

RESOLUTION NO. 2024-01

A RESOLUTION TO ANNEX CERTAIN LANDS OWNED BY THE COMMISSIONERS OF ST. MICHAELS, LOCATED ON BOUNDARY LANE, TOGETHER WITH A PORTION OF CERTAIN REAL PROPERTY OWNED BY THE STATE OF MARYLAND ABUTTING THE TOWN-OWNED PROPERTY TO THE EAST, AND A PORTION OF THE RIGHT OF WAY OF BOUNDARY LANE ABUTTING SAID TOWN-OWNED PROPERTY TO THE SOUTH, COLLECTIVELY COMPRISING 4.633 ACRES OF LAND, MORE OR LESS, INTO THE TOWN OF ST. MICHAELS.

WHEREAS, the Commissioners of St. Michaels (“the Town”) is authorized by the provisions of §4-401 *et. seq.* of the Local Government Article of the Maryland Annotated Code to expand the municipal boundary of the Town by annexing lands contiguous to and adjoining it, and

WHEREAS, by virtue of a deed from Environmental Concern Inc. to the Town, dated September 28, 2023 and recorded among the Land Records of Talbot County at Liber 3076, Folio 201, the Town owns the real property known as 201 Boundary Lane (“the Property”), more particularly described as Parcel 1952, Grid SM, Tax Map 201; and

WHEREAS, the Town wishes to annex that portion of the Property not heretofore within its boundaries, together with a portion of the Boundary Lane right-of-way and a portion of certain property belonging to the State of Maryland, collectively comprising 4.633 acres, (the “Annexation Area”), shown on a plat titled “ANNEXATION PLAT OF A PORTION OF THE LAND OF THE COMMISSIONERS OF ST. MICHAELS, TAX MAP 201, 1952, AND A PORTION OF THE LAND OF STATE OF MARYLAND AND A PORTION OF BOUNDARY LANE, IN THE SECOND ELECTION DISTRICT TALBOT COUNTY, MARYLAND” (the “Annexation Plat”), prepared by Fink, Whitten & Associates, LLC, dated December 7, 2023, Exhibit A to this Resolution; and

WHEREAS, the Annexation Area is described by metes and bounds in a description prepared by Fink, Whitten & Associates, LLC entitled “DESCRIPTION OF ANNEXATION 2024 THE COMMISSIONERS OF ST. MICHAELS AND A PORTION OF THE LAND OF STATE OF MARYLAND AND A PORTION OF BOUNDARY LANE IN THE SECOND ELECTION DISTRICT TALBOT COUNTY, MARYLAND”, dated December 7, 2023, Exhibit B to this Resolution.

WHEREAS, the Town is the owner of one hundred percent (100%) of the parcels with assessed value within the Annexation Area and there are no persons residing on the Annexation Area; and

WHEREAS, the Annexation Area is contiguous to and adjoining the Town’s existing boundaries and the annexation thereof will not create an enclave of unincorporated land.

NOW, THEREFORE, be it **RESOLVED**, by the Commissioners of St. Michaels:

Section 1. Modification of Town Boundaries. The corporate boundaries of the Town are hereby amended to include the Annexation Area.

Section 2. Zoning Classification. Concurrently with the introduction of this Resolution, the Town has introduced Ordinance No. 555 to apply a zoning classification of R-1 Residential to the Annexation Area, consistent with the current zoning of the portion of Boundary Lane Property that is already within the Town. The proposed R-1 Residential zoning classification permits land uses that are substantially different from the land uses allowed under the current Talbot County zoning classification and/or permits development in a substantially higher density exceeding 50% of the density allowed under the current Talbot County zoning classification applicable to the Annexation Property and therefore, pursuant to §4-416 of the Local Government Article of the Code, the classification of the Annexation Property in the R-1 Residential zoning district is contingent upon the consent of Talbot County prior to the effective date of Ordinance No. 555.

Section 3. Public Hearing and Public Notice. The Town has conducted a public hearing on this Resolution No. 2024-01 on April 24, 2024. Prior to the hearing, legally sufficient notice was published twice in *The Star Democrat* at intervals greater than one week, with the last publication occurring at least 15 days prior to the date of the hearing. In addition, the Town notified the following entities of the hearing and provided them with a copy of the legal notice and this Resolution, including its Exhibits:

- (a) the Talbot County Council;
- (b) the Talbot County Planning and Zoning Commission;
- (c) the Department of State Planning; and
- (d) the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

Section 4. Annexation Plan. The Town has by vote, approved an annexation plan for the Annexation Area and has provided the Maryland Department of Planning at least thirty days prior to the hearing on this Resolution.

Section 5. Registration of Boundaries. Within ten (10) days of the effective date of this Resolution, in accordance with the provisions of §4-414 of the Local Government Article of the Code, the Town shall promptly cause a copy of the Resolution with the new municipal boundaries to be sent to the Clerk of the Circuit Court for Talbot County, Maryland and the Maryland Department of Legislative Services.

Section 6. Effective Date. This Resolution shall become effective 45 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with §4-408 of the Local Government Article of the Code. In the event of such a petition, the Resolution shall become effective as of the date on which the results of a referendum election decided in favor of the annexation are certified. Should the voters in a referendum election reject the annexation, this Resolution shall be null and void upon the certification of said results. This Resolution shall be deemed "finally enacted" on the date on which the President of the Commissioners of St. Michaels signs it.

THIS RESOLUTION 2024-01 WAS PASSED by the following vote of the Commissioners of St. Michaels on the 22nd day of May, 2024.

Breimhurst ___ yay

Mercier ___ yay

Harrod ___ yay

Whittington ___ yay

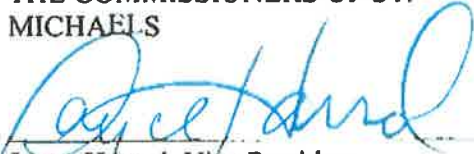
I HEREBY CERTIFY that the above Resolution was passed by a yea and nay vote of the Commissioners of St. Michaels on this 22nd day of May, 2024.

ATTEST:

THE COMMISSIONERS OF ST.
MICHAELS



Kristen Payne, Town Clerk

By 

Joyce Harrod, Vice President



FINK, WHITTEN & ASSOCIATES, LLC

Land Surveying • Land Planning • Environmental Consulting • Permitting
www.finkwhitten.com

504 Maryland Avenue
Cambridge, MD 21613
410-228-8885 phone
410-228-8845 fax

113 E. Dover Street
Unit C
Easton, MD 21601
410-822-8484 phone

December 20, 2023

LEGAL DESCRIPTION

of a portion of the lands of

THE COMMISSIONERS OF ST. MICHAELS

BEING KNOWN AS TAX MAP 201, PARCEL 1952

AND

STATE OF MARYLAND

AND

BOUNDARY LANE

FOR ANNEXATION TO THE TOWN OF ST. MICHAELS

in the second Election District, Talbot County, Maryland

BEGINNING AT A CONCRETE MONUMENT FOUND, SAID CONCRETE MONUMENT BEING THE NORTHEASTERN CORNER OF THE HEREIN DESCRIBED LAND; SAID CONCRETE MONUMENT ALSO BEING ON THE EXISTING TOWN OF ST. MICHAELS CORPORATE BOUNDARY AS SHOWN ON A PLAT ENTITLED "MAP OF TRICEFIELDS", PREPARED BY KASTENHUBER & ANDERSON, DATED NOVEMBER 1961, SUBDIVIDED JANUARY-FEBRUARY 1962, AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY IN PLAT BOOK 15, PAGE 87; SAID CONCRETE MONUMENT BEING ON THE LAND OF THE STATE OF MARYLAND (DEED REF.: LIBER 876, FOLIO 873); THENCE RUNNING AND BINDING ON THE SAID EXISTING TOWN OF ST. MICHAELS CORPORATE BOUNDARY:

(1) S 56°21'40" E A DISTANCE OF 201.20' TO A POINT, SAID POINT BEING ON THE NORTHWESTERN RIGHT OF WAY LINE OF BOUNDARY LANE, THE SAID BOUNDARY LANE HAVING A 50' WIDE RIGHT OF WAY; THENCE CONTINUING WITH THE SAID EXISTING TOWN OF ST. MICHAELS CORPORATE BOUNDARY AND RUNNING ACROSS THE SAID RIGHT OF WAY OF BOUNDARY LANE:

(2) S 56°21'40" E A DISTANCE OF 58.87' TO A POINT, SAID POINT BEING ON THE SOUTHEASTERN RIGHT OF WAY LINE OF THE SAID BOUNDARY LANE; THENCE LEAVING THE SAID EXISTING TOWN OF ST. MICHAELS CORPORATE BOUNDARY AND RUNNING AND BINDING ON THE SAID SOUTHEASTERN RIGHT OF WAY LINE OF BOUNDARY LANE:

(3) S 65°28'28" W A DISTANCE OF 875.29' TO A POINT; THENCE LEAVING THE SAID SOUTHEASTERN RIGHT OF WAY LINE OF BOUNDARY LANE AND RUNNING ACROSS THE SAID RIGHT OF WAY OF BOUNDARY LANE:

(4) N 07°48'52" W A DISTANCE OF 52.19' TO A CAPPED REBAR SET, SAID CAPPED REBAR BEING ON THE SAID NORTHWESTERN RIGHT OF WAY LINE OF BOUNDARY LANE, SAID CAPPED REBAR ALSO BEING ON THE EASTERN BOUNDARY LINE OF THE LAND OF MICHAEL PRIDY AND SHANNON PRIDY (DEED REF.: LIBER 2730, FOLIO 152; THENCE LEAVING THE SAID NORTHERN RIGHT OF WAY LINE OF BOUNDARY LANE AND RUNNING AND BINDING ON THE EASTERN BOUNDARY LINE OF THE SAID LAND OF MICHAEL PRIDY AND SHANNON PRIDY THE FOLLOWING TWO (2) COURSES AND DISTANCES:

(5) N 09°06'15" W A DISTANCE OF 215.96' TO A CAPPED REBAR FOUND; THENCE

(6) S 88°13'45" W A DISTANCE OF 161.19' TO A POINT, SAID POINT BEING ON THE AFORESAID EXISTING TOWN OF ST. MICHAELS CORPORATE BOUNDARY; THENCE LEAVING THE SAID LAND OF MICHAEL PRIDY AND SHANNON PRIDY AND RUNNING AND BINDING ON THE SAID EXISTING TOWN OF ST. MICHAELS CORPORATE BOUNDARY AND THROUGH THE LAND OF THE COMMISSIONERS OF ST. MICHAELS.:

(7) N 88°13'45" E A DISTANCE OF 650.15' TO A POINT, SAID POINT BEING ON THE SOUTHWESTERN BOUNDARY LINE OF THE AFORESAID STATE OF MARYLAND; THENCE LEAVING THE SAID LAND OF THE COMMISSIONERS OF ST. MICHAELS AND RUNNING THROUGH THE SAID LAND OF THE STATE OF MARYLAND:

(8) N 72°26'45" E A DISTANCE OF 170.23' TO THE POINT OF BEGINNING, SAID HEREIN DESCRIBED LAND CONTAINING AN AREA OF 4.633 ACRES, MORE OR LESS.

Prepared under my direct supervision in accordance with 09.13.03.08 and 09.13.03.12 of the Annotated Code of Maryland.

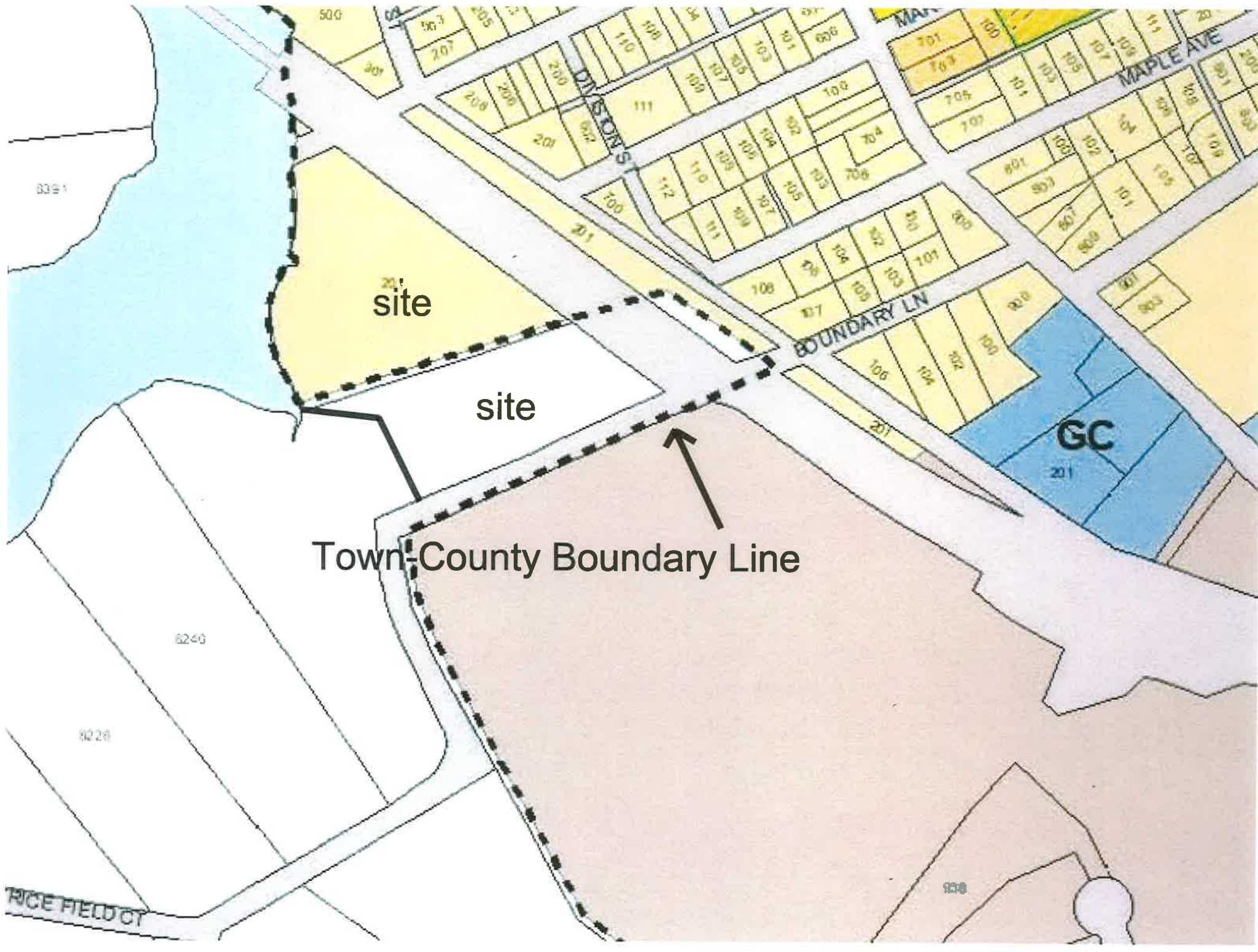


Steven W. Whitten

Professional Land Surveyor MD. 21326

Current License Expires / Renews: 1/8/2025





site

site

Town-County Boundary Line

GC

RICE FIELD CT

838

APG Media of Chesapeake, LLC

29088 Airpark Drive
Easton, MD 21601

05/05/24
3051988

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Proposed Annexation..." was published in the:

The Star Democrat 04/28/24
The Star Democrat 05/05/24



James F. Normandin
President & Publisher

**Public Notice
Public Hearing for
Proposed Annexation, Town of St. Michaels**

Resolution No. 24-01: The St. Michaels Town Commissioners will hold a public hearing on Wednesday, May 22nd at 5:00PM as part of their regular meeting to consider the proposed annexation area of 4.633 acres related to San Domingo Creek Park site which was acquired by the Town in 2023. The hearing will be at the Christ Church Parish House (Eherton Hall) at 103 Willow Street in St. Michaels, Maryland. A copy of the draft resolution and staff report is available for review in the Edgar M. Bosley, Jr. Building (Town Office), 300 Mill Street, Monday - Friday between the hours of 8:30 a.m. and 4:30 p.m. or on the town website at stmichaelsmd.gov.

3051988 SD

4/28, 5/5/2024