

COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND CHARTER
AMENDMENT RESOLUTION NO. CA-25-01
PRINCE GEORGE'S FIRE DEPARTMENT STATION

Introduced by: City Council
Date Introduced: March 31, 2025
First Reading: March 31, 2025
Second Reading:
Date Adopted: March 31, 2025
Date Effective: March 31, 2025

A CHARTER AMENDMENT RESOLUTION OF THE CITY COUNCIL OF SEAT PLEASANT ENLARGING THE CORPORATE BOUNDARIES OF THE CITY OF SEAT PLEASANT BY ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF SEAT PLEASANT LANDS CONTIGUOUS AND ADJOINING TO THE CITY'S EXISTING CORPORATE BOUNDARIES PROPERTY COMMONLY KNOWN AS PRINCE GEORGE'S FIRE DEPARTMENT STATION, CONSISTING OF APPROXIMATELY 2.52 ACRES OF LAND IN TOTAL LOCATED GENERALLY AS PRINCE GEORGE'S FIRE DEPARTMENT STATION.

RECITALS

WHEREAS, the City Council of Seat Pleasant (the "City"), a body politic and corporate in the State of Maryland is authorized by the Annotated Code of Maryland, Local Gov. Art., "Municipalities", Title 4 "In General", Subtitle 4 "Annexation" to enlarge its boundaries by way of annexation; and

WHEREAS, pursuant to the authority contained in Md. Local Gov. Code Ann., 4-403 "Proposal for Annexation -Initiation by Legislative Body", the City Council of Seat Pleasant has decided to enlarge and extend the corporate boundaries of the City of Seat Pleasant by including therein property situated in Prince George's County that is identified below, which is contiguous and adjoining to the existing corporate boundaries of the City of Seat Pleasant:

See Exhibit A Part Two attached and incorporated herein by reference, and this Resolution only applies to Exhibit A Part Two.

(hereinafter collectively referred to as the "Annexation Area"); and

WHEREAS, the Annexation Area is depicted on the Exhibit of 2.52 Acres of Land to be Annexed into the Corporate Boundary of the City of Seat Pleasant attached hereto as Exhibit A Part Two by courses and distances; and

WHEREAS, the consent to annexation from the owners of the following properties annexation agreements are not necessary per Maryland Law; and

WHEREAS, as is required by Md. Local Gov. Code Ann., 4-403, the City Council of Seat Pleasant has not obtained the required consent to annexation from at least 25% of the registered voters who are residents in the area to be annexed and the owners of at least 25% of the assessed valuation of the real property in the area to be annexed as indicated in the statute, since said consents are not required under Maryland Law; and

WHEREAS, the Annexation Area is contiguous and adjoining the present corporate boundaries of the city; and

WHEREAS, the annexation of the Annexation Area will not create an unincorporated area that is bounded on all sides by properties either located within the City's boundaries or to be located within the City's boundaries; and

WHEREAS, the Annexation Area is presently not zoned since this is as Prince George's Fire Department Station and the zoning and use of the Annexation Area will remain unchanged as Prince George's Fire Department Station; and

WHEREAS, the City Council of Seat Pleasant deems it to be in the best interest of the city and its occupants to annex the Annexation Area; and

WHEREAS, based on the aforementioned consents, the City Council of Seat Pleasant has determined to initiate a Resolution to enlarge and extend the limits of the City to include the area described more fully in Exhibits A Part Two, and to make applicable to that area the City Charter the City Code and all laws which are now in force and effect or which hereafter may be enacted in the City of Seat Pleasant.

NOW, THEREFORE BE IT RESOLVED, by the City Council of Seat Pleasant in legislative session assembled that:

Section 1. The recitals are incorporated as operative provisions of this Resolution.

Section 2. The boundaries of the City of Seat Pleasant, a municipal corporation of the State of Maryland, shall be and hereby are enlarged and amended by the addition thereto of all of that land contiguous and adjoining to the current boundaries of the City of Seat Pleasant in Prince George's County, Maryland commonly referred to as Prince George's Fire Department Station, consisting of 2.52 acres of land all of which is described in Exhibits A Part Two, and which attachments are incorporated herein by

reference, the same shall be and hereby is annexed into the City, subject to the conditions and provisions set forth in the Annexation Resolution, such annexation to be known as "7th Annexation.

Section 3. The Annexation set forth herein is subject to the following condition:

Each of the properties that comprise the Annexation Area, shall be exempt from municipal taxation by the City ("Exempt Tax"). The Exempt Tax shall be of Seat Pleasant municipal taxation which is charged on the tax bill along with the State of Maryland and Prince George's County to the Owner against real property within the Annexation Area. It is acknowledged that the Prince George's County Director of Finance collects both State and Municipal real property taxes for properties located within the City of Seat Pleasant. To effect the tax exemptions herein granted, the City will provide to the Prince George's County Director of Finance that no municipal taxes shall apply to the Subject Property and the property will be tax exempt. If in the future, the Prince Georges County Director of Finance cannot accommodate differing tax rates to properties within the same municipality, then, to give effect to the tax exemption herein granted, the City will refund to the Owner, upon application for such refund, pursuant to the authority contained in the Annotated Code of Maryland, Tax Property Art., 14-905(b) an amount equal to the exempt taxation.

Section 4. That the annexation of the land depicted and described in Exhibits A Part Two will not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the City of Seat Pleasant, real property to be within the corporate limits of the City of Seat Pleasant, or any combination of such properties.

Section 5. That the corporate boundaries of the City being enlarged to include the Annexation Area as of the effective date of this Annexation Resolution, the Annexation Area and the inhabitants thereof shall from and after that effective date of this Resolution be subject to the powers and jurisdiction of the City, and shall be taken and considered as part of the municipal corporation known as "the City of Seat Pleasant"; and that all of the provisions of the laws of the State of Maryland and the Charter and Ordinances of the City, now in force or which may hereafter be enacted, shall be extended and made applicable to the Annexation Area and to any persons now or hereafter residing therein. Nothing herein or elsewhere in the Resolution shall affect the power of the City Council of Seat Pleasant to amend or repeal any Charter provision or ordinance existing at the date of passage of this Resolution, or to enact and ordain any Ordinance which, at the date of passage of this Resolution, or hereafter, it may be authorized to enact or ordain.

Section 6. That the City Clerk of the City of Seat Pleasant shall cause a public notice to be published not fewer than four (4) times at not less than weekly intervals in a newspaper having general circulation in the City of Seat Pleasant and in the area to be annexed which briefly and accurately described the proposed change and the conditions and circumstances applicable thereto. The public notice shall further specify that a public hearing will be held on this Resolution by the City Council of Seat Pleasant at 6:00 p.m. either by zoom or at the City Hall, 6301 Addison Rd, Seat Pleasant, Maryland on the 31st day of March 2025.

Section 7. That the City Clerk, immediately upon the first publication of the public

notice, shall transmit a copy of the public notice to the Prince George's County Executive, the Prince George's County Council, the Executive Director of the Maryland-National Capital Park and Planning Commission and the Director of the Office of Planning of the State of Maryland, each of which shall have the first right to be heard at the scheduled public hearing prior to the general public.

Section 8. This Resolution shall become effective forty-five (45) days from the date of enactment by the City Council of Seat Pleasant, unless within forty-five (45) days of the date of the enactment the City Council receives a Petition for Referendum filed in accordance with the provisions of Md. Local Gov. Code Ann., 4-408 -4-410.

AND BE IT FURTHER RESOLVED, that the effective date of the Annexation Resolution is the 31st day of March, 2025, unless on or before the 15th day of May 2025, a Petition for Referendum on the Annexation Resolution is filed in writing with the City Clerk or with the City Executive Officer pursuant to the provisions of Md. Local Gov. Code Ann., 4- 408 et. Seq.

AND BE IT FURTHER RESOLVED, that the Annexation Area, shall not be subject to real and personal property taxes as levied by the City.

AND BE IT FURTHER RESOLVED, that as soon as the Annexation hereby enacted shall become effective, either as herein provided or following a Referendum, the City Clerk shall promptly register both the original boundaries and the new boundaries with the following agencies: The Clerk of the Circuit Court for Prince George's County, Maryland; the Maryland Department of Legislative Reference; and the Maryland-National Capital Park and Planning Commission. Said registration shall include: a copy of this Annexation Resolution, the date of the Referendum Election, if any; the number of votes cast for and against the Annexation, whether in the legislative body or in the Referendum; and the effective date of the Annexation as said registration shall further be in such form and subject to such registration requirements as are contained in the Md. Local Gov. Cod Ann., as amended, including the requirement that the documents require to be registered shall be sent to each respective agency by certified mail and return receipt requested.

MAYOR AND CITY COUNCIL

Signed by:
Ashley Kearney
Ashley Kearney, Councilmember
Signed by:
Shireka McCarthy
Shireka McCarthy, Councilmember
Signed by:
Monica Higgs
Monica Higgs, Councilmember
Signed by:
Hope Love
Hope Love, Councilmember

Signed by:
Kizzie Scott
Kizzie Scott, Councilmember
Signed by:
Gerald R. Raynor
Gerald R. Raynor, Councilmember
Signed by:
Garry Jones
Garry A. Jones, Councilmember
Signed by:
Kelly Porter
Kelly Porter, Mayor

ATTEST:

DocuSigned by:
Dashaun N. Ball
Dashaun N. Ball, CPM, MMC
City Clerk

Approved for Legal Sufficiency:

Signed by:
Todd Pounds
Todd Pounds, Esq., City Solicitor

Date: 4/1/2025

EXHIBIT 'A'
7th Annexation
DESCRIPTION OF AN ANNEXATION AREA FOR
THE CITY OF SEAT PLEASANT
PRINCE GEORGE'S COUNTY, MARYLAND

Being one piece or parcel of land, hereinafter described as the 7th Annexation, lying on the Southerly side of Central Avenue (MD Rte. 214), said 7th Annexation being on the Easterly side of Shady Glen Drive, and being more particularly described as follows

The Seventh Annexation

Beginning for the said 7th Annexation at a point on the Three-Hundred-Ninety-Second or South 85°11'19" West, 142.17 feet line of the 2020 Annexation of the City of Seat Pleasant, distant 8.31 feet from the beginning thereof, said point also being distant North 05°55'47" West, 19.22 feet from the beginning of the First or South 39°36'23.9" West, 51.89 feet line of Arthur A. Davis, et ux Parcel 2 as shown on State Roads Commission Plat Number 46806, said beginning of the First line of Arthur A. Davis, et ux Parcel 2 also being at the intersection of the aforesaid Central Avenue and Shady Glen Drive as shown on the aforesaid State Roads Commission Plat Number 46806, thence running reversely with and binding on the aforesaid Three-Hundred-Ninety-Second line and the Three-Hundred-Ninety-First through Three-Hundred-Eighty-Ninth lines of the aforesaid 2020 Annexation of the City of Seat Pleasant, which is also the present southern boundary lines of the City of Seat Pleasant, the following four courses and distances

1. North 85°11'19" East, 8.31 feet to a point, thence
2. North 85°13'08" East, 65.39 feet to a point, thence
3. North 85°14'25" East, 60.19 feet to a point, thence
4. North 85°04'09" East, 9.09 feet to a point, thence leaving the aforesaid Three-Hundred-Eighty-Ninth line of the 2020 Annexation of the City of Seat Pleasant, and running in, through, over and across the aforesaid Central Avenue Right-of-Way, and also running for a new boundary line of the City of Seat Pleasant, the following course and distance
5. South 05°55'43" East, 9.82 feet to a point on the Southerly Right-of-Way line of the aforesaid Central Avenue, said point also being at the Northerly end of the Westerly or

North 04°31'42" East, 295.79 feet Plat line as shown on a Record Plat entitled "Plat One, Parcels A and B, Capitol Heights Shopping Center" and recorded among the Land Records of Prince George's County, Maryland in Plat Book MMB 233 on Page 91, thence leaving the aforesaid Southerly Right-of-Way of Central Avenue, and running reversely with and binding on the aforesaid Westerly Plat line as shown on the "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat the following course and distance

6. South 04°31'42" West, 19.05 feet to a point at the Westerly end of the Northerly or North 85°15'13" East, 194.04 feet line of Parcel A as shown on the aforesaid "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, thence leaving the aforesaid Westerly Plat line as shown on the "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, and running with and binding on the aforesaid Northerly line of Parcel A the following course and distance
7. North 85°15'13" East, 194.04 feet to a point at the Northerly end of the Common or South 04°40'08" East, 225.38 feet line between the aforesaid Parcel A and Parcel B as shown on the aforesaid "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, thence leaving the aforesaid Northerly line of Parcel A, and running with and binding on the Common lines between the aforesaid Parcel A and Parcel B the following two courses and distances
8. South 04°40'08" East, 225.38 feet to a point, thence
9. South 41°39'48" West, 212.53 feet to a point of curvature on the Northerly Right-of-Way line of Walker Mill Drive (variable width) as shown on the aforesaid "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, thence leaving the aforesaid Common line between Parcel A and Parcel B, and running with and binding on the Common lines between the aforesaid Parcel A and the Northerly Right-of-Way line of Walker Mill Drive the following two courses and distances
10. 19.57 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 346.33 feet and a chord bearing a distance of North 47°55'48" West, 19.56 feet to a point of compound curvature, thence
11. 98.46 feet along the arc of a tangent curve, deflecting to the left, having a radius of 663.01 feet and a chord bearing and distance of North 53°48'10" West, 98.36 feet to a point on the Southerly extension of the aforesaid Westerly Plat line as shown on the "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, thence running with the

aforesaid Southerly extension of the Westerly Plat line as shown on the "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, and also continuing with and binding on the aforesaid Common line between Parcel A and the Northerly Right-of-Way line of Walker Mill Drive, the following course and distance

12. North 04°31'42" East, 20.33 feet to a point at the Easterly end of the Northerly or South 70°31'31" East, 142.21 feet Plat line as shown on the aforesaid "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, thence leaving the aforesaid Westerly Plat line as shown on the "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, and also leaving the aforesaid Common line between Parcel A and the Northerly Right-of-Way line of Walker Mill Drive, and running reversely with and binding on the aforesaid Northerly Plat line as shown on the "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, and also continuing with and binding on the aforesaid Northerly Right-of-Way line of Walker Mill Drive, the following course and distance
13. North 70°31'31" West, 142.21 feet to a point on the Easterly Right-of-Way line of the aforesaid Shady Glen Drive, thence leaving the aforesaid Northerly Plat line as shown on the "Plat One, Parcels A and B, Capitol Heights Shopping Center" Record Plat, and also leaving the aforesaid Northerly Right-of-Way line of Walker Mill Drive, and running with and binding on the aforesaid Easterly Right-of-Way line of Shady Glen Drive the following three courses and distances
14. North 06°01'15" West, 142.00 feet to a point, thence
15. North 03°01'51" West, 45.05 feet to a point, thence
16. North 39°41'38" East, 51.97 feet to a point at the aforesaid intersection of Central Avenue and Shady Glen Drive, thence leaving the aforesaid intersection of Central Avenue and Shady Glen Drive, and running in, through, over and across the aforesaid Central Avenue Right-of-Way the following course and distance
17. North 05°55'47" West, 19.22 feet to the point of beginning, containing 2.52 acres of land.

The area of the 7th Annexation is 2.52 acres of land.