

THE TOWN OF FOREST HEIGHTS, MARYLAND

Annexation Resolution No. 02-2016

**RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN PUBLIC OR TAX
EXEMPT LANDS (TAX MAP 95, PARCEL 45; TAX MAP 96, PARCELS 135, 136, 206, 207,
& 210; TAX MAP 104, PARCELS 4, 6, 44, 80, A, & OUTLOT A; AND TAX MAP 105, LOT
7, PARCELS 3, 5, 10, A & P/O A) INTO THE TOWN OF FOREST HEIGHTS
(THE SEVENTH EXTENSION)**

A RESOLUTION TO APPROVE THE ANNEXATION OF LAND BEING 289.97 ACRES OF LAND, MORE OR LESS, LOCATED IN THE 12TH ELECTION DISTRICT OF PRINCE GEORGE'S COUNTY, AND LOCATED GENERALLY SOUTH OF THE PRESENT CORPORATE LIMITS OF THE TOWN OF FOREST HEIGHTS NEAR THE INTERCHANGES OF INDIAN HEAD HIGHWAY (MD-210) AND THE WASHINGTON CIRCUMFERENTIAL HIGHWAY (I-95 & I-495), AND OXON HILL ROAD (MD-414); AND, EXTENDING GENERALLY EAST AND SOUTHWEST FROM SAID JUNCTURE ALONG OXON HILL ROAD; (TAX MAP 95, PARCEL 45; TAX MAP 96, PARCELS 135, 136, 206, 207, & 210; TAX MAP 104, PARCELS 4, 6, 44, 80, A, & OUTLOT A; AND TAX MAP 105, LOT 7, PARCELS 3, 5, 10, A & P/O A) INTO THE CORPORATE TERRITORY OF THE TOWN OF FOREST HEIGHTS; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ANNEXATION TO THE TOWN OF FOREST HEIGHTS AMENDING THE CHARTER OF THE TOWN OF FOREST HEIGHTS FOR THE PURPOSES OF INCLUDING THE ANNEXED PROPERTY WITHIN THE LEGAL DESCRIPTIONS AND PLATS DEPICTING THE CORPORATE LIMITS OF THE TOWN; AND GENERALLY ALL MATTERS RELATED TO SAID ANNEXATION.

WHEREAS, The Town of Forest Heights (the "Town") is authorized by the Town Charter and provisions of Title 4, Subtitle 4 of the Local Government Article, of the Annotated Code of Maryland (the "Maryland Code") to expand its municipal boundaries by annexing lands which are adjoining and contiguous; and

WHEREAS, this Resolution is initiated by the Town Council pursuant to §4-403 of the LG Art., of Md. Ann. Code, and seeks to ratify, re-enact and cure certain alleged defects in notice originally provided in Dec. 2014 through Jan. 2015 pursuant to Annexation Resolution 01-2014 et al. as described in the Opinion and Order of the Circuit Court for Prince George's County dated January 29, 2016 in Case No. CAL15-04255;

WHEREAS, the property to be annexed will consist of approximately eighteen (18) parcels or lots of land (Tax Map 95, Parcel 45; Tax Map 96, Parcels 135, 136, 206, 207, & 210; Tax Map 104, Parcels 4, 6, 44, 80, A, & Outlot A; and Tax Map 105, LOT 7, Parcels 3, 5, 10, A & P/O A) totaling 289.97 acres of land, more or less, contiguous and adjoining to the existing southern corporate boundaries of the Town, and more particularly described herein below (the "Annexation Property") owned by the Government of the United States of America, the State of Maryland, Prince George's County, the Prince George's County Board of Education, the

Maryland-National Capital Park and Planning Commission (the "M-NCPPC") and the Oxon Hill Methodist Church; and

WHEREAS, the Annexation Property is currently zoned O-S (Parcel 45), R-55 (Parcels A, 3, 5, 10, 135 & 136), I-3 (Parcels 6, 206, 207, 210, A and Lot 7) and R-O-S (Parcels 4, 44, & 80) with a CBCA R-C-O Overlay District on portions of Parcel A (Betty Blume Neighborhood Park) pursuant to the County Zoning Ordinance; and

WHEREAS, the Local Government Article, §4-403 of the Maryland Code states that "[b]efore an annexation resolution is introduced, the legislative body shall obtain consent from: (1) at least 25% of the registered voters who are residents in the area to be annexed; and (2) the owners of at least of 25% of the assessed valuation of real property in the area to be annexed..."; and

WHEREAS, the Annexation Property currently has no residential dwellings, and no domiciled occupants residing upon the premises or parcels owned and maintained by governmental or church owners solely; therefore, the Mayor and Council find that there are no qualified voters residing in the Annexation Property; and

WHEREAS, the Attorney General of Maryland has opined that there is no express prohibition, against the annexation of property owned by a governmental entity, *See* 75 Op. Atty Gen. Md. 348 (1990), and the Court of Special Appeals of Maryland has held that a municipality may not include the consent of a governmental owner of tax-exempt property in determining whether it has obtained the requisite number of consents to an annexation resolution and although § 7-106 of the Tax-Property Article [Md. Ann. Code] requires that tax-exempt property be assessed on the same basis as taxable property, said court concluded that only the owners of taxable property are qualified to give consent to annexation because the General Assembly intended "that only those who were to bear the financial burdens of a city government by the payment of real property taxes were to be allowed a voice in the annexation of real property to the municipal corporation...", *See City of Salisbury v. Banker's Life Co.*, 21 Md. App. 396 (1974); therefore, the Mayor and Council find that there are no owners of taxable property therein qualified or having standing to give consent or opposition to or petition to referendum an annexation regarding the Annexation Property; and

WHEREAS, the Annexation Property is described in the metes and bounds legal description of a parcel or parcels of land referenced herein below as the Seventh Extension, and the Annexation Property is more further described or depicted on a map exhibit entitled "Map of the Seventh Extension of the Town of Forest Heights, Prince George's County, Maryland, 1" = 300', November 2014" prepared by Charles P. Johnson and Associates, which is attached hereto as Exhibit A, and the Annexation Property is further shown on Prince George's County Tax Map 95, Parcel 45; Tax Map 96, Parcels 135, 136, 206, 207, & 210; Tax Map 104, Parcels 4, 6, 44, 80, A, & Outlot A; and Tax Map 105, LOT 7, Parcels 3, 5, 10, A & P/O A (ID No.'s 1362615, 1352426, 1352418, 1352400, 1203553, 1203546, 1304286, 1234764, 1292473, 1263847, 1320720, 1287598, 1287606, 5509597, 1260298, 1286178, 1203462, 1203470, & 1203652); and

WHEREAS, a proposed Annexation Plan consistent with the requirements of Section 4-415 of the Local Government Article, of the Annotated Code of Maryland has been prepared and

submitted to the Town and made available for public review and discussion; a copy of the Annexation Plan has been provided to the Prince George's County Council, the Maryland-National Capital Park and Planning Commission, and the Maryland Department of State Planning at least thirty (30) days prior to the date of the public hearing to be conducted on this Resolution by the Mayor and Council of Forest Heights; and

WHEREAS, all requirements of the Laws of the State of Maryland, Prince George's County and the Charter and laws of The Town of Forest Heights regarding initiation of this annexation by the Town's legislative body have been satisfied, and the Town Council has determined that it is desirable to initiate by resolution the annexation process for the benefit of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS the following:

Section 1. Modification of Town Boundaries. The municipal boundaries of The Town of Forest Heights, Maryland shall be and are hereby amended to incorporate into The Town of Forest Heights the Annexation Property, as described in the metes and bounds legal description of parcels of land referenced herein below as the Seventh Extension, and the Annexation Property is more further described or depicted on a map exhibit entitled "Map of the Seventh Extension of the Town of Forest Heights, Prince George's County, Maryland, 1" = 300', November 2014" prepared by Charles P. Johnson and Associates, and certified by Steven William Jones, Professional Land Surveyor, which is attached hereto as Exhibit A, and the Annexation Property is further shown on Prince George's County Tax Map 95, Parcel 45; Tax Map 96, Parcels 135, 136, 206, 207, & 210; Tax Map 104, Parcels 4, 6, 44, 80, A, & Outlot A; and Tax Map 105, LOT 7, Parcels 3, 5, 10, A & P/O A (ID No.'s 1362615, 1352426, 1352418, 1352400, 1203553, 1203546, 1304286, 1234764, 1292473, 1263847, 1320720, 1287598, 1287606, 5509597, 1260298, 1286178, 1203462, 1203470, & 1203652). The annexation plat or map shall be subject to technical review and correction by the Town, or its designee, prior to the public hearing to be held on this Resolution.

Section 2. Amendment of Town Charter. Pursuant to the authority of Article XI-E of the Constitution of Maryland and the Local Government Article of the Maryland Code, the Charter of the Town of Forest Heights (as published in Forest Heights, Chapter 53, Volume 3, Compilation of Municipal Charters) be and the same is hereby amended in Section 33-2 of said Charter by adding the following subsection containing the metes and bounds description of the Annexation Property:

...

(i) *Seventh Extension.* The boundaries of Forest Heights are hereby extended to include the following two parcels of land:

(1) Parcel One.

Beginning for the same at a point on the Southerly or North 87°46'30" West, 786.34 feet Plat line of Section 16 as shown on a Plat of Subdivision entitled "Forest

Heights” and recorded among the Land Records of Prince George’s County, Maryland in Plat Book WWW 26 at Plat Number 38, said point also being on the First or North $04^{\circ}15'$ East, 120.00 feet line of the Second Parcel as described in a Deed from Adrian P. Fisher to William S. Butler, dated October 4, 1951 and recorded among the aforesaid Land Records in Liber 1418 at Folio 125 (Parcel 26), thence leaving the aforesaid First line of the Second Parcel as described in the Deed recorded in Liber 1418 at Folio 125, and running reversely with and binding on the aforesaid Southerly Plat line of Section 16 of Forest Heights, and also running with and binding on the Southerly Plat line of Section 15 as shown on a Plat of Subdivision entitled “Forest Heights” and recorded among the aforesaid Land Records in Plat Book WWW 23 at Plat Number 39, and further running with and binding on the Southerly Plat line of Section 7 as shown on a Plat of Subdivision entitled “Forest Heights” and recorded among the aforesaid Land Records in Plat Book BB 10 at Plat Number 51, and an extension thereof, which line is also the present southern boundary line of the Town of Forest Heights, the following course and distance

- (i) North $87^{\circ}40'57''$ East, 952.51 feet to a point at the intersection of Cree Drive as shown on the aforesaid Southerly Plat line of Section 7, Forest Heights and the Westerly Right-of-Way line of Ramp “H” of the Washington Circumferential Highway as shown on State Roads Commission Plat Number 17273, said point also being at the beginning of the Third or North $87^{\circ}27'06''$ East, 148.28 feet line of Tract 5-B as described in a Deed from the United States of America, acting by and through the Department of Commerce, Bureau of Public Roads, to the Maryland State Roads Commission, dated July 8, 1959 and recorded among the aforesaid Land Records in Liber 2372 at Folio 613 (Parcel 45), thence leaving the aforesaid intersection of Cree Drive and Ramp “H” of the Washington Circumferential Highway, and running with and binding on the aforesaid Southerly Plat line of Section 7, Forest Heights, and an extension thereof, and also running with and binding on the aforesaid Third line of Tract 5-B as described in the Deed recorded in Liber 2372 at Folio 613, and an extension thereof, and running in, through, over and across the aforesaid Ramp “H” of the Washington Circumferential Highway Right-of-Way, and also running in, through, over and across the Indian Head Highway Right-of-Way as shown on the aforesaid State Roads Commission Plat Number 17273, and further running in, through, over and across Arapahoe Terrace, and continuing with the southern boundary line of the Town of Forest Heights the following course and distance,
- (ii) North $87^{\circ}40'57''$ East, 395.81 feet to a point on the Easterly Right-of-Way line of the aforesaid Arapahoe Terrace, said point also being on the Westerly Plat line of Section 8 as shown on a Plat of Subdivision entitled “Forest Heights” and recorded among the aforesaid Land Records in Plat Book WWW 21 at Plat Number 32, thence running with and binding on the aforesaid Easterly Right-of-Way line of Arapahoe Terrace, and also running with and binding on the aforesaid Westerly Plat line of Section 8, and continuing with the southern boundary line of the Town of Forest Heights, the following course and distance,

- (iii) South 00°25'49" East, 421.90 feet to a point on the Seventh or North 34°13'00" East, 1,004.49 feet line as described in a Deed from the United States of America, acting by and through the Secretary of Health, Education, and Welfare, to the State of Maryland, dated February 15, 1957 and recorded among the aforesaid Land Records in Liber 2094 at Folio 102, said point being the southerly tip of Section 8 and a corner of Outlot 'A', thence leaving the aforesaid Easterly Right-of-Way line of Arapahoe Terrace extended, and running with and binding on the aforesaid Seventh line as described in the Deed recorded in Liber 2094 at Folio 102, and also continuing with the outline of the aforesaid Section 8 of Forest Heights, the following course and distance,
- (iv) North 34°20'21" East, 845.25 feet to a point at the end of the Second or North 24°18'10" West, 607.30 feet line as described in a Deed from John W. Miller & Frances Miller to the State of Maryland, dated August 15, 1955 and recorded among the aforesaid Land Records in Liber 1893 at Folio 293 (Parcel 135), said point also being at the Northerly end of the Westerly or North 24°19'30" West, 606.98 feet line of Parcel "A" as shown on a Record Plat entitled "Flintstone Elementary School" and recorded among the aforesaid Land Records in Plat Book NLP 94 at Plat Number 8, thence leaving the aforesaid Seventh line as described in the Deed recorded in Liber 2094 at Folio 102, and also leaving the aforesaid Section 8 of Forest Heights, and running reversely with and binding on the aforesaid Second line as described in the Deed recorded in Liber 1893 at Folio 293 (Parcel 135), and also running reversely with and binding on the aforesaid Westerly line of Parcel "A", and continuing with the southern boundary line of the Town of Forest Heights, the following course and distance,
- (v) South 24°10'49" East, 613.47 feet to a point on the Northerly Right-of-Way line of the aforesaid Washington Circumferential Highway as shown on State Roads Commission Plat Number 13600, thence leaving the aforesaid Second line as described in the Deed recorded in Liber 1893 at Folio 293, and also leaving the aforesaid Westerly line of Parcel "A", and running in, through, over and across the aforesaid Washington Circumferential Highway (also referred to as the Capitol Beltway), and continuing with the southern boundary line of the Town of Forest Heights, the following course and distance,
- (vi) South 05°27'19" West, 402.06 feet to a point on the Southerly Right-of-Way line of the aforesaid Washington Circumferential Highway, said point also being at the end of the Sixth or North 12°05'30" West, 422.07 feet line as described in a Deed from the aforesaid John W. Miller & Frances L. Miller to the Forest Heights Baptist Church, Inc., a body corporate, dated June 13, 1958 and recorded among the aforesaid Land Records in Liber 2221 at Folio 514 (Parcel 327), said point further being on the First or South 12°02'20" East, 1,401.22 feet line as described in the aforesaid Deed recorded in Liber 2094 at Folio 102 (SHA), thence leaving the aforesaid Southerly Right-of-Way line of the Washington Circumferential Highway, and running reversely with and binding on the aforesaid Sixth line as described in the Deed recorded in Liber 2221 at Folio 514

(Parcel 327), and also running with and binding on the aforesaid First line as described in the Deed recorded in Liber 2094 at Folio 102 (SHA), the following course and distance,

- (vii) South 11°54'09" East, 421.59 feet to a point at the end of the Second or North 68°46'20" East, 215.00 feet line as described in a Deed from Coldwell Banker Real Estate Holdings, Inc., a Delaware corporation, to Stevens Companies, L.L.C., dated June 16, 2000 and recorded among the aforesaid Land Records in Liber 13936 at Folio 240 (Parcel 182), thence leaving the aforesaid Sixth line as described in the Deed recorded in Liber 2221 at Folio 514 (Parcel 327), and also leaving the present south boundary line of Forest Heights, and running reversely with and binding on the aforesaid Second line and the First line as described in the Deed recorded in Liber 13936 at Folio 240 (Parcel 182), and an extension of the First line thereof, and also running with and binding on the Second & Third lines as described in the aforesaid Deed recorded in Liber 2094 at Folio 102 (SHA), and an extension of the Third line thereof, said extensions of the aforesaid First line as described in the Deed recorded in Liber 13936 at Folio 240 (Parcel 182), and the aforesaid Third line as described in the Deed recorded in Liber 2094 at Folio 102 (SHA), running in, through, over and across the Oxon Hill Road Right-of-Way as shown on State Roads Commission Plat Numbers 51054 and 55716, and further running for a new boundary line of the Town of Forest Heights, the following two courses and distances,
- (viii) South 68°58'51" West, 210.73 feet to a point, thence,
- (ix) South 17°58'12" East, 287.53 feet to a point on the Southerly or South 71°18'08" West, 136.30 feet Right-of-Way line of the aforesaid Oxon Hill Road as shown on State Roads Commission Plat Number 55716, thence running with and binding on the aforesaid Southerly Right-of-Way line of Oxon Hill Road the following two courses and distances,
- (x) South 71°21'05" West, 37.23 feet to a point, thence,
- (xi) South 72°02'46" West, 143.09 feet to a point at the intersection of the aforesaid Oxon Hill Road and Ramp 'F' of the aforesaid Indian Head Highway as shown on the aforesaid State Roads Commission Plat Number 51054, said point also being on the Westerly or North 14°51'46" East, 485.36 feet line of Lot 1 as shown on a Record Plat entitled "Southwood" and recorded among the aforesaid Land Records in Plat Book NLP 113 at Plat Number 75, thence leaving the aforesaid intersection of Oxon Hill Road and Ramp 'F' of Indian Head Highway, and running with and binding on the Easterly Right-of-Way line of the aforesaid Ramp 'F' of Indian Head Highway, and also running reversely with and binding on the aforesaid Westerly line of Lot 1, Southwood, the following course and distance,

- (xii) South 14°55'42" West, 474.91 feet to a point at the Northerly end of the Westerly or North 04°09'21" East, 205.70 feet line of Lot 8 as shown on a Plat of Resubdivision entitled "Potomac Business Park" and recorded among the aforesaid Land Records in Plat Book MMB 233 at Plat Number 87, thence leaving the aforesaid Westerly line of Lot 1, Southwood, and running reversely with and binding on the aforesaid Westerly line of Lot 8, Potomac Business Park, and also continuing with the aforesaid Easterly Right-of-Way line of Ramp 'F' of Indian Head Highway, the following two courses and distances,
- (xiii) South 04°16'36" West, 209.00 feet to a point, thence,
- (xiv) South 05°51'22" West, 397.82 feet to a point at the Westerly end of the Northerly or South 89°57'07" East, 127.00 feet line of Parcel A as shown on a Record Plat entitled "Potomac Business Park" and recorded among the aforesaid Land Records in Plat Book NLP 152 at Plat Number 32, thence leaving the aforesaid Easterly Right-of-Way line of Ramp 'F' of Indian Head Highway, and running with and binding on the aforesaid Northerly line of Parcel A, Potomac Business Park, and also continuing with the outline of the aforesaid Lot 8, Potomac Business Park, the following course and distance,
- (xv) South 89°49'57" East, 32.13 feet to a point at the Southerly end of the Common or North 05°48'37" East, 202.06 feet line between the aforesaid Lot 8, Potomac Business Park and Lot 7 as shown on the aforesaid Plat of Resubdivision recorded in Plat Book MMB 233 at Plat Number 87, thence leaving the aforesaid Northerly line of Parcel A, Potomac Business Park, and running with and binding on the Common lines between the aforesaid Lots 7 & 8, Potomac Business Park the following two courses and distances,
- (xvi) North 05°52'33" East, 202.06 feet to a point, thence,
- (xvii) North 53°40'03" East. 372.56 feet to a point on the Westerly or 675.52 feet arc Right-of-Way line of Felker Avenue as shown on a Street Dedication Plat entitled "Potomac Business Park" and recorded among the aforesaid Land Records in Plat Book NLP 152 at Plat Number 31, thence leaving the aforesaid Common line between Lots 7 & 8, Potomac Business Park, and running reversely with and binding on the aforesaid Westerly Right-of-Way line of Felker Avenue the following course and distance,
- (xviii) 466.16 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 435.00 feet and a chord bearing and distance of South 43°34'34" East, 444.17 feet to a point at the Northerly end of the Easterly or South 23°21'05" West, 485.64 feet line of the aforesaid Parcel A, Potomac Business Park, said point also being at the Northerly end of the Westerly or North 23°24'15" East, 485.63 feet line of Lot 10 as shown on a Plat of Resubdivision entitled "Potomac Business Park" and recorded among the aforesaid Land Records in Plat Book MMB 234 at Plat Number 21, thence leaving the aforesaid Westerly

Right-of-Way line of Felker Avenue, and running with and binding on the Common lines between the aforesaid Easterly line of Parcel A & Lot 10, Potomac Business Park, the following two courses and distances,

- (xix) South 23°25'01" West, 485.64 feet to a point, thence,
- (xx) South 25°49'58" East, 152.00 feet to a point at the beginning of the Fifth or North 53°35' East, 407.04 feet line as described in a Deed from the aforesaid John W. Miller & Frances Miller to the Board of Education of Prince George's County, Maryland, a body corporate and politic, dated November 16, 1955 and recorded among the aforesaid Land Records in Liber 1934 at Folio 529 (Parcel 3), thence leaving the outline of the aforesaid Parcel A, Potomac Business Park, and running with and binding on the aforesaid Fifth line as described in the Deed recorded in Liber 1934 at Folio 529, and also continuing with the outline of the aforesaid Plat of Resubdivision recorded in Plat Book MMB 234 at Plat Number 21, the following course and distance,
- (xxi) North 53°42'36" East, 396.94 feet to a point of curvature at the end of the Second or 67.93 feet arc line of the Southerly Right-of-Way line of Felker Avenue as described in a Deed from the Board of Education of Prince George's County, Maryland to Prince George's County, Maryland, a body corporate and politic, dated August 30, 2011 and recorded among the aforesaid Land Records in Liber 32948 at Folio 343, thence leaving the aforesaid Fifth line as described in the Deed recorded in Liber 1934 at Folio 529, and also leaving the outline of the aforesaid Plat of Resubdivision recorded in Plat Book MMB 234 at Plat Number 21, and running reversely with and binding on the Second line of the Southerly Right-of-Way line of Felker Avenue the following course and distance,
- (xxii) 70.02 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 70.00 feet and a chord bearing and distance of North 81°27'40" East, 67.14 feet to a point on the Sixth line as described in the aforesaid Deed recorded in Liber 1934 at Folio 529 (Parcel 3), said point also being on the outline of the aforesaid Plat of Resubdivision recorded in Plat Book MMB 234 at Plat Number 21, thence leaving the aforesaid Second line of the Southerly Right-of-Way line of Felker Avenue, and running with and binding on the aforesaid Sixth line as described in the Deed recorded in Liber 1934 at Folio 529, and also running with the outline of the aforesaid Plat of Resubdivision recorded in Plat Book MMB 234 at Plat Number 21, and an extension thereof, the following course and distance,
- (xxiii) North 87°16'01" East, 566.44 feet to a point at the beginning of the First or North 20°37'15" East, 152.52 feet line as described in a Deed from Warren E. Tydings, et al to the Board of Education of Prince George's County, Maryland, a body corporate and politic, dated May 19, 1971 and recorded among the aforesaid Land Records in Liber 3946 at Folio 162 (Parcel 10), said point also

being at the end of the Seventh or South 20°38'20" West, 339.59 feet line of Parcel 1 as described in a Deed from Alice V. Miller, et al to the Board of Education of Prince George's County, Maryland, a body corporate and politic, dated November 16, 1955 and recorded among the aforesaid Land Records in Liber 1934 at Folio 526, said point further being on the Westerly or North 20°38'20" East, 300.00 feet line of Parcel A as shown on a Record Plat entitled "Portabello Property" and recorded among the aforesaid Land Records in Plat Book WWW 55 at Plat Number 1, thence leaving the aforesaid Sixth line as described in the Deed recorded in Liber 1934 at 529, and running with and binding on the aforesaid First line as described in the Deed recorded in Liber 3946 at Folio 162 (Parcel 10), and also running reversely with and binding on the aforesaid Seventh line of Parcel 1 as described in the Deed recorded in Liber 1934 at Folio 526, and further running with and binding on the aforesaid Westerly line of Parcel A, Portabello Property, the following course and distance,

(xxiv) North 20°42'11" East, 152.66 feet to a point, thence leaving the aforesaid Seventh line of Parcel 1 as described in the Deed recorded in Liber 1934 at Folio 526, and also leaving the aforesaid Westerly line of Parcel A, Portabello Property, and running with and binding on the Second line as described in the aforesaid Deed recorded in Liber 3946 at Folio 162 (Parcel 10) the following course and distance,

(xxv) North 86°43'27" East, 281.60 feet to a point at the Southerly end of the Easterly or South 06°21'40" West, 141.03 feet line of the aforesaid Parcel A, Portabello Property, thence running reversely with and binding on the aforesaid Easterly line of Parcel A, Portabello Property, and also running with and binding on the Third line as described in the Deed recorded in Liber 3946 at Folio 162, the following course and distance,

(xxvi) North 06°25'36" East, 21.03 feet to a point at the Westerly end of the Southerly or North 57°38'10" West, 556.21 feet plat line as shown on a Plat of Subdivision entitled "Blocks A-F, Livingston Heights" and recorded among the aforesaid Land Records in Plat Book WWW 26 at Plat Number 90, thence leaving the aforesaid outline of Parcel A, Portabello Property, and running reversely with and binding on the outline of the aforesaid Livingston Heights Plat of Subdivision, and also running with and binding on the Fourth line as described in the Deed recorded in Liber 3946 at Folio 162, and further running with and binding on the Ninth through Twelfth lines as described in a Deed from the aforesaid John W. Miller & Frances Miller to the Board of Education of Prince George's County, Maryland, a body corporate and politic, dated April 8, 1964 and recorded among the aforesaid Land Records in Liber 2963 at Folio 208 (Parcel 5), the following four courses and distances,

(xxvii) South 57°34'14" East, 556.21 feet to a point, thence,

(xxviii) South 35°19'46" West, 96.84 feet to a point, thence,

(xxix) South 51°08'04" East, 205.53 feet to a point, thence,

(xxx) South 01°43'39" East, 27.40 feet to a point at the Northerly end of the Westerly or North 01°51'50" West, 194.62 feet plat line as shown on a Plat of Subdivision entitled "Norris Pyles Addition to Livingston Heights" and recorded among the aforesaid Land Records in Plat Book WWW 48 at Plat Number 96, thence leaving the outline of the aforesaid Livingston Heights Plat of Subdivision, and running with and binding on the aforesaid Westerly line of the Norris Pyles Addition to Livingston Heights Plat of Subdivision, and also continuing with the aforesaid Twelfth line as described in the Deed recorded in Liber 2963 at Folio 208 (Parcel 5), the following course and distance,

(xxxi) South 01°47'54" East, 194.62 feet to a point at the Easterly end of the Northerly or North 84°09'40" East, 546.83 feet plat line of Plat No. Seven as shown on a Plat of Subdivision entitled "South-Lawn" and recorded among the aforesaid Land Records in Plat Book WWW25 at Plat Number 53, thence leaving the aforesaid Westerly plat line of the Norris Pyles Addition to Livingston Heights Plat of Subdivision, and running reversely with and binding on the outline of the aforesaid Plat No. Seven, South-Lawn, and also running with and binding on the First & Second lines as described in the Deed recorded in Liber 2963 at Folio 208, the following two courses and distances,

(xxxii) South 84°13'36" West, 546.83 feet to a point, thence,

(xxxiii) South 05°27'44" East, 133.45 feet to a point at the Easterly end of the Northerly or North 78°15'20" East, 1,114.65 feet plat line of Plat No. Five as shown on a Plat of Subdivision entitled "South-Lawn" and recorded among the aforesaid Land Records in Plat Book WWW 23 at Plat Number 26, thence leaving the outline of the aforesaid Plat No. Seven of South-Lawn, and running reversely with and binding on the aforesaid Northerly plat line of Plat No. Five, South-Lawn, and also running reversely with and binding on the Northerly Plat line of Plat No. Four as shown on a Plat of Subdivision entitled "South-Lawn" and recorded among the aforesaid Land Records in Plat Book WWW 23 at Plat Number 25, and further running with and binding on the Third line as described in the aforesaid Deed recorded in Liber 2963 at Folio 208 and the Second line as described in the aforesaid Deed recorded in Liber 1934 at Folio 529, and also further running with and binding on the Southerly or South 78°15'20" West, 428.28 feet line of Parcel 'A' as shown on a Record Plat entitled "Southlawn Local Park" and recorded among the aforesaid Land Records in Plat Book WWW 78 at Plat Number 41, the following course and distance,

(xxxiv) South 78°19'16" West, 2,034.60 feet to a point at the beginning of the Second or North 01°10'50" West, 55.00 feet line as described in a Deed from

the aforesaid John W. Miller & Frances Miller to the Washington Suburban Sanitary Commission, a public corporation of the State of Maryland, dated August 12, 1960 and recorded among the aforesaid Land Records in Liber 2477 at Folio 245, thence leaving the aforesaid Northerly Plat line of Plat No. Four, South-Lawn, and running with and binding on the aforesaid Second line and the Third line as described in the aforesaid Deed recorded in Liber 2477 at Folio 245, and also continuing with the outline of the aforesaid Parcel 'A', Southlawn Local Park, the following two courses and distances,

(xxxv) North 00°06'54" West, 55.00 feet to a point, thence,

(xxxvi) South 78°19'16" West, 239.87 feet to a point on the Easterly or 210.84 feet arc Right-of-Way line of the aforesaid Indian Head Highway as shown on State Roads Commission Plat Number 48566, thence leaving the outline of the aforesaid Parcel 'A', Southlawn Local Park, and also leaving the aforesaid Third line as described in the Deed recorded in Liber 2477 at Folio 245, and further leaving the aforesaid Easterly Right-of-Way line of Indian Head Highway, and running in, through, over and across the aforesaid Indian Head Highway Right-of-Way the following course and distance,

(xxxvii) North 25°41'49" West, 744.42 feet to a point at the Southerly end of the Westerly or North 01°15'18" East, 301.95 feet Right-of-Way line of the aforesaid Indian Head Highway, said point also being at the beginning of the Seventh or North 61°33'03" West, 181.47 feet line as described in a Deed from Vivian M. Densford, et al to Prince George's County, dated December 22, 1986 and recorded among the aforesaid Land Records in Liber 6519 at Folio 919 (Parcel 6), said point further being at the end of the Second or South 61°32'33" East, 182.42 feet line as described in a Deed from Salubria Holdings, Inc., a Delaware corporation, to Rosecliff Realty Funding, Inc., a Delaware corporation, dated October 19, 1995 and recorded among the aforesaid Land Records in Liber 10440 at Folio 12, thence leaving the aforesaid Westerly Right-of-Way line of Indian Head Highway, and running with and binding on the aforesaid Seventh line and the Eighth & Ninth lines as described in the Deed recorded in Liber 6519 at Folio 919 (Parcel 6), and also running reversely with and binding on the aforesaid Second line and the First & Seventh lines as described in the Deed recorded in Liber 10440 at Folio 12, the following three courses and distances,

(xxxviii) North 61°33'03" West, 181.47 feet to a point, thence,

(xxxix) North 46°21'03" West, 404.80 feet to a point, thence,

(xl) North 78°37'02" West, 495.12 feet to a point at the Northerly end of the Easterly or South 18°19'46" West, 280.39 feet Right-of-Way line of the aforesaid Oxon Hill Road as shown on State Roads Commission Plat Number 48569, thence running with and binding on the aforesaid Easterly Right-of-

Way line of Oxon Hill Road, and also running reversely with and binding on the Sixth through Fourth lines as described in the aforesaid Deed recorded in Liber 10440 at Folio 12, the following three courses and distances,

- (xli) South 18°31'18" West, 280.07 feet to a point, thence,
- (xlii) South 09°12'13" West, 106.18 feet to a point, thence,
- (xliii) South 75°52'07" East, 47.03 feet to a point at the Northerly end of the Westerly or North 09°14'40" East, 155.57 feet line of Parcel "A" as shown on a Record Plat entitled "Salubria" and recorded among the aforesaid Land Records in Plat Book REP 192 at Folio 63, thence leaving the aforesaid Fourth line as described in the Deed recorded in Liber 10440 at Folio 12, and running reversely with and binding on the outline of the aforesaid Parcel "A", Salubria, and also continuing with the aforesaid Easterly Right-of-Way line of Oxon Hill Road, the following four courses and distances,
 - (xliv) South 09°14'40" West, 155.56 feet to a point, thence,
 - (xlv) South 06°22'55" West, 220.53 feet to a point, thence,
 - (xlvi) South 09°23'12" West, 362.63 feet to a point, thence,
 - (xlvii) South 10°52'40" West, 38.97 feet to a point at the Northerly end of the Westerly or North 09°05'20" East, 209.82 feet line of Parcel 1 as shown on a Plat of Correction entitled "Plat 2, Salubria" and recorded among the aforesaid Land Records in Plat Book MMB 237 at Plat Number 68, thence leaving the outline of the aforesaid Parcel "A", Salubria, and running reversely with and binding on the outline of the aforesaid Parcel 1, Salubria, and also continuing with the aforesaid Easterly Right-of-Way line of Oxon Hill Road, the following course and distance,
 - (xlviii) South 09°05'20" West, 209.82 feet to a point at the Northerly end of the Easterly or South 15°23'24" West, 100.60 feet Right-of-Way line of the aforesaid Oxon Hill Road as shown on Prince George's County Right-of-Way Plat Number 1689, said point being 57.00 feet to the right of and perpendicular to Baseline Station 88+29.56, thence continuing with the outline of the aforesaid Parcel 1, Salubria, and also continuing with the aforesaid Easterly Right-of-Way line of Oxon Hill Road, the following eight courses and distances,
 - (xlix) South 15°21'58" West, 100.60 feet to a point, thence,
 - (l) South 09°05'20" West, 151.40 feet to a point, thence,
 - (li) South 19°15'37" West, 62.29 feet to a point, thence,

- (lii) South 09°05'20" West, 331.54 feet to a point, thence,
- (liii) South 03°22'42" West, 10.05 feet to a point, thence,
- (liv) South 09°05'20" West, 0.88 feet to a point of curvature, thence,
- (lv) 113.36 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 5,968.00 feet and a chord bearing and distance of South 08°32'41" West, 113.36 feet to a point of tangency, thence,
- (lvi) South 08°00'02" West, 24.95 feet to a point at the Southerly end of the Easterly or South 08°01'28" West, 24.87 feet line of the aforesaid Oxon Hill Road as shown on Prince George's County Right-of-Way Plat Number 1688, thence continuing with the aforesaid Easterly Right-of-Way line of Oxon Hill Road, and also continuing with the outline of the aforesaid Parcel 1, Salubria, the following course and distance,
- (lvii) South 85°29'57" East, 198.78 feet to a point, thence leaving the outline of the aforesaid Parcel 1, Salubria, and continuing with the aforesaid Easterly Right-of-Way line of Oxon Hill Road the following eight courses and distances,
- (lviii) South 04°38'03" West, 296.96 feet to a point, thence,
- (lix) South 74°46'52" West, 163.14 feet to a point, thence,
- (lx) South 31°51'22" West, 73.20 feet to a point of curvature, thence,
- (lxi) 8.41 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 70.00 feet and a chord bearing and distance of South 49°53'42" East, 8.41 feet to a point of reverse curvature, thence,
- (lxii) 40.78 feet along the arc of a tangent curve, deflecting to the right, having a radius of 163.00 feet and a chord bearing and distance of South 46°10'15" East, 40.67 feet to a point, thence,
- (lxiii) South 45°46'39" West, 56.54 feet to a point of curvature, thence,
- (lxiv) 42.70 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 30.00 feet and a chord bearing and distance of North 82°55'05" West, 39.18 feet to a point of compound curvature, thence,
- (lxv) 44.67 feet along the arc of a tangent curve, deflecting to the left, having a radius of 50.62 feet and a chord bearing and distance of South 31°01'38" West, 43.24 feet to a point, thence leaving the aforesaid Easterly Right-of-

Way line of Oxon Hill Road, and running in, through, over and across the aforesaid Oxon Hill Road Right-of-Way the following course and distance,

- (lxvi) North 62°45'33" West, 72.51 feet to a point at the beginning of the Westerly or 22.53 feet arc Right-of-Way line of the aforesaid Oxon Hill Road as shown on Prince George's County Right-of-Way Plat Number 1687, said point also being on the First or South 77°04'10" West, 717.30 feet line as described in a Deed from Financial Realty Company, a Delaware corporation, to the Maryland-National Capital Park and Planning Commission, a public body corporate, dated September 23, 1976 and recorded among the aforesaid Land Records in Liber 4677 at Folio 452 (Parcel 4), said point further being on the Northerly or North 76°46'08" East, 721.43 feet plat line as shown on a Plat of Subdivision entitled "Blocks A & B, North Potomac View" and recorded among the aforesaid Land Records in Plat Book WWW 27 at Plat Number 93, thence leaving the aforesaid Westerly Right-of-Way line of Oxon Hill Road, and running with and binding on the aforesaid First line as described in the Deed recorded in Liber 4677 at Folio 452 (Parcel 4), and also running reversely with and binding on the outline of the aforesaid North Potomac View Plat of Subdivision, the following course and distance,
- (lxvii) South 76°47'41" West, 703.44 feet to a point, thence running with and binding on the Second line as described in the aforesaid Deed recorded in Liber 4677 at Folio 452, and also running with and binding on the First or South 86°53'35" West, 730.42 feet line as described in a Deed from James T. Lewis, Trustee to the Maryland-National Capital Park and Planning Commission, a public body corporate, dated November 26, 1986 and recorded among the aforesaid Land Records in Liber 6490 at Folio 948, and also continuing with the outline of the aforesaid North Potomac View Plat of Subdivision, the following course and distance,
- (lxviii) South 86°51'02" West, 882.29 feet to a point at the Northerly end of the Easterly or South 31°13'08" East, 164.39 feet plat line as shown on a Plat of Subdivision entitled "Betty Blume Neighborhood Park" and recorded among the aforesaid Land Records in Plat Book NLP 105 at Plat Number 95, thence leaving the aforesaid First line as described in the Deed recorded in Liber 6490 at Folio 948, and running with and binding on the outline of the aforesaid Betty Blume Neighborhood Park Plat of Subdivision, and also continuing with the outline of the aforesaid North Potomac View Plat of Subdivision, the following two courses and distances,
- (lxix) South 31°16'07" East, 165.23 feet to a point, thence,
- (lxx) South 33°29'35" East, 30.59 feet to a point of curvature at the Easterly end of the Northerly or 43.01 feet arc Right-of-Way line of Balmoral Drive as shown on the aforesaid Betty Blume Neighborhood Park Record Plat, thence leaving the outline of the aforesaid North Potomac View Plat of Subdivision, and

running with and binding on the aforesaid Northerly Right-of-Way line of Balmoral Drive, and a westerly extension thereof, and also running with and binding on the outline of the aforesaid Betty Blume Neighborhood Park Record Plat, and further running reversely with and binding on the Second or 155.05 feet arc line as described in a Deed from Blaine W. Menke, III & Patricia F. Menke to Ray W. King, Jr. & Yuliana Y. King, dated May 6, 2011 and recorded among the aforesaid Land Records in Liber 32674 at Folio 547, and also further running reversely with and binding on the Seventh or 14.10 feet arc line as described in a Deed from James H. Bouldin & Claudette Bouldin to James W. Williams, dated May 28, 2003 and recorded among the aforesaid Land Records in Liber 17723 at Folio 331, the following course and distance,

- (lxxi) 212.16 feet along the arc of a curve, deflecting to the left, having a radius of 630.00 feet and a chord bearing and distance of South 63°40'44" West, 211.16 feet to a point of tangency, thence running reversely with and binding on the Sixth & Fifth lines, and an extension of said Fifth line, as described in the aforesaid Deed recorded in Liber 17723 at Folio 331, and also continuing with the outline of the aforesaid Betty Blume Neighborhood Park Record Plat, the following two courses and distances,
- (lxxii) South 54°01'53" West, 130.46 feet to a point of curvature, thence,
- (lxxiii) 141.86 feet along the arc of a tangent curve, deflecting to the left, having a radius of 440.00 feet and a chord bearing and distance of South 44°47'42" West, 141.25 feet to a point at the Easterly end of the Northerly or South 53°37'10" East, 98.74 feet line of Lot 1, Block G as shown on a Plat of Subdivision entitled "North Potomac Vista" and recorded among the aforesaid Land Records in Plat Book WWW 34 at Plat Number 63, thence running reversely with and binding on the aforesaid Northerly line of Lot 1, Block G, North Potomac Vista, and also running reversely with and binding on the Northerly or South 53°37'10" East, 200.00 feet plat line as shown on a Plat of Subdivision entitled "North Potomac Vista" and recorded among the aforesaid Land Records in Plat Book WWW 39 at Plat Number 87, and further running reversely with and binding on the Northerly or South 53°37'10" East, 20.44 feet plat line as shown on a Plat of Subdivision entitled "North Potomac Vista" and recorded among the aforesaid Land Records in Plat Book WWW 57 at Plat Number 76, and also continuing with the outline of the aforesaid Betty Blume Neighborhood Park Record Plat, the following course and distance,
- (lxxiv) North 53°35'37" West, 319.18 feet to a point, thence continuing with the outline of the aforesaid North Potomac Vista Plat of Subdivision recorded among the aforesaid Land Records in Plat Book WWW 57 at Plat Number 76, and also continuing with the outline of the aforesaid Betty Blume Neighborhood Park Record Plat, the following two courses and distances,

(lxxv) North 46°20'37" West, 298.27 feet to a point, thence,

(lxxvi) South 86°55'10" West, 13.34 feet to a point at the end of the Second or South 09°01'36" East, 858.81 feet line as described in a Deed by and between the United States of America and the Maryland-National Capital Park and Planning Commission, dated December 28, 1999 and recorded among the aforesaid Land Records in Liber 13598 at Folio 231, thence leaving the outline of the aforesaid North Potomac Vista Plat of Subdivision recorded among the aforesaid Land Records in Plat Book WWW 57 at Plat Number 76, and running reversely with and binding on the aforesaid Second line as described in the Deed recorded in Liber 13598 at Folio 231, and also continuing with the outline of the aforesaid Betty Blume Neighborhood Park Record Plat, the following course and distance,

(lxxvii) North 09°57'21" West, 510.05 feet to a point at the Westerly end of the Southerly or South 70°18'52" West, 499.81 feet plat line of Plat Four as shown on a Plat of Subdivision entitled "Portamerica" and recorded among the aforesaid Land Records in Plat Book NLP 153 at Plat Number 59, thence leaving the aforesaid Second line as described in the Deed recorded in Liber 13598 at Folio 231, and running reversely with and binding on the aforesaid Southerly plat line of Plat Four, Portamerica, and also running with and binding on the outline of the aforesaid Betty Blume Neighborhood Park Record Plat, the following two courses and distances,

(lxxviii) North 70°20'25" East, 499.81 feet to a point, thence,

(lxxix) South 80°53'47" East, 369.91 feet to a point at the beginning of the Third or North 86°53'35" East, 331.51 feet line as described in the aforesaid Deed recorded in Liber 6490 at Folio 948 (Parcel 44), thence leaving the outline of the aforesaid Betty Blume Neighborhood Park Record Plat, and running with and binding on the aforesaid Third line and the Fourth line as described in the aforesaid Deed recorded in Liber 6490 at Folio 948 (Parcel 44), and also continuing with the aforesaid Southerly plat line of Plat Four, Portamerica, the following two courses and distances,

(lxxx) North 86°55'08" East, 331.51 feet to a point, thence,

(lxxxix) North 00°19'45" East, 515.16 feet to a point at the Southerly end of the Common or North 00°18'12" East, 6.47 feet line between Outlot "G" and South Portamerica Grande Boulevard as shown on the aforesaid Plat Four, Portamerica, thence leaving the aforesaid Fourth line as described in the Deed recorded in Liber 6490 at Folio 948, and running with and binding on the Common lines between the aforesaid Outlot "G" and South Portamerica Grande Boulevard, and also running with the Common line between Outlot "F" and the aforesaid South Portamerica Grande Boulevard of Plat Three as

shown on a Plat of Subdivision entitled "Portamerica" and recorded among the aforesaid Land Records in Plat Book NLP 153 at Plat Number 58, and also running with and binding on the Common lines between Outlot "E" and the aforesaid South Portamerica Grande Boulevard of Plat One as shown on a Plat of Subdivision entitled "Portamerica" and recorded among the aforesaid Land Records in Plat Book NLP 153 at Plat Number 56, the following two courses and distances,

(lxxxii) North 50°53'35" East, 1,447.40 feet to a point, thence,

(lxxxiii) North 56°36'13" East, 50.25 feet to a point on the outline of the aforesaid Plat One, Portamerica, thence leaving the aforesaid Common line between Outlot "E" and South Portamerica Grande Boulevard, and running reversely with and binding on the outline of the aforesaid Plat One, Portamerica, and also continuing with the Southerly Right-of-Way line of the aforesaid South Portamerica Grande Boulevard, the following course and distance,

(lxxxiv) North 50°53'35" East, 222.26 feet to a point of curvature, thence running reversely with and binding on a part of the aforesaid Southerly Right-of-Way line of South Portamerica Grande Boulevard, and an extension thereof, and also continuing with the outline of the aforesaid Plat One, Portamerica the following course and distance,

(lxxxv) 190.64 feet along the arc of a tangent curve, deflecting to the right, having a radius of 100.00 feet and a chord bearing and distance of South 74°29'35" East, 163.05 feet to a point of compound curvature, thence continuing with the outline of the aforesaid Plat One, Portamerica the following course and distance,

(lxxxvi) 99.96 feet along the arc of a tangent curve, deflecting to the right, having a radius of 460.00 feet and a chord bearing and distance of South 13°39'13" East, 99.77 feet to a point at the Southerly end of the Westerly or North 09°06'46" East, 94.83 feet Right-of-Way line of the aforesaid Oxon Hill Road as shown on Prince George's County Right-of-Way Plat Number 1690, thence leaving the outline of the aforesaid Plat One, Portamerica, and running with and binding on the aforesaid Westerly Right-of-Way line of Oxon Hill Road the following course and distance,

(lxxxvii) North 09°06'46" East, 99.96 feet to a point on the Westerly or South 39°07'58" East, 70.30 feet Right-of-Way line of the aforesaid South Portamerica Grande Boulevard, thence leaving the aforesaid Westerly Right-of-Way line of Oxon Hill Road, and running in, through, over and across the aforesaid South Portamerica Grande Boulevard Right-of-Way the following course and distance,

- (lxxxviii) North 08°14'05" East, 39.75 feet to a point at the beginning of the First or North 36°12'24" West, 39.40 feet line of Parcel 3 as shown on State Roads Commission Plat Number 56714, said point being at the intersection of the aforesaid Westerly Right-of-Way line of Oxon Hill Road and the Southerly Right-of-Way line of South Road (now known as National Harbor Boulevard S.), thence leaving the aforesaid First line of Parcel 3 as shown on State Roads Commission Plat Number 56714, and also leaving both the aforesaid Westerly Right-of-Way line of Oxon Hill Road and the aforesaid Southerly Right-of-Way line of South Road, and running in, through, over and across the aforesaid South Road Right-of-Way the following course and distance,
- (lxxxix) North 07°01'23" East, 184.54 feet to a point at the beginning of the Ninety-Eighth or North 09°05'27" East, 60.17 feet line of the aforesaid Parcel 3 as shown on State Roads Commission Plat Number 56714, said point being at the intersection of the aforesaid Westerly Right-of-Way line of Oxon Hill Road and the Northerly Right-of-Way line of the aforesaid South Road, thence leaving the aforesaid Northerly Right-of-Way line of South Road, and running with and binding on the aforesaid Ninety-Eighth line and the Ninety-Ninth line of Parcel 3 as shown on State Roads Commission Plat Numbers 56714 & 56483, and also running with and binding on the aforesaid Westerly Right-of-Way line of Oxon Hill Road, the following two courses and distances,
- (xc) North 09°05'27" East, 60.17 feet to a point, thence,
- (xci) North 11°42'29" East, 385.32 feet to a point, thence leaving the aforesaid Ninety-Ninth line of Parcel 3 as shown on State Roads Commission Plat Number 56483, and continuing with the aforesaid Westerly Right-of-Way line of Oxon Hill Road as shown on State Roads Commission Plat Number 56483 the following course and distance,
- (xcii) North 08°10'58" East, 28.18 feet to a point at the beginning of the Fifty-First or North 34°07'31" West, 52.54 feet line of the aforesaid Parcel 3 as shown on State Roads Commission Plat Number 56483, said point being at the intersection between the aforesaid Westerly Right-of-Way line of Oxon Hill Road and the Southerly Right-of-Way line of North Road (now known as National Harbor Boulevard N.) as shown on State Roads Commission Plat Number 56483, thence leaving the aforesaid Fifty-First line of Parcel 3 as shown on State Roads Commission Plat Number 56483, and also leaving both the aforesaid Westerly Right-of-Way line of Oxon Hill Road and the aforesaid Southerly Right-of-Way line of North Road, and running in, through, over and across the aforesaid North Road Right-of-Way the following course and distance,
- (xciii) North 12°51'02" East, 203.09 feet to a point of curvature at the beginning of the Forty-Fourth or 85.72 feet arc line of the aforesaid Parcel 3 as shown on

State Roads Commission Plat Number 56483, said point also being at the intersection of the aforesaid Westerly Right-of-Way line of Oxon Hill Road and the Northerly Right-of-Way line of the aforesaid North Road, thence leaving the aforesaid Northerly Right-of-Way line of North Road, and running with and binding on the aforesaid Forty-Fourth line and the Forty-Fifth line of the aforesaid Parcel 3 as shown on State Roads Commission Plat Number 56483, and also running with and binding on the aforesaid Westerly Right-of-Way line of Oxon Hill Road, the following two courses and distances,

- (xciv) 85.72 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 1,974.86 feet and a chord bearing and distance of North 16°46'22" East, 85.71 feet to a point of curvature, thence,
- (xcv) 215.16 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 1,473.71 feet and a chord bearing and distance of North 22°08'55" East, 214.96 feet to a point on the Southerly or North 60°49'35" West, 152.50 feet Right-of-Way line of the Interstate 95 Capital Beltway as shown on State Roads Commission Plat Number 48569, said point also being on the Northerly or South 60°49'38" East, 32.69 feet plat line of Plat Two as shown on a Plat of Subdivision entitled "Portamerica" and recorded among the aforesaid Land Records in Plat Book NLP 153 at Plat Number 57, thence leaving the aforesaid Southerly Right-of-Way line of the Interstate 95 Capital Beltway as shown on State Roads Commission Plat Number 48569, and also leaving the aforesaid Northerly plat line of Plat Two, Portamerica, and running in, through, over and across the aforesaid Interstate 95 Capital Beltway (also known as the aforesaid Washington Circumferential Highway) the following course and distance,
- (xcvi) North 12°14'21" West, 859.68 feet to a point on the Westerly or North 35°41'51" East, 1,797.73 feet Right-of-Way line of the aforesaid Washington Circumferential Highway as shown on State Roads Commission Plat Number 17273, said point also being on the First or North 04°15' East, 713.00 feet line as described in a Deed from Charles T. Butler, et al to Mary L. Butler, dated July 31, 1907 and recorded among the aforesaid Land Records in Liber 37 at Folio 360 (Parcel 37), thence leaving the aforesaid Westerly Right-of-Way line of the Washington Circumferential Highway, and running with and binding on the aforesaid First line as described in the Deed recorded in Liber 37 at Folio 360 (Parcel 37), and also running with and binding on the First or North 04°15' East, 316.00 feet line as described in a Deed from the aforesaid Charles T. Butler, et al to Louisa C. Butler, dated July 31, 1907 and recorded among the aforesaid Land Records in Liber 37 at Folio 363 (Parcel 36), and further running with and binding on the First or North 04°15' East, 204.00 feet line as described in a Deed from the aforesaid Charles T. Butler, et al to Amelia A. Butler, dated July 31, 1907 and recorded among the aforesaid Land Records in Liber 37 at Folio 361 (Parcel 35), and also further running

with and binding on the First or North $04^{\circ}15'$ East, 120.00 feet line as described in a Deed from the aforesaid Charles T. Butler, et al to John D. Butler, dated July 31, 1907 and recorded among the aforesaid Land Records in Liber 37 at Folio 362 (Parcel 32), and further also running with and binding on the First or North $04^{\circ}15'$ East, 120.00 feet line of the Third Parcel as described in the aforesaid Deed recorded in Liber 1418 at Folio 125 (Parcel 27) and also running with and binding on the aforesaid First line of the Second Parcel as described in the aforesaid Deed recorded in Liber 1418 at Folio 125 (Parcel 26), the following course and distance,

(xcvii) North $03^{\circ}45'50''$ East, 1,419.20 feet to the point of beginning, containing 270.56 acres of land.

(2) Parcel Two.

Beginning for the same at a point in the Right-of-Way of Oxon Hill Road as shown on State Roads Commission Plat Number 44238, said point also being at the end of the Fourth or South $72^{\circ}01'50''$ West, 83.39 feet line as described in a Deed from John W. Miller and Frances L. Miller to the Forest Heights Baptist Church, Inc., a body corporate, dated June 13, 1958 and recorded among the Land Records of Prince George's County, Maryland in Liber 2221 at Folio 514 (Parcel 327), thence running reversely with and binding on the aforesaid Fourth line and the Third through First lines as described in the aforesaid Deed recorded in Liber 2221 at Folio 514, and also running in, through, over and across the aforesaid Oxon Hill Road Right-of-Way, which line is also the present south boundary line of Forest Heights, the following four courses and distances:

(i) North $72^{\circ}13'10''$ East, 83.39 feet to a point of transition curvature, thence with a chord spiral,

(ii) North $72^{\circ}26'00''$ East, 151.03 feet to a point of curvature, thence,

(iii) 217.37 feet along a tangent curve, deflecting to the right, having a radius of 2,894.79 feet and a chord bearing and distance of North $75^{\circ}47'13''$ East, 217.32 feet to a point, thence,

(iv) North $05^{\circ}10'09''$ West, 38.02 feet to a point on the aforesaid Northerly Right-of-Way line of Oxon Hill Road, said point also being at the end of the Eighth or South $79^{\circ}39'36''$ West, 10.62 feet line as described in a Confirmatory Deed by Kapirish Investments, LLC, dated April 25, 2014 and recorded among the aforesaid Land Records in Liber 35974 at Folio 57, thence leaving the aforesaid First line as described in the Deed recorded in Liber 2221 at Folio 514, and running reversely with and binding on the aforesaid Eighth line and the Seventh line as described in the aforesaid Deed recorded in Liber 35974 at Folio 57, and also continuing with the aforesaid Northerly Right-of-Way line of Oxon Hill Road, the following two courses and distances,

- (v) North 74°48'39" East, 10.62 feet to a point, thence,
- (vi) North 82°56'29" East, 145.92 feet to a point at the end of the Sixth or South 83°43'25" West, 143.01 feet line as described in a Deed from Doctors Community Healthcare Corporation, a Delaware corporation, to Oxon Hill Medical LLC, dated May 30, 2001 and recorded among the aforesaid Land Records in Liber 14684 at Folio 74, thence leaving the aforesaid Seventh line as described in the Deed recorded in Liber 35974 at Folio 57, and running reversely with and binding on the aforesaid Sixth line and the Fifth line as described in the aforesaid Deed recorded in Liber 14684 at Folio 74, and also continuing with the Northerly Right-of-Way line of Oxon Hill Road, the following two courses and distances,
- (vii) North 83°41'07" East, 143.01 feet to a point, thence,
- (viii) North 05°19'17" West, 3.74 feet to a point of curvature at the Westerly end of the Southerly or 118.97 feet arc line of Parcel D as shown on a Record Plat entitled "Carrigan's Addition to Oxon Hill Plaza" and recorded among the aforesaid Land Records in Plat Book WWW 72 at Plat Number 70, thence leaving the aforesaid Fifth line as described in the aforesaid Deed recorded in Liber 14684 at Folio 74, and running reversely with and binding on the outline of the aforesaid Parcel D, Carrigan's Addition to Oxon Hill Plaza, and also continuing with the aforesaid Northerly Right-of-Way line of Oxon Hill Road, the following two courses and distances,
- (ix) 118.97 feet along the arc of a non-tangent curve, deflecting to the right, having a radius of 2,924.79 feet and a chord bearing and distance of North 85°15'08" East, 118.96 feet to a point of transition curvature, thence with a chord spiral,
- (x) North 86°04'48" East, 41.73 feet to a point at the Westerly end of the Southerly transitional curve line of Parcel A as shown on a Record Plat entitled "Oxon Hill Plaza" and recorded among the aforesaid Land Records in Plat Book WWW 57 at Plat Number 28, thence leaving the outline of the aforesaid Parcel D, Carrigan's Addition to Oxon Hill Plaza, and running reversely with and binding on the outline of the aforesaid Parcel A, Oxon Hill Plaza, and also running reversely with and binding on the Southerly or North 87°14'00" West, 48.71 feet line of Parcel "C" as shown on a Record Plat entitled "Oxon Hill Plaza" and recorded among the aforesaid Land Records in Plat Book WWW 72 at Plat Number 71, and also continuing with the aforesaid Northerly Right-of-Way line of Oxon Hill Road, the following two courses and distances,
- (xi) North 86°52'33" East, 108.81 feet with a chord spiral to a point, thence,
- (xii) North 87°55'03" East, 187.94 feet to a point of curvature, thence continuing with the outline of the aforesaid Parcel "C", Oxon Hill Plaza, and also continuing

with the aforesaid Northerly Right-of-Way line of Oxon Hill Road, the following course and distance,

- (xiii) 99.70 feet along the arc of a tangent curve, deflecting to the right, having a radius of 5,669.58 feet and a chord bearing and distance of North 87°24'50" East, 99.70 feet to a point, thence leaving the outline of the aforesaid Parcel "C", Oxon Hill Plaza, and continuing with the aforesaid Northerly Right-of-Way line of Oxon Hill Road as shown on State Roads Commission Plat Number 44239 the following course and distance,
- (xiv) South 00°48'13" West, 20.54 feet to a point, thence leaving the aforesaid Northerly Right-of-Way line of Oxon Hill Road, and running in, through, over and across the aforesaid Oxon Hill Road Right-of-Way the following course and distance,
- (xv) South 34°45'34" East, 110.00 feet to a point on the Southerly Right-of-Way line of the aforesaid Oxon Hill Road, said point also being at the Easterly end of the Northerly or 38.44 feet arc line of Parcel One as shown on a Record Plat entitled "Oxon Hill Shopping Center" and recorded among the aforesaid Land Records in Plat Book WWW 37 at Plat Number 59, said point further being at the Northerly end of the Westerly or North 02°50'50" West, 314.89 feet line of Parcel 8 as shown on a Record Plat entitled "Oxon Hill Shopping Center" and recorded among the aforesaid Land Records in Plat Book REP 204 at Plat Number 29, thence leaving the aforesaid Westerly line of Parcel 8, Oxon Hill Shopping Center, and running with and binding on the aforesaid Southerly Right-of-Way line of Oxon Hill Road, and also running reversely with and binding on the outline of the aforesaid Parcel One, Oxon Hill Shopping Center, the following three courses and distances,
- (xvi) 38.44 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 3,028.58 feet and a chord bearing and distance of South 86°41'37" West, 38.44 feet to a point of tangency, thence,
- (xvii) South 87°03'26" West, 124.91 feet to a point, thence,
- (xviii) South 87°22'26" West, 81.14 feet to a point on the First or South 02°31'40" East, 166.76 feet line as described in a Deed from Alice V. Miller, et al to the Board of Education of Prince George's County, Maryland, dated May 18, 1955 and recorded among the aforesaid Land Records in Liber 1861 at Folio 85 (Parcel 206), thence leaving the aforesaid Southerly Right-of-Way line of Oxon Hill Road, and running reversely with and binding on the outline of the aforesaid Parcel One, Oxon Hill Shopping Center, and also running with and binding on the aforesaid First line and the Second line as described in the aforesaid Deed recorded in Liber 1861 at Folio 85 (Parcel 206), the following two courses and distances,

- (xix) South 02°27'44" East, 142.01 feet to a point, thence,
- (xx) North 85°11'36" East, 100.25 feet to a point, thence leaving the aforesaid Second line as described in the Deed recorded in Liber 1861 at Folio 85, and continuing with the outline of the aforesaid Parcel One, Oxon Hill Shopping Center the following course and distance,
- (xxi) North 85°03'16" East, 145.72 feet to a point on the aforesaid Westerly line of Parcel 8, Oxon Hill Shopping Center, thence leaving the outline of the aforesaid Parcel One, Oxon Hill Shopping Center, and running reversely with and binding on the aforesaid Westerly line of Parcel 8, Oxon Hill Shopping Center the following course and distance,
- (xxii) South 03°04'28" East, 181.48 feet to a point at the Easterly end of the Northerly or North 80°35'00" East, 24.53 feet line of Parcel 6 as shown on a Plat of Resubdivision entitled "Oxon Hill Shopping Center" and recorded among the aforesaid Land Records in Plat Book NLP 95 at Plat Number 93, thence leaving the aforesaid Westerly line of Parcel 8, Oxon Hill Shopping Center, and running reversely with and binding on the outline of the aforesaid Parcel 6, Oxon Hill Shopping Center the following three courses and distances,
- (xxiii) South 80°38'56" West, 24.53 feet to a point, thence,
- (xxiv) South 08°20'01" East, 312.83 feet to a point, thence,
- (xxv) South 11°57'39" East, 137.31 feet to a point at the Northerly end of the Westerly or North 11°35'26" West, 95.71 feet line of Parcel "A" as shown on a Record Plat entitled "Oxon Hill Professional Center" and recorded among the aforesaid Land Records in Plat Book NLP 109 at Plat Number 1, thence leaving the aforesaid outline of Parcel 6, Oxon Hill Shopping Center, and running reversely with and binding on the aforesaid Westerly line of Parcel "A", Oxon Hill Professional Center the following course and distance,
- (xxvi) South 11°56'20" East, 92.53 feet to a point at the Easterly end of the Northerly or North 82°53'40" East, 420.15 feet line of Parcel A as shown on a Record Plat entitled "Portabello Property" and recorded among the aforesaid Land Records in Plat Book WWW 55 at Plat Number 1, said point also being at the beginning of the Second or South 82°53'40" West, 420.15 feet line of Parcel 2 as described in the aforesaid Deed recorded in Liber 1934 at Folio 526 (Parcel 207), thence leaving the aforesaid Westerly line of Parcel "A", Oxon Hill Professional Center, and running reversely with and binding on the aforesaid Northerly line of Parcel A, Portabello Property, and also running with the aforesaid Second line of Parcel 2 as described in the aforesaid Deed recorded in Liber 1934 at Folio 526 (Parcel 207), the following course and distance,

- (xxvii) South 82°57'36" West, 420.15 feet to a point at the end of the Fifth or South 08°53' East, 108.72 feet line of Parcel 1 as described in the aforesaid Deed recorded in Liber 1934 at Folio 526, thence leaving the aforesaid Northerly line of Parcel A, Portabello Property, and running reversely with and binding on the aforesaid Fifth line of Parcel 1 as described in the Deed recorded in Liber 1934 at Folio 526, and also running with and binding on the Third line of Parcel 2 as described in the aforesaid Deed recorded in Liber 1934 at Folio 526, the following course and distance,
- (xxviii) North 08°49'04" West, 108.72 feet to a point on the Eighth or South 87°00'00" West, 899.44 feet line as described in the aforesaid Deed recorded in Liber 1861 at Folio 85 (Parcel 206), thence leaving the aforesaid Third line of Parcel 2 as described in the Deed recorded in Liber 1934 at Folio 526, and running with and binding on the aforesaid Eighth line as described in the Deed recorded in Liber 1861 at Folio 85 (Parcel 206), and also running reversely with and binding on the Fourth line of Parcel 1 as described in the aforesaid Deed record in Liber 1934 at Folio 526, and further running reversely with and binding on the Northerly or North 86°59'58" East, 462.57 feet line of Lot 9 as shown on a Plat of Resubdivision entitled "Potomac Business Park" and recorded among the aforesaid Land Records in Plat Book MMB 234 at Plat Number 21, the following course and distance,
- (xxix) South 87°01'26" West, 482.36 feet to a point on the Easterly or South 07°52'57" East, 811.43 feet line of Lot 6 as shown on the aforesaid Plat of Resubdivision recorded in Plat Book MMB 233 at Plat Number 87, thence leaving the outline of the aforesaid Plat of Resubdivision recorded in Plat Book MMB 234 at Plat Number 21, and running reversely with and binding on the aforesaid Easterly line of Lot 6, Potomac Business Park, and also running with and binding on the Ninth line as described in the aforesaid Deed recorded in Liber 1861 at Folio 85 (Parcel 206), the following course and distance,
- (xxx) North 07°49'00" West, 740.55 feet to a point of curvature at the Southerly Right-of-Way line of the aforesaid Oxon Hill Road, thence leaving the aforesaid Ninth line as described in the Deed recorded in Liber 1861 at Folio 85, and running reversely with and binding on the aforesaid Southerly Right-of-Way line of Oxon Hill Road, and also running reversely with and binding on the outline of the aforesaid Lot 6, Potomac Business Park, the following eight courses and distances,
- (xxxi) 53.59 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 2,231.83 feet and a chord bearing and distance of South 75°17'44" West, 53.59 to a non-tangent point, thence,
- (xxxii) South 67°34'29" West, 60.66 feet to a point of curvature, thence,

- (xxxiii) 59.12 feet along a non-tangent curve, deflecting to the right, having a radius of South 72°50'20" West, 59.12 feet to a non-tangent point, thence,
- (xxxiv) South 72°04'38" West, 24.27 feet to a point, thence,
- (xxxv) South 72°57'09" West, 131.12 feet to a point, thence,
- (xxxvi) South 72°04'39" West, 12.00 feet to a point, thence,
- (xxxvii) North 17°55'22" West, 5.09 feet to a point, thence,
- (xxxviii) South 72°21'11" West, 69.96 feet to a point, thence leaving the aforesaid Southerly Right-of-Way line of Oxon Hill Road, and also leaving the outline of the aforesaid Lot 6, Potomac Business Park, and running in, through, over and across the aforesaid Oxon Hill Road Right-of-Way the following course and distance,
- (xxxix) North 14°51'20" West, 89.97 feet to the point of beginning, containing 19.41 acres of land.

Section 3. Application of Town Charter and Ordinances. Upon the effective date of this Resolution, the provisions of the Charter, ordinances and Ordinance Code of The Town of Forest Heights, and any local public laws enacted or to be enacted affecting The Town of Forest Heights, shall be effective within the Annexation Property except to the extent that federal law, this Resolution, an Annexation Agreement or the Annexation Plan provides otherwise.

Section 4. Zoning Classification. The Annexation Property is under the land use jurisdiction of the Maryland-National Capital Park and Planning Commission ("M-NCPPC"). The Annexation Property is currently zoned O-S (Parcel 45), R-55 (Parcels A, 3, 5, 10, 135 & 136), I-3 (Parcels 6, 206, 207, 210, A and Lot 7) and R-O-S (Parcels 4, 44, & 80) with a CBCA R-C-O Overlay District on portions of Parcel A (Betty Blume Neighborhood Park) pursuant to the County Zoning Ordinance.

Section 5. Annexation Plan. The Town has prepared an Annexation Plan with regard to the Annexation Property. The Annexation Plan is attached hereto as Exhibit B, but is not part hereof and the Town reserves the right to amend the Annexation Plan prior to final adoption of this Resolution in a manner consistent with Local Government ("LG") Article, Sections 4-415 of the Maryland Code. The Annexation Plan may not be construed in any way as an amendment to this Resolution. A copy of the Annexation Plan has been provided to the Prince George's County Council, M-NCPPC, and also to the Maryland Department of State Planning ("MDP") at least thirty (30) days prior to the date of the public hearing conducted by the Mayor and Council on this Resolution.

Section 6. Public Hearing and Public Notice. A public hearing, as required by the provisions of LG Article, Sections 4-406 of the Maryland Code, shall be held by the Town at a

time to be determined by the Mayor and Council, and duly advertised according to the provisions of that statute. Public notice of the proposed public hearing shall be given at least four (4) times, at no less than weekly intervals, in a newspaper of general circulation in Forest Heights, Maryland, the last day of which public notice shall precede the public hearing by at least fifteen (15) days, all in accordance with the provisions of Section 4-406, LG Article of the Maryland Code. Upon the first publication of the public notice a copy thereof, including exhibits, shall be provided to:

- (a) the Prince George's County Council and the County Executive,
- (b) the Maryland-National Capital Park and Planning Commission (c/o the Prince George's County Planning Department), and
- (c) The Prince George's County Planning Board

Section 7. Registration of Boundaries. Within ten (10) days of the effective date of this Resolution, in accordance with the provisions of the Local Government Article, Sections 4-414 and 4-308 of the Maryland Code, the Mayor, or her designee, shall promptly forward a copy of this Resolution with the new municipal boundaries to the Town Clerk, the Clerk of the Circuit Court for Prince George's County, Maryland, the M-NCPPC, and to the Maryland Department of Legislative Services. Each such official or agency shall hold this Resolution with the new municipal boundaries on record and available for public inspection.

Section 8. Effective Date. This Resolution shall be deemed "finally enacted" on the date on which the Mayor and Council indicate their approval of the Resolution by affixing their signatures hereto. This Resolution shall become effective forty-five (45) days after final enactment, unless it is subject to a petition for referendum by at least 20% of the qualified voters of the municipality, where should said petition come to pass and be verified to be in compliance with law, the Mayor shall suspend this Resolution by proclamation pending the results of the referendum.

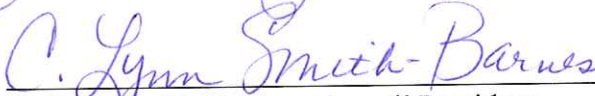
ADOPTED by the Mayor and Council of The Town of Forest Heights, Maryland at a regular or special meeting on the 20th day of April, 2016.

THE TOWN OF FOREST HEIGHTS,
MARYLAND

ATTEST:


Bonita Anderson, Town Clerk


Jacqueline Goodall, Mayor


C. Lynn Smith-Barnes, Council President

CERTIFICATION

I, HEREBY CERTIFY THAT THE FOREGOING RESOLUTION OF THE TOWN OF FOREST HEIGHTS DESIGNATED ANNEXATION RESOLUTION NO. 02 - 2016, WAS DULY INTRODUCED AND READ, AND THEREAFTER ADVERTISED FOR FOUR SUCCESSIVE WEEKS, AND CONSIDERED AT A PUBLIC HEARING ON JUNE 6th, 2016 AND WAS ADOPTED BY THE TOWN COUNCIL AT A DULY ANNOUNCED PUBLIC MEETING, IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND AND CHARTER OF THE TOWN OF FOREST HEIGHTS.

ATTEST:


Bonita Anderson, Town Clerk

ANNEXATION RESOLUTION SCHEDULE

RESOLUTION INTRODUCTION DATE: April 20, 2016
ANNEXATION PLAN TO COUNTY, MDP, M-NCPPC & PGCPB (AT LEAST 30 DAYS
BEFORE HEARING): Before May 6, 2016
HEARING NOTICE PUBLICATION DATES: 1. April 28, 2016
(4 NOTICES FOR 4 WEEKS PRIOR TO HEARING) 2. May 5, 2016
3. May 12, 2016
4. May 19, 2016
MAIL PUBLIC NOTICE TO CO. COUNCIL, MDP & M-NCPPC: April 25, 2016
PUBLIC HEARING DATE (NOT LESS THAN 15 DAYS AFTER THE FINAL
PUBLICATION OF THE NOTICES): June 6, 2016
ENACTMENT DATE (ON OR AFTER HEARING DATE): June 6, 2016
EFFECTIVE DATE (45 DAYS AFTER ENACTMENT): July 21, 2016
FILE ENACTED RESOLUTION (WITH CLERK OF CIR. COURT, MD. DEPT.
LEGISLATIVE SERVICES, & M-NCPPC W/I 10 Days): July 25, 2016

Note: All items delivered to the County or the County Council shall include separate publications or mailings to the County Executive.