



CHARTER AMENDMENT RESOLUTION NO.: 1-25

**COUNCIL OF THE TOWN OF CHEVERLY, MARYLAND CHARTER AMENDMENT
RESOLUTION NO. 1-25 HOSPITAL HILL**

Introduced by: Town Council

Date Introduced:

First Reading:

Second Reading:

Date Adopted:

Date Effective:

A CHARTER AMENDMENT RESOLUTION OF THE TOWN COUNCIL OF CHEVERLY ENLARGING THE CORPORATE BOUNDARIES OF THE TOWN OF CHEVERLY BY ANNEXING INTO THE CORPORATE LIMITS OF THE TOWN OF CHEVERLY LANDS CONTIGUOUS AND ADJOINING TO THE TOWN'S EXISTING CORPORATE BOUNDARIES PROPERTY COMMONLY KNOWN AS HOSPITAL HILL, CONSISTING OF APPROXIMATELY 44.1867 ACRES OF LAND IN TOTAL LOCATED GENERALLY HOSPITAL HILL AKA THE OLD CHEVERLY HOSPITAL SITE.

RECITALS

WHEREAS, the Town of Cheverly (the "Town"), 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 Town of Cheverly has decided to enlarge and extend the corporate boundaries of the Town of Cheverly 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 Town of Cheverly:

See Exhibit A attached and incorporated herein by reference, and said property is owned by Prince George's County Government.

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

WHEREAS, the Annexation Area is depicted on the Exhibit of 44.1867 Acres of Land to be Annexed into the Corporate Boundary of the Town of Cheverly attached hereto as Exhibit A 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 Town of Cheverly 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 Town; 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 Town's boundaries or to be located within the Town's boundaries; and

WHEREAS, the Annexation Area is presently zoned for use of a commercial and residential development and the zoning and use of the Annexation Area will remain unchanged; and

WHEREAS, the Town of Cheverly deems it to be in the best interest of the Town and its occupants to annex the Annexation Area; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town of Cheverly in legislative session assembled that:

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

Section 2. The boundaries of the Town of Cheverly, 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 Town of Cheverly in Prince George's County, Maryland commonly referred to as Hospital Hill, consisting of 44.1867 acres of land all of which is described in Exhibit A, and which attachments are incorporated herein by reference, the same shall be and hereby is annexed into the Town, subject to the conditions and provisions set forth in the Annexation Resolution, such annexation to be known as "Hospital Hill".

Section 3. The Annexation set forth herein is subject to the following condition: None

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

Section 5. That the corporate boundaries of the Town 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 Town, and shall be taken and considered as part of the municipal corporation known as "The TOWN OF CHEVERLY"; and that all of the provisions of the laws of the State of Maryland and the Charter and Ordinances of the Town, 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 Town of Cheverly 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. Under Maryland law, public notice is not required for this annexation. A public notice shall specify that a public hearing will be held on this Resolution by the Town Council of Cheverly at 7:00 p.m. at the Town Hall, 6401 Forest Road, Cheverly, Maryland on the _____ day of _____ 2025.

Section 7. That the Town Clerk, shall submit 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 Town Council of Cheverly, unless within forty-five (45) days of the date of the enactment the Town 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 _____ day of _____, 2025, unless on or before the _____ day of _____, 2025, a Petition for Referendum on the Annexation Resolution is filed in writing with the Mayor or with the Town Administrative 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 be subject to real and personal property taxes as stated herein.

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 Mayor shall promptly register both the original boundaries and the new boundaries with the following agencies: The Chief Operating Officer; the Town Clerk, 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.

MICAH WATSON, MAYOR

CHRISTOPHER R. WADE, Councilmember

JOHN LEGLOAHEC, Councilmember

NICOLE BRYNER, Councilmember

DAVID TANSEY, Councilmember

CHARLY GARCES, Councilmember

AMY JEAN CHUNG FRY, Councilmember

ATTEST:

_____, Town Clerk

Approved for Legal Sufficiency:

Todd Pounds, Esq., Town Solicitor

Date: _____

DRAFT