

**AMENDED ANNEXATION RESOLUTION NO. AR-01-2018**

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL AUTHORIZING THE ANNEXATION TO THE TOWN OF KENSINGTON OF APPROXIMATELY 12.585 ACRES OF LAND LOCATED ADJACENT TO THE PRESENT CORPORATE LIMITS OF THE TOWN LOCATED NORTH OF THE CENTER LINE OF PERRY AVENUE TO UNIVERSITY BOULEVARD AND CERTAIN INTERIOR AND ADJACENT RIGHTS-OF-WAY THEREIN

**ANNEXATION X-01-2018**

**WHEREAS**, the Mayor and Town Council of Kensington have received a petition requesting the enlargement of the corporate boundaries of the Town of Kensington to include the land area set forth in the metes and bounds description attached hereto and incorporated herein by reference as Exhibit A and shown on a Plat attached hereto and incorporated herein by reference as Exhibit B (hereinafter referenced as the “Annexation Area”); and

**WHEREAS**, the following addresses and or parcels all of which, together with the interior or adjacent St. Paul Street, Perry ~~[Street]~~ AVENUE, Decatur Avenue and Madison Street public right-of-ways, are included in the Annexation Area: 3500, 3505, 3506, 3507, 3509, 3510, 3511, 3512, 3513, 3514, 3515, 3516, 3517, 3518, 3519, 3600, 3601, 3602, 3604, 3606, 3608, 3610, and outlot on Decatur Avenue; 10815, 10817, 10819, and 10821 Madison Street; 3507, 3509, 3511, 3513, 3515, 3601, 3603, 3605, 3607, 3609, 3611, and 3613 Perry ~~[Street]~~ AVENUE; 10724, 10726, 10728, 10810, 10812, St. Paul Street; and 3404, 3406, 3408, 3500, 3610, and 3700 University Boulevard, West; and

**WHEREAS**, the Town has verified that the petition satisfies the requirements of §4-401 *et seq.*, of the Local Government Article, Annotated Code of Maryland; and

**WHEREAS**, all public hearings, notifications and approvals as required by law have occurred; and

**WHEREAS**, the Annexation Area:

- (1) is contiguous and adjoining to the existing boundaries of the municipality; and
- (2) does not create an unincorporated area that is bounded on all sides by:
  - (i) real property presently in the boundaries of the municipality;
  - (ii) real property proposed to be in the boundaries of the municipality as a result of the proposed annexation; or
  - (iii) any combination of real property described in item (i) or (ii) of this item.
- (3) does not include land that is in another municipality.

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CAPS : Indicate matter added by amendment.  
[Brackets] : Indicate matter deleted by amendment.

**WHEREAS**, the Annexation Area contains one large lot zoned CRN-1.0, C1.0, R-0.5, and H-45 and 4 lots zoned CRN-1.0, C1.0, R-.75, and H-45, with the remainder of the lots zoned R-60, and the lots in the Annexation Area will continue with the existing zoning and uses under the Montgomery County Zoning Ordinance and the Kensington Sector Plan; and

**WHEREAS**, the Mayor and Town Council therefore have introduced this resolution to annex the Annexation Area referenced and described in Exhibits A and Exhibit B of the subject property on the 18 day of June, 2018; and

**WHEREAS**, the Mayor and Town Council will conduct a public hearing to be held on the **13<sup>th</sup> day of August, 2018**, on the subject annexation and will hold the record open for additional time period to accept written testimony until the **7<sup>th</sup> day of September 2018**; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Kensington, that this Annexation Resolution be and hereby is adopted.

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Town of Kensington, that the corporate boundaries of the Town of Kensington be, and they hereby are, enlarged and extended by including therein the Annexation Area referred to and described in Exhibits A and Exhibit B. attached hereto and incorporated herein by reference

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Town of Kensington that this Resolution shall become effective forty-five (45) days following its adoption, unless a petition for referendum thereon shall be filed as permitted by law.

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Town of Kensington that after the effective date of the amendment to the boundaries of the Town provided for by this Resolution, the property annexed into the Town by this Resolution, and all owners of such property and all persons residing within the areas annexed, shall be subject to the Charter, laws, ordinances and resolutions of the Town of Kensington.

**BE IT FURTHER RESOLVED**, by the Mayor and Town Council of the Town of Kensington that promptly after this Resolution shall become effective, the Town Manager shall send copies of said Resolution to the following:

Number of Copies	Agency
1	Department of Legislative Reference
1	Clerk of the Circuit for Montgomery County
1	Supervisor of Assessments for Montgomery County
1	Maryland-National Capital Park and Planning Commission

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CAPS : Indicate matter added by amendment.

[Brackets] : Indicate matter deleted by amendment.

**ADOPTED** by the Town Council this 10th day of September, 2018.

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Tracey C. Furman, Mayor and President of  
the Council

THIS IS TO CERTIFY, that the foregoing  
Resolution was adopted by the Town  
Council, in public meeting assembled on the  
\_\_\_\_th day of \_\_\_\_\_, 2018.

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Susan C. Engels, Clerk-Treasurer

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## EXHIBT A

### DESCRIPTION OF AN AREA PROPOSED FOR ANNEXATION INTO THE TOWN OF MARYLAND

Beginning for the same at a point on the intersection of an easterly projection of the centerline of Perry Avenue and the easterly right of way of St. Paul Street also being the easterly end of line 1 as shown on a plat prepared by Oyster, Imus, Petzold and Associates entitled Town of Kensington Corporate Boundary dated January 10, 2010, thence with said line in a westerly direction

S 87° 19' 20" W for 1085.78 feet; thence with the southerly right of way line of University Boulevard – MD Route 193

1718.70 feet along the arc of a curve to the Right having a radius of 2242.00 feet and a chord bearing and distance of N 61° 50' 28" E for 1676.92 feet; thence along the easterly right of way line of St. Paul Street

S 78° 08' 18" E for 10.52 feet; thence

S 53° 45' 54" W for 42.90 feet; thence

S32° 54' 23" W for 617.44 feet; thence crossing McComas Avenue and with an extension of the aforementioned easterly right –of –way line to St. Paul Street

S 00° 46' 46" E for 63.50 feet; thence still with the easterly right of way line of St. Paul Street

136.77 feet along the arc of a curve to the Left having a radius of 336.76 feet and a chord bearing and distance of S "14° 55' 02" W for 135.83 feet to the point of beginning containing 12.585 acres of land.

EXHIBIT B



TOWN OF KENSINGTON  
 ELECTION DISTRICT 13  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE 1"= 100' NOVEMBER 2017

**THOMAS A. MADDOX**  
 PROFESSIONAL LAND SURVEYOR  
 8933 SHADY GROVE COURT  
 GAITHERSBURG, MARYLAND 20877  
 301-330-0812

**NOTE:**  
 1. THE COMPUTED AREA WITHIN THE PROPOSED ANNEXATION BOUNDARY IS 12.585 ACRES OF LAND.