

**COUNCIL OF THE CITY OF ABERDEEN
CHARTER AMENDMENT RESOLUTION NO. 11-CR-02**

Introduced By:	Mayor Michael E. Bennett
Date Introduced:	February 28, 2011
Public Hearing:	April 11, 2011
Date Adopted:	
Date Effective:	

CHARTER AMENDMENT RESOLUTION NO. 11-CR-02

**RESOLUTION OF THE CITY OF ABERDEEN TO
AMEND SECTION III OF THE CHARTER OF THE
CITY OF ABERDEEN TO EXTEND THE
CORPORATE BOUNDARIES AND TO DESIGNATE
THE ZONING CLASSIFICATION OF THE LAND
BEING ANNEXED.**

1 A Resolution of the City of Aberdeen, adopted pursuant to the authority of
2 Article XI-E of the Constitution of Maryland and Section 19 of Article 23A of the
3 Annotated Code of Maryland, 1957, (2005 Replacement Volume), entitled “Corporation,
4 Municipal,” subtitle “Home-Rule,” subheading “Annexation,” to enlarge the corporate
5 boundaries of the City of Aberdeen by amending the Public Local Laws of Maryland by
6 modifying Section III(a), Corporate Limits of the Charter of the City of Aberdeen, to
7 annex to said corporate boundaries the following areas, contiguous to and adjoining the
8 present corporate boundaries of the City of Aberdeen, being all of those pieces, parcels or
9 tracts of land more particularly described hereinafter in a metes and bounds description
10 attached hereto and incorporated herein as Exhibit A . Also attached hereto and made a
11 part hereof as Exhibit B is a plat entitled, “Plat to Accompany Description of Land to be

1 Annexed in the City of Aberdeen”, made by Morris & Ritchie Associates, Inc. and dated
2 October 7, 2010.

3 **WHEREAS**, the owners of the property herein described in Exhibit A, i.e., the
4 Petitioner, Aberdeen Technology Campus, LLC, and the individual owners of certain lots
5 shown on a plat entitled, “Development on Bel-Air Avenue, Part of Kammerer Farm”
6 and recorded in the Land Records of Harford County in Liber DGW 201, folios 192 and
7 193, as follows: Lots 7 & 8 - Herman D. Moxley & Christine S. Moxley, Lots 9 & 10 -
8 Stephen Bilka & Betty Bilka, Lots 11 & 12 - Dennis Wilder & Laura Wilder, and Lot 13
9 - Raymond H. Hysell & May M Hysell; all of whom agreed to have their property
10 annexed; and to that end requested or consented that the City of Aberdeen, by a Petition
11 for Annexation, Amended Petition for Annexation and Second Petition for Annexation
12 (collectively the “Petition”), consider annexation of said lands to be included within the
13 Corporate Limits of the City of Aberdeen. Also included in the Petition, and included
14 herein, are the properties known and being part of the right of way of Churchville Road,
15 Maryland Route 22, as shown on State Roads Commission Plats Nos. 9696 and 9697; and
16 all of the 16-foot alley, and all of the 30-foot road as shown on a plat entitled,
17 “Development on Bel-Air Avenue, Part of Kammerer Farm” and recorded in the Land
18 Records of Harford County in Liber DGW 201, folios 192 and 193, owned by the
19 unknown heirs of William E Ferguson, and also particularly described in Exhibit A. The
20 Petition was accepted by the City. The properties to be annexed are located to the north
21 and south of Churchville Road – Maryland Route 22 and adjacent thereto, and are
22 generally located east of the intersection of Churchville Road – Maryland Route 22 and

1 Aldino-Stepney Road. The properties to be annexed collectively contain a total acreage
2 of 28.848 acres, more or less.

3 **WHEREAS**, as required by Section 19(b)(1) of Article 23A of the Annotated
4 Code of Maryland, the consent for the proposal has been received from not less than 25
5 percent of the persons who reside in the area to be annexed and who are registered voters
6 in Harford County elections and from the owners of not less than 25 percent of the
7 assessed valuation of the real property located in the area to be annexed; and

8 **WHEREAS** the consents have been verified by the Mayor and Council of the
9 City and meet the requirements of the law.

10 **NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of
11 the City of Aberdeen, that the corporate boundaries of the City of Aberdeen be and the
12 same are hereby enlarged by adding or annexing thereto the areas contiguous to and
13 adjoining the present corporate boundaries as particularly described in the metes and
14 bounds survey property description prepared by Morris & Ritchie Associates, Inc.
15 entitled, Exhibit A, October 7, 2010, 28.848 Acre Parcel Description to Accompany
16 Annexation Resolution”, set forth hereinafter in this Resolution as a part hereof and
17 incorporated herein. Also attached hereto and made a part hereof, as Exhibit B, is a plat
18 prepared by Morris & Ritchie Associates, Inc. entitled, “Plat to Accompany Description
19 of Land to be Annexed into the City of Aberdeen”.

20 **AND BE IT FURTHER RESOLVED**, that the conditions and circumstances
21 applicable to the change in the said corporate boundaries and to the residents and the
22 property in the area so annexed are as follows:

1 (a) That the persons residing in the area to be annexed and the owners of all
2 property therein, shall be generally subject to the provisions of the Charter and Code of
3 the City of Aberdeen.

4 (b) That the designation of the zoning classification of the land of Aberdeen
5 Technology Campus, LLC lying within the area herein described and hereby annexed,
6 shall be Integrated Business District (IBD), as described in the Code of the City of
7 Aberdeen, and shall be subject to all provisions and conditions of said Code, including
8 but not limited to those which are applicable to the Integrated Business District.

9 (c) That the designation of the zoning classification of all of the remaining lands
10 lying within the area herein described and hereby annexed, shall also be zoned Integrated
11 Business District (IBD) as described in the Code of the City of Aberdeen, and shall be
12 subject to all provisions and conditions of said Code, including but not limited to those
13 which are applicable to the Integrated Business District.

14 **AND BE IT FURTHER RESOLVED**, in accordance with Section III (a) of the
15 Charter of the City of Aberdeen, the description of the Corporate Boundaries of the City
16 of Aberdeen is hereby amended by adding the above-described property to the Corporate
17 Limits of the City of Aberdeen.

18 **AND BE IT FUTHER RESOLVED**, that this Resolution shall become effective
19 at the end of forty-five (45) days following its final enactment provided that no Petition
20 for Referendum hereon shall have been filed as permitted by law.

COUNCIL OF THE CITY OF ABERDEEN

Michael E. Bennett, Mayor

Ruth E. Elliott, Councilwoman

Bruce E. Garner, Councilman

Sandra J. Landbeck, Councilwoman

Ruth Ann Young, Councilwoman

ATTEST:

SEAL:

Monica A. Correll, City Clerk

Date _____

EXHIBIT A
METES AND BOUNDS DESCRIPTION
TO ACCOMPANY
CITY OF ABERDEEN ANNEXATION
CHARTER AMENDMENT
NO. 11-CR-02.

EXHIBIT A

October 7, 2010

28.848 Acre Parcel Description to Accompany Annexation Resolution.

BEGINNING for the same at a point at the end of the fifty-first or North 64° 09' 08" West 809.96 foot line of Resolution No. 651-04, Charter Amendment No. 75 to the Charter of the City of Aberdeen, said point also being in the northerly outline of a 16-foot wide alley and at the southeast corner of Lot 18 as shown on a plat entitled "Development on Bel-Air Avenue, Part of Kammerer Farm" and recorded among the Land Records of Harford County, Maryland in Liber DGW 201, Folios 192 and 193, said point also being at the end of the N 64° 10' 18" W 810.10' line of the 116.742 Acre Parcel shown on a plat entitled "Survey Plat Lands of The Trustees of Mt. Zion United Methodist Church" and recorded among the said Land Records in Plat Book CGH. 93, Folio 86, thence leaving the said Lot 18, binding reversely on the said fifty-first line, binding on the outline of the secondly mentioned plat, and binding on the said northerly outline of the said alley, with bearings referred to the Maryland Coordinate System (NAD'83/91),

1. South 64° 09' 08" East 809.96 feet to a "CNA" pin and cap heretofore set at the intersection of the said northerly side of the said alley with the westerly side of a 30-foot road as shown on the first-mentioned plat, thence binding on the said westerly side of the said road, binding reversely on the fiftieth line of the aforesaid Charter Amendment No. 75, and continuing to bind on the outline of the secondly-mentioned plat,
2. North 25° 43' 29" East 466.78 feet to a "CNA" pin and cap heretofore set, thence crossing the northerly end of the said 30-foot road, binding reversely on part of the forty-ninth line of the aforesaid Charter Amendment No. 75, and continuing to bind on the outline of the secondly-mentioned plat,
3. South 64° 41' 09" East 30.00 feet to a point at the northwest corner of a plat entitled "Survey Plat - Lands of Roy H. Dean & Anna V. Dean" and recorded among the aforesaid Land Records in Liber 1121, Folio 0762, thence leaving the aforesaid forty-ninth line and the secondly-mentioned plat, and binding on the easterly side of the last-mentioned road and on the westerly side of the last-mentioned plat,
4. South 25° 43' 29" West 467.06 feet to the intersection of the easterly side of the aforesaid 30-foot road with the northerly side of the first-mentioned alley, thence binding thereon and on the southerly side of the last-mentioned plat,
5. South 64° 09' 08" East 660.56 feet to a point at the northeast corner of the said alley and the southeast corner of the last-mentioned plat, said point being in the westerly outline of the land conveyed by and described in a deed from Margaret D. Travers to Rose Elaine Travers, dated March 10, 1988 and recorded among the aforesaid Land Records in Liber 1459, Folio 0209, thence leaving the outline of the last-mentioned plat, crossing the east end of the first-mentioned alley, and binding on the said westerly outline of the Travers land,

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6. South 34° 06' 14" West 16.17 feet to the southeast corner of the said alley, thence leaving the aforesaid Travers land and binding on the southerly side of the said alley and on the northerly outline of Lots 17 through 14 as shown on the first-mentioned plat,
7. North 64° 09' 08" West 428.20 feet to the rear common corner of the aforesaid Lot 14 and Lot 13 as shown on the first-mentioned plat, thence leaving said alley and binding on the division line between the said Lots 13 and 14,
8. South 25° 43' 29" West 176.56 feet to the (now) front common corner of the aforesaid Lots 14 and 13 and to intersect the northerly right of way line of Churchville Road, Maryland Route 22, 80-feet wide, as shown on State Roads Commission Plat No. 9696, thence leaving the aforesaid Lot 13, running through and across Lot 14 and part of Lot 15 as shown on the first-mentioned plat, and binding on the said northerly right of way line of the said Churchville Road,
9. South 64° 09' 40" East 149.96 feet, thence leaving the aforesaid Lot 15 and crossing the said Churchville Road,
10. South 25° 50' 20" West 80.00 feet to a "KLS" pipe and cap heretofore set in the southerly right of way line of the said Churchville Road and at the beginning of the fourteenth or South 29° - 28' - 15" West 696.35 foot line of a deed from Davis Properties Limited Partnership to Quadriga I, LLC, dated May 29, 1997 and recorded among the aforesaid Land Records in Liber 2528, Folio 0634, said pipe and cap also being in the third or South 37° 13' West 706.53 foot line of a deed from Virginia R. Davis and W. Lester Davis, her husband, to Baker Cemetery Company of Harford County, dated February 25, 1946, and recorded among the aforesaid Land Records in Liber 294, Folio 219, thence leaving the said Churchville Road, binding on the said fourteenth line, and binding on the remainder of the said third line,
11. South 29° 29' 37" West 696.39 feet to a "KLS" pipe and cap heretofore set and to intersect the northerly outline of Lot 1 as shown on a plat entitled "Final Plat 1, Maryland Transportation Authority Property" and recorded among the aforesaid Land Records in Plat Book CGH 104, Folio 87, thence leaving the last mentioned third line, binding on the first line of the aforesaid deed to Quadriga I, LLC, and binding on part of the northerly outline of the said Lot 1,
12. North 72° 23' 32" West 690.48 feet to a 1/4" iron pin heretofore set at the northwest corner of the aforesaid Lot 1, said pin also being at the end of the third or South 65 degrees 30 minutes East 261.50 foot line of a deed from Esther Elizabeth Mann to Marshall S. Sweatt and Debby A. Sweatt, his wife, dated July 28, 2000 and recorded among the aforesaid Land Records in Liber 3336, Folio 0341, thence leaving the aforesaid Lot 1, binding reversely on the third, second and first lines of the last mentioned deed, and binding on the second, third and fourth lines of the aforesaid Quadriga I, LLC deed, three courses, viz:
13. North 73° 38' 34" West 261.50 feet to an iron pipe heretofore set,
14. North 73° 43' 02" West 229.08 feet to an iron pipe heretofore set, and

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15. North 73° 43' 02" West, continuing the same course, 21.90 feet to a point in or near the center of Aldino-Stepney Road, thence running in or near the center of the said road and binding on the fourth through eight lines of the aforesaid Quadriga I deed, three courses, viz:
16. North 27° 52' 55" East 20.00 feet to a point of curvature,
17. By a tangent curve to the left with a radius of 668.00 feet and an arc length of 172.55 feet, said curve being subtended by a chord bearing North 20° 28' 56" East 172.07 feet, to a point of tangency, and
18. North 13° 04' 56" East 538.71 feet, thence leaving the said road, binding on the ninth and tenth lines of the aforesaid Quadriga I deed, and in part binding on the second or south forty degrees seventeen minutes east sixty-four and forty-six one-hundredths foot line of a deed from Robert G. Davis and Ruth M. Davis, his wife, to Robert Bernelle Cox and Pauline Elizabeth Cox, his wife, dated December 16, 1960 and recorded among the aforesaid Land Records in Liber 563, Page 585,
19. South 53° 41' 05" East, passing over an iron pipe heretofore set at a distance of 16.65 feet, 81.05 feet to an iron pipe heretofore set at the end of the last mentioned second line, thence binding on the third line of the last mentioned deed and binding on the eleventh line of the Quadriga I deed,
20. North 25° 18' 12" East 178.51 feet to an iron pipe heretofore set at the end of the aforesaid third and eleventh lines and to intersect the southerly right of way line of the aforesaid Churchville Road as shown on State Roads Commission Plat No. 9697, thence crossing the said Churchville Road,
21. North 28° 22' 37" East 80.00 feet to a point and to intersect the northerly right of way line of the aforesaid Churchville Road, thence binding on the said right of way line and running through and across Lots 2 through 6 as shown on the first-mentioned plat, two courses, viz:
22. By a non-tangent curve to the left with a radius of 1869.86 feet and an arc length of 83.19 feet, said curve being subtended by a chord bearing South 62° 53' 51" East 83.18 feet, to a point of tangency, and
23. South 64° 09' 40" East 388.39 feet to a point at the (now) front common corner of the aforesaid Lot 6 and Lot 7 as shown on the first-mentioned plat, thence leaving the aforesaid Churchville Road and binding on the division line between the said Lots 6 and 7,
24. North 25° 43' 29" East 176.66 feet to a point at rear common corner of the aforesaid Lots 6 and 7 and to intersect the southerly side of the first-mentioned alley, thence binding on the said southerly side of the first-mentioned alley and on the northerly outline of Lots 6 through 1 as shown on the first-mentioned plat,

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25. North 64° 09' 08" West 602.82 feet to a point on the easterly side of the aforesaid Aldino-Stepney Road, said point being at the southwest corner of the aforesaid alley and at the northwest corner of the aforesaid Lot 1 of the first-mentioned plat, thence crossing the said alley and running on the easterly side of the said road,
26. North 24° 31' 03" East 16.00 feet to a point at the northwest corner of the aforesaid alley and at the southwest corner of the aforesaid Lot 18 of the first mentioned plat, thence leaving the aforesaid Aldino-Stepney Road and binding on the northerly side of the said alley and the southerly side of the said Lot 18,
27. South 64° 09' 08" East 197.59 feet to the place of beginning.

CONTAINING 28.848 acres of land, more or less.

BEING all of the land conveyed by and described in a deed from Davis Properties Limited Partnership to Quadriga I, LLC (now known as Aberdeen Technology Campus, LLC and formerly also known as Harford County Science and Technology Campus LLC), dated May 29, 1997 and recorded among the Land Records of Harford County, Maryland in Liber 2528, Folio 0634; BEING ALSO part of the right of way of Churchville Road, Maryland Route 22, as shown on State Roads Commission Plat Nos. 9696 and 9697; BEING ALSO all of the 16-foot alley, all of the 30-foot road and all of Lots 7, 8, 9, 10, 11, 12, and 13 as shown on a plat entitled "Development on Bel-Air Avenue, Part of Kammerer Farm" and recorded among the said Land Records in Liber DGW 201, Folios 192 and 193.

This description is based partly on a field survey performed by Morris & Ritchie, Associates, Inc. and partly compiled from deeds and plats of record and other sources.

EXHIBIT B
 PLAT
 TO ACCOMPANY
 CITY OF ABERDEEN ANNEXATION
 CHARTER AMENDMENT
 NO. 11-CR-02.

