

**RESOLUTION NO. 2018-08**

**A RESOLUTION BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE TO ADOPT AN ANNEXATION PLAN ASSOCIATED WITH THE ANNEXATION OF 11.741 ACRES OF LAND, MORE OR LESS, INTO THE CORPORATE LIMITS OF THE TOWN OF PERRYVILLE.**

**WHEREAS**, Principio Iron Company, LP, is the owner of 11.741 acres, more or less, of real property situate and lying in the Seventh Election District of Cecil County, Maryland, located at Saint Marks Church Road, by virtue of a Quit Claim Deed dated May 1, 2013 and recorded among the Land Records of Cecil County, Maryland in Liber DWL 3438, folio 500 (“the Property”).

**WHEREAS**, the Property is depicted on a plat entitled, “BOUNDARY EXHIBIT A PRINCIPIO IRON COMPANY L.P.” dated 8/25/14, and prepared by Morris & Ritchie Associates, Inc., and described by metes and bounds dated May 14, 2018, and prepared by Morris & Ritchie Associates, Inc.; and


**WHEREAS**, Principio Iron Company, LP, has submitted a petition for the annexation of the Property into the corporate limits of the Town of Perryville; and

**WHEREAS**, the Mayor and Commissioners of the Town of Perryville desire to adopt an annexation plan as required by law for the Property proposed to be annexed into the corporate limits of the Town of Perryville. Now, therefore,

**BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE** that the Mayor and Commissioners hereby adopt the Annexation Plan attached to this Resolution and the terms and conditions contained therein.

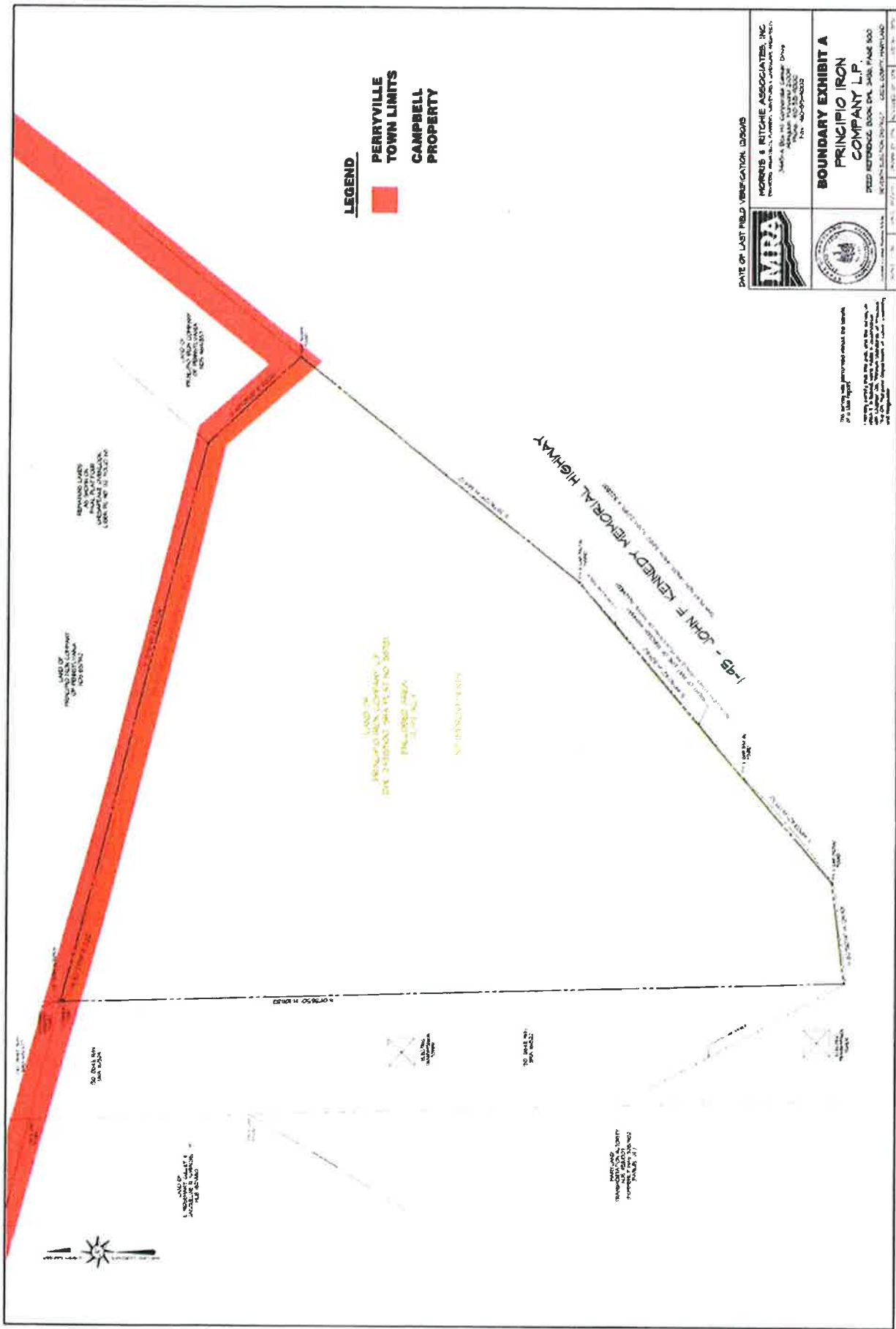
ATTEST:

BOARD OF COMMISSIONERS  
OF THE TOWN OF PERRYVILLE

  
Denise Breder,  
Town Administrator

By:   
Robert R. Ashby, Jr., Mayor

Date Approved: September 4, 2018



**LEGEND**

**PERRYVILLE  
TOWN LIMITS**

**CAMPBELL  
PROPERTY**



DATE OF LAST FIELD VERIFICATION 03/08/10



**MORRIS & RITCHE ASSOCIATES, INC.**  
 1000 WEST 10TH AVENUE, SUITE 100  
 WASHINGTON, DC 20004  
 PHONE: 202-331-1000  
 FAX: 202-331-1000  
 NY: 609-949-0000



**BOUNDARY EXHIBIT A**  
**PRINCIPAL IRON  
 COMPANY L.P.**  
 FIELD REFERENCE BOOK FOR 3481 PINE 000  
 1000 WEST 10TH AVENUE, SUITE 100  
 WASHINGTON, DC 20004

The survey was performed pursuant to the terms  
 of a 1000 Report  
 prepared for the use of the surveyor  
 and the client, and the surveyor  
 does not warrant the accuracy of the  
 information contained herein for any  
 other purpose.



# MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,  
AND LANDSCAPE ARCHITECTS



May 14, 2018

11.741 Acre Parcel of Land to be Annexed onto the Town of Perryville, Located on the Northwest Side of Interstate Route 95, Seventh Election District, Cecil County, Maryland.

BEGINNING for the same at a point distant North 30° 27' 59" East 3.22 feet from a monument heretofore planted on the east side of a 150-foot-wide right of way conveyed by and described in a deed from Samuel J. Ryan to Susquehanna Transmission Company of Maryland, dated July 8, 1932 and recorded among the Land Records of Cecil County, Maryland in Liber SRA 16, Folio 524, said point also being distant South 75° 31' 43" East 1.76 feet from a disturbed monument heretofore planted on the aforesaid east side of the said right of way and at the end of the seventh or North 68 degrees 32 minutes 22 seconds West 744.99 feet line of Parcel 5 described in Annexation Resolution – 91-1, effective October 22, 1991, said point also being in the N 75°30'37" W 744.32' line in the southwesterly outline of "Remaining Lands Principio Iron Company" as shown on the plat entitled "Final Plat 4, Chesapeake Overlook" and recorded among the said Land Records in Liber PC No. 1112, Folio 68, thence binding reversely on the said seventh line to its beginning and on the outline of the said plat, as now surveyed, with bearings referred to the Maryland Coordinate System (NAD'83/91),

1. South 75° 31' 43" East 742.24 feet, thence continuing to bind on the outline of the aforesaid plat,
2. South 43° 05' 05" East 163.36 feet to a bent rebar heretofore set and to intersect the northwest right of way line of Interstate Route 95, John F. Kennedy Memorial Highway as shown on SHA Plat Nos. 14903, 14904, 52182, 52183, 52185, and 52283, thence binding thereon, four courses, viz:
3. South 38° 30' 29" West 464.12 feet to a pin and "MDTA" cap heretofore set,
4. South 49° 40' 42" West 329.62 feet to a pin and "MDTA" cap heretofore set,
5. South 49° 03' 42" West 177.70 feet to a pin and "MDTA" cap heretofore set, and
6. South 82° 50' 14" West 129.93 feet to a point and to intersect the east side of a 150-foot-wide right of way conveyed by and described in a deed from G. Ralph Campbell and Mary E. Campbell, his wife, to Susquehanna Transmission Company of Maryland, dated June 30, 1932 and recorded among the aforesaid Land Records in Liber SRA 16, Folio 522, thence binding thereon,
7. North 01° 36' 50" West 1011.52 feet to the first mentioned monument and to intersect a severed parcel of land now or formerly owned by the aforesaid Samuel J. Ryan, thence binding thereon and leaving the aforesaid right of way,
8. North 30° 27' 59" East 3.22 feet to the place of beginning.

3445-A Box Hill Corporate Center Drive, Abingdon, MD 21009 (410) 515-9000 Fax: (410) 515-9002 www.mragta.com

Abingdon, MD + Baltimore, MD + Laurel, MD + Towson, MD + Georgetown, DE + New Castle, DE + Sterling, VA + Raleigh, NC  
(410) 515-9000 (410) 935-5050 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 674-0161 (984) 200-2103

11.741 Acre Parcel of Land to be Annexed onto the Town of Perryville

May 14, 2018

Page 2 of 2

CONTAINING 11.741 acres of land, more or less.

BEING the same and all the land conveyed by and described in a deed from the Maryland Transportation Authority, an agency of the State of Maryland to Principio Iron Company L.P., dated May 1, 2013 and recorded among the Land Records of Cecil County, Maryland in Liber DWL 3438, Folio 500; BEING ALSO all of the land shown on Maryland Transportation Authority Plat No. 58781, Revised 07-14-11.



(Current License Expires 5/2/20)

PETITION FOR ANNEXATION  
OF  
11.741 ACRES, MORE OR LESS,  
INTO  
THE TOWN OF PERRYVILLE

Pursuant to §4-404(a) of the Local Government Article of the Annotated Code of Maryland, Petitioner, Principio Iron Company, LP, a Pennsylvania Limited Partnership (“Petitioner”), does hereby petition the Mayor and Board of Town Commissioners of the Town of Perryville, Maryland (“Town”) to annex certain real property into the corporate limits of the Town. In support of this Petition, Petitioner states:

1. The real property that is the subject of this Petition (“Property”) is immediately south of existing municipal boundaries of the Town and consists of approximately 11.741 acres. The Property is located north of U.S. Interstate 95 and is bounded to the north by the Hollywood Casino property (aka Chesapeake Overlook), by Interstate 95 to the south and east and Maryland Transportation Authority’s property to the west. The Property is further identified on Cecil County’s tax map as Tax Map 29, Block 15, parcel 733 and more particularly described by metes and bounds, courses and distances, in the Annexation Plat attached hereto and made a part hereof, and depicted on the Boundary Survey Plat attached hereto as Exhibit A. The Property is located in Election District 7.

2. The Property is contiguous to and adjoining the corporate area of the Town. Annexation of the Property will not create an unincorporated area that is bounded on all sides by real property not presently within the Town limits or real property proposed to be within the Town as a result of the proposed annexation, or any combination of any such properties.

3. The designated representative of the Petitioner, who shall serve as a contact person for the purpose of receiving notices from the Town, and requests for further information

is: Charles R. Schaller, Esq., Linowes and Blocher, LLP, One Park Place, Suite 585, Annapolis, Maryland 21401, 443-949-3793.

4. The 11.741 ± acre Property is owned by Principio Iron Company, LP. The Petitioner owns one hundred percent (100%) of the assessed value of the Property to be annexed. No persons reside on the property.

5. The Property is currently classified in the Suburban Transitional Residential (ST) Zoning District in Cecil County, Maryland and is shown as medium density growth area in the Cecil County Comprehensive Plan. The Town's Comprehensive Plan, effective January 2010, shows the Property as being located within the Town's Planned Growth Area. (Comp. Plan Chapter Three – Municipal Growth Element p. 58).

6. Concurrent with annexation, Petitioner seeks classification of the Property in the Town's C-2 Highway Commercial Zoning District. Therefore, subject to all appropriate laws and administrative requirements, on the Effective Date of the Annexation Resolution, Petitioner requests the Property be zoned by the Town, simultaneously at the time of annexation, to the C-2 Highway Commercial Zone designation. The Petitioner requests the Town to cooperate in all regards and make all reasonable efforts to support, grant, and approve said zoning classification and the requested annexation, including, cooperating with the Petitioner to seek the express consent and approval of the County Council of Cecil County, Maryland, for the requested zoning designation.

7. The Property is already within the designated area for wastewater and water service extension as set forth in the Town's Comprehensive Plan and Master Water and Sewer Plan. Annexation will allow for the subject property's connection to the Town's existing water and wastewater system, but will not require additional public services not already provided by

the Town (as set forth more particularly in the Annexation Application); no new sources of public water or sewer are needed to serve the development of the Property beyond the existing and planned facilities. Wastewater discharges will be to the Perryville Wastewater Treatment Plant. A review of the URS Summary Report for the Addition of Chesapeake Lighthouse CEMUD shows there is capacity within the Town's system.

8. Petitioner desires to negotiate an annexation agreement (or proposed Resolution) with the Town outlining certain conditions relating to the Property and the ultimate development of the Property in the C-2 Highway Commercial district. The Petitioner requests that the Town not require the Petitioner, the owners, or developer of the Property, individually or collectively, to provide any off-site improvements as a condition of the Annexation sought by this Petition, unless otherwise provided herein or required by written agreement between the Town and the Petitioner, the owners or developer of the Property, and otherwise as may be provided by law.

9. The Petitioners will pay the costs of the Annexation Petition and Annexation Resolution introduced by the Town, including any required advertising costs and all other costs agreed to in the Professional Services Agreement between Petitioner and the Town.

10. Extension of sanitary sewer, water, storm drain lines, streets, curbs, and other public improvements typically provided by the Town within the area to be annexed, to the extent allowed by law and unless provided otherwise by the Annexation Resolution, or by some other written agreement, shall be at the expense of the Petitioner and shall be at no cost to the Town or County. Provided such extensions are requested under the terms outlined above, Petitioner requests that the Town provide water service to the Property and make a water allocation to the Property. Petitioner expects that public sanitary sewer service will be provided by the Town and it will be necessary for the Petitioners to obtain such sanitary sewer service from the Town.

Water connection fees will be paid by the Petitioners (or their successors or assigns) to the Town, and necessary water construction drawings will be submitted to the Town for review and approval. Sewer connection fees will be paid by the Petitioners (or their successors or assigns) to the Town, and sewer construction drawings will be submitted to the Town for review and approval.

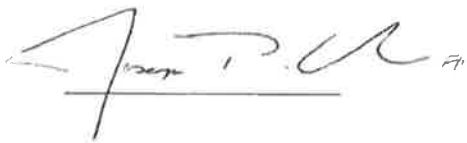
11. Petitioner reserves the right to withdraw this Petition at any time, without liability to the Town (except for public notice advertising expenses and other costs and expenses for which Petitioner is liable under the Professional Services Agreement). Petitioner may elect to terminate this Petition at any time prior to the Mayor and Board of Town Commissioner's final vote on the Annexation Resolution.

12. In support of this Petition, Petitioner submits the following exhibits:

Exhibit A: Annexation Plat of Property and Boundary Survey of Property with a Metes and Bounds description

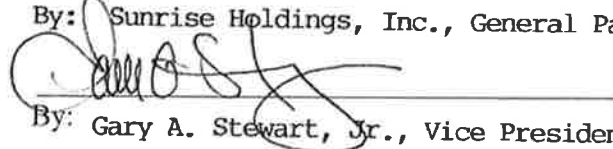
WHEREFORE, the Petitioner respectfully requests that the Mayor and Board of Town Commissioners for The Town of Perryville initiate all steps necessary for final enactment of a Resolution annexing the Property into the corporate boundaries of The Town of Perryville in accordance with the terms of this Petition.

WITNESS:



Principio Iron Company, LP

By: Sunrise Holdings, Inc., General Partner



By: Gary A. Stewart, Jr., Vice President

PETITIONER



# Annexation Plan – Campbell Property

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The parcel under consideration for Annexation by the Town of Perryville consists of approximately 12 acres and is essentially an island bounded by the Chesapeake Overlook property (including the casino), the BG and E right of way to the west and I-95 to the south. This land was acquired from the Maryland Transportation Authority as a surplus parcel and is the only remaining contiguous unincorporated land in the sector. It is noted as a “Municipal Priority Funding Area” on Map 3.2 of the Cecil County Comprehensive Plan and Map 3.3 of that document describes it as a Medium Density Growth Area in the Growth Corridor.

As an incidental piece of the Chesapeake Overlook property, the expectation is that the parent parcel will simply absorb the development of the property by spreading out the existing development plan and will not require any additional demands on utilities than those already planned. Any extension of services required by the parcel will be privately financed by the owner at the time of development. Specifically, the following comments are offered:

**Land Use Patterns** – The Property is currently zoned TR in the County which is a Town transition zone whereby development must be consistent with the Perryville Comprehensive Plan. The requested zoning is C-2 (Commercial) which would allow for a full range of commercial usage and at some point in the future might be combined with a CEMUD overlay for consistency with the adjoining parcel.

**Availability of Public Facilities** – All facilities are currently available on the adjoining parcel.

**Municipal Services** – All services will be funded by the applicant at the time of development.

**Schools and Libraries** – The property will not utilize those services.

**Recreation/Open Space** – The property will not utilize those services.

**Roads** – Will be extended by the developer as necessary and be private.

**Fire and Police** – Fire station is nearby and police protection is available from the town, county and Maryland Transportation Authority.

**Consistency with Municipal Growth Element** – The Perryville Comprehensive Plan outlines the growth expectations and capacity allowances for future growth. Annexations must determine that they fit within those allowances. The subject property is intended for commercial development, not residential. Within the C-2 district there is no specific prescription for commercial growth. The annexation of the subject parcel will extend an existing commercial town parcel. Its nature is to spread the commercial use to the I – 95 frontage and is not intended to require any additional services. Therefore, the annexation is consistent with the municipal growth element of the Comprehensive Plan.