 from the existing corporate limit of the municipality of Leonardtown, Maryland; 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 Leonardtown, Maryland; and
3. That the undersigned petitioners are the sole owners of the assessed valuation of the real property located in the area to be annexed; and
4. That the undersigned are the sole residents of the area to be annexed and 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.



ALFRED S. MATTINGLY  
Petitioner



JOAN C. MATTINGLY  
Petitioner



**EXHIBIT A**

**LEGAL DESCRIPTION**

**Parcel 195 as shown on Tax Map 41 at Block 1  
Situated in the Town of Leonardtown  
in the Third Election District of  
St. Mary's County in the State of Maryland**

**BEING** all of the lands conveyed unto Alfred S. Mattingly and Joan S. Mattingly, by deed dated December 7, 1986, as recorded among the Land Records for St. Mary's County, Maryland, in Liber MRB 326 at Folio 260, from Alfred S. Mattingly and Joan S. Mattingly, and as shown on a Boundary Survey Plat recorded among said Land Records in Plat Liber No. 81, folio 95; said lands being more particularly described in the Maryland Coordinate System (North American Datum of 1983, 2011 Revision) as follows:

**BEGINNING** for the same at a point on the easterly right-of-way line of Maryland State Route MD5, a variable width public right-of-way, as shown and described on State Road Commission (SRC) Plats numbered 13271 and 51164, as recorded among said Land Records, said point of beginning being further described as 181.75 feet left of Baseline of Right-of-Way station 37+16.31, as described on said SRC plats, said point of beginning being even further described as the common corner of the lands described herein and the lands standing now or formerly in the name of Cedar Lane Senior Living Community III, Inc., as described in a deed recorded among said Land Records in Liber DJB 6443 at Folio 84, said point of beginning being finally described as having a Maryland Coordinate System value of North 226,686.560 and East 1,420,491.212: thence, running coincidentally with the outline of said lands of Cedar Lane Senior Living Community for the following five (5) courses, and passing over an iron pipe found on line at 7.88 feet,

1. **North 04°30'25" East**, a distance of **611.82 feet** (604.94 feet recorded) to an iron rod found; thence,
2. **North 27°50'00" East**, a distance of **129.88 feet** (129.64 feet recorded) to a point in a stream bed; thence,
3. **South 85°43'50" East**, a distance of **62.87 feet** (62.57 feet recorded) to a point in a stream bed; thence,
4. **North 03°39'00" West**, a distance of **52.37 feet** to a point in a stream bed; thence,
5. **North 01°46'50" East**, a distance of **27.83 feet** to an iron rod with cap set at the common corner of the lands described herein, said lands of Cedar Lane Senior Living Community III, Inc., and the lands standing now or formerly in the name of Randall S. Johnston as described in a deed recorded among said Land Records in Liber JWW 4238 at Folio 309; thence, leaving said Lands of Cedar Land Senior

EXHIBIT B



Living Community III, Inc., and running coincidentally with said lands of Randall S. Johnston the following three (3) courses,

6. **North 27°39'44" East**, a distance of **101.60 feet** to an iron rod with cap set; thence,
7. **North 16°09'55" East**, a distance of **129.48 feet** to an iron rod with cap set; thence,
8. **North 05°47'07" East**, a distance of **49.35 feet** to an iron rod with cap set; thence, passing over and iron rod with cap found at 2.09 feet from the end of line,
9. **North 16°13'50" West**, a distance of **125.38 feet** (123.29 feet recorded) to a point at the common corner of the lands described herein, said lands of Randall S. Johnston and a point on the westerly right-of-way line for Cedar Lane Road, a public 40' Right-of-Way; thence, leaving said lands of Randall S. Johnston and running coincidentally with said westerly right-of-way line for Cedar Lane Road the following 5 (five) courses,
  10. **22.09 feet** along the arc of a curve concave to the southwest having a **radius of 540.16 feet** and a central angle of **2°20'37"** and being subtended by a chord which bears **South 57°51'51" East** a distance of **22.09 feet** to a point; thence,
  11. **137.05 feet** along the arc of a curve concave to the northeast having a **radius of 2520.00 feet** and a central angle of **3°06'58"** and being subtended by a chord which bears **South 58°15'02" East** a distance of **137.04 feet** to a point; thence,
  12. **South 59°48'31" East** a distance of **205.15 feet** to a point; thence,
  13. **86.64 feet** along the arc of a curve concave to the southwest, having a **radius of 879.99 feet** and a central angle of **5°38'28"** and being subtended by a chord which bears **South 56°59'17" East** a distance of **86.60 feet** to a point; thence,
  14. **South 73°24'32" East**, a distance of **45.49 feet** to a point on said westerly right-of-way line for Cedar Lane Road and a point on the westerly right-of-way line for Blacksmith Shop Road, a public 30' Right-of-Way; thence, leaving said westerly right-of-way line for Cedar Lane Road and running coincidentally with said westerly right-of-way line for Blacksmith Shop Road the following 2 (two) courses,
    15. **South 40°25'43" East**, a distance of **66.34 feet** to a point; thence,
    16. **South 49°35'36" East**, a distance of **197.14 feet** to a point at the common corner of the lands described herein, said westerly right-of-way line for Blacksmith Shop Road, and the lands standing now or formerly in the name of Ronald and Katherine Williams as described in a deed recorded among said Land Records in Liber EWA 2295 at Folio 511; thence, leaving said westerly right-of-way line for Blacksmith Shop Road and running coincidentally with said lands of Ronald and Katherine Williams the following 3 (three) courses and crossing over a bent iron rod found at 2.07 feet from the beginning of line,
      17. **South 02°00'10" West**, a distance of **143.32 feet** (141.53 feet recorded) to an 18" double oak tree; thence,
      18. **South 30°30'14" West**, a distance of **261.62 feet** to a 20" dead pine tree; thence,
      19. **South 61°26'45" East**, a distance of **165.00 feet** to an iron pipe found at the common corner of the lands described herein, said lands of Ronald and Katherine Williams., and the lands standing now or formerly in the name of St. Mary's Assisted Living Facility, LLC, as described in a deed recorded among said Land Records in Liber DJB 5556 at Folio 127, said iron pipe found being further described as having a Maryland Coordinate System value of North 226,997.583 and East 1,421,342.342; thence, leaving said Ronald and Katherine Williams, and running coincidentally with said lands of St. Mary's Assisted Living Facility, LLC, the following two (2) courses,

20. **South 28°05'10" West**, a distance of **456.17 feet** (456.01 feet recorded) to an iron pipe found; thence, passing over an iron pipe found at 125.16 feet from the beginning of line (125.57 feet recorded) and also crossing over an iron pipe found with cap reading "SHA" at 0.34 feet from the end of line,
21. **South 47°59'28" West**, a distance of **442.34 feet** to a point to a point at the common corner of the lands described herein, said lands of St. Mary's Assisted Living Facility, LLC, and a point on said easterly right-of-way line for Maryland State Route MD5, said point being further described as being 181.78 feet left of said baseline of right-of-way station 37+16.31; thence, leaving said lands of St. Mary's Assisted Living Facility, LLC, and running coincidentally with said easterly right-of-way line for Maryland State Route MD5 the following 2 (two) courses,
22. **130.00 feet** along a curve concave to the northeast having a radius of **1855.72 feet** and a central angle of **4°00'50"** and being subtended by a chord which bears **North 39°54'56" West** a distance of **129.97 feet** to a point; thence,
23. **North 37°56'00" West**, a distance of **364.86 feet** to the Point and Place of Beginning:

**CONTAINING 19.51 Acres** of land, more or less,

**SUBJECT TO** any and all conveyances, easements, covenants, rights-of-way or ordinances recorded among said Land Records.

This metes and bounds description was prepared by little Silences Rest, Inc., in the direct responsible charge of Wayne Paul Hunt, Professional Land Surveyor, Maryland Registration Number 21083, Expiration Date 2/13/2025, at least in accordance with the requirements of COMAR 09.13.06.12 (Business Practices) and COMAR 09.13.06.08 (Metes and Bounds Descriptions) and reflects field work performed by Little Silences Rest, Inc. in January of 2024.

  
Wayne Paul Hunt

3/7/24  
Date



Town of Leonardtown  
Annexation Plan  
**Alfred S. and Joan C. Mattingly Property**  
Leonardtown, St. Mary's County, Maryland

April 15, 2024

**Introduction**

Alfred S. and Joan C. Mattingly are requesting consideration of annexation into the Town of Leonardtown (the "Town") 19.51 acres of land, more or less, consisting of: a parcel known as Parcel 195, on Map 41 pursuant to a Petition for Annexation attached hereto as **Exhibit 1**. The foregoing property is referred to as "Property". This Annexation Plan is submitted in accordance with Md. Local Government Code Ann §§4-401 et seq.

**Property**

Copies of the survey showing the "Property" is attached to the Petition for Annexation as **Exhibit 2**. The Property is described by metes and bounds on **Exhibit 3** attached to the Petition for Annexation. The Property is currently unimproved. The Property is owned by Alfred S. and Joan C. Mattingly.

The Property is currently zoned RL-Residential, Low Density pursuant to the St. Mary's County Comprehensive Zoning Ordinance. The Property is requested to be zoned by the Town as I-O Institutional Office. A neighboring property was recently annexed into the Town as I-O zoning and is planned to house a memory care facility to be owned by the St. Mary's Nursing Center. I-O Zoning is also compatible with the R-MF zoning for the senior housing facility adjacent to the west of the property. The proposed zoning classification is consistent with nearby property uses, compatible with adjacent zoning and consistent with the current St. Mary's County zoning of RL which includes multi family, medical, public safety and educational facilities.

**Compatibility with Town's Comprehensive Plan**

The Comprehensive Plan for the Town of Leonardtown was relatively recently amended to designate the Property within the potential future growth area for the Town. Therefore, this annexation request will be compatible with the Comprehensive Plan for the Town of Leonardtown as amended.

## **Roads**

The Property fronts on Maryland State Route 5 to the South and Cedar Lane Road to the North. There is no proposed project currently for the property. A traffic study would be required as part of the site plan approval process for any project that comes forward in the future.

## **Schools**

As an I-O use there should be minimal to low impact on the school system.

## **Public Safety**

Public safety for property within the Town limits is served by the St. Mary's County, Maryland Sheriff's Department. The Town and the Sheriff's Department have a funding agreement that governs the coverage provided by the Sheriff's Department to the Town. The Property is located within a mile 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 Property, which would be served by these departments whether annexed or not.

## **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 proposed zoning of the Property following annexation, it is anticipated that there should be no adverse impact on the Town's recreation resources.

## **Water and Sewer Service**

A planned 12-inch water main will run parallel to Rt. 5 in front of the Property from the Memory Care facility and a sewer force main is currently in place on the opposite side of Rt. 5 in front of the property for ease of connection. Several years ago, the Town completed construction of a project to loop the water line from Rt. 5 north and increase flow in this area. The Town expects that there should be sufficient public water capacity to accommodate the proposed use of the Property. The Town is currently in final design of a one-million-gallon water storage tank and a 1,100 gallon per minute production well off of Hollywood Road in the Meadows at Town Run II development just to the northwest of Cedar Lane. Both are proposed to be under construction by the end of 2024.

The Town is nearing completion of a major expansion of the Town sewage treatment plant from the current 680,000 gallons per day to 1 million gallons per day. The project is expected to be complete Fall of 2024. The Town expects that there will be sufficient capacity at the expanded wastewater treatment plant to accommodate the Property if annexed.

However, the ultimate determination of adequate public facilities will be made during the site plan approval process based on the final proposed use of the Property. All connections to the public water system and the public sewer system shall require the payment of prevailing impact fees and connection fees. The final location and method of service of public water and public sewer shall be determined as part of the site plan approval process and any improvements as required to satisfy adequate public facilities will have to be made by the Petitioner. The applicable EDUs for water and sewer would be allocated to the Property as part of the site plan approval process.

### **Environmental Impacts**

Preliminary review of the parcel for wetlands, Critical Areas, soil type and habitat protection has been attached. Further investigation will be required when a project is proposed on the property.

### **Financing Public Improvements**

The owners of the Property shall be responsible for the cost of engineering and construction of any infrastructure needed to serve any proposed related improvements.

### **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 June 10, 2024. The annexation of the Property is expected to be a future asset to the Town.

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Laschelle McKay  
Town Administrator  
The Commissioners of Leonardtown  
22670 Washington Street  
Leonardtown, MD 20650  
301-475-9791  
[Laschelle.mckay@leonardtownmd.gov](mailto:Laschelle.mckay@leonardtownmd.gov)

Petitioner Legal counsel:  
A. Shane Mattingly  
41645 Church Street  
POB 1906  
Leonardtown, MD 20650

**PETITION FOR ANNEXATION**

**PETITION FOR ANNEXATION**

Recd 3/13/24

**PETITION FOR THE ANNEXATION OF 19.51 ACRES OF LAND, MORE OR LESS, INTO THE MUNICIPALITY OF LEONARDTOWN**

COMES NOW, the UNDERSIGNED PETITIONERS, and hereby petition the Commissioners of Leonardtown, Maryland pursuant to Md. Local Government Code Ann. 4-401, et. seq., to annex those parcels of land into the municipality of Leonardtown as shown on the following plats of survey: the boundary survey plat prepared by Little Silences Rest, Inc. dated January 5, 2024 and titled "THE LANDS OF ALFRED S. MATTINGLY and JOAN C. MATTINGLY" which is attached hereto as EXHIBIT A, and as more particularly described in legal descriptions of said property, collectively attached hereto as EXHIBIT B which parcels ("the Property") are described as follows:

1. The Property, containing 19.51 acres, more or less, is the same property conveyed to Alfred S. Mattingly and Joan C. Mattingly, his wife, by the following deeds:
  - A. From Elizabeth G. Mattingly Church by deed dated January 4, 1973 and recorded among the Land Records of St. Mary's County, Maryland at Liber 185, Page 237, said acreage being 16.23 acres, more or less;
  - B. From Helen S. Mattingly by deed dated July 24, 1981 and recorded among the Land Records of St. Mary's County, Maryland at Liber 101, Page 466, said acreage being 3.28 acres, more or less;
  - C. From Alfred S. Mattingly and Joan C. Mattingly, his wife, by deed dated December 17, 1986 and recorded among the Land Records of St. Mary's County, Maryland at Liber 326, Page 260. Said deed was executed to combine the previously separate, adjoining tracts into one deed.

AND THAT as a condition of such annexation that the property be zoned under the Leonardtown Zoning Ordinance as follows:

CURRENT ST. MARY'S  
COUNTY ZONING

RL

NEW LEONARDTOWN  
ZONING

I/O

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

1. That the Property extends south and east from, and, is contiguous across Maryland Route 5 from the existing corporate limit of the municipality of Leonardtown, Maryland; 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 Leonardtown, Maryland; and
3. That the undersigned petitioners are the sole owners of the assessed valuation of the real property located in the area to be annexed; and
4. That the undersigned are the sole residents of the area to be annexed and 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.



---

ALFRED S. MATTINGLY  
Petitioner



---

JOAN C. MATTINGLY  
Petitioner



**EXHIBIT 2**  
to  
**ANNEXATION PLAN**  
**PETITION FOR ANNEXATION**

**SURVEY**



**EXHIBIT 3**  
to  
**ANNEXATION PLAN**  
**PETITION FOR ANNEXATION**

**METES AND BOUNDS**



**EXHIBIT 3**

**LEGAL DESCRIPTION**

**Parcel 195 as shown on Tax Map 41 at Block 1  
Situated in the Town of Leonardtown  
in the Third Election District of  
St. Mary's County in the State of Maryland**

**BEING** all of the lands conveyed unto Alfred S. Mattingly and Joan S. Mattingly, by deed dated December 7, 1986, as recorded among the Land Records for St. Mary's County, Maryland, in Liber MRB 326 at Folio 260, from Alfred S. Mattingly and Joan S. Mattingly, and as shown on a Boundary Survey Plat recorded among said Land Records in Plat Liber No. 81, folio 95; said lands being more particularly described in the Maryland Coordinate System (North American Datum of 1983, 2011 Revision) as follows:

**BEGINNING** for the same at a point on the easterly right-of-way line of Maryland State Route MD5, a variable width public right-of-way, as shown and described on State Road Commission (SRC) Plats numbered 13271 and 51164, as recorded among said Land Records, said point of beginning being further described as 181.75 feet left of Baseline of Right-of-Way station 37+16.31, as described on said SRC plats, said point of beginning being even further described as the common corner of the lands described herein and the lands standing now or formerly in the name of Cedar Lane Senior Living Community III, Inc., as described in a deed recorded among said Land Records in Liber DJB 6443 at Folio 84, said point of beginning being finally described as having a Maryland Coordinate System value of North 226,686.560 and East 1,420,491.212: thence, running coincidentally with the outline of said lands of Cedar Lane Senior Living Community for the following five (5) courses, and passing over an iron pipe found on line at 7.88 feet,

1. **North 04°30'25" East**, a distance of **611.82 feet** (604.94 feet recorded) to an iron rod found; thence,
2. **North 27°50'00" East**, a distance of **129.88 feet** (129.64 feet recorded) to a point in a stream bed; thence,
3. **South 85°43'50" East**, a distance of **62.87 feet** (62.57 feet recorded) to a point in a stream bed; thence,
4. **North 03°39'00" West**, a distance of **52.37 feet** to a point in a stream bed; thence,
5. **North 01°46'50" East**, a distance of **27.83 feet** to an iron rod with cap set at the common corner of the lands described herein, said lands of Cedar Lane Senior Living Community III, Inc., and the lands standing now or formerly in the name of Randall S. Johnston as described in a deed recorded among said Land Records in Liber JWW 4238 at Folio 309; thence, leaving said Lands of Cedar Land Senior

Living Community III, Inc., and running coincidentally with said lands of Randall S. Johnston the following three (3) courses,

6. **North 27°39'44" East**, a distance of **101.60 feet** to an iron rod with cap set; thence,
7. **North 16°09'55" East**, a distance of **129.48 feet** to an iron rod with cap set; thence,
8. **North 05°47'07" East**, a distance of **49.35 feet** to an iron rod with cap set; thence, passing over and iron rod with cap found at 2.09 feet from the end of line,
9. **North 16°13'50" West**, a distance of **125.38 feet** (123.29 feet recorded) to a point at the common corner of the lands described herein, said lands of Randall S. Johnston and a point on the westerly right-of-way line for Cedar Lane Road, a public 40' Right-of-Way; thence, leaving said lands of Randall S. Johnston and running coincidentally with said westerly right-of-way line for Cedar Lane Road the following 5 (five) courses,
  10. **22.09 feet** along the arc of a curve concave to the southwest having a **radius of 540.16 feet** and a central angle of **2°20'37"** and being subtended by a chord which bears **South 57°51'51" East** a distance of **22.09 feet** to a point; thence,
  11. **137.05 feet** along the arc of a curve concave to the northeast having a **radius of 2520.00 feet** and a central angle of **3°06'58"** and being subtended by a chord which bears **South 58°15'02" East** a distance of **137.04 feet** to a point; thence,
  12. **South 59°48'31" East** a distance of **205.15 feet** to a point; thence,
  13. **86.64 feet** along the arc of a curve concave to the southwest, having a **radius of 879.99 feet** and a central angle of **5°38'28"** and being subtended by a chord which bears **South 56°59'17" East** a distance of **86.60 feet** to a point; thence,
  14. **South 73°24'32" East**, a distance of **45.49 feet** to a point on said westerly right-of-way line for Cedar Lane Road and a point on the westerly right-of-way line for Blacksmith Shop Road, a public 30' Right-of-Way; thence, leaving said westerly right-of-way line for Cedar Lane Road and running coincidentally with said westerly right-of-way line for Blacksmith Shop Road the following 2 (two) courses,
    15. **South 40°25'43" East**, a distance of **66.34 feet** to a point; thence,
    16. **South 49°35'36" East**, a distance of **197.14 feet** to a point at the common corner of the lands described herein, said westerly right-of-way line for Blacksmith Shop Road, and the lands standing now or formerly in the name of Ronald and Katherine Williams as described in a deed recorded among said Land Records in Liber EWA 2295 at Folio 511; thence, leaving said westerly right-of-way line for Blacksmith Shop Road and running coincidentally with said lands of Ronald and Katherine Williams the following 3 (three) courses and crossing over a bent iron rod found at 2.07 feet from the beginning of line,
      17. **South 02°00'10" West**, a distance of **143.32 feet** (141.53 feet recorded) to an 18" double oak tree; thence,
      18. **South 30°30'14" West**, a distance of **261.62 feet** to a 20" dead pine tree; thence,
      19. **South 61°26'45" East**, a distance of **165.00 feet** to an iron pipe found at the common corner of the lands described herein, said lands of Ronald and Katherine Williams., and the lands standing now or formerly in the name of St. Mary's Assisted Living Facility, LLC, as described in a deed recorded among said Land Records in Liber DJB 5556 at Folio 127, said iron pipe found being further described as having a Maryland Coordinate System value of North 226,997.583 and East 1,421,342.342; thence, leaving said Ronald and Katherine Williams, and running coincidentally with said lands of St. Mary's Assisted Living Facility, LLC, the following two (2) courses,

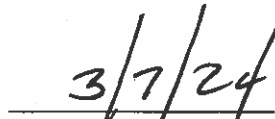
- 20. **South 28°05'10" West**, a distance of **456.17 feet** (456.01 feet recorded) to an iron pipe found; thence, passing over an iron pipe found at 125.16 feet from the beginning of line (125.57 feet recorded) and also crossing over an iron pipe found with cap reading "SHA" at 0.34 feet from the end of line,
- 21. **South 47°59'28" West**, a distance of **442.34 feet** to a point to a point at the common corner of the lands described herein, said lands of St. Mary's Assisted Living Facility, LLC, and a point on said easterly right-of-way line for Maryland State Route MD5, said point being further described as being 181.78 feet left of said baseline of right-of-way station 37+16.31; thence, leaving said lands of St. Mary's Assisted Living Facility, LLC, and running coincidentally with said easterly right-of-way line for Maryland State Route MD5 the following 2 (two) courses,
- 22. **130.00 feet** along a curve concave to the northeast having a radius of **1855.72 feet** and a central angle of **4°00'50"** and being subtended by a chord which bears **North 39°54'56" West** a distance of **129.97 feet** to a point; thence,
- 23. **North 37°56'00" West**, a distance of **364.86 feet** to the Point and Place of Beginning:

**CONTAINING 19.51 Acres** of land, more or less,

**SUBJECT TO** any and all conveyances, easements, covenants, rights-of-way or ordinances recorded among said Land Records.

This metes and bounds description was prepared by little Silences Rest, Inc., in the direct responsible charge of Wayne Paul Hunt, Professional Land Surveyor, Maryland Registration Number 21083, Expiration Date 2/13/2025, at least in accordance with the requirements of COMAR 09.13.06.12 (Business Practices) and COMAR 09.13.06.08 (Metes and Bounds Descriptions) and reflects field work performed by Little Silences Rest, Inc. in January of 2024.

  
 \_\_\_\_\_  
 Wayne Paul Hunt

  
 \_\_\_\_\_  
 Date



**EXHIBIT 4**  
to  
**ANNEXATION PLAN**  
**PETITION FOR ANNEXATION**

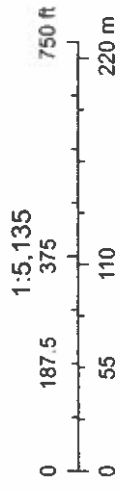
**ENVIRONMENTAL REPORT**

# Soils Map EwE2=B soil; SmC2=B soil; BIB2=C soil



4/29/2024, 3:05:27 PM

-  NRCS Soils (SSURGO) - All
-  Property Boundaries



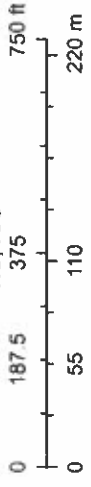


# 15% & 25% Slopes



4/29/2024, 2:54:07 PM

1:5,135



- Property Boundaries
- Contour Labels
- Slopes Greater than 25%
- 2' Contours - 2014
- Slopes Greater than 15%

# Critical Area Boundary Potential Forest Interior Dwelling Species



4/29/2024, 2:58:40 PM

- Property Boundaries
- Critical Area (Adopted May 2021)
- Intensely Developed Area
- Resource Conservation Area
- DNR Wetlands
  - Palustrine
  - DNR Potential Forest Interior Dwelling Species (FIDS) Habitat

1:5,135

0 187.5 375 750 ft  
0 55 110 220 m

# Protected Streams



4/29/2024, 3:22:37 PM

Property Boundaries

Streams - Stream Valleys from LiDAR (Detailed)

