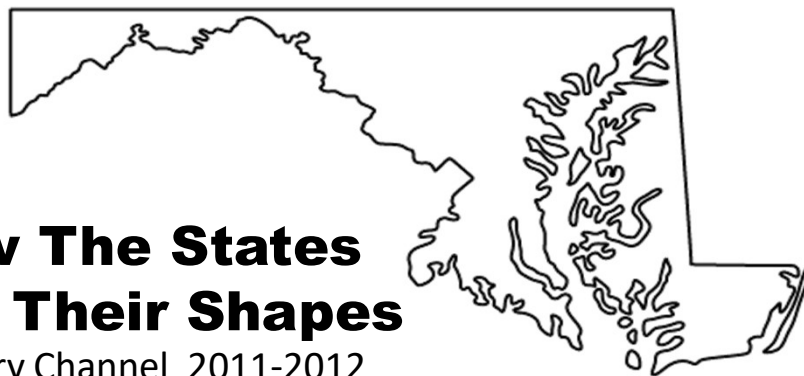


Municipal Annexations for Land Surveyors

1

How The States Got Their Shapes

History Channel 2011-2012



2

How The Counties Got Their Boundaries

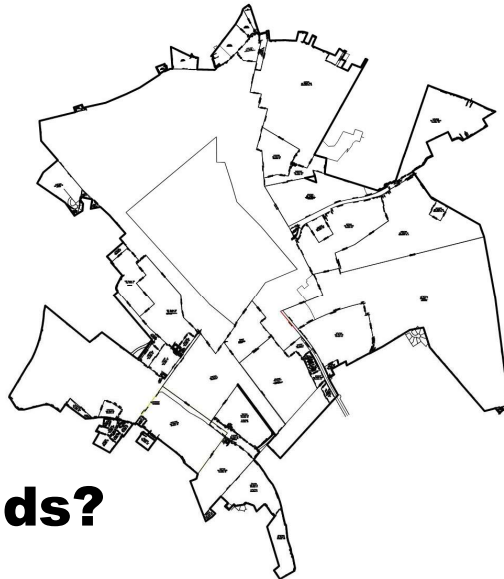
Pat Simon,
Maryland Society of Surveyors 2019 Fall Conference



3

How Do Towns Get Their Bounds?

Vincent Nohe



4

Municipal Annexations for Land Surveyors

5

Municipal Boundary, Corporate Limits, City Limits, Town Limits; A line on a map or an imaginary line on the ground; Within its bounds, every person and every parcel is subjected to the rules, regulations and laws of the municipality, city or town.

6

- Where are the Town Limits of your town?
- Can we facilitate the incorporation of our client's land into those limits?
- How do we find that line on the ground?
- Even when not planning to annex land, do we really need to know where that line is?

7

What is an Annexation?

- *Addition of land to the city*
- *A legal process governed by state law*

Local Government Article §4-401 through 416 of the Code of Maryland

8

Who can petition to annex?

- Property owner or group of owners
- Municipality

9

Who is involved?

- Property owner
- Town officials and planners
- Attorney
- Land Surveyor
- Land Planner
- Civil Engineer

10

Why would a property owner Annex?

- More favorable zoning or development regulations
- Financial incentives from the town
- Accessible utilities

11

Why would the Town annex?

- Land is in towns designated growth area & proposed use fits the land use plan
- Increase its tax base
- Make utilities available
- Only practical access through the town

12

The Process

Annexation Petition

PETITION FOR ANNEXATION TO MAYOR AND COUNCIL OF THE TOWN OF PORT DEPOSIT

ROCK RUN ROAD, LLC (hereinafter "Petitioner"), pursuant to the Annotated Code of Maryland, Local Government §4-404, respectfully petitions the Mayor and Council of the Town of Port Deposit (hereinafter "Port Deposit") to annex property owned by the Petitioner into the corporate boundaries of Port Deposit and states as follows in support of this Petition:

1. Petitioner requests annexation of all those lots, tracts or parcels of land shown on a plat prepared by Frederick Ward Associates, labeled "Plat to Accompany Petition for Annexation 44.195 Acre Parcel of Land to be Annexed to the Town of Port Deposit" attached hereto as Exhibit A, totaling 44.9515 +/- acres (hereinafter "Annexation Plat"), and described by a Meets and Bounds description, attached hereto as Exhibit B (hereinafter referred to as the "Property"). The Petitioner's Property subject to the Annexation Petition being a portion of the entire lot, tract or parcel as described in a Deed dated 4/28/2020, and recorded among the Land Records of Cecil County in Liber 4590, Folio 1 & etc. (attached hereto as Exhibit C) and said portion specifically being labeled "Area To Be Annexed" on attached Exhibit A.
2. The Property is contiguous and adjoining to the existing corporate area of the Town of Port Deposit.
3. Annexation of the Property will not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the Town of Port Deposit.
4. The Petitioner is the owner of more than 25% of the assessed valuation of the real Property to be annexed.

15

The Process

Application or Petition

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.

If initiated by the town the municipality,
the requirements are the same

16

The Process

Annexation Resolution

- Outlines the intention of the municipality to annex specific parcels of land into the town

§4-403

(c) The annexation resolution:

- (1) shall describe by a survey of courses and distances the exact area to be annexed;
- (2) may also describe by landmarks and other well-known terms the exact area to be annexed; and
- (3) shall contain a complete and detailed description of the conditions and circumstances that apply to:
 - (i) the change in boundaries; and
 - (ii) the residents and property in the area to be annexed.

- Presented to the town council at a town council meeting

17

The Process

Existing City Limits

Annexation Resolutions



The Mayor and Commissioners
Of the Town of Elkton

Annexation Resolution A2-2025
Tax Map 033F, Parcel 1035
253 Maloney Road, Elkton, MD

A **RESOLUTION** of the Mayor and Commissioners of the Town of Elkton ("Mayor and Commissioners") adopted pursuant to the authority of Article XI-E., Constitution of the State of Maryland; Section 4-401., et seq., Subtitle 4, Title 4, Division II, Local Government Article, Annotated Code of Maryland; and the Charter of the Town of Elkton, Maryland.

WHEREAS, in accordance with Section 4-404., Subtitle 4, Title 4, Division II, Local Government Article, Annotated Code of Maryland, a **Petition for Annexation** was presented to the Mayor and Commissioners on behalf of 253 Maloney Road, LLC, on June 4, 2025, by Mr. Jay Emrey, Esq., representing 253 Maloney Road, LLC, hereinafter the "Petitioner"; and

WHEREAS, upon presentation of the Petition for Annexation to the Mayor and Commissioners, Mayor Robert J. Alt, the presiding officer, caused to be made a verification of the signature of the Petitioner; and

WHEREAS, the improved land subject to annexation is owned entirely by the Petitioner, 253 Maloney Road, LLC; and

WHEREAS, the Mayor and Commissioners accepted this Resolution for introduction on the date written hereinafter with the intent to annex the hereinafter described land into the corporate boundaries of the Town of Elkton.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commissioners that the corporate boundaries of the Town of Elkton, as described in the Charter of the Town of Elkton, shall be amended to include the following described parcel of land:

BEGINNING at a point in the westerly right-of-way line of Maloney Road, a 40' wide, said point also being a common corner for the parcel herein being described and lands now or formerly of W. R. Caldwell (WAS

18

The Process

Annexation Plan

- Identifies how the annexation fits into the provisions of the Comprehensive Plan
 - Land use
 - Public Facilities
 - Schedule for extension of public facilities
 - Financing the extension of public facilities
- Provided to the county, State Department of Planning and, if applicable MNCPPC at least 30 days prior to public hearing

19

The Process

Annexation Plans & Agreements

The City of Frederick Annexation Plan

Annexation Application:
Applicant: Winpenny Tell
Winpenny Tell, LLC
C/o Gerald Winnan
6315 Winpenny Drive
Frederick, MD 21702

Property Owners:
Gerald Winnan
6315 Winpenny Drive
Frederick, MD 21702

Acreage: 79 acres

Property Location: West of the Tuscarora Creek Planned Neighborhood Development (PND) and north of the Kellerton PND

Pursuant to MD Local Gov Code § 4-415 (2013) the legislative body of the municipality shall adopt an annexation plan for the area to be annexed. The annexation plan must:

- contain a description of the land use pattern proposed for the area to be annexed, which may include a county master plan already in effect for the area;
- describe the schedule to extend each municipal service performed in the municipality at the time of the annexation to the area to be annexed;
- describe the general methods by which the municipality anticipates financing the extension of municipal services to the area to be annexed; and
- be presented so as to demonstrate the available land for public facilities that may be considered reasonably necessary for the proposed use, including facilities for schools, water or sewage treatment, libraries, recreation, or fire or police services; and
- shall be consistent with the municipal growth element of the comprehensive plan of the municipality.

I. LAND USE PATTERNS:

The Applicant is requesting R4, Low Density Residential zoning for a maximum development capacity of 316 dwelling units. The purpose and intent of this district is to provide for residences in an urban residential environment with a maximum density of four (4) dwelling units per acre. In addition, this district is intended to accommodate a complement of residential support uses normally utilized during the daily activities of residents, to protect these areas from encroachment of incompatible uses, and to guide development in a manner that complies with the Comprehensive Plan.

The Property is not assigned a land use classification on Figure 2-18, the Future Land Use Map, of the 2020 Comprehensive Plan as the land is outside of the existing municipal growth boundary. However,

20

The Process

Annexation Agreement

- Contract between the town and the property owner
- Use and expense of public utilities
- Schedule for extension of utilities if required
- Zoning and Development constraints

21

The Process

Public Hearing

- Notice must be published in a newspaper at least weekly 4 times before the public hearing for properties 25 acres or more; 2 times for less than 25 acres
- Must be at least 15 days after last publication
- Public Hearing at a meeting of the town council
- After the hearing the town council may either accept and pass the resolution or reject it
- Annexation takes effect 45 days after passage
- Unless.....

22

The Process

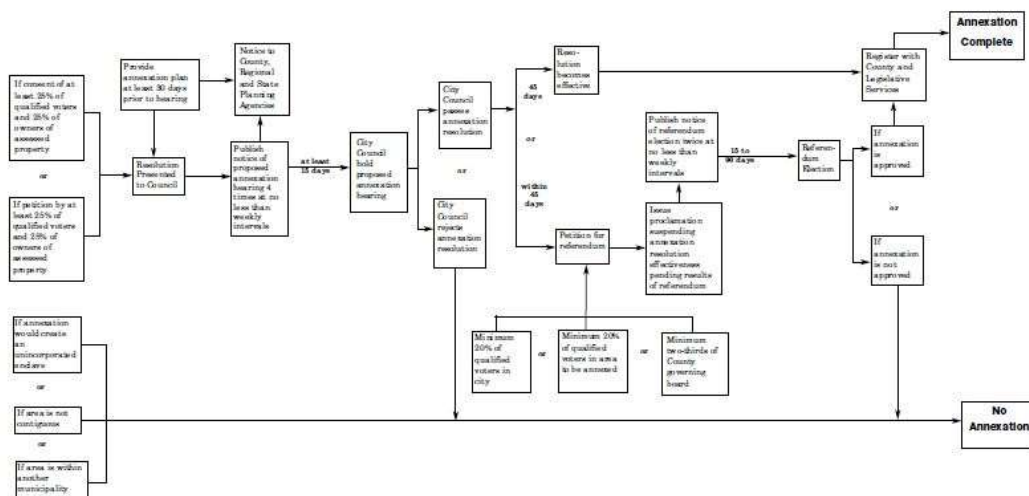
Referendum

- A challenge to the passage of the annexation may be filed with the city within 45 days .
- Petition must be signed by 20% of the voters of the town
- Or, at least 20% of the registered voters who are residents in the area to be annexed
- Or, 2/3 of the County Council

23

The Process

Maryland Municipal Annexation Procedures



© Maryland Municipal League

24

The Process

Charter Amendment

- After the 45 days has passed after passage, or after favorable referendum vote an Amendment to the Town Charter is prepared.
- The amendment or Resolution must be filed with the town clerk, the clerk of the circuit court and the State Department of Legislative Services and in Prince George's and Montgomery Counties, with the Maryland National Capital Park & Planning Commission.

25

The Town Boundary

Existing City Limits

- Cannot connect unless the existing boundary is precisely known
- Best information source –
direct inquiry to the town
- Inquiry to town may require a Public Information Act request

26

The Town Boundary

Public Information Act

- S*
- I* • State's version of the Federal Freedom of
- D* Information Act
- E* • The Act outlines the rights and responsibilities
- B* of requestors of information and of the
- A* responding agencies.
- R* • Sets forth timelines and the rights of the
- public agencies to charge fees

27

The Town Boundary

Public Information Act

- S*
- I* • Act give specifics requirements of a request
- D* • Individual agencies may have additional
- E* requirements of their own, such as separate
- B* forms or additional information concerning
- A* the need to know
- R* • Always helpful to provide as much
- information as possible concerning your
- request to narrow the scope of the search

28

The Town Boundary

Public Information Act

S
I
D
E

B
A
R

- The Office of the Maryland Attorney General has published the *Maryland Public Information Act Manual* that is available on their website
- https://www.marylandattorneygeneral.gov/OpenGov%20Documents/PIA_manual_printable.pdf
- 270 pages; jump to the FAQ in appendix I

29

The Town Boundary

Existing City Limits

- ✓ Best source – direct inquiry to the town
 - Charter and/or Amendments
 - Annexation Resolution
 - Annexation Petition
 - Annexation Plan
 - Annexation Agreement
 - Maps & Plats

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The Town Boundary

Existing City Limits

Charter

ARTICLE II.

CORPORATE LIMITS

SECTION 201. RECORDS AND DESCRIPTION OF CORPORATE BOUNDARIES

The courses and distances showing the exact corporate limits of the Town shall be filed at all times with the Clerk of Circuit Court for Cecil County, the Commissioners of the Land Office, the Director of the Department of Legislative Reference, and a copy of the courses and distances describing the corporate boundaries shall be on file in the office of the Mayor or of the Town Clerk. (All the officials named in this section are hereby directed to file or record all such descriptions of corporate boundaries so filed with them, each in a suitable book or place, properly indexed and reasonably available for public inspection during normal business hours.)

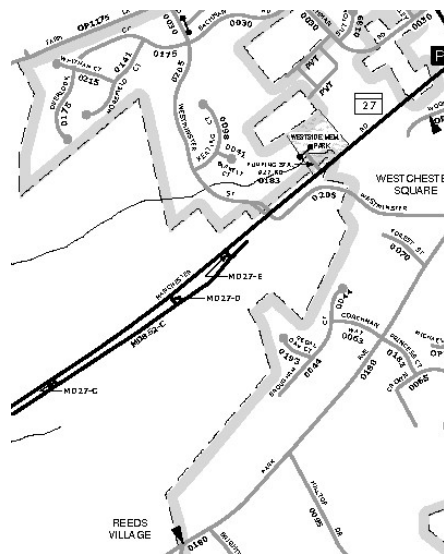
The corporate limits of the Town of Port Deposit shall include all the territory within the following boundaries:

The limits of the Town shall commence on the Susquehanna River, at the eastern terminus of the old Port Deposit bridge, and run thence north forty-five degrees, east one-quarter of a mile; thence in a southeasterly direction in a straight line to a point one-fourth of a mile from the center of the main street of said town on the road leading from Port Deposit to Battle Swamp, known as the Bell's Ferry Road; thence in a straight line to a point on Herring Run, one-fourth of a mile from the Susquehanna River; thence down the said run to the Susquehanna River, and then by and with the said river to the place of beginning.

31

The Town Boundary

Existing City Limits



32

The Town Boundary

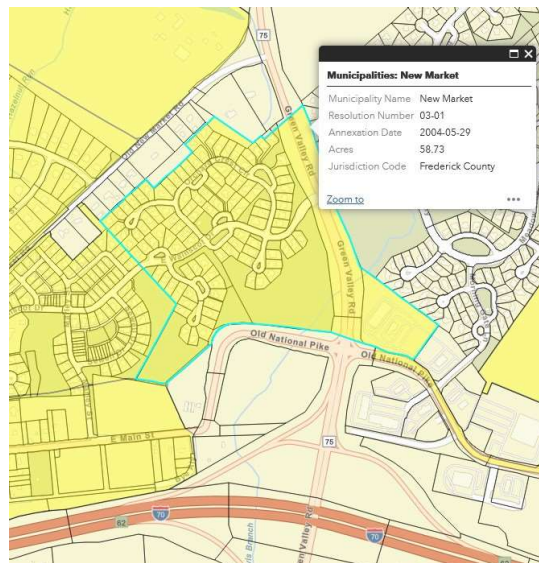
Existing City Limits



33

The Town Boundary

Existing City Limits



34

The Town Boundary Existing City Limits

- Other sources – Clerk of the Circuit Court
- Some counties have separate books for town ordinances & resolutions
- Some counties file annexation documents in the land records

37

MDLANDREC™ (A Digital Image Retrieval System for Land Records & Indices for Cecil County)
[HOME](#) [SELECT NEW COUNTY](#) [SEARCH](#) [JUMP TO NEW VOLUME](#) [RELATED LINKS](#) [HELP](#) [CONTACT US](#) [END SESSION](#)

There were no exact matches for your search criteria.

Did you really mean...?

- ☐ ELKTON
- ☐ ELKTON - MAYOR & COMMS TOWN OF
- ☐ ELKTON COMMISSIONERS OF
- ☐ ELKTON COMMISSIONERS OF THE TOWN
- ☐ ELKTON COMMS OF THE TOWN OF
- ☐ ELKTON MAYOR & COMMISSIONERS OF
- ☐ ELKTON MAYOR & COMMISSIONERS OF THE TOWN OF
- ☐ ELKTON MAYOR & COMMISSIONERS OF THE TOWN
- ☐ ELKTON MAYOR & COMMISSIONERS OF THE TOWN OF
- ☐ ELKTON MAYOR & COMMS TOWN OF
- ☐ ELKTON MAYOR & TOWN COMMISSIONERS OF
- ☐ ELKTON PRESIDENT & COMMISSIONERS OF THE TOWN
- ☐ ELKTON PRESIDENT & COMMISSIONERS OF THE TOWN OF
- ☐ ELKTON TOWN
- ☐ ELKTON TOWN BOARD OF COMMISSIONERS
- ☐ ELKTON TOWN MAYOR & COMMISSIONERS
- ☐ ELKTON TOWN MAYOR & COMMISSIONERS THE
- ☐ ELKTON TOWN OF
- ☐ ELKTON TOWN OF PRESIDENT & COMMISSIONERS
- ☐ ELKTON TOWN OF THE
- ☐ ELKTON TOWN PRESIDENT & COMMISSIONERS
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- ☐ ELKTON-MAYOR & COMMISSIONERS TOWN OF
- ☐ ELKTON-MAYOR & COMMS OF THE TOWN OF
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- ☐ ELKTON-MAYOR & COMMS TOWN OF
- ☐ ELKTON-MAYOR & TOWN COMMS OF
- ☐ ELKTON-MAYOR AND COMMISSIONERS OF TOWN OF
- ☐ ELKTON-MAYOR AND COMMS OF THE TOWN OF
- ☐ ELKTON-TOWN OF
- ☐ ELKTON-TOWN OF-MAYOR & COMMISSIONERS OF
- ☐ ELKTON/COMMISSIONERS OF TOWN OF
- ☐ ELKTON/MARY & COMMS OF TOWN OF
- ☐ ELKTON/MAYOR & COMMISSIONERS OF
- ☐ ELKTON/MAYOR & COMMISSIONERS OF TOWN OF
- ☐ ELKTON/MAYOR & COMMS OF THE TOWN OF
- ☐ ELKTON/MAYOR & COMMS OF TOWN
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- ☐ ELKTON/MAYOR & COMMS TOWN OF
- ☐ ELKTON/TOWN OF
- ☐ ELKTON/TOWN OF & MAYOR & COMMISSIONERS
- ☐ ELKTON/TOWN OF-MAYOR & COMMISSIONERS OF

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The Town Boundary

Existing City Limits

- Other sources – Clerk of the Circuit Court

Date Recorded	Grantor/Grantee	Instrument Type	Book/Page	Remarks
1991-10-25	Grantee: PERRYVILLE MAYOR & COMMS TOWN OF	ANNEX/RESOL	Book 358, pp.827-838	ANNEX RESOLUTIONS1-1 7TH DIST TWN PERRYVILLE
2007-11-16	Grantee: PERRYVILLE TOWN	ANNEXATION	Book 2433, pp. 689-725	
2003-04-11	Grantee: PERRYVILLE TOWN MAYOR & COUNCIL	RESOLUTION	Book 1354, pp. 400-401	
1987-07-06	Grantee: PERRYVILLE-COMMISSIONERS OF	ANNEX/ RESOLUTN	Book 204, pp. 1-7	TOWN OF PERRYVILLE
1982-02-01	Grantee: ELKTON MAYOR & COMMISSIONERS OF THE TOWN OF	CHARTER AMEND RESOLUTION	Book 77, pp. 588-592	
1993-03-24	Grantee: PORT DEPOSIT TOWN MAYOR & COUNCIL	ANNEX RES	Book 427, pp. 19-32	TWN PORT DEPOSIT
1992-12-28	Grantee: CHESAPEAKE CITY MAYOR & COUNCIL OF TOWN OF	ANNEX/ RESOLUT	Book 416, pp. 592-601	2ND DIST E/S RTE 342
1996-11-08	Grantee: CHESAPEAKE CITY TOWN MAYOR & COUNCIL O	REREC ANEX	Book 623, pp. 479-483	TOWN OF CHESAPEAKE CITY
1985-12-24	Grantee: TOWN OF ELKTON/MAYOR & COMMISSIONERS OF	RESOLUTN	Book 154, pp. 611-616	
1985-09-16	Grantee: ELKTON COMMS OF THE TOWN OF	ANNEXTN RESLTN	Book 147, pp. 219-225	
1973-08-14	Grantee: ELKTON MAYOR & COMMISSIONERS OF THE TOWN	NOT OF ENACT RESOLUTION	Book 319, pp. 295-270	
1980-01-29	Grantee: ELKTON MAYOR & COMMISSIONERS OF THE TOWN OF	CHARTER AMEND RESOLUTION	Book 47, pp. 869-873	
2007-07-07	Grantee: ELKTON TOWN MAYOR & COMMISSIONERS	ANNEX/RESO	Book 1422, pp. 336-343	
1985-04-25	Grantee: ELKTON-MAYOR & COMMRS OF THE TOWN OF	RESO- LUTION	Book 136, pp. 975-984	
1990-04-25	Grantor: ELKTON - TOWN OF	CHARTER/ AMENDMENT	Book 305, pp. 499-503	
1990-03-03	Grantee: NORTH EAST & TOWN MAYOR & COMMISSIONERS	ORD/RESOL	Book 783, pp. 840-853	

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The Town Boundary

Existing City Limits

- Other sources – Clerk of the Circuit Court

- Plat records

Search the town name

Then look for key words

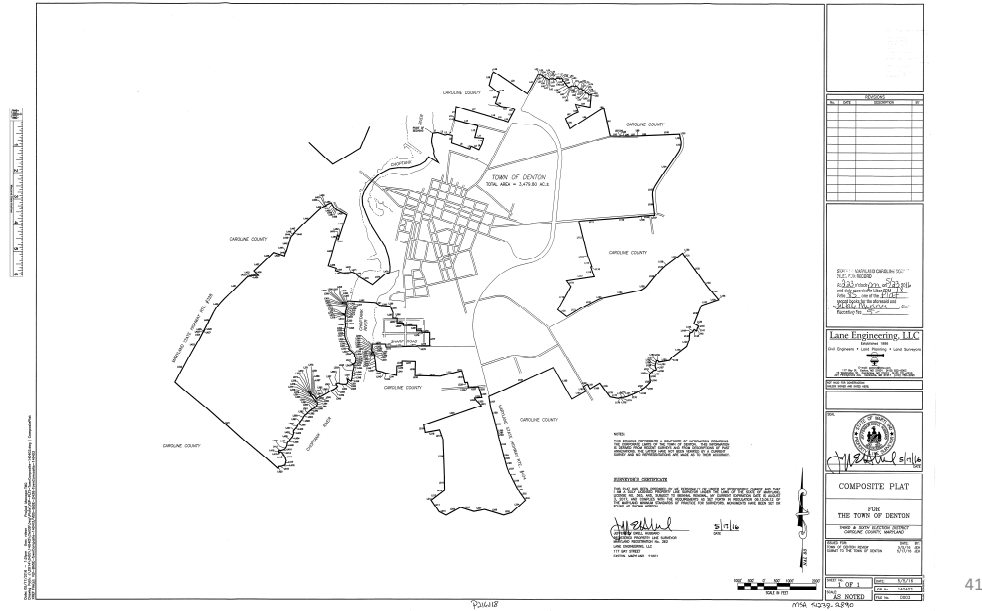
Annex

Corporate limits

Town (or city) Limits

40

The Town Boundary Existing City Limits



41

The Town Boundary Existing City Limits

- Other official source
State Department of Legislative Services
- Maryland State Archives
- <https://govpubs.msa.maryland.gov/pages/home.aspx>
- Maryland Manual online
- <https://msa.maryland.gov/msa/mdmanual/01glance/html/mun.html>
- Newspaper notices as required by §4-406

42

The Town Boundary

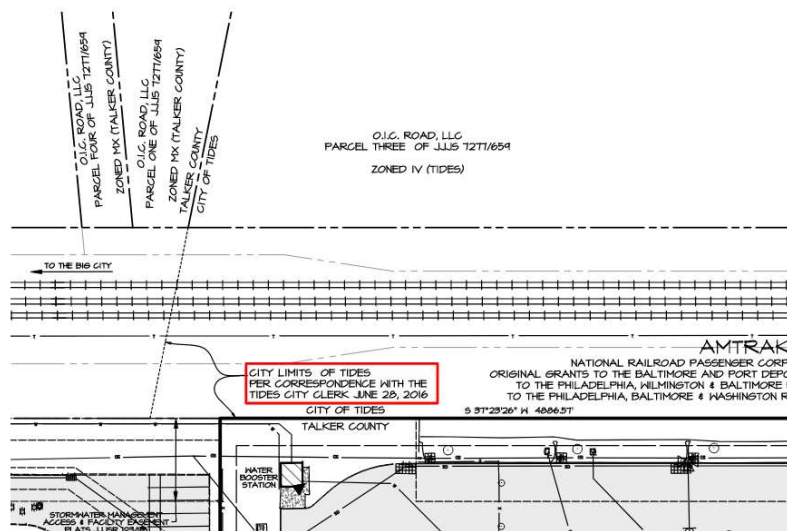
Existing City Limits

- Exhausted resources? What next?

43

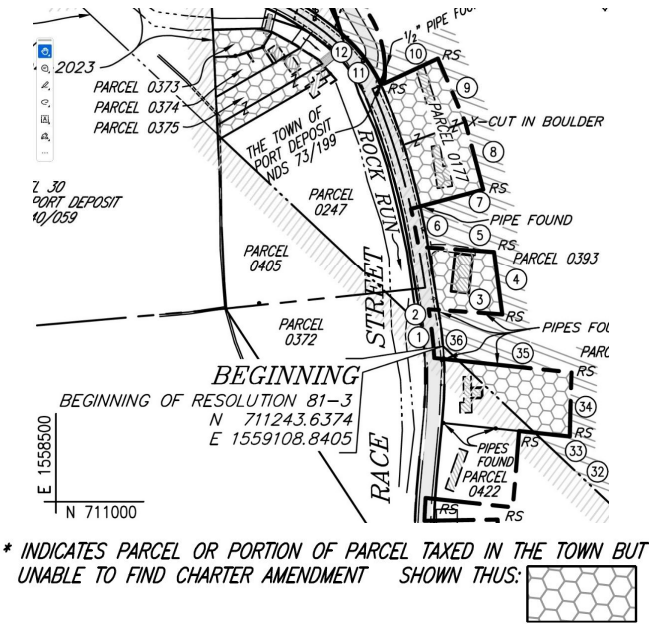
The Town Boundary

Existing City Limits



44

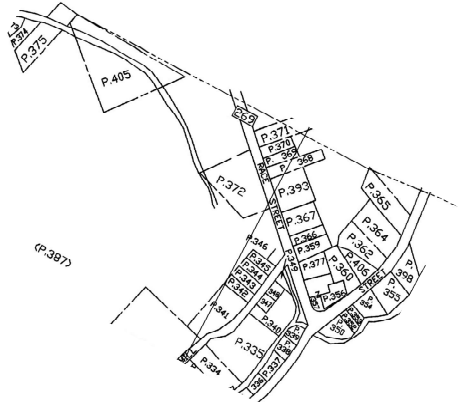
The Town Boundary



45

The Town Boundary

Account Number:	District - 07 Account Identifier - 055730								
Owner Information									
Owner Name:	RACE STREET PD LLC					Use:	RESIDENTIAL		
						Principal Residence:	NO		
Mailing Address:	101 W CHESAPEAKE AVE					Deed Reference:	/04590/ 00001		
	#27746								
	TOWSON MD 21285-0000								
Location & Structure Information									
Premises Address:	LIBERTY GROVE RD					Legal Description:	97 ACRE		
	PORT DEPOSIT 21904-0000						LIBERTY GROVE ROAD		
							PORT DEPOSIT		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0221	7	0405	7010009.08	0000				2024	Plat Ref:
Town: PORT DEPOSIT									



46

The Town Boundary



47

The Annexation

§4-401.

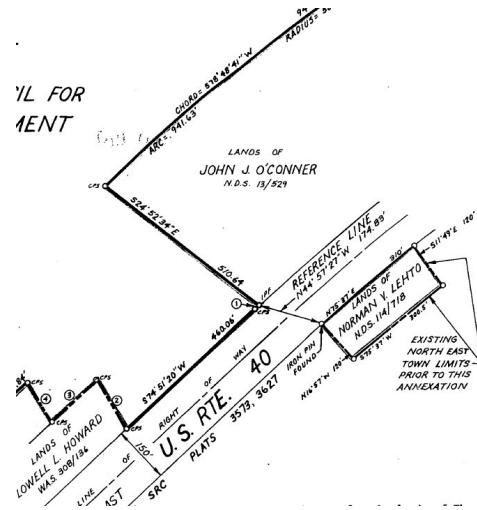
(b) The power of annexation applies only to land that:

- (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.

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

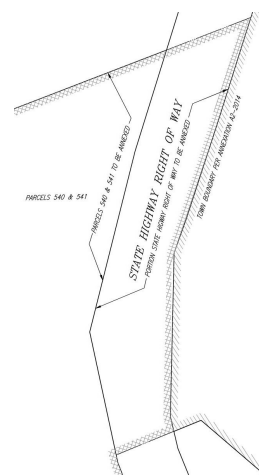
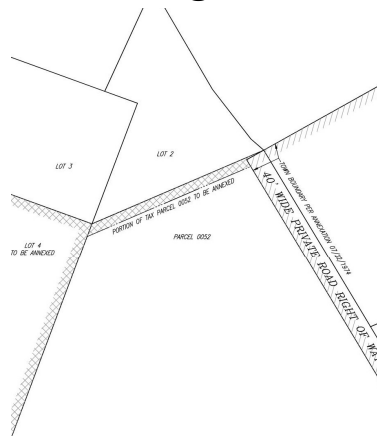
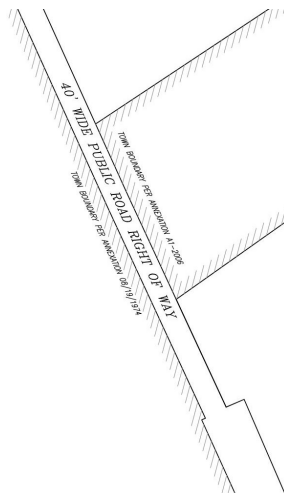
48

The Town Boundary Contiguous



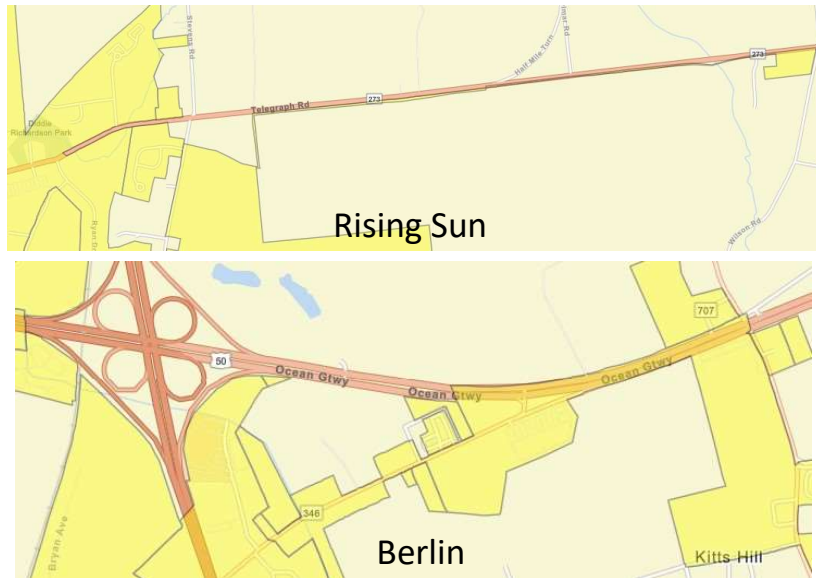
49

The Town Boundary Contiguous



50

The Town Boundary Contiguous



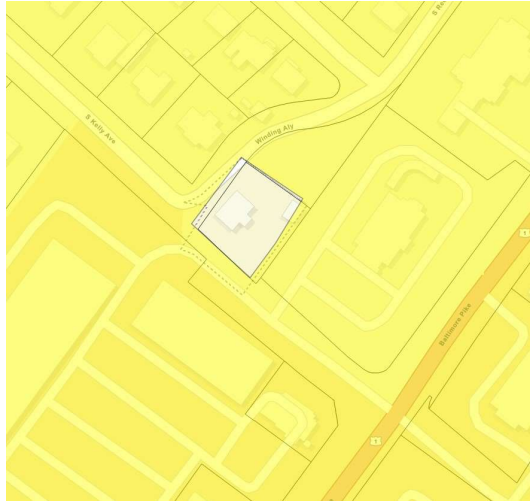
51

The Town Boundary Contiguous



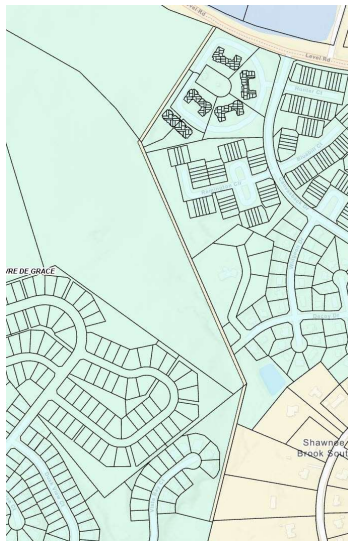
52

The Town Boundary Enclaves



53

The Town Boundary Enclaves



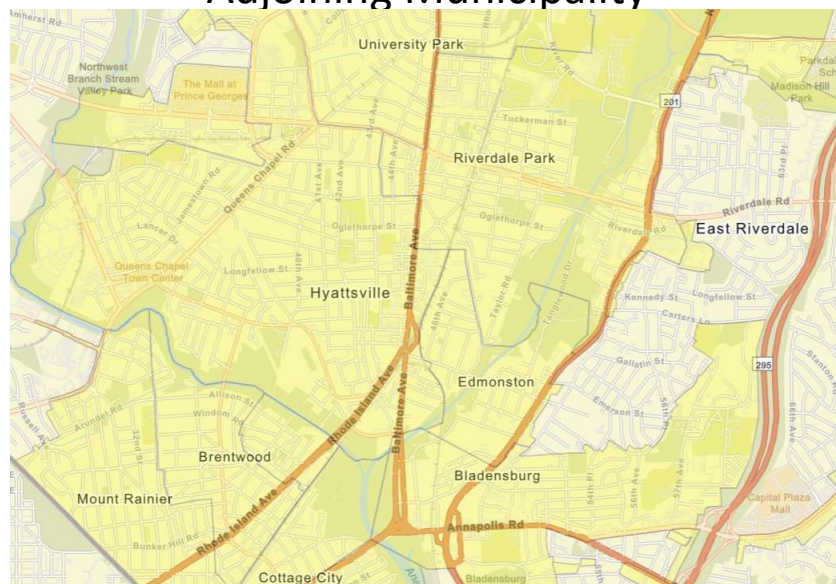
54

The Town Boundary Enclaves



55

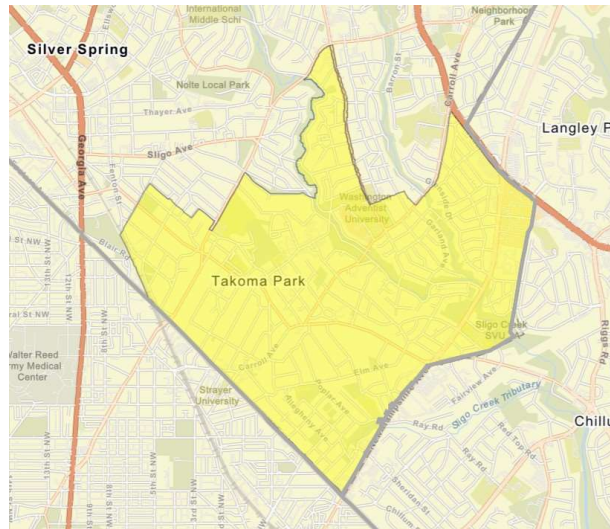
The Town Boundary Adjoining Municipality



56

The Town Boundary

Annexing Land in Adjoining County



57

The Annexation

§4-415.

(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.

§4-416.

(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.

58

The Town Boundary

Comprehensive Plan

COMPREHENSIVE PLAN 2024

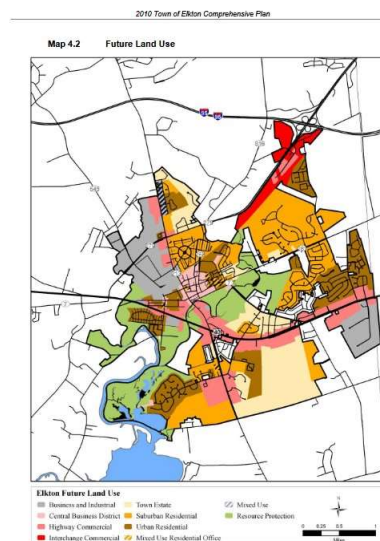


TOWN OF WALKERSVILLE
MAY 2024

59

The Town Boundary

Zoning



4-11

60

The Town Boundary 'Survey of Courses & Distances'

Caption / Purpose

8555 Square Foot Parcel of Land to be Annexed into the Town of Who, Maryland, Land of Proper T. Owner, Located at What Road, Third Election District, Where County, Maryland

Call to Abutting/ Contiguous Boundary

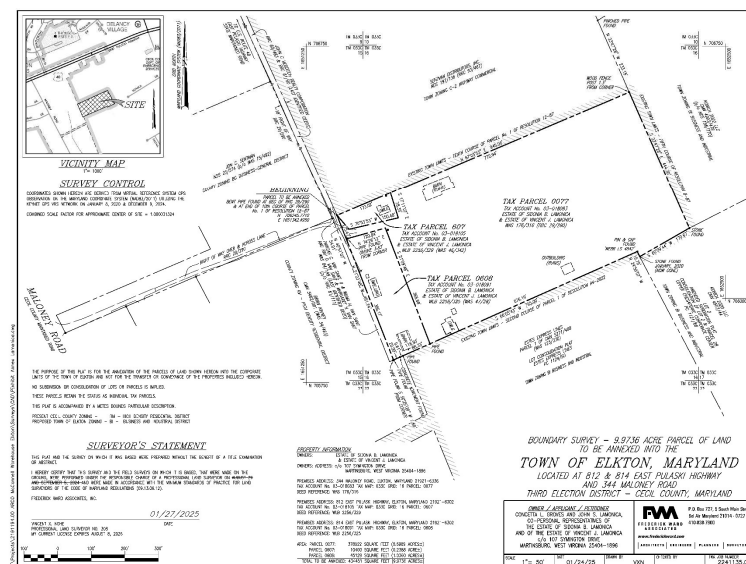
...to the end of the third or South 29°11'39" East 168.33 feet course of that tract or parcel of land described in Resolution A1-2021 by the Mayor and Commissioners of the Town of Here and adopted June 16, 2021...

Limitation Clause

8555 square feet (0.1964 acre) of land, more or less for the purpose of annexation into the municipal limits of the Town of Here and not for the purpose of transfer, conveyance or consolidation.

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The Town Boundary Plat



62

The Town Boundary

What Changes?

What Does Not Change?

63

The Town Boundary



The End

64