Resolution No. 17-11

RESOLUTION: To enlarge the corporate boundaries of the City of Rockville to include 1.3048 acres of land, more or less, Mayor and Council of Rockville

WHEREAS, Article 23A, Section 19 of the Annotated Code of Maryland permits the annexation of real property by municipalities of the State of Maryland; and

WHEREAS, the Mayor and Council of Rockville, proposes to annex the property hereinafter described; and

WHEREAS, the subject property is contiguous and adjoining to the existing corporate area of the Mayor and Council of Rockville (hereinafter referred to as "Rockville"); and

WHEREAS, the annexation of the subject property will not create any unincorporated area which is bounded on all sides by real property proposed to be within the corporate limits of Rockville, as a result of the proposed annexation, or any combination of such properties; and

WHEREAS, the size of the subject property is less than 5 (five) acres; and

WHEREAS, the property to be annexed represents portions of lots that contain at least one other parcel that is already within the municipal corporate area of the City and has been part of the City for more than three years; and

WHEREAS, public notice of a resolution to annex property of Lilia Munoz; Massoumeh Baghai and Hoosang Afsharjavan; Montgomery County Association for Retarded Citizens, Inc.; Alexander Klemm and Laura Garcia Valdes; Felicidad S. Naval; Robien Johan Tirajouh and Endang Istipriyani Tirajoh; Paulino Gonzales and Jose Gonzales; Cristina Giacalone; Kuen Moon Lee and Sim Melissa Lee; Joao David Ferraz and Aurea Ferraz; and Montgomery County, Maryland, totaling 1.3048 acres of land, more or less, hereinafter more particularly described, has

been published not fewer than two times at not less than weekly intervals in a newspaper of general circulation in the City of Rockville and the area to be annexed, said notice specifying that a public hearing would be held by the Mayor and Council on said resolution at Rockville City Hall, on June 6, 2011, at 7:00 p.m.; and

WHEREAS, the Mayor and Council conducted a public hearing on said resolution at the time and place provided for in said advertisement which hearing was not less than fifteen days after the second publication of the public notice referenced above; and

WHEREAS, a copy of the Annexation Plan for the area to be annexed was provided to the County Executive of Montgomery County, Maryland, the Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission at least thirty days prior to the holding of the scheduled public hearing; and

WHEREAS, immediately after the first publication of the public notice in said newspaper, a copy of that public notice was provided to the County Executive of Montgomery County, Maryland, the Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission; and

WHEREAS, this matter having been considered and deliberated by the Mayor and Council of Rockville, and the Mayor and Council having decided that enactment of this resolution would promote the health, safety and welfare of the City of Rockville.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

Section 1. That the corporate limits of the City of Rockville are hereby extended to include the following area, which is hereby added to the City.

Being parts of Lots 2, 3, 4, 5, 6, 10, 11, & 12, Block A; parts of Lots 18 & 19, Block B; and part of Pier Drive; as shown on the subdivision record plat entitled, "HALPINE VILLAGE, SECTION THREE", dated June 1, 1950, recorded as Plat Number 5943 among the Land Records of Montgomery County, Maryland; and being more particularly described as follows:

Beginning for the same at a point where the present corporate limits (7th line, Section 10, Article I, Charter of the City of Rockville, Maryland) intersect with the westerly right of way line of Twinbrook Parkway (formerly Halpine Road), along the frontage of Lot 2, Block A, Section Three, HALPINE VILLAGE, shown on the above referenced subdivision record plat, thence running with said right of way line

1. **343.07 feet along a Curve to the Right having a Radius of 457.46 feet, Delta of 42°58'07", Chord Bearing and Distance of South 29°01'16" West 335.09 feet** to a point, thence running with the line of division between Lots 6 & 7, Block A, of said subdivision

2. **North 39°29'41" West 162.72 feet** to a point, thence running with the rear lines of Lots 7, 8, 10, 11, and part of the rear line of Lot 12, Block A, of said subdivision

3. **South 30°00'00" West 149.50 feet** to a point, thence running with the line of division between Lots 9 & 10, Block A, of said subdivision

4. **North 80°20'13" West 100.00 feet** to a point on the easterly right of way line of Pier Drive, thence with said right of way line

5. **70.26 feet along a Curve to the Left having a Radius of 100.00 feet, Delta of 40°15'24", Chord Bearing and Distance of South 10°27'55" East 68.82 feet** to a point of tangency, thence

6. **South 30°35'37" East 2.86 feet** to a point, thence crossing said Pier Drive

7. **South 59°24'23" West 60.00 feet** to a point on the westerly right of way line of Pier Drive and at the corner common to Lots 19 and 20, Block B, "HALPINE VILLAGE, SECTION 3" aforesaid, thence leaving said westerly right of way and running with the line of division between said Lots 19 and 20, still

8. **South 59°24'23" West 85.00 feet** to a point at the rear corner of said Lot 20, said point also being on the present corporate limits (12th or Last line, Section 11, Article I, Charter of the City of Rockville, Maryland), thence with said limits

9. **North 30°35'37" West 85.00 feet** to a point, thence

10. **North 59°24'23" East 689.47 feet** to the place of beginning containing 56,835 square feet or 1.3048 acres of land, more or less, as computed January 26, 2011 by Maddox Engineers & Surveyors, Inc.

Section 2. That all territory hereby annexed to the City of Rockville and the persons residing thereon shall, after the effective date of this resolution, be subject to the Charter, laws, ordinances and regulations of said City.

Section 3. That as soon as the annexation provided by this resolution shall become effective, the Mayor shall promptly register both the original boundaries and the new boundaries of the City with the City Clerk of Rockville, with the Clerk of the Circuit Court for Montgomery County, Maryland, with the Maryland-National Capital Park and Planning Commission, and shall send, or cause to be sent, separately by certified mail, return receipt requested, one copy of this resolution to the Department of Legislative Reference.

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I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council of Rockville at its meeting of June 20, 2011.

Glenda P. Evans

Glenda P. Evans, City Clerk