



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item No. 3
Date: 2/2/2017

Kline and Allcock Properties, Town of Laytonsville Annexation No. AXR-1

JP

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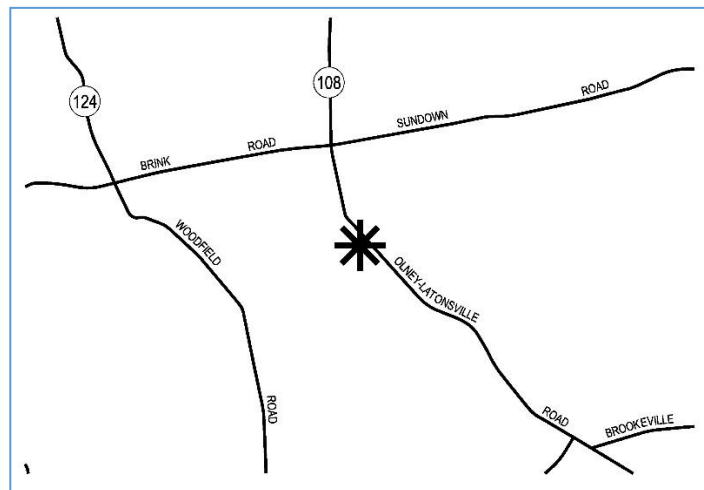
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Staff Report Date: 1/26/17

Description

Laytonsville, Annexation No. AXR-1

- Request to annex five properties into the Town of Laytonsville and rezone the parcels from the County's R-200 Zone to the Town of Laytonsville's C1 Zone
- Located at 6720, 6800, 6810, 6812, and Parcel B (no address) Olney-Laytonsville Road (MD 108) in Laytonsville, MD, within the area of the 2004 *Upper Rock Creek Master Plan*
- Filed: December 9, 2016
- Applicant: Town of Laytonsville
- Action required for the Town of Laytonsville: Approval of Annexation Resolution; approval of Ordinance to rezone the properties, and authorization for the Mayor to sign the Annexation Agreement



Staff Recommendation: *Approval to Transmit Comments to the Town of Laytonsville and the Montgomery County Council*

Summary

State law requires municipalities that annex land to provide the County Council and the Planning Board notice of public hearings on the annexation, the annexation resolution, and the annexation plan. State law also requires the Council to approve the municipality's proposed zone under the annexation if that zone permits land uses or densities substantially different from those allowed in the county prior to annexation. Although the law does not explicitly require it, the Planning Board provides the Council with a recommendation on whether the zones proposed by the annexation require Council approval.

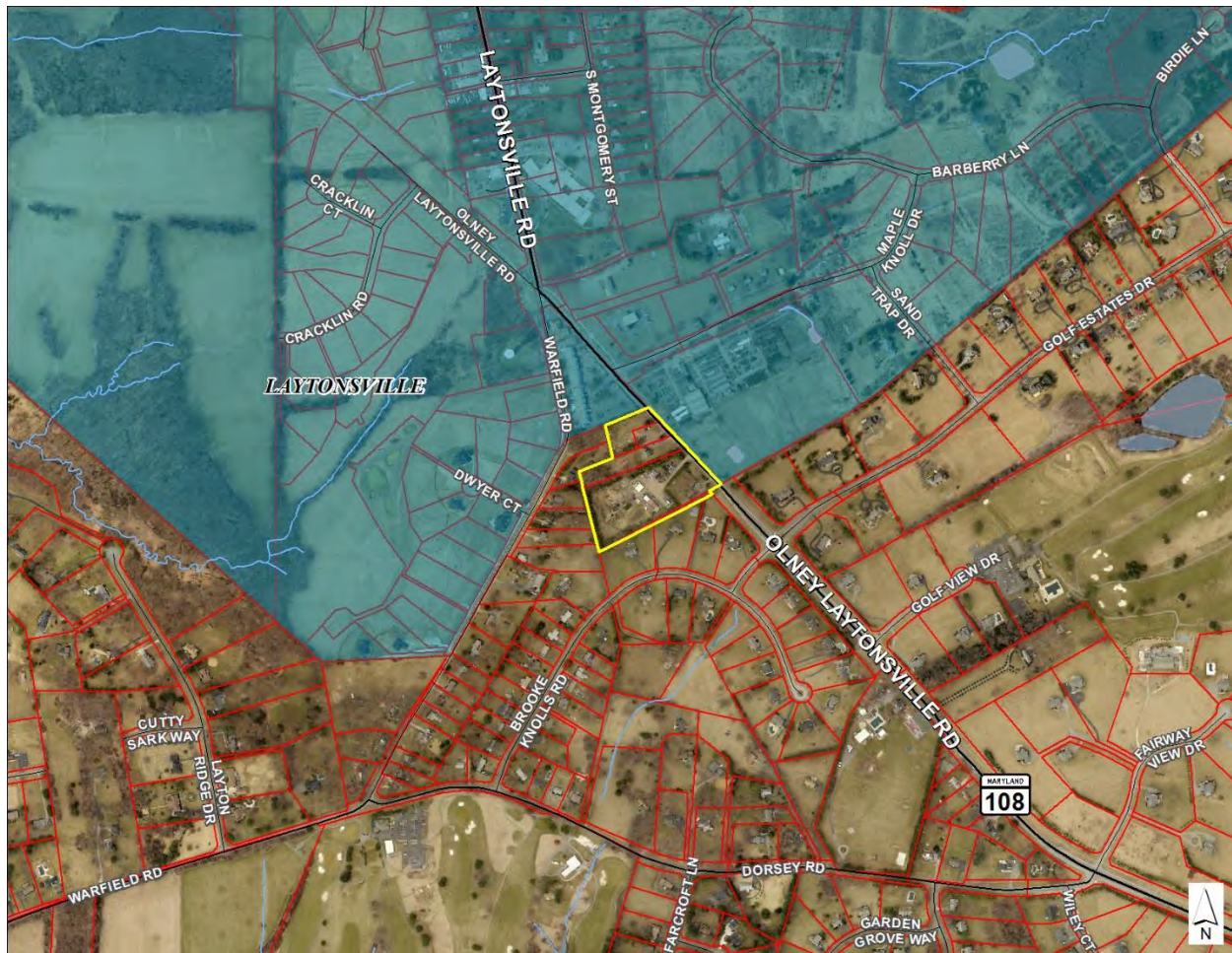
Technical staff recommends approval to transmit the following comment to the Town of Laytonsville and the Montgomery County Council:

1. The Town of Laytonsville need not refer the Petition to the Montgomery County Council for its review or approval. Although the Petition proposes a zoning change to the City's C1 Commercial Zone, which allows uses that are inconsistent with those allowed in the R-200 zone currently in place, the Annexation Resolution, Ordinance and the Annexation Agreement between the Town of Laytonsville and the petitioners limits development on the annexed land to only uses and densities allowed in the County's R-200 zone for five years after annexation. Any change to those restrictions would require County Council Approval.

BACKGROUND AND LOCATION

The Site of the proposed annexation is located on Olney-Laytonsville Road (MD 108) about 1,000 feet south of Warfield Road in Laytonsville. The properties included in the annexation request are located at 6720, 6800, 6810, and 6812 Olney-Laytonsville Road; one small unaddressed outlot adjacent to 6720 Olney-Laytonsville Road is also included in the request. Three of the properties are owned by Brian and Cristin Kline and two of the properties are owned by Shannon and Ann Allcock. The Site is part of the Upper Rock Creek planning area and is included in the 2004 *Upper Rock Creek Master Plan*. The Site consists of four unrecorded parcels and one recorded outlot, totaling 7.6376 acres. No right-of-way (ROW) adjacent to the properties is included in the annexation request because the Site shares a border with the existing Laytonsville boundary; there is no dedicated ROW between the site and the existing Town border. Figure 1 shows the site and its vicinity.

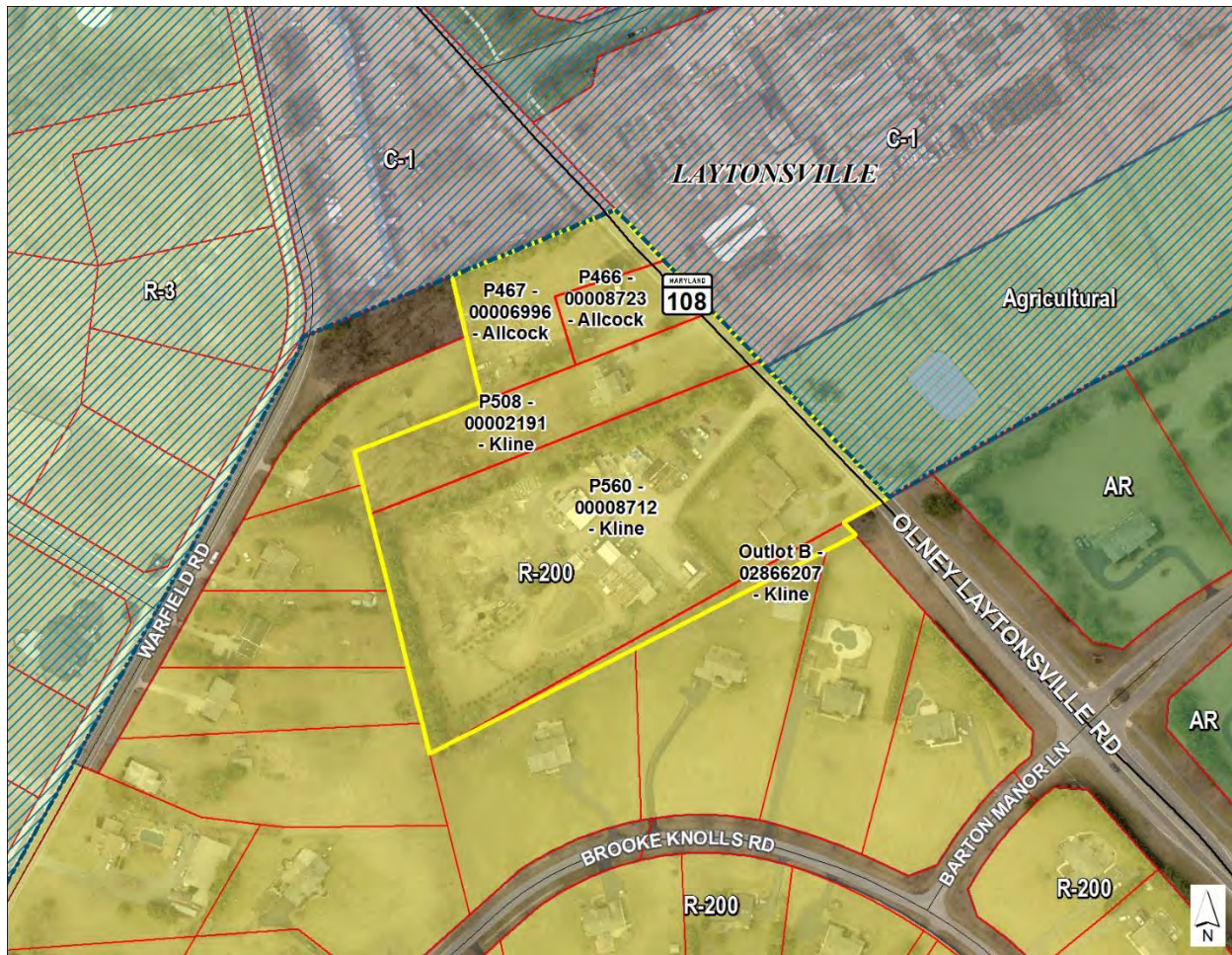
Figure 1: Proposed annexation properties (yellow outline) and vicinity. The current Town of Laytonsville is shaded blue-green.



Immediately to the north of the Site is the Laytons Village Shopping Center, a commercial strip shopping center that is also home to Laytonsville’s Post Office. Across Olney-Laytonsville Road to the east is a nursery and agricultural land. Single-family detached residential properties surround the Site to the west and south. One small portion of ROW for a once-proposed realignment of Warfield Road also borders the northernmost part of the western Site boundary. One of the Klines’ properties and the adjoining outlot have a special exception/conditional use in the R-200 Zone to operate a landscape contracting business on the site, which also contains a single-family detached house. The other Kline property contains a single-family detached house. The Allcock properties are currently used as a parking area for trucks and other large vehicles and equipment.

The Site currently falls within the County’s R-200 residential detached zone. Figure 2 shows the five properties included in the annexation request as well as the current zoning for the area.

Figure 2: Annexation Properties and Zoning. The Town of Laytonsville is designated by the blue-green hatched lines.



The Zoning within the Laytonsville town limits in Figure 2 is from their 2014 Comprehensive Plan. The annexation area abuts the Town’s C1 commercial zone to the north and across Olney-Laytonsville Road; part of the C1-zoned property across the street is also in the Town’s Agricultural zone.

ANNEXATION PROPOSAL

The Petitioners—Brian and Cristin Kline and Shannon and Ann Allcock—submitted the annexation request, seeking annexation into the Town of Laytonsville and reclassification of their properties to the Town’s C1 Commercial Zone. The Petitioners have no immediate plans for redevelopment of the property. The annexation plan specifies that the annexation properties are limited to their present uses and those uses and densities consistent with the current R-200 Zone in the County Zoning Ordinance for a period of five years from the date of annexation.

The Mayor and Council of the Town of Laytonsville held a public hearing on the annexation proposal on January 10, 2017, where the Town’s Planning Commission also reviewed the Petition. At the public

hearing, the Mayor and Council recommended leaving the record open until their next meeting in order to review this staff report and consider the Planning Board's decision. The Mayor and Council will reconvene on February 7, 2017 to vote on the annexation.

MASTER PLAN AND ZONING

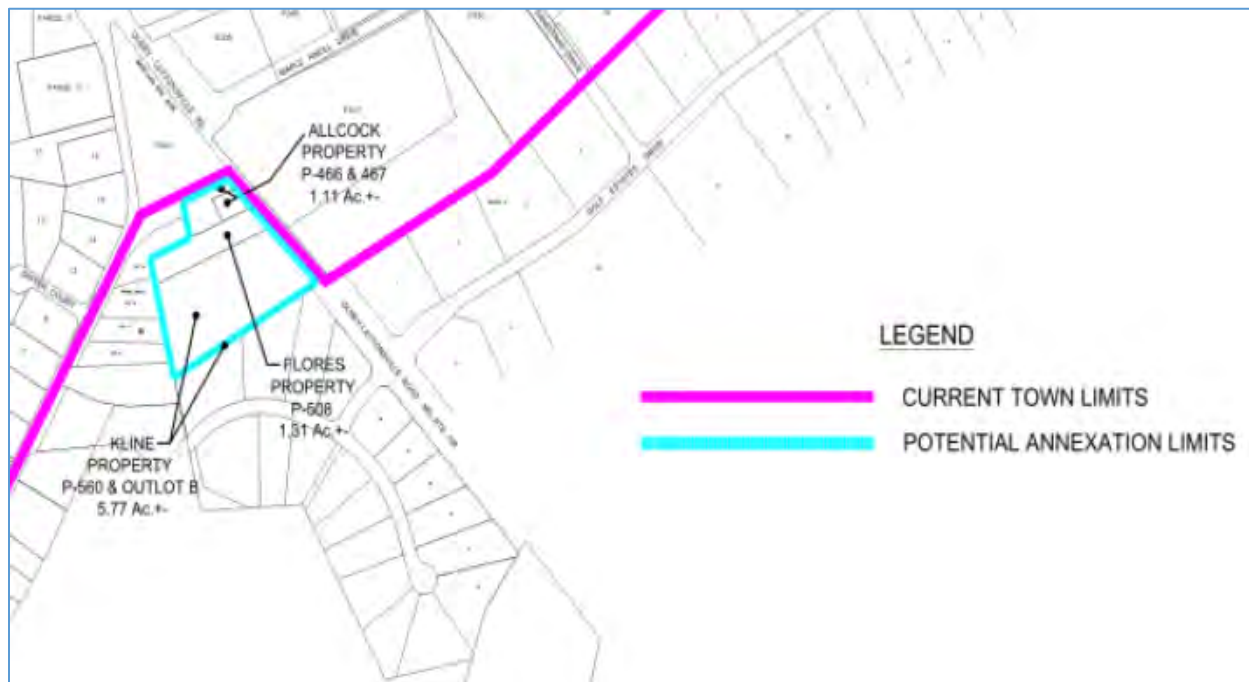
The Site is currently guided by the *2004 Upper Rock Creek Master Plan*. The Plan does not make specific recommendations for the Site or regarding potential annexations.

The 2014 *Comprehensive Plan for the Town of Laytonsville* included the entire Site in its Municipal Growth Element chapter as an area for future consideration for annexation. The Comprehensive Plan then lists "[s]uch area for future considerations" wherein it includes the subject properties thus:

South of Town - There may be a need to annex land to the south to provide additional commercial properties. Potential parcels include P-466 & P-467 - the Allcock Properties - 1.1 acres, P-508 - the Flores Property - 1.31 acres, and P-560 - the J. B. Kline Property - 5.63 acres and an additional parcel also listed as owned by J. B. Kline, containing 5,948 sq. ft. (If annexed, these properties would be served by private, individual wells or WSSC public water and private septic systems, Tier III or Tier IV.)

[Note: The "Flores Property" is now owned by the Klines.]

Figure 3: Detail from Proposed Annexation Plan from the 2014 Town of Laytonsville Comprehensive Plan (p. 53) showing the subject properties within the potential annexation limits.



The properties are in the county's R-200 Zone. This zone was applied to the properties in August 1974 when the "R-R" zone was renamed "R-200." The properties have been in the R-R zone since first added to the District on June 1, 1958. According to the current zoning code, the intent of the R-200 zone is:

...to provide designated areas of the County for residential uses with a minimum lot size of 20,000 square feet. The predominant use is residential in a detached house.

Many land uses are allowed by right or as a limited or conditional use in the R-200 zone, including the current landscape contractor business operated on two of the Klines' properties.

The annexation petition proposes applying Laytonsville's C1 zone to the newly annexed properties. According to the Zoning Ordinance of Laytonsville (amended through June 7, 2011):

The purpose and intent of this Zone is to provide a zone for the sale of goods and services.

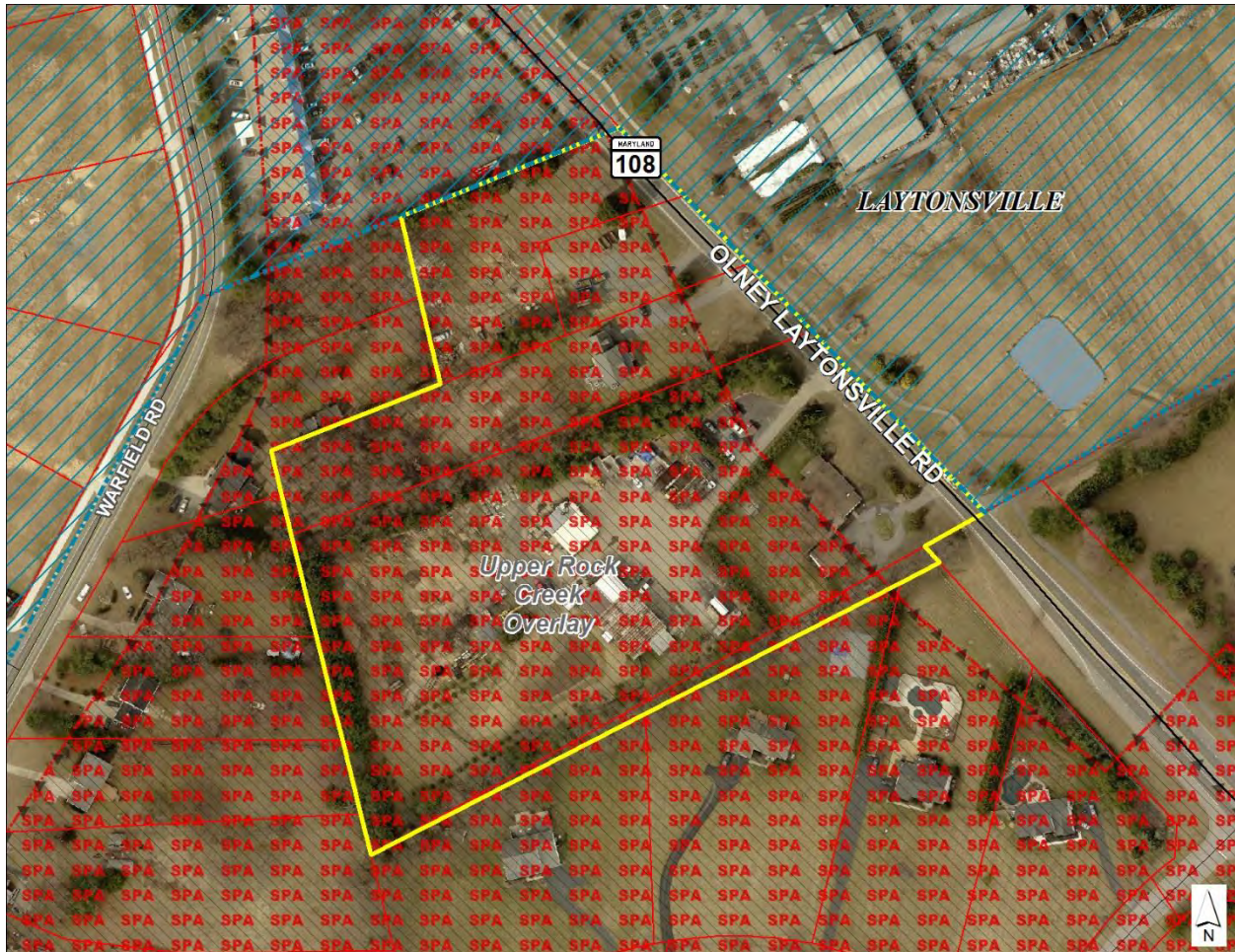
Most commercial uses related to the sale of goods and services are allowed in this zone by right or as a special exception use. The landscape contractor business on two of the Kline's properties would likely fall under the C1 "lawn and landscaping services" special exception use under the Town of Laytonsville's zoning.

The following table offers a broad comparison of uses and density in the R-200 and C1 zones, however, the uses and densities are limited to the R-200 zone for five years per the Resolution, Ordinance and Annexation Agreement:

Table 1: Zoning Comparison		
Jurisdiction	Montgomery County	Town of Laytonsville
Zone	R-200	C1
Permitted Uses	Detached and attached residential units; numerous non-intrusive uses compatible with a residential neighborhood are allowed as conditional uses.	Sale of goods and services; several other commercial and service uses allowed as special exceptions.
Density	Minimum lot area: 20,000 SF 2.18 units per acre	Minimum lot area: 20,000 SF Floor area ratio: 0.30

The subject properties are located within the Upper Rock Creek Special Protection Area (SPA), as shown in Figure 3. This SPA was designated as such by the 2004 Upper Rock Creek Master Plan, which also recommended an environmental overlay zone for properties within the SPA (pp. 46 & 96).

Figure 3: Upper Rock Creek Special Protection Area and concurrent Overlay Zone.



Section 4.9.19. (as of March 2016) of the County's Zoning Code describes the purpose and development standards of the overlay zone, which essentially limits impervious surfaces within the zone to 8% of the tract of any application for development. **However, properties not served by community sewer are exempted from this restriction. Since all of the properties subject to this annexation petition are served by septic systems, this provision does not apply.** Once the annexation has been completed, the properties will no longer be subject to the provisions of the SPA or overlay zone.

ANNOTATED CODE OF MARYLAND

The Annotated Code of Maryland includes a section that outlines the procedures and requirements for the annexation of land by incorporated municipalities.

1. Section 4-401 of the Maryland Code's Local Government Article, titled "Power to enlarge municipal boundaries by annexation," states:

In general

(a) Subject to subsections (b) and (c) of this section, the legislative body of a municipality may enlarge its boundaries by annexation as provided in this subtitle.

Land to which power applies

(b) The power of annexation applies only to land that:

- (1) is contiguous and adjoining to the existing boundaries of the municipality; and*
- (2) does not create an unincorporated area that is bounded on all sides by:*
 - (i) real property presently in the boundaries of the municipality;*
 - (ii) real property proposed to be in the boundaries of the municipality as a result of the proposed annexation; or*
 - (iii) any combination of real property described in item (i) or (ii) of this item.*

Annexation of land in another municipality prohibited

(c) A municipality may not annex land that is in another municipality.

The properties proposed for annexation are now part of an unincorporated area of Montgomery County. As shown in figure 2 above, the annexation area is contiguous and adjoining to the existing boundaries of the Town of Laytonsville. The annexation will not create an enclave, or unincorporated land surrounded by land inside or proposed to be inside the municipal boundaries.

2. Section 4-402 of the Maryland Code’s Local Government Article, titled “Initiation of annexation—In general”, states that:

An annexation proposal may be initiated by:

- (1) the legislative body of the municipality as provided in § 4-403 of this subtitle; or*
- (2) a petition in accordance with § 4-404 of this subtitle.*

This annexation proposal was initiated with a petition in accordance with section 4-404.

3. Section 4-404 of the Maryland Code’s Local Government Article, titled “Proposal for annexation—Initiation by petition,” states:

In general

(a) Subject to § 4-413 of this subtitle, an annexation petition shall be signed by:

- (1) at least 25% of the registered voters who are residents in the area to be annexed; and*
- (2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.*

Verification of compliance with requirements

(b) After an annexation petition is presented to the legislative body of the municipality, the presiding officer of the legislative body shall verify:

- (1) the signatures on the petition; and*
- (2) that the petition meets the requirements of subsection (a) of this section.*

Introduction of resolution in legislative body.

(c)

- (1) After verifying compliance with the requirements of this section, the presiding officer of the legislative body promptly shall cause a resolution proposing the change of boundaries as requested by the petition to be introduced in the legislative body.***
- (2) The annexation resolution shall conform to the form and content requirements of this subtitle.***

According to the petition for annexation provided by the applicant, there are currently three registered voters residing in the area to be annexed; all three provided statements consenting to the annexation. The petition submitted by the applicant also indicates the petitioners own and control 100% of the assessed valuation of the property to be annexed.

The Mayor and Council of Laytonsville prepared an annexation resolution confirming that the Mayor has verified the signatures on the petition and that the petition meets the requirements of Sub Section (a) of this section (4-404). The resolution also states that the annexation proposal is in conformance with the form and content requirements of this subtitle (Subtitle 4: Annexation). This resolution was presented to the Town Council at its January 10, 2017 public meeting.

4. Section 4-406 of the Maryland Code's Local Government Article, titled "Public notice and hearing on resolution," states in relevant part:

In General

- (a) After an annexation resolution is introduced, the chief executive and administrative officer of the municipality shall publish notice in accordance with the requirements of this section that:***
 - (1) briefly and accurately describes the proposed annexation and the applicable conditions and circumstances; and***
 - (2) specifies the date, time, and place that the legislative body sets for the public hearing on the proposed annexation.***

Publication of notice; date and location of hearing.

- (b) (1) Public notice of the annexation resolution shall be published:***
 - (i) 2. if the total area of the proposed annexation is 25 acres or less, at least two times;***
 - (ii) at not less than weekly intervals; and***
 - (iii) in at least one newspaper of general circulation in the municipality and the area to be annexed.***
- (2) The public hearing shall be:***
 - (i) set no sooner than 15 days after the final required publication of the public notice; and***
 - (ii) held in the municipality or the area to be annexed.***

Notice to county and planning agencies

- (c) Immediately after the first publication of the public notice, the municipality shall provide a copy of the public notice to:***
 - (1) the governing body of the county in which the municipality is located; and***
 - (2) any regional or State planning agency with jurisdiction in the county.***

The Town has fulfilled its obligations under this Section. On December 1, 2016, and again on December 15, 2016, the Town of Laytonsville provided notice of the annexation public hearings in the Montgomery County Sentinel. The hearing date was January 10, 2017. On December 9, 2016, the applicant submitted the annexation request and documents to the Montgomery County Planning Department. The Planning Department received both public notices via email on January 6, 2017.

5. Section 4-415 of the Maryland Code's Local Government Article, titled "Annexation Plan," states in relevant part:

Annexations on or after October 1, 2009

- (c) Except as provided in subsection (e) of this section, for annexation that begins on or after October 1, 2009, the annexation plan shall be consistent with the municipal growth element of the comprehensive plan of the municipality.*

Copies of annexation plan

- (f) At least 30 days before the public hearing on an annexation resolution required under § 4-406 of this subtitle, a copy of the annexation plan shall be provided to:
(3) any regional or State planning agency with jurisdiction in the county.*

As discussed above, the annexation plan is consistent with the municipal growth element of the 2014 *Town of Laytonsville Comprehensive Plan*. A copy of the plan was received by the Montgomery County Planning Department on December 9, 2016, which was at least 30 days before the public hearing on January 10, 2017.

6. Section 4-416 of the Maryland Code's Local Government Article, titled "Planning and zoning authority," states in relevant part:

Different land use or density

- (b) Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation.*

County approval of zoning classification

- (c) Notwithstanding § 4-204 of the Land Use Article and if the county expressly approves, the municipality may place the annexed land in a zoning classification that allows a land use or density different from the land use or density specified in the zoning classification of the county or agency with planning and zoning jurisdiction over the land prior to its annexation applicable at the time of the annexation.*

The Town of Laytonsville need not seek County Council approval of this Petition. As noted in the Annexation Proposal above, the annexed land will be rezoned from the County's R-200 Zone to the Town's C1 Commercial Zone, which allow for different uses, but the properties included in the annexation will be limited to their present uses and those uses consistent with the R-200 Zone for five years from the date of annexation.

Development in this part of Upper Rock Creek is currently subject to the provisions of the Upper Rock Creek Overlay Zone, which limits impervious surfaces on properties served by public sewer to 8% of the tract area. Because these properties use septic systems, they are not subject to the overlay zone's requirements.

PUBLIC FACILITIES AND SERVICES

The Site is in the Gaithersburg Cluster of the Montgomery County Public Schools (MCPS). It is served by Laytonsville Elementary School, Gaithersburg Middle School and Gaithersburg High School. Because the Petitioners will be limited to uses consistent with the R-200 Zone for five years, there is no immediate impact on schools from the proposed annexation. As stated in the Annexation Plan, "the properties under commercial zoning and use will have no impact upon Public Schools and Libraries which rely on County systems" (p. 2).

The site is located in Water Category W-3, and Sewer Category S-6. The property at 6720 Olney-Laytonsville Road is connected to public water, while the properties at 6810 and 6812 are planned to be served by public water. The property at 6800 Olney-Laytonsville Road will continue to be served by private individual well. All properties will be served by septic systems.

The Annexation Plan notes that "the municipal services performed within the Town at the time of annexation will be extended to the areas to be annexed" (p. 3).

ENVIRONMENT

The site is currently located within the Upper Rock Creek Special Protection Area. Since this designation only applies to land under the jurisdiction of the Maryland-National Capital Park and Planning Commission, this designation will be removed from the property as it will have no effect once the land has been annexed.

TRANSPORTATION

The *Upper Rock Creek Master Plan* recommends that MD-108, Olney-Laytonville Road, be classified as a major highway with a 120-foot right-of-way and a four-lane divided cross section. The Master Plan also recommends a shared-use path (Class I/off-road) for MD-108. The 2005 *Countywide Bikeways Functional Master Plan* recommends a shared-use path / off-road (Class 1) up to the Laytonsville Town line and a signed shared roadway / on-road (Class 3) path north of Laytonsville's southern boundary along MD-108.

The Site is not served by Ride-On or Metro Bus.

COMMUNITY CONCERNS

Planning staff has received no correspondence on the proposed Petition.

CONCLUSION

Technical staff believes that the proposed annexation can move forward without referral to the Montgomery County Council. The Petition proposes only uses and densities consistent with the County's R-200 Zone for five years following approval.

Technical staff recommends that this comment be transmitted to the Town of Laytonsville and to the Montgomery County Council.

Attachments

- A. Annexation Petition
- B. Annexation Plan
- C. Annexation Resolution
- D. Annexation Ordinance
- E. Annexation Agreement
- F. Zoning and Annotation Maps from the 2014 *Comprehensive Plan for the Town of Laytonsville*

BEFORE THE TOWN COUNCIL OF THE TOWN OF LAYTONSVILLE, MARYLAND

**In the Matter of
The Petition of Annexation
For 7.6376 Acres of Land (332,697 Square Feet)
Known as The Kline and Allcock Parcels
Being Part of Tracts of Land Called
"Brooke Grove" and "Addition to
Brooke Grove.:**

Annexation Application No. AXA-1

PETITION FOR ANNEXATION

BRIAN KLINE, CRISTIN KLINE and SHANNON ALLCOCK and ANN ALLCOCK ("Petitioners"), pursuant to the provisions of Local Government Article, subtitle 4, §4-401, et seq of the Annotated Code of Maryland ("The Law"), hereby petition the Town of Laytonsville ("Town") to annex five (5) parcels of land containing 7.6376 acres ("Subject Property"), into the corporate boundaries of said Town. In accordance with the requirements of The Law, the Petitioners provide the following information:

1. Petitioners own and control not less than twenty-five percent (25%) of the assessed valuation of the Subject Property sought to be annexed.
2. There are three persons residing on the Subject Property sought to be annexed. Attached are Statements signed by said residents, who are registered voters, consenting to the requested annexation.
3. The Subject Property is contiguous to and adjoining the existing corporate boundary of the Town. Annexation will not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the Town so as to create an enclave.
4. At the time of annexation, Petitioner requests that the Town place C1-Commercial zoning on the Subject Property.

In support of its Petition for Annexation, Petitioners provide the following materials which are attached hereto and incorporated herein as part of this Petition for Annexation as Exhibits A through E.

- A. Boundary surveys for land totaling the entire 7.6376 acres sought to be annexed.
- B. Metes and bounds description for various parcels of land sought to be annexed.
- C. Schedule of Property subject to the Annexation Application.
- D. Schedule of Ownership Interests.
- E. Statements of Existing Residents

WHEREFORE, Petitioners hereby request that the Town of Laytonsville grant this Petition for Annexation.

By: _____

Brian Kline

By: _____

Cristin Kline

By: _____

Shannon Allcock

By: _____

Ann Allcock

EXHIBIT A

EXHIBIT B

SCHEDULE "A"

Description of Land
Shannon M. and Ann L. Allcock
Parcel 2
Liber 28278 Folio 625
Election District No. 1
Montgomery County, Maryland

Being part of the tract of land called "Addition to Brooke Grove," and being all of the land conveyed from Thomas A. Turner and Aimee L. Turner to Shannon M. Allcock and Ann L. Allcock by a deed dated August 24th, 2004, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 28278 at folio 625, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at an iron pipe found on the westerly side of Olney-Laytonsville Road (Maryland Route 108) said iron pipe also being 833.46 feet along the third line of a conveyance from Nancy Alnutt to Warren T. Addison and recorded among the Land Records of Montgomery County, Maryland in Liber E.B.P. No. 8 at Folio 242 thence with a part of said line and along said road;

1. South 45°00'16" East a distance of 83.90 feet to an iron pipe found at the easterly end of the third line of conveyance from Cora Newman Simpson to Charles T. King and recorded among the aforesaid Land Records in Liber 4592 at Folio 824, thence leaving said road and running with the third and second lines thereof reversed;
2. South 69°31'28" West a distance of 143.42 feet to an iron pipe found, thence;
3. South 28°49'37" East a distance of 99.93 feet to an iron pipe set 170.50 feet from the end of the third line of a conveyance from Rebecca Addison to Samuel W. Cope and recorded among the aforesaid Land Records in Liber L.D. No. 6 at Folio 436, thence with part of said line reversed;
4. South 66°51'03" West a distance of 162.06 feet to an iron pipe found at the end of the third line of a conveyance from Douglas R. Taylor, Trustee to the Pentalfa Masonic Temple and Library Association and recorded among the aforesaid Land Records in Liber 4615 at Folio 867, thence with said line reversed;
5. North 13°27'21" West a distance of 173.22 feet to an iron pipe found 198.0 feet from the end of the third line of a conveyance from Chesapeake Conference of Seventh Day Adventist to Roy E. Grahm and recorded among the aforesaid Land Records in Liber 4625 at Folio 45, thence with part of said line reversed;
6. North 66°52'58" East a distance of 235.04 feet to the place of beginning.


Containing an area of 33,444 square feet, 0.7678 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.



MADDOX
Engineers & Surveyors, Inc.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .03 and .12 of the minimum standards of practice for land surveyors.

2-5-16


Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



SCHEDULE "A"

Description of Land
Shannon M. and Ann L. Allcock
Parcel 1
Liber 28278 Folio 625
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Addition to Brooke Grove," and being all of the land conveyed from Thomas A. Turner and Aimee L. Turner to Shannon M. Allcock and Ann L. Allcock by a deed dated August 24th, 2004, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 28278 at folio 625, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

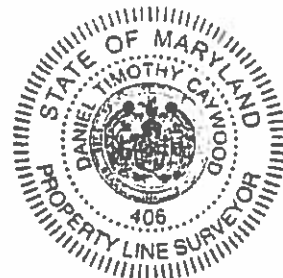
Beginning for the same at an iron pipe found at the easterly end of the third line of a conveyance by C.N. Simpson to C.T. King recorded among the aforesaid Land records in Liber 5492 at Folio 824, said point also being on the westerly side of Olney-Laytonsville Road, Maryland Route 108 (variable width right of way), thence running with said westerly side of Olney-Laytonsville Road;

1. South 44°49'23" East a distance of 99.81 feet to an iron pipe found, thence leaving said westerly side of Olney-Laytonsville Road;
2. South 66°51'03" West a distance of 170.24 feet to an iron pipe set, thence;
3. North 28°49'37" West a distance of 99.93 feet to an iron pipe found, thence;
4. North 69°31'28" East a distance of 143.42 feet to the place of beginning.

Containing an area of 14,985 square feet, or 0.3440 acres of land, as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



MADDOX
Engineers & Surveyors, Inc.

Parcel Identification No. 01-00008712

SCHEDULE "A"

Description of Land
Brian M. Kline
Liber 4416 Folio 189
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Addition to Brooke Grove," and being all of the land conveyed from Brian M. Kline and Melissa Marie Lowe, formerly known as Melissa M. Kline to Brian M. Kline by a deed dated May 31st, 2012, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 44169 at folio 189, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at a stone found at the westerly end of the first line of a conveyance from Nancy Allnutt and Rebecca Allnutt to Warren T. Addison Dated February 1, 1865, and recorded among the aforesaid Land Records in Liber EBP 2 at folio 1, said stone also being on the western edge of Olney-Laytonsville Road, MD Route 108 (variable width right of way), thence running with said western edge of road;

- 1 South 49°37'10" East a distance of 297.74 feet to a point, thence leaving said western edge of road;
- 2 South 59°47'33" West a distance of 792.00 feet to a pipe set, thence;
3. North 13°27'51" West a distance of 371.52 feet to a pipe set, thence;
- 4 North 67°04'51" East a distance of 590.79 feet passing over a stone 3.39' from the beginning of said line to the place of beginning.

Containing an area of 219,456 square feet, or 5.0386 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



MADDOX
Engineers & Surveyors, Inc

SCHEDULE "A"

Description of Land
Brian and Cristin Kline
Liber 48967 Folio 233
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Brooke Grove," and being all of the land conveyed from Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE4 to Brian Kline and Cristin Kline by a deed dated June 13th, 2014, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 48967 at folio 233, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at a stone found on the southwest side of Olney-Laytonsville Road, said stone also being at the easterly end of the first line of a conveyance by Nancy Allnutt and Rebecca Allnutt to Warren T. Addison called "Brooke Grove" and recorded among the aforesaid Land Records in Liber EBP 2 at Folio 1;

1. South 67°04'51" West a distance of 590.79 feet to a point on the South 08°31'00" East 416.13 foot line of a Plat of Subdivision entitled "Brooke Grove" and recorded among the aforesaid Land Records in Plat Book 137 as Plat 15836, passing over a stone found at 587.40 feet, thence running reversely with said line as now surveyed;
2. North 13°27'51" West a distance of 105.35 feet to a pipe found, thence;
3. North 66°51'03" East a distance of 530.35 feet to a pipe found on the southwest edge of the aforesaid road, thence with said road edge;
4. South 45°03'14" East a distance of 114.48 feet to the place of beginning.

Containing an area of 58,862 square feet, or 1.3513 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



MADDOX
Engineers & Surveyors, Inc.

Parcel Identification No. 01-02866207

SCHEDULE "A"

Description of Land
Brian Kline
Liber 36205 Folio 72
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Brooke Grove," and being all of the land conveyed from John B. Kline and Donna L. Kline to Brian Kline by a deed dated September 19th, 2008, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 36205 at folio 72, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

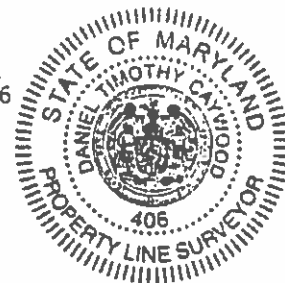
Beginning for the same at the northerly end of the North 13°29'42" West 233.65 foot line of Lot 22, Block A as shown on a Plat of subdivision entitled "Brooke Grove" and recorded among the aforesaid Land Records in Plat Book 156 as Plat 17715, said point also being at the westerly end of the North 59°49'19" East 788.17 foot line of Outlot B, Block A as shown on said Plat, thence running with the outline of said Outlot B, Block A, as now surveyed, the following three (3) courses and distances;

1. North 59°47'33" East a distance of 709.61 feet to a pipe set, thence;
2. South 42°51'25" East a distance of 17.19 feet to a rebar found, thence;
3. South 61°08'21" West a distance of 713.57 feet to the place of beginning.

Containing an area of 5,950 square feet, or 0.1366 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16. 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



MADDOX
Engineers & Surveyors, Inc.

EXHIBIT C

SCHEDULE OF PROPERTY SUBJECT TO ANNEXATION APPLICATION

<u>Tax Account No.</u>	<u>Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Area</u>
1-00006996	Shannon M. & Ann L. Allcock	6812 Olney-Laytonsville Rd.	P467	33,444 SF (0.7678 A)
1-00008723	Shannon M. & Ann L. Allcock	6810 Olney-Laytonsville Rd.	P466	14,985 SF (0.3440 A)
1-00008712	Brian M. Kline	6720 Olney-Laytonsville Rd.	P560	219,456 SF (5.0380 A)
1-00002191	Brian Kline & Cristin Kline	6800 Olney-Laytonsville Rd.	P508	58,862 SF (1.3513 A)
1-02866207	Brian Kline	No address	Outlot B, Brooke Grove	5,950 SF (0.1366 A)

EXHIBIT D

SCHEDULE OF OWNERSHIP INTERESTS

6720 Olney-Laytonsville Road Property

Owned 100% by Brian Kline

6800 Olney-Laytonsville Road Property

Owned 50% by Brian Kline and 50% owned by Cristin Kline

6810 Olney-Laytonsville Road Property

Owned 50% by Shannon Allcock and 50% by Ann Allcock

6812 Olney-Laytonsville Road Property


Owned 50% by Shannon Allcock and 50% owned by Ann Allcock

EXHIBIT E

STATEMENT

The undersigned, Jonathan Helton, resides at 6720 Olney-Laytonsville Road. I am registered to vote in elections conducted in Montgomery County, Maryland.

I consent to the annexation of the property located at 6720, 6800, 6810 and 6812 Olney-Laytonsville Road to the Town of Laytonsville.

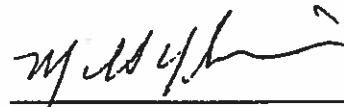


Jonathan Helton

STATEMENT

The undersigned, Michael Hildebrand and Kimberly Hildebrand, reside at 6800 Olney-Laytonsville Road. We are registered to vote in elections conducted in Montgomery County, Maryland.

We consent to the annexation of the property located at 6720, 6800, 6810 and 6812 Olney-Laytonsville Road to the Town of Laytonsville.



Michael Hildebrand



Kimberly Hildebrand

TOWN OF LAYTONSVILLE, MARYLAND
ANNEXATION PLAN
FOR THE
KLINE AND ALLCOCK PROPERTIES
(Annexation No. AXR – 1)

This Annexation Plan for the properties described in the Annexation Resolution with street address' 6720, 6800, 6810, 6812 Olney and Outlot B (no address) – Laytonsville, Road, Laytonsville Maryland ("the Subject Properties") is submitted pursuant to Subtitle 4, Section 4-415, Local Government Article, Annotated Code of Maryland. The following demonstrates the annexation's consistency with the Municipal Growth Element of the May 2014 Comprehensives Plan for the Town of Laytonsville, Maryland ("The Plan").

1. The Plan proposes a limited number and areas of land for future consideration of annexation. The Subject Properties are among those areas to be considered for future annexation and are described as those areas "South of Town" (p. 32 of Plan and Exhibit 1, attached hereto). Presently the property at 6720 Olney – Laytonsville Road is connected to public water, the properties at 6810 and 6812 are planned to be served by public water and the property at 6800 will be served by private individual well. All properties will be further served by septic systems. These services are consistent with the Plan (p. 32).

2. The Kline Properties (parcels 508¹ and 560 on the attached tax map) totaling 6.52 acres (including Outlot B) are recommended in the plan for commercial zoning. This is consistent with the requested zoning of those properties by these petitioners (p. 33 of the Plan).

¹Parcel 508 formerly known as the "Flores" property in the Comprehensive Plan (p. 33) is now owned by Kline.

3. The Allcock properties (parcels 466 and 467 on the attached tax map) totaling 1.111 acres are recommended in the Plan for commercial zoning. This is consistent with the requested zoning of the properties by the Petitioners (see Exhibit 2, page 33 of the Plan).

4. Both the Allcock and Kline properties adjoin existing commercially zoned land within the Town's boundaries improved with commercial use and would form a natural and limited extension of this commercial area.

5. It is represented that both the Allcock and Kline properties, if zoned C-1 is contingent upon and limited to their present uses and those uses consistent with the R-200 Zone in the County Zoning Ordinance for a period of five (5) years from the date of annexation into the Town of Laytonsville, Maryland.

6. The Annexation conforms to the "Anticipated Growth" provisions of the Plan (Exhibit 3, page 31). The properties under commercial zoning and use will have no impact upon Public Schools and Libraries which rely on County systems. The Town will continue to rely upon County Police services and maintain within its boundaries the Laytonsville Volunteer Fire and Rescue Station # 17. The Annexation will not adversely impact taxes needed to pay for infrastructure maintenance and upgrades provided by State, County and Town taxation. Taxation yield should moderately increase if the lands involved are rezoned to a commercial category and use. The Annexation area located to the south of the Town will not impact protection of the Agricultural Reserve to the North of the Town as called for in the Plan. Development will be subject to County, State and Town laws and regulations designed, as applicable, to protect sensitive areas and where appropriate will incorporate the use of Agricultural Easements and stream buffers.

All development within the Annexation will be subject as noted in The Plan (Exhibit 4, page 30) to rigorous review under the Town Subdivision Regulations and Zoning Ordinance administered by the Town Planning Commission, Site Development Plan Approval by Mayor and Town Council, as well as building permit and other land use ordinances and procedures.

7. Except as otherwise provided herein the municipal services performed within the Town at the time of annexation will be extended to the areas to be annexed by use of the Town's real estate tax and other revenue sources customarily received by the Town.

8. While no specific plan has been presented for the development and use of the property to town officials, the town does not propose to use any of the land for school sites, public sewage treatment facilities, libraries, or public safety facilities.

Approved by the Mayor and Town Council the _____ day of _____,
2016

Mayor, Council of Laytonsville

By: _____,
Mayor

Attest:

, Clerk

EXHIBIT 1

the County landfill, located southeast of the Town limits. The Town has also annexed land from a developer in order to provide property for the future Laytonsville Md. Route 108 By-pass. Annexation was a means for the Town to preserve its character and vision of the future. The Town will consider future annexation, should the action provide value to the Town and its residents. The Town of Laytonsville may pursue annexation for the purposes of protecting the high quality of life achieved through universal stewardship of the land, water, and air in sustainable communities and the protection of the environment.

Such area for future consideration may be as follows:

- North of Town - In order to protect the northern limits of the Town from future development, several properties northeast of the town may be considered for annexation in the future. Potential parcels include P-400 - the Sundown Farm LLC site -151.2 acres and P -900 - the Stabler Property - 160.8 acres. (If annexed, these properties would be served by private, individual well and septic systems, Tier III or Tier IV.)
- South of Town - There may be a need to annex land to the south to provide additional commercial properties. Potential parcels include P-466 & P-467 - the Allcock Properties - 1.1 acres, P-508 - the Flores Property - 1.31 acres, and P-560 - the J. B. Kline Property - 5.63 acres and an additional parcel also listed as owned by J. B. Kline, containing 5,948 sq. ft. (If annexed, these properties would be served by private, individual wells or WSSC public water and private septic systems, Tier III or Tier IV.)
- East of Town - In order to have control over the growth at the eastern limits of the Town, there may be a need to annex parcel P-658 -the Arnold Property - 48.8 acres. (If annexed, this property would be served by private, individual well and septic systems.)

None of these examples is an endorsement for or against future annexation and each must be examined closely on their merits and liabilities. However, the Town of Laytonsville must keep these avenues open for planning the future of a viable Laytonsville. These potential, annexation properties are shown on Exhibit "G."

EXHIBIT 2

Future Parcels, which may be annexed by 2030:

ANNEXATION				
PARCEL	PROP. NAME	ZONING	ACREAGE	POTENT. YIELD
P-508	FLORES	Commercial	1.3	16,988 sf
P-900	STABLER	Resid. /Agr.	160.8	6 Lots
P-400	SUNDOWN FARM	Resid. /Agr.	151.1	6 Lots
P-658	ARNOLD	Resid. /Agr.	48.8	1 Lot
P-466 & P-467	ALLCOCK	Commercial	1.1	14,375 sf
P-560	KLINE	Commercial	5.8	75,794 sf

TOTALS

368.9 ac.

13 lots +
107,157 sf

EXHIBIT 3

MUNICIPAL GROWTH ELEMENT

GOALS

Provide guidance to the Town and its citizens, as the Town grows and changes. Over the next few years, the Town needs to make sure that the growth and change that occur in the Town are accomplished in an orderly and well planned process. The Town must ensure that all public facilities are provided and that they are adequate for future growth.

CURRENT CONDITIONS

Past Growth Patterns – Past development was based upon suitable areas that were limited by soils, septic, and well.

ANTICIPATED GROWTH

Public Schools – According the information provided by the Montgomery County Board of Education, the current predictions indicate that future growth (2030) will increase population and potentially cause the Laytonsville Elementary School to exceed capacity. The Montgomery County Board of Education is responsible for all public schools and periodically re-calculates the student requirements and potential school needs. For estimating purposes, the 141 potential, additional residential units will generate approximately 35 elementary school students. See the Land Use Element on Page 21 for further growth information.

Population – Year 2030, 900+

Public Safety – The Town relies on the Montgomery County Police Department. Laytonsville is home to the Laytonsville Volunteer Fire and Rescue Station #17.

Libraries – The Town relies on the Montgomery County Library System.

The Town relies on State, County, and Town (real estate and personal property) taxes to pay for infrastructure maintenance and upgrade.

Rural Buffer Zone – Agricultural Reserve established by County to the north of Town.

Protection of Sensitive Areas – Establishment of Agricultural Easement and stream buffers where appropriate per State and County established requirements.

ANNEXATION

At this time, The Town of Laytonsville has no plans for further annexation of land. In the past, annexation has proved to be a valuable tool for protecting the Town's integrity. In the early/mid 1980s, properties were annexed in order to protect the Town from the possible encroachment of

EXHIBIT 4

The districts not related to the Historic District will be devoted to agricultural activity and residential uses on minimum one-half (½) acre, one (1) acre, and two (2) acre lots. New developments will be two (2) acre cluster subdivisions. One additional commercial district will be provided east of Laytonsville Road at the Stadler Nursery (P-402) and to the east of the Bank property (N-305) adjacent to the current commercial area. As noted earlier, this area has been expanded to accommodate the future needs of the community.

SUBDIVISION REGULATIONS

The Town of Laytonsville has adopted the Subdivision Regulations of the Town of Laytonsville, MD. The Town's Planning Commission has the authority to approve, approve with conditions, or disapprove a subdivision application. The first phase of the subdivision process is the submission of a Preliminary Subdivision Plan package. The Regulations require the Preliminary Subdivision Plan package to include, at a minimum, a Natural Resources Inventory/ Forest Delineation Plan, a site layout plan, preliminary septic field layout, well or public water layout, preliminary grades, sidewalk and path locations, preliminary utility studies, preliminary stormwater management and sediment control measures, a Forest Conservation Plan, a metes and bounds description of the property, and possibly a traffic analysis.

When an applicant submits a Preliminary Subdivision Plan, the Planning Commission, supported by its technical consultant, reviews the submission, works with the applicant's design team, holds a public hearing on the submission, and votes to approve, approve with conditions, or disapprove the Preliminary Plan application.

If the Planning Commission approves the Preliminary Subdivision Plan, the next step in the process is for the applicant to submit a Record Plat to the Planning Commission for its review and approval. After the Record Plat is approved by the Planning Commission, it is recorded in the Land Records of Montgomery County.

In addition to the Town's Zoning Ordinance and Subdivision Regulations, the Town has several other governmental responsibilities. These include the building permits process, a sign ordinance, a weed and grass ordinance, and more. These and other ordinances can be found at the Town Hall and on the Town website.

ANNEXATION RESOLUTION
(Resolution No. ZXR-1)

RESOLUTION PROPOSED BY THE MAYOR AND COUNCIL
OF LAYTONSVILLE, MARYLAND PURSUANT TO SUBTITLE 4,
SECTION 4-401, ET SEQ. OF THE LOCAL GOVERNMENT
ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO
ANNEX CERTAIN LANDS WHICH ARE CONTIGUOUS TO THE
EXISTING CORPORATE BOUNDARIES OF THE TOWN,
THEREBY ADDING SAID LANDS TO THE CORPORATE
LIMITS OF THE TOWN, DESCRIBING THE LANDS TO BE
ANNEXED, AND STATING THE CONDITIONS AND
CIRCUMSTANCES WHICH WILL APPLY TO THE AREAS
TO BE ANNEXED

WHEREAS, Subtitle 4, Sections 4-401, et seq. Local Government Article of the Annotated Code of Maryland 2013 ed., as amended, provides that the legislative body of a municipal corporation in Maryland may enlarge the corporate boundaries thereof in accordance with the requirements herein provided and that this power shall apply only as to lands which are contiguous and adjoining the existing corporate area; and

WHEREAS, Sec. 4-404 of the Local Government Article provides that an annexation petition ("The Petition") signed by at least 25% of the requested 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 has been presented to and received by the legislative body of the Town of Laytonsville, Maryland and the Mayor as President Officer of the legislative body has verified the signatures on the Petition and that the Petition meets the requirements of Subsection (a) of this Section 4-404, Local Government Article and the Mayor has caused this Resolution proposing the change of boundaries, in conformance with the form and content requirements of this Subtitle to be introduced in the legislative body of the Town; and

WHEREAS, consents for this Annexation Proposal have been received from more than twenty-five per centum (25%) of the persons who reside in the area to be annexed and who are registered voters in county elections and from the owners of not less than twenty-five per centum (25%) of the assessed valuation of the real property located in the area to be annexed.

NOW, THEREFORE, be it resolved by the Mayor and Council of Laytonsville, Maryland, that:

1. The Town proposed to enlarge the Corporate boundaries of the Town by adding to the corporate limits of the Town the lands depicted on Exhibit 1, a survey of the lands to be annexed, known as the Kline and Allcock properties and more fully described by metes and bounds description as Exhibit 2A (Lands of Shannon M. and Ann L. Allcock) and Exhibit 2B (Lands of Brian and Cristin Kline and Brian M. Kline) attached hereto and made a part of this Resolution as if fully set forth herein.

2. Upon annexation and adoption of the required Ordinance, the lands will be classified in the C1 (commercial) zone under the Town Zoning Ordinance if in conformance with the Land Use and Density Requirements in Subtitle 4, Section 4-416 of the Local Government Article of the Annotated Code of Maryland. The zoning and development of the lands is further contingent upon and limited to (i) their present uses and those uses and density that are consistent with R-200 zoning in the County Zoning Ordinance and (ii) any new development on the Subject Property shall be limited by the requirements and standards associated with use and density applicable to R-200 land within the County for a period of five (5) years from the effective date of this Resolution. Limitations will be restated and confirmed in an Annexation Agreement to be entered into between the Town and the applicants and the Ordinance rezoning the Subject Property.

ADOPTED by the Mayor and Council this _____ day of _____, 2017.

MAYOR

Certified By:

EXHIBIT 1

EXHIBIT 2A

SCHEDULE "A"

Description of Land
Shannon M. and Ann L. Allcock
Parcel 2
Liber 28278 Folio 625
Election District No. 1
Montgomery County, Maryland

Being part of the tract of land called "Addition to Brooke Grove," and being all of the land conveyed from Thomas A. Turner and Aimee L. Turner to Shannon M. Allcock and Ann L. Allcock by a deed dated August 24th, 2004, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 28278 at folio 625, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at an iron pipe found on the westerly side of Olney-Laytonsville Road (Maryland Route 108) said iron pipe also being 833.46 feet along the third line of a conveyance from Nancy Alnutt to Warren T. Addison and recorded among the Land Records of Montgomery County, Maryland in Liber E.B.P. No. 8 at Folio 242 thence with a part of said line and along said road;


1. South 45°00'16" East a distance of 83.90 feet to an iron pipe found at the easterly end of the third line of conveyance from Cora Newman Simpson to Charles T. King and recorded among the aforesaid Land Records in Liber 4592 at Folio 824, thence leaving said road and running with the third and second lines thereof reversed;
2. South 69°31'28" West a distance of 143.42 feet to an iron pipe found, thence;
3. South 28°49'37" East a distance of 99.93 feet to an iron pipe set 170.50 feet from the end of the third line of a conveyance from Rebecca Addison to Samuel W. Copeland and recorded among the aforesaid Land Records in Liber L.D. No. 6 at Folio 436, thence with part of said line reversed;
4. South 66°51'03" West a distance of 162.06 feet to an iron pipe found at the end of the third line of a conveyance from Douglas R. Taylor, Trustee to the Pentalpha Masonic Temple and Library Association and recorded among the aforesaid Land Records in Liber 4615 at Folio 867, thence with said line reversed;
5. North 13°27'21" West a distance of 173.22 feet to an iron pipe found 198.0 feet from the end of the third line of a conveyance from Chesapeake Conference of Seventh Day Adventist to Roy E. Grahm and recorded among the aforesaid Land Records in Liber 4625 at Folio 45, thence with part of said line reversed;
6. North 66°52'58" East a distance of 235.04 feet to the place of beginning.

Containing an area of 33,444 square feet, 0.7678 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. In January of 2016, Project Number 1103.



MADDOX
Engineers & Surveyors, Inc.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .03 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



Parcel Identification No. 01-00008723

SCHEDULE "A"

Description of Land
Shannon M. and Ann L. Allcock
Parcel 1
Liber 28278 Folio 625
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Addition to Brooke Grove," and being all of the land conveyed from Thomas A. Turner and Aimee L. Turner to Shannon M. Allcock and Ann L. Allcock by a deed dated August 24th, 2004, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 28278 at folio 625, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

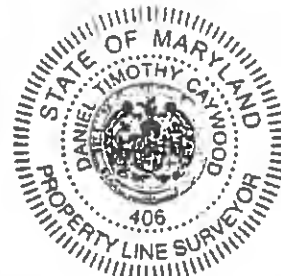
Beginning for the same at an iron pipe found at the easterly end of the third line of a conveyance by C.N. Simpson to C.T. King recorded among the aforesaid Land records in Liber 5492 at Folio 824, said point also being on the westerly side of Olney-Laytonsville Road, Maryland Route 108 (variable width right of way), thence running with said westerly side of Olney-Laytonsville Road;

1. South 44°49'23" East a distance of 99.81 feet to an iron pipe found, thence leaving said westerly side of Olney-Laytonsville Road;
2. South 66°51'03" West a distance of 170.24 feet to an iron pipe set, thence;
3. North 28°49'37" West a distance of 99.93 feet to an iron pipe found, thence;
4. North 69°31'28" East a distance of 143.42 feet to the place of beginning.

Containing an area of 14,985 square feet, or 0.3440 acres of land, as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



MADDOX
Engineers & Surveyors, Inc.

EXHIBIT 2B

Parcel Identification No. 01-00008712

SCHEDULE "A"

Description of Land

Brian M. Kline

Liber 44169 Folio 189

Election District No. 1

Montgomery County, Maryland

Being part of the tract of land called "Addition to Brooke Grove," and being all of the land conveyed from Brian M. Kline and Melissa Marie Lowe, formerly known as Melissa M. Kline to Brian M. Kline by a deed dated May 31st, 2012, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 44169 at folio 189, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at a stone found at the westerly end of the first line of a conveyance from Nancy Allnutt and Rebecca Allnutt to Warren T. Addison Dated February 1, 1865, and recorded among the aforesaid Land Records in Liber EBP 2 at folio 1, said stone also being on the western edge of Olney-Laytonsville Road, MD Route 108 (variable width right of way), thence running with said western edge of road;

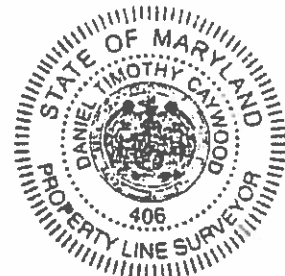
1. South 49°37'10" East a distance of 297.74 feet to a point, thence leaving said western edge of road;
2. South 59°47'33" West a distance of 792.00 feet to a pipe set, thence;
3. North 13°27'51" West a distance of 371.52 feet to a pipe set, thence;
4. North 67°04'51" East a distance of 590.79 feet passing over a stone 3.39' from the beginning of said line to the place of beginning.

Containing an area of 219,456 square feet, or 5.0380 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16.

Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



MADDOX
Engineers & Surveyors, Inc.

SCHEDULE "A"

Description of Land
Brian and Cristin Kline
Liber 48967 Folio 233
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Brooke Grove," and being all of the land conveyed from Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE4 to Brian Kline and Cristin Kline by a deed dated June 13th, 2014, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 48967 at folio 233, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at a stone found on the southwest side of Olney-Laytonsville Road, said stone also being at the easterly end of the first line of a conveyance by Nancy Allnutt and Rebecca Allnutt to Warren T. Addison called "Brooke Grove" and recorded among the aforesaid Land Records in Liber EBP 2 at Folio 1;

1. South 67°04'51" West a distance of 590.79 feet to a point on the South 08°31'00" East 416.13 foot line of a Plat of Subdivision entitled "Brooke Grove" and recorded among the aforesaid Land Records in Plat Book 137 as Plat 15836, passing over a stone found at 587.40 feet, thence running reversely with said line as now surveyed;
2. North 13°27'51" West a distance of 105.35 feet to a pipe found, thence;
3. North 66°51'03" East a distance of 530.35 feet to a pipe found on the southwest edge of the aforesaid road, thence with said road edge;
4. South 45°03'14" East a distance of 114.48 feet to the place of beginning.

Containing an area of 58,862 square feet, or 1.3513 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



MADDOX
Engineers & Surveyors, Inc.

SCHEDULE "A"

Description of Land
Brian Kline
Liber 36205 Folio 72
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Brooke Grove," and being all of the land conveyed from John B. Kline and Donna L. Kline to Brian Kline by a deed dated September 19th, 2008, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 36205 at folio 72, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at the northerly end of the North 13°29'42" West 233.65 foot line of Lot 22, Block A as shown on a Plat of subdivision entitled "Brooke Grove" and recorded among the aforesaid Land Records in Plat Book 156 as Plat 17715, said point also being at the westerly end of the North 59°49'19" East 788.17 foot line of Outlot B, Block A as shown on said Plat, thence running with the outline of said Outlot B, Block A, as now surveyed, the following three (3) courses and distances;

1. North 59°47'33" East a distance of 709.61 feet to a pipe set, thence;
2. South 42°51'25" East a distance of 17.19 feet to a rebar found, thence;
3. South 61°08'21" West a distance of 713.57 feet to the place of beginning.

Containing an area of 5,950 square feet, or 0.1366 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



MADDOX
Engineers & Surveyors, Inc.

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING ZONING OF APPROXIMATELY
7.6376 ACRES OF LAND, KNOWN AS THE ALLCOCK AND KLINE
PROPERTIES LOCATED ADJACENT TO THE PRESENT TOWN
LIMITS WITH STREET ADDRESSES OF 6812, 6810, 6720, 6800,
AND OUTLOT B (NO ADDRESS), OLNEY LAYTONSVILLE ROAD

ANNEXATION AXR-1

WHEREAS, Subtitle 4, section 4-416 Local Government Article of the Annotated Code of Maryland, 2013 Ed., as amended provides that no municipality annexing land, may for a period of five (5) years after annexation allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50% than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation; and

WHEREAS, the Town of Laytonsville is proposing to annex 7.637 acres of land located adjacent to the present town limits with street addresses of 6812, 6810, 6800, 6720 and Outlot B (no street address), Olney – Laytonsville Road, Laytonsville, Maryland as more particularly described on Exhibit 1 (a boundary survey), Exhibit 2A (metes and bound description of Allcock property) and Exhibit 2B (metes and bound description of Kline property). The site is currently zoned R-200 in Montgomery County in accordance with the recommendations of the 2004 Upper Rock Creek Master Plan. The Town proposed to rezone the site after annexation to the Towns C1 (commercial) zone with restrictions; and

WHEREAS, Section 4-103(b) of the Land Use Article of the Annotated Code of Maryland, 2013 edition, provides that when annexing property a municipal corporation may include in an annexation agreement conditions and limitations on the use of land and density of development allowed in the zoning district where the land is located; and

WHEREAS, under the annexation proposal the land would be rezoned from the County's R-200 zone to the Town's C1 zone but limiting (i) uses to present use and those uses and density consistent with the County's R-200 zone and (ii) any new development on the Subject Property shall be limited by other use and density standards and requirements associated with use and density applicable to the same R-200 zoned land within the County for a period of five (5) years from the date of annexation and thereafter the C1 zone on the lands shall be governed only by any uses, density and development standards allowed by the Town's C1 zone; and

WHEREAS, the Town has entered into an Annexation Agreement with the applicants for rezoning restating and confirming the limitations on the use and density of the land to be annexed set forth herein; and

WHEREAS, the Montgomery County Planning Board in its report to the Town supported the annexation; and

WHEREAS, this reclassification will be consistent with the Town's Comprehensive Master Plan which recommends C1 commercial zoning for the subject lands.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Laytonsville, in public meeting assembled, that the Allcock and Kline Properties, reflected on Exhibit 1 (boundary survey) and Exhibits 2A and 2B (metes and bounds descriptions) attached to this Ordinance and made a part hereof, being the same lands described in Annexation Resolution AXR-1 be, and are hereby, reclassified in the C1 zone subject to the limitation for five (5) years after the date of annexation that the uses of the property are limited to their present uses and those consistent with the County's R-200 zone. Thereafter, the C1 zone shall permit all uses allowable in the Town's C1 zone.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Mayor and Town Council of Laytonsville in public meeting assembled that classification to the C1 zone as described herein above is in the best interests of the health, safety and general welfare of the inhabitants of the Town and in compliance of the Annotated Code of Maryland, as amended, and

DELIVERED, to the Mayor of the Town of Laytonsville this ____ day of _____, 2017, and approved by the Mayor of Laytonsville this ____ day of _____, 2017.

MAYOR

THIS IS TO CERTIFY that the foregoing Ordinances were adopted by the Town Council on this ____ day of _____, 2017, and approved by the Mayor on this ____ day of _____, 2017. This Ordinance will become effective on the 45th day after Annexation being the ____ day of _____, 2017.

TOWN CLERK

EXHIBIT 1

EXHIBIT 2A

SCHEDULE "A"

Description of Land
Shannon M. and Ann L. Allcock
Parcel 2
Liber 28278 Folio 625
Election District No. 1
Montgomery County, Maryland

Being part of the tract of land called "Addition to Brooke Grove," and being all of the land conveyed from Thomas A. Turner and Aimee L. Turner to Shannon M. Allcock and Ann L. Allcock by a deed dated August 24th, 2004, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 28278 at folio 625, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at an iron pipe found on the westerly side of Olney-Laytonsville Road (Maryland Route 108) said iron pipe also being 833.46 feet along the third line of a conveyance from Nancy Alnutt to Warren T. Addison and recorded among the Land Records of Montgomery County, Maryland in Liber E.B.P. No. 8 at Folio 242 thence with a part of said line and along said road;


1. South 45°00'16" East a distance of 83.90 feet to an iron pipe found at the easterly end of the third line of conveyance from Cora Newman Simpson to Charles T. King and recorded among the aforesaid Land Records in Liber 4592 at Folio 824, thence leaving said road and running with the third and second lines thereof reversed;
2. South 69°31'28" West a distance of 143.42 feet to an iron pipe found, thence;
3. South 28°49'37" East a distance of 99.93 feet to an iron pipe set 170.50 feet from the end of the third line of a conveyance from Rebecca Addison to Samuel W. Copeland and recorded among the aforesaid Land Records in Liber L.D. No. 6 at Folio 436, thence with part of said line reversed;
4. South 66°51'03" West a distance of 162.06 feet to an iron pipe found at the end of the third line of a conveyance from Douglas R. Taylor, Trustee to the Pentalpha Masonic Temple and Library Association and recorded among the aforesaid Land Records in Liber 4615 at Folio 867, thence with said line reversed;
5. North 13°27'21" West a distance of 173.22 feet to an iron pipe found 198.0 feet from the end of the third line of a conveyance from Chesapeake Conference of Seventh Day Adventist to Roy E. Grahm and recorded among the aforesaid Land Records in Liber 4625 at Folio 45, thence with part of said line reversed;
6. North 66°52'58" East a distance of 235.04 feet to the place of beginning.

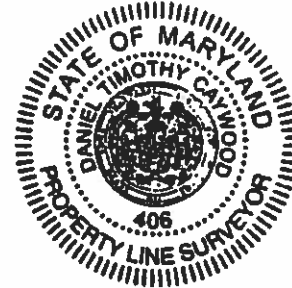
Containing an area of 33,444 square feet, 0.7678 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.



I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .03 and .12 of the minimum standards of practice for land surveyors.

2-5-16


Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



SCHEDULE "A"

Description of Land
Shannon M. and Ann L. Allcock
Parcel 1
Liber 28278 Folio 625
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Addition to Brooke Grove," and being all of the land conveyed from Thomas A. Turner and Aimee L. Turner to Shannon M. Allcock and Ann L. Allcock by a deed dated August 24th, 2004, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 28278 at folio 625, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at an iron pipe found at the easterly end of the third line of a conveyance by C.N. Simpson to C.T. King recorded among the aforesaid Land records in Liber 5492 at Folio 824, said point also being on the westerly side of Olney-Laytonsville Road, Maryland Route 108 (variable width right of way), thence running with said westerly side of Olney-Laytonsville Road;

1. South 44°49'23" East a distance of 99.81 feet to an iron pipe found, thence leaving said westerly side of Olney-Laytonsville Road;
2. South 66°51'03" West a distance of 170.24 feet to an iron pipe set, thence;
3. North 28°49'37" West a distance of 99.93 feet to an iron pipe found, thence;
4. North 69°31'28" East a distance of 143.42 feet to the place of beginning.

Containing an area of 14,985 square feet, or 0.3440 acres of land, as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016

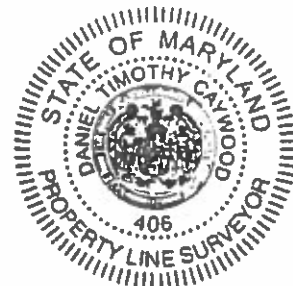


EXHIBIT 2B

SCHEDULE "A"

Description of Land
Brian M. Kline
Liber 44169 Folio 189
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Addition to Brooke Grove," and being all of the land conveyed from Brian M. Kline and Melissa Marie Lowe, formerly known as Melissa M. Kline to Brian M. Kline by a deed dated May 31st, 2012, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 44169 at folio 189, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

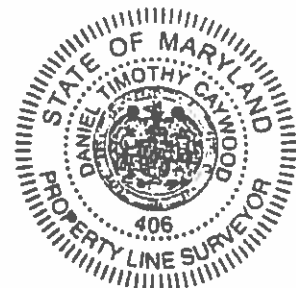
Beginning for the same at a stone found at the westerly end of the first line of a conveyance from Nancy Allnutt and Rebecca Allnutt to Warren T. Addison Dated February 1, 1865, and recorded among the aforesaid Land Records in Liber EBP 2 at folio 1, said stone also being on the western edge of Olney-Laytonsville Road, MD Route 108 (variable width right of way), thence running with said western edge of road;

1. South 49°37'10" East a distance of 297.74 feet to a point, thence leaving said western edge of road;
2. South 59°47'33" West a distance of 792.00 feet to a pipe set, thence;
3. North 13°27'51" West a distance of 371.52 feet to a pipe set, thence;
4. North 67°04'51" East a distance of 590.79 feet passing over a stone 3.39' from the beginning of said line to the place of beginning.

Containing an area of 219,456 square feet, or 5.0380 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



SCHEDULE "A"

Description of Land
Brian and Cristin Kline
Liber 48967 Folio 233
Election District No. 1
Montgomery County, Maryland

Being part of the tract of land called "Brooke Grove," and being all of the land conveyed from Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE4 to Brian Kline and Cristin Kline by a deed dated June 13th, 2014, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 48967 at folio 233, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at a stone found on the southwest side of Olney-Laytonsville Road, said stone also being at the easterly end of the first line of a conveyance by Nancy Allnutt and Rebecca Allnutt to Warren T. Addison called "Brooke Grove" and recorded among the aforesaid Land Records in Liber EBP 2 at Folio 1;

1. South 67°04'51" West a distance of 590.79 feet to a point on the South 08°31'00" East 416.13 foot line of a Plat of Subdivision entitled "Brooke Grove" and recorded among the aforesaid Land Records in Plat Book 137 as Plat 15836, passing over a stone found at 587.40 feet, thence running reversely with said line as now surveyed;
2. North 13°27'51" West a distance of 105.35 feet to a pipe found, thence;
3. North 66°51'03" East a distance of 530.35 feet to a pipe found on the southwest edge of the aforesaid road, thence with said road edge;
4. South 45°03'14" East a distance of 114.48 feet to the place of beginning.

Containing an area of 58,862 square feet, or 1.3513 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



SCHEDULE "A"

Description of Land
Brian Kline
Liber 36205 Folio 72
Election District No. 1
Montgomery County, Maryland


Being part of the tract of land called "Brooke Grove," and being all of the land conveyed from John B. Kline and Donna L. Kline to Brian Kline by a deed dated September 19th, 2008, recorded among the Land Records of Montgomery County in the State of Maryland in Liber 36205 at folio 72, and being more particularly described in the meridian of the Maryland State Plane (NAD 83/91) datum as follows:

Beginning for the same at the northerly end of the North 13°29'42" West 233.65 foot line of Lot 22, Block A as shown on a Plat of subdivision entitled "Brooke Grove" and recorded among the aforesaid Land Records in Plat Book 156 as Plat 17715, said point also being at the westerly end of the North 59°49'19" East 788.17 foot line of Outlot B, Block A as shown on said Plat, thence running with the outline of said Outlot B, Block A, as now surveyed, the following three (3) courses and distances;

1. North 59°47'33" East a distance of 709.61 feet to a pipe set, thence;
2. South 42°51'25" East a distance of 17.19 feet to a rebar found, thence;
3. South 61°08'21" West a distance of 713.57 feet to the place of beginning.

Containing an area of 5,950 square feet, or 0.1366 acres of land as now surveyed by Maddox Engineers & Surveyors, Inc. in January of 2016, Project Number 15103.

I hereby certify that I was in responsible charge over survey work reflected hereon, all in compliance with the requirements set forth in COMAR Title 9, Subtitle 13, Chapter 6, Regulations .08 and .12 of the minimum standards of practice for land surveyors.

2-5-16 
Date Daniel T. Caywood, Registered Property Line Surveyor, Maryland No. 406
Expiration Date of November 14, 2016



Tax Account Nos: 1-00006996
1-00008723
1-00008712
1-00002191
1-02866207

ANNEXATION AGREEMENT

AXR – 1

THIS ANNEXATION AGREEMENT (“Agreement”), is made this _____ day of _____, 2017, by and between the TOWN OF LAYTONSVILLE, MARYLAND, an incorporated municipality (“Town”) and BRIAN KLINE, CRISTIN KLINE, SHANNON ALLCOCK and ANN ALLCOCK (“Applicant”).

R E C I T A L S

WHEREAS, Applicants are the owners of five (5) parcels of land containing 7.6376 acres of land located on the southwest side of Olney – Laytonsville Road (Maryland Route 108) which is more particularly shown on the boundary survey attached hereto and made a part hereof (“Subject Property”); and

WHEREAS, the Subject Property is contiguous to and adjoins the existing corporate boundaries of the Town, and the Subject Property is shown in the 2014 Comprehensive Plan for the Town of Laytonsville, Maryland, as being within the “Potential Annexation Limits” of the Town; and

WHEREAS, Applicant has petitioned the Town to annex the Subject Property to be incorporated within the boundaries of the Town, said application having been designated Annexation Application No. AXR-1; and

WHEREAS, the Town has verified that the subject application meets all of the requirements of State law and the Town has conducted all necessary public hearings, and considered all information provided by private individuals and public entities; and

WHEREAS, the Town has found and determined that annexation of the Subject Property will a) comply with the recommendations of the Town’s 2014 Comprehensive Plan, b) will

establish a logical and reasonable extension of the corporate boundary for the Town, and c) will promote the interests of the Town; and

WHEREAS, all parties desire to execute this Agreement to establish the terms and conditions under which the Subject Property shall be annexed, zoned and used.

NOW, THEREFORE, in consideration of the foregoing recitals, each of which shall be deemed to be a part of this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the parties covenant and agree as follows:

1. Section 4-103 of the Land Use Article of the Code of Maryland authorizes the Town to limit or restrict the uses of a property through conditions imposed at the time of annexation.

2. Upon annexation of the Subject Property into the Town of Laytonsville, the Subject Property shall be classified in the Town's C1 (Commercial) zone subject to certain limitations hereinafter set forth. The Town shall adopt a resolution annexing the Subject Property and in concert therewith, the Town shall adopt an ordinance classifying the Subject Property in the Town's C1 zone. The Annexation Resolution and Ordinance shall contain a restriction that use, density and new development on the Subject Property for five (5) years after the date of annexation are: (i) limited to their present uses and those uses consistent with Montgomery County's R-200 zone as it exists on the date of annexation and (ii) any new development on the Subject Property shall be limited by other standards and requirements associated with use and density applicable to the same R-200 zoned land within the County.

3. Applicant and Town commit and agree that for five (5) years from the date of annexation, the use, density and new development of the Subject Property will be limited to those conditions and restrictions set forth in Section Two (2) of this Annexation Agreement.

4. In the event that any time within five (5) years from the date of annexation, Applicant petitions to amend this Agreement or the restrictions on the use, or density of the Subject Property which would alter the existing use or density of the Subject Property, or would

result in a use not permitted in Montgomery County’s R-200 zone, or would allow for a more intense use of the Subject Property than allowed in Montgomery County’s R-200 zone, such proposed amendment of this Agreement shall not occur without the written approval of the County Council of Montgomery County, Maryland.

5. This Agreement shall not prohibit any repairs or maintenance of the existing uses on the Subject Property.

IN WITNESS WHEREOF, each of the parties hereto has executed this Annexation Agreement as of the date first set forth above as evidenced by their respective signatures and acknowledgements on the following pages.

WITNESS: TOWN OF LAYTONSVILLE, MARYLAND

_____ By: _____
Name: _____
Title: _____

STATE OF MARYLAND)
)
COUNTY OF MONTGOMERY)

I HEREBY CERTIFY that on this _____ day of _____, 2017, before me the subscriber, a notary public of the State of Maryland in and for Montgomery County personally appeared _____ and made oath in due form of law that the matters and facts set forth in the foregoing Annexation Agreement AXR-1 are true.

NOTARY PUBLIC

My Commission Expires:

[Signatures Continued on Next Page]

WITNESS:

APPLICANT

By: _____
Brian Kline

STATE OF MARYLAND)
)
COUNTY OF MONTGOMERY)

I HEREBY CERTIFY that on this ____ day of _____, 2017, before me the subscriber, a notary public of the State of Maryland in and for Montgomery County personally appeared **Brian Kline** and made oath in due form of law that the matters and facts set forth in the foregoing Annexation Agreement AXR-1 are true.

NOTARY PUBLIC

My Commission Expires:

WITNESS:

By: _____
Cristin Kline

STATE OF MARYLAND)
)
COUNTY OF MONTGOMERY)

I HEREBY CERTIFY that on this ____ day of _____, 2017, before me the subscriber, a notary public of the State of Maryland in and for Montgomery County personally appeared **Cristin Kline** and made oath in due form of law that the matters and facts set forth in the foregoing Annexation Agreement AXR-1 are true.

NOTARY PUBLIC

My Commission Expires:

[Signatures Continued on Next Page]

WITNESS:

By: _____
Shannon Allcock

STATE OF MARYLAND)
)
COUNTY OF MONTGOMERY)

I HEREBY CERTIFY that on this ____ day of _____, 2017, before me the subscriber, a notary public of the State of Maryland in and for Montgomery County personally appeared **Shannon Allcock** and made oath in due form of law that the matters and facts set forth in the foregoing Annexation Agreement AXR-1 are true.

NOTARY PUBLIC

My Commission Expires:

WITNESS:

By: _____
Ann Allcock

STATE OF MARYLAND)
)
COUNTY OF MONTGOMERY)

I HEREBY CERTIFY that on this ____ day of _____, 2017, before me the subscriber, a notary public of the State of Maryland in and for Montgomery County personally appeared **Ann Allcock** and made oath in due form of law that the matters and facts set forth in the foregoing Annexation Agreement AXR-1 are true.

NOTARY PUBLIC

My Commission Expires:

A

COMPREHENSIVE PLAN

FOR THE

TOWN OF LAYTONSVILLE

MONTGOMERY COUNTY,

MARYLAND

Prepared By:

Date: May 2014

EXHIBIT "C" – ZONING MAP

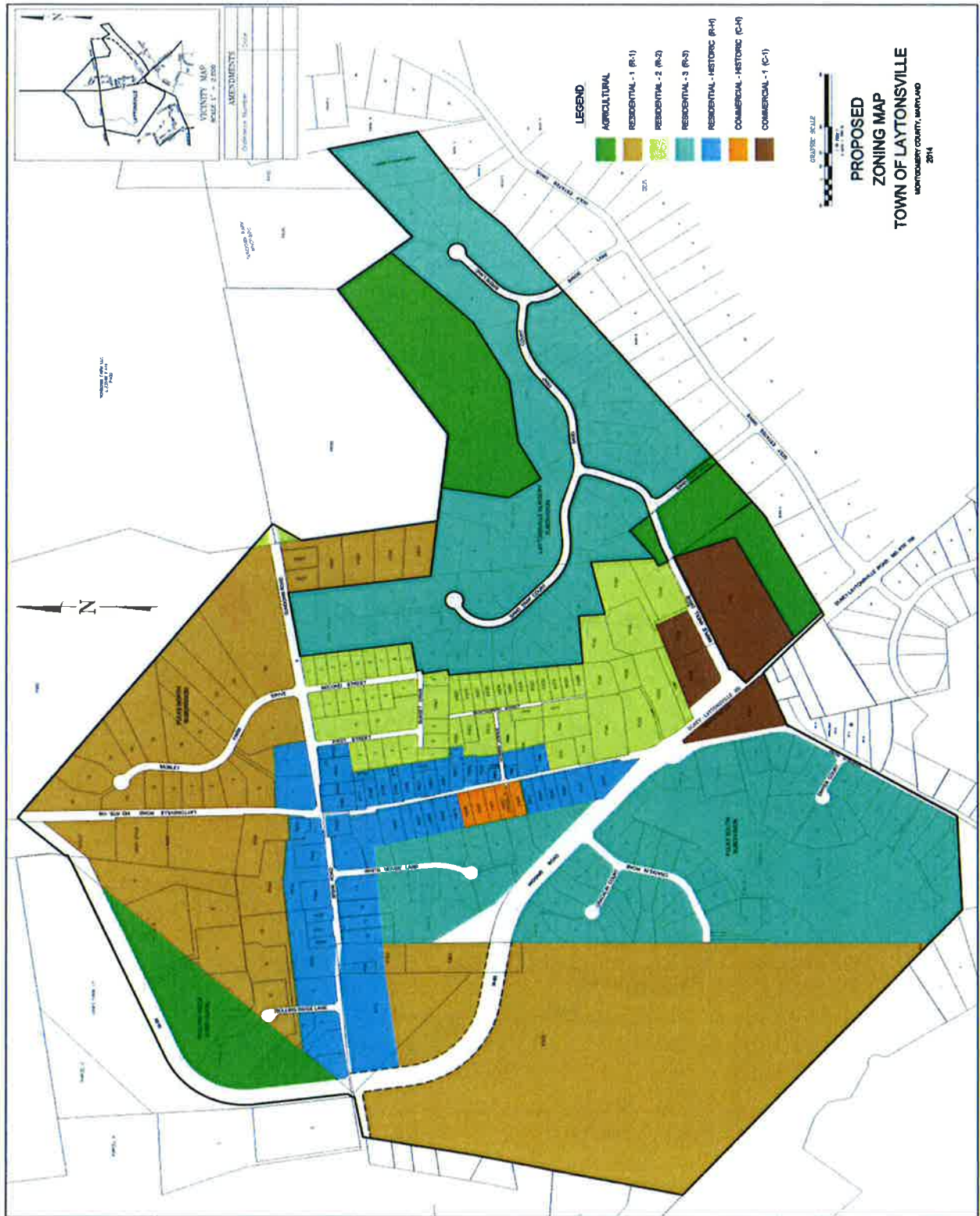


EXHIBIT "G" – POTENTIAL ANNEXATION MAP

