

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

Drafted by: Carter  
Typed by: Alan  
Stored – 12/01/06  
Proofread by \_\_\_\_\_  
Checked by \_\_\_\_\_

By: **Montgomery County Delegation and Prince George’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Maryland–Washington Metropolitan District –**  
3 **Boundaries**

4 **MC/PG 121–07**

5 FOR the purpose of modifying the boundaries of the Maryland–Washington  
6 Metropolitan District as it relates to Montgomery County and the Lower  
7 Montgomery Metropolitan District; providing that a certain metropolitan  
8 district tax does not apply to areas located within certain municipal  
9 corporations or to any area that is subsequently annexed to certain municipal  
10 corporations; providing for the construction of this Act; prohibiting Montgomery  
11 County from collecting certain taxes that are due under certain circumstances;  
12 and generally relating to the boundaries of the Maryland–Washington  
13 Metropolitan District.

14 BY repealing and reenacting, without amendments,  
15 Article 28 – Maryland–National Capital Park and Planning Commission  
16 Section 3–101  
17 Annotated Code of Maryland  
18 (2003 Replacement Volume and 2006 Supplement)

19 BY repealing and reenacting, with amendments,

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



20 Article 28 – Maryland–National Capital Park and Planning Commission  
21 Section 3–104 and 3–106  
22 Annotated Code of Maryland  
23 (2003 Replacement Volume and 2006 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article 28 – Maryland–National Capital Park and Planning Commission**

27 3–101.

28 The area in Montgomery and Prince George’s Counties, Maryland, within the  
29 boundaries specified in this title, is continued under a corporate agency for the  
30 purposes set forth in this article. It shall be known as the Maryland–Washington  
31 Metropolitan District and hereinafter in this article may be referred to as the  
32 “metropolitan district” or as the “district”.

33 3–104.

34 All that area located within the corporate limits of the City of Rockville [as of  
35 January 1, 1961,] is excluded from the metropolitan district, any other provisions of  
36 this title to the contrary notwithstanding.

37 3–106.

38 The boundaries of Lower Montgomery County Metropolitan District are  
39 extended by the addition thereto of the three (3) following described areas which said  
40 areas shall hereafter become integral portions of the metropolitan district:

41 (1) All of the Rockville Election District (No. 4) not previously included  
42 within said district, excepting therefrom however [the hereinafter described area  
43 comprising the City of Rockville and the area of its maximum expansion limits, said  
44 excepted area being described as follows:

45 Beginning at the intersection of the centerline of Shady Grove Road and State  
46 Route 355, thence southeast on the centerline of State Route 355 for approximately 1.6  
47 miles to the south property line of A. Gude Sons Co. as described in deed 382/371;

48 thence along the same the following bearings and distances: N 86° 15' E 2446.13', S  
49 757', S 70° 30' E 1619', N 11° E 264', and N 31° E 760' to the southwest corner of  
50 Montgomery County's incinerator site as described in deed 2975/213; thence with  
51 south line of same S 76° 00' 20" E 1617'; thence N 69° 03' 26" E 702.77'; thence S 49°  
52 29' 07" E 398.62' to Southlawn Lane; thence crossing Southlawn Lane and with the  
53 northeast line of M. W. Munday property described in deed 3265/532 S 42° 15' E  
54 446.09'; thence N 47° 45' E 716' to the north corner of Mona D. Conger property as  
55 described in deed 2467/312 and property of MNCP&PC as described in deed 3081/58;  
56 thence with said MNCP&PC property S 64° 59' 58" E 570' ±; thence with MNCP&PC  
57 tract as described in deed 3187/302 S 12° 17' 30" E 1836.63' and S 66° 17' 30" E 526' to  
58 Avery Road; thence with land of James Casbarian as described in deed 2960/228 S 66°  
59 16' 40" E 466.32', N 54° 21' E 616.84', and S 22° 34' 40" W 540' ± to the northernmost  
60 point of J. B. Shapiro tract as described in "City of Rockville Resolution 5-64 for the  
61 enlarging of the corporate boundaries"; thence with the dividing line between said  
62 Shapiro tract and land owned by MNCP&PC S 66° 20' 38" E 105.08', S 26° 50' 10" E  
63 865', S 14° 53' 10" E 637.69', N 71° 00' 14" E 362.63', S 04° 33' 30" W 1610' and S 55°  
64 52' 15" E 239.94'; thence N 49° 40' E 275' ± to the west corner of MNCP&PC tract as  
65 described in deed 2988/622; thence with same S 25° 31' E 378.5'; thence crossing same  
66 and land of D. B. Pickett, as described in deed 1030/183, in a straight line for 730+ to  
67 its intersection with Norbeck Road (State Route 28); and the southernmost point of  
68 MNCP&PC tract on Norbeck Road as described in deed 2266/229; thence crossing said  
69 80.1-acre tract approximately S 41° 26' 20" to the end of the N 54° 48' 30" E 529.38' line  
70 of MNCP&PC as shown on Plat 4589; thence with said 159.23-acre tract S 54° 43' 30"  
71 W 529.38' S 61° 51' 10" W 130' to Twinbrook Forest; thence with Twinbrook Forest  
72 and continuing along the MNCP&PC tract S 41° 43' 30" E 746.05'; S 17° 06' E  
73 1356.99', S 22° 12' 40" W 259.24', S 81° 09' 20" W 396.72'; N 86° 27' 30" W 323.62' and  
74 S 04° 04' 41" W 993.74' to Viers Mill Road; thence west on Viers Mill Road 1000+ to  
75 the northwest corner of C.M. Whalen property as described in deed 3144/183; thence  
76 with said tract S 01° 27' 17" E 1009.04' to Twinbrook Parkway; thence with Twinbrook  
77 Parkway south approximately 1450+ to the dividing line between lots 2 and 3, Block  
78 A, Section 3 of Halpine Village as shown on Plat 5943; thence with dividing line  
79 between lots 2 and 3 N 79° 16' 24" W 165'; thence with back line of lots 3 through 8 S  
80 30° W 349.27'; thence with dividing line between lots 9 and 10 N 80° 29' 13" W 100' to  
81 Pier Drive; thence crossing Pier Drive and going between lots 17 and 18, Block B,  
82 Section 3 as shown on Plat 5943 N 82° 36' 43" W 165.79'; thence S 11° 50' 42" W  
83 27.98'; thence S 21° 06' 06" W 104.01'; thence with dividing line between lots 19 and 21  
84 S 69° 13' 55" E 104.1'; thence with dividing line between lots 20 and 21 to centerline of  
85 Halpine Road S 30° 35' 37" E 130'; thence N 59° 24' 23" E 275' along Halpine Road to

86 property line of Parcel No. 1 of Danac Real Estate Investment Corp. as described in  
87 deed 3183/621; thence with said northeast line S 47° 21' 16" E 153.06' to Twinbrook  
88 Parkway; thence S 21° 49' 30" W 354.23' along Twinbrook Parkway; thence continuing  
89 along said Danac deed N 73° 55' 45" W 34.9', S 59° 38' 10" W 339.87', and S 60° 38' 10"  
90 W 310.25' to Ardennes Avenue; thence continuing in approximately the same direction  
91 and parallel to and 300' from Halpine Road for 1175' + to the eastern R/W line of the  
92 B. & O. RR; thence southeast along B. & O. RR 2300' + to the intersection of the B. &  
93 O. RR with Washington Avenue; thence approximately due west crossing the B. & O.  
94 RR R/W to the intersection of the northernmost line of Washington–Rockville  
95 Industrial Park as shown in Plat 6558 and the western R/W of the railroad; thence N  
96 84° 37' W 1480' along the north line of Washington–Rockville Industrial Park as  
97 shown on Plats 6558 and 6708 to State Roads Station 413 + 54 in State Route 355  
98 (Rockville Pike); thence southeasterly along Rockville Pike approximately 2300' + to  
99 the centerline of proposed Outer Circumferential Highway; thence west along the  
100 centerline of the proposed Outer Circumferential Highway to its intersection with  
101 Great Falls Road; thence northerly along Great Falls Road for approximately 3500' +  
102 to the dividing line between the lands of Contee Sand and Gravel Company, Inc. as  
103 described in deed 2839/126 and Bernard Gewirz as described in deed 2915/650; thence  
104 leaving Great Falls Road and with said dividing line N 70° 09' 58" W 1180.13'; N 34°  
105 50' 28" W 539.98'; N 14° 47' 24" E 371'; N 71° 15' 22" W 2126.21'; thence leaving  
106 Bernard Gewirz property and with Contee Sand and Gravel Company, Inc. and the  
107 east line of Plat 2952 Potomac Highlands N 22° 55' 20" E 187.93', N 39° 26' E 342.95',  
108 N 27° 10' 55" E 812.77', and N 34° 52' W 53.99' to dividing line of lots 1 and 2, Block C  
109 of Plat 2952 Potomac Highlands; thence with said dividing line of lots 1 and 2 N 81°  
110 33' W 485.95', to west side of Carriage Court; thence S 08° 27' W 45'; thence with  
111 dividing line between lots 6 and 7 N 81° 33' W 240.49'; thence S 14° 14' 50" W 68.35';  
112 thence with dividing line between lots 8 and 9 N 56° 09' W 366' to west side of Overlea  
113 Drive; thence with Overlea Drive S 22° 33' W 100'; thence with dividing line between  
114 lots 3 and 4, Block B of Potomac Highlands N 44° 46' 15" W 390.17'; thence N 73° 05'  
115 20" W 172.46'; N 35° 04' 30" W 287.15'; N 06° 28' 20" E 238.60' to a point at corner of  
116 lots 1 and 12, Block B; thence running parallel to and 300' south of Scott Drive to the  
117 dividing line between lots 2 and 3 Block C as shown in Plat 2623 of Glen Hills Club  
118 Estates; thence with said dividing line S 88° 04' 50" W 287.25' to west side of  
119 Southwood Drive; thence N 01° 55' 10" W 45' to dividing line between lots 3 and 4,  
120 Block B; thence S 88° 04' 50" W 305.41'; thence 48° 35' 50" W 331.07' between lots 6  
121 and 7, Block B to west side of Oakwood Drive and dividing line between lots 12 and 14,  
122 Block A as shown in Plat 2193 of Glen Hills Club Estates; thence with said dividing  
123 line N 29° 54' 53" W 361.54'; thence N 57° 20' 35" E 25' to dividing line between lots 9

124 and 10, Block A; thence with said dividing line N 29° 54' 53" W 404.07' to dividing line  
125 between lots 17 and 18, Block A as shown in Plat 2233 of Glen Hills Club Estates;  
126 thence with same N 29° 54' 53" W 247.05'; thence with dividing line between lots 15  
127 and 16 N 32° 29' 43" W 221.79'; thence with dividing line between lots 1 and 2, Block A  
128 as shown in Plat 2193 of Glen Hills Club Estates N 38° 26' 56" W 268.25' to Glen Mill  
129 Road; thence north on Glen Mill Road to its intersection with State Route 28; thence  
130 west on State Route 28 to its intersection with Shady Grove Road; thence northeast on  
131 Shady Grove Road to its intersection with State Route 355, the place of beginning]  
132 **ALL THE AREA LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF**  
133 **ROCKVILLE AS OF OCTOBER 1, 2007, AND ANY AREA ANNEXED INTO THE CITY**  
134 **OF ROCKVILLE ON ANY SUBSEQUENT DATE IN ACCORDANCE WITH ARTICLE**  
135 **23A, § 19 OF THE CODE.**

136 (2) All of the Gaithersburg Election District (No. 9) not previously  
137 included within said district, excepting therefrom however [the cities of Gaithersburg  
138 and Washington Grove] **ALL THE AREA LOCATED WITHIN THE CORPORATE LIMITS**  
139 **OF THE CITY OF GAITHERSBURG AND THE TOWN OF WASHINGTON GROVE AS**  
140 **OF OCTOBER 1, 2007, AND ANY AREA ANNEXED INTO THE CITY OF**  
141 **GAITHERSBURG OR THE TOWN OF WASHINGTON GROVE ON ANY SUBSEQUENT**  
142 **DATE IN ACCORDANCE WITH ARTICLE 23A, § 19 OF THE CODE.**

143 (3) All of the Colesville Election District (No. 5) not previously  
144 included within said district.

145 SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act may  
146 be construed as to affect the rights of any bond holder as of the effective date of this  
147 Act.

148 SECTION 3. AND BE IT FURTHER ENACTED, That the metropolitan district  
149 tax does not apply to that area located within the corporate boundaries of the city of  
150 Rockville or Gaithersburg as they existed as of the effective date of this Act and shall  
151 not apply to any area subsequently annexed by the city of Rockville or Gaithersburg.

152 SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding the  
153 provisions of Article 28 of the Annotated Code of Maryland, Montgomery County may  
154 not collect any delinquent metropolitan district taxes owed under Article 28 of the  
155 Annotated Code of Maryland by any area of Montgomery County that were not levied  
156 prior to the effective date of this Act.

7lr0540

157           SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
158   July 1, 2007.