

RESOLUTION TO ANNEX AND REZONE 98.7323 ACRES  
OF LAND, MORE OR LESS, WITHIN THE, CORPORATE LIMITS  
OF LEONARDTOWN, MARYLAND, AND TO SPECIFY  
APPLICABLE CONDITIONS AND CIRCUMSTANCES

WHEREAS, a Petition has been received pursuant to Article 23A, Section 19 of the Annotated Code of Maryland to annex the parcel of land described by metes and bounds in a survey prepared by Lorenzi, Dodds & Gunnill, Inc., attached hereto as Exhibit A and incorporated herein (Robert L. Miles property), and the parcels of land described by metes and bounds described in a survey prepared by Lorenzi, Dodds & Gunnill, Inc., attached hereto as Exhibit B and incorporated herein (Mattingly and Roberts properties), and as further described in the metes and bounds description for all of said properties containing a total of 97.9023 acres, more or less, attached hereto as Exhibit C and incorporated herein; and

WHEREAS, a Petition has been received to annex an additional parcel of land containing 36,056 square feet or 0.83 acres, more or less, described by metes and bounds in a deed from Francis G. Cecil, et al. to Vishnu D. Grover and Vijay K. Grover dated June 22, 1988 and recorded among the Land Records of St. Mary's County, Maryland at Liber M.R.B. No. 418, Folio 73, and a deed from Vishnu D. Grover and Vijay K. Grover to Cedar Point Federal Credit Union dated October 24, 1988 and recorded at Liber M.R.B. No. 438, Folio 427, said deeds being attached hereto as Exhibits D and E respectively and incorporated herein (Cedar Point property); and

WHEREAS, there are fewer than twenty (20) persons who are registered voters of St. Mary's County and who reside within the parcels of land to be annexed thereby authorizing the Petitioners, Robert L. Miles, Mary Edwards Mattingly, Laura Mattingly Roberts and Michael Thomas Roberts and Cedar Point Federal Credit Union, as owners of all of the property to be annexed, to execute the Petitions pursuant to Article 23A, Section 19(k) of the Annotated Code of Maryland; and

WHEREAS, the Commissioners of Leonardtown have verified the signatures on the Petitions to be that of Robert L. Miles, Mary Edwards Mattingly, Laura Mattingly Roberts and Michael Thomas Roberts, and a duly authorized officer of Cedar Point Federal Credit Union, and have further determined that said signatures represent at least:

1. Twenty-five percent (25%) of the persons (as defined by Article 23 A, Section 19(k) of the Annotated Code of Maryland) who Reside in the area to be annexed and who are registered as voters in the Third Election District of St. Mary's County, the precinct in which the territory to be annexed is located; and

2. Ownership of twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed.

NOW THEREFORE BE IT RESOLVED, that the parcels of land described in Exhibits A, B and C, and the parcel described in Exhibits D and E, attached hereto and made a part hereof, be and the same hereby are, annexed into the municipality of Leonardtown; and that the municipal

boundaries of Leonardtown be, and the same hereby are, amended and restated to include the parcels of land described in Exhibits A, B and C, and the parcel described in Exhibits D and E, which shall be, from the effective date of this Resolution, subject to the Charter of Leonardtown, upon the following terms and conditions:

1. That portion of the land owned by Robert L. Miles containing 2.223 acres as described in Exhibit F, which is attached hereto and incorporated herein, shall upon annexation, be placed in the zoning district designated as Commercial-General (C-G), as provided in Section 155-25 of the Zoning Ordinance for the Town of Leonardtown, Maryland, which authorizes retail stores as a permitted use, as recommended by the Leonardtown Planning and Zoning Commission. The remainder of the land owned by Robert L. Miles and described in Exhibit A shall be placed in the Planned Unit Development-Mixed (PUD-M) zoning district, as recommended by the Leonardtown Planning and Zoning Commission.

2. There shall be an abatement of municipal real estate taxes on the value of the annexed parcel owned by Robert L. Miles containing 2.223 acres as described in Exhibit F, and any improvements constructed thereon until the issuance of a certificate of occupancy for such newly constructed improvements or two (2) years from the effective date of annexation, whichever shall first occur. There shall be an abatement of municipal real estate taxes on the value of the remaining property owned by Robert L. Miles described in Exhibit A until such time as said property is sold, or developed for residential or commercial purposes, or is connected at the owner's request to municipal water and/or sewer service, whichever shall first occur. In the event of such sale or development on a portion of said property, only that portion actually developed or sold shall then be subject to municipal taxes.

3. The provision of municipal water and sewer facilities shall be made available to the 2.223 acre parcel owned by Robert L. Miles as described in Exhibit F, subject to the imposition of such fees and costs as is, or shall be from time to time, applicable to such provision. At the request of the owner, municipal water and sewer facilities shall be made available to the remainder of the property described in Exhibit A, subject to availability of water and sewer system capacity and the payment of such fees and costs as is, or shall be from time to time, applicable to such provision.

4. The parcels of land owned by Mary Edwards Mattingly, Laura Mattingly Roberts and Michael Thomas Roberts, as described in Exhibit B shall, upon annexation, be placed in the Planned Unit Development-Mixed (PUD-M) zoning district, as recommended by the Leonardtown Planning and Zoning Commission.

5. There, shall be an abatement of municipal real estate taxes on the value of the annexed farm property owned by Mary Edwards Mattingly containing 71.7965 acres, more or less, until such time as said property is sold or developed for residential or commercial purposes. In the event of such sale or development on a portion of said property, only that portion actually developed or sold shall then be subject to municipal taxes. With respect to Lot 1 and Lot 2 shown on the attached Exhibit B, there shall be an abatement of municipal real estate taxes as to each lot until such time as said lot is sold or is connected at the owner's request to municipal water and/or sewer service, whichever shall first occur.

6. At the request of the owners, municipal water and sewer facilities shall be made available to the parcels owned by Mary Edwards Mattingly, Laura Mattingly Roberts and Michael Thomas Roberts as described in Exhibit B, subject to availability of water and sewer system capacity and the payment of such fees and costs as is, or shall be from time to time, applicable to such provision.

7. The land owned by Cedar Point Federal Credit Union as described in Exhibits D and E shall, upon annexation, be placed in the zoning district designated as Commercial-General (C-G), as provided in Section 155-25 of the Zoning Ordinance of the Town of Leonardtown, Maryland, which authorizes personal service establishments, including banks, as permitted uses, as recommended by the Leonardtown Planning and Zoning Commission.

8. There shall be an abatement of municipal real estate taxes on the value of the property owned by Cedar Point Federal Credit Union described in Exhibits D and E until such time as said property is sold or is connected at the owner's request to municipal water and/or sewer service, whichever shall first occur.

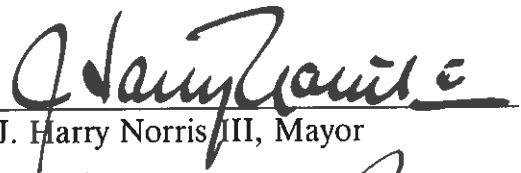
9. The effective date of this Resolution shall be forty-five (45) days from the date of adoption which was April 13, 1998.

ATTEST

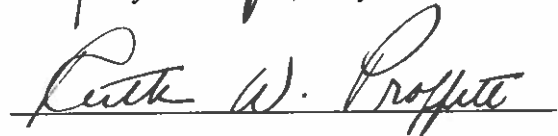


ROBERT O. GUYTHER  
Town Administrator

COMMISSIONERS OF LEONARDTOWN



J. Harry Norris III, Mayor



Ruth W. Proffitt, Vice-President



Susan H. Erichsen, Councilwoman



Charles R. Faunce, Councilman



Walter R. Gillette, Councilman



Walter Wise, Councilman



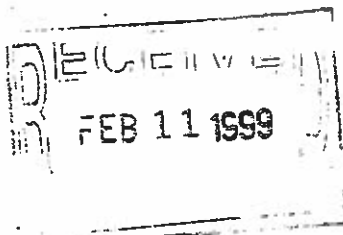


EXHIBIT A, B AND C

March 13, 1998

Legal Description

ALL that piece or parcel of land lying along the southerly side of Maryland Route 5, 3rd Election District, St. Mary's County, Maryland, and being more particularly described as follows;

BEGINNING for the same at a point on the existing boundary of the Town of Leonardtown, said point being the southwesterly corner of the lands now or formerly George E. Clark, Jr. recorded in deed Liber No. 1153 at Folio 327 among the land records of St. Mary's County, Maryland. Said point also being the southeasterly corner of the residue of the lands of Mary Edwards Mattingly and J. Maguire Mattingly, Jr as recorded in deed Liber No. MRB 204 at Folio 381 among the foresaid land records. Said point also being along the northerly right-of-way margin of Maryland Route 5, thence with the Maryland Route 5 and the lands of Mattingly for the next fifteen courses and, thence

1. North 69 degrees 40 minutes 35 seconds West, 27.08 feet to a point, thence
2. North 69 degrees 06 minutes 17 seconds West, 15.95 feet to a point, thence
3. 404.55 feet along the arc of a curve to the right, said curve having a radius of 42,926.96 feet and a chord bearing a distance of North 68 degrees 50 minutes 05 seconds West, thence leaving the northerly right-of-way margin of Maryland Route 5 and with the lands now or formerly belonging to the Cedar Pointe Federal Credit Union as recorded in deed Liber No. 438 at Folio 427 among the aforesaid land records for the next four courses and distances
4. North 24 degrees 58 minutes 38 seconds East, 98.47 feet to a point, passing over an iron pipe found at 15.15 feet, thence
5. North 18 degrees 00 minutes 41 seconds East, 71.04 feet to a point, thence
6. North 70 degrees 08 minutes 40second West, 238.02 feet to a point, thence
7. South 21 degrees 08 minutes 40second West, 162.01 feet to a point, passing over an iron pipe found at 146.83 feet, thence leaving the lands of the Cedar Pointe Federal Credit Union and with Maryland Route 5
8. 134.37 feet along an arc of a curve to the right, said curve having a radius of 42,926.96 feet and chord bearing and distance of North 68 degrees 09 minutes 40 seconds West, thence
9. North 68 degrees 04 minutes 17second West, 225.59 feet to a point, thence
10. 189.31 feet along the arc of a curve to the right, said curve having a radius of 3024.53 feet and a chord bearing and distance of North 66 degrees 16 minutes 42 seconds West, thence
11. North 61 degrees 48 minutes 26 second West, 98.53 feet to a point, thence
12. North 62 degrees 23 minutes 07 second West, 24.61 feet to a point, thence
13. North 27 degrees 50 minutes 53 second East, 35.00 feet to a point, thence
15. North 61 degrees 34 minutes 19 second West, 63.30 feet to a point, thence, leaving the Mattingly land and now with the lands of Robert and Margaret L. Miles as recorded in deed Liber No. 81 at Folio 445 and deed Liber 1440 at folio 261 among the aforesaid land records and continuing with the northerly right-of-way margin of Maryland Route 5
16. North 61 degrees 17 minutes 17 second West, 39.83 feet to a point, thence
17. North 61 degrees 08 minutes 11 second West, 13.32 feet to a point, thence
18. South 29 degrees 01 minutes 02 second West, 33.00 feet to a point, thence

Legal Description

March 13, 1998

Page 2

19. North 60 degrees 40 minutes 56 second West, 26.47 feet to a point, thence
20. North 59 degrees 49 minutes 15 second West, 49.03 feet to a point, thence
21. North 58 degrees 42 minutes 17 second West 49.03 feet to a point, thence
22. North 54 degrees 05 minutes 03 second West, 49.09 feet to a point, thence
23. South 51 degrees 48 minutes 50second East, 11.28 feet to a point, thence
24. North 54 degrees 49 minutes 24 second West, 37.72 feet to a point, thence
25. North 54 degrees 11 minutes 00second West, 48.93 feet to a point, thence
26. North 53 degrees 04 minutes 01 second West, 48.91 feet to a point, thence
27. North 52 degrees 58 minutes 05 second West, 62.28 feet to a point, thence
28. North 53 degrees 50 minutes 10 second West, 36.32 feet to a point, thence
29. North 54 degrees 32 minutes 52 second West, 50.04 feet to a point, thence
30. North 53 degrees 24 minutes 07 seconds West, 50.01 feet to a point, thence
31. North 54 degrees 49 minutes 32 seconds West, 22.29 feet to a point, thence
32. North 53 degrees 09 minutes 54 seconds West, 29.33 feet to a point, thence
33. North 53 degrees 09 minutes 59 seconds West, 35.92 feet to a point, thence leaving the northerly right-of-way margin of Maryland Route 5 and with the easterly side of Maypole Road for the next sixteen courses and distances
34. North 10 degrees 40 minutes 35 seconds West, 108.76 feet to a point, thence
35. North 17 degrees 43minutes 54 seconds East, 60.03 feet to a point, thence
36. North 18 degrees 53minutes 48 seconds East, 77.01 feet to a point, thence
37. North 60 degrees 39minutes 00 seconds East, 30.48 feet to a point, thence
38. North 04 degrees 40minutes 00 seconds East, 23.83 feet to a point, thence
39. North 71 degrees 22 minutes 15 seconds West, 20.00 feet to a point, thence
40. North 18 degrees 05sminutes 21 seconds East, 18.72 feet to a point, thence
41. North 18 degrees 14 minutes 41 seconds East, 46.47 feet to a point, thence
42. North 18 degrees 25 minutes 52 seconds East, 5.61 feet to a point, thence
43. North 09 degrees 44 minutes 50 seconds East, 52.10 feet to a point, thence
44. North 02 degrees 20 minutes 26 seconds East, 52.18 feet to a point, thence
45. North 02 degrees 46 minutes 11 seconds East, 102.99 feet to a point, thence
46. North 01 degrees 02 minutes 51 seconds East, 51.30 feet to a point, thence
47. North 01 degrees 42 minutes 34 seconds East, 35.77 feet to a point, thence
48. North 02 degrees 32 minutes 38 seconds West, 15.23 feet to a point, thence
49. North 04 degrees 49 minutes 47 seconds West, 50.04 feet to a point, thence
50. North 02 degrees 32 minutes 21 seconds West, 50.00 feet to a point, thence leaving the easterly right-of-way margin of Maypole Road and crossing to the centerline of said road
51. North 87 degrees 27 minutes 47 seconds East, 25.00 feet to a point, thence with the centerline of Maypole road for the next ten courses and distances
52. North 00 degrees 36 minutes 47 seconds West, 151.77 feet to a point, thence
53. North 00 degrees 54 minutes 09 seconds West, 305.00 feet to a point, thence
54. North 00 degrees 05 minutes 51 seconds East, 312.00 feet to a point, thence
55. North 01 degrees 21 minutes 45 seconds East, 267.00 feet to a point, thence

Legal Description

March 13, 1998

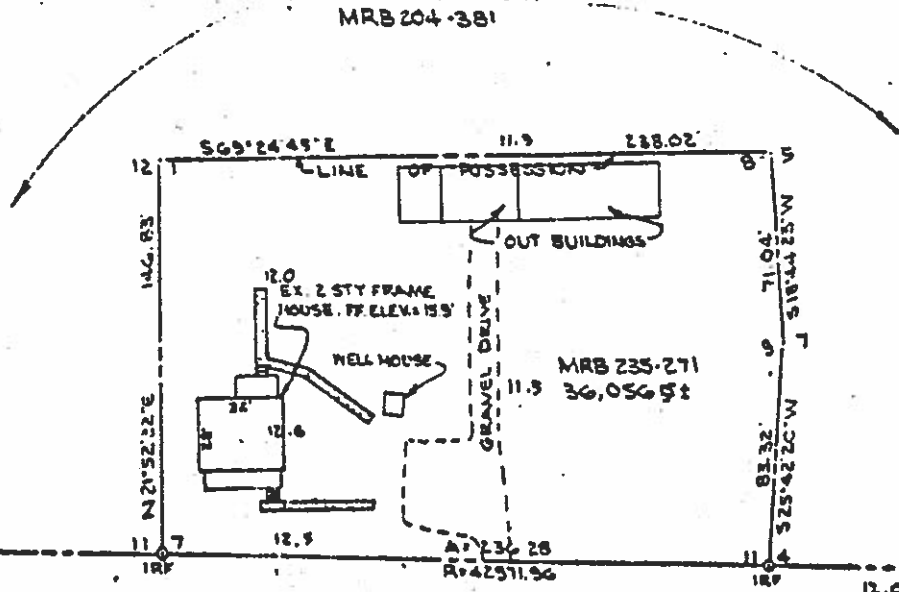
Page 3

56. North 03 degrees 21 minutes 45 seconds East, 146.00 feet to a point, thence
57. North 01 degrees 51 minutes 45 seconds East, 210.00 feet to a point, thence
58. North 03 degrees 51 minutes 45 seconds East, 136.00 feet to a point, thence
59. North 10 degrees 21 minutes 45 seconds East, 124.70 feet to a point, thence
60. North 18 degrees 51 minutes 45 seconds East, 105.00 feet to a point, thence
61. North 05 degrees 48 minutes 09 seconds East, 16.05 feet to a point, thence leaving the center line of Maypole Road
62. South 60 degrees 48 minutes 09 seconds East, 303.80 feet to a point passing over a concrete monument 20.00 feet along said line
63. South 20 degrees 26 minutes 50 seconds West, 65.34 feet to a point, thence
64. South 03 degrees 56 minutes 51 seconds West, 68.64 feet to a point, thence
65. South 25 degrees 30 minutes 09 seconds East, 145.31 feet to a point, thence
66. South 24 degrees 51 minutes 00 seconds West, 200.00 feet to a Beech Tree, thence
67. South 25 degrees 31 minutes 17 seconds West, 176.42 feet to an iron pipe found, thence
68. South 25 degrees 31 minutes 17 seconds West, 104.07 feet to an iron pipe found, thence
69. South 32 degrees 50 minutes 48 seconds East, 708.16 feet to a point in the approximate centerline of Creek, thence leaving Creek
70. South 71 degrees 33 minutes 27 seconds East, 276.07 feet to a point, thence with a fence for the remainder of the courses and distances
71. South 44 degrees 26 minutes 54 seconds East, 251.26 feet to a point, thence
72. North 73 degrees 44 minutes 24 seconds East, 360.32 feet to a point, thence
73. North 69 degrees 33 minutes 15 seconds East, 446.75 feet to a concrete monument found, thence with the existing line of the Town of Leonardtown for the next three courses and distances
74. South 12 degrees 16 minutes 46 seconds West, 417.03 feet to a concrete monument found, thence
75. South 87 degrees 39 minutes 19 seconds East, 155.05 feet to a concrete monument found, thence
76. South 11 degrees 04 minutes 59 seconds West, 2213.24 feet to the place of beginning.

THE above described parcel contains 97.9023 acres, more or less.

N/F  
 MARY E. MATTINGLY  
 MRB 204-381

BOOK 418 PAGE 74



MARYLAND STATE ROUTE #5 TO R/W  
 S.R.C. PLAT No. 34030



*W. H. McCRONE*  
 5/9/85

Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929.  
 This plat was prepared without the benefit of a Title Report, which may show additional  
 conveyances, easements, rights-of-way or building restriction lines not shown hereon.

THIS IS NOT A PROPERTY LINE SURVEY		PLAT RECORDED WITH DEED @ MRB 235-271	
FLOOD ELEVATION PLAT		DRAWN BY <u>MHB</u>	
MRB 235-271	36,056 sq ft	SCALE	1"=50'
FRAMERICA FELIX SECUNDUS CLAUDES REST-BENS SECURITY		DATE	5-6-85
3RD DISTRICT ST MARYS COUNTY MARYLAND.		JOB NO	40465906
FOR MARYE A C LAWRENCE		FOLDER	T-32/G-1a

**McCRONE**

Engineers • Planners  
 Surveyors  
 Annapolis, Maryland  
 Centerville Chestertown Denton-Easton  
 Elton Leonardtown Pines-Fredericks

FEB 11 1999

EXHIBIT D

BOOK 418 PAGE 73

FEE SIMPLE DEED - CODE - CITY OR COUNTY.

10:35AM06/23/88 DEED \$17.00

10:35AM06/23/88 RECTAX \$1042.80

**This Deed,** Made this Twenty Second

day of JULY 10:35AM06/23/88 TR. TAX \$790.00

in the year one thousand nine hundred and eighty eight, by and between FRANCIS G. CECIL, JR., MARGARET C. HALL and BARBARA C. LAWRENCE, Parties of the first part, GRANTORS, and VISHNU D. GROVER and VIJAY K. GROVER, Parties of the second part, GRANTEES.

NOW, THEREFORE, THIS DEED WITNESSETH, that for and in consideration of the premises and of the sum of \$158,000.00, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said Francis G. Cecil, Jr., Margaret C. Hall, and Barbara C. Lawrence does hereby grant and convey unto the said Vishnu D. Grover and Vijay K. Grover, as joint tenants and not as tenants in common, their assigns, the survivor of them and the heirs and assigns of said survivor, in fee simple, all that lot, tract or parcel of land situate, lying and being in the Third Election District of St. Mary's County, Maryland, being a portion of the tract called and known as "Part of America Felix Secundus", "Part of Clarke's Rest" and "Part Bond's Security", containing 36,056 square feet of land, more or less, said parcel being more particularly described and shown on a plat prepared by McCrone dated 5/6/88, which plat is attached hereto and made a part hereof.

BEING all and the same land conveyed to the within Grantors by deed dated 4/9/84 by Alma Marie Cecil, widow, which deed is recorded among the land records of St. Mary's County, Maryland, at Liber MRB No. 176, folio 405.

ALSO being all and the same land conveyed to the within Grantors by a Quitclaim deed dated 10/15/85 by Mary Edwards Mattingly and J. Maguire Mattingly, Jr., which deed is recorded among the aforesaid land records at Liber MRB No. 235, folio 271, said deed having a plat attached thereto prepared by James L. Dunlop, said plat being recorded at Liber MRB No. 235, folio 273.

SUBJECT to restrictions, rights of way, easements and other conditions contained in deeds and instruments forming the chain of title to the captioned property.

THIS IS TO CERTIFY THAT ALL TAXES ON THIS PROPERTY HAVE BEEN PAID TO AND INCLUDING THE LEVY FOR THE YEAR OF 1987. TAX ID # 03700463-5  
Richard D. O. Espenshield, Jr.  
St. Mary's County, Md.

RECEIVED FOR TRANSLATION  
State Department of  
Assessments & Taxation  
for St. Mary's County

J. Murray 6/23/88  
Date



EXHIBIT E

BOOK 438 PAGE 427

MRB 9/25/10/25/00A DEED \$15.00  
9/25/10/25/00A REGISTRATION \$14.00  
9/25/10/25/00A TR 100 41075.00

XXEL 1296

THIS DEED, made this 24th day of October in the year one thousand nine hundred and eighty-eight, by and between

VISHNU D. GROVER and VIJAY K. GROVER, Grantors,  
of St. Mary's County, in the State of Maryland, of the first part,  
and CEDAR POINT FEDERAL CREDIT UNION, Grantee, of the second part.

Witnesseth, that in consideration of the sum of TWO HUNDRED FIFTEEN THOUSAND AND NO/100 DOLLARS (\$215,000.00), receipt of which is hereby acknowledged,

the said VISHNU D. GROVER and VIJAY K. GROVER, do grant and convey unto the said CEDAR POINT FEDERAL CREDIT UNION,

in fee simple, all that lot, tract, piece of ground, situate, lying and being in the Third Election District of St. Mary's County, Maryland, aforesaid, and described as follow, that is to say:-

A portion of the tract called and known as "Part of America Felix Secundus", "Part of Clarke's Rest" and "Part Bond's Security, containing 36,056 square feet of land, more or less, said parcel being more particularly described and shown on a plat prepared by McCrone dated May 6, 1988, and recorded among the Land Records of St. Mary's County, Maryland in Liber MRB 418, folio 74.

BEING the same land conveyed unto VISHNU D. GROVER and VIJAY K. GROVER, by Deed from FRANCIS G. CECIL, JR., MARGARET C. HALL and SARAH C. LAWRENCE, dated June 23, 1988 and recorded among the Land Records of St. Mary's County, Maryland in Liber MRB 418, folio 73.

The property hereby conveyed is subject to the following restriction which shall run with and bind the land:

1. The property shall not be used as a gas station, liquor store or "convenience" grocery store as long as the within Grantors, namely Vishnu D. Grover and Vijay K. Grover own or lease and operates a gas station, liquor store and "convenience" grocery store on the premises currently owned or leased and operated by the within Grantors, namely Vishnu D. Grover and Vijay K. Grover, across Route 5 from the conveyed premises or for a period of twenty (20) years from the date of this Deed, whichever event transpires first.

SUBJECT TO RESTRICTIONS, rights of ways, encumbrances of record, easements and other conditions contained in deeds and instruments

THIS DEED TO BE RECORDED IN THE  
RECORDS OF THE COUNTY OF ST. MARY'S  
M.D. TO BE EFFECTIVE FROM THE  
DATE OF RECORDING OF THIS DEED  
BY THE CLERK OF THE COUNTY OF  
ST. MARY'S, M.D.  
JAMES P. ...  
ATTORNEY AT LAW

MRB \*  
ISSUED 5-30-89  
Amount \$2,494.00  
Capped  
Mr. of the Treasury  
Check No. 07103471