

Resolution No. 14-21

RESOLUTION: To enlarge the corporate boundaries of the City of Rockville to include 11.96 acres of land, more or less, owned by Victor, Inc. and the State Highway Administration

WHEREAS, public notice of a resolution to annex property of Victor Inc. and State Highway Administration, totaling 11.96 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 May 17, 2021, at 7:00 p.m. or virtually, consistent with current City protocols for public hearings; 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, an annexation plan consistent with the municipal growth element of the comprehensive plan of the City 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

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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 all of the property acquired by Victor, Inc., a Maryland corporation, from Lois, Inc., a Maryland Corporation, by deed dated January 22, 1999 and recorded in Liber 16849 at Folio 367, part of said property also being all of Parcel A, King's Addition to Shady Grove, recorded as Plat No. 7936 and all of Parcel C, King's Addition to Shady Grove, recorded as Plat No. 10684 and also being a portion of Frederick Road, Maryland 355, width varies, as shown on State Highway Administration Plat No. 44324 and 44325 all among the Land Records of Montgomery County, Maryland, and being more particularly described in the datum of Maryland State Plane (NAD83/2011) as follows:

Beginning for the same at a point on the southwesterly line of Frederick Road, Maryland 355, width varies, as shown on State Highway Administration Plat Nos. 44324 and 44325, said point marking the northwesterly end of the fifth (5th) or South 49° 11' 44" East, 40.54 foot deed line of said Liber 16849 at Folio 367, and also marking the common northeasterly corner of Parcel 1, Hunt's Addition to Shady Grove, recorded as Plat No. 9426 among the aforesaid Land Records; thence leaving said common northeasterly corner of Parcel 1 and running so as to cross and include a portion of said Frederick Road, Maryland 355

1. North 40° 37' 53" East, 125.67 feet to a point on the northeasterly line of said Frederick Road, Maryland 355, said point also marking the southwesterly line of Betty Brown Casey, Trustee, recorded in Liber 9304 at Folio 343 among the aforesaid Land Records; thence running with said northeasterly line of Frederick Road and with the common line of said Betty Brown Casey, Trustee and with the common line of Montgomery County, Maryland, recorded in Liber 5369 at Folio 441 among the aforesaid Land Records, the following two (2) courses and distances
2. 363.99 feet along the arc of a non-tangent curve to the left, having a radius of 2804.79 feet and a chord bearing and distance of South 53° 05' 11" East, 363.74 feet to a point; thence
3. South 56° 48' 15" East, 207.55 feet to a point; thence leaving said northeasterly line of Frederick Road and running so as to cross and include a portion of said Frederick Road

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4. South 34° 50' 12" West, 137.55 feet to a point on the said southerly line of Frederick Road and also marking the common northwesterly deed line of Frederick Road Limited Partnership as recorded in Liber 13746 at Folio 746 among the aforesaid Land Records; thence leaving said southwesterly line of Frederick Road and running with the common line of said Frederick Road Limited Partnership, the following two (2) courses and distances
5. South 34° 50' 12" West, 649.86 feet to a point; thence
6. North 55° 10' 02" West, 726.21 feet to a point on the southeasterly line of Lot 3, Block B, Zetts Subdivision, recorded as Plat No. 1525 among the aforesaid Land Records; thence leaving said common line of Frederick Road Limited Partnership and running with the common line of said Lots 3 and 4, Zetts Subdivision and with a portion of Parcel 3, Hunt's Addition to Shady Grove, recorded as Plat No. 15074 among the aforesaid Land Records
7. North 32° 26' 32" East, 192.40 feet to a point; thence running with the common line of said Parcels 1 and 3, Hunt's Addition to Shady Grove
8. North 52° 22' 22" East, 500.49 feet to the point of beginning, containing 521,154 square feet or 11.96405 acres of land.

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 Services.

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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 October 4, 2021

A handwritten signature in blue ink, appearing to read "Sara Taylor-Ferrell", is written over a horizontal line.

Sara Taylor-Ferrell, City Clerk
City Clerk/Director of Council Operations