

NO.: 03 - 4
SUBJECT: Adoption of Guy Farm Drive
Avonlea Subdivision, Section 1

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the Board of County Commissioners for St. Mary's County is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated August 6, 1999, and Record Plat recorded among the Land Records of St. Mary's County at Liber EWA 49, Folio 3, for Guy Farm Drive, County Route 31121; and

WHEREAS, Avonlea Subdivision is subject to the requirements of the St. Mary's County Subdivision Ordinance (1978) and pursuant to Section 24 of the St. Mary's County Subdivision Ordinance (2002).

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, finding that Guy Farm Drive, County Route 31121, located in the Avonlea Subdivision, Section 1, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: Liber EWA 49, Folio 3) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Guy Farm Drive, County Route 31121, into the County's Highway Maintenance System.

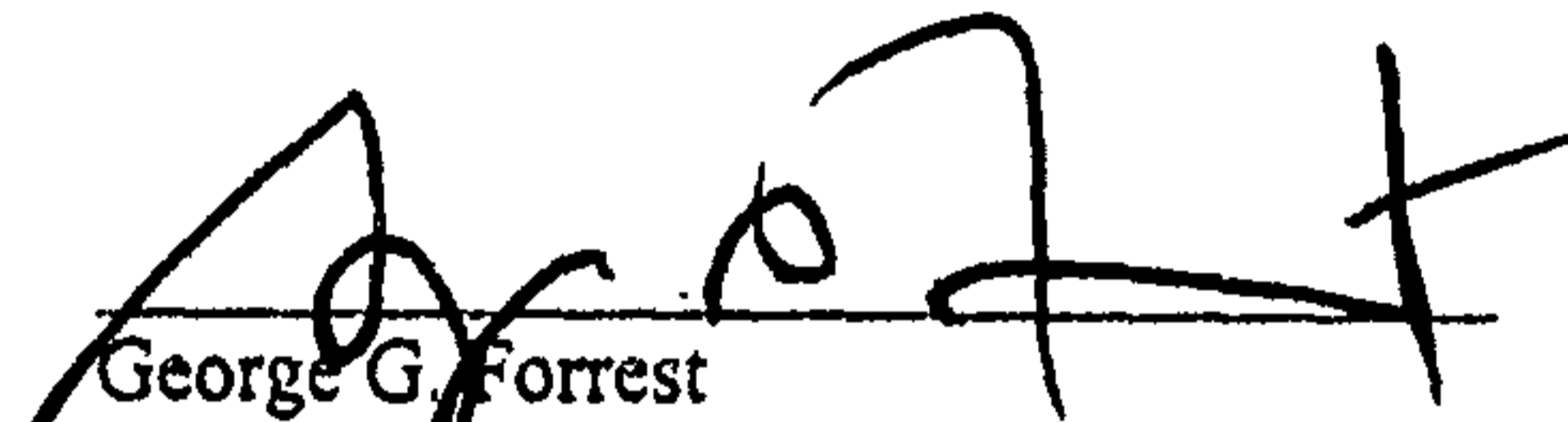
Those voting aye: 5
Those voting nay: 0
Those abstaining or absent: 0

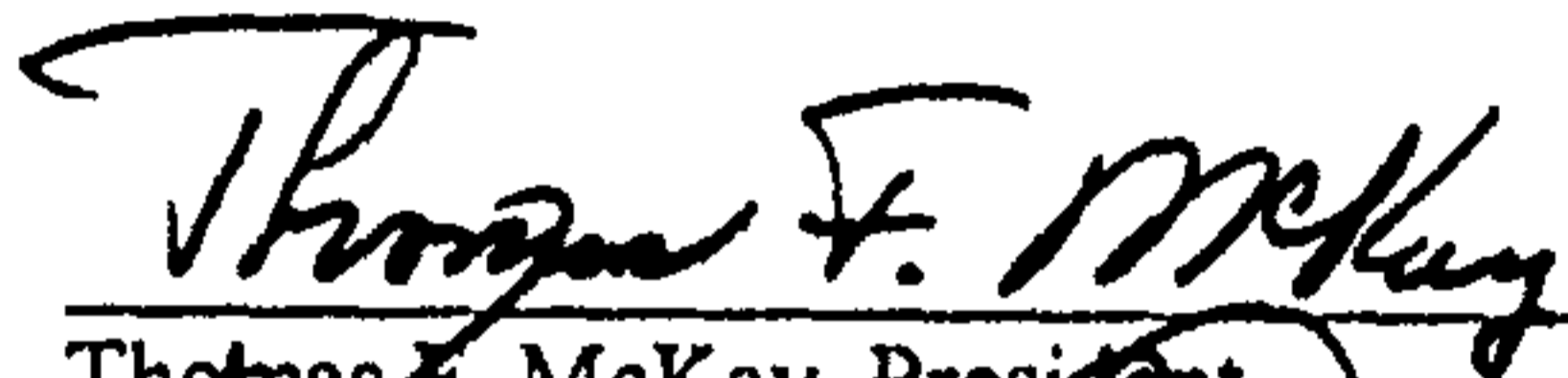
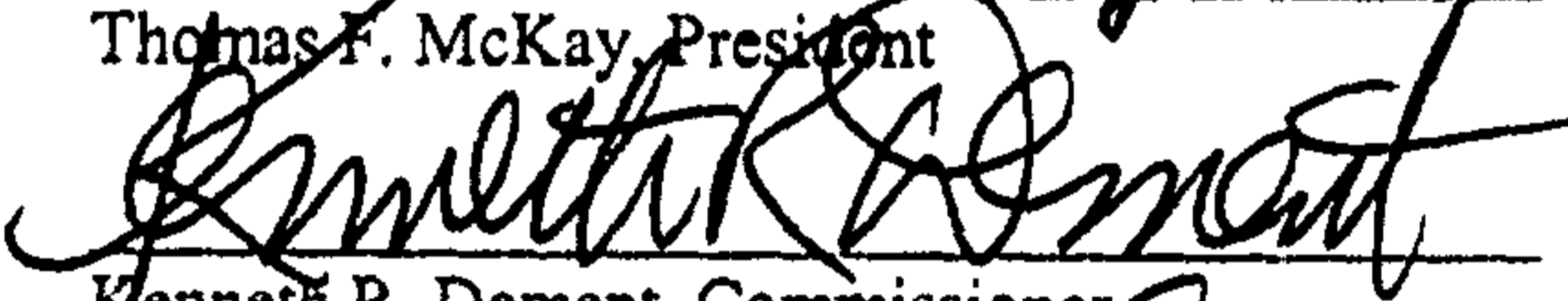

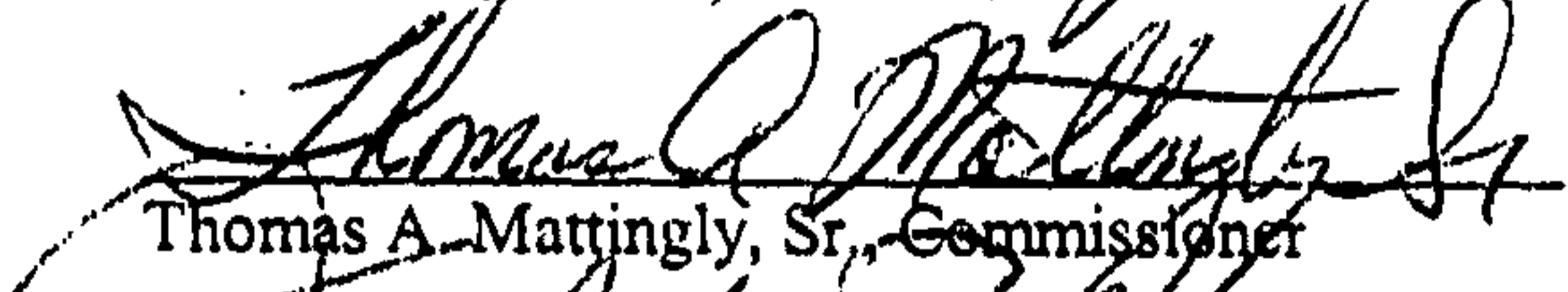
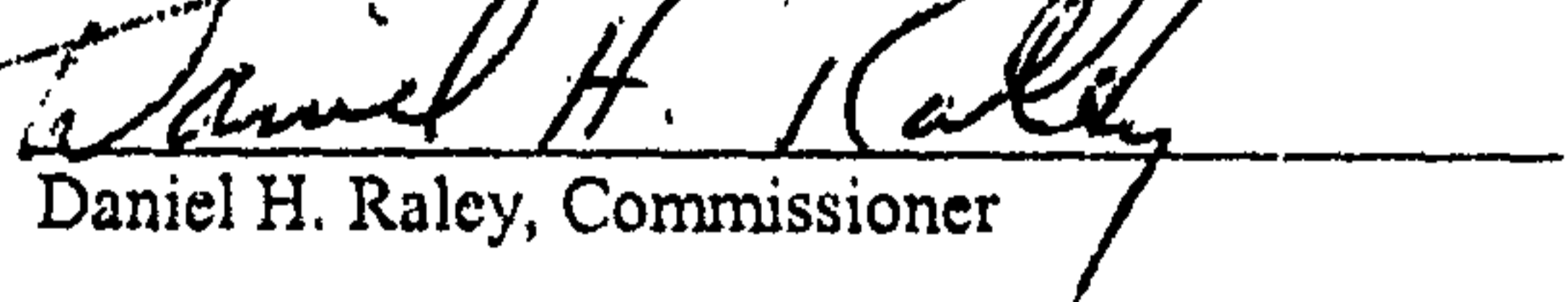
RECORDING FEE 0.00
TOTAL 0.00
Res#5402 Rcpt#999999
EWA CSS DIR#2331
Jun 23, 2003 09:20 am

Date of Adoption: 6/3/03
Effective Date: 6/3/03


ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George G. Forrest
Interim County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-1 of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Section 21-801.1 of the Transportation Article of the Maryland Annotated Code for Guy Farm Drive, County Route 31121, located in the Avonlea Subdivision, Section 1, Fifth (5th) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 49, Folio 3, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Guy Farm Drive, County Route 31121.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds the maximum speed limit set forth for roads of the type of Guy Farm Drive is greater than reasonable or safe, and that Guy Farm Drive, County Route 31121, located in the Avonlea Subdivision, Section 1, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 49, Folio 3) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.


Those voting aye: 5
Those voting nay: 0
Those abstaining or absent: 0

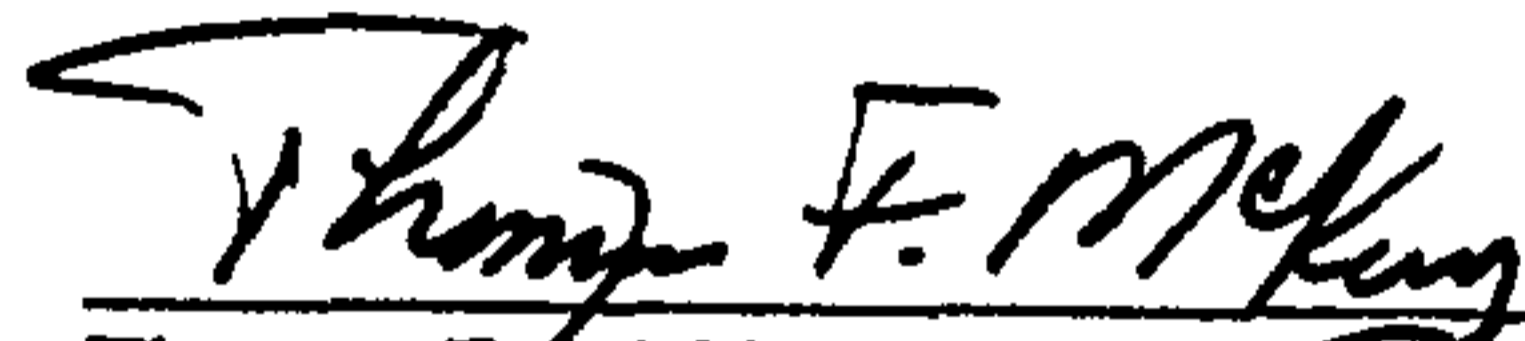
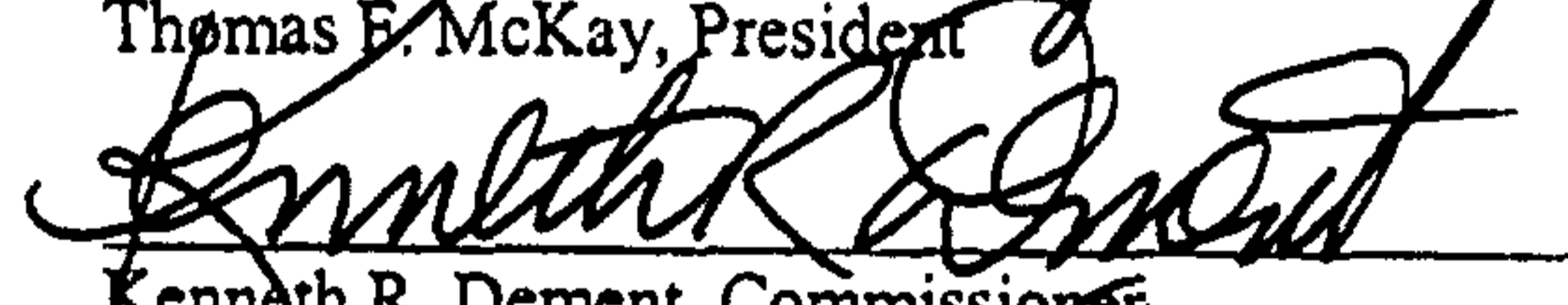
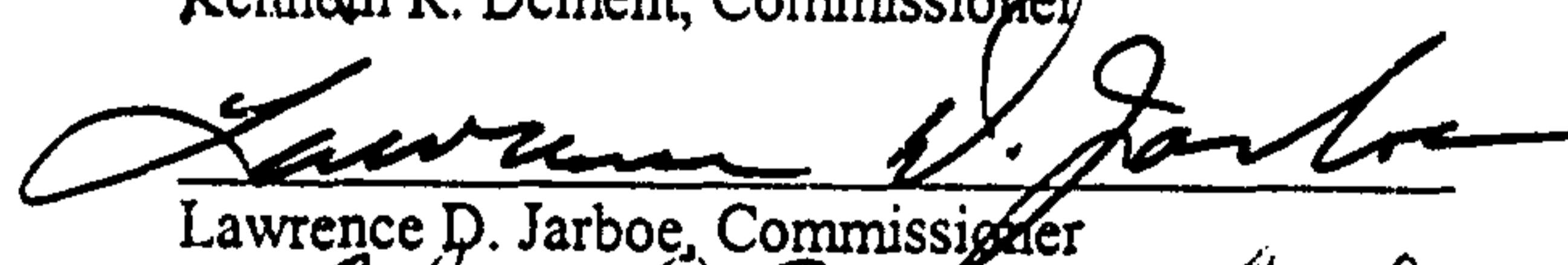
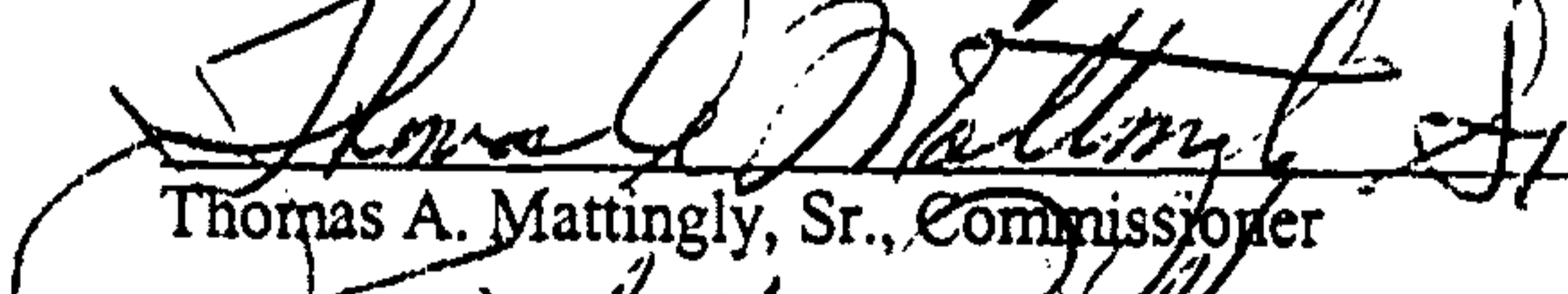

Date of Adoption: 6/3/03
Effective Date: 6/3/03

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA 033 Bk#2531
Jun 23, 2003 09:30 am

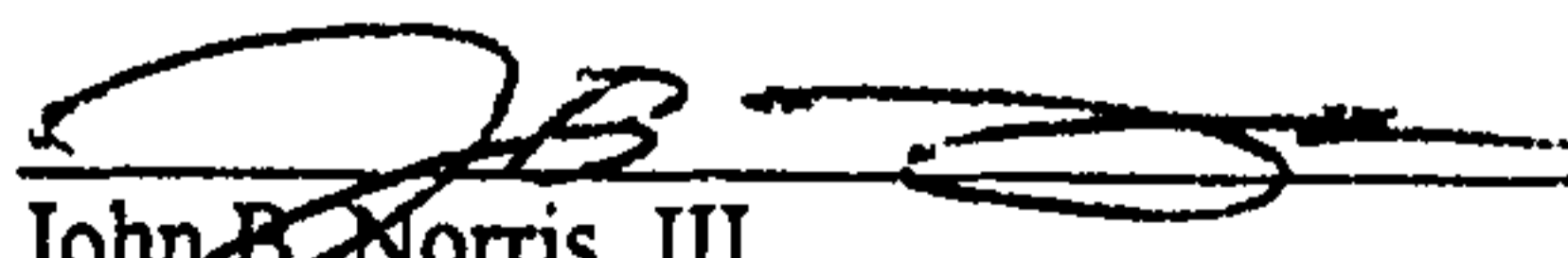
ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George J. Forrest
Interim County Administrator


Thomas E. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
County Attorney

RESOLUTION

WHEREAS, pursuant to Sections 1 and 10-I of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersection of Guy Farm Drive, County Route 31121, located in the Avonlea Subdivision, Section 1, Fifth (5th) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 49, Folio 3, as a threat to public safety and a hazardous condition due to the absence of a traffic control device at this intersection; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County exercise its authority to regulate traffic at this intersection by means of a traffic control device; specifically, a stop sign on Guy Farm Drive, County Route 31121, at the intersection with Mechanicsville Road, County Route 30029.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Guy Farm Drive, County Route 31121, and Mechanicsville Road, County Route 30029; and in the interest of public safety and to eliminate a hazardous condition, Guy Farm Drive, County Route 31121, further identified as being located in the Avonlea Subdivision, Section 1, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 49, Folio 3) shall be designated as a Stop Street, which is a reasonable exercise of this Board's police powers; and


BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County directs and instructs the Director of the Department of Public Works and Transportation to erect a traffic control device; specifically, a stop sign on Guy Farm Drive, County Route 31121, at the intersection with Mechanicsville Road, County Route 30029.

Those voting aye: 5
Those voting nay: 0
Those abstaining or absent: 0

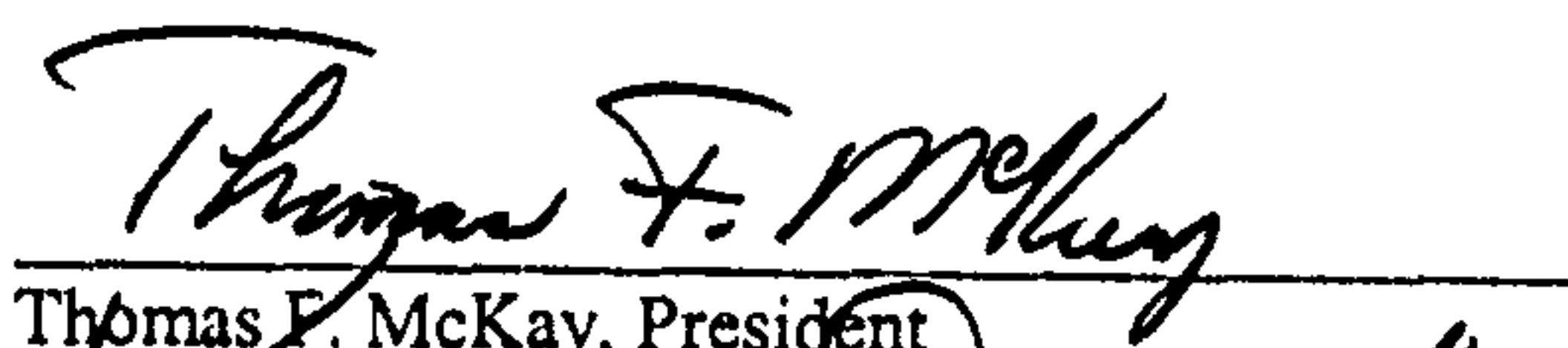
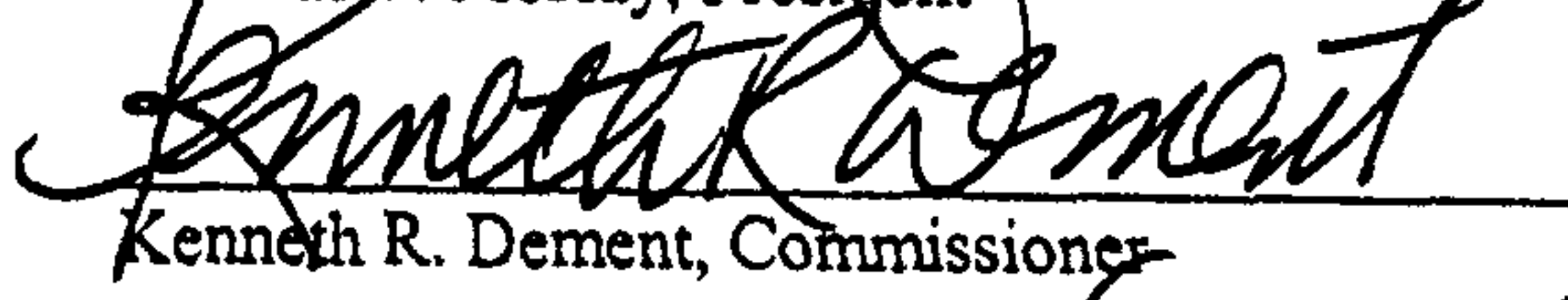
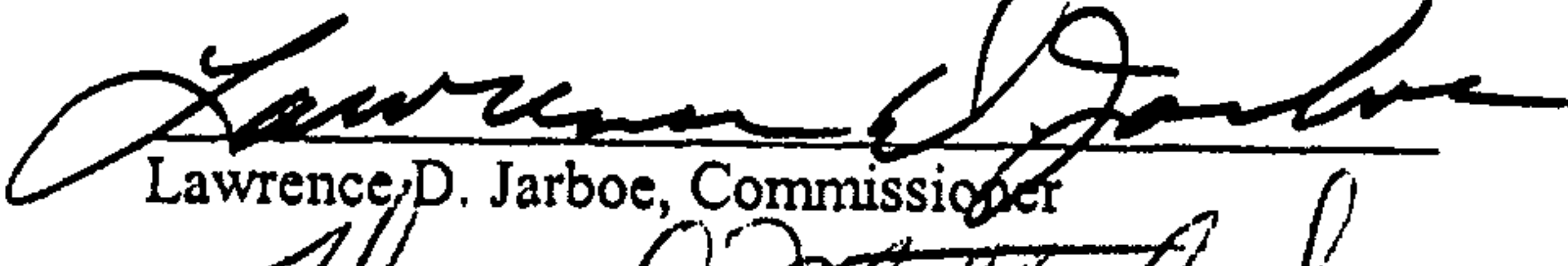
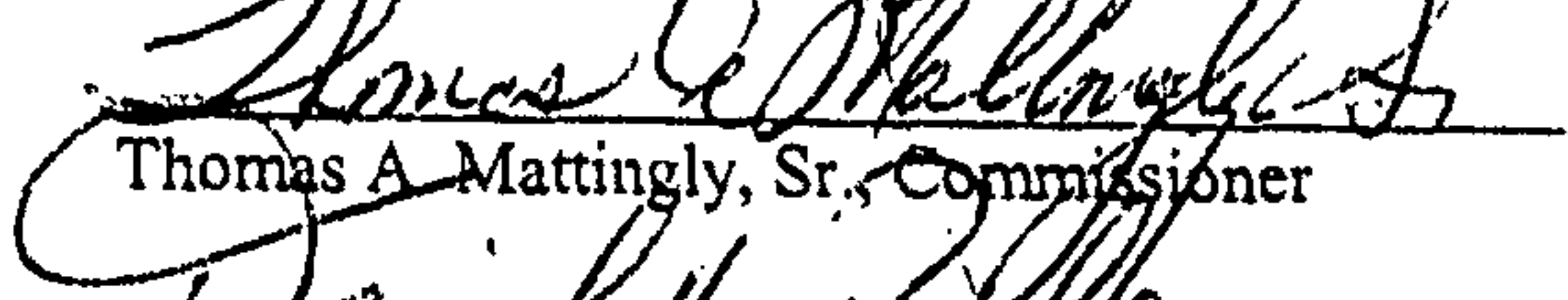

Date of Adoption: 6/3/03
Effective Date: 6/3/03

RECORDING FEE 0.00
TOTAL 0.00
Res#5002 Rcpt#999999
EWA 033 01k#2531
Jun 23, 2003 09:20 am

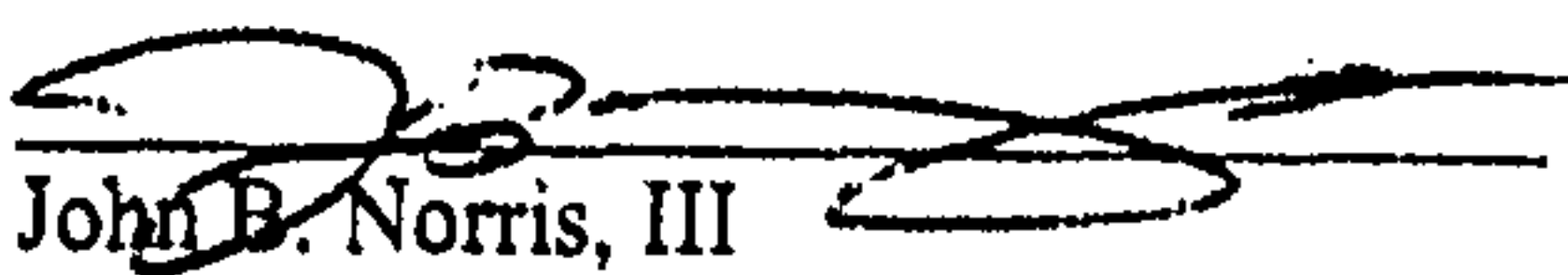
ATTEST:


George G. Forrest
Interim County Administrator

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

NO: 03 -
SUBJECT: Adoption of Skipjack Drive, Skipjack Court
and Kingfisher Court
Bay Ridge Estates Subdivision, Section 3

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of *Article 19* of the Code of Public Local Laws of Maryland, the Board of County Commissioners for St. Mary's County is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated August 3, 1999, and Record Plat recorded among the Land Records of St. Mary's County at Liber EWA 49, Folio 45, for Skipjack Drive, County Route 31122, Skipjack Court, County Route 31123, and Kingfisher Court, County Route 31124; and

WHEREAS, Bay Ridge Estates Subdivision is subject to the requirements of the St. Mary's County Subdivision Ordinance (1978) and pursuant to Section 24 of the St. Mary's County Subdivision Ordinance (2002).

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, finding that Skipjack Drive, County Route 31122, Skipjack Court, County Route 31123, and Kingfisher Court, County Route 31124, located in the Bay Ridge Estates Subdivision, Section 3, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: Liber EWA 49, Folio 45) meet the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Skipjack Drive, County Route 31122, Skipjack Court, County Route 31123, and Kingfisher Court, County Route 31124, into the County's Highway Maintenance System.

Those voting aye: 5
Those voting nay: 0
Those abstaining or absent: 0



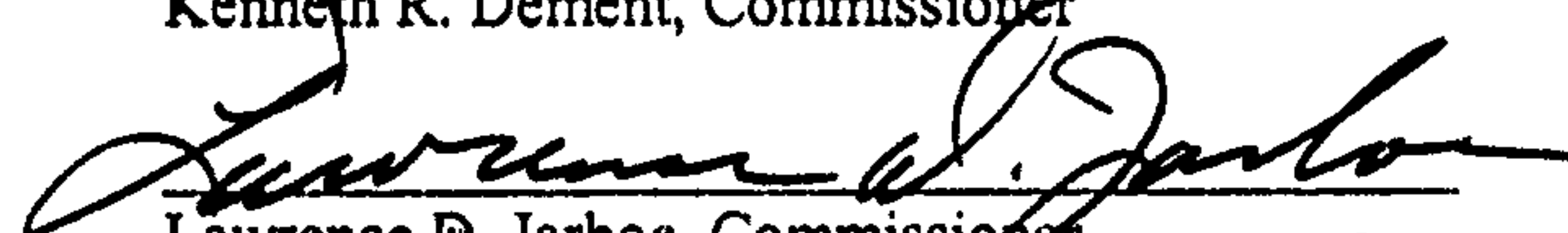
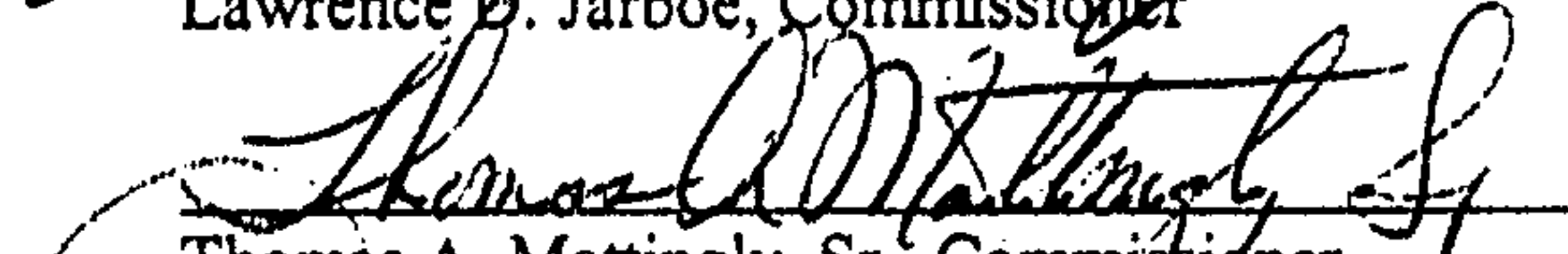
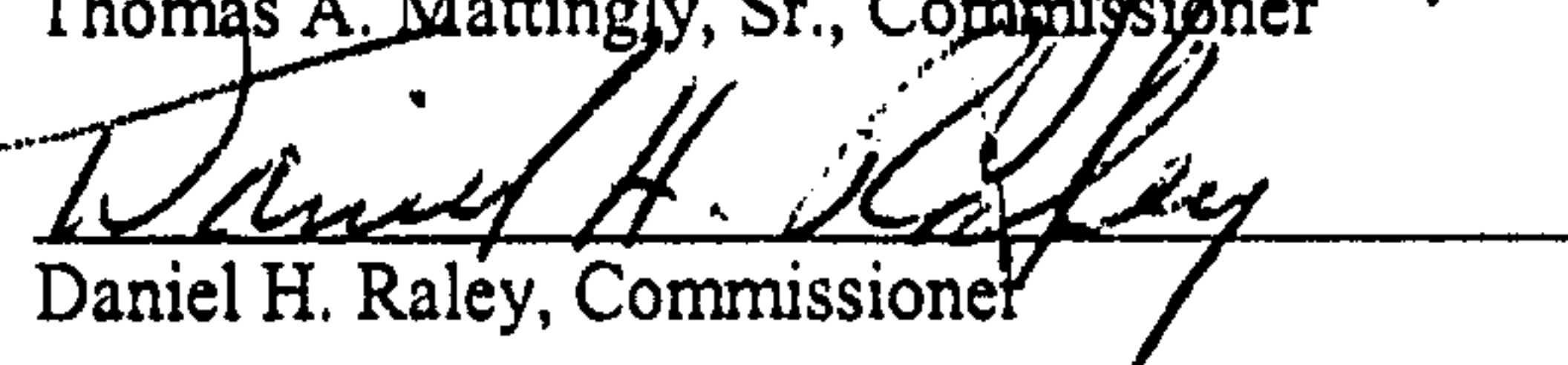
Date of Adoption: 6/3/03
Effective Date: 6/3/03

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA CSS 01k#2501
Jun 23, 2003 09:21 am

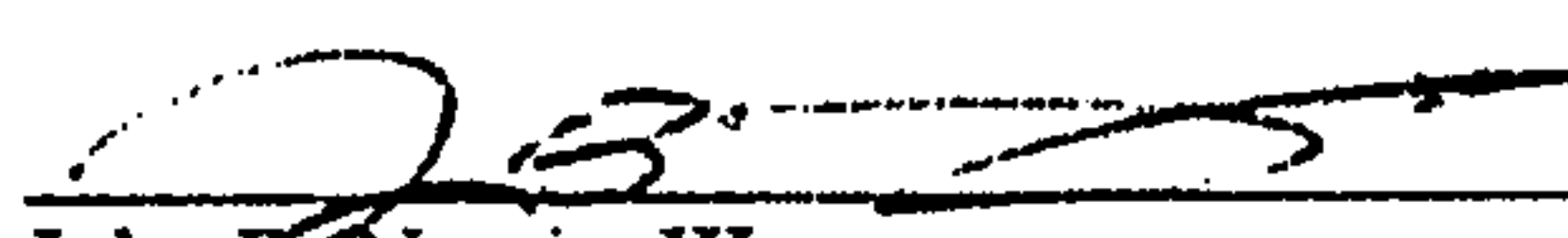
ATTEST:

**BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY**


George G. Forrest
Interim County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**


John B. Norris, III
County Attorney

RESOLUTION

WHEREAS, pursuant to Sections 1 and 10-I of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersection of Skipjack Drive, County Route 31122, Skipjack Court, County Route 31123, and Kingfisher Court, County Route 31124, located in the Bay Ridge Estates Subdivision, Section 3, Eighth (8th) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 49, Folio 45, as a threat to public safety and a hazardous condition due to the absence of a traffic control device at these intersections; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County exercise its authority to regulate traffic at these intersections by means of a traffic control device; specifically, a stop sign on Skipjack Drive, County Route 31122, at the intersection with Bay Ridge Road, County Route 31215; Skipjack Court, County Route 31123, at the intersection with Skipjack Drive, County Route 31122; and Kingfisher Court, County Route 31124, at the intersection with Skipjack Court, County Route 31123.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Skipjack Drive, County Route 31122, and Bay Ridge Road, County Route 31215; Skipjack Court, County Route 31123, at the intersection with Skipjack Drive, County Route 31122; and Kingfisher Court, County Route 31124, at the intersection with Skipjack Court, County Route 31123; and in the interest of public safety and to eliminate a hazardous condition, Skipjack Drive, County Route 31122, Skipjack Court, County Route 31123, and Kingfisher Court, County Route 31124, further identified as being located in the Bay Ridge Estates Subdivision, Section 3, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 49, Folio 45) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County directs and instructs the Director of the Department of Public Works and Transportation to erect a traffic control device; specifically, a stop sign on Skipjack Drive, County Route 31122, at the intersection with Bay Ridge Road, County Route 31215; Skipjack Court, County Route 31123, at the intersection with Skipjack Drive, County Route 31122; and Kingfisher Court, County Route 31124, at the intersection with Skipjack Court, County Route 31123.

Those voting aye: all
Those voting nay: 0
Those abstaining or absent: 0


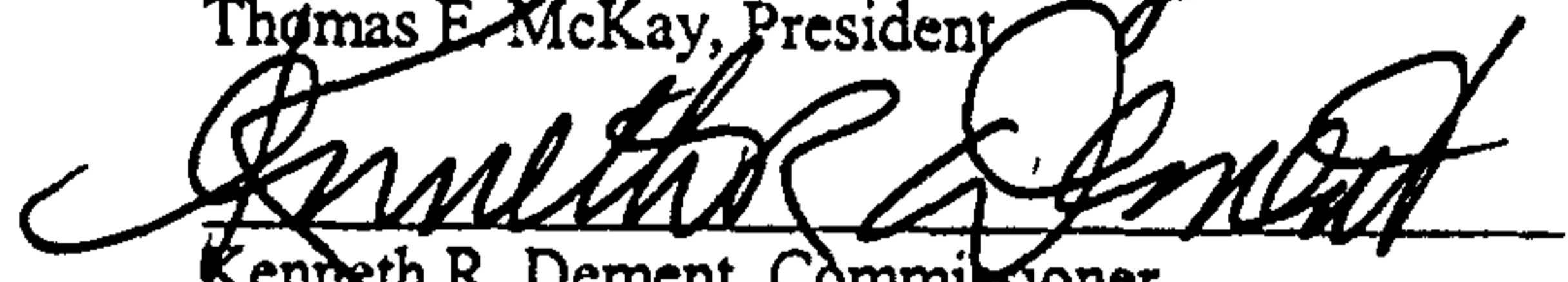
Date of Adoption: 6/3/03
Effective Date: 6/3/03

RECORDING FEE 0.00
TOTAL 0.00
Res#SMB2 Rcpt#999999
EWA CSS 81K#2381
Jun 23, 2003 09:21 am


ATTEST:


BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George G. Forrest
Interim County Administrator



Thomas E. McKay, President

Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

NO.:
SUBJECT:

03- 47
Skipjack Drive, Skipjack Court and
Kingfisher Court
Speed Limit
Bay Ridge Estates Subdivision, Section 3

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-I of *Article 25* of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Section 21-801.1 of the *Transportation Article* of the Maryland Annotated Code for Skipjack Drive, County Route 31122, Skipjack Court, County Route 31123, and Kingfisher Court, County Route 31124, located in the Bay Ridge Estates Subdivision, Section 3, Eighth (8th) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 49, Folio 45, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Skipjack Drive, County Route 31122, Skipjack Court, County Route 31123, and Kingfisher Court, County Route 31124.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds the maximum speed limit set forth for roads of the type of Skipjack Drive, Skipjack Court and Kingfisher Court is greater than reasonable or safe, and that Skipjack Drive, County Route 31122, Skipjack Court, County Route 31123, and Kingfisher Court, County Route 31124, located in the Bay Ridge Estates Subdivision, Section 3, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 49, Folio 45) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

Those voting aye: 5
Those voting nay: 0
Those abstaining or absent: 0

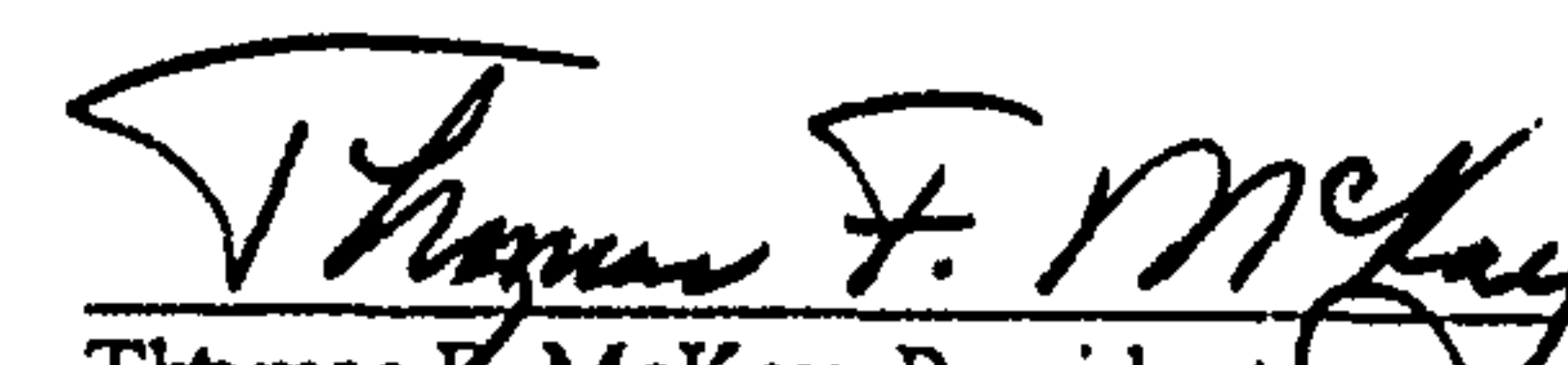
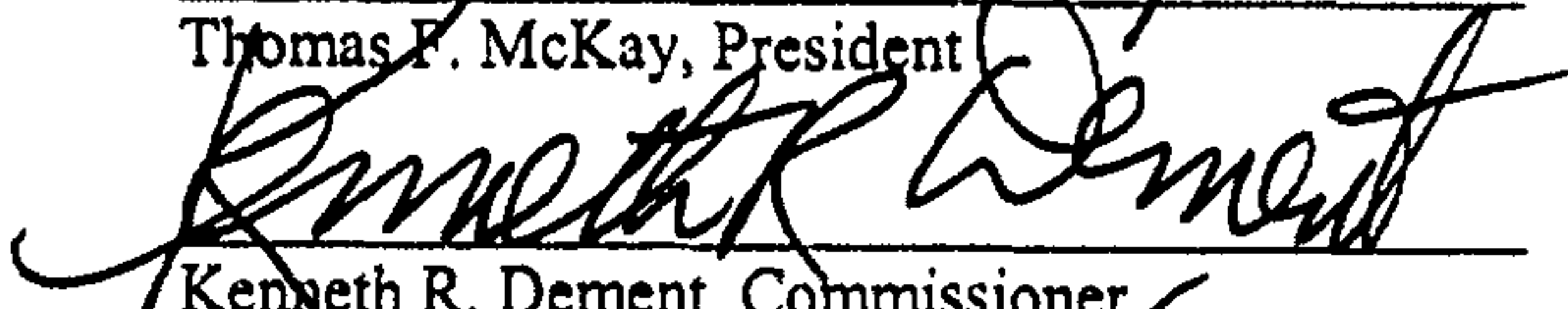
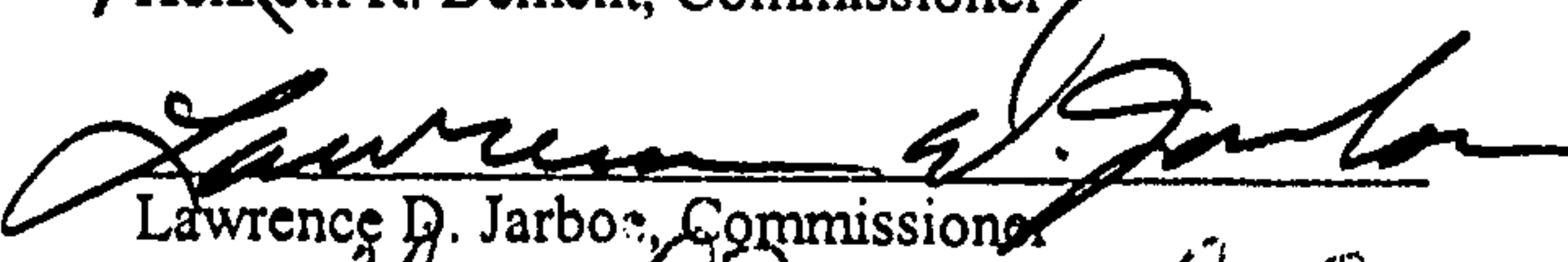
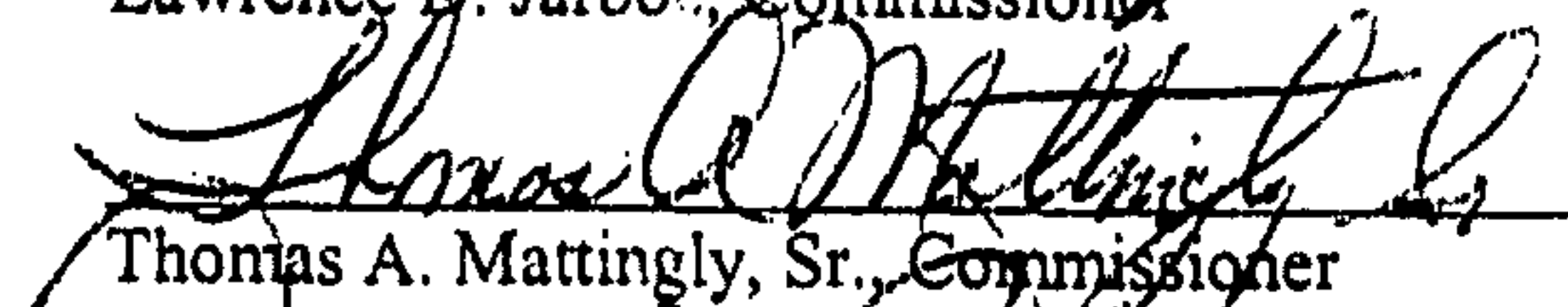
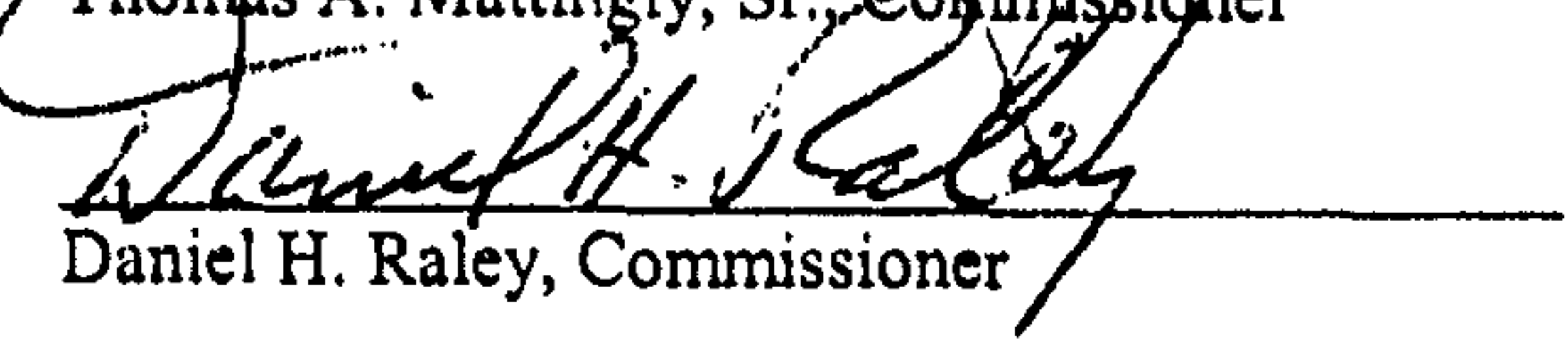
RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA C33 31K#2531
Jun 23, 2003 09:22 am

Date of Adoption: 6/3/03
Effective Date: 6/3/03


ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George F. Forrest
Interim County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
County Attorney

LIBERO 0 2 7 PAGE 0 7

ORDINANCE

**AN ORDINANCE FOR THE PURPOSE OF
AMENDING THE ST. MARY'S COUNTY
OFFICIAL ZONING MAPS**

RECORDING FEE 0.00
TOTAL 0.00
Rest#SN02 Rcpt#999999
EWA KAE 81K4132
Jul 02, 2003 10:23 am

Recitals

WHEREAS, Article 66B of the Maryland Annotated Code, as amended, empowers the Board of County Commissioners for St. Mary's County, Maryland to enact a zoning ordinance to promote the health, safety and welfare of St. Mary's County, and to provide for its administration, enforcement and amendment; and

WHEREAS, Lexington Park Christian School, Inc. (also known as King's Christian Academy, or KCA), (hereinafter, "LCPS") is pursuing authorization from St. Mary's County to proceed with the construction of a private school within a parcel of land described as Tax Map 50, Block 17, Parcel 38, in the Second Election District of St. Mary's County, Maryland; and

WHEREAS, the St. Mary's County Board of Appeals has granted conditional use approval (CUAP) for such land within a specifically delineated 49.2 acres of said Parcel 38, the "Conditional Use Site" (Control File #00-130-015 maintained by the St. Mary's County Department of Planning & Zoning); and

WHEREAS, LPCS has requested access to nearby water and sewer facilities to serve this planned school, notwithstanding a prohibition of such access imposed by the St. Mary's County Comprehensive Water & Sewerage Plan (CWSP), due to the former location of the school site outside of a growth area defined by the Comprehensive Plan; and

WHEREAS, the Planning Commission has found that such service would substantially promote public health and safety, and that amending the Comprehensive Plan, the Comprehensive Zoning Ordinance, and the CWSP to include the Conditional Use Site and a small portion of land owned by LCPS between the former Callaway Village boundary and the Conditional Use Site is necessary and appropriate; and

WHEREAS, the Planning Commission and the Board of County Commissioners have subsequently and duly amended the Comprehensive Plan ("Quality of Life in St. Mary's County - A Strategy for the 21st Century," adopted February 2002) at Page 54 to include a map for the Callaway Village Center, as contained within Attachment 1 to County Commissioner Ordinance No. Z-03-03, that includes the Conditional Use Site and a small portion of land owned by LCPS between the former Callaway Village boundary and the Conditional Use Site; and

WHEREAS, after publication of notice in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on April 25, 2003 and May 2, 2003, the Planning Commission conducted a public hearing on May 12, 2003, to implement the Comprehensive Plan as amended and to change the Official Zoning Maps to rezone the Conditional Use Site and that portion of the property owned by LPCS and within the amended boundary of the Callaway Village Center and situated between the 49.2 acres and the former VMX boundary of the Callaway Village Center, from Rural Preservation District (RPD) to Residential, Low Density (RL); and

WHEREAS, on May 12, 2003, the Planning Commission, by unanimous vote of the members present, voted to recommend approval of the rezoning to the Board of County Commissioners, and to memorialize such recommendation by signing and transmitting Planning Commission Resolution Z-03-04; and

WHEREAS, after publication of notice in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on May 21, 2003 and May 28, 2003, the Board of County Commissioners conducted a public hearing on June 10, 2003; and

WHEREAS, upon due consideration of the comments of the public and staff, it was determined that it was and is in the County's best interest to accept the recommendation of the St. Mary's County Planning Commission.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County that the Official Zoning Maps be amended to designate as Zoning District "RL" the Conditional Use Site and that small portion of land owned by LPCS between the former Callaway Village boundary and the Conditional Use Site, the same both being part of Parcel 38, Tax Map 50 in the Second Election District of St. Mary's County.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County that the foregoing amendments to the St. Mary's County Official Zoning Maps shall be effective upon the date written below.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County that in the event any portion of the St. Mary's County Official Zoning Maps is found to be unconstitutional, illegal, or null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Maps shall be enforceable and valid.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County that the foregoing recitals are adopted as if fully written herein.

Those voting Aye: 4


Those voting Nay: 0 / 1 abstained

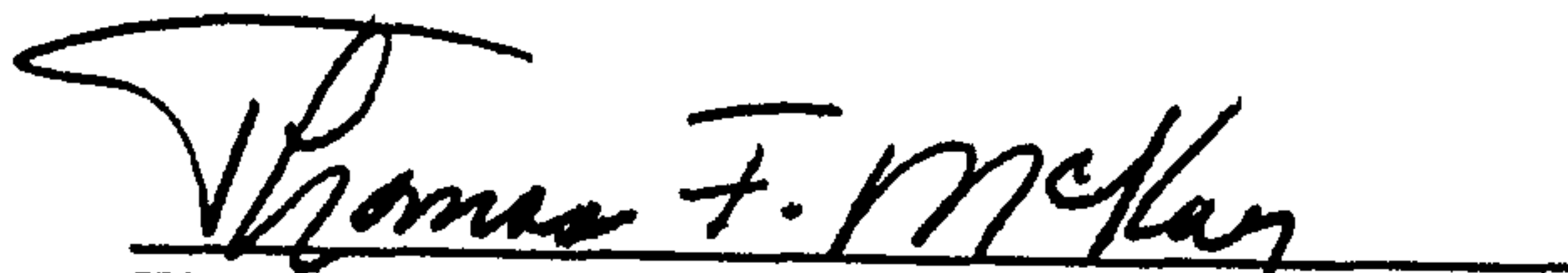
Date of Adoption: June 24, 2003

Effective Date: June 24, 2003

ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND



George C. Forrest
Acting County Administrator

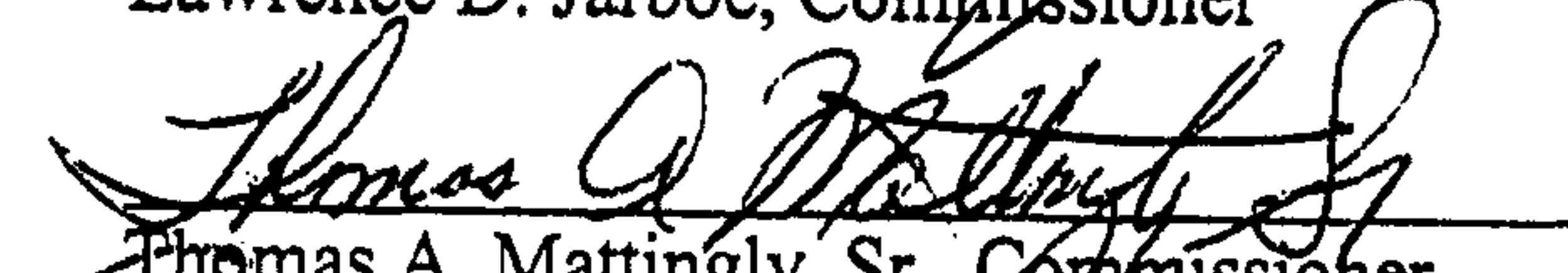

Thomas F. McKay, Commissioner President

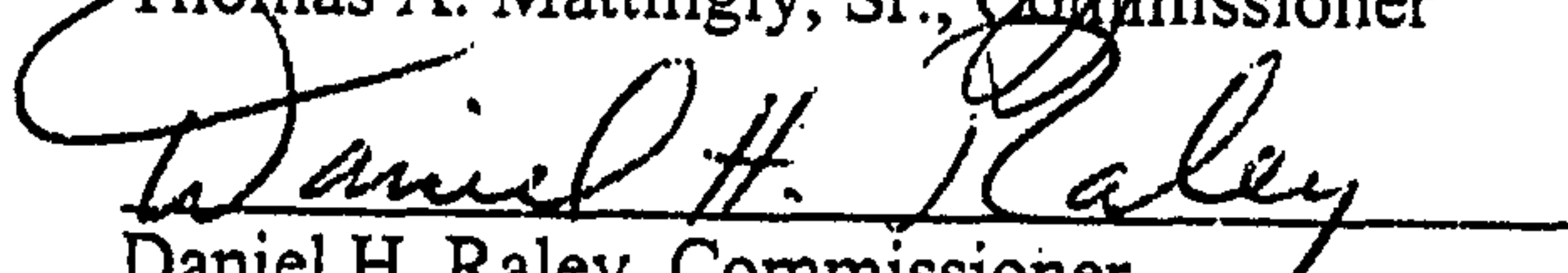
ABSTAINED
Kenneth R. Dement, Commissioner

Approved as to form and legal
sufficiency:


Lawrence D. Jarboe, Commissioner


John B. Norris, III
County Attorney


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

NO.: 03-49
SUBJECT: Clarke's Landing Road
No Parking Signs

LIBERO 027 PAGE 09

RESOLUTION

WHEREAS, pursuant to Section 25-102 of the *Transportation Article* and Section 10-1 of *Article 25* of the Maryland Annotated Code, the County Commissioners for St. Mary's County is authorized and empowered to regulate or prohibit stopping, standing, or parking of vehicles on highways within its jurisdiction; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the need to control parking along a portion of Clarke's Landing Road due to the existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the County Commissioners for St. Mary's County exercise its authority to regulate parking on Clarke's Landing Road; specifically providing that no parking shall occur along Clarke's Landing Road, County Route 30198, approximately 2.2 miles from its intersection with Mervell Dean Road (MD Route 944), for a distance of 450 feet to the east, in the vicinity of the William W. Winpisinger Complex (Placid Harbor).

NOW, THEREFORE, BE IT RESOLVED that the County Commissioners for St. Mary's County finds that, upon the advice of the Director of the Department of Public Works and Transportation, a nuisance condition currently exists on Clarke's Landing Road, and that in the interest of public health and safety and to help alleviate the existing condition, Clarke's Landing Road, County Route 30198, further identified as being located in the Sixth (6th) Election District, St. Mary's County, Maryland, shall be designated as a No Parking Zone beginning at a point approximately 2.2 miles from its intersection with Mervell Dean Road (MD Route 944), for a distance of 450 feet to the east on both sides of the roadway, in the vicinity of the William W. Winpisinger Complex (Placid Harbor).

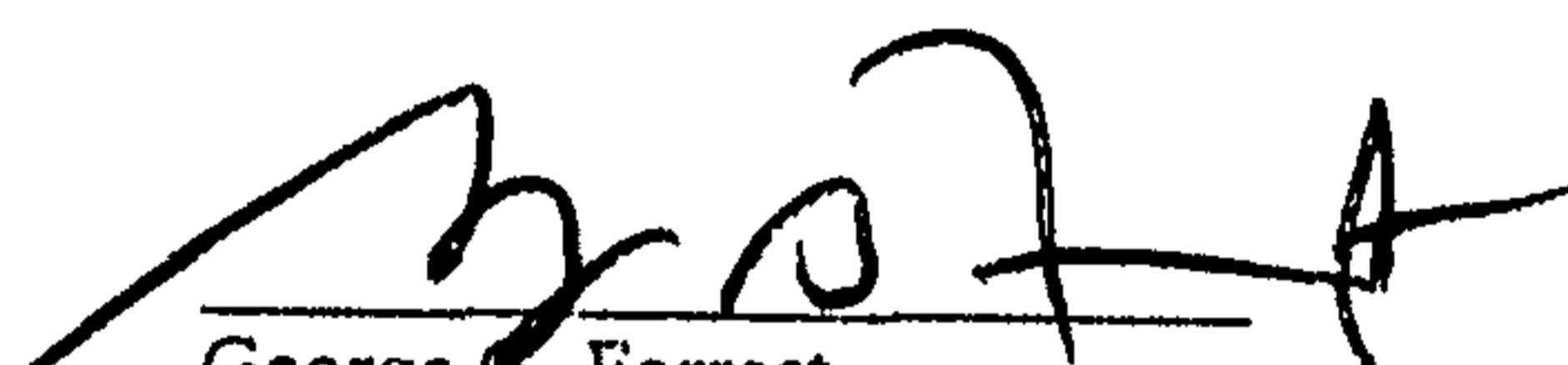
BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, directs and instructs the Director of the Department of Public Works and Transportation to erect the necessary traffic control devices, specifically, "No Parking at Any Time" signs on Clarke's Landing Road, County Route 30198, as necessary to identify the referenced portion of Clarke's Landing Road as a No Parking Zone.

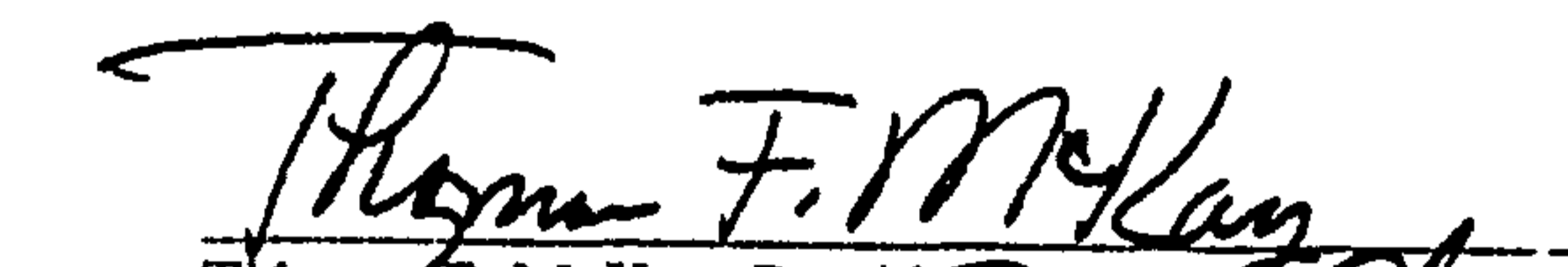
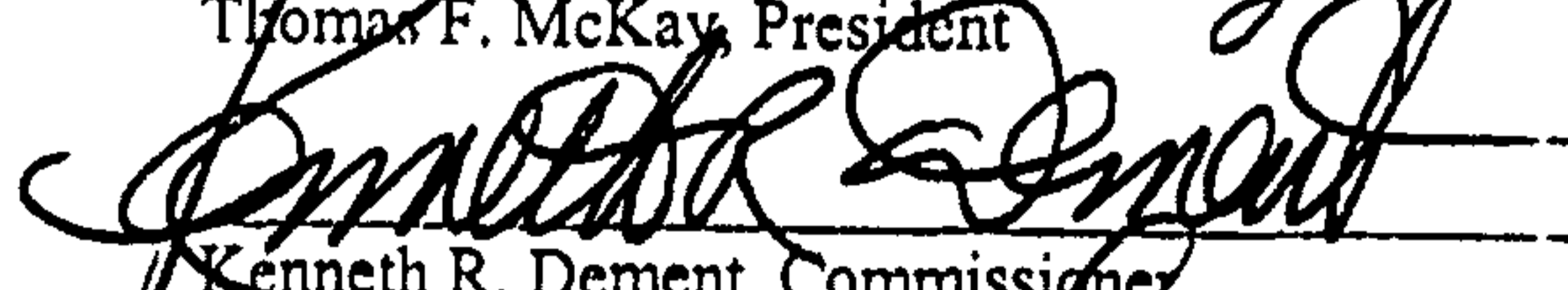

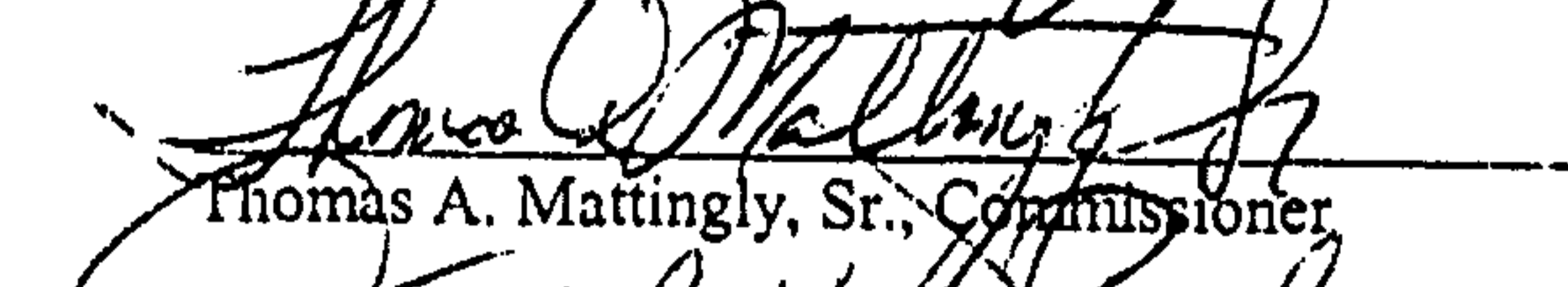
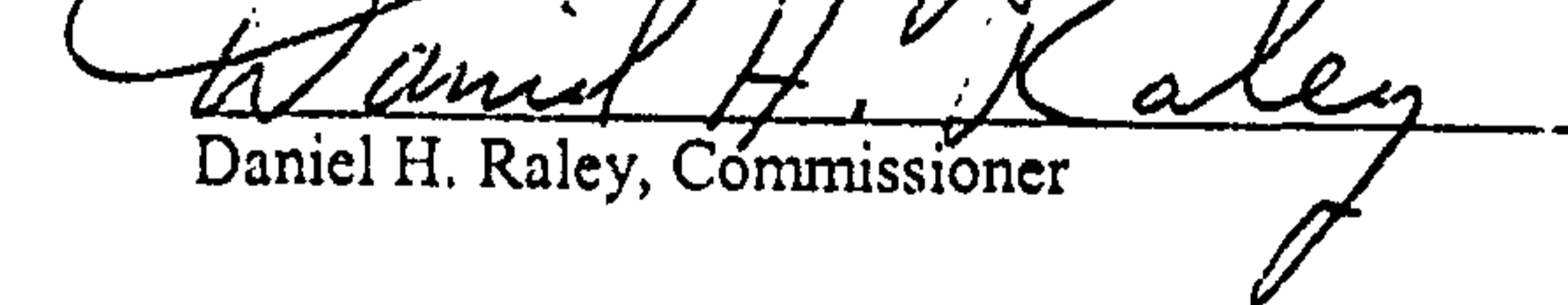
Those voting aye: 5
Those voting nay: 0
Those abstaining or absent: 0
Date of Adoption: 7/1/03
Effective Date: 7/1/03

RECORDING FEE 0.00
TOTAL 0.00
Rest#SM02 Rcp#499999
EWA LLC BIR#1229
Jul 10, 2003 02:07 PM


ATTEST:

BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND


George G. Forrest
Interim County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
Assistant County Attorney

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the Board of County Commissioners for St. Mary's County is authorized to accept new subdivision streets in accordance with the applicable provisions of the St. Mary's County Subdivision Ordinance(1978), (the "Subdivision Ordinance"); and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County that all work has been satisfactorily completed in accordance with the Subdivision Ordinance, Public Works Agreement dated April 7, 1999, and Record Plat recorded among the Land Records of St. Mary's County at Liber EWA 48, Folio 13, for Bird Haven Drive, County Route 31360, Marigold Street, County Route 31361, Rosebay Street, County Route 31362, and Larkspur Court, and County Route 31363; and

WHEREAS, Kingston Subdivision is subject to the requirements of the County Subdivision Ordinance and pursuant to Section 24 of the St. Mary's County Subdivision Ordinance (2002).

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, finding that Bird Haven Drive, County Route 31360, Marigold Street, County Route 31361, Rosebay Street, County Route 31362, and Larkspur Court, County Route 31363, located in the Kingston Subdivision, Phase 1, Third (3rd) Election District, St. Mary's County, Maryland (Plat Reference: Liber EWA 48, Folio 13) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Bird Haven Drive, County Route 31360, Marigold Street, County Route 31361, Rosebay Street, County Route 31362, and Larkspur Court, County Route 31363, into the County's Highway Maintenance System.

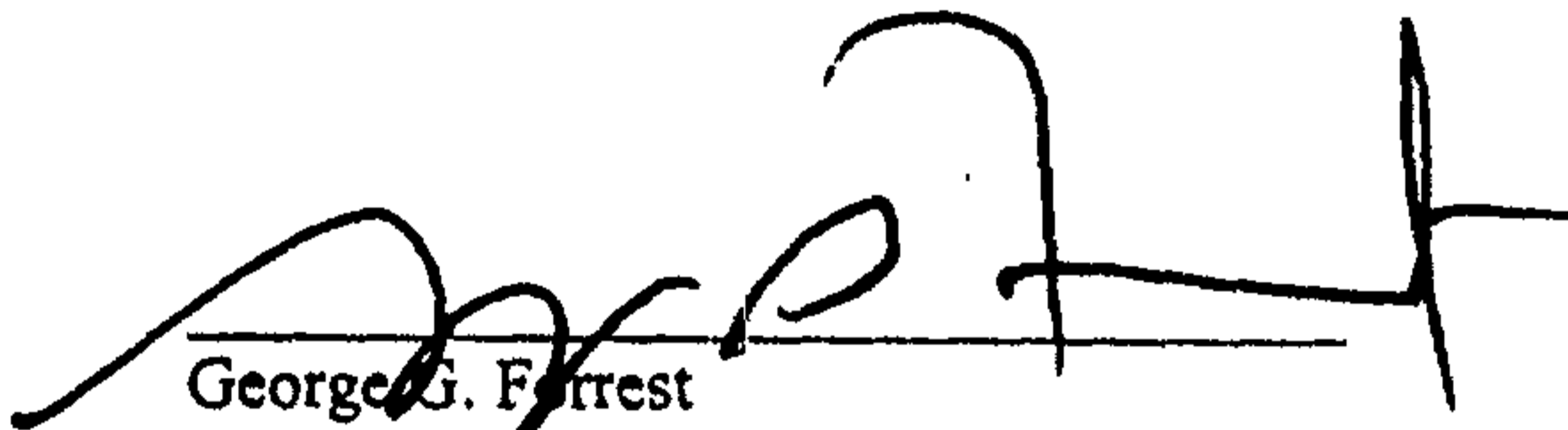
Those voting aye: all
Those voting nay: 0
Those abstaining or absent: 0

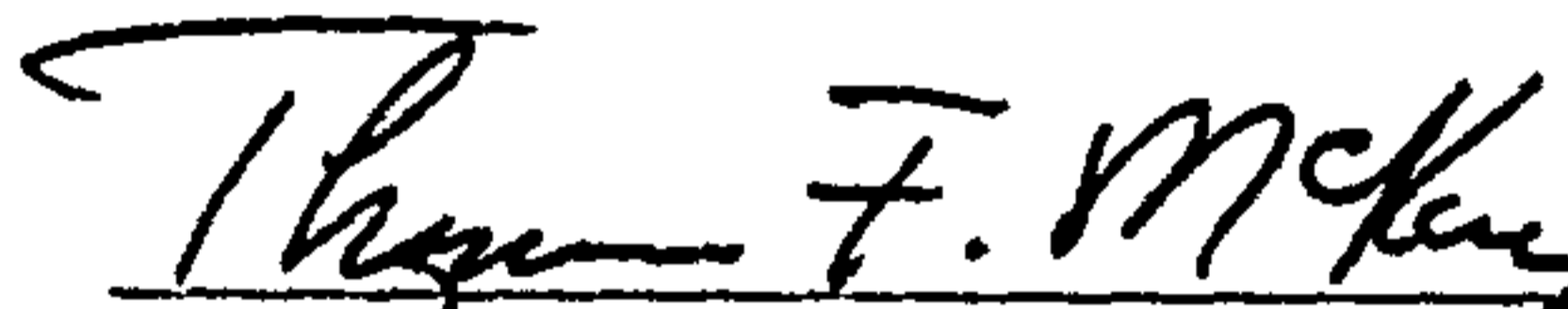
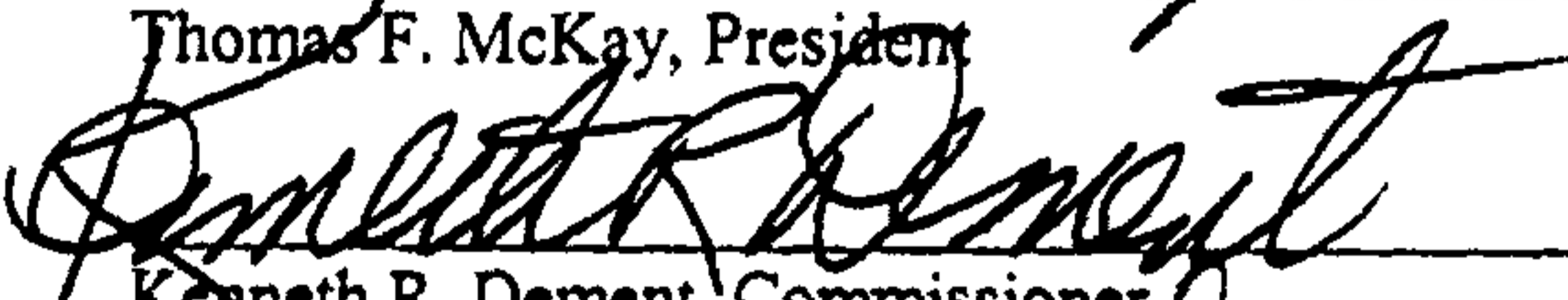

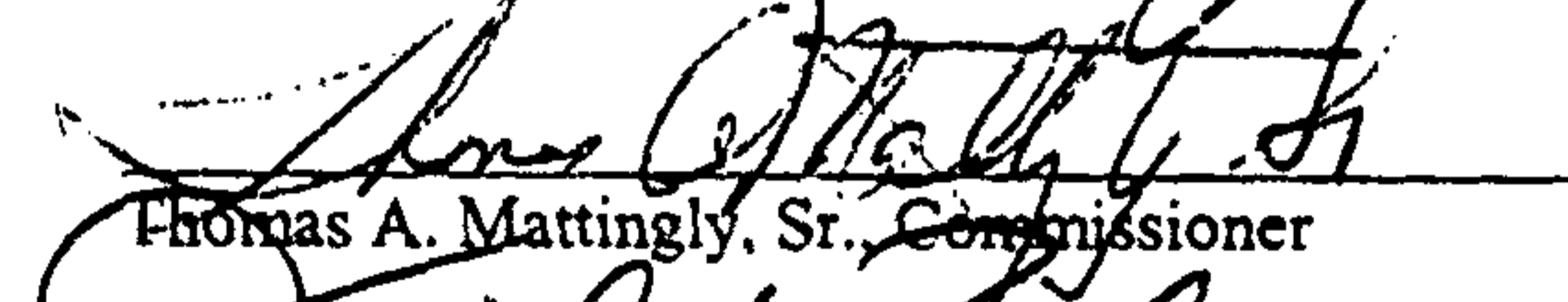

Date of Adoption: 7/22/03
Effective Date: 7/22/03

RECORDING FEE 0.00
TOTAL 0.00
Res#5802 Ref#999999
SMA KAE 81k#4232
Jul 28, 2003 09:53 am

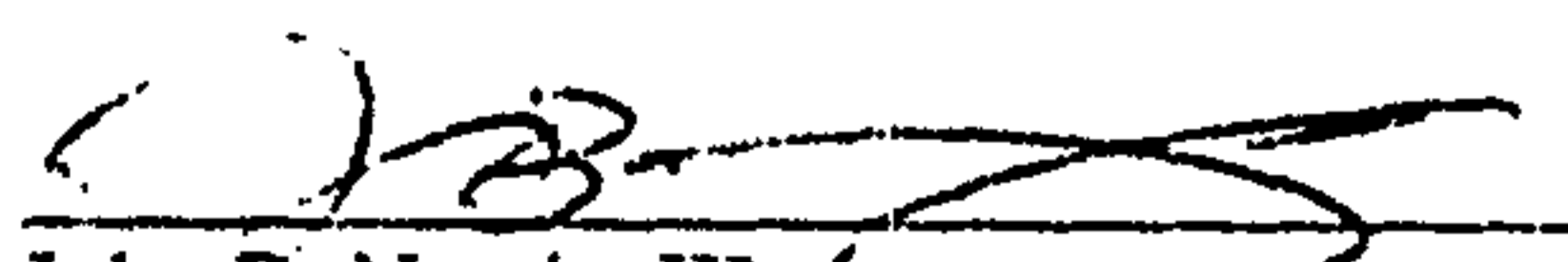
ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George G. Forrest
County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

NO.: 03- 57
SUBJECT: Bird Haven Drive, Marigold Street,
Rosebay Street, & Larkspur Court
Speed Limit
Kingston Subdivision, Phase 1

LIBERO 027 PAGED 11

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-1 of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Section 21-801.1 of the Transportation Article of the Maryland Annotated Code for Bird Haven Drive, County Route 31360, Marigold Street, County Route 31361, Rosebay Street, County Route 31362, and Larkspur Court, County Route 31363, located in the Kingston Subdivision, Phase 1, Third (3rd) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 48, Folio 13, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Bird Haven Drive, County Route 31360, Marigold Street, County Route 31361, Rosebay Street, County Route 31362, and Larkspur Court, County Route 31363.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds the maximum speed limit set forth for roads of the type of Bird Haven Drive, Marigold Street, Rosebay Street, and Larkspur Court, is greater than reasonable or safe, and that Bird Haven Drive, County Route 31360, Marigold Street, County Route 31361, Rosebay Street, County Route 31362, and Larkspur Court, County Route 31363, located in the Kingston Subdivision, Phase 1, Third (3rd) Election District, St. Mary's County, Maryland (Plat Reference: EWA 48, Folio 13) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

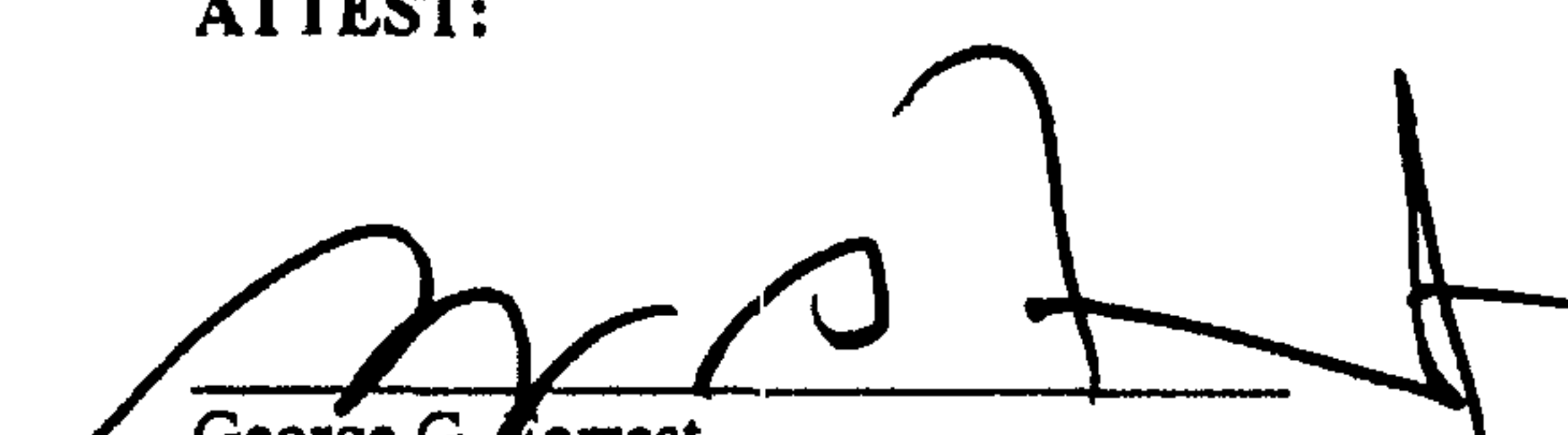
BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

Those voting aye: all
Those voting nay: 0
Those abstaining or absent: 0

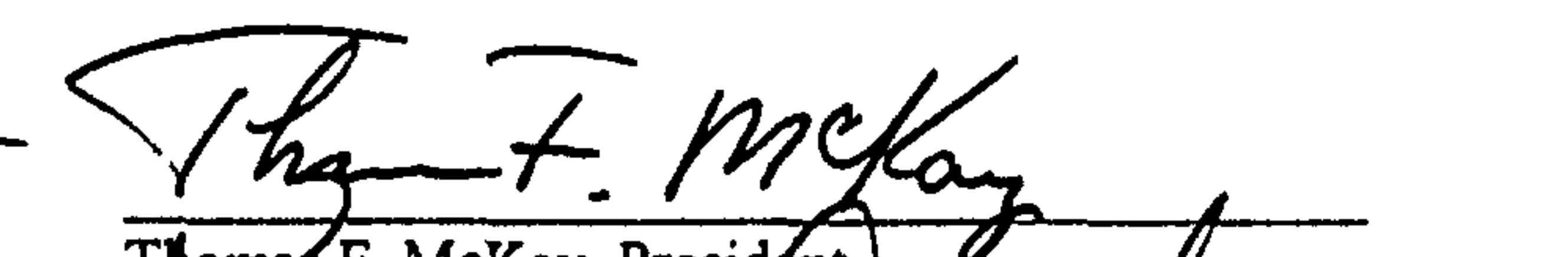


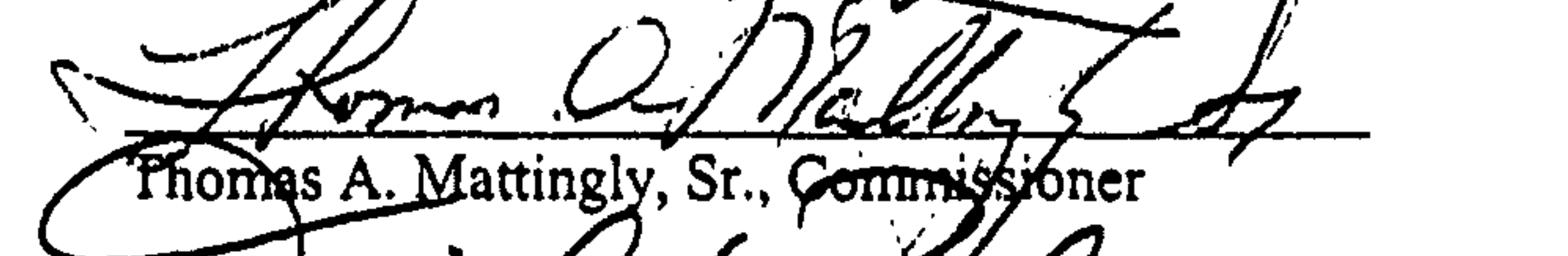

RECORDING FEE 0.00
TOTAL 0.00
RES#5402 RPT#999999
EPA REG 21K04232
Jul 28, 2003 09:54 am

Date of Adoption: 7/22/03
Effective Date: 7/22/03

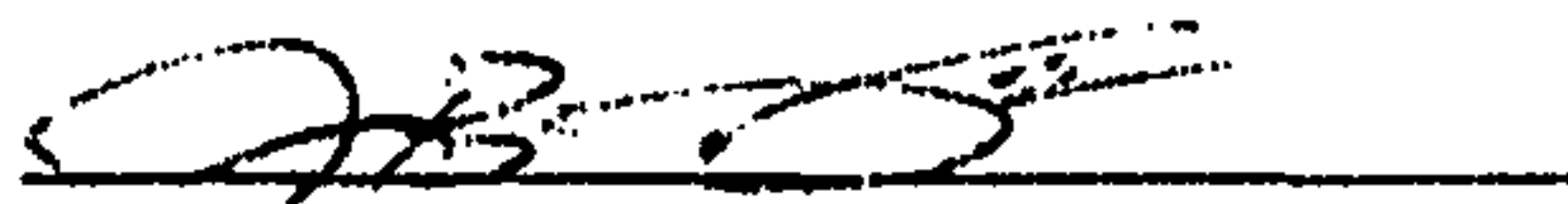
ATTEST:


George G. Forrest
County Administrator

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
County Attorney

LIBERO 0 2 7 PAGEO 1 2

RESOLUTION

WHEREAS, pursuant to Sections 1 and 10-1 of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersections of located in the Kingston Subdivision, Phase 1, Third (3rd) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 48, Folio 13, as a threat to public safety and a hazardous condition due to the absence of a traffic control device at these intersections; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County exercise its authority to regulate traffic at these intersections by means of a traffic control device; specifically, a stop sign on Bird Haven Drive, County Route 31360, at the intersection with Medley's Neck Road (MD Route 244); Marigold Street, County Route 31361, at the intersection with Bird Haven Drive, County Route 31360; Rosebay Street, County Route 31362, at the intersection with Bird Haven Drive, County Route 31360; and Larkspur Court, County Route 31363, at the intersection with Bird Haven Drive, County Route 31360.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Bird Haven Drive, County Route 31360, at the intersection with Medley's Neck Road (MD Route 244); Marigold Street, County Route 31361, at the intersection with Bird Haven Drive, County Route 31360; Rosebay Street, County Route 31362, at the intersection with Bird Haven Drive, County Route 31360; and Larkspur Court, County Route 31363, at the intersection with Bird Haven Drive, County Route 31360; and in the interest of public safety and to eliminate a hazardous condition, Bird Haven Drive, County Route 31360, Marigold Street, County Route 31361, Rosebay Street, County Route 31362, and Larkspur Court, County Route 31363, further identified as being located in the Kingston Subdivision, Phase 1, Third (3rd) Election District, St. Mary's County, Maryland (Plat Reference: EWA 48, Folio 13) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County directs and instructs the Director of the Department of Public Works and Transportation to erect a traffic control device; specifically, a stop sign on Bird Haven Drive, County Route 31360, at the intersection with Medley's Neck Road (MD Route 244); Marigold Street, County Route 31361, at the intersection with Bird Haven Drive, County Route 31360; Rosebay Street, County Route 31362, at the intersection with Bird Haven Drive, County Route 31360; and Larkspur Court, County Route 31363, at the intersection with Bird Haven Drive, County Route 31360.

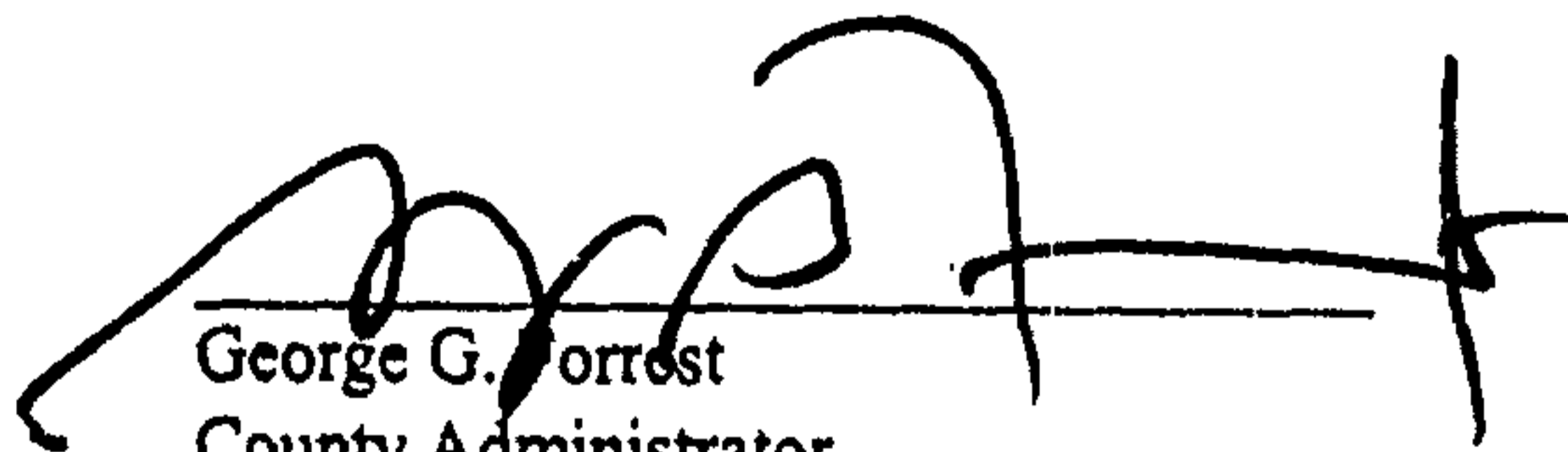
Those voting aye: all
 Those voting nay: 0
 Those abstaining or absent: 0

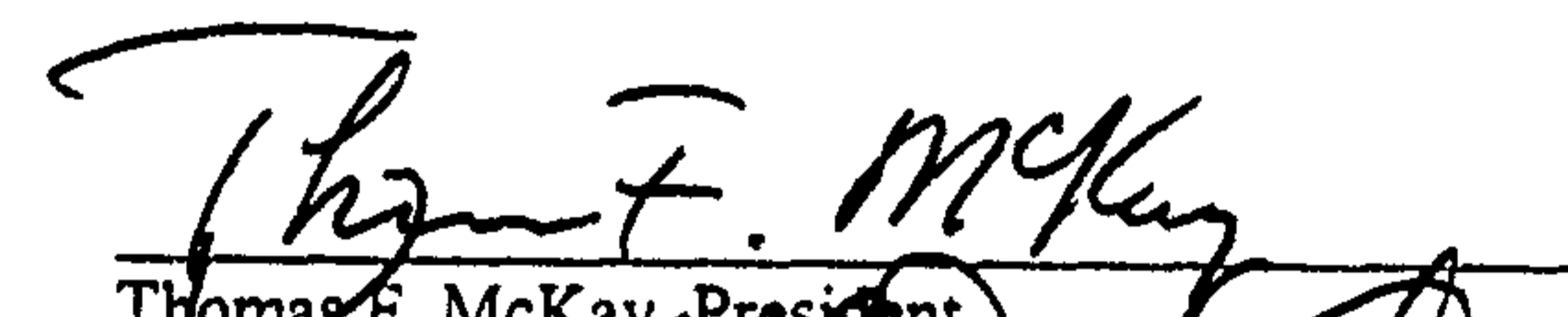
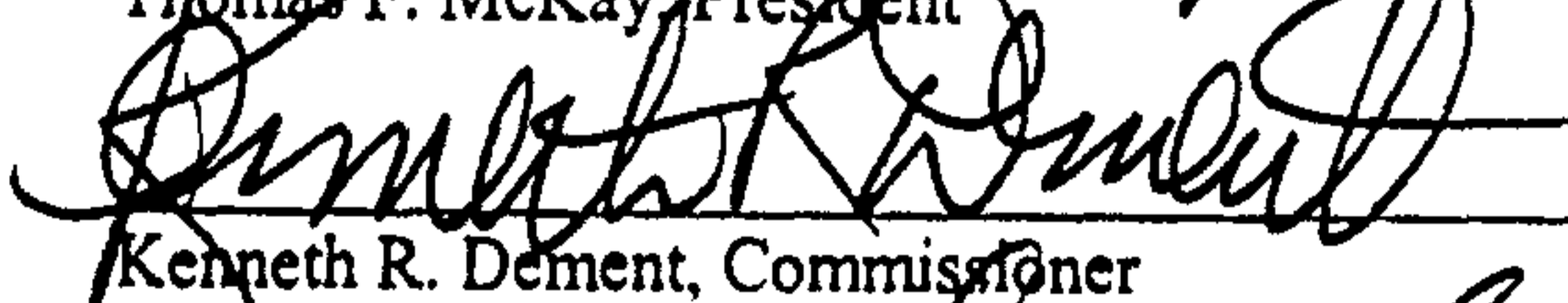
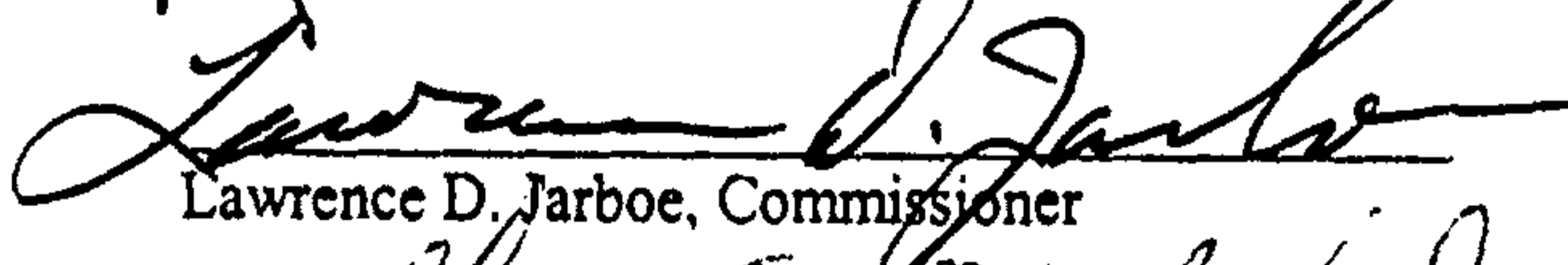
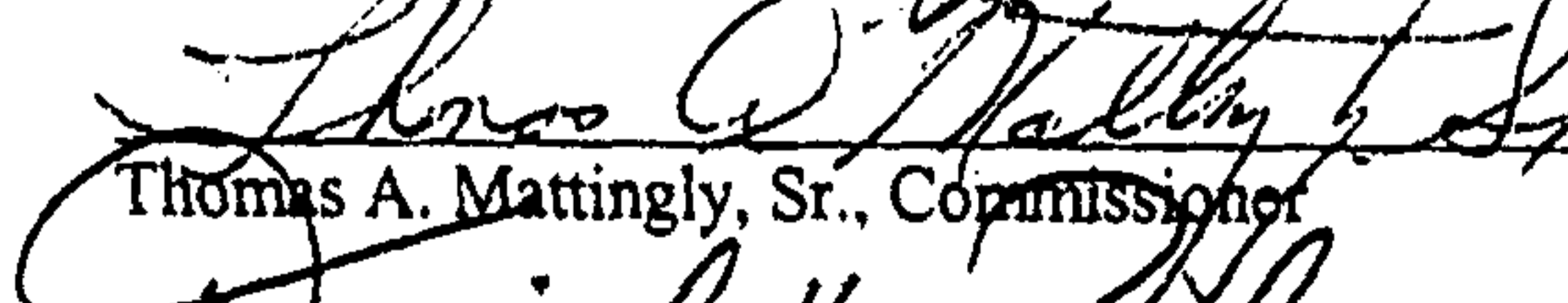

RECORDING FEE 0.00
 TOTAL 0.00
 REF: EWA Rpt #393999
 EWA KAE Rkt #4232
 Jul 28, 2003 09:55 am

Date of Adoption: 7/22/03
 Effective Date: 7/22/03


ATTEST:

BOARD OF COUNTY COMMISSIONERS
 FOR ST. MARY'S COUNTY


 George G. Forrest
 County Administrator


 Thomas F. McKay, President

 Kenneth R. Dement, Commissioner

 Lawrence D. Jarboe, Commissioner

 Thomas A. Mattingly, Sr., Commissioner

 Daniel H. Raley, Commissioner

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY:


 John B. Norris, III
 County Attorney

COUNTY COMMISSIONERS OF ST. MARY'S COUNTY
RESOLUTION NO. R-2003-53

A RESOLUTION AUTHORIZING AND EMPOWERING COUNTY COMMISSIONERS OF ST. MARY'S COUNTY TO ISSUE AND SELL AT PUBLIC SALE, UPON ITS FULL FAITH AND CREDIT, ITS GENERAL OBLIGATION SERIAL MATURITY BONDS IN AN AMOUNT NOT TO EXCEED \$40,000,000 TO BE KNOWN AS "COUNTY COMMISSIONERS OF ST. MARY'S COUNTY PUBLIC FACILITIES AND REFUNDING BONDS OF 2003," PURSUANT TO THE PROVISIONS OF CHAPTER 86 OF THE LAWS OF MARYLAND OF 1999, AS AMENDED, CHAPTER 129 OF THE LAWS OF MARYLAND OF 2000, AS AMENDED, CHAPTER 489 OF THE LAWS OF MARYLAND OF 2001, AS AMENDED, SECTION 2C OF ARTICLE 31 OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED, AND SECTION 24 OF ARTICLE 31 OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED, FOR THE PUBLIC PURPOSES OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN PUBLIC FACILITIES IN ST. MARY'S COUNTY, CURRENTLY REFUNDING ALL OUTSTANDING MATURITIES OF THE COUNTY'S PUBLIC FACILITIES BONDS OF 1991 AND PUBLIC FACILITIES BONDS OF 1993, ADVANCE REFUNDING THE CALLABLE MATURITIES OF THE COUNTY'S PUBLIC FACILITIES BONDS OF 1995, AND PAYING THE COSTS OF ISSUING THE BONDS; PRESCRIBING THE TERMS AND CONDITIONS OF SAID BONDS AND UPON WHICH SAID BONDS SHALL BE ISSUED AND SOLD AND OTHER INCIDENTAL DETAILS WITH RESPECT THERETO; PROVIDING THAT, IN THE EVENT THAT FUNDS AVAILABLE TO THE COUNTY ARE INSUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY SHALL LEVY AND COLLECT AD VALOREM TAXES UPON ALL THE LEGALLY ASSESSABLE PROPERTY WITHIN ST. MARY'S COUNTY SUFFICIENT TO PROVIDE FOR SUCH PAYMENTS WHEN DUE; AUTHORIZING THE PREPARATION AND DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE AND SALE OF SAID BONDS; AND GENERALLY PROVIDING FOR THE ISSUANCE OF SAID BONDS.

RECORDING FEE 8.00
TOTAL 8.00
Rest#302 Rcpt#300000
EMA CSS BIR#745
Sep 04, 2003 09:24 am

RECITALS

Chapter 86 of the Laws of Maryland of 1999, Chapter 129 of the Laws of Maryland of 2000 and Chapter 489 of the Laws of Maryland of 2001 (collectively, the "Public Facilities Acts") authorize and empower the County to issue and sell bonds upon its full faith and credit to provide funds to finance the cost of certain public facilities in St. Mary's County and to finance such construction by the issuance and sale of its general obligation bonds in an aggregate principal amount not to exceed \$75,000,000.00. The County has previously issued bonds in the aggregate amount of \$16,855,000.00 pursuant to Chapter 86 of the Laws of Maryland of 1999 and \$3,227,317.75 pursuant to Chapter 129 of the Laws of Maryland of 2000. Authorization for bonds in an aggregate amount not to exceed \$34,917,682.25 remains under the Public Facilities Acts.

Pursuant to the authority granted by the Public Facilities Acts, the County has determined to issue and sell its general obligation bonds in an aggregate principal amount not to exceed \$25,000,000 to finance or refinance certain public facilities in St. Mary's County.

Section 24 of Article 31 of the Annotated Code of Maryland (1997 Replacement Volume, as amended) (the "Refunding Act" and, together with the Public Facilities Acts, the "Acts") authorizes and empowers the County to issue and sell bonds upon its full faith and credit to provide funds for the purpose of refunding any of its bonds then outstanding, including the payment of any redemption premium and any interest accrued or to accrue to the date of redemption of the refunded bonds.

The County has previously issued its Public Facilities Bonds of 1991 and its Public Facilities Bonds of 1993 (collectively, the "Currently Refunded Bonds"), which

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

LIBERO 027 PAGE014

are presently outstanding in the aggregate principal amount of \$5,660,000. The Currently Refunded Bonds are listed on Exhibit A attached hereto. The Public Facilities Bonds of 1991 are subject to redemption at the option of the County, in whole at any time, at a redemption price equal to 101% of the principal amount thereof if redeemed on December 1, 2003, plus accrued interest thereon to the date of redemption. The Public Facilities Bonds of 1993 are subject to redemption at the option of the County, in whole at any time, at a redemption price equal to 102% of the principal amount thereof if redeemed on or after November 1, 2003 and on or prior to October 31, 2004, plus accrued interest thereon to the date of redemption.

The County has previously issued its Public Facilities Bonds of 1995 (the "Advance Refunded Bonds"), the callable maturities of which are presently outstanding in the aggregate principal amount of \$5,170,000. The Advance Refunded Bonds are listed on Exhibit A attached hereto. The Advance Refunded Bonds are subject to redemption at the option of the County, in whole at any time beginning March 1, 2005, at a redemption price equal to 102% of the principal amount thereof if redeemed on or after March 1, 2005 and on or prior to February 28, 2006, plus accrued interest thereon to the date of redemption.

The Currently Refunded Bonds and the Advance Refunded Bonds are sometimes referred to collectively herein as the "Refunded Bonds."

The Bonds, as authorized to be issued and sold by this Resolution, are a combined, single series of bonds for financing and refinancing certain public facilities in St. Mary's County.

NOW, THEREFORE, BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:

Section 1. Pursuant to the authority of the Public Facilities Acts, the County shall borrow on its full faith and credit a sum not to exceed \$25,000,000 in order to provide funds to finance or refinance the cost of certain public facilities in St. Mary's County as further described in Schedule I hereto and certain costs of issuance related thereto and shall evidence such borrowing by the issuance of its bonds in an aggregate principal amount not to exceed \$25,000,000.

Section 2. Pursuant to the authority of the Refunding Act, the County shall borrow on its full faith and credit a sum not to exceed \$15,000,000 in order to provide funds to currently refund the Currently Refunded Bonds and advance refund the Advance Refunded Bonds and certain costs of issuance related thereto and shall evidence such borrowing by the issuance of its bonds in an aggregate principal amount not to exceed \$15,000,000.

Section 3. Pursuant to the authority granted by the applicable Acts and Section 2C of Article 31 of the Annotated Code of Maryland (1997 Replacement Volume and 2002 Cumulative Supplement, as amended), the Bonds authorized to be issued by Section 1 and Section 2 of this Resolution shall be consolidated for sale, and issued, sold, and delivered as a single issue of bonds in an aggregate principal amount not to exceed \$40,000,000 to be known as "County Commissioners of St. Mary's County Public Facilities and Refunding Bonds of 2003" (the "Bonds"). Subject to the payment of costs of issuance and original issue discount, if any, the projects on account of which the Bonds are issued (collectively, the "2003 Projects") and the approximate amount of Bond proceeds allocated each Project shall be as identified on Schedule I hereto.

Section 4. Subject to adjustment if the sale date of the Bonds is rescheduled as permitted by Section 13 hereof, the Bonds shall be dated August 15, 2003, shall be issued in the denomination of \$5,000 each or any integral multiple thereof, and shall be numbered consecutively beginning with the number one upward. The Bonds shall bear interest from August 15, 2003 payable on May 1, 2004 (8½ months) and on each May 1

RESOLUTION NO. 2003-53
 SUBJECT: AUTHORIZING
 ISSUANCE AND SALE OF
 GENERAL OBLIGATION
 BONDS

and November 1 thereafter (each an "Interest Payment Date") until maturity or earlier redemption. The Bonds shall mature (subject to prior redemption) on November 1 of the years and in the amounts (subject to adjustment as provided in the Notice of Sale hereinafter adopted) as follows:

<u>Year</u>	<u>Amounts</u>	<u>Year</u>	<u>Amounts</u>
2004	\$2,120,000	2014	\$1,220,000
2005	2,420,000	2015	1,265,000
2006	3,345,000	2016	1,315,000
2007	3,410,000	2017	1,370,000
2008	2,895,000	2018	1,430,000
2009	2,150,000	2019	1,490,000
2010	2,215,000	2020	1,550,000
2011	1,095,000	2021	1,610,000
2012	1,130,000	2022	1,675,000
2013	1,175,000	2023	1,745,000

Each bond shall bear interest from August 15, 2003 if no interest payment has been paid or from the most recent Interest Payment Date to which interest has been paid or duly provided for; provided, however, that each Bond authenticated after the Record Date (as hereinafter defined) for any Interest Payment Date, but prior to such Interest Payment Date shall bear interest from such Interest Payment Date. Interest on the Bonds shall be paid at the rate or rates named by the successful bidder for the Bonds in accordance with the terms of the Notice of Sale hereinafter adopted.

The County hereby appoints Manufacturers and Traders Trust Company, a national banking association with an office for the transaction of trust business in Baltimore, Maryland, as paying agent and bond registrar for the Bonds (the "Paying Agent").

The principal of and interest on the Bonds shall be payable in such money of the United States of America as is lawful at the time of payment.

So long as the Bonds are maintained in book-entry form, payments of principal of, and premium, if any, on the Bonds shall be made as described in Section 6. At any other time, the principal of, and premium, if any on each Bond shall be paid upon presentment and surrender of such Bond on the date such principal is payable or if such date is not a Business Day (as hereinafter defined) then on the next succeeding Business Day at the principal corporate trust office of the Paying Agent.

Interest on each Bond shall be payable to the person in whose name such Bond is registered on the registration books for the Bonds (the "Registered Owner") as of the close of business on the 15th calendar day of the month immediately preceding each Interest Payment Date (the "Record Date"). So long as the Bonds are maintained in book-entry form, payment of interest on the Bonds shall be made as described in Section 6. At any other time, payment of the interest on each Bond shall be made by check mailed on the date such interest is payable or if such date is not a Business Day, then the next succeeding Business Day to the address of such Registered Owner as it appears on said registration books (the "Bond Register").

"Business Day" means a day other than a Saturday, Sunday or day on which the Paying Agent is authorized or obligated by law or required by executive order to remain closed.

The interest on any Bond which is payable, but is not punctually paid or duly provided for, on the appropriate Interest Payment Date shall forthwith cease to be payable to the Registered Owner thereof by virtue of having been such Registered Owner on the relevant Record Date; and such interest shall be paid by the Paying Agent to the persons in whose names the Bond (or its predecessor Bond) is registered at the close of business on a date to be fixed by the Bond Registrar for the payment of such interest, notice

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

thereof being given by first class mail (postage prepaid) to said person not less than 30 days prior to such record date, at the address of such person appearing on the Bond Register, or may be paid at any time in any other lawful manner not inconsistent with the requirements of any securities exchange on which the Bonds may be listed and upon such notice as may be required by such exchange.

Section 5. The Bonds shall be issued as fully registered bonds registered on the Bond Register kept for that purpose by Manufacturers and Traders Trust Company, Baltimore, Maryland, hereby designated as Bond registrar (the "Bond Registrar"), and shall be registered and transferred in accordance with the terms and conditions set forth in the Bonds, the form of which is hereinafter adopted.

Section 6. The provisions of this Section shall apply to the Bonds so long as all of the Bonds shall be maintained in Book-Entry Form with a Depository, any other provisions of this Resolution to the contrary notwithstanding.

A system for registration of the Bonds in Book-Entry Form with a Depository, which shall initially be The Depository Trust Company, New York, New York ("DTC"), shall be in effect on the date of the issuance and sale of the Bonds.

(a) one fully registered bond for the aggregate principal amount of each maturity and interest rate with each series, will be registered in the name of Cede & Co., as nominee for DTC and immobilized in the custody of DTC.

(b) Transfer of ownership interest in the Bonds will be accomplished by book entries made by DTC and, in turn, by the participants (the "DTC Participants") who act on behalf of the ultimate purchasers of the Bonds (the "Beneficial Owners"). The Beneficial Owners will not receive certificates representing their ownership in the Bonds, except as hereafter provided.

(c) The principal or redemption price of and interest on the Bonds shall be payable to the Depository, or registered assigns, as the registered owner of the Bonds, in next day funds on each date on which the principal or redemption price of or interest on the Bonds is due as set forth in this Resolution and in the Bonds. Such payments shall be made to the offices of the Depository specified by the Depository to the Paying Agent in writing. Without notice to or the consent of the holders of the Bonds, the County, the Paying Agent and the Depository may agree in writing to make payments of principal and interest in a manner different from that set out herein. Neither the County nor the Paying Agent shall have any obligation with respect to the transfer or crediting of the appropriate principal and interest payments to the direct or indirect participants of the Depository (the "Participants") or the Beneficial Owners or their nominees.

(d) The County may replace any Depository as the Depository for the Bonds with another Depository or discontinue the maintenance of the Bonds with any Depository if (i) the County, in its sole discretion, determines that any (A) such Depository is incapable of discharging its duties with respect to the Bonds, or (B) the interests of the Beneficial Owners might be adversely affected by the continuation of the Book-Entry System with such Depository as the Depository for the Bonds, or (ii) such Depository determines not to continue to act as a securities depository for the Bonds or is no longer permitted to act as such Depository. Notice of any determination pursuant to clause (i) shall be given to such Depository at least 30 days prior to any such determination (or such fewer number of days as shall be acceptable to such Depository). Neither the County nor the Paying Agent will have any obligation to make any investigation to determine the occurrence of any events that would permit the County to make any determination described in this paragraph.

(e) If, following a determination or event specified in paragraph (d) above, the County discontinues the maintenance of the Bonds in Book-Entry Form, the County will issue replacement bonds (the "Replacement Bonds") directly to the Participants as shown

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

on the records of the Depository or, to the extent requested by any Participant, to the Beneficial Owners as further described in this Section. The Bond Registrar shall make provisions to notify Participants and the Beneficial Owners by mailing an appropriate notice to the Depository, or by other means deemed appropriate by the Bond Registrar in its discretion, that the County will issue Replacement Bonds directly to the Participants shown on the records of the Depository or, to the extent requested by any Participant, to Beneficial Owners shown on the records of such Participant, as of a date set forth in such notice, which shall be a date at least 10 days after receipt of such notice by the Depository (or such fewer number of days as shall be acceptable to the Depository).

In the event that Replacement Bonds are to be issued to Participants or to Beneficial Owners, the Paying Agent shall promptly have prepared Replacement Bonds registered in the names of such Participants as shown on the records of the Depository or, if requested by such Participants, in the names of the Beneficial Owners, as shown on the records of such Participants as of the date set forth in the notice delivered in accordance with the immediately preceding paragraph. Replacement Bonds issued to Participants or to beneficial owners shall be in the authorized denomination, be payable as to principal and interest on the same dates as the Bonds by check or draft mailed to each registered owner at the address of such owner as it appears on the Bond Register and be in fully registered form.

Replacement Bonds issued to a Depository shall have the same terms, form and content as the Bonds initially registered in the name of the Depository to be replaced or its nominee except for the name of the record owner.

(f) The Depository and its Participants and the Beneficial Owners, by their acceptance of the Bonds, agree that neither the County nor the Paying Agent shall have any liability for the failure of such Depository to perform its obligations to the Participants and the Beneficial Owners, nor shall the County or the Paying Agent be liable for the failure of any Participant or other nominee of the Beneficial Owners to perform any obligation to the Beneficial Owner.

For purposes of this Section 6, the following words have the following meanings:

“Book-Entry Form” or “Book-Entry System” means a form or system, as applicable, under which (i) the ownership of beneficial interests in the Bonds may be transferred only through a book-entry and (ii) physical bond certificates in fully registered form are registered only in the name of a Depository or its nominee as holder, with the physical bond certificates “immobilized” in the custody of the Depository.

“Depository” means any securities depository that is a “clearing corporation” within the meaning of the New York Uniform Commercial code and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its participants or otherwise, a Book-Entry System to record ownership of beneficial interests in municipal bonds, and to effect transfers of municipal bonds, in Book-Entry Form, and includes and means initially The Depository Trust Company, New York, New York.

Section 7. The Bonds maturing on or after November 1, 2014 will be redeemable prior to their stated maturities, on or after November 1, 2013, upon the terms and conditions set forth in the Bonds, the form of which is hereinafter adopted.

Section 8. The Bonds, when issued, shall be executed in the name of the County by the manual or facsimile signature of the President of the Board of County Commissioners of St. Mary’s County (the “Board”) and a facsimile of the seal of the County shall be imprinted thereon, and the Bonds shall be attested by the manual or facsimile signature of the County Administrator and authenticated by the manual signature of the Bond Registrar.

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

In the event any official of the County, whose signature shall appear on any Bond described in this Resolution, or on other documents pertaining thereto, shall cease to be such official prior to the delivery of said Bond, or document, or in the event that any official shall take office subsequent to the sale of the Bonds, his/her signature shall nevertheless be valid, sufficient and binding for the purposes herein intended.

Section 9. The Bonds shall be in substantially the following form, which form together with all of the terms, covenants and conditions therein contained, is hereby adopted by the County as and for the form of obligation to be incurred by it, and said terms, covenants and conditions are hereby made binding upon the County, including the promise to pay therein contained, in accordance with said form:

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

0027 PAGED 19

[FORM OF BOND]

No. _____ \$ _____

UNITED STATES OF AMERICA
STATE OF MARYLAND
COUNTY COMMISSIONERS OF ST. MARY'S COUNTY
PUBLIC FACILITIES AND REFUNDING BOND OF 2003

<u>Annual</u> <u>Interest Rate</u>	<u>Maturity</u> <u>Date</u>	<u>Bond</u> <u>Date</u>	<u>CUSIP</u> <u>Number</u>
---------------------------------------	--------------------------------	----------------------------	-------------------------------

November 1, 20__ August 15, 2003

Registered Owner: CEDE & CO.

Principal Amount: _____ Dollars

County Commissioners of St. Mary's County, a body politic and corporate organized and existing under the Constitution and laws of the State of Maryland (the "County"), hereby acknowledges itself indebted for value received and, upon surrender hereof, promises to pay to the Registered Owner shown above, unless this bond shall have been called for prior redemption and payment of the redemption price made or provided for, the Principal Amount shown above, and to pay interest on the outstanding principal amount hereof from the later of August 15, 2003 and the most recent Interest Payment Date (as hereinafter defined) to which interest has been paid or provided for; provided, however, if this bond is authenticated after a Record Date (as hereinafter defined) for any Interest Payment Date and before such Interest Payment Date, it shall bear interest from such Interest Payment Date.

Interest on this bond shall be paid at the Annual Interest Rate shown above, payable May 1, 2004 (8½ months) and semiannually thereafter on May 1 and November 1 in each year (the "Interest Payment Dates") until payment of such Principal Amount shall be discharged as provided in the Resolution (as hereinafter defined). Such interest shall be paid to the person in whose name this bond is registered on the registration books maintained by the Bond Registrar at the close of business on the 15th calendar day of the month next preceding each Interest Payment Date (the "Record Date").

Notwithstanding the preceding sentence, interest on this bond which is payable, but is not punctually paid or duly provided for, on any Interest Payment Date shall forthwith cease to be payable to the Registered Owner by virtue of having been such Registered Owner on the relevant Record Date and such interest shall be paid by the Paying Agent to the person in whose name this bond (or its predecessor bond) is registered at the close of business on a date fixed by the Bond Registrar for the payment of such interest, notice thereof being given by first class mail, postage prepaid, to said person not less than 30 days prior to such Record Date, at the address of such person appearing on the Bond Register, or may be paid at any time in any other lawful manner not inconsistent with the requirements of any securities exchange on which this bond may be listed and upon such notice as may be required by such exchange.

Principal of, premium, if any, and interest on this bond are payable in such money of the United States of America as is lawful at the time of payment.

It is hereby certified and recited that each and every act, condition and thing required to exist, to be done, to have happened and to be performed precedent to and in the issuance of this bond, does exist, has been done, has happened and has been performed in full and strict compliance with the Constitution and laws of the State of Maryland and Resolution No. R-2003-53 of the Board of County Commissioners of St.

RESOLUTION NO. 2003-53
 SUBJECT: AUTHORIZING
 ISSUANCE AND SALE OF
 GENERAL OBLIGATION
 BONDS

Mary's County, adopted on August 5, 2003 authorizing the issuance of the issue of bonds, of which this bond is one (the "Resolution") and that said issue of bonds, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of said State. This bond is an obligation of the County, payable as provided in the Resolution, and the full faith and credit and unlimited taxing power of County Commissioners of St. Mary's County are hereby irrevocably pledged to the payment of the principal of this bond and of the interest to accrue hereon at the dates and in the manner mentioned herein.

This bond is one of an issue of bonds limited in aggregate principal amount to \$36,625,000, all dated August 15, 2003 and all known as "County Commissioners of St. Mary's County Public Facilities and Refunding Bonds of 2003" (the "Bonds"). The Bonds are issued as registered bonds, without coupons, in the denominations of \$5,000 or any integral multiple thereof. The Bonds are numbered consecutively from No. 1 upward and mature on November 1 in the years and in the amounts and bear interest at the annual rates, all as set forth below:

<u>Year</u>	<u>Principal Amounts</u>	<u>Interest Rates</u>	<u>Year</u>	<u>Principal Amounts</u>	<u>Interest Rates</u>
2004	\$2,120,000		2014	\$1,220,000	
2005	2,420,000		2015	1,265,000	
2006	3,345,000		2016	1,315,000	
2007	3,410,000		2017	1,370,000	
2008	2,895,000		2018	1,430,000	
2009	2,150,000		2019	1,490,000	
2010	2,215,000		2020	1,550,000	
2011	1,095,000		2021	1,610,000	
2012	1,130,000		2022	1,675,000	
2013	1,175,000		2023	1,745,000	

The Bonds that mature on or before November 1, 2013 are not subject to redemption prior to their maturities. Bonds that mature on or after November 1, 2014 are subject to redemption beginning November 1, 2013 as a whole at any time or in part on any interest payment date, in any order of maturities, at the option of the County, at the following redemption prices expressed as percentages of the principal amount of Bonds to be redeemed plus accrued interest thereon to the date fixed for redemption:

<u>Periods During Which Redeemed (both dates inclusive)</u>	<u>Redemption Price</u>
November 1, 2013 to October 31, 2014.....	101%
November 1, 2014 to October 31, 2015.....	100.5
November 1, 2015 and thereafter	100

If less than all of the Bonds of any one maturity shall be called for redemption, then the particular Bonds of such maturity to be redeemed shall be selected by lot or other random means in such manner as the Paying Agent in its sole discretion, shall determine. Each \$5,000 principal amount of any Bond shall be considered a separate Bond for the purposes of selection of Bonds for redemption by lot or other random means.

If the County elects to redeem all or a portion of the Bonds outstanding, it shall give notice of such redemption by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption to each registered owner of a Bond to be redeemed at the address of such registered owner appearing on the Bond Register; provided, however, that the failure to mail the redemption notice or any defect in the notice so mailed shall not affect the validity of the redemption proceedings. The County may, but shall not be obligated to, also publish such notice of redemption at least once not less than 30 days prior to the date fixed for redemption in a financial journal or daily newspaper of general

SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

circulation published in the Borough of Manhattan, New York, New York. The redemption notice shall state (i) whether the Bonds are to be redeemed in whole or in part and, if in part, the maturities and numbers of the Bonds to be redeemed, (ii) the date fixed for redemption and the redemption price, (iii) in the case of a partial redemption of any Bond, the portion of the principal amount which is to be redeemed, (iv) that the Bonds redeemed shall be presented for redemption and payment on or after the date fixed for redemption at the principal corporate trust office of the Paying Agent, and (v) that interest shall cease to accrue on the Bonds called for redemption on the date fixed for redemption.

From and after the date fixed for redemption, if notice has been duly and properly given and if monies sufficient for the payment of the redemption price of the Bonds called for redemption plus accrued interest due thereon to the date fixed for redemption are held by the Paying Agent on such date, the Bonds so called for redemption shall become due and payable at the redemption price provided for redemption of such Bonds on such date, interest on the Bonds shall cease to accrue and the registered owners of such Bonds so called for redemption shall have no rights in respect thereof except to receive payment for the redemption price thereof plus accrued interest thereon to the date fixed for redemption from such monies held by the Paying Agent. Upon presentation and surrender of a Bond called for redemption in compliance with the redemption notice, the Paying Agent shall pay the appropriate redemption price of such Bond plus accrued interest thereon to the date fixed for redemption. If Bonds so called for redemption are not paid upon presentation and surrender as described above, such Bonds shall continue to bear interest at the rates stated therein until paid.

In case part but not all of a Bond shall be selected for redemption, then, upon the surrender thereof, there shall be issued without charge to the registered owner thereof Bonds in any of the authorized denominations as specified by the registered owner. The aggregate principal amount of Bonds so issued shall be equal to the unredeemed balance of the principal amount of the Bond surrendered, and the Bonds issued shall bear the same interest rate and shall mature on the same date as the Bond surrendered.

BOND IN BOOK-ENTRY FORM ONLY -

Provisions Applicable to Book-Entry Bonds. So long as all of the Bonds shall be maintained in book-entry form with a Depository (as defined in the Resolution) in accordance with Section 6 of the Resolution, in the event that part, but not all, of this bond shall be called for redemption, the holder of this bond may elect not to surrender this bond in exchange for a new Bond and in such event shall make a notation indicating the principal amount of such redemption and the date thereof on the Payment Grid attached hereto. For all purposes, the principal amount of this bond outstanding at any time shall be equal to the lesser of (A) the Principal Sum shown on the face hereof and (B) such Principal Sum reduced by the principal amount of any partial redemption of this bond following which the holder of this bond has elected not to surrender this bond. The failure of the holder hereof to note the principal amount of any partial redemption on the Payment Grid attached hereto, or any inaccuracy therein, shall not affect the payment obligation of the County hereunder. THEREFORE, IT CANNOT BE DETERMINED FROM THE FACE OF THIS BOND WHETHER A PART OF THE PRINCIPAL OF THIS BOND HAS BEEN PAID.

The Bonds are issued pursuant to the authority of Chapter 86 of the Laws of Maryland of 1999, as amended, Chapter 129 of the Laws of Maryland of 2000, as amended, Chapter 489 of the Laws of Maryland of 2001, as amended, Section 2C of Article 31 of the Annotated Code of Maryland, as amended, Section 24 of Article 31 of the Annotated Code of Maryland, as amended, and in accordance with the Resolution.

The Bonds will be transferable only upon the Bond Register by the Bond Registrar. Any Bond presented for transfer, exchange, registration, redemption or payment (if so required by the Bond Registrar) shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and with

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

guaranty of signature satisfactory to the Bond Registrar, duly executed by the registered owner thereof or by his duly authorized attorney. Upon any transfer or exchange, the County shall execute and the Bond Registrar shall authenticate and deliver in the name of the registered owner or the transferee or transferees, as the case may be, a new registered Bond or Bonds of any of the authorized denominations in an aggregate principal amount equal to the principal amount of the Bond exchanged or transferred and maturing on the same date and bearing interest at the same rate. In each case, the County and the Bond Registrar may require payment by the registered owner requesting the exchange or transfer of any tax, fee or other governmental charge, shipping charges and insurance that may be required to be paid with respect thereto, but otherwise no charge shall be made to the registered owner for the exchange or transfer.

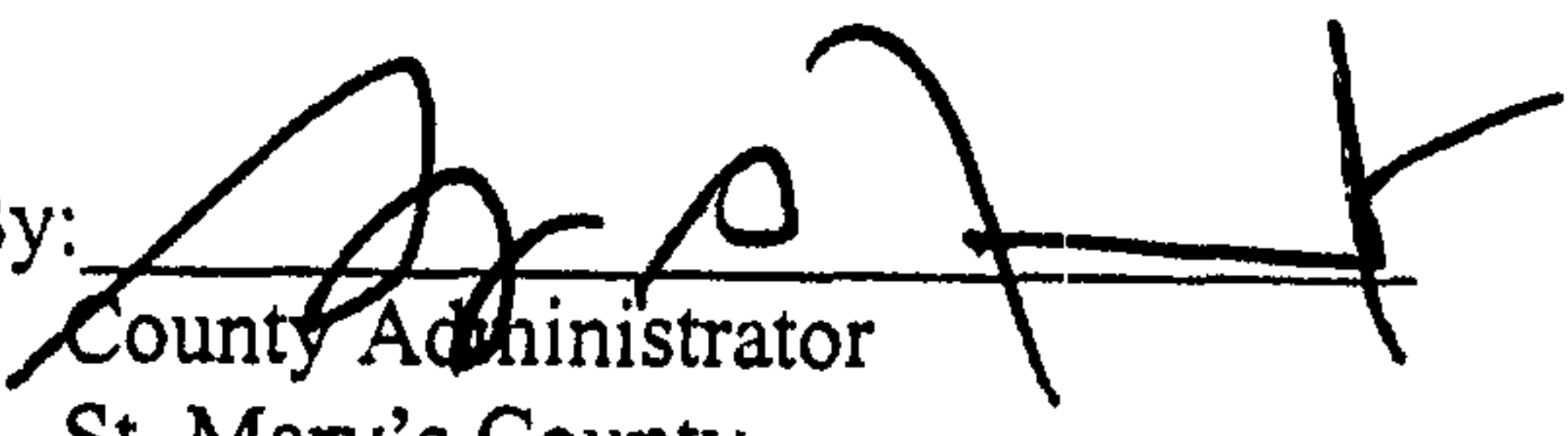
The Bond Registrar shall not be required to transfer or exchange any Bond after the mailing of notice calling such Bond or portion thereof for redemption; provided, however, that this limitation shall not apply to any portion of a Bond which is not being called for redemption.

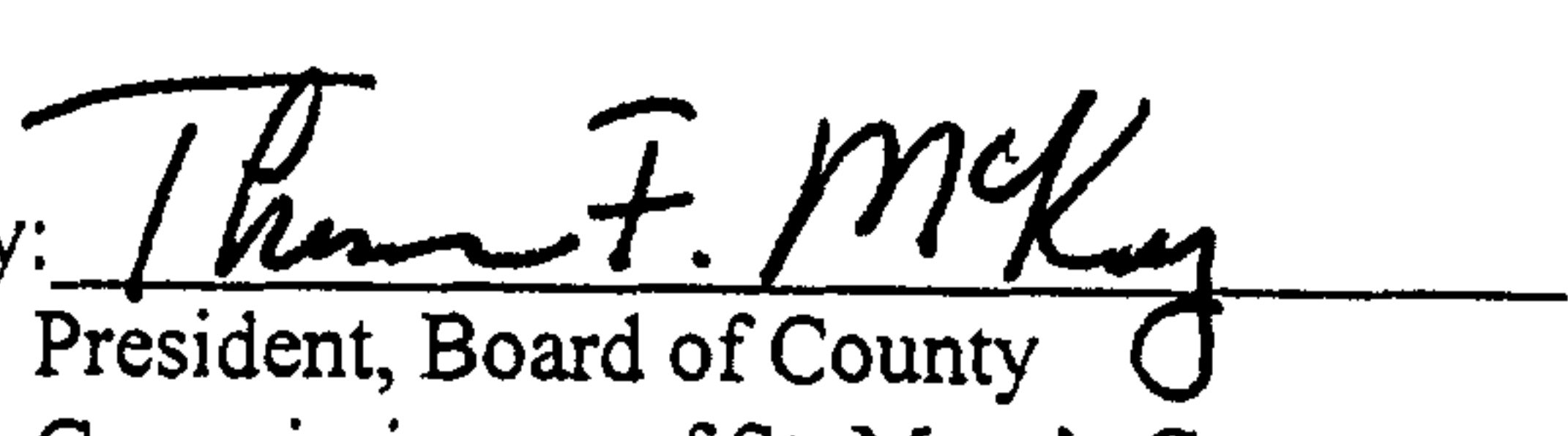
This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until the Certificate of Authentication endorsed hereon shall have been signed by an authorized signatory of the Bond Registrar.

IN WITNESS WHEREOF, the County has caused this bond to be executed in its name by the President of the Board of County Commissioners of St. Mary's County and attested by its County Administrator, and has also caused its corporate seal to be printed hereon.

ATTEST:

COUNTY COMMISSIONERS OF ST.
MARY'S COUNTY

By: 
County Administrator
St. Mary's County

By: 
President, Board of County
Commissioners of St. Mary's County

CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This bond is one of the registered bonds of County Commissioners of St. Mary's County designated County Commissioners of St. Mary's County Public Facilities and Refunding Bonds of 2003.

MANUFACTURERS AND TRADERS
TRUST COMPANY,
Baltimore, Maryland,
Bond Registrar

By: _____
Authorized Signature

BONDS IN BOOK-ENTRY FORM ONLY

PAYMENT GRID

<u>Date of Payment</u>	<u>Principal Amount Paid</u>	<u>Principal Amount Outstanding</u>	<u>Holder Signature</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____ (Tax Identification or Social Security No. _____) the within bond and all rights thereunder, and does hereby constitute and appoint _____ attorney to transfer the within bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signatures must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company

(Signature of Registered Owner)
NOTICE: Signature must correspond with the name of the Registered Owner of the within bond as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatever

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

Section 10. The President of the Board be and is hereby authorized to make such changes in the form of bond set forth in Section 9 hereof as the President shall deem necessary to carry into effect the purposes of this Resolution or to comply with recommendations of Bond Counsel or, with the advice of the County's financial advisor, to be in the best interest of the County.

The execution of the Bonds by such officer shall be conclusive evidence of the approval by the County of all changes in the form of the Bonds and of the due execution of the Bonds by the County.

Section 11. No Bond shall be valid or obligatory for the purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication of such Bond substantially in the form hereinabove provided shall have been duly executed by the Bond Registrar and such executed certificate of the Bond Registrar on such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Resolution. The Bond Registrar's certificate of authentication on any Bond shall be deemed to have been executed by it if signed by an authorized officer or signatory of the Bond Registrar. It shall not be necessary that the same officer or signatory of the Bond Registrar sign the certificate of authentication on all the Bonds issued hereunder.

Section 12. The Bonds hereby authorized shall be sold at public sale by bids on sealed proposals to the bidder or bidders therefor for cash whose bid results in the lowest true interest cost to the County in the manner and in accordance with the formula set forth in the Notice of Sale attached hereto as Exhibit B and made a part hereof. The Director of Finance shall be and is hereby authorized to make such changes in the form of Notice of Sale attached hereto as Exhibit B as the Director of Finance shall deem necessary to carry into effect the purposes of this Resolution or to comply with recommendations of Bond Counsel or, with the advice of the County's financial advisor, to be in the best interest of the County. Bids for the Bonds shall be received and opened by the Director of Finance on August 19, 2003. Notwithstanding any other provision hereof, the Director of Finance shall be and hereby is authorized to accept electronic bids for the Bonds, and to make such adjustments to the Notice of Sale as she shall deem necessary or advisable, upon the advice of Bond Counsel or the County's financial advisor, to accomplish electronic bidding procedures.

In view of the desirability of flexibility in the scheduling of the sale of the Bonds to take full advantage of market conditions to maximize debt service savings, the County determines that it is in the best interest of the County to authorize and empower the Director of Finance to cancel said sale at any time prior to or on August 19, 2003 and to reschedule said sale without publishing a new Notice of Sale or Advertisement if (i) the County's financial advisor has advised her that market conditions are such that it is in the best interest of the County to do so, and (ii) she concurs in such recommendation to cancel and/or reschedule the sale. The Director of Finance may cancel and reschedule any rescheduled sale in accordance with phrases (i) and (ii) of the preceding sentence. If the date of sale is rescheduled as provided above, the Director of Finance may also postpone the expected date of delivery of the Bonds. If the sale is postponed to a date later than September 1, 2003, then the Director of Finance may also change the date of the Bonds (and hence the date from which interest shall accrue), the dates of the semiannual interest payments and annual principal payments, and the optional redemption dates.

The Notice of Sale and the form of Proposal for the Bonds authorized by this Resolution shall be substantially in the form attached hereto as Exhibit B, subject to adjustment by the Director of Finance as authorized hereby, and the terms, provisions and conditions set forth in said form of Notice of Sale and Proposal are hereby adopted and approved as the terms, provisions and conditions under which the Bonds shall be sold, issued and delivered at public sale. The Director of Finance is hereby authorized to cause to be prepared and distributed to prospective bidders printed copies of said Notice of Sale and Proposal, as well as the Preliminary Official Statement hereinafter authorized. The

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

Director of Finance is hereby authorized and directed to handle all inquiries in connection with the sale authorized hereby and the Official Statement hereafter referred to. The Director of Finance is hereby authorized to publish such further notices respecting the sale of the Bonds as she shall deem necessary or advisable upon the advice of Bond Counsel or the County's financial advisor.

Section 13. The Board hereby authorizes the County Administrator to execute and deliver one or more Bond Orders on the date of receipt of bids for the Bonds. Such Bond Order(s) may include the following provisions (without limitation):

- a. Award of the Bonds to the bidder(s) offering to purchase the Bonds at the lowest true interest cost(s) to the County, as provided in the Notices of Sale respecting the Bonds;
- b. Determining the final aggregate principal amount of the Bonds and the principal amount of each maturity of the Bonds (but such aggregate principal amount of the Bonds not to exceed \$40,000,000);
- c. An approval of the Final Official Statement respecting the Bonds; and
- d. Such other matters as the County Administrator shall deem necessary and advisable.

The Bonds shall thereupon be suitably printed or engraved and delivered to the purchasers thereof in accordance with the conditions of delivery set forth in the Notice of Sale.

Section 14. All of the expenses relating to the issuance and sale of the Bonds, including the cost of printing the Bonds and advertising their sale and the legal fees of the County, may be paid from the gross proceeds received from the sale of the Bonds. Any premium received on the sale of the Bonds may be applied to the refunding of the Refunded Bonds or to the first payment of the principal of the Bonds. Any accrued interest received on the sale of the Bonds shall be applied to the first interest payment on the Bonds. After providing for such expenses, and making such provision relating to premium and accrued interest thereon, the balance of the proceeds from the sale of the Bonds shall be deposited in separate accounts, to be divided among each of the 2003 Projects, as described in Section 3 for whose funding the Bonds are issued, and the refunding of the Refunded Bonds. If the proceeds from the sale of the Bonds shall exceed the amount required for the 2003 Projects described in Section 3 and the refunding of the Refunded Bonds, such proceeds may be applied for payment of the principal of the Bonds next coming due or upon adoption of a resolution by the County to the construction, improvement or development of other public facilities in the County.

Pending expenditure as contemplated hereby, the Director of Finance may invest all or part of such balance of the proceeds of sale of the Bonds in such manner as may be permitted by law; provided, however, that no such investment shall be made which would cause the Bonds to be "arbitrage bonds" within the meaning of the Code (as hereafter defined) and the treasury regulations with respect thereto as in effect on the date of issuance of the Bonds.

Section 15. The Director of Finance shall be responsible for the execution and delivery of a certificate of the County which complies with the requirements of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations thereunder and counsel rendering an opinion on the validity of the Bonds on the date of the issuance of the Bonds ("Bond Counsel").

The County shall set forth in said certificate its reasonable expectations as to relevant facts, estimates and circumstances relating to the use of the proceeds of the Bonds, or of any moneys, securities or other obligations which may be deemed to be

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

proceeds of the Bonds pursuant to said Section 148 or the said regulations (collectively, the "Bond Proceeds"). The County covenants with each of the holders of any of the Bonds that the facts, estimates and circumstances set forth in the said certificate will be based on the County's reasonable expectations on the date of issuance of the Bonds and will be, to the best of the knowledge of the person executing such certificate, true, correct and complete as of that date.

The County covenants with each of the holders of any of the Bonds that it will not use, or permit the use of any of, the Bond Proceeds or any other funds of the County, directly or indirectly, to acquire any securities or obligations, and will not take or permit to be taken or fail to take any other action or actions which would cause any of the Bonds to be an "arbitrage bond" within the meaning of said Section 148 and said regulations or that would otherwise cause the interest on the Bonds to be includable in gross income of the holder of the Bonds for federal income tax purposes.

The County further covenants that it will comply with said Section 148 and said regulations and such other requirements of the Code which are applicable to the Bonds on the date of issuance of the Bonds and which may subsequently lawfully be made applicable to the Bonds.

The County will hold and shall invest Bond Proceeds within its control (if such proceeds are invested) in accordance with the expectations of the County set forth in said certificate.

The County shall make timely payment of any rebate amount or payment in lieu thereof (or installment thereof) required to be paid to the United States of America in order to preserve the exclusion from gross income for purposes of federal income taxation of interest on the Bonds and shall include with any such payment such other documents, certificates or statements as shall be required to be included therewith under then applicable law and regulations.

The Director of Finance may execute a certificate or certificates supplementing or amending said certificate, and actions taken by the County subsequent to the execution of such certificate shall be in accordance with said certificate as amended or supplemented; provided, however, that the County shall execute any such certificate only upon receipt by it of an opinion of Bond Counsel addressed to the County to the effect that actions taken by the County in accordance with the amending or supplementing certificate will not adversely affect the exclusion from gross income for federal income taxation purposes of interest on the Bonds.

Section 16. The County hereby covenants with the owners from time to time of the Bonds that it shall not take or cause to be taken any action or fail to take any action, the taking of which or the omission of which, under the law existing on the date of issuance of the Bonds, or which may subsequently lawfully be made applicable to the Bonds, would cause the interest on the Bonds to become subject to federal income taxation.

Section 17. For the purposes of paying the interest on and principal of the Bonds when due, the County shall levy or cause to be levied, for each and every fiscal year during which the Bonds may be outstanding, upon all real and tangible personal property within its corporate limits subject to assessment for unlimited County taxation, *ad valorem* taxes in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on the Bonds coming due in each such fiscal year; and, if the proceeds from the taxes so levied in any fiscal year are inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up such deficiency. The full faith and credit and unlimited taxing power of the County are hereby irrevocably pledged to the prompt payment of the principal of and interest on the Bonds hereby authorized as and when such principal and interest comes due and to the levy and collection of the taxes hereinabove prescribed as and when such taxes may become

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

necessary in order to provide sufficient funds to meet the debt service requirements of said Bonds. The County hereby solemnly covenants with each of the Registered Owners of any of said Bonds to take all action as may be appropriate from time to time during the period that any of said Bonds remain outstanding and unpaid to provide the funds necessary to make said principal and interest payments. The County further covenants and agrees with each of the Registered owners of any of said Bonds to levy and collect the taxes hereinabove prescribed.

The County may apply to the payment of the principal of and interest on any of the Bonds any funds received by it and available for such purpose from the State of Maryland, the United States of America, any agency or instrumentality thereof, or from any other source, and, to the extent any such funds are received or receivable in any fiscal year, taxes that might otherwise be required to be levied hereunder may be reduced or need not be levied.

The Bonds shall be deemed to be paid and no longer to be outstanding when payment of the principal of the Bonds plus interest thereon to the due dates thereof (whether such due date be by reason of maturity or upon redemption) either (i) shall have been made or caused to have been made in accordance with the terms thereof, or (ii) shall have been provided by irrevocably depositing in trust and irrevocably setting aside exclusively for such payment, moneys sufficient to make such payment, or direct non-callable obligations of the United States of America, maturing as to principal and interest in such amount and at such times as will assure the availability of sufficient moneys to make such payment, or a combination thereof, and all necessary and proper fees, compensation and expenses pertaining to the Bonds with respect to which such deposit is made shall have been paid or the payment thereof provided for.

Section 18. If any Bond shall become mutilated or be destroyed, lost or stolen, the County in its discretion may execute, and upon its request the Bond Registrar shall authenticate and deliver, a new Bond in exchange for the mutilated Bond or in lieu of and substitution for the Bond so destroyed, lost or stolen. In every case of exchange or substitution, the applicant shall furnish to the County and to the Bond Registrar such security or indemnity as may be required by them to save each of them harmless from all risks, however remote, and the applicant shall also furnish to the County and to the Bond Registrar evidence to their satisfaction of the mutilation, destruction, loss or theft of the applicant's Bond. Upon the issuance of any Bond upon such exchange or substitution, the County may require the payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses, including counsel fees, of the county or the Bond Registrar. If any Bond which has matured or is about to mature shall become mutilated or be destroyed, lost or stolen, instead of issuing a Bond in exchange or substitution therefor, the County may pay or authorize the payment of such Bond (without surrender thereof except in the case of a mutilated Bond) if the applicant for such payment shall furnish to the County and to the Bond Registrar such security or indemnity as they may require to save them harmless, and evidence to the satisfaction of the County and the Bond Registrar of the mutilation, destruction, loss or theft of such Bond.

Section 19. Each Bond paid at maturity or upon prior redemption shall be canceled or destroyed by the Paying Agent and a certificate of destruction describing the Bond so canceled or destroyed and evidencing such cancellation or destruction shall be furnished by the Paying Agent to the County.

Section 20. The County hereby approves the Preliminary Official Statement relating to the Bonds (the "Preliminary Official Statement") substantially in the form presented to the Board with this Resolution, as evidenced by a copy of such Preliminary Official Statement certified by the County Administrator and filed among the permanent records of the County. With the exception of such changes therein as may be required or deemed appropriate by the President of the Board or the Director of Finance, upon advice of Bond Counsel or the County's financial advisor, certain changes dictated by the terms

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

of the Notice of Sale, and certain information to be supplied by the purchaser of the Bonds, the Preliminary official Statement is deemed final by the County for the purpose of Rule 15c2-12 of the Securities and Exchange Commission. The County authorizes the distribution of said Preliminary Official Statement in connection with its solicitation of bids for the sale of the Bonds. The County hereby approves the Official Statement in the form of the Preliminary Official Statement with such changes therein as may be required or deemed appropriate by the President of the Board or the Director of Finance, upon advice of Bond Counsel or the County's financial advisor. The execution of the Official Statement by the President of the Board shall be conclusive evidence of the approval of the County of any and all such changes or modifications in said Official Statement in connection with the issuance, sale and delivery of the Bonds.

Section 21. The President of the Board and all other Commissioners, the County Administrator, the Director of Finance and such other officers, officials and employees of the County as the President shall designate, are authorized hereby to do any and all things, execute all instruments, documents and certificates, and otherwise take all action necessary, proper, or expedient in connection with the issuance, sale and delivery of the Bonds. The President of the Board and all other Commissioners, the County Administrator, the Director of Finance and all other officers, officials and employees of the County are authorized and directed hereby to do all acts and things required of them by the provisions hereof and of the Bonds for the full, punctual, and complete performance of all of the terms, covenants, provisions and agreements of this Resolution and the Bonds.

Section 22. This Resolution shall take effect from the date of its adoption.

[SIGNATURES APPEAR ON NEXT PAGE]

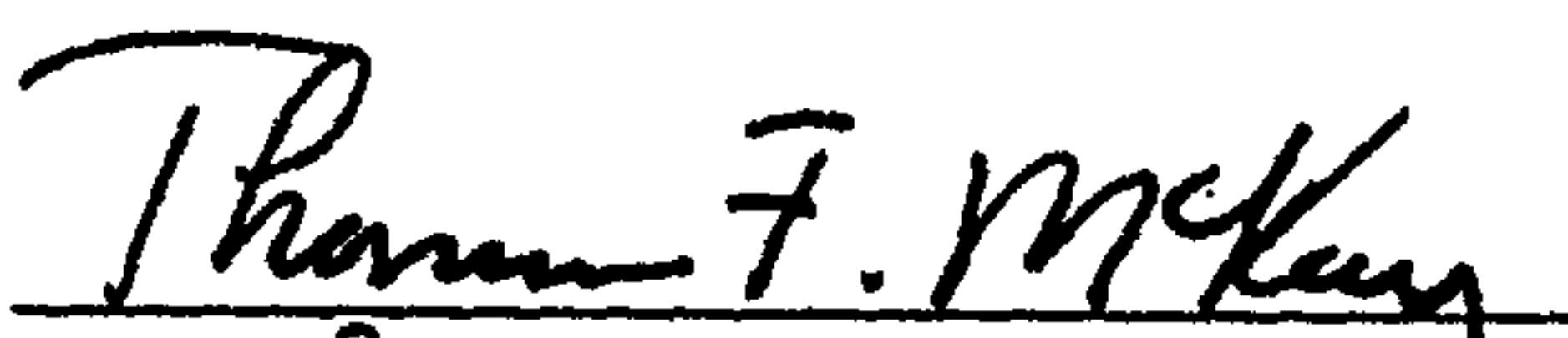
RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

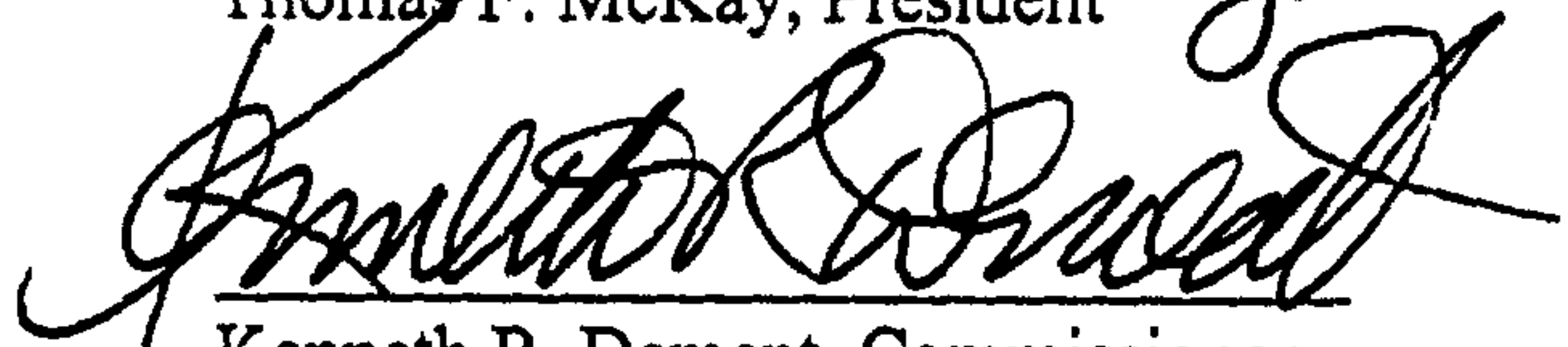
Adopted this 5th day of August, 2003.

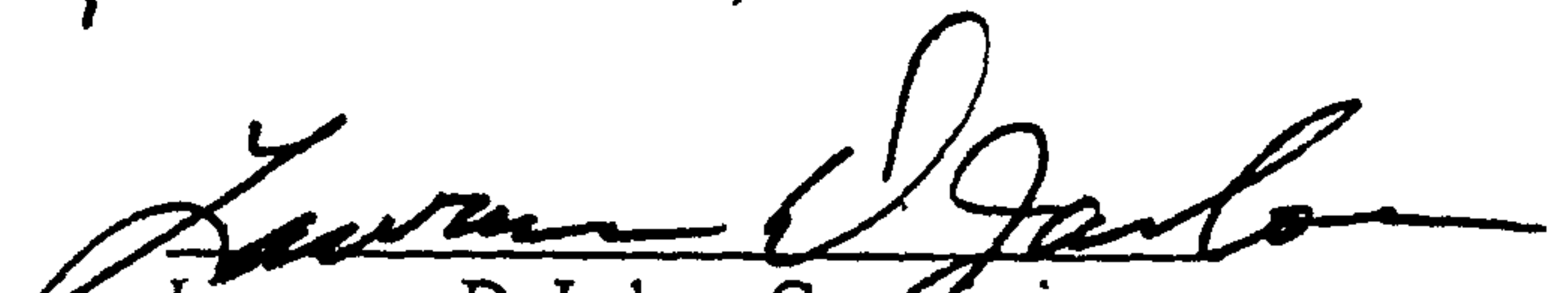
(SEAL)
ATTEST:

COUNTY COMMISSIONERS OF
ST. MARY'S COUNTY

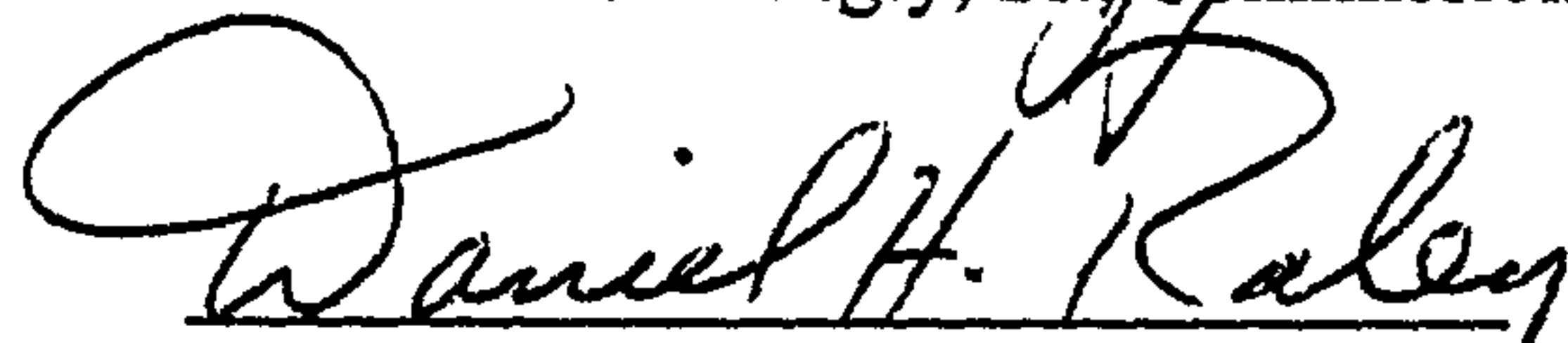

George G. Forrest
County Administrator

By: 
Thomas F. McKay, President

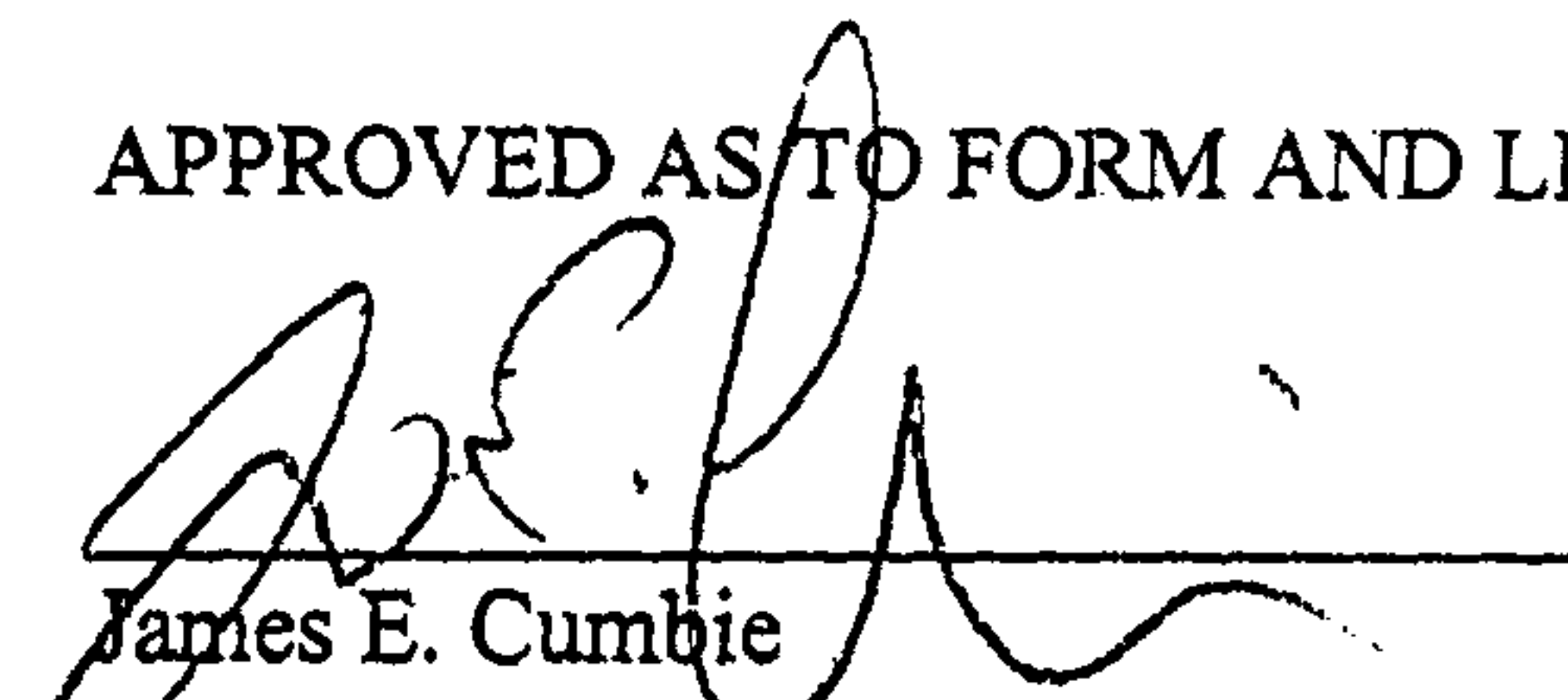

Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


James E. Cumbie
Bond Counsel

SCHEDULE I

**ST. MARY'S COUNTY
 PUBLIC FACILITIES BONDS
 APPLICATION OF PROCEEDS**

PROJECT	AMOUNT
SCHOOLS	
Technical Center Addition	\$7,213,500
Schools projects - ADA accessibility	766,410
Lexington Park Elementary Add/Renv.	620,000
Schools/Relocatable classrooms	578,000
White Marsh Elem. Roof and HVAC	549,000
Mechanicsville Elem. HVAC	498,000
Other Schools Projects	361,620
Banneker Elem. Add/Renv.	314,470
Carver Elem. - Replacement	312,000
Leonardtwn High Add/Renv.	227,800
Town Creek Elem. Gym Add	224,000
Lettie Dent Elem. Roof	196,000
52%	11,860,800
COUNTY FACILITIES	
College of Southern Maryland (new)	2,793,100
Lexington Park Library (new)	1,738,800
Former Lexington Park Library - Renovation	459,000
Charlotte Hall Senior Center (new)	212,000
Building Maintenance- Various County Buildings	400,000
25%	5,602,900
ROADS	
Road Overlay and Related Projects	\$3,005,100
Coral Place	360,000
15%	3,365,100
PARKS	
Chaptico Park	914,300
Nicolet Park Expansion	662,900
St Clements Museum Expansion	128,000
Chancellor's Run Park Improvements	100,000
8%	1,805,200
SUB-TOTAL, PROJECTS	22,634,000
BOND ISSUANCE COSTS	116,000
TOTAL ISSUED	<u>\$22,750,000</u>

EXHIBIT A

REFUNDED BONDS OUTSTANDING AS OF AUGUST 15, 2003

Public Facilities Bonds of 1991

<u>Date of Maturity December 1</u>	<u>CUSIP No.</u>	<u>Principal Amount</u>	<u>Rate of Interest</u>	<u>Principal Amount Payable Stated as Percentage of Principal(*)</u>
2003	792554KF3	\$490,000	5.80%	100.00%
2004	792554KG1	520,000	5.90	100.00
2005	792554KH9	550,000	6.00	100.00
2006	792554KJ5	585,000	6.00	100.00

* Bonds redeemable on December 1, 2003 at principal amount thereof, plus a premium of 1% of such principal amount and accrued interest.

Public Facilities Bonds of 1993

<u>Date of Maturity November 1</u>	<u>CUSIP No.</u>	<u>Principal Amount</u>	<u>Rate of Interest</u>	<u>Principal Amount Payable Stated as Percentage of Principal(*)</u>
2004	792554LG0	\$630,000	5.20%	102.00%
2005	792554LJ4	665,000	5.30	102.00
2006	792554LL9	700,000	5.40	102.00
2007	792554LN5	740,000	5.50	102.00
2008	792554LQ8	780,000	5.60	102.00

* Bonds redeemable on November 1, 2003 at principal amount thereof, plus a premium of 2% of such principal amount and accrued interest.

Public Facilities Bonds of 1995

<u>Date of Maturity March 1</u>	<u>CUSIP No.</u>	<u>Principal Amount</u>	<u>Rate of Interest</u>	<u>Principal Amount Payable Stated as Percentage of Principal(*)</u>
2006	792554ND5	\$ 915,000	5.50%	102.00%
2007	792554NE3	970,000	5.60	102.00
2008	792554NF0	1,030,000	5.70	102.00
2009	792554NG8	1,095,000	5.75	102.00
2010	792554NH6	1,160,000	5.80	102.00

* Bonds redeemable on March 1, 2005 at principal amount thereof, plus a premium of 2% of such principal amount and accrued interest. Bonds with an original maturity date on March 1, 2004-2005 are not being refunded with this issue.

EXHIBIT B

Form of Notice of Sale

NOTICE OF SALE**ST. MARY'S COUNTY, MARYLAND****\$36,625,000* COUNTY COMMISSIONERS OF ST. MARY'S COUNTY
PUBLIC FACILITIES AND REFUNDING BONDS OF 2003****\$6,165,000* ST. MARY'S COUNTY
METROPOLITAN COMMISSION REFUNDING BONDS OF 2003**

Electronic bids and sealed, written proposals will be received at the office of the Director of Finance of St. Mary's County, Maryland located at 23115 Leonard Hall Drive, Leonardtown, Maryland 20650, until 11:00 a.m., local Baltimore, Maryland time, on August 19, 2003, for County Commissioners of St. Mary's County Public Facilities and Refunding Bonds of 2003 (the "County Bonds") and for St. Mary's County Metropolitan Commission Refunding Bonds of 2003 (the "Commission Bonds" and, together with the County Bonds, the "Bonds"). The County Bonds are being issued by the County Commissioners of St. Mary's County (the "County"), a body politic and corporate and a political subdivision of the State of Maryland. The Commission Bonds are being issued by the St. Mary's County Metropolitan Commission (the "Commission"), a body politic and corporate established pursuant to the provisions of the Code of Public Local Laws of St. Mary's County. The County and the Commission are sometimes referred to collectively herein as the "Issuers."

The Issuers reserve the right to postpone, from time to time, the date established for the receipt of bids. Any such postponement will be announced by TM3 News Service ("TM3") by notice given not later than 1:00 PM, prevailing Eastern time, on the last business day prior to any announced date for receipt of bids. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, any Alternative Sale Date will be announced via TM3 at least 48 hours prior to such Alternative Sale Date. In addition, the Issuers reserve the right, on the date established for the receipt of bids, to reject all bids and establish a subsequent Alternative Sale Date. If all bids are rejected and an Alternative Sale Date for receipt of bids established, notice of the Alternative Sale Date will be announced via TM3 not less than 48 hours prior to such Alternative Sale Date. On any such Alternative Sale Date, any bidder may submit a sealed or electronic bid for the purchase of the Bonds in conformity in all respects with the provisions of this Notice of Sale except for the date of sale and except for the changes announced via TM3 at the time the sale date and time are announced.

* Preliminary, subject to adjustment as provided herein

Details of the Bonds

All Bonds shall be fully registered in form in the denomination of \$5,000 each or any integral multiple thereof, shall be dated August 15, 2003, and shall bear interest payable semiannually on the first days of May and November, commencing May 1, 2004 (8½ months), until maturity.

The County Bonds will mature annually, subject to prior redemption, on November 1 in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Amounts*</u>	<u>Year</u>	<u>Amounts*</u>
2004	2,120,000	2014	1,220,000
2005	2,420,000	2015	1,265,000
2006	3,345,000	2016	1,315,000
2007	3,410,000	2017	1,370,000
2008	2,895,000	2018	1,430,000
2009	2,150,000	2019	1,490,000
2010	2,215,000	2020	1,550,000
2011	1,095,000	2021	1,610,000
2012	1,130,000	2022	1,675,000
2013	1,175,000	2023	1,745,000

* Preliminary, subject to adjustment as provided herein

The Commission Bonds will mature annually, subject to prior redemption, on November 1 in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Amounts*</u>	<u>Year</u>	<u>Amounts*</u>
2005	\$245,000	2012	\$445,000
2006	375,000	2013	465,000
2007	380,000	2014	475,000
2008	395,000	2015	500,000
2009	400,000	2016	520,000
2010	415,000	2017	550,000
2011	425,000	2018	575,000

* Preliminary, subject to adjustment as provided herein

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

LINE: 0027 PAGE: 34

One bond representing each maturity of each series of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such bond shall be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the bond certificates representing each maturity with DTC.

The County Bonds will be issued pursuant to Chapter 86 of the Laws of Maryland of 1999, as amended, Chapter 129 of the Laws of Maryland of 2000, as amended, Chapter 489 of the Laws of Maryland of 2001, as amended, Section 2C of Article 31 of the Annotated Code of Maryland, as amended, and Section 24 of Article 31 of the Annotated Code of Maryland, as amended, for the purpose of financing certain public improvements and to currently and advance refund certain outstanding bonds of the County. The Commission Bonds are issued pursuant to the authority of Sections 113-1 to 113-28, inclusive, of the Code of Public Local Laws of St. Mary's County (1978 Edition, as amended, being Article 19 of the Code of Public Laws of Maryland) and Section 24 of Article 31 of the Annotated Code of Maryland, as amended, for the purpose of currently refunding certain outstanding bonds of the Commission. The Bonds are authorized to be issued, sold, guaranteed and delivered by resolutions of the Commission and the County, adopted by the Commission and the County on July 31, 2003 and August 5, 2003 (collectively, the "Resolutions").

The County Bonds and the Commission Bonds will constitute an irrevocable pledge of the full faith and credit and unlimited taxing power of County Commissioners of St. Mary's County, Maryland.

Optional Redemption

The Bonds that mature on or before November 1, 2013 are not subject to redemption prior to their maturities. Bonds that mature on or after November 1, 2014 are subject to redemption beginning November 1, 2013 as a whole at any time or in part on any interest payment date, in any order of maturities, at the option of the County, at the following redemption prices expressed as percentages of the principal amount of Bonds to be redeemed plus accrued interest thereon to the date fixed for redemption:

Periods During Which Redeemed

Redemption

B-3

<u>(both dates inclusive)</u>	<u>Price</u>
November 1, 2013 to October 31, 2014.....	101%
November 1, 2014 to October 31, 2015.....	100.5
November 1, 2015 and thereafter	100

Adjustments of Principal Amounts

The aggregate principal amount and the principal amount of each maturity of the Bonds are subject to adjustment by the Issuers, both before and after the receipt of bids for their purchase. Changes to be made prior to the sale will be through TM3 not later than 9:30 a.m. prevailing Eastern time on the date of sale (or as soon thereafter as is reasonably practical) and will be used to compare bids and select a winning bidder. Changes to be made after the sale and the maturity amounts for the Bonds will be communicated to the successful bidder by 4:00 p.m. prevailing Eastern time on the date of the sale, will be made only as necessary to effect the refundings, will not reduce or increase the aggregate principal amount of the Bonds by more than \$3,500,000 from the amount bid upon, and will not reduce or increase the amount of Bonds maturing in any one year by more than ten percent (10%) or \$100,000 (whichever is greater). In addition, the final maturity schedule for the Bonds will be communicated to the successful bidder by 5:00 p.m. prevailing Eastern time on the date of the sale. The dollar amount bid for principal and any amount bid for premium by the successful bidder will be adjusted proportionately to reflect any reduction or increase in the aggregate principal amount of the Bonds, but the coupon rates specified by the successful bidder for all maturities will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

Submission of Bids

The Issuers will not accept and will reject any bid for less than all of the Bonds. The right is reserved to reject any and all bids and to waive irregularities in any bid.

Electronic Bids

Electronic bids will be received via *PARITY*, in the manner described below, until 11:00 a.m., local Baltimore, Maryland time, on August 19, 2003.

Bids may be submitted electronically via *PARITY* pursuant to this Notice until 11:00 a.m., local Baltimore, Maryland time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in *PARITY* conflict with this Notice, the terms of this Notice shall control. For further information about *PARITY*, potential bidders may contact *PARITY* at Dalcomp (212) 404-8102.

Disclaimer

Each prospective electronic bidder shall be solely responsible to submit its bid via *PARITY* as described above. Each prospective electronic bidder shall be solely responsible to make necessary arrangements to access *PARITY* for the purpose of submitting its bid in a timely manner and in compliance with the requirements of the Notice of Sale. Neither the Issuers nor *PARITY* shall have any duty or obligation to provide or assure access to *PARITY* to any prospective bidder, and neither the Issuers nor *PARITY* shall be responsible for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by *PARITY*. The Issuers are using *PARITY* as a communication mechanism, and not as the Issuers' agent, to conduct the electronic bidding for the Bonds. The Issuers are not bound by any advice and determination of *PARITY* to the effect that any particular bid complies with the terms of this Notice of Sale and in particular the "Bid Parameters" hereinafter set forth. All costs and expenses incurred by prospective bidders in connection with their submission of bids via *PARITY* are the sole responsibility of the bidders; and the Issuers are not responsible, directly or indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying, or withdrawing a bid for the Bonds, such bidder should telephone *PARITY* at Dalcomp (800) 730-9393 or (212) 806-8304 and notify the Issuers' Financial Advisor, Davenport & Company LLC by facsimile at (410) 296-8517.

Electronic Bidding Procedures

Electronic bids must be submitted for the purchase of the Bonds (all or none) via *PARITY*. Bids will be communicated electronically to the Issuers at 11:00 a.m., local Baltimore, Maryland time, on Tuesday, August 19, 2003. Prior to that time, a prospective bidder may (1) submit the proposed terms of its bid via *PARITY*, (2) modify the proposed terms of its bid, in which event the proposed terms as last modified will (unless the bid is withdrawn as described herein) constitute its bid for the Bonds, or (3) withdraw its proposed bid. Once the bids are communicated electronically via *PARITY* to the Issuers, each bid will constitute an irrevocable offer to purchase the Bonds on the terms therein provided. For purposes of the electronic bidding process, the time as maintained on *PARITY* shall constitute the official time.

Written Sealed Proposals

Bids will also be accepted in written form on the form of Proposal for Bonds attached to this Notice. Written bids must be submitted on the prescribed form provided for that purpose by the Issuers and must be enclosed in a sealed envelope marked "Proposal for Bonds" and addressed to Director of Finance, St. Mary's County, 23511 Leonard Hall Drive, Leonardtown, Maryland 20650.

Good Faith Deposit

Each bid must be accompanied by a good faith deposit in the form of a Financial Surety Bond or a certified or bank cashier's check, in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00). If a check is used, it must be in the form of a certified check upon, or a cashier's, treasurer's or official check of, a responsible banking institution payable to the order of "County Commissioners of St. Mary's County," and it must accompany each bid. If a Financial Surety Bond is used, it must be from an insurance company acceptable to the Issuers and licensed to issue such a bond in the State of Maryland, and such Financial Surety Bond must be submitted to the Issuers prior to the opening of the bids and must be in form and substance acceptable to the Issuers. The Financial Surety Bond must identify the bidder whose good-faith deposit is guaranteed by such Financial Surety Bond. If the bonds are awarded to a bidder utilizing a Financial Surety Bond, then such successful bidder is required to submit its good-faith deposit to the Issuers in the form of a wire transfer not later than 12:00 p.m. Baltimore time on the next business day following the award. If such deposit is not received by that time, the Financial Surety Bond may be drawn on by the Issuers to satisfy the deposit requirement. If the Bonds are awarded to a bidder utilizing a check, such check will be cashed. The good-faith deposit of the successful bidder will be collected and the proceeds thereof retained by the Issuers to be applied in part payment for the Bonds and no interest will be allowed or paid upon the amount thereof, but in the event the successful bidder shall fail to comply with the terms of its bid, the proceeds thereof will be retained as and for full liquidated damages. The checks of the unsuccessful bidders will be returned promptly.

Bid Parameters

Each bidder shall submit one bid on the required form of Proposal for Bonds on an all-or-none basis for the Bonds. Each proposal must specify the amount bid for the Bonds, which shall be not less than 100% of par plus accrued interest from August 15, 2003 to the date of delivery of the Bonds. Each proposal must specify in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%) the rate or rates of interest per annum which the Bonds are to bear but shall not specify (a) more than one interest rate for any Bonds having the same maturity, (b) a zero rate of interest, (c) any interest rate for any Bonds which exceeds the interest rate stated in such proposal for any other Bonds by more than 3%, or (d) for maturities from 2015 through 2023, an interest rate that is lower than the interest rate for the immediately preceding maturity (i.e., interest rates must ascend from a base year of 2014). The Bonds of the two series maturing on the same date must bear interest at the same rate.

Award

The award, if made, will be made as promptly as possible after the bids are opened to the bidder offering the lowest interest rate. All proposals shall remain firm until

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

0027 PAGE 38

the time of award. The lowest interest rate shall be determined in accordance with the true interest cost ("TIC") method by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments from the payment dates to the date of the Bonds and to the price bid, excluding interest accrued to the date of delivery. In the event two or more bidders offer to purchase the Bonds at the same lowest interest rate to the Issuers, then the Bonds may be apportioned between such bidders; provided, that if apportionment is not acceptable to such bidders, the Issuers shall have the right to award the Bonds to one of such bidders. There will be no auction.

Official Statement; Continuing Disclosure

Not later than seven (7) business days after the award of the Bonds to the successful bidder on the day of sale, the Issuers will authorize an Official Statement, which is expected to be substantially in the form of the Preliminary Official Statement referred to below. If so requested by the successful bidder at or before the close of business on the date of the sale, the Issuers will include in the Official Statement such pricing and other information with respect to the terms of the reoffering of the Bonds by the successful bidder ("Reoffering Information"), if any, as may be specified and furnished in writing by the successful bidder. If no Reoffering Information is specified and furnished by the successful bidder, the Official Statement will include the interest rates on the Bonds resulting from the bid of the successful bidder and the other statements with respect to reoffering contained in the Preliminary Official Statement. The successful bidder shall be responsible to the Issuers and their officials for the Reoffering Information, and for all decisions made by the successful bidder with respect to the use or omission of the Reoffering Information in any reoffering of the Bonds, including the presentation or exclusion of any Reoffering Information in any documents, including the Official Statement. The successful bidder will also be furnished, without cost, with up to 400 copies of the Official Statement (and any amendment or supplement thereto).

The Issuers have made certain covenants for the benefit of the holders from time to time of the Bonds to provide certain continuing disclosure, in order to assist bidders for the bonds in complying with Rule 15c2-12(b)(5) of the Securities and Exchange Commission. Such covenants are described in the Preliminary Official Statement dated August 8, 2003.

Delivery of the Bonds

The Bonds will be delivered as soon as practicable, upon due notice and at the expense of the successful bidder, through the facilities of DTC in New York, New York, upon payment of the amount of the successful bid, plus accrued interest to the date of delivery, less the deposit theretofore made. Such payment shall be made in Federal funds. The Bonds will be accompanied by the customary closing documents, including a no-litigation certificate, effective as of the date of delivery, stating that there is no litigation

pending, affecting the validity of any of the Bonds included in these issues. It shall be a condition to the obligation of the successful bidder to accept delivery of and pay for the Bonds that, simultaneously with or before delivery and payment for the Bonds, said bidder shall be furnished a certificate or certificates of appropriate public officials to the effect that, to the best of their knowledge and belief, the Official Statement (and any amendment or supplement thereto) (except for the Reoffering Information, as to which no view will be expressed) as if the date of sale and as of the date of delivery of the Bonds does not contain any untrue statement of a material fact and does not omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading and that between the date of sale and the date of delivery of the Bonds there has been no material adverse change in the financial position or revenues of the Issuers, except as reflected or contemplated in the Official Statement (and any amendment or supplement thereto).

Simultaneously with or before delivery of the Bonds, the successful bidder shall furnish to the Issuers a certificate acceptable to co-bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the Bonds at the initial reoffering prices and (ii) a substantial amount of the Bonds was sold to the public (excluding bond houses, brokers and other intermediaries) at such initial reoffering prices.

THE SUCCESSFUL BIDDER SHALL MAKE A BONA FIDE PUBLIC OFFERING OF THE BONDS AT THE INITIAL REOFFERING PRICES.

Miscellaneous

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print any such number on any bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of this Notice of Sale. The County Bonds and the Commission Bonds will bear separate series of CUSIP numbers.

The issuance of the Bonds will be subject to legal approval by Venable, Baetjer and Howard, LLP, Baltimore, Maryland, and Piper Rudnick LLP, Baltimore, Maryland, Co-Bond Counsel, and copies of their opinions will be delivered upon request, without charge, to the successful bidder for the Bonds. Such opinions shall be substantially in the forms included in Appendix B to the Preliminary Official Statement.

The Preliminary Official Statement of the Issuers, with respect to the Bonds, and the required form of Proposal For Bonds will be supplied to prospective bidders upon request made to the Director of Finance of St. Mary's County, Governmental Center, Leonardtown, Maryland 20650, or from Davenport & Company LLC, financial advisor to

LIBET 0027 PAGE 40

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

the Issuers, at 8600 LaSalle Road, Suite 324, Towson, Maryland 21286 (410-296-9426). Such Preliminary Official Statement is deemed final by the Issuers as of its date for purposes of SEC Rule 15c2-12 but is subject to revision, amendment and completion in the Official Statement referred to above.

By order of
COUNTY
COMMISSIONERS OF
ST. MARY'S COUNTY

ST. MARY'S COUNTY
METROPOLITAN
COMMISSION

B-9

BA3/247064

PROPOSAL FOR BONDS

August 19, 2003

Director of Finance
St. Mary's County, Maryland
23115 Leonard Hall Drive
Leonardtown, Maryland 20650

Dear Madam:

Subject to the provisions and in accordance with the terms of the annexed Notice of Sale which is incorporated by reference herein and made a part of this Proposal for Bonds, we offer to purchase the obligations of County Commissioners of St. Mary's County described in such Notice of Sale, being the County Commissioners of St. Mary's County Public Facilities and Refunding Bonds of 2003 and the St. Mary's County Metropolitan Commission Refunding Bonds of 2003, such bonds to be dated August 15, 2003, maturing on November 1 in the years and aggregate principal amounts, respectively, as set forth in such Notice of Sale, and to bear interest as follows:

<u>Year of Maturity</u>	<u>Interest Rate</u>
2004	
2005	
2006	
2007	
2008	
2009	
2010	
2011	
2012	
2013	
2014	
2015	
2016	
2017	
2018	
2019	
2020	
2021	
2022	
2023	

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

We will pay an amount equal to the par value of the Bonds \$ _____
plus a premium in the amount of +\$ _____
making a total of \$ _____

and also accrued interest from August 15, 2003 to the date of delivery of the bonds.

Please indicate (x) the appropriate choice regarding the good faith deposit:

_____ We have posted a surety bond in the amount or \$750,000 in accordance with the annexed Notice of Sale.

_____ We enclose herewith a certified check upon, or a cashier's, treasurer's or official check of, a responsible banking institution, payable to the order of County Commissioners of St. Mary's County, in the amount of \$750,000, which check is to be applied in accordance with the annexed Notice of Sale.

We understand that (a) we are to provide a certification regarding the public sale of the bonds as described in the notice of sale on or prior to the closing date and (b) if notified that we are the successful bidder, we will be required to advise the Issuers of the initial reoffering prices (as described in the notice of sale) for each maturity of the bonds at the time of such notification. In this regard, you may contact and rely on the information provided by _____, whose telephone number is _____.

and Associates (See List Attached)

* Preliminary, subject to adjustment as provided in the Notice of Sale

(Not a part of this proposal. The following information is requested to expedite and facilitate prompt determination of the best bid. The inclusion, omission, accuracy or inaccuracy of these figures will not affect the validity of the proposal. The total amount of interest payable on the bonds referred to above under this proposal is \$ _____. The rate of interest determined in the manner set forth in the Notice of Sale is _____% per annum.)

0027 PAGED 13

RESOLUTION NO. 2003-53
SUBJECT: AUTHORIZING
ISSUANCE AND SALE OF
GENERAL OBLIGATION
BONDS

The above good faith check has been returned and receipt thereof is fully acknowledged.

Bidder

By: _____

Title: _____

No. Z 2603-06

Subj.: ISUB # 96-1976,

James M. Lacey, Single Lot Subdivision
Growth Allocation Request

LIBERO 0 2 7 PAGE 0 4 4

ORDINANCE

FOR THE PURPOSE OF AMENDING THE ST. MARY COUNTY CHESAPEAKE BAY CRITICAL AREA OVERLAY ZONE MAP DESIGNATION FROM RESOURCE CONSERVATION AREA (RCA) TO LIMITED DEVELOPMENT AREA (LDA) TO REFLECT THE ALLOCATION OF 1.5 ACRES OF ST. MARY'S COUNTY'S CHESAPEAKE BAY CRITICAL AREA GROWTH ALLOCATION FOR THE SUBDIVISION AND DEVELOPMENT OF ONE LOT WITHIN THE ST. MARY'S COUNTY CHESAPEAKE BAY CRITICAL AREA.

WHEREAS, Application No. 96-1976 was filed with the Department of Planning and Zoning by Little Silences Rest, Inc. on behalf of James M. Lacey, Jr. to construct a single family house;

RECORDING FEE 0.00

WHEREAS, upon review of the application it was determined that the property known as Tax Map 39, Block 9, Parcel 251, was not a parcel of record, having been created by deed only after March 15, 1978; and

TOTAL 0.00
RESTORANCE FEE: 1399999

WHEREAS, Mr. Lacey and the owner of the parent tract were notified that, in order to correct the parcel of record deficiency and to meet the Resource Conservation Area (RCA) density, a subdivision was needed to create a legally-recorded 1.5 acre lot and an 18.5 acre density parcel on the parent tract; and

EPA REG Blkt: 304
Ser: 00, 2003 09:33 am

WHEREAS, the owner of the parent tract declined to participate in the subdivision, and based on the circumstances Mr. Lacey's only option to enable construction of a house on the property was to apply for approval through the growth allocation process; and

WHEREAS, on August 9, 1996, an application (ISUB #96-1976) was submitted by James Lacey requesting approval of 1.5 acres of growth allocation under the single-lot subdivision category, pursuant to §38.02.18.c. of the St. Mary's County Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, on November 12, 1996, the St. Mary's County Planning Commission (the "Planning Commission") held a public hearing as required under §38.02.18.c., and continued the hearing to November 25, 1996, at which time a favorable recommendation was forwarded to the Board of County Commissioners for approval of the growth allocation award, conditioned upon removal of provision §38.02.18.c.(1)(a) the Zoning Ordinance requiring a minimum six (6) acre tract size in the single-lot category; and

WHEREAS, on February 18, 1997, the Board of County Commissioners for St. Mary's County held a public hearing on the Lacey Application as required under §38.02.18.c., and continued the hearing to March 11, 1997, at which time the growth allocation was approved conditioned upon the removal of §38.02.18.c.(1)(a) from the Zoning Ordinance and a request was forwarded to the Chesapeake Bay Critical Area Commission for validation of such award; and

WHEREAS, The Chesapeake Bay Critical Area Commission, by letter dated April 3, 1997, indicated approval of the growth allocation award conditioned upon removal of §38.02.18.c.(1)(a) from the Zoning Ordinance; and

WHEREAS, after a public hearing and recommendation for approval by the Planning Commission, and a public hearing held by the Board of County Commissioners for St. Mary's County on January 20, 1998, to consider the Zoning Ordinance text amendment to remove §38.02.18.c.(1)(a); and

WHEREAS, on February 3, 1998, Ordinance No. Z 98-01 rescinding §38.02.18.c.(1)(a) of the Zoning Ordinance was executed by the Board of County Commissioners for St. Mary's County; and

WHEREAS, the County did not act to revise the official Chesapeake Bay Critical Area Overlay Maps in accordance with the approvals; and

WHEREAS, on May 12, 2003, the Planning Commission confirmed by unanimous vote that there is no Planning Commission objection to mapping of the growth allocation as approved in 1997 for the James M. Lacey (1.5 acres) subdivision; and

WHEREAS, on July 15, 2003, the Board of County Commissioners for St. Mary's County, following the posting of notice on the subject property, publication of notice in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on June 25, 2003 and July 2, 2003, and written notification of all contiguous property owners by certified mail, conducted a public hearing on the amendment to the official Chesapeake Bay Critical Area Overlay Maps.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY that the Chesapeake Bay Critical Area Map Overlay designation be amended from Resource Conservation Area (RCA) to Limited Development Area (LDA) to reflect the allocation of 1.5 acres of St. Mary's County's Chesapeake Bay Critical Areas growth allocation for the subdivision and development of a single lot, "James M. Lacey, Single Lot Subdivision, ISUB # 96-1976," as shown on Exhibit A attached hereto.

Those voting Aye: 4

Those voting Nay: 0

Those abstaining: 1

Date of Adoption: 8-5-03

Effective Date: 8-5-03

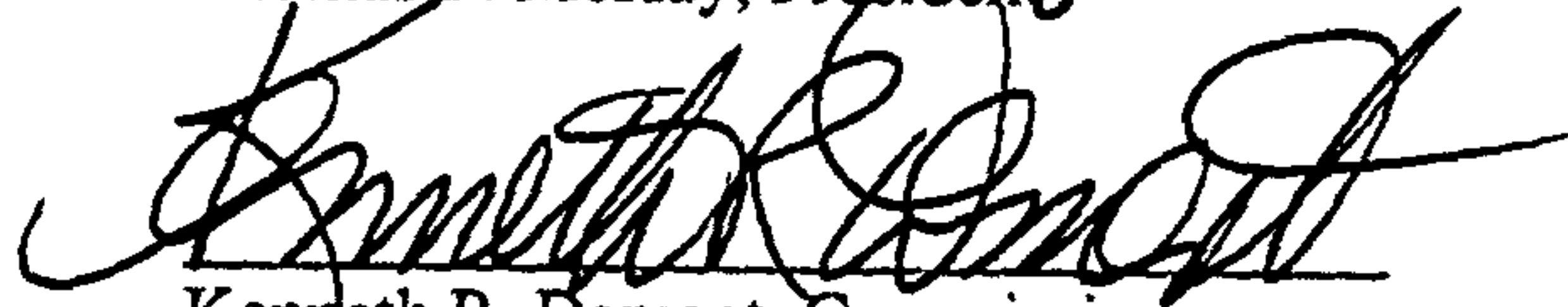
ATTEST:


George F. Forrest,
County Administrator


BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND

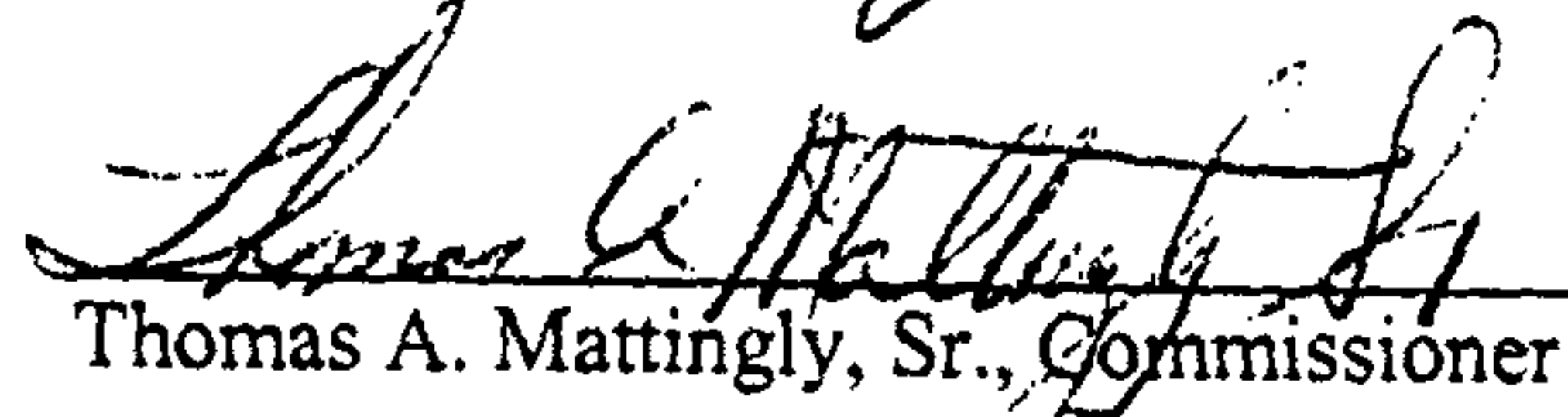

Thomas F. McKay, President

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

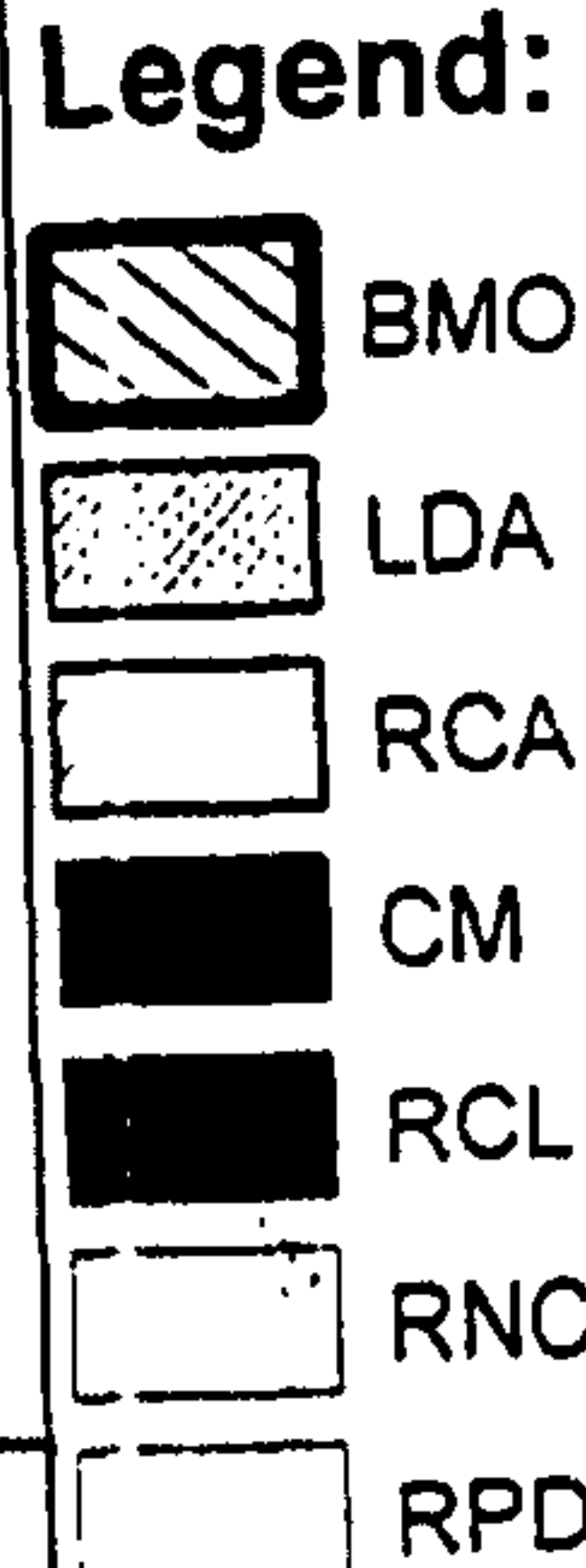
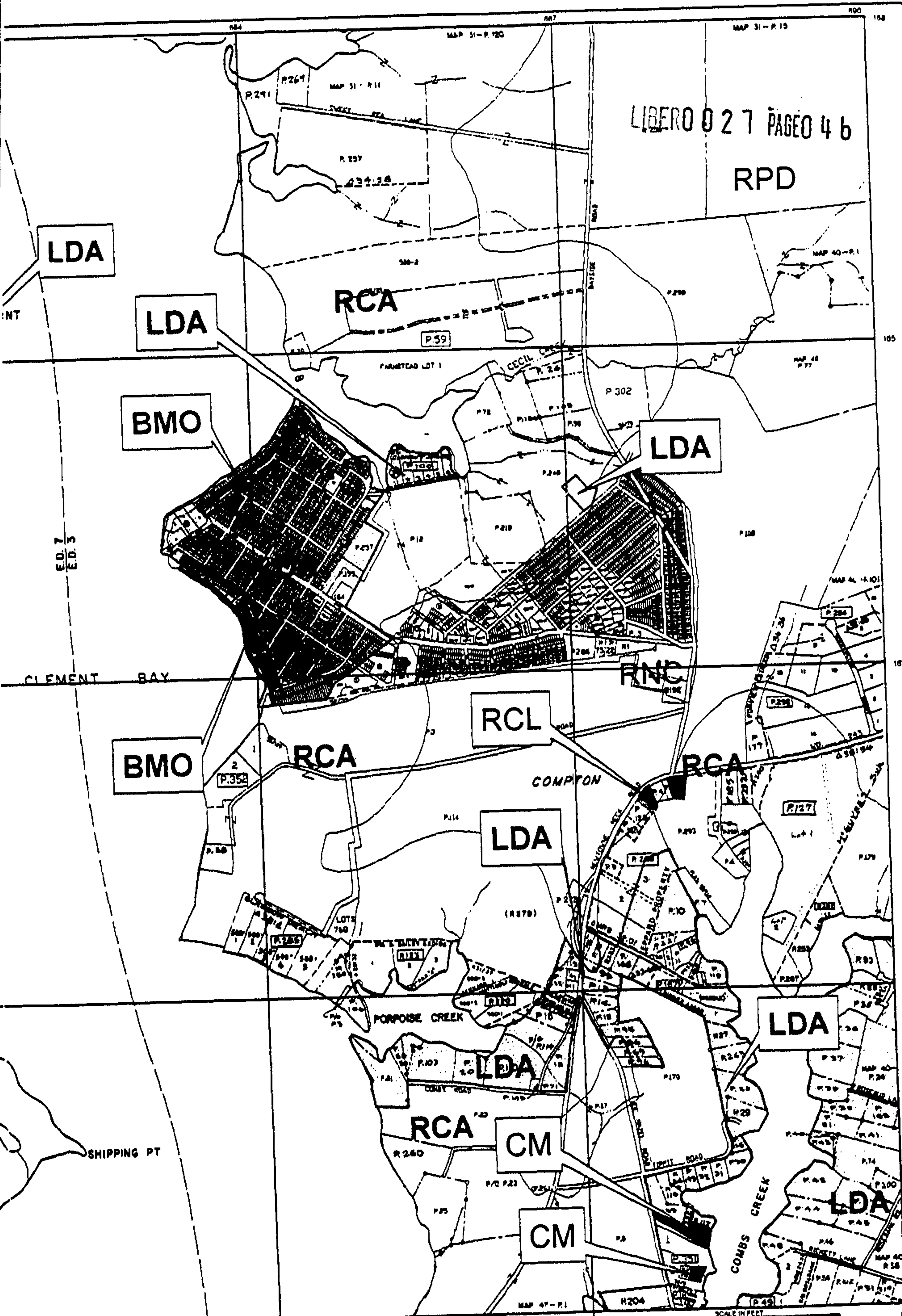

Kenneth R. Dement, Commissioner

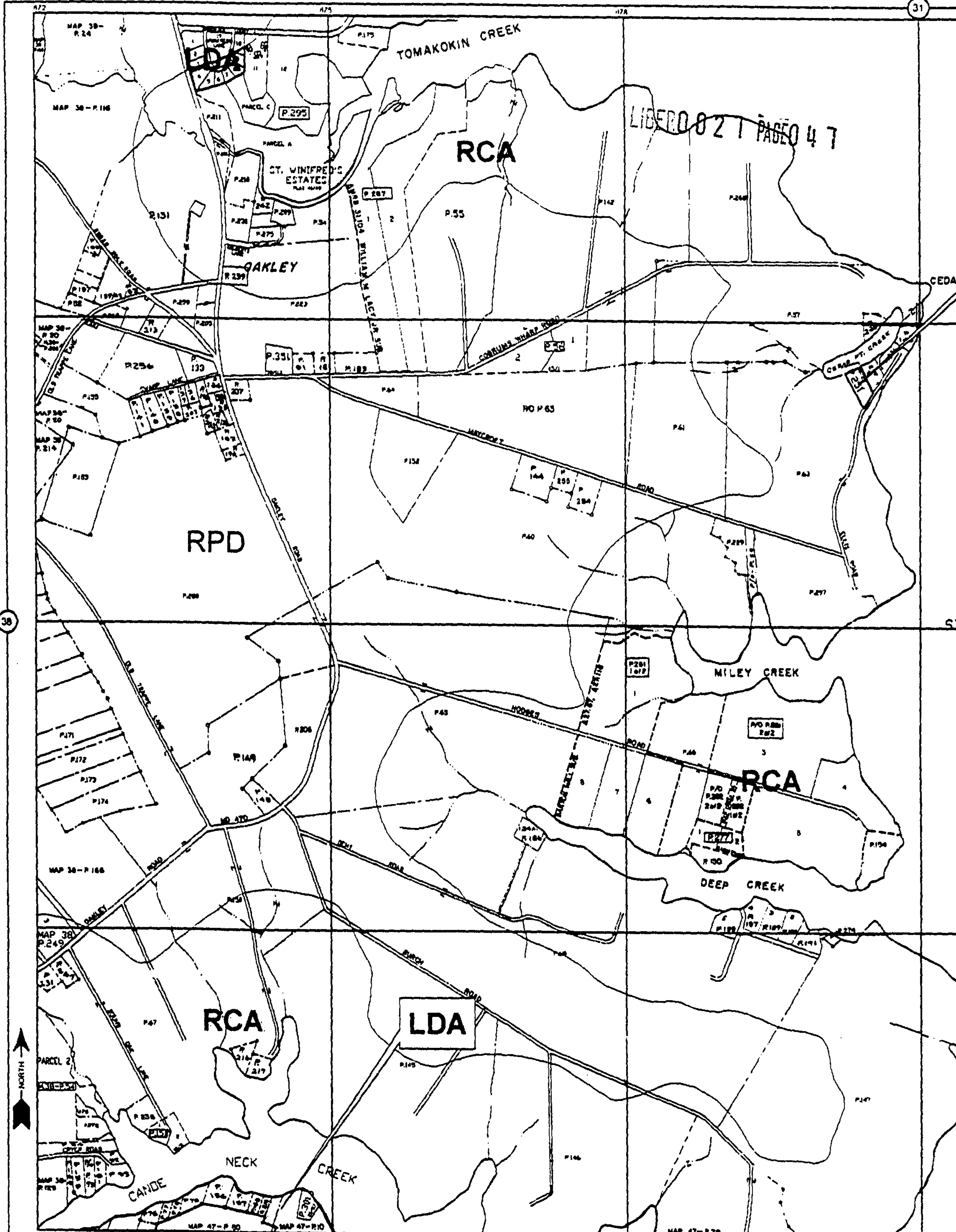

John B. Norris, III
County Attorney


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner

ABSTAIN
Daniel H. Raley, Commissioner





PROPERTIES REVIEWED TO DEC 2001 PREPARED BY THE DEPARTMENT OF PLANNING & ZONING

APPROVED BY THE BOARD OF ST. MARY'S COUNTY COMMISSIONERS

ZONING UPDATE RESOLUTION

LIBERO 027 PAGE 48
RESOLUTION

WHEREAS on March 10, 1992 the Board of County Commissioners adopted Resolution No. W/S 92-01 amending the comprehensive water and sewerage plan to reclassify the sewer service categories for Airdele Road, Tall Timber/South Potomac Shores, and St. George Island; and

WHEREAS said Resolution No. W/S 92-01 limited new sewer facilities on St. George Island to 219 equivalent dwelling units (EDU's) as described in the attachment to said Resolution No. W/S 92-01; and

WHEREAS on March 10, 1992 the Board of County Commissioners entered into an agreement with the St. Mary's County Metropolitan Commission and the St. George Island Improvement Association restricting service to St. George Island to 219 EDU's; and

WHEREAS, the Board of County Commissioners, with the concurrence of the St. George Island Improvement Association, subsequently adopted Resolution No. W/S 93-02 modifying the EDU sewer allocation for St. George Island to 220 EDU's; and Resolution No. W/S 94-01 modifying the EDU sewer allocation for St. George Island to 224 EDU's; and Resolution No. W/S 94-04 modifying the EDU sewer allocation for St. George Island to 229 EDU's; and Resolution No. W/S 95-02 modifying the EDU sewer allocation for St. George Island to 230 EDU's; and Resolution No. W/S 99-01 modifying the EDU sewer allocation for St. George Island to 232 EDU's; and Resolution No. W/S 00-01(A) modifying the EDU sewer allocation for St. George Island to 237 EDU's; and Resolution No. W/S 02-01 modifying the EDU sewer allocation for St. George Island to 238 EDU's; and:

WHEREAS, the Board of County Commissioners, with the concurrence of the St. George Island Improvement Association and the Metropolitan Commission has determined that the property described as Parcel 87 of Tax Map 69 in the ninth election district of St. Mary's County, Maryland should have received two (2) EDU's instead of one in Resolution No. W/S 92-01; and

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners for St. Mary's County hereby amends Resolution No. W/S 92-01 pursuant to the Agreement Restricting Service to St. George Island between the Board of County Commissioners and the St. George Island Improvement Association to provide for one (1) EDU allocation to the property described as Tax Map 69, Parcel 87, Lot 2 containing 30,615 square feet or .70 acres bringing the total for St. George Island to 239 EDU's.

BE IT FURTHER RESOLVED, by the Board of County Commissioners for St. Mary's County that this amendment to the St. Mary's County Comprehensive Water and Sewer Plan be effective upon the date written below.

BE IT FURTHER RESOLVED, by the Board of County Commissioners for St. Mary's County that the foregoing recitals are adopted as if fully rewritten herein.

Voting Aye: 5
 Voting Nay: 0
 Date of Adoption: 8-5-03
 Effective Date: 8-5-03

Abstaining: 0

RECORDING FEE 0.00
 TOTAL 0.00
 RES#002 REC#000000
 SMA REG 81X#1334
 SEP 06 2003 09:48 am

**BOARD OF COUNTY COMMISSIONERS
 OF ST. MARY'S COUNTY**

Thomas F. McKay
 Thomas F. McKay, President
Kenneth R. Dement
 Kenneth R. Dement, Commissioner
Lawrence D. Jarboe
 Lawrence D. Jarboe, Commissioner
Thomas A. Mattingly, Sr.
 Thomas A. Mattingly, Sr., Commissioner
Daniel H. Raley
 Daniel H. Raley, Commissioner

Attest:
George G. Forrest
 George G. Forrest,
 County Administrator

Approved as to form and legal sufficiency:
John B. Norris, III 7/31/03
 John B. Norris, III
 County Attorney

COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
RESOLUTION NO. R-2003-56
A RESOLUTION AUTHORIZING 911 EQUIPMENT FINANCING

A RESOLUTION OF THE COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY TO AUTHORIZE ST. MARY'S COUNTY TO ENTER INTO A CERTAIN EQUIPMENT LEASE PURCHASE AGREEMENT (THE "AGREEMENT") WITH SUNTRUST BANK (THE "LESSOR") IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$600,000, FOR THE FINANCING, ACQUISITION AND INSTALLATION ("PROJECT COSTS") OF CERTAIN NECESSARY AND ESSENTIAL 911 EQUIPMENT (THE "PROJECT"); THE OBLIGATIONS OF THE COUNTY UNDER THE AGREEMENT TO BE ITS LIMITED OBLIGATIONS AND NOT UPON ITS FAITH AND CREDIT OR PLEDGE OF ITS TAXING POWERS AND TO BE SUBJECT TO APPROPRIATIONS BY THE COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY IN EACH FISCAL YEAR DURING THE TERM OF THE AGREEMENT; PROVIDING THAT CERTAIN ADDITIONAL MATTERS SHALL BE RESERVED UNTO THE COUNTY ADMINISTRATOR OF ST. MARY'S COUNTY AS PRESCRIBED BY THIS RESOLUTION; DETERMINING VARIOUS MATTERS IN CONNECTION THEREWITH AND PROVIDING THAT THIS RESOLUTION BE ADOPTED BY THE COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY ON THE DATE OF ITS INTRODUCTION.

RECORDING FEE 0.00
TOTAL 0.00

RECITALS

WHEREAS, St. Mary's County is a body politic and corporate and a political subdivision of the State of Maryland; and

Rest#5402 Rpt#999999

WHEREAS, Section 11A of Article 25 of the Annotated Code of Maryland, as amended, authorizes St. Mary's County to acquire property of any kind needed for any public purpose; and

for any 11:1304
Sep 03, 2003 09:41 am

WHEREAS, St. Mary's County has determined to enter into a certain equipment lease purchase agreement (the "Agreement") in an aggregate principal amount not to exceed \$600,000 for a term not to exceed five (5) years from the date of execution for the purpose of financing the acquisition and installation of the Project, which is needed for a public purpose and for an essential use; and

WHEREAS, St. Mary's County may make certain expenditures in connection with the Project prior to the execution of the Agreement; and

WHEREAS, St. Mary's County intends to finance all or a portion of the cost of the Project through the Agreement, the interest on which is intended to be excludible from the gross income of the recipient for federal income tax purposes; and

WHEREAS, St. Mary's County reasonably expects that a portion of the Project Costs may be paid by St. Mary's County after the date of this Resolution (or 60 days prior to this Resolution) and prior to entering into the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY MARYLAND THAT:

Section 1. St. Mary's County is hereby authorized to enter into, and the County Administrator is hereby authorized to execute and deliver, the Agreement with SunTrust Bank, a Georgia banking corporation (the "Lessor") for financing the acquisition, purchase and installation of the Project in an amount not to exceed the aggregate principal amount of Six Hundred Thousand Dollars (\$600,000), for a term not to exceed five (5) years.

Section 2. The Agreement shall be in form satisfactory to the County Administrator and shall be subject to such provisions, terms, insertions, omissions, variations or changes as may be deemed necessary or appropriate which shall be acceptable to the County Administrator and the County Administrator is hereby authorized by this Resolution to approve such provisions of the Agreement as he may deem appropriate.

Section 3. The Agreement: (i) is not a general obligation of St. Mary's County, (ii) does not constitute a pledge of and does not involve the full faith and credit or the taxing power of St. Mary's County; and (iii) does not constitute a debt of St. Mary's County within

the meaning of any statutory or constitutional provision of the State of Maryland. St. Mary's County's obligations as lessee under the Agreement shall be subject to appropriation by the Board of County Commissioners for St. Mary's County for each and every fiscal year during the term of the Agreement.

Section 4. The County Administrator is hereby authorized to execute and deliver in connection with the Agreement, such additional certificates and documents relating to the Agreement as are deemed necessary or desirable by the County Administrator upon the advice of counsel necessary for the financing, acquisition and installation of the Project and to effect the execution and delivery of the Agreement.

Section 5. The officers and employees of St. Mary's County are hereby authorized and directed to do all acts and things required of them by the provisions of this Resolution, for the full, punctual and complete performance of all terms, covenants and provisions of the Agreement and to do and perform all acts and to execute, seal and deliver all documents of instruments of writing which may be necessary or desirable to carry out the legislation intent of this Resolution.

Section 6. This Resolution is intended to be a declaration of official intent on behalf of St. Mary's County pursuant to the requirements of Treasury Regulations 1.150-2.

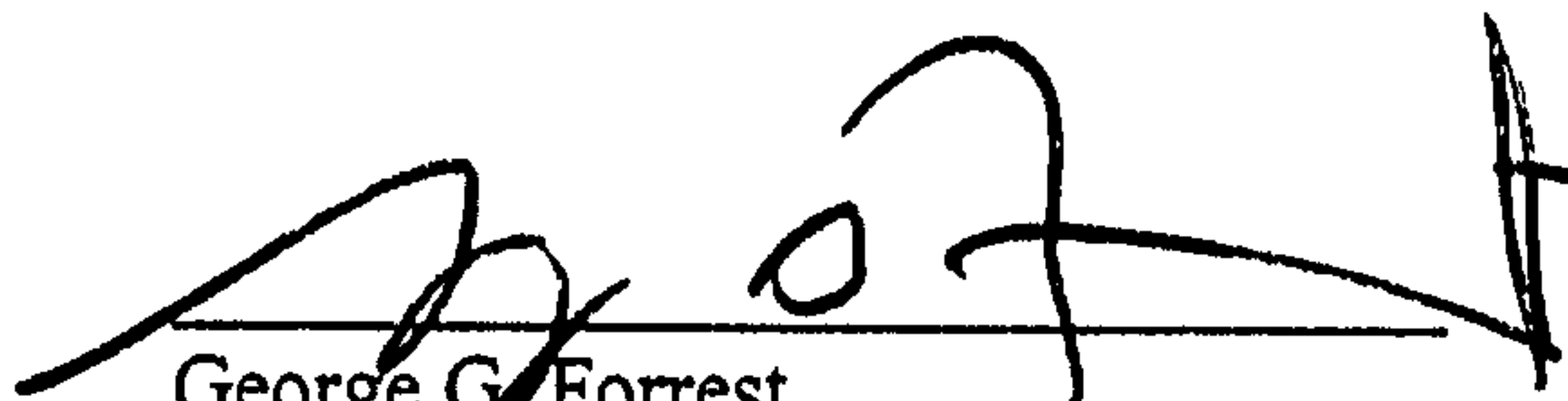
Section 7. St. Mary's County reasonably expects that all or a part of the capital expenditures for the Project may be paid prior to entering into the Agreement and that the proceeds of the Agreement in a maximum principal amount of \$600,000 will be used to reimburse St. Mary's County for capital expenditures paid prior to entering into the Agreement.

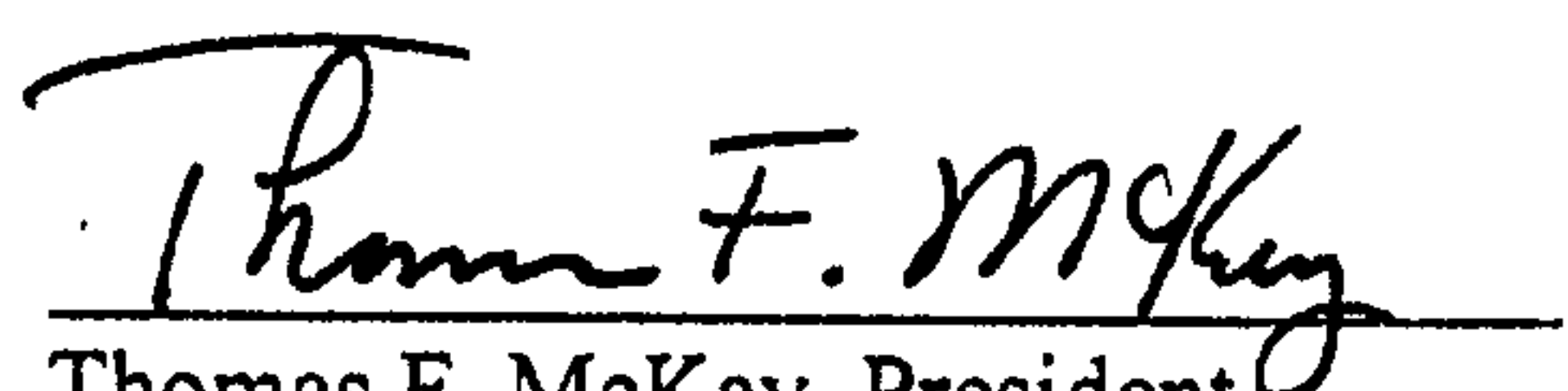
Section 8. This Resolution shall take effect from the date of its adoption.

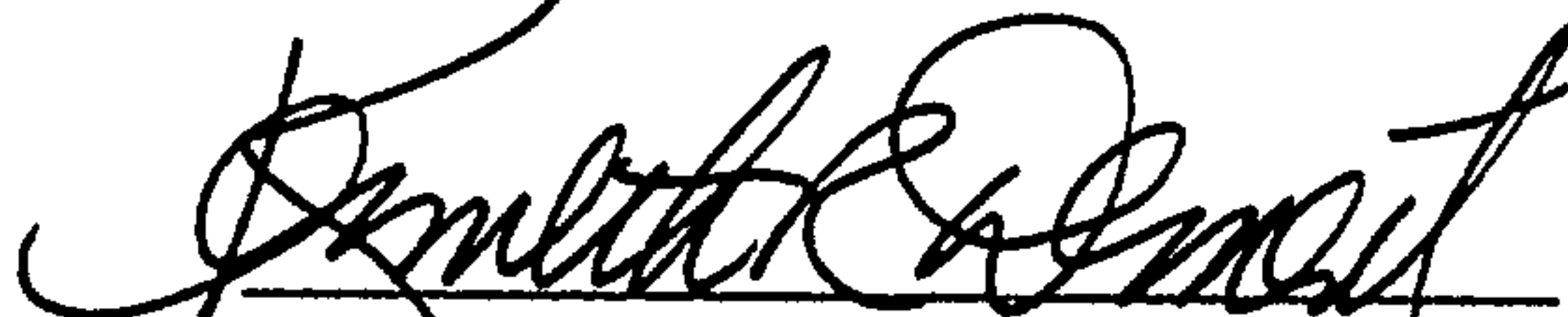
Adopted this 19th day of August, 2003.

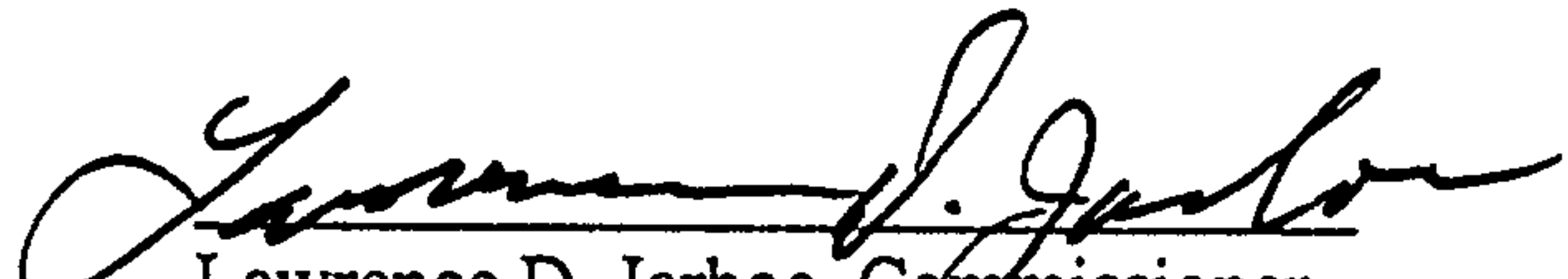
(SEAL)
ATTEST:

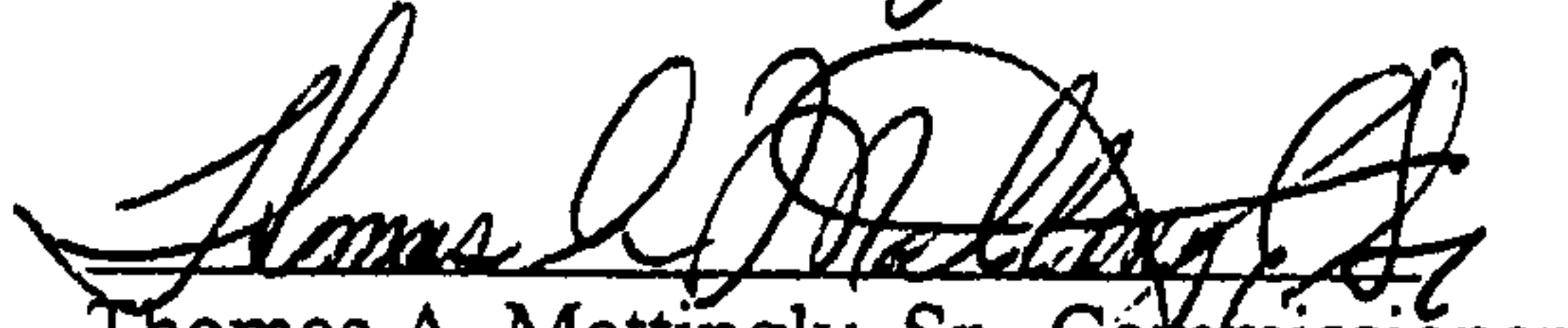
COUNTY COMMISSIONERS OF
ST. MARY'S COUNTY

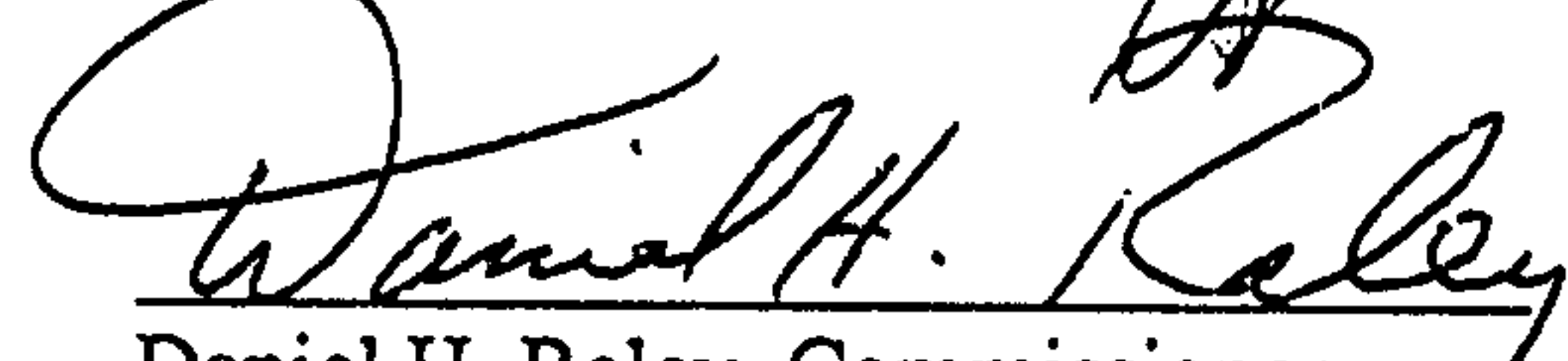

George G. Forrest
County Administrator

By: 
Thomas F. McKay, President

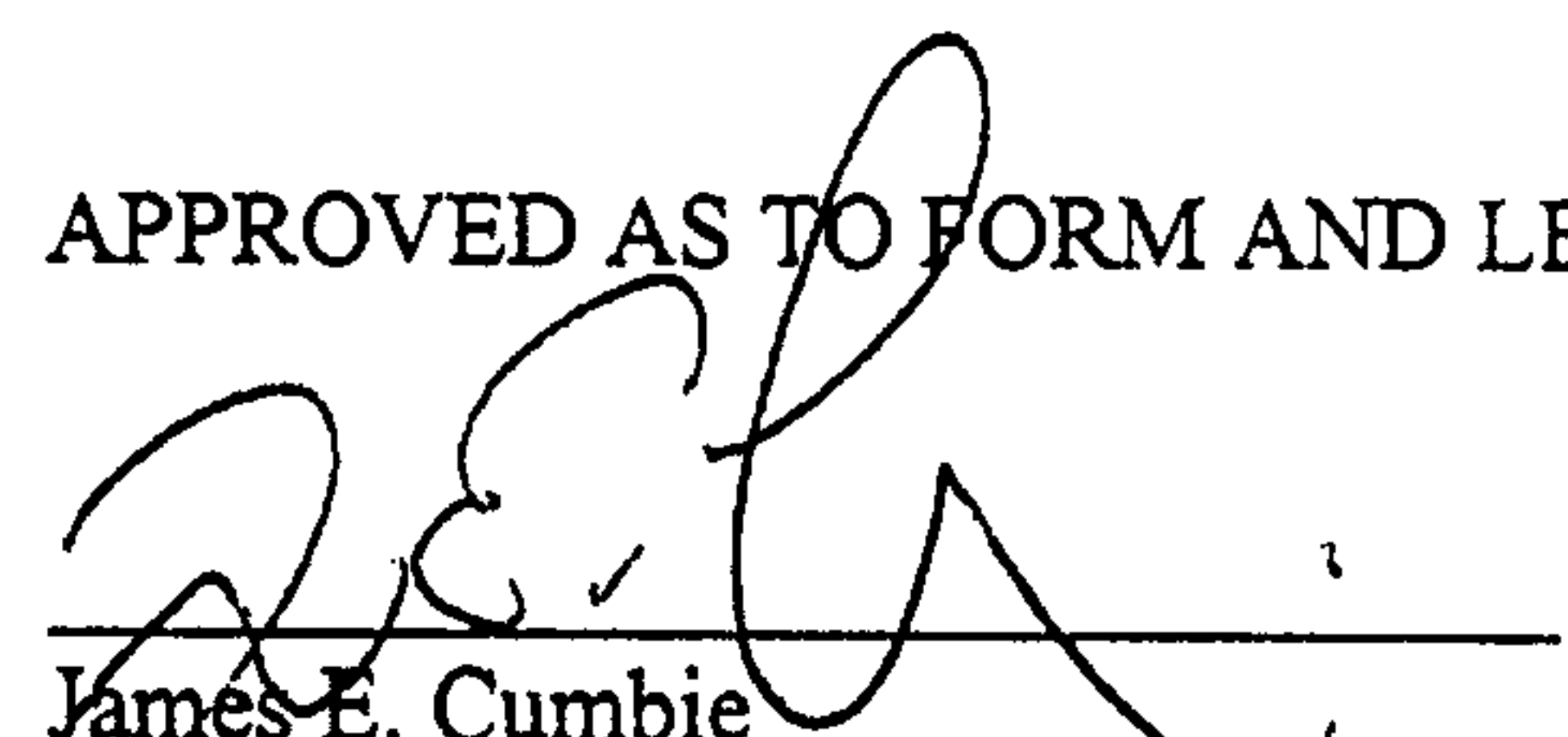

Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


James E. Cumbie
Bond Counsel

RESOLUTION NO. 2003-57

SUBJ: **Public Improvement Bonds of 2001**

LIBERO 027 PAGE 51

- Roof Replacement
- Adequate Public Facilities
- Connector Road
- Dukehart's Creek Taxing District
- Tennis Court Replacement
- Willows Road Park
- Piney Point Public Landing
- Bushwood Wharf
- Hollywood Day Care Improvement
- Leonard Hall Recreation Center
- Recycling Support

Page 1 of 3

RESOLUTION

RESOLUTION OF THE COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY for the purpose of supplementing Resolution R-2001-35, adopted on June 28, 2001, authorizing the issuance of general obligation bonds of the County by designating certain new project(s) as additional project(s) authorized to be financed with the proceeds from the sale of such bonds.

RECORDING FEE	0.00
TOTAL	0.00
Res#SMB2 Rcp#4999999	

RECITALS

On June 28, 2001, the County Commissioners of St. Mary's County (the "County") adopted its Resolution No. R-2001-35 (the "Authorizing Resolution"), authorizing the issuance and sale of \$25,000,000 County Commissioners of St. Mary's County Consolidated Public Improvement Bonds of 2001 dated June 15, 2001 (the "Bonds"), a portion of the proceeds of which were to be used to finance the construction, improvement or development of certain capital projects described in such Authorizing Resolution (the "Original Projects").

EMA KEB BIK#1384

Section 13 of the Authorizing Resolution provides that the proceeds of the Bonds shall be applied to the payment of the cost of the projects described in the Authorizing Resolution, unless the County by resolution authorizes the application of the proceeds of the Bonds to the construction, improvement or development of other public facilities in the county, and any unexpended proceeds of the Bonds shall otherwise be applied as provided in the Authorizing Resolution.

SEP 03, 2003 10:42 am

The County has determined that a portion of the proceeds of the sale of the Bonds originally designated to be used to finance the costs of the Original Projects is no longer required for such purpose.

The County has determined that it is in its best interest to use \$197,571.00 of the proceeds of the Bonds to finance all or a portion of the costs of certain project(s) listed on Schedule A attached hereto.

The County has further determined that the project(s) being financed by the proceeds of the Bonds and listed on Schedule A attached hereto have been authorized by Chapter 439 of the Laws of Maryland of 1996, Chapter 460 of the Laws of Maryland of 1997, Chapter 77 of the Laws of Maryland of 1998, and Chapter 86 of the Laws of Maryland of 1999, and have been approved by St. Mary's County Board of County Commissioners Approved Budget.

BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:

Section 1: Resolution No. R-2001-35 adopted by the County Commissioners of St. Mary's County on June 28, 2001 (the "Authorizing Resolution") authorizing the issuance and sale of \$25,000,000 aggregate principal amount of County Commissioners of St. Mary's County Public Improvement Bonds of 2001, dated July 15, 2001 (the "Bonds") is hereby supplemented for the sole purpose of designating the project(s) described in Section 2 below as additional project(s) the costs of which are authorized to be financed with the proceeds of the sale of the Bonds.

SUBJ: **Public Improvement Bonds of 2001**

- Roof Replacement
- Adequate Public Facilities
- Connector Road
- Dukehart's Creek Taxing District
- Tennis Court Replacement
- Willows Road Park
- Piney Point Public Landing
- Bushwood Wharf
- Hollywood Day Care Improvement
- Leonard Hall Recreation Center
- Recycling Support

Page 2 of 3

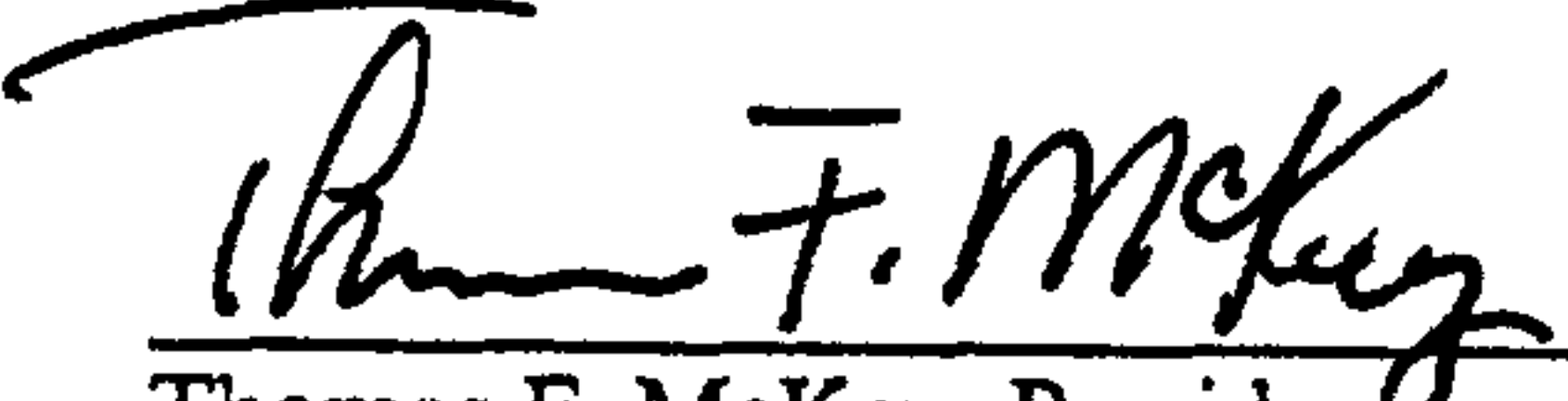
Section 2: The County hereby finds and determines that a portion of the proceeds from the sale of the Bonds designated to finance the construction, improvement or development of certain capital projects approved by the Authorizing Resolution is no longer required for such purpose. The County hereby designates \$197,571.00 from the proceeds of the sale of the Bonds to be used to finance the construction, improvement or development of the project(s) in the County set forth in Schedule A attached to and made a part of this Resolution. The designation of such additional project(s) authorized to be financed from the proceeds of the sale of the Bonds shall in no way limit the County from designating such further additional projects as permitted under the Authorizing Resolution and shall in no way modify, amend or rescind any other provisions of the Authorizing Resolution.

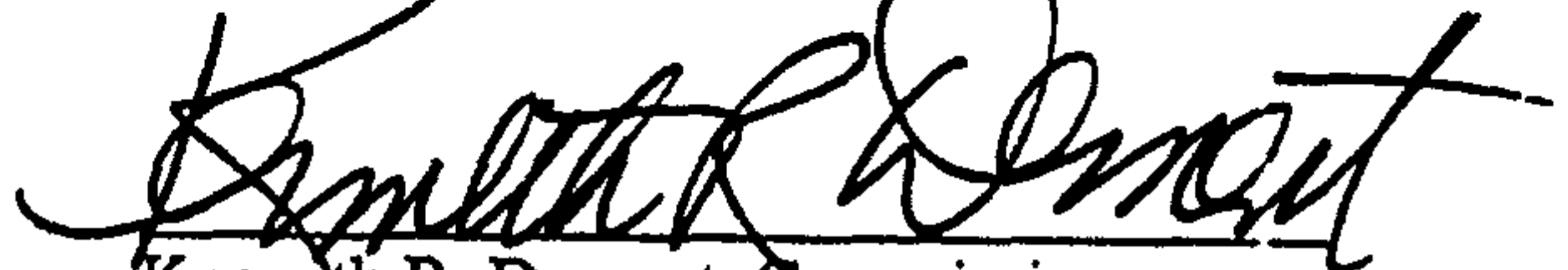
Section 3: This Supplement Resolution shall become effective immediately upon its passage.

Date of Adoption: 8-19-03


Effective Date: 8-19-03

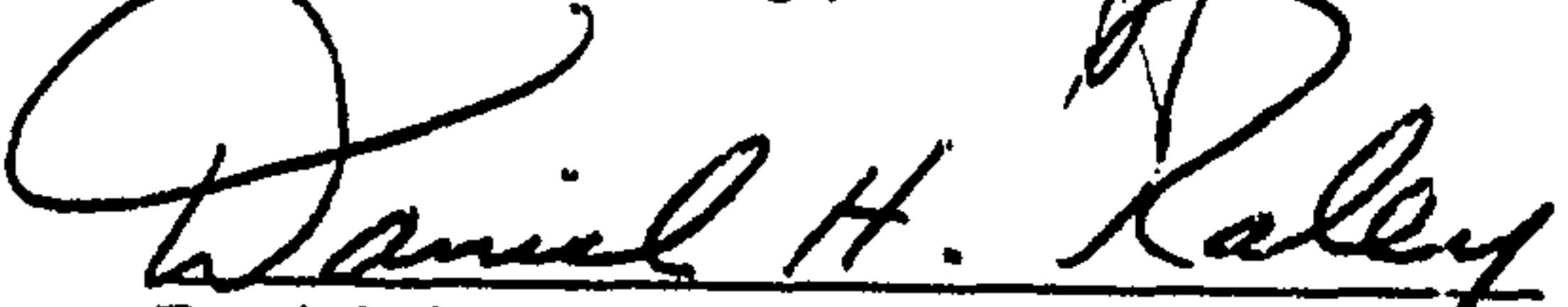
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY,
MARYLAND


Thomas F. McKay, President

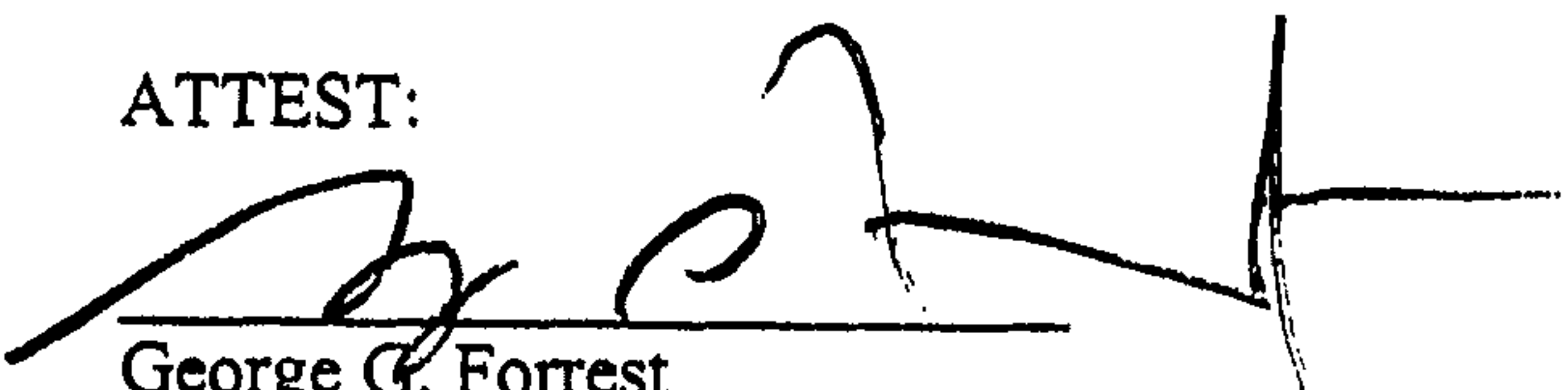

Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner

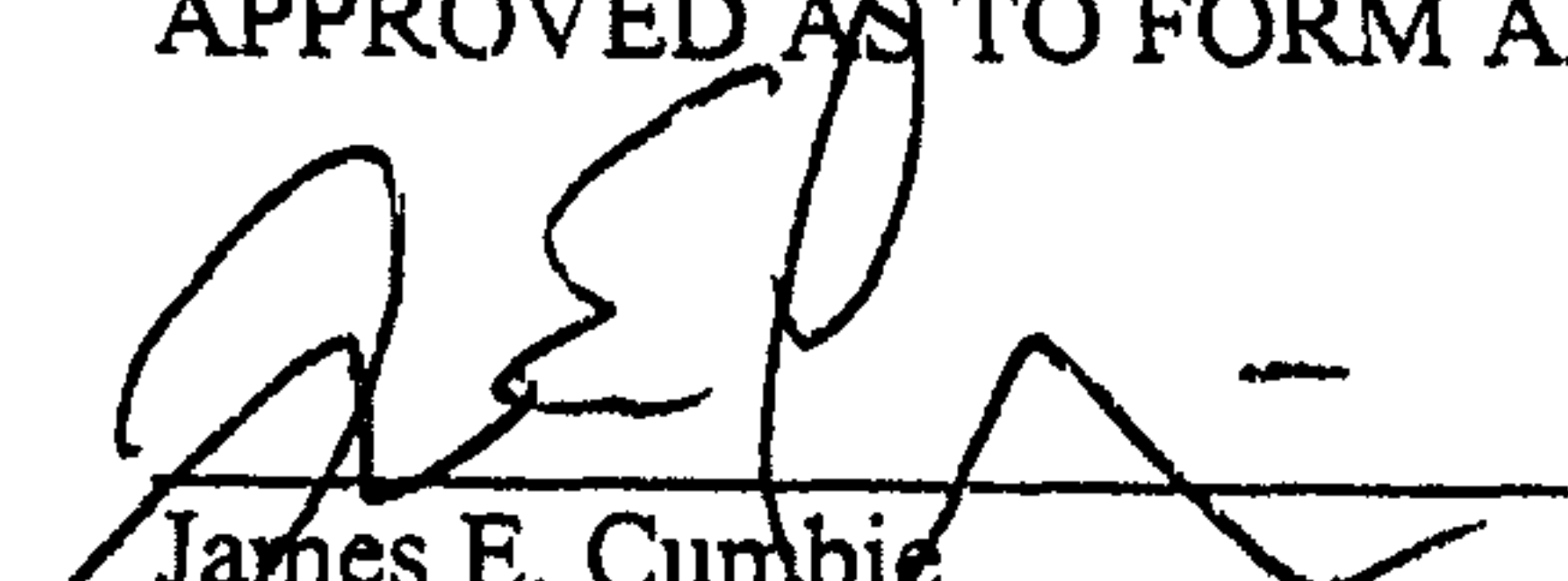

Daniel H. Raley, Commissioner

ATTEST:


George G. Forrest
County Administrator


Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


James E. Cumbie
Bond Counsel

LIBERO 027 PAGE 53

SUBJ: Public Improvement Bonds of 2001

- Roof Replacement
- Adequate Public Facilities
- Connector Road
- Dukehart's Creek Taxing District
- Tennis Court Replacement
- Willows Road Park
- Piney Point Public Landing
- Bushwood Wharf
- Hollywood Day Care Improvement
- Leonard Hall Recreation Center
- Recycling Support

Page 3 of 3

SCHEDULE A

Description of Additional Project(s) Authorized to be financed with the Proceeds of the County Commissioners of St. Mary's County Public Improvement Bonds of 2001.

BS0101	Roof Replacement	9,950
HW0101	Adequate Public Facilities	10,747
HW0202	Connector Road	16,962
MA9397	Dukehart's Creek Taxing District	6,328
PA0105	Tennis Court Replacement	6,334
PA7803	Willows Road Park	13,692
PL7808	Piney Point Public Landing	40,700
PL7810	Bushwood Wharf	42,765
RF0106	Hollywood Day Care Improvement	36,972
RF7552	Leonard Hall Recreation Center	6,018
SW7360	Recycling Support	<u>7,103</u>
		197,571

LIBERO 027 PAGE 054

ORDINANCE

FOR THE PURPOSE OF AMENDING THE ST. MARY COUNTY CHESAPEAKE BAY CRITICAL AREA OVERLAY ZONE MAP DESIGNATION FROM RESOURCE CONSERVATION AREA (RCA) TO LIMITED DEVELOPMENT AREA (LDA) TO REFLECT THE ALLOCATION OF 17.77 ACRES OF ST. MARY'S COUNTY'S CHESAPEAKE BAY CRITICAL AREA GROWTH ALLOCATION FOR THE SUBDIVISION AND DEVELOPMENT OF AN 11-LOT SUBDIVISION WITHIN THE ST. MARY'S COUNTY CHESAPEAKE BAY CRITICAL AREA.

WHEREAS, Application No. 96-0540 was filed with the Department of Planning and Zoning to determine available perc sites in preparation for seeking an 11-lot subdivision on the property identified as Tax Map 35, Block 21, Parcel 42 which has a zoning classification of Rural Preservation District (RPD) with an Resource Conservation Area (RCA) overlay and

WHEREAS, in July 1996, an application (ISUB 96-0540) was submitted by D. H. Steffens Company on behalf of Ann Kaplan and Zoe L. Smith requesting approval of growth allocation under the design competition category, pursuant to §38.02.18 of the St. Mary's County Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, On November 12, 1996, the St. Mary's County Planning Commission (the "Planning Commission") held a public hearing as required under §38.02.18.a., and continued the hearing to November 25, 1996, at which time a recommendation was forwarded to the Board of County Commissioners for St. Mary's County for approval of the growth allocation award, subject to a condition that the applicant address any further concerns regarding forest interior dwelling species (FIDS) habitat; and

WHEREAS, on February 18, 1997, the Board of County Commissioners held a public hearing on the Gardiner's Place application (which was revised to address the FIDS habitat concerns in accordance with the Planning Commission recommendation resulting in the need for 17.77 acres of growth allocation) as required under §38.02.18.a., and continued the hearing to March 11, 1997, at which time the growth allocation was approved, and a request was forwarded to the Chesapeake Bay Critical Area Commission for validation of such award; and

WHEREAS, The Chesapeake Bay Critical Area Commission, by letter dated April 3, 1997, indicated approval of the growth allocation award for the plan as revised; and

WHEREAS, the County did not act to revise the official Chesapeake Bay Critical Area Overlay Maps in accordance with the approvals; and


WHEREAS, on May 12, 2003, the Planning Commission confirmed by unanimous vote that there is no Planning Commission objection to mapping of the growth allocation as approved in 1997 for the subdivision; and

WHEREAS, on July 15, 2003, the Board of County Commissioners for St. Mary's County, following the posting of notice on the subject property, publication of notice in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on June 25, 2003 and July 2, 2003, and written notification of all contiguous property owners by certified mail, conducted a public hearing on the amendment to the official Chesapeake Bay Critical Area Overlay Maps.


NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY that the Chesapeake Bay Critical Area Map Overlay designation be amended from Resource Conservation Area (RCA) to Limited Development Area (LDA) to reflect the allocation of 17.77 acres of St. Mary's County's Chesapeake Bay Critical Areas growth allocation for the subdivision and development of an 11-lot subdivision, "Gardiner's Place, ISUB 96-0540" as shown on Exhibit A attached hereto.

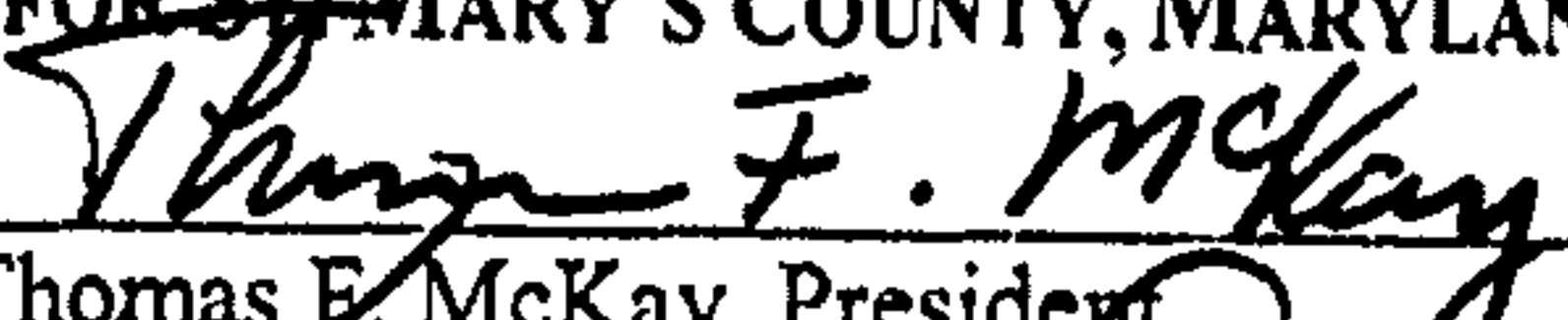
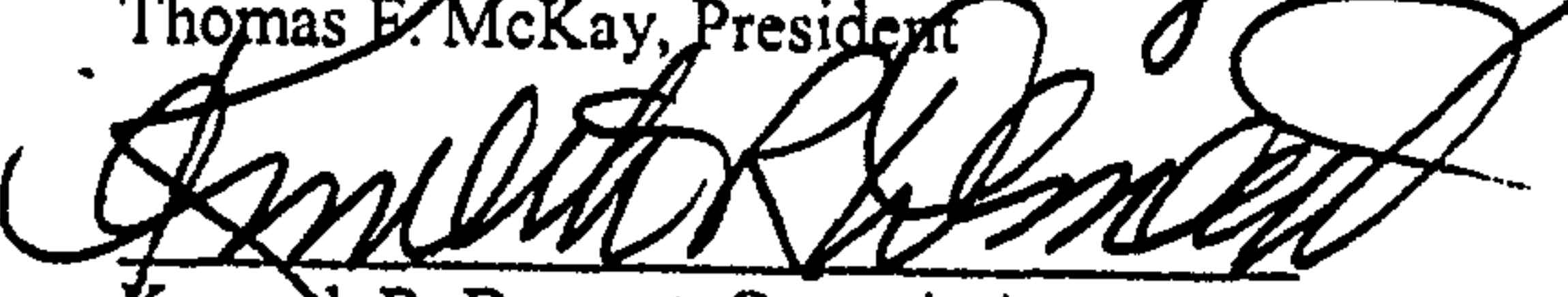

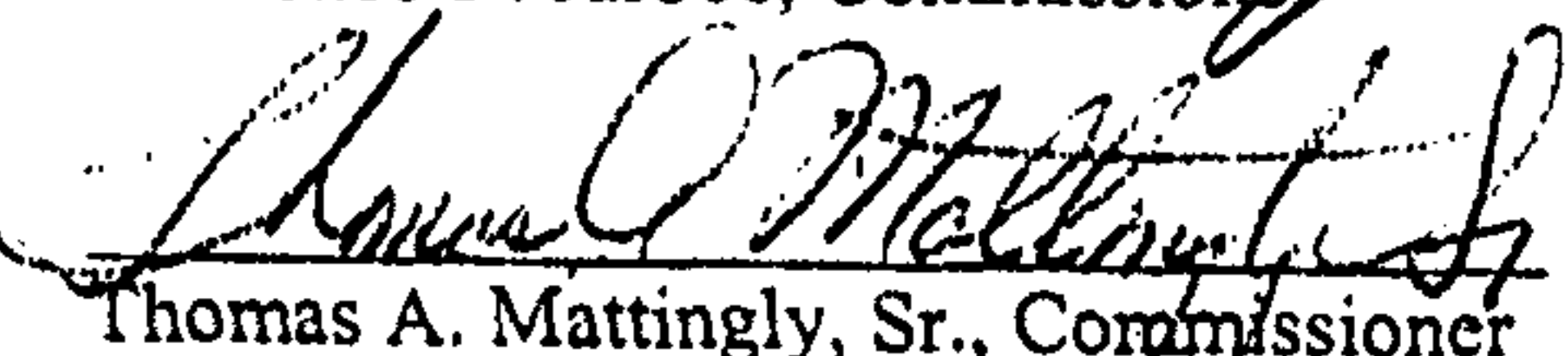
Those voting Aye: 4
Those voting Nay: 0
Those abstaining: 1
Date of Adoption: 8-5-03
Effective Date: 8-5-03

RECORDING FEE 0.00
TOTAL 0.00
Rest#502 Rct#999999
CMA RES 01/13/04
Sep 08, 2003 09:43 am

ATTEST:

George F. Forrest,
County Administrator

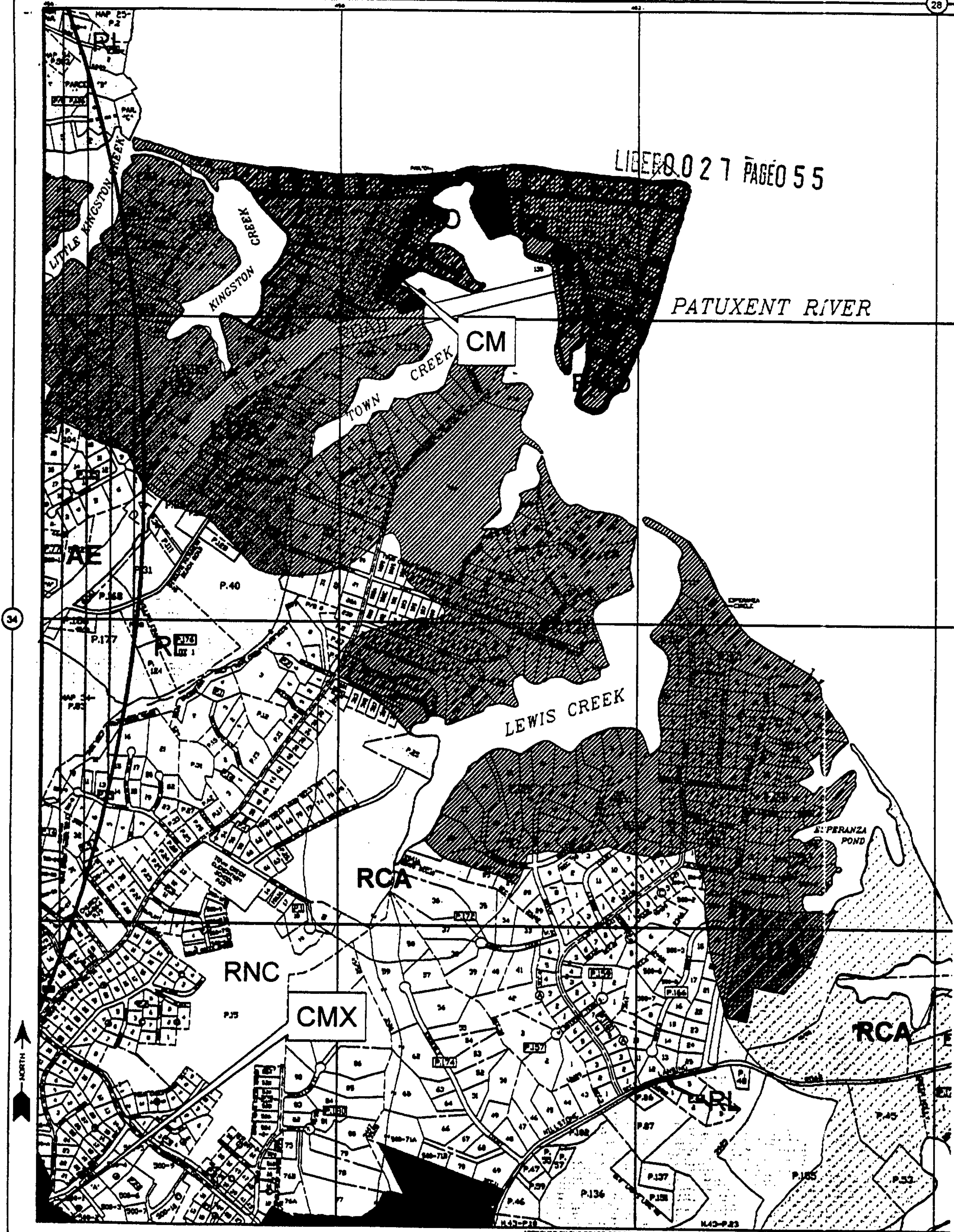
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND

Thomas E. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner
ABSTAIN
Daniel H. Raley, Commissioner

LIBER 0 2 7 PAGE 5 5

PATUXENT RIVER



PROPERTIES REVISED TO DEC. 2001 PREPARED BY THE DEPARTMENT OF PLANNING & ZONING

APPROVED BY THE BOARD OF ST. MARYS COUNTY COMMISSIONERS










ZONING UPDATE REG

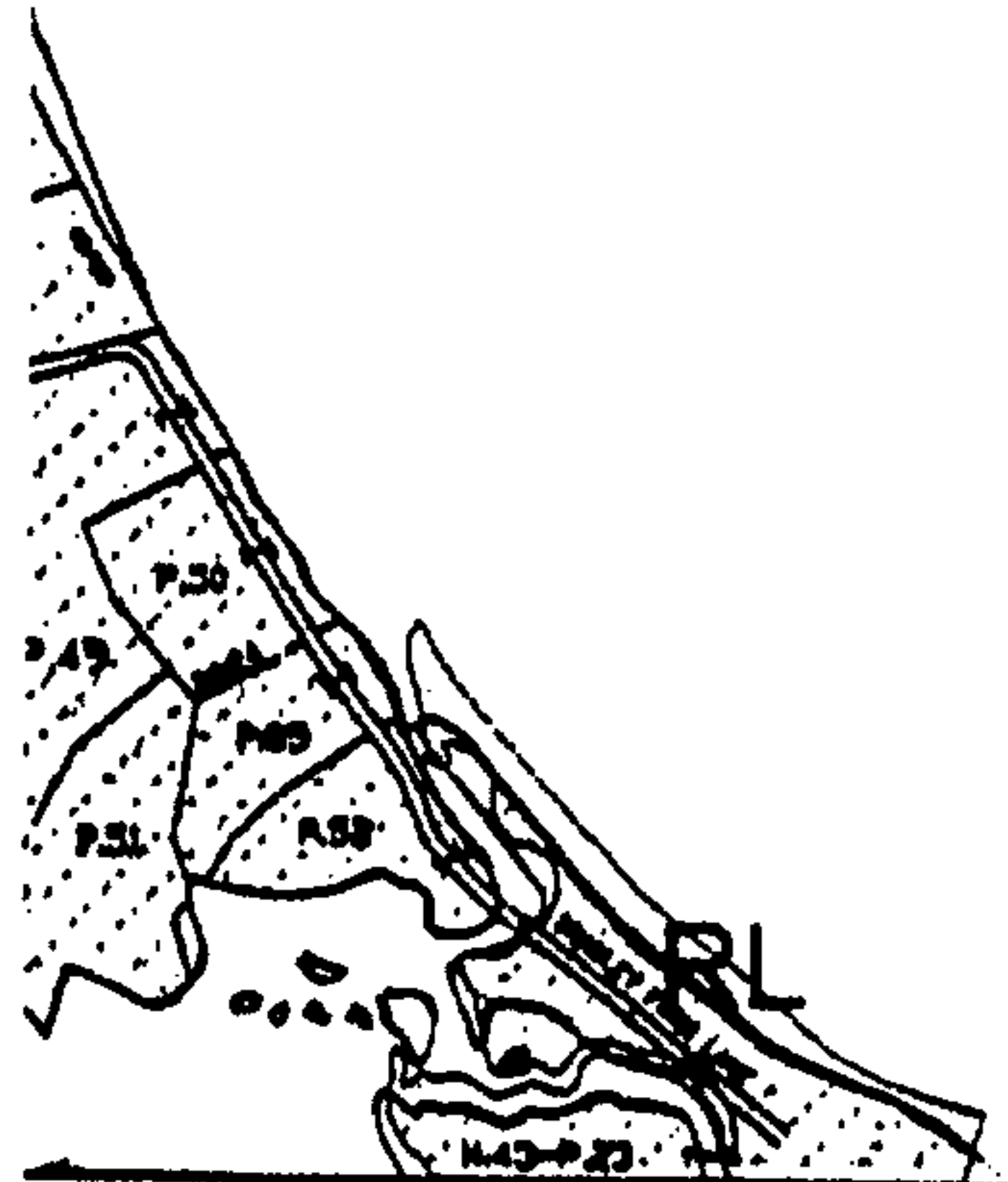
LIBERO 027 PAGE 056

EXHIBIT A

36

Legend:

-  AE
-  BMO
-  LDA
-  RCA
-  CM
-  CMX
-  RL
-  RMX
-  RNC



<p>ST. MARY'S COUNTY</p> <p><small>Property boundaries shown herein are based on the latest available records and are not guaranteed by the County. The County is not responsible for any errors or omissions. The County is not responsible for any damages or losses resulting from the use of this map.</small></p>		<p>PLANNING COMMISSION</p> <p>APPROVED BY:</p> <p>JCS</p>	<p>PROPERTY LINE</p> <p>FOR BOUNDARY SURVEY:</p> <p>SEE PLANNING COMMISSION</p> <p>Z-2</p>
<p>DATE: 11/11/11</p> <p>BY: JCS</p>	<p>SCALE IN FEET</p> <p>0 600 1200 1800</p>	<p>108</p> <p>MAP # 35</p>	<p><small>PARCEL # 017 0 00 - ASSIGNED TO COUNTY AND MUST BE USED FOR THE PURPOSES OF THE ZONING ORDINANCE.</small></p>

COUNTY COMMISSIONERS OF ST. MARY'S COUNTY
RESOLUTION NO. R-2003-54

LIBERO 027 PAGE 57

APPROVAL OF RESOLUTION OF ST. MARY'S COUNTY
METROPOLITAN COMMISSION

Resolution of the County Commissioners of St. Mary's County, approving the passage and the adoption of a Resolution adopted on July 31, 2003 by the St. Mary's County Metropolitan Commission, which Resolution authorized and provided for the issuance and sale of not to exceed Seven Million Five Hundred Forty Five Thousand Dollars (\$7,545,000.00) "St. Mary's County Metropolitan Commission Refunding Bonds of 2003" (the "Bonds"); approving and concurring in the form of the Bonds; authorizing the County to execute the form of endorsement which evidences the guarantee of the Bonds; pledging the full faith and credit of the County to the payment of the principal of and interest on such Bonds, when due; and generally relating to the issuance of such Bonds and the form thereof.

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Ref#1999999
EMA REC Bkt#1304
Sep 08, 2003 09:43 am

RECITALS

On July 31, 2003, St. Mary's County Metropolitan Commission (the "Commission") adopted a resolution (the "Commission Resolution") entitled as follows:

RESOLUTION OF ST. MARY'S COUNTY METROPOLITAN COMMISSION providing for the issuance and sale, upon the full faith and credit of County Commissioners of St. Mary's County, of not to exceed Seven Million Five Hundred Forty Five Thousand Dollars (\$7,545,000.00) aggregate principal amount of bonds (the "Bonds") under the provisions of Sections 113-1 to 113-28, inclusive, of the Code of Public Local Laws of St. Mary's County (1978 Edition, as amended, being Article 19 of the Code of Public Local Laws of Maryland, as enacted by Chapter 369 of the Laws of Maryland of 1978 and amended by various Laws of Maryland), the Bonds to be designated "St. Mary's County Metropolitan Commission Refunding Bonds of 2003," and to be issued and sold for the purpose of providing funds to refund the St. Mary's County Metropolitan Commission Bonds of 1993; prescribing the form and tenor of the Bonds and the terms and conditions for the issuance and sale thereof at public sale, including the form of the notice of sale; prescribing the terms and conditions of the Bonds and all other details incident to the issuance, sale and delivery of the Bonds; providing for the disbursement of the proceeds of the Bonds; authorizing the preparation and distribution of a preliminary and final official statement in connection with the sale of the Bonds; providing for the levy and collection of assessments, taxes and charges to the extent necessary to provide for the payment of the interest on the Bonds and to pay the principal when due on the Bonds; providing for any necessary action by the Commission in connection with the

SUBJECT: APPROVAL OF RESOLUTION OF
ST. MARY'S COUNTY
METROPOLITAN COMMISSION

levy and collection of taxes by the County in accordance with the guarantee of the County to be endorsed on the Bonds; appointing a Paying Agent, a Bond Registrar and an Escrow Deposit Agent for the Bonds; and generally relating to the issuance, sale, delivery and payment of the Bonds.

The Commission Resolution authorized and provided for the issuance and sale of Bonds, in fully registered form to be designated "St. Mary's County Metropolitan Commission Refunding Bonds of 2003" in the aggregate principal amount of not to exceed \$7,545,000.00.

The Board of County Commissioners of St. Mary's County, Maryland has considered the Commission Resolution and has determined that this Board approves and concurs in the passage of the Commission Resolution.

The Board of County Commissioners desires to authorize its officers to execute the form of endorsement which evidences the guarantee of County Commissioners of St. Mary's County to pay the principal of and interest on the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:

Section 1: Acting pursuant to Section 113-6 of the Code of Public Local Laws of St. Mary's County (1978 Edition, as amended, being Article 19 of the Code of Public Local Laws of Maryland), County Commissioners of St. Mary's County, a body politic and corporate and a political subdivision of the State of Maryland (the "County"), hereby concurs in the judgment of the Commission as set forth by the terms of the Commission Resolution.

The County accordingly approves the issuance and sale of Bonds of the Commission designated St. Mary's County Metropolitan Commission Refunding Bonds of 2003 in an aggregate principal amount of not to exceed \$7,545,000.00 upon the terms and conditions set forth in the Commission Resolution, all of which terms, conditions, covenants and undertakings are hereby approved by the County and are adopted by the County as and for its own.

Section 2: The form of endorsement which evidences the guarantee by the County, on the full faith and credit of the County, of the payment of the principal of and interest on the St. Mary's County Metropolitan Commission Refunding Bonds of 2003 shall be as set forth in

RESOLUTION NO. 2003-54
SUBJECT: APPROVAL OF RESOLUTION OF
ST. MARY'S COUNTY
METROPOLITAN COMMISSION

Section 8 of the Commission Resolution. The endorsement shall be signed and executed in the manner set forth in Section 5 of the Commission Resolution.

Section 3: The full faith and credit and unlimited taxing power of the County are hereby irrevocably pledged to the levy and collection of ad valorem taxes upon all the assessable property within the corporate limits of the County in rate and amount sufficient to provide for the payment of the principal of and interest on the St. Mary's County Metropolitan Commission Refunding Bonds of 2003 issued in the aggregate principal amount of not to exceed \$7,545,000.00 as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements on the Bonds. If the ad valorem taxes prescribed in Section 113-7 of the Code of Public Local Laws of St. Mary's County described in the Commission Resolution are insufficient to pay the principal of and interest on the Bonds, when due, the County hereby covenants and agrees with each of the owners or holders, from time to time, of the Bonds, in each and every fiscal year in which any such Bonds are outstanding, to levy and collect ad valorem taxes upon all the assessable property within the corporate limits of the County in rate and amount sufficient to provide for the payment of such principal and interest, when due, together with accrued interest to the date of payment.

Section 4. This Resolution shall take effect on the date of its adoption.

[signatures appear on next page]


RESOLUTION NO. 2003-54
SUBJECT: APPROVAL OF RESOLUTION OF
ST. MARY'S COUNTY
METROPOLITAN COMMISSION

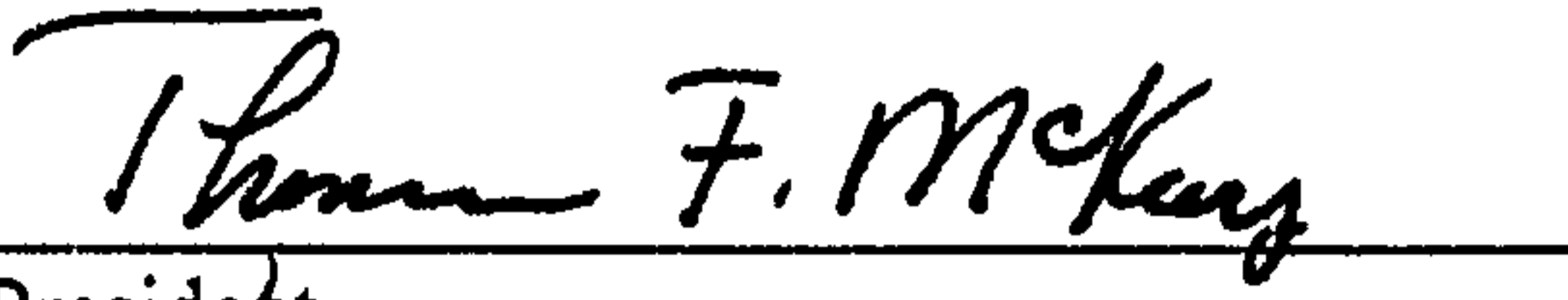
Adopted: August 5, 2003 LIBERO 027 PAGE 60


SEAL

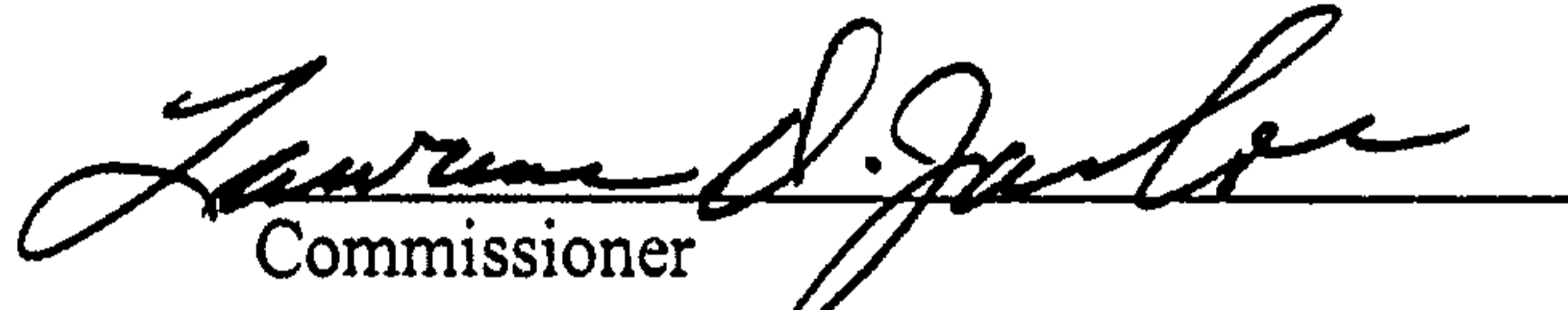
COUNTY COMMISSIONERS OF ST. MARY'S
COUNTY

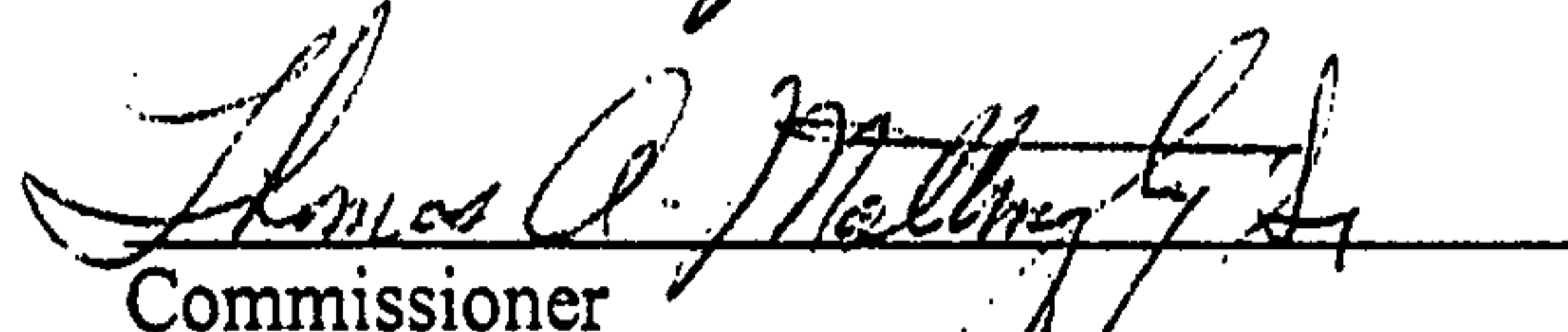
ATTEST:

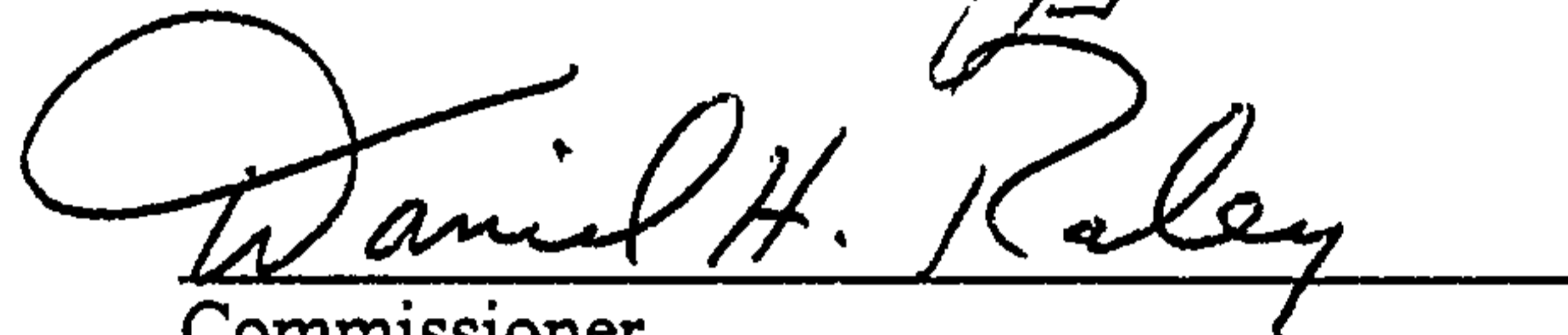

County Administrator


President

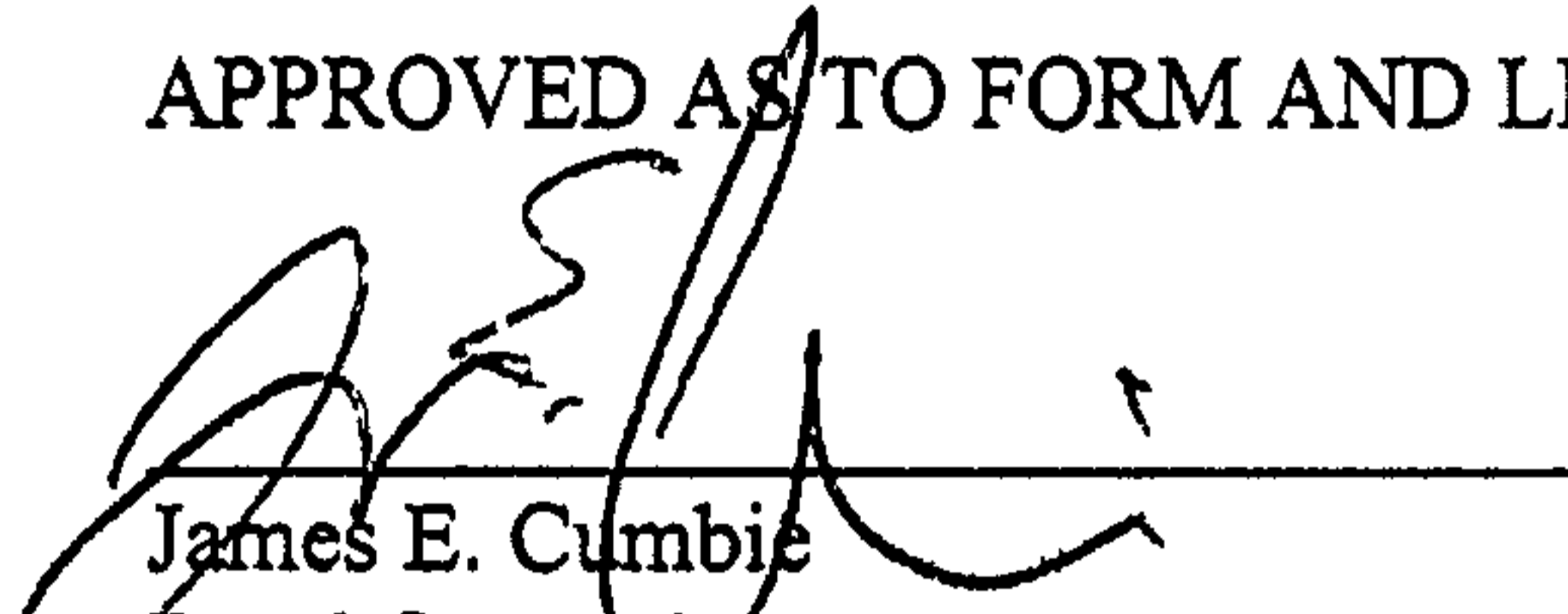

Commissioner


Commissioner


Commissioner


Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


James E. Cumbie
Bond Counsel

LIBERO 027 PAGE 61 RESOLUTION

**A RESOLUTION SETTING THE EFFECTIVE DATE OF
ORDINANCE NO. Z-03-04 WHICH REPEALED AND
ADOPTED THE ST. MARY'S COUNTY CRITICAL AREA
PROGRAM AND ZONING MAPS DESIGNATING THE
CHESAPEAKE BAY CRITICAL AREA OVERLAY ZONES**

WHEREAS, on May 13, 2003, the Board of County Commissioners for St. Mary's County, Maryland duly considered and adopted Ordinance No. Z-03-04 repealing Section 38.2 of the St. Mary's County Comprehensive Zoning Regulations adopted August 1, 1990 under Ordinance 90-11, as amended, and adopted the St. Mary's County Critical Area Program and Zoning Maps designating the Chesapeake Bay Critical Area Overlay Zones pending approval from the Chesapeake and Atlantic Coastal Bays Critical Area Commission; and

WHEREAS, the adopted Ordinance No. Z-03-04 was submitted to the Chesapeake and Atlantic Coastal Bays Critical Area Commission pursuant to Section 8-1809(i) of the *Natural Resources Article* of the Maryland Annotated Code for consideration and approval; and

WHEREAS, the Chesapeake and Atlantic Coastal Bays Critical Area Commission voted on July 2, 2003, to approve the St. Mary's County Critical Area Program set forth in Ordinance No. Z-03-04 and Zoning Maps designating the Chesapeake Bay Critical Area Overlay Zones submitted by the Board of County Commissioners with the conditions outlined in its letters dated July 16, 2003 and August 11, 2003, attached hereto as Exhibits 1 and 2, respectively; and

WHEREAS, the conditions set forth in the letters of July 16 and August 11, 2003 from the Chesapeake and Atlantic Coastal Bays Critical Area Commission are satisfied by Ordinance No. Z-03-04; and

WHEREAS, the Board of County Commissioners for St. Mary's County desires to set the effective date for Ordinance No. Z-03-04, now having received approval of the Chesapeake and Atlantic Coastal Bays Critical Area Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County that the effective date of Ordinance Z-03-04 shall be September 26, 2003.

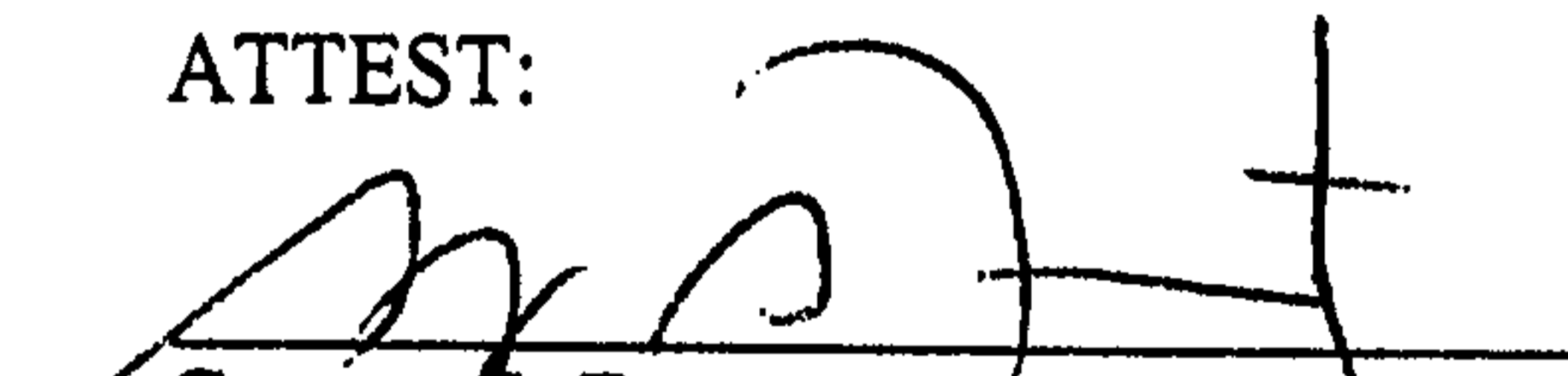
RECORDING FEE 0.00
TOTAL 0.00

RESOLUTION NO. Z-03-08
EMA REC DIR 1048

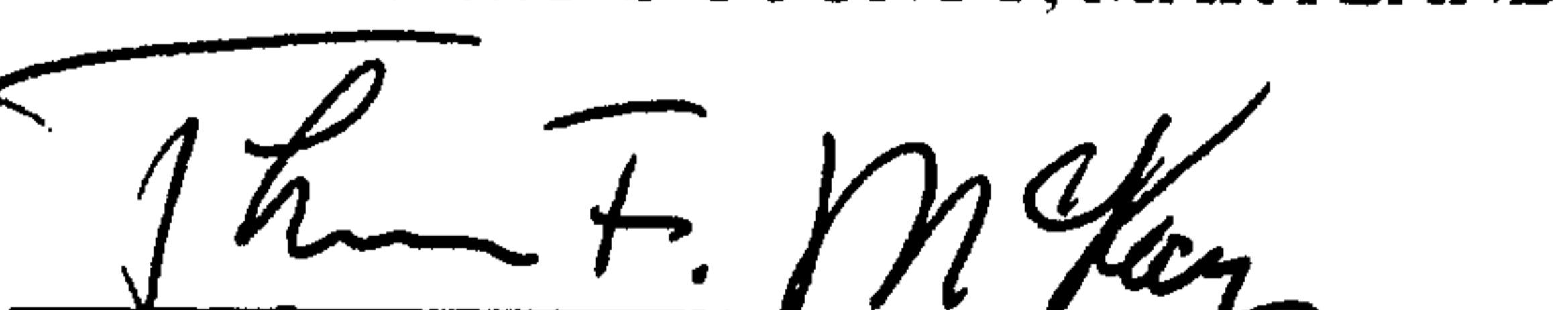
Sep 10, 2003 10:27 am

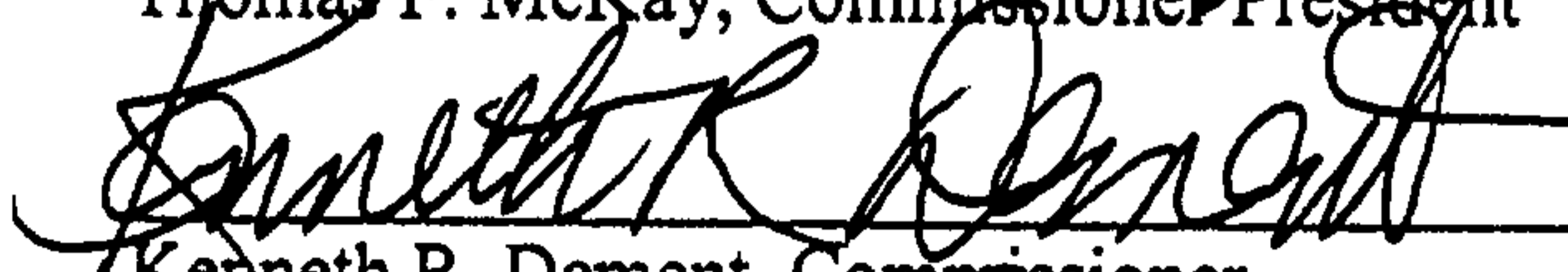
Date of Adoption: August 26, 2003
Effective Date: August 26, 2003

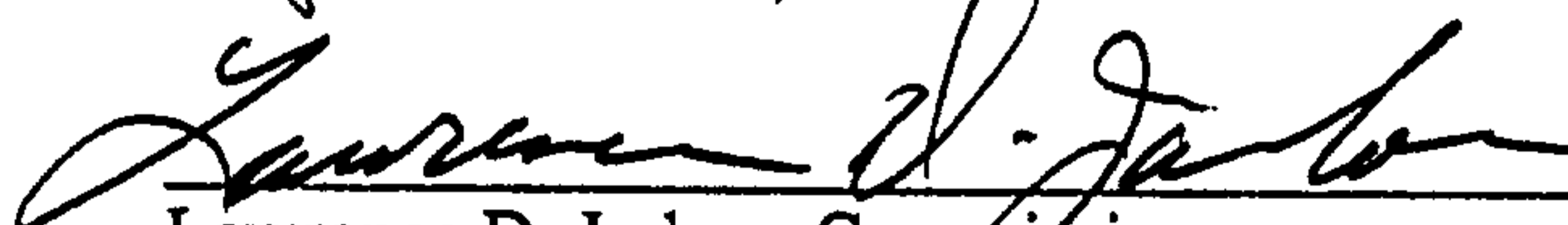
ATTEST:


George G. Forrest
County Administrator

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


Thomas F. McKay, Commissioner President



Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

Approved as to form and legal
sufficiency:


John B. Norris, III
County Attorney

Subject: Lexington Park Community Legacy Area Grant Application

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY

PURPOSE

To support and authorize the application of the Office of the Lexington Park Plan to seek Community Legacy funding from the Maryland Department of Housing and Community Development for the Lexington Park Community Legacy Area within St. Mary's County.

WHEREAS, the St. Mary's County Commissioners seeks to encourage redevelopment within the Lexington Park Community Legacy Area;

WHEREAS, the Lexington Park Community Legacy Area is identified in the County's Comprehensive Land Use Plan as the Priority Funding Area within the 8th Election District; and

WHEREAS, the Maryland Department of Housing and Community (the "Department") designates Community Legacy Areas for the purpose of assisting urban neighborhoods, suburban communities and small towns that are experiencing decline and disinvestment, but that have the potential, with private and public investment, to be vibrant places to live and work; and

WHEREAS, the Lexington Park Revitalization District is a part of the designated Community Legacy Area, that was designated by the Department in 2001; and

WHEREAS, the Department, either through Community Legacy or through other programs of the Department, or in cooperation with other state departments or agencies, may provide some or all of the financing for the Project in order to assist in making it financially feasible; and

WHEREAS, the County has identified two projects suitable for Community Legacy funding; and

RECORDING FEE 0.00
TOTAL 0.00
Reg#SM02 Rcpt#999999

WHEREAS, the two projects, in order of priority, include the Lexington Manor Homeownership Project and the Pathways to Schools Street Lighting Project, collectively, the "Projects", and

EWA KEB Blk#1848
Sep 10, 2003 10:28am

WHEREAS, the County wishes to partner with the St. Mary's County Housing Authority for the purpose of seeking Community Legacy funding for the Lexington Manor Homeownership Project; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County that:

- 1. It is in the best interest of the health, safety and welfare of the citizens of St. Mary's County, Maryland that the Projects commence.
2. The St. Mary's County Housing Authority and the Office of the Lexington Park Plan are authorized to seek Community Legacy funding, the terms and conditions of which remain subject to the subsequent approval of the County Commissioners, for the Projects in the Lexington Park Community Legacy Area; and
3. This Resolution shall take effect from the date set forth below as the "Effective Date;" and

4. The foregoing recitals are hereby adopted as if fully set forth herein.

Aye: all

Nay: 0

Absent: 0

Adopted: 9-2-03


Effective Date: 9-2-03

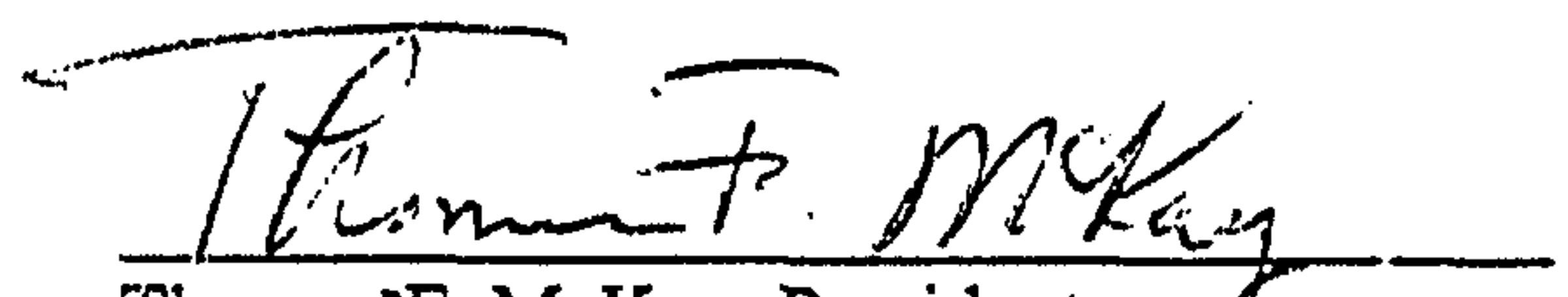
**BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND**

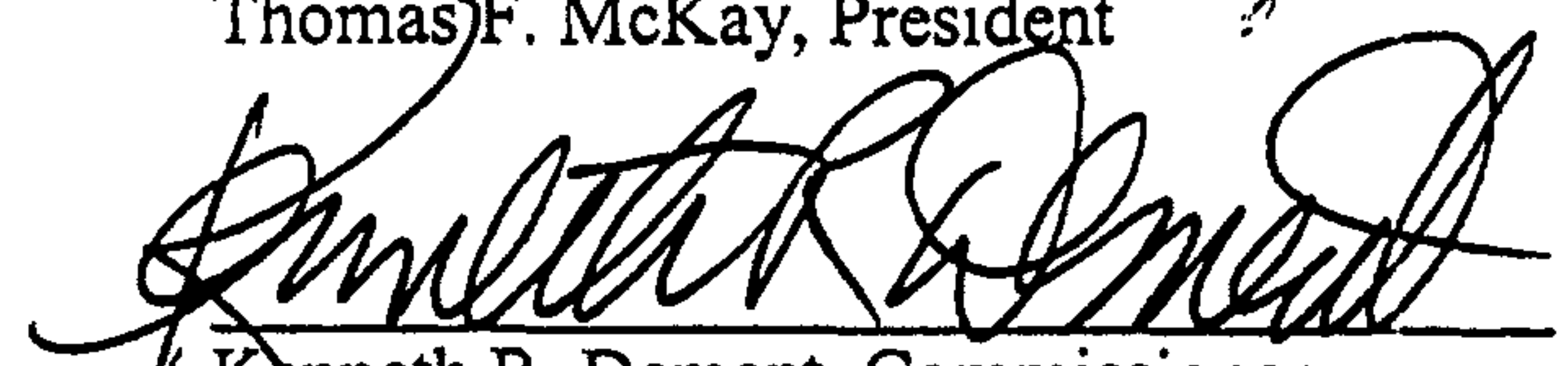
ATTEST:

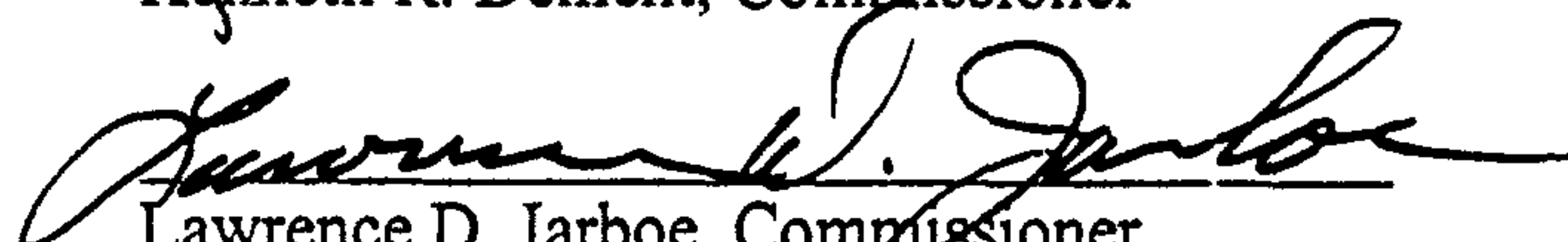

George F. Forrest
County Administrator

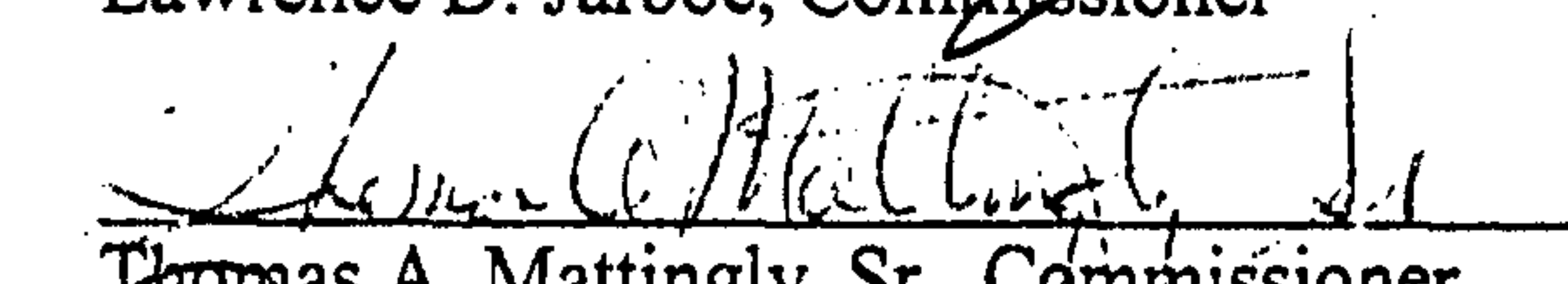
**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

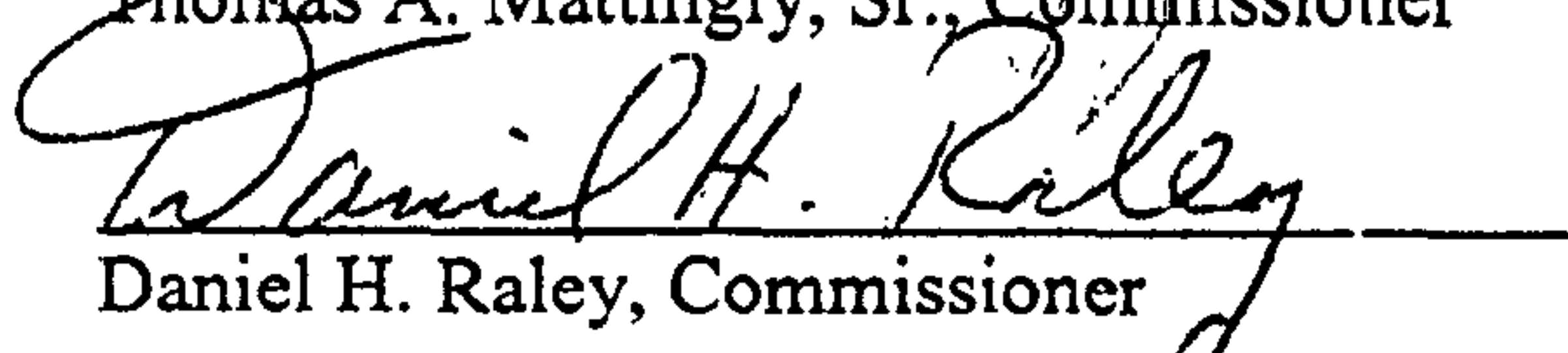

John B. Norris, III
County Attorney


Thomas F. McKay, President


Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

RESOLUTION

FOR THE PURPOSE OF REAPPOINTING THE ST. MARY'S COUNTY HEALTH DEPARTMENT AS THE LOCAL LEAD AGENCY FOR THE ST. MARY'S INFANTS AND TODDLERS PROGRAM

WHEREAS, the St. Mary's County Health Department has been the Lead Agency in the Multiagency (Board of Education, Department of Social Services, Health Department) Infants and Toddlers Program in St. Mary's County; and,

WHEREAS, the St. Mary's County Health Department has effectively performed the administrative and service functions in this program in cooperation with the other agencies for a number of years; and,

WHEREAS, it is the desire of the local multiagency team to continue this arrangement;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners for St. Mary's County, that the St. Mary's County Health Department is hereby reappointed as the Local Lead Agency for the Infants and Toddlers Program in St. Mary's County (as defined in COMAR 01.04.01.02). It is understood that no local fiscal participation is required.

Those voting aye: ALL 5

Those voting nay: 0

Those abstaining or absent: 0

Approval Date: 9/2/03

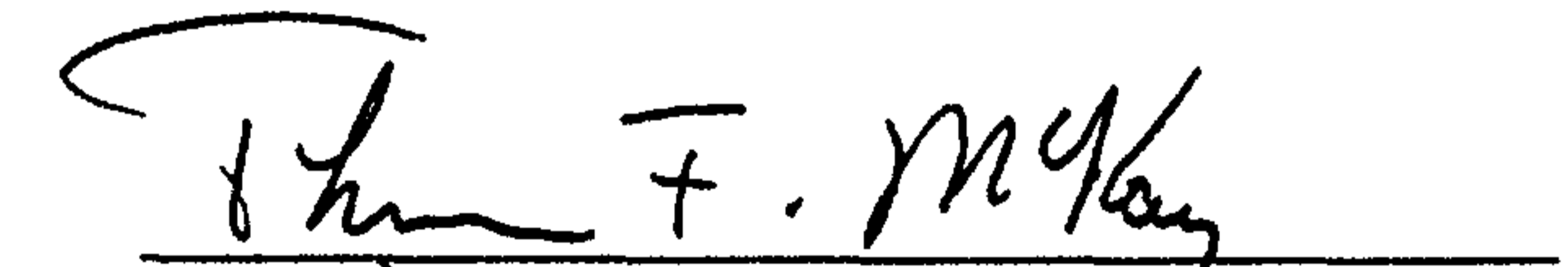
Effective Date: June 10, 2003

RECORDING FEE 0.00
TOTAL 0.00
Res#0002 Res#999999
SMA REC 81#1048
Sep 10, 2003 10:29 am

ATTEST:

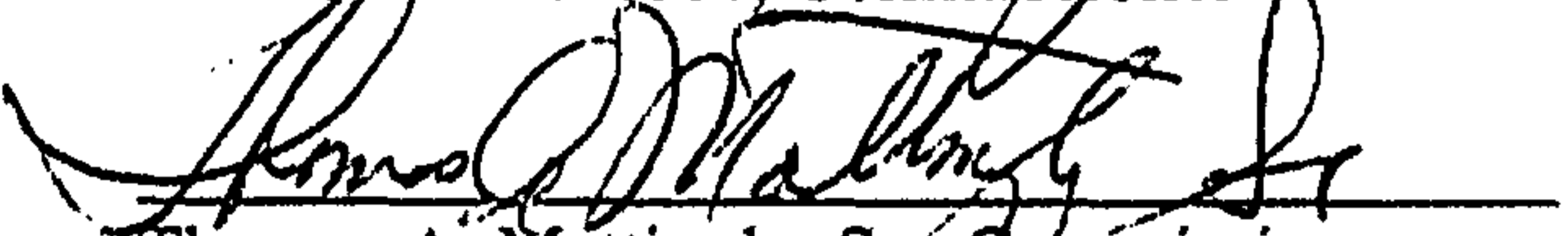

George G. Forrest
Acting County Administrator

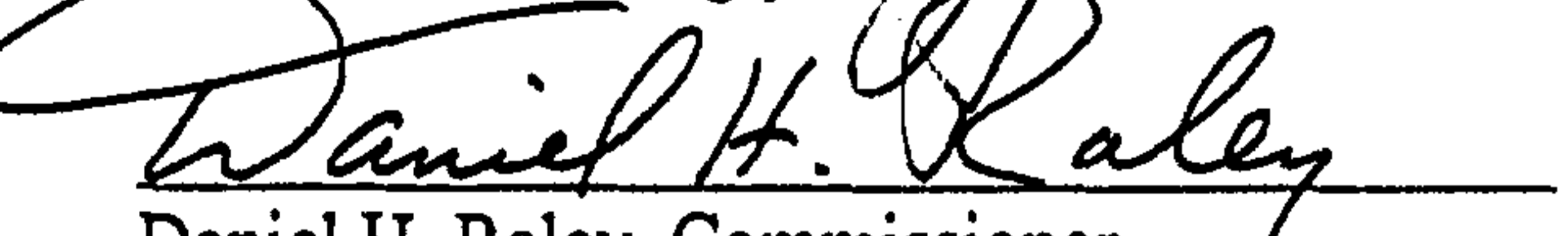
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


Thomas F. McKay, Commissioner President



Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

Approved as to form and legal sufficiency:


John B. Norris, III
County Attorney

NO.: 2003-09

LIBERO 027 PAGE 65

SUBJECT: FY 2004 Supplemental Appropriation
Emergency Management Agency

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2004 General Fund Operating Budget to increase the appropriation for the Emergency Management Agency for St. Mary's County; and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount up to \$60,000.00 per the memorandum of agreement are available from the Federal Department of Homeland Security Office of Domestic Preparedness - State Homeland Security Grant Program and will be distributed through the Maryland Emergency Management Agency; and

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, August 26, 2003 pursuant to Notice published on or about August 15, 2003 and August 22, 2003 in the Enterprise, a newspaper of general circulation in St. Mary's County.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, August 26, 2003 to present and explain the requirements to increase the Fiscal Year 2004 Budget in the amount of Sixty Thousand Dollars (\$60,000.00), and such increase is hereby approved this 9th day of September, 2003 by the Board of County Commissioners for St. Mary's County, Maryland.

Those voting Aye: all

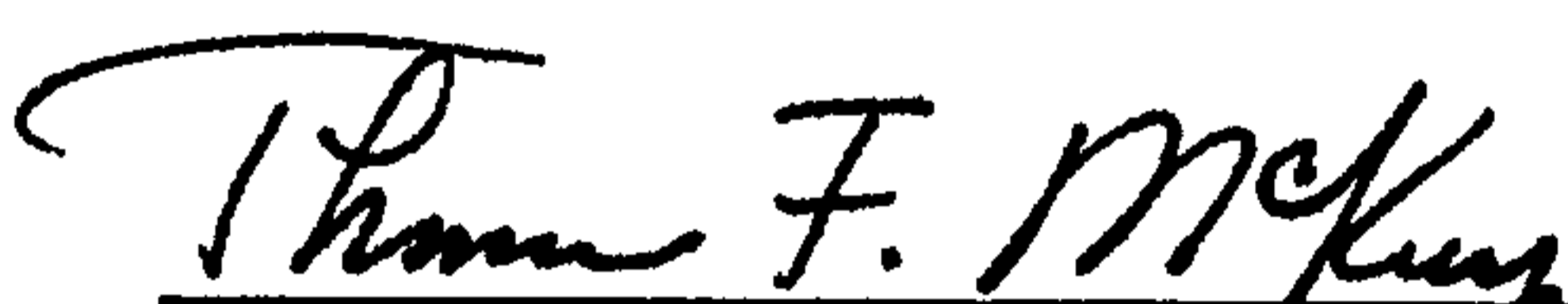
Those voting Nay: 0

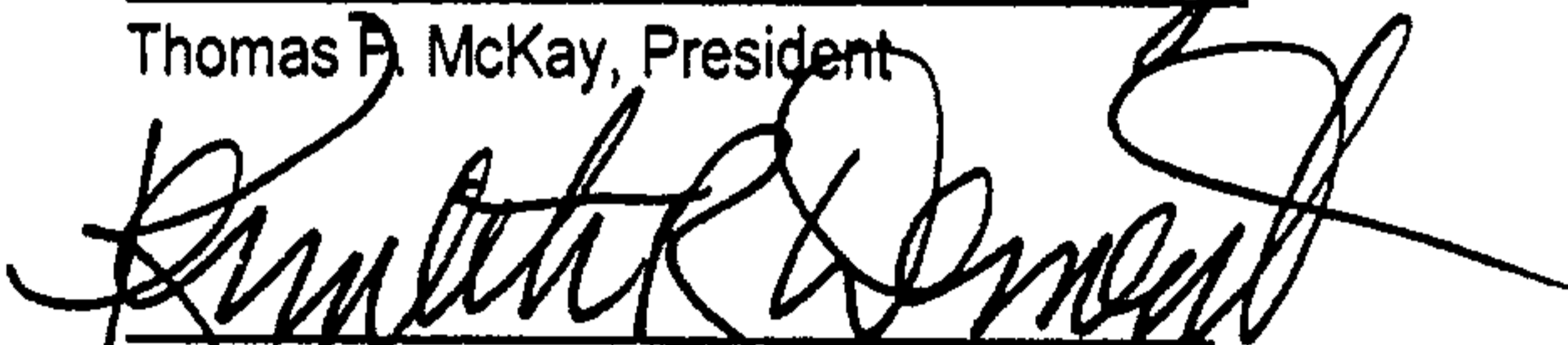
Those Absent: 0

Date of Adoption: 9/9/03

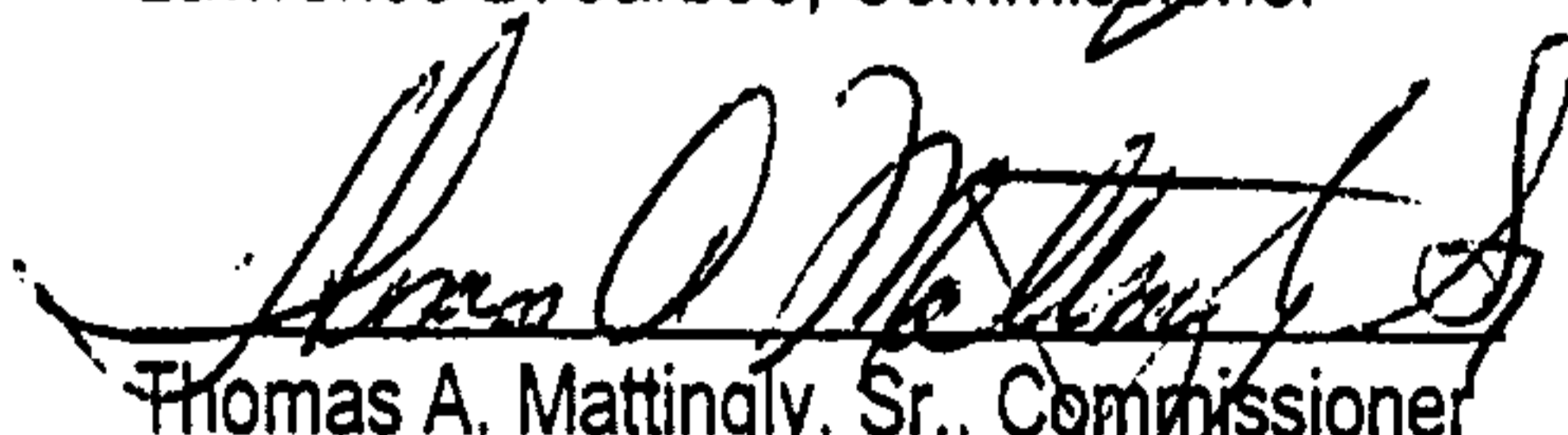
Effective Date: 9/9/03

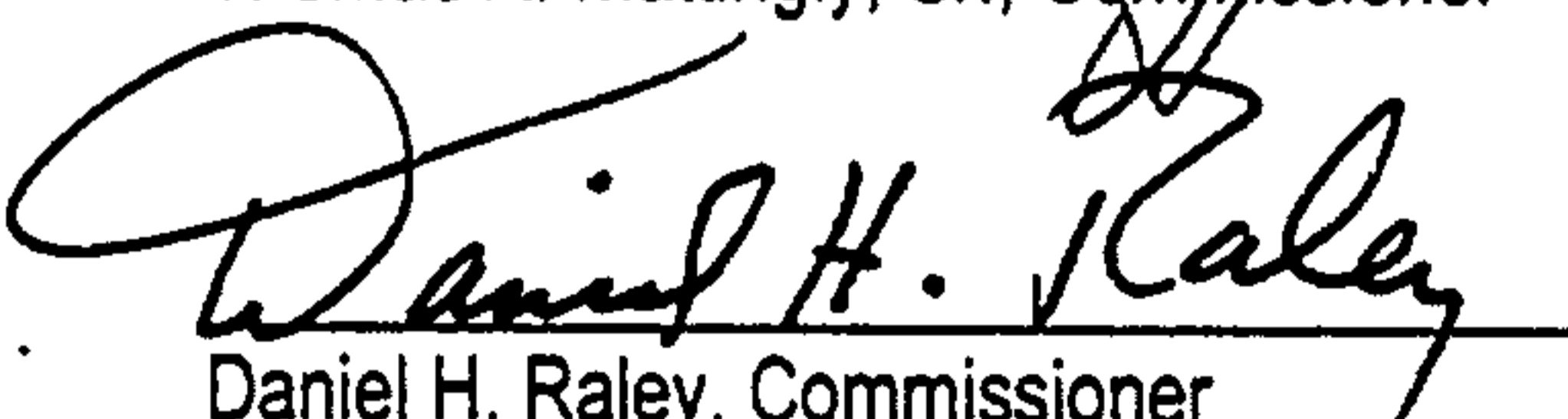
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


Thomas F. McKay, President



Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner



Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

ATTEST:


George G. Forrest
County Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris
County Attorney

RECORDING FEE 0.00
TOTAL 0.00
RECORDED RECEIVED
LMS REC DEPT/20
Oct 27 2003 10:42 am

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: September 9, 2003

TO: Board of County Commissioners

**ORDINANCE
NUMBER:** 2003-09

PURPOSE: Emergency Management Agency
For the hiring of supplemental staff.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$60,000.00	Per letter from Maryland Emergency Management Agency dated 6/25/2003.



Elaine M. Kramer
Director of Finance

NO.: 2003-10

LIBERO 027 PAGE 67

SUBJECT: FY 2004 Supplemental Appropriation
Office of Community Services

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2004 General Fund Operating Budget to increase the appropriation for the Office of Community Services for St. Mary's County; and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$500.00 are available in contribution/donation received from the Patuxent River Naval Air Museum Association; and

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, August 26, 2003 pursuant to Notice published on or about August 15, 2003 and August 22, 2003 in the Enterprise, a newspaper of general circulation in St. Mary's County.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, August 26, 2002 to present and explain the requirements to increase the Fiscal Year 2004 Budget in the amount of (Five Hundred Dollars) \$500.00, and such increase is hereby approved this 9th day of September, 2003 by the Board of County Commissioners for St. Mary's County, Maryland.

Those voting Aye: all

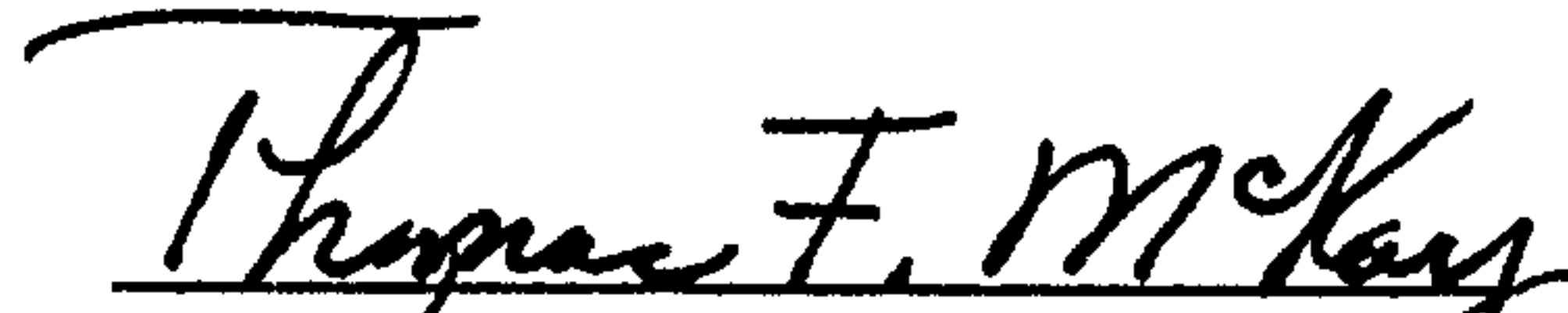
Those voting Nay: 0

Those Absent: 0

Date of Adoption: 9/9/03

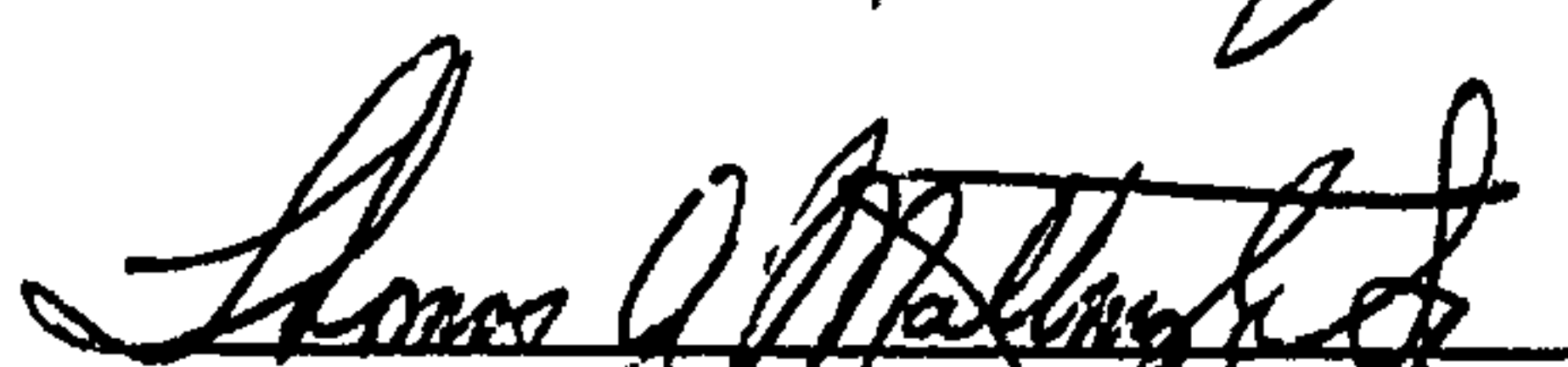
Effective Date: 9/9/03

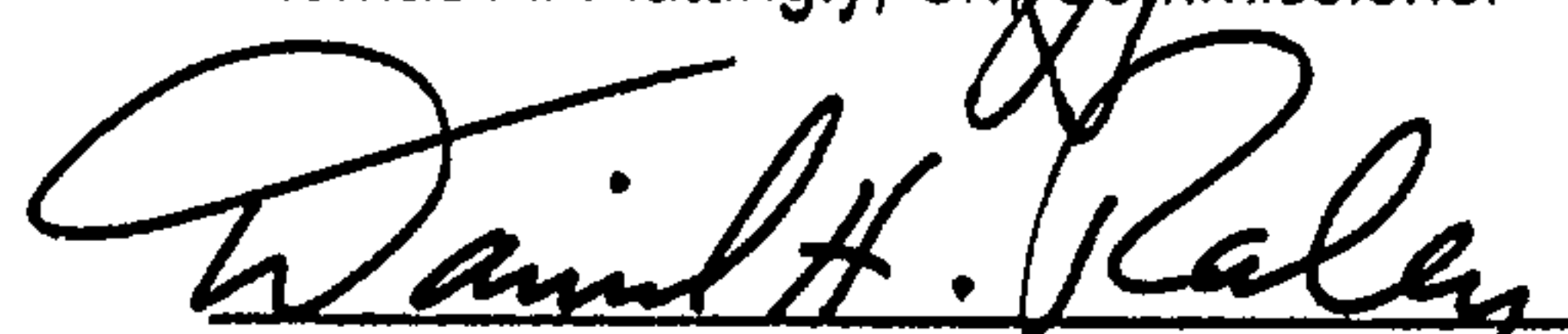
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


Thomas F. McKay, President



Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

ATTEST:


George G. Forrest
County Administrator

RECORDING FEE 0.00
TOTAL 0.00
Rest#002 Acct#000000
EMA KEB 31674763
Oct 27, 2003 10:25 am

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris
County Attorney

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

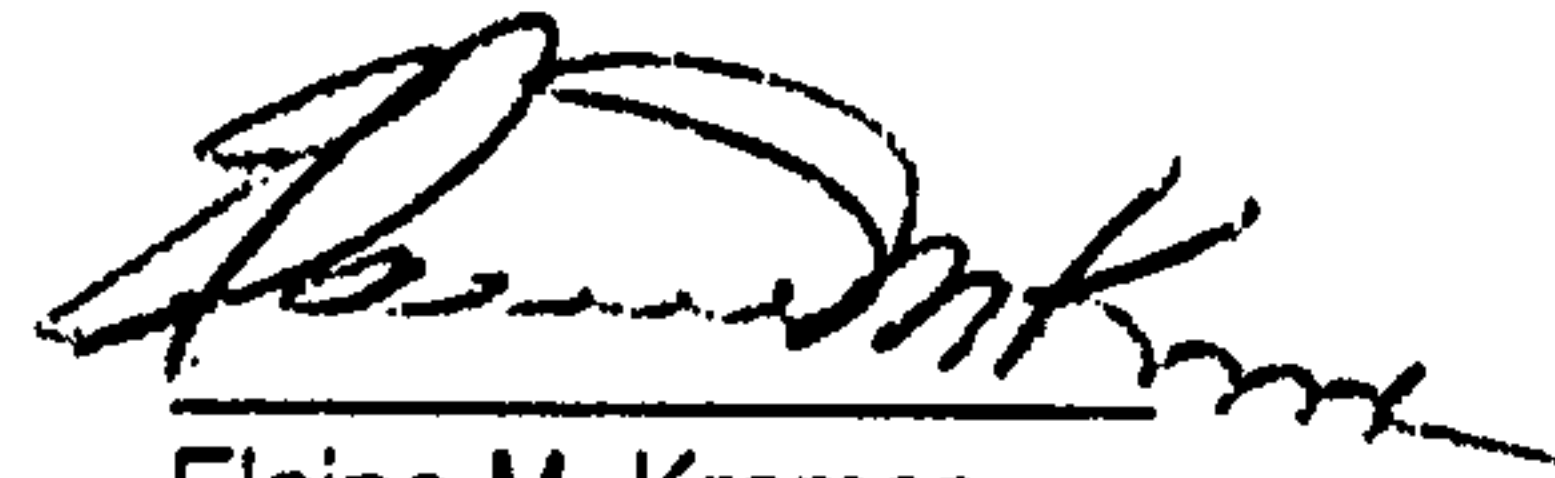
DATE: September 9, 2003
TO: Board of County Commissioners

**ORDINANCE
NUMBER:** 2003-10

PURPOSE: Office of Community Services
for transporting SOSAR campers to the museum as a field trip.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$500.00	Per Notice of Budget Amendment dated 8/12/2003



Elaine M. Kramer
Director of Finance

COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
RESOLUTION NO. R-2003-60

A RESOLUTION AUTHORIZING AND EMPOWERING COUNTY COMMISSIONERS OF ST. MARY'S COUNTY TO ISSUE AND SELL, UPON ITS FULL FAITH AND CREDIT, ITS GENERAL OBLIGATION BOND IN AN AMOUNT NOT TO EXCEED \$4,332,759 TO BE KNOWN AS THE "COUNTY COMMISSIONERS OF ST. MARY'S COUNTY WATER QUALITY BOND OF 2003," PURSUANT TO THE PROVISIONS OF CHAPTER 489 OF THE LAWS OF MARYLAND OF 2001, AS AMENDED, AND SUBTITLE 16 OF TITLE 9 OF THE ENVIRONMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED, FOR THE PUBLIC PURPOSES OF FINANCING OR REFINANCING THE ST. ANDREWS LANDFILL CLOSURE IN ST. MARY'S COUNTY; PROVIDING THAT THE BOND SHALL BE SOLD BY PRIVATE (NEGOTIATED) SALE TO THE MARYLAND WATER QUALITY FINANCING ADMINISTRATION; PRESCRIBING THE TERMS AND CONDITIONS OF SAID BOND AND UPON WHICH SAID BOND SHALL BE ISSUED AND SOLD AND OTHER INCIDENTAL DETAILS WITH RESPECT THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT IN CONNECTION WITH THE ISSUANCE OF SUCH BOND; PROVIDING THAT, IN THE EVENT THAT FUNDS AVAILABLE TO THE COUNTY ARE INSUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BOND THAT THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY SHALL LEVY AND COLLECT AD VALOREM TAXES UPON ALL THE LEGALLY ASSESSABLE PROPERTY WITHIN ST. MARY'S COUNTY SUFFICIENT TO PROVIDE FOR SUCH PAYMENTS WHEN DUE; AND GENERALLY PROVIDING FOR THE ISSUANCE OF SAID BOND.

RECORDING FEE 0.00
TOTAL 0.00
RECEIVED RE-1039999
EMV RLB BIK 11/16/03

RECITALS

WHEREAS, Chapter 489 of the Laws of Maryland of 2001 (the "Act") authorizes and empowers County Commissioners of St. Mary's County, a body politic and corporate and a political subdivision of the State of Maryland (the "County") to issue and sell bonds upon its full faith and credit to provide funds to finance the cost of certain public facilities in St. Mary's County and to finance such construction by the issuance and sale of its general obligation bonds in an aggregate principal amount not to exceed \$20,000,000. The County has previously issued bonds in the aggregate amount of \$7,772,317.75 pursuant to the Act. Authorization for bonds in an aggregate amount not to exceed \$12,227,682.25 remains under the Act.

Oct 27, 2003 10:00 am

WHEREAS, pursuant to the authority granted by the Act, the Board of County Commissioners for St. Mary's County, Maryland (the "Board") has determined that it is in the best interests of the residents of St. Mary's County to issue and sell the general obligation bond of the County in an aggregate principal not to exceed \$4,332,759 to finance or refinance certain public facilities in St. Mary's County.

WHEREAS, Subtitle 16 of Title 9 of the Environment Article of the Annotated Code of Maryland, as amended (the "MWQFA Act") authorizes the County to sell its bonds by private (negotiated) sale to the Maryland Water Quality Financing Administration (the "Administration").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND:

Section 1. Pursuant to the authority of the Act, and acting by and through the Board, the County shall borrow on its full faith and credit a sum not to exceed \$4,332,759 in order to provide funds to finance or refinance the costs of the St. Andrews Landfill Closure project (Project No. SW-0301) (the "Project") and certain costs of issuance related thereto, and shall evidence such borrowing by the issuance of its bond (the "Bond") in a principal amount not to exceed \$4,332,759.

RESOLUTION NO. 2003-60
SUBJECT: AUTHORIZING ISSUANCE
AND SALE OF GENERAL
OBLIGATION BONDS

LIBERO 0 2 7 PAGED 7 0

Section 2. Pursuant to the authority granted by the Act and the MWQFA Act, the Bond authorized to be issued by Section 1 of this Resolution shall be issued, sold, and delivered to the Administration in the principal amount not to exceed \$4,332,759 to be known as "County Commissioners for St. Mary's County Water Quality Bond of 2003." The Board finds and determines that selling the Bond to the Administration at private (negotiated) sale pursuant to the terms of the MWQFA Act will allow the Board to take advantage of below-market interest rates subsidized by the State of Maryland and the United States government, and will thereby afford the Board substantial savings in the capital improvements program of the County.

Section 3. The Bond shall be issued in the form of a single bond, registered as to principal and interest. The Bond shall bear interest at a fixed rate to be negotiated between the County and the Administration. The President of the Board (the "President") is hereby authorized and directed to execute and deliver the Bond. The Bond shall be in substantially the form of Exhibit A attached hereto and made a part hereof, subject to such additions, deletions and amendments as may be approved by the President, the President's execution and delivery thereof to constitute conclusive evidence of approval of any such additions, deletions and amendments.

The Board shall serve as paying agent and bond registrar for the Bond.

Section 4. On behalf of the County, the Board shall enter into a Loan Agreement (the "Loan Agreement") with the Administration. The President is hereby authorized and directed to execute and deliver the Loan Agreement. The Loan Agreement shall be in substantially the form of Exhibit B attached hereto and made a part hereof, subject to such additions, deletions and amendments as may be approved by the President, the President's execution and delivery thereof to constitute conclusive evidence of approval of any such additions, deletions and amendments. The Bond shall be issued and shall be payable upon the terms and conditions set forth in the Bond and the Loan Agreement.

Section 5. The Bond shall be prepayable in accordance with the provisions of the Loan Agreement and the Bond.

Section 6. In the event any official of the Board or the County, whose signature shall appear on the Bond, the Loan Agreement or any other document authorized by this Resolution, or on other documents pertaining thereto, shall cease to be such official prior to the delivery of said Bond, Loan Agreement or document, or in the event that any official shall take office subsequent to the sale of the Bond, his/her signature shall nevertheless be valid, sufficient and binding for the purposes herein intended.

Section 7. The Director of Finance for St. Mary's County shall be responsible for the execution and delivery of a certificate of the County which complies with the requirements of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations thereunder and counsel rendering an opinion on the validity of the Bond on the date of the issuance of the Bond ("Bond Counsel").

Said certificate shall set forth the reasonable expectations of the issuer of the Bond as to relevant facts, estimates and circumstances relating to the use of the proceeds of the Bond, or of any moneys, securities or other obligations which may be deemed to be proceeds of the Bond pursuant to said Section 148 or the said regulations (collectively, the "Bond Proceeds"). The Board covenants with each of the holders from time to time of the Bond that the facts, estimates and circumstances set forth in the said certificate will be based on the reasonable expectations of the issuer of the Bond on the date of issuance of the Bond and will be, to the best of the knowledge of the person executing such certificate, true, correct and complete as of that date.

RESOLUTION NO. 2003-60
SUBJECT: AUTHORIZING ISSUANCE
AND SALE OF GENERAL
OBLIGATION BONDS

LIBERO 027 PAGE 71

The Board covenants with each of the holders from time to time of the Bond that it will not use, or permit the use of any of, the Bond Proceeds or any other funds of the Board or the County, directly or indirectly, to acquire any securities or obligations, and will not take or permit to be taken or fail to take any other action or actions which would cause the Bond to be an "arbitrage bond" within the meaning of said Section 148 and said regulations or that would otherwise cause the interest on the Bond to be includable in gross income of the holder of the Bond for federal income tax purposes.

The Board further covenants that it will comply with said Section 148 and said regulations and such other requirements of the Code which are applicable to the Bond on the date of issuance of the Bond and which may subsequently lawfully be made applicable to the Bond.

The Board will hold and shall invest Bond Proceeds within its control (if such proceeds are invested) in accordance with the expectations set forth in said certificate.

The Board shall make timely payment of any rebate amount or payment in lieu thereof (or installment thereof) required to be paid to the United States of America in order to preserve the exclusion from gross income for purposes of federal income taxation of interest on the Bond and shall include with any such payment such other documents, certificates or statements as shall be required to be included therewith under then applicable law and regulations.

The Director of Finance may execute a certificate or certificates supplementing or amending said certificate, and actions taken by the Board subsequent to the execution of such certificate shall be in accordance with said certificate as amended or supplemented; provided, however, that the Board shall execute any such certificate only upon receipt by it of an opinion of Bond Counsel addressed to the Board to the effect that actions taken by the Board in accordance with the amending or supplementing certificate will not adversely affect the exclusion from gross income for federal income taxation purposes of interest on the Bond.

Section 8. The Board hereby covenants with the owners from time to time of the Bond that it shall not take or cause to be taken any action or fail to take any action, the taking of which or the omission of which, under the law existing on the date of issuance of the Bond, or which may subsequently lawfully be made applicable to the Bond, would cause the interest on the Bond to become subject to federal income taxation.

Section 9. For the purposes of paying the interest on and principal of the Bond when due, the Board shall levy or cause to be levied, for each and every fiscal year during which the Bond may be outstanding, upon all real and tangible personal property within its corporate limits subject to assessment for unlimited County taxation, *ad valorem* taxes in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on the Bond coming due in each such fiscal year; and, if the proceeds from the taxes so levied in any fiscal year are inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up such deficiency. The full faith and credit and unlimited taxing power of the County are hereby irrevocably pledged to the prompt payment of the principal of and interest on the Bond hereby authorized as and when such principal and interest comes due and to the levy and collection of the taxes hereinabove prescribed as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of said Bond. The Board hereby solemnly covenants with each of the registered owners from time to time of said Bond to take all action as may be appropriate from time to time during the period that the Bond remains outstanding and unpaid to provide the funds necessary to make said principal and interest payments. The Board further covenants and agrees with each of the registered owners from time to time of said Bond to levy and collect the taxes hereinabove prescribed.

RESOLUTION NO. 2003-60
SUBJECT: AUTHORIZING ISSUANCE
AND SALE OF GENERAL
OBLIGATION BONDS

LIBERO 0 2 7 PAGE 0 7 2

The Board may apply to the payment of the principal of and interest on the Bond any funds received by it and available for such purpose from the State of Maryland, the United States of America, any agency or instrumentality thereof, or from any other source, and, to the extent any such funds are received or receivable in any fiscal year, taxes that might otherwise be required to be levied hereunder may be reduced or need not be levied.

Section 10. The President of the Board and all other Commissioners, the County Administrator, the Director of Finance, the County Attorney and such other officers, officials and employees of the County as the President shall designate, are authorized hereby to do any and all things, execute all instruments, documents and certificates, and otherwise take all action necessary, proper, or expedient in connection with the issuance, sale and delivery of the Bond and the execution and delivery of the Loan Agreement in conformance with this Resolution. The President of the Board and all other Commissioners, the County Administrator, the Director of Finance, the County Attorney and all other officers, officials and employees of the County are authorized and directed hereby to do all acts and things required of them by the provisions hereof, of the Bond and of the Loan Agreement for the full, punctual, and complete performance of all of the terms, covenants, provisions and agreements of this Resolution, the Loan Agreement and the Bond, including, without limitation, the payment when due of the Annual Administrative Fee (as defined in the Loan Agreement).

Section 11. This Resolution shall take effect from the date of its adoption, as written below.

[SIGNATURES APPEAR ON NEXT PAGE]

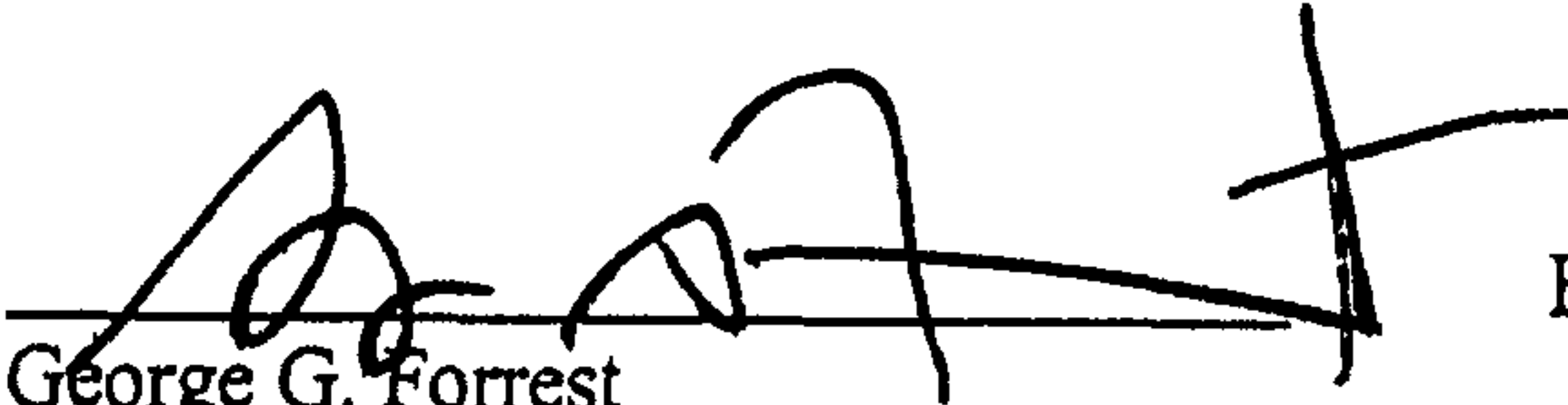
RESOLUTION NO. 2003-60
SUBJECT: AUTHORIZING ISSUANCE
AND SALE OF GENERAL
OBLIGATION BONDS

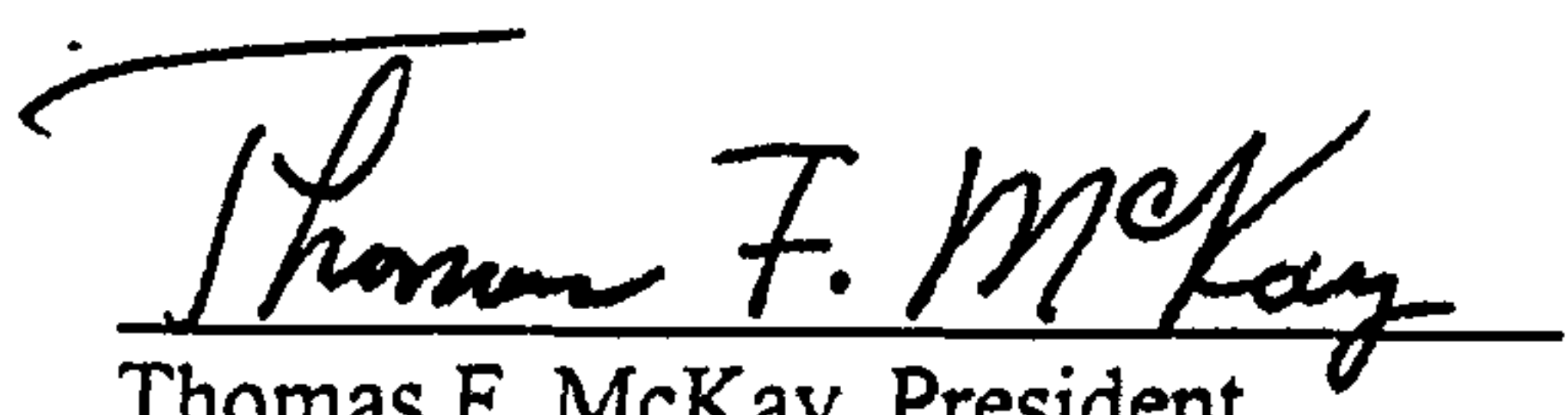
LIBERO 027 PAGE 73

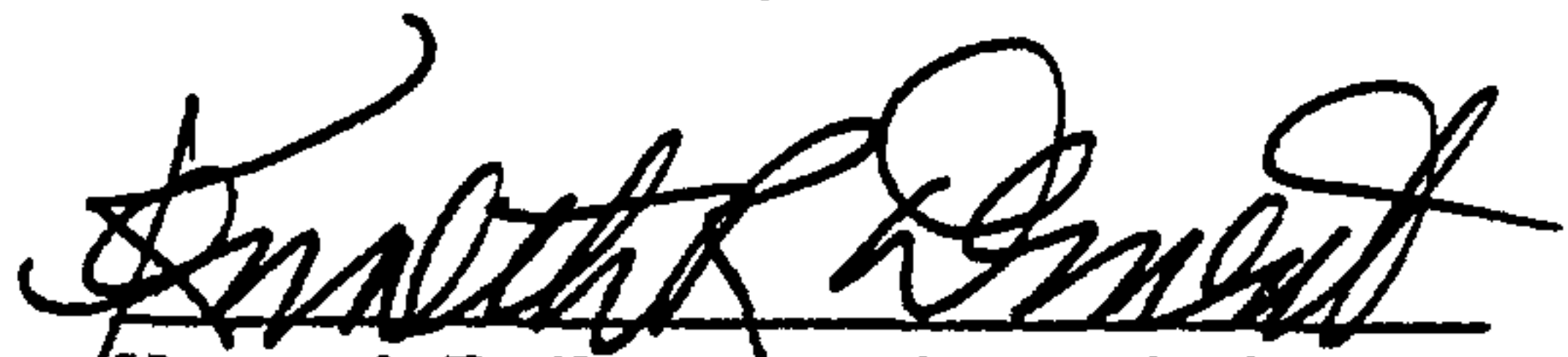
Adopted this 26 day of August, 2003.

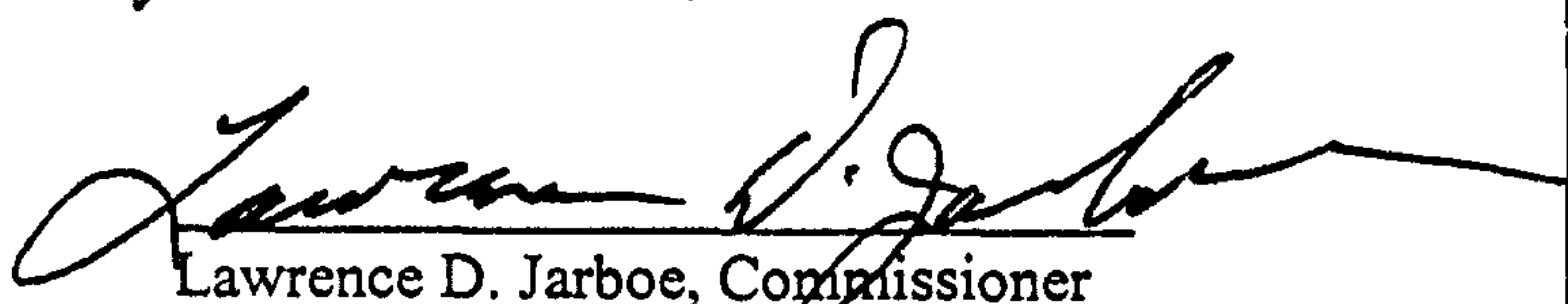
(SEAL)
ATTEST:

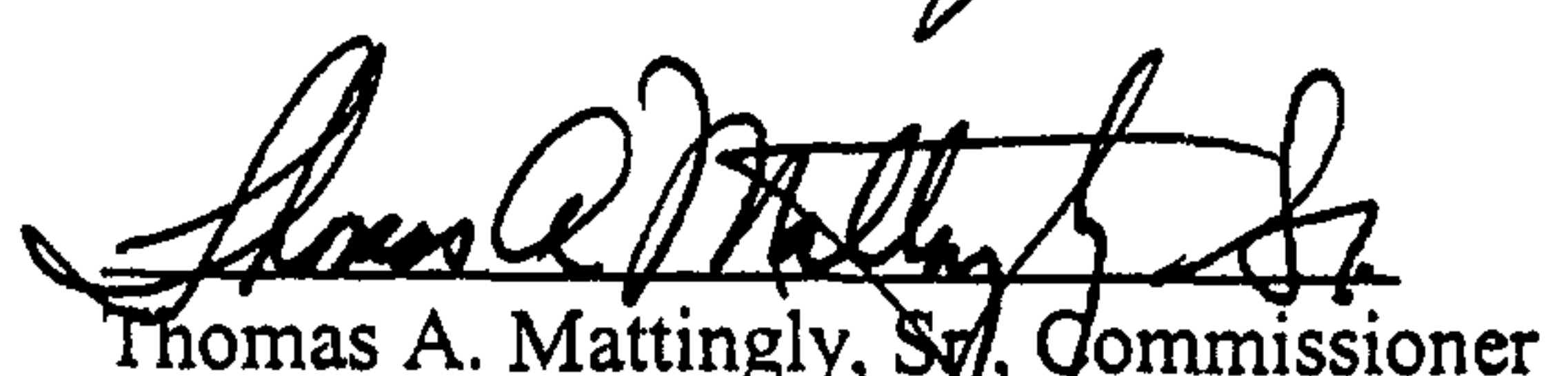
COUNTY COMMISSIONERS OF
ST. MARY'S COUNTY

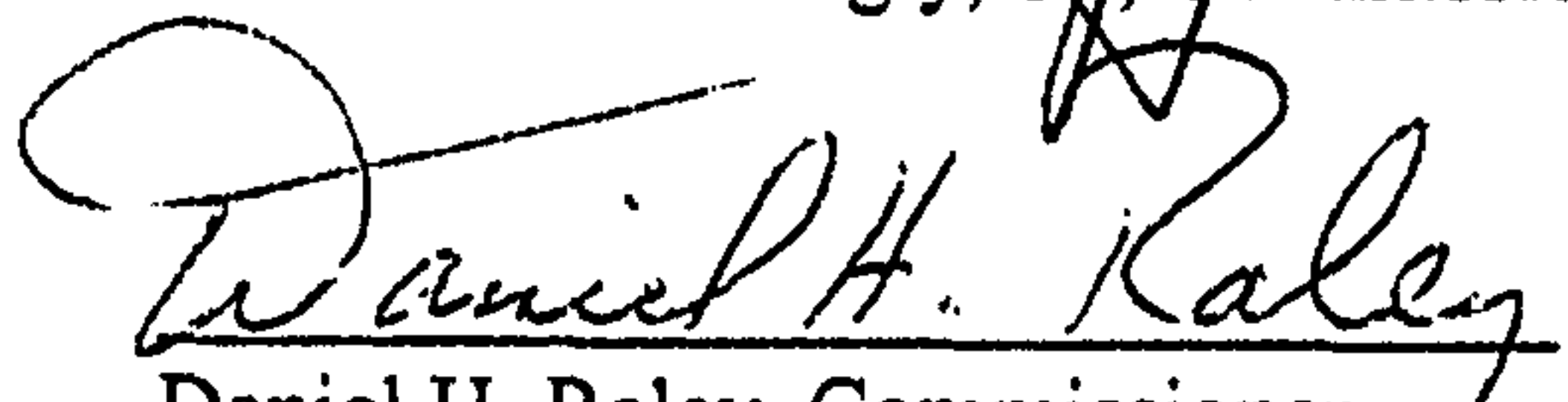

George G. Forrest
County Administrator

By: 
Thomas F. McKay, President

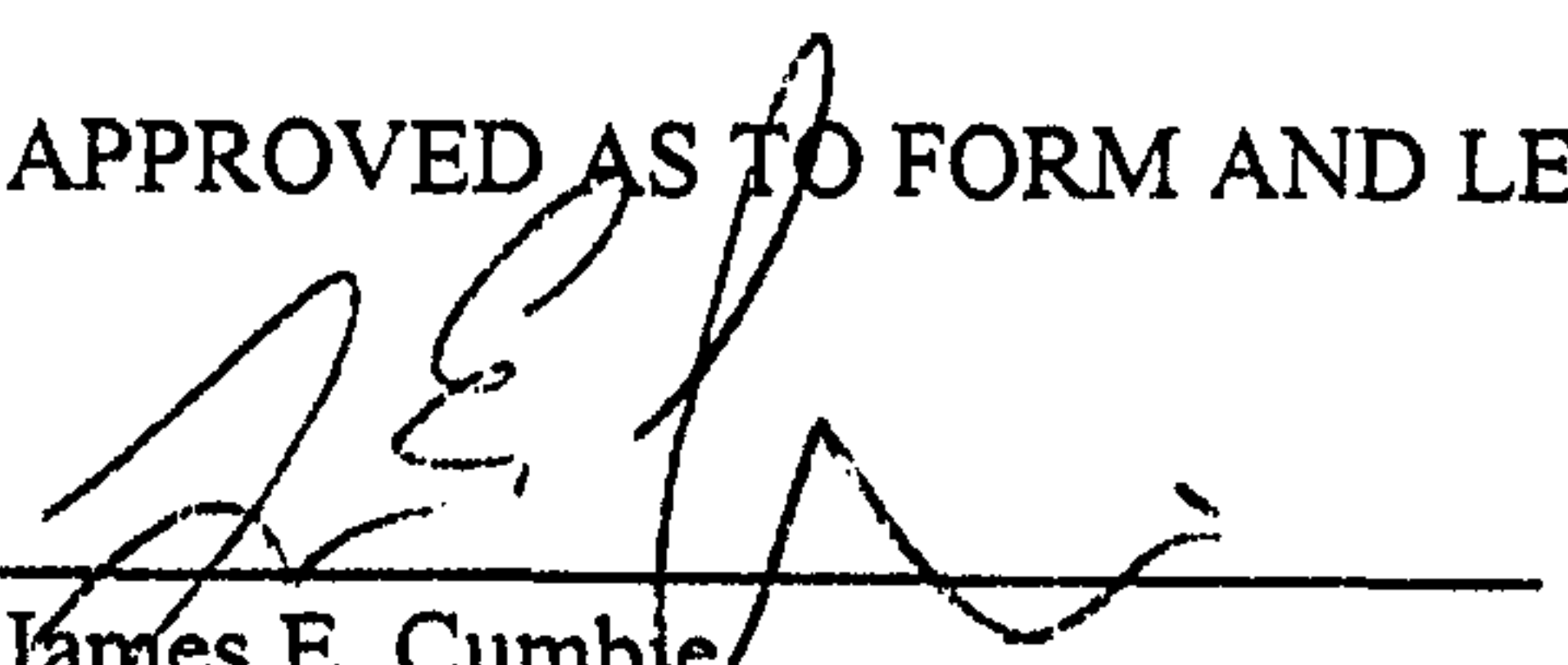

Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


James E. Cumble
Bond Counsel

LIBERO 027 PAGED 74
RESOLUTION

**A RESOLUTION DECLARING A LOCAL STATE OF
EMERGENCY DUE TO THE ADVERSE EFFECTS FROM
HURRICANE ISABEL**

WHEREAS, Hurricane Isabel, involving severe winds and rain and tidal surges, has caused or will cause flooding of low-lying areas, power outages and disruption of services in St. Mary's County; and

RECORDING FEE 0.00
TOTAL 0.00

WHEREAS, These weather conditions will likely create life-threatening conditions and treacherous roads in St. Mary's County; and

RESTORE REST#999999
EPA REG 5144763

WHEREAS, the County Commissioners for St. Mary's County have the authority pursuant to Maryland Annotated Code, Public Safety Article, §14-111 are authorized to declare a local state of emergency; and

Oct 27, 2003 10:31 am

WHEREAS, upon declaration of a local state of emergency, the St. Mary's County Emergency Operations Plan shall become immediately effective, which confers, among other powers, the power to the President of the Board of County Commissioners for St. Mary's County the authority to take such measures as necessary to maximize the preservation of life and property, including the authority to require evacuation of areas; and

WHEREAS, such authority vested in the President of the Board of County Commissioners for St. Mary's County shall be exercised with compassion and due regard to the constitutional and legal rights of the citizens of St. Mary's County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County that, by virtue of the authority vested by the Constitution and laws of Maryland, that a local state of emergency exists.

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County that, unless terminated earlier by subsequent Resolution, this local state of emergency shall expire on September 25, 2003 without further action by the Board.

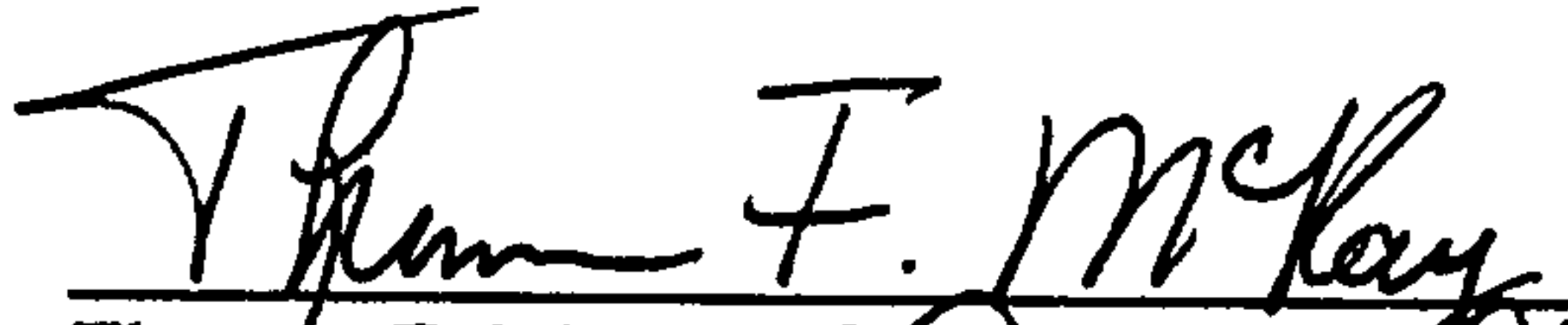
BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County that the foregoing recitals are incorporated by reference.

Date of Adoption: September 18, 2003 Aye: all
Effective Date: September 18, 2003 Nay: 0
Absent: 0 [hetl]

ATTEST:

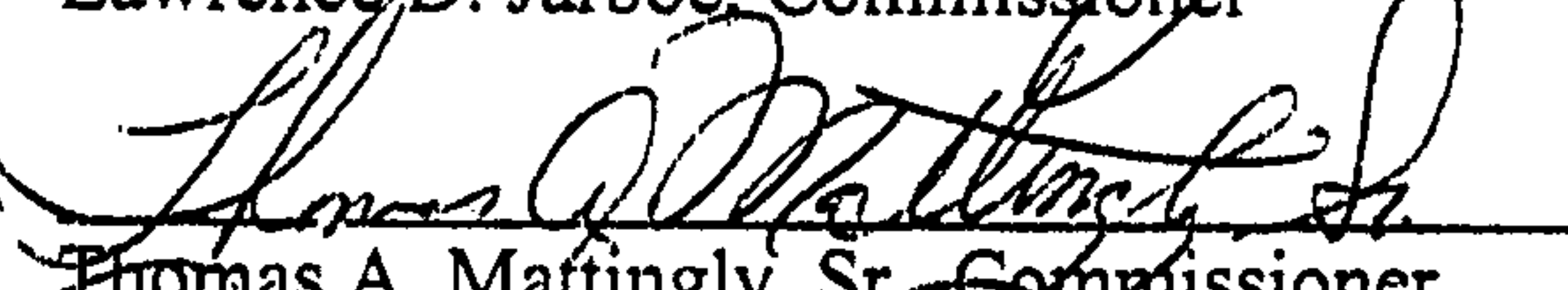
George G. Forrest
County Administrator

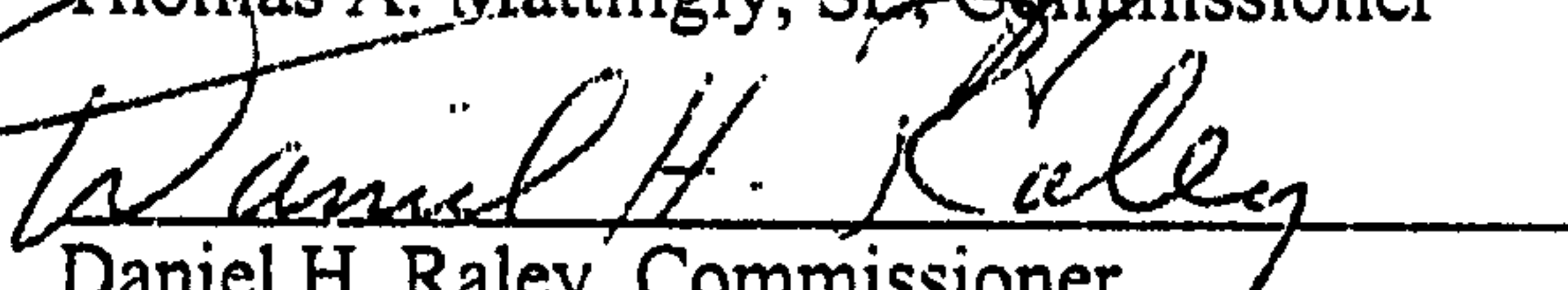
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY



Thomas F. McKay, Commissioner President


Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

Approved as to form and legal
sufficiency:

John B. Norris, III
County Attorney

LIBERO 0 2 7 PAGE0 7 5 RESOLUTION

**A RESOLUTION ADDRESSING PUBLIC
HEALTH, SAFETY AND WELFARE
CONCERNS AND STORM DEBRIS
DISPOSAL FROM HURRICANE ISABEL**

WHEREAS, Hurricane Isabel, involving severe winds and rain and tidal surges, has caused flooding of low-lying areas, trees to be uprooted or felled, water-damaged and destroyed furniture, water-damaged building materials, power outages and disruption of services in St. Mary's County; and

WHEREAS, these conditions that exist beyond the passage of Hurricane Isabel create life-threatening conditions throughout St. Mary's County, including the increased risk of the spread of fire, impediments to the passage of emergency equipment and school buses, providing refuge for rodents and vectors, creating unsanitary conditions that promotes the growth of mold within buildings, homes and furniture; and

WHEREAS, the Board of County Commissioners for St. Mary's County desires to, if it is not obligated to, assist in the removal of storm debris to preserve community health, safety and welfare; and

WHEREAS, the Board of County Commissioners for St. Mary's County expects that: (1) the provision and removal for appropriate disposal of refuse containers for deposition of carpet and padding, insulation, sheetrock, furniture, appliances, textiles and food waste; (2) curb-side pickup of yard waste; (3) the opening of yard waste disposal and burning sites in the four quadrants of the County; and (4) extending hours of operation for the St. Mary's County Landfill and the Convenience Centers, will mitigate the increased risk of the spread of fire, impediments to the passage of emergency equipment and school buses, providing refuge for rodents and vectors, creating unsanitary conditions that promotes the growth of mold within buildings, homes and furniture.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County that the Solid Waste Rules shall be amended to provide that:


1. Based on the most recent assessment, the major structural damage is along the shoreline of St. Mary's County. Roll-off boxes and portable restrooms will be placed at strategic locations by September 23, 2003 for the deposition of carpet and padding, insulation, sheetrock, furniture, appliances, textiles and food waste by the residents in these affected areas. The locations shall be: Golden Beach; Mechanicsville/Horse Landing; Old Breton Beach Road; St. George's Island; Piney Point; Scotland Beach; Rodo Beach; Light House Road; Cornfield Harbor Road. The Roll-off boxes will be emptied twice daily until further notice. Yard Waste will not be accepted in these containers.
2. During the next three weeks the County will be collecting only Yard Waste (vegetative debris) such as logs, limbs, branches, brush and leaves at the curbside. To be eligible for pick up, the limbs and branches must be no longer than 8 feet in length or 18 inches in diameter. Logs greater than 18 inches in diameter should be no longer than 4 feet in length. The schedule for collection will begin on Monday September 29,2003 for three weeks, from as follows:
 - Citizens living in the Southern Areas 5 & 6 (South of Route 243, South of Route 243 along Route 5 to Route 246 and South of Route 246) will receive collection on Mondays & Thursdays.
 - Citizens living in the Central Areas 2 & 4 (North of Route 246, North/East of Route 5 from Route 246 to Route 235 and South of the Route 235 & 6 intersection in the Oraville Area) will receive collection on Tuesdays and Fridays.
 - Citizens living in the Northern Areas 1 & 3 (South/West of Route 5 from Route 243 to Route 235 and North of the Route 235 & 6 intersection in the Oraville Area) will receive collection on Wednesdays and Saturdays.
3. Individuals, contractors and government agencies wishing to haul their own Yard Waste (vegetative debris), free of charge, will be able to do so seven days per week from 8 a.m. - 6 p.m., until further notice, at the following locations:
 - Charlotte Hall Region (left side of Golden Beach Road, ½ mile east of MD Route 5)
 - California Region (St. Andrews Landfill, ¼ mile west of the MD Route 235 and Route 4 intersection)

- Valley Lee Region (right side of Piney Point Road, MD Route 249, 1/2 mile south of Happyland Road)
 - Dameron Region (Kessler Development Company site, adjacent to Kessler Body and Equipment Company, on Three Notch Road, MD Route 235, seven miles south of the NAS Patuxent River)
4. The St. Andrews Landfill will be open extended business hours to accept large household waste items such as carpet/padding, insulation, sheet rock, furniture, appliances, textiles and food waste, that have been damaged by Hurricane Isabel. The landfill will be open seven days a week from 8:00 a.m. – 6:00 p.m. until further notice. The tipping fee for St. Mary's County residents will be waived through Wednesday, October 1, 2003 for storm related debris. Until further notice, only commercial haulers assisting with cleanup efforts stemming from the recent hurricane are authorized to utilize the St. Andrews Landfill at the current tip fee rate. The six (6) Convenience Centers will operate under normal business hours; Monday through Friday, 9:30 a.m. – 5:00 p.m. and Saturday – Sunday, 8:00 a.m. – 5:00 p.m.

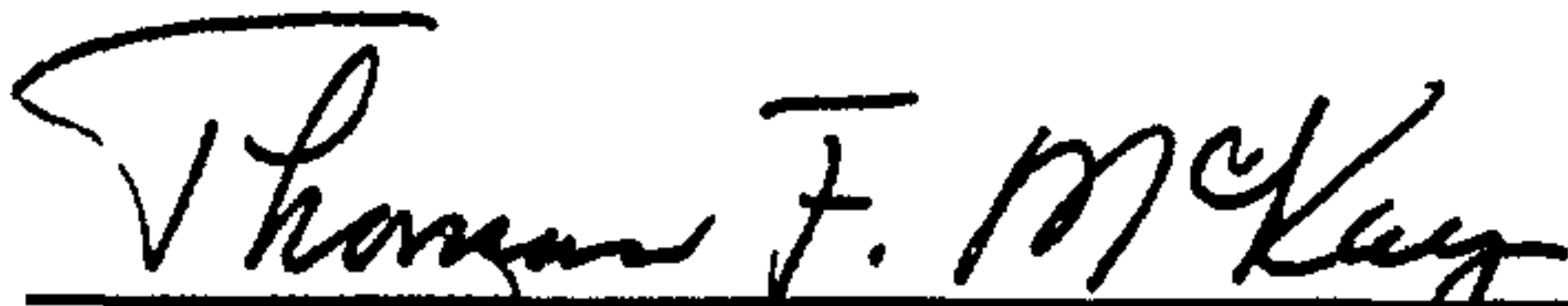
BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County that the foregoing recitals are incorporated by reference.


Date of Adoption: September 23, 2003 Aye: all
 Effective Date: September 23, 2003 Nay: 0
 Absent: 0 [hct1]

ATTEST:



 George G. Forrest
 County Administrator

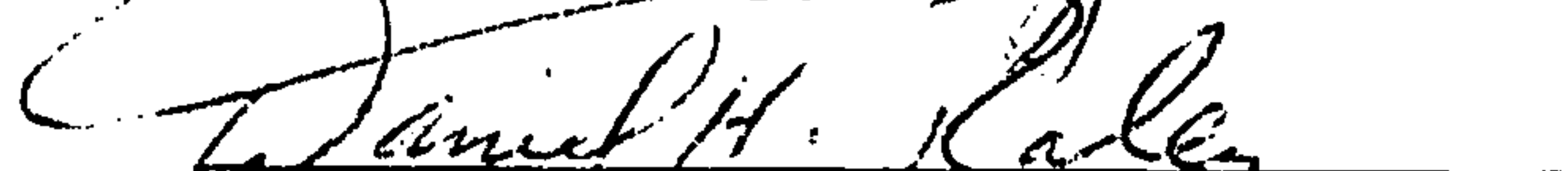
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


 Thomas F. McKay, Commissioner President



 Kenneth R. Dement, Commissioner


 Lawrence D. Jarboe, Commissioner


 Thomas A. Mattingly, Sr., Commissioner


 Daniel H. Raley, Commissioner

Approved as to form and legal sufficiency:


 John B. Norris, III
 County Attorney

SUBJECT: APPROVING FORM OF HANGAR LEASE AGREEMENT FOR THE CAPTAIN WALTER FRANCIS DUKE REGIONAL AIRPORT AT ST. MARY'S AND AUTHORIZING SIGNATURE OF AIRPORT MANAGER ON LEASE AGREEMENTS

LIBERO 0 2 7 PAGE 0 7 7

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY

PURPOSE

FOR THE PURPOSE OF APPROVING FORM OF HANGAR LEASE AGREEMENT FOR THE CAPTAIN WALTER FRANCIS DUKE REGIONAL AIRPORT AT ST. MARY'S AND AUTHORIZING SIGNATURE OF AIRPORT MANAGER ON LEASE AGREEMENTS

RECORDING FEE 0.00
TOTAL 0.00
Res#5002 Rpt#999999

RECITALS

WHEREAS, there are numerous aircraft currently being parked and/or stored in the blue hangar building, Building Number 6, located on the premises of the Walter Francis Duke Regional Airport at St. Mary's, without the benefit of a lease agreement with the County; and

EMA KEB B11:44763
Oct 27, 2003 10:34 am

WHEREAS, the Airport Manager, with the advice and consent of the Airport Advisory Committee at its July 17, 2003 meeting, has developed a form Hangar Lease Agreement for use with any individual, corporation, or other entity wishing to park and/or store aircraft in Building Number 6 at the Walter Francis Duke Regional Airport at St. Mary's, which is attached hereto as Exhibit A; and

WHEREAS, the Board of County Commissioners for St. Mary's County has reviewed the proposed Hangar Lease Agreement and approves the same as to its form and substance, with the intent that such Lease Agreements be non-negotiable; and

WHEREAS, the Board of County Commissioners for St. Mary's County recognizes that it would significantly streamline the process for entering into these Hangar Lease Agreements if the Airport Manager was given authority to sign the Lease Agreements on behalf of the Board of County Commissioners for St. Mary's County; and

WHEREAS, staff and the Airport Advisory Committee have recommended that the Board of County Commissioners for St. Mary's County approve the form of the Hangar Lease Agreement as written and presented, and authorize the Airport Manager, upon review by the County Attorney, to execute Lease Agreements with tenants on behalf of the Board of County Commissioners for St. Mary's County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, that the Board of County Commissioners for St. Mary's County hereby approves the Hangar Lease Agreement set forth in Exhibit 1 in form and substance, and that such Lease Agreements will be used for any individual, corporation, or other entity wishing to park and/or store an aircraft in Building Number 6 at the Water Francis Duke Regional Airport at St. Mary's, without further negotiation.

BE IT FURTHER RESOLVED that the Board of County Commissioners for St. Mary's County hereby authorizes the Airport Manager at the Walter Francis Duke Regional Airport at St. Mary's to sign Hangar Lease Agreements on behalf of the Board of County Commissioners for St. Mary's County, after such Lease Agreements have been approved for form and legal sufficiency by the County Attorney.

LIBERO 0 2 7 PAGED 7 8

SUBJECT: APPROVING FORM OF HANGAR LEASE AGREEMENT FOR THE CAPTAIN WALTER FRANCIS DUKE REGIONAL AIRPORT AT ST. MARY'S AND AUTHORIZING SIGNATURE OF AIRPORT MANAGER ON LEASE AGREEMENTS

BE IT FURTHER RESOLVED that the foregoing recitals are incorporated herein by reference.

BE IT FURTHER RESOLVED that this Resolution shall take effect from the date set forth below as the "Effective Date."

Those voting Aye: all

Those voting Nay: 0

Those Absent: 0

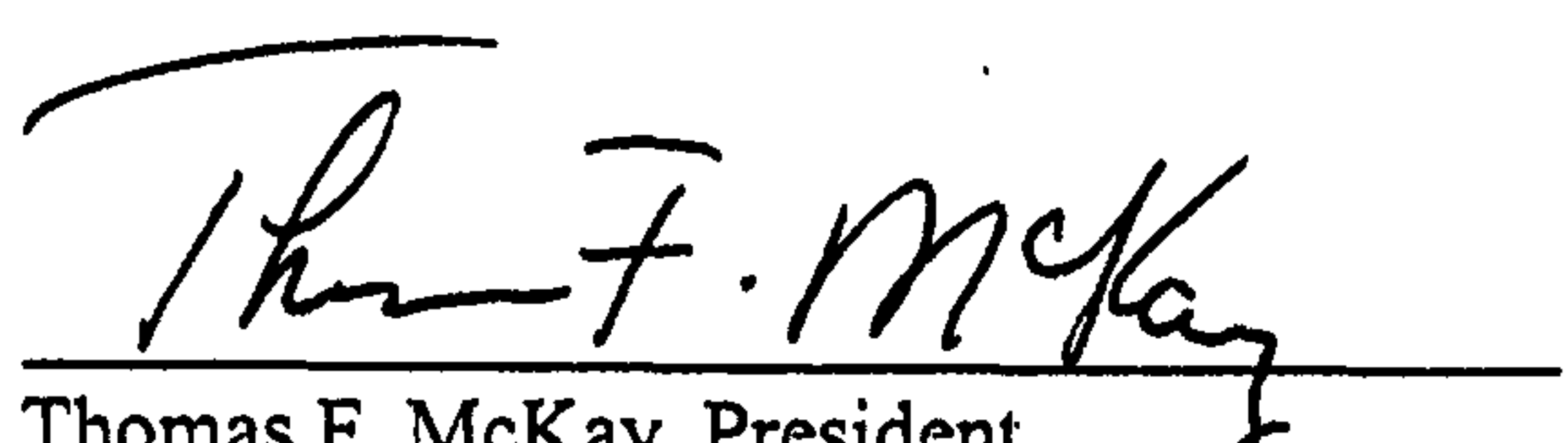
DATE OF ADOPTION: 9-30-03

EFFECTIVE DATE: 9-30-03

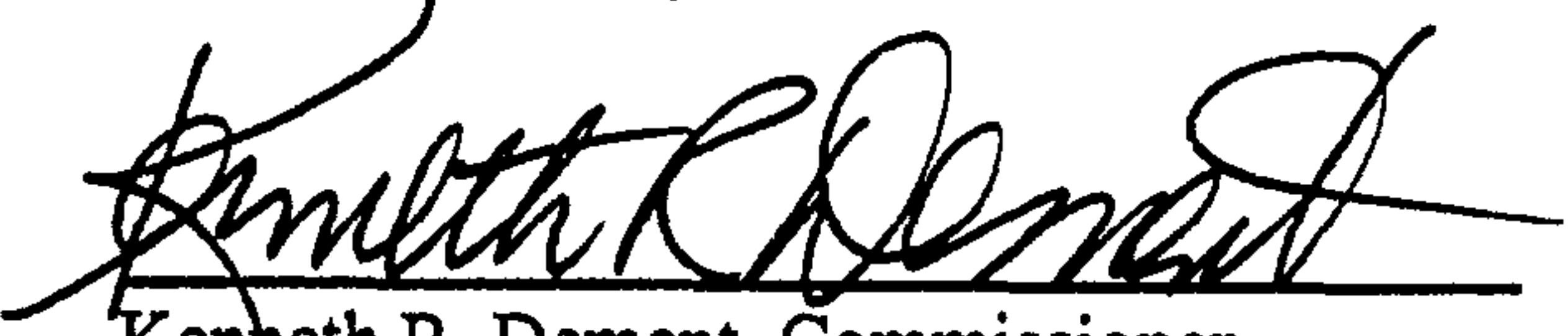
ATTEST:


BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY



George C. Forrest
County Administrator

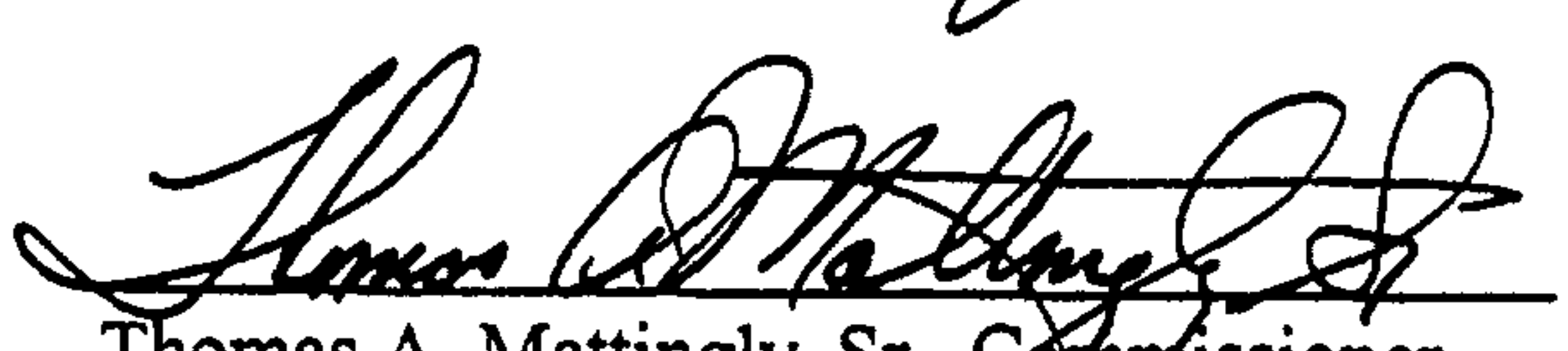

Thomas F. McKay, President

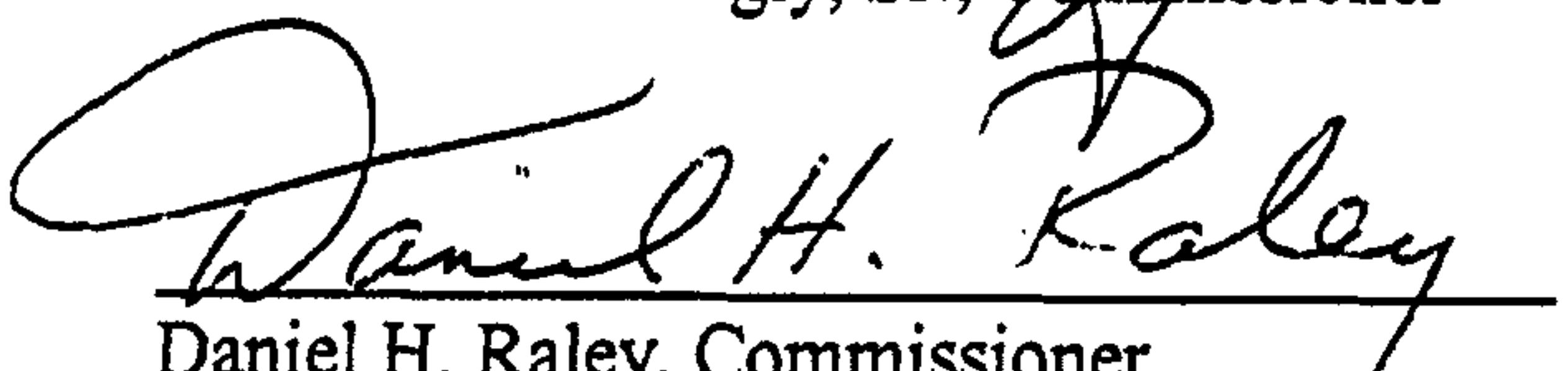
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


Kenneth R. Dement, Commissioner


John B. Norris, III,
County Attorney


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner



HANGAR LEASE AGREEMENT

LIBERO 027 PAGE 079

THIS LEASE AGREEMENT, is entered into this _____ day of _____, _____, by and between the County Commissioners for St. Mary's County, (the "Lessor"), a body corporate and politic, having its principal place of business at 23115 Leonard Hall Drive, Leonardtown, Maryland 20650; and _____, (the "Lessee"), a(n) _____ [individual(s)/ corporation/partnership/LLC] whose _____ [address is/principal office is located at] _____:

IN WITNESS WHEREOF, in consideration of the premises, the mutual covenants contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

1. Lease of Hangar Area. Lessor agrees to lease to Lessee and Lessee agrees to lease from Lessor Area _____ (the "Leased Premises"), as shown in Exhibit A, located in Building No. 6, as shown on the approved Airport Layout Drawing (the "Hangar"), at Captain Walter Francis Duke Regional Airport at St. Mary's (the "Airport"), for the purpose of storing/parking the following aircraft (the "Aircraft").

Aircraft Make _____
Aircraft Model _____
Aircraft Year _____
Aircraft Registration Number _____
Aircraft Serial Number _____
Aircraft Registered Owner(s) _____
Aircraft Owner Address & Phone Number (if different from Lessee) _____

Distinguishing Aircraft Markings _____
Quantity and ID of Airport Access Keys _____
Valid Registration Certificate _____
Assigned Area _____

2. Leased Premises. The ground area comprising the Leased Premises shall be Area _____ as depicted on Exhibit A, attached hereto, in the Hangar.

3. Permitted Uses.

a. Storage of lockboxes, other storage bins, units, crates, boxes, tools, parts, and other articles necessary for Lessee's maintenance of the aircraft may be stored on the Leased Premises.

b. The Lessee agrees not to deposit discharge, or release waste, fuel, oil or other petroleum products or fractions at the Captain Walter F. Duke Regional Airport at St. Mary's or on the Leased Premises and agrees not to use the Leased Premises for any unlawful purpose, or for any purpose that may constitute a nuisance.

c. Aircraft fueling may only be performed in accordance with St. Mary's County Airport Rules and Minimum Standards, as amended from time to time. Self-fueling is not allowed on the Leased Premises.

d. Except as otherwise provided herein, Lessee shall only use the Leased Premises for the storage of the aircraft in the area designated in this Lease Agreement and shall not take or use any other area at the Airport that is not part of the Leased Premises, unless the Lessee has an additional lease agreement with Lessor.

4. Term. The term of this Lease Agreement is for a period of one (1) month commencing _____. Commencement date is considered to be the first day of each month, and lease payments, as set forth below, will not be pro-rated for partial months. This Lease Agreement will automatically renew on a month-to-month basis upon completion of the initial month unless sooner terminated in accordance with the terms of this Lease Agreement.

5. Termination. Either party may terminate this Lease Agreement upon thirty (30) days prior written notice.

6. Lease Amount and Payment.

a. The Lease Amount is \$0.35 per square foot per month, for a total of \$_____ per month for the Leased Premises, due and payable on the first of each month.

b. A security deposit equal to one month's Lease Amount must be paid upon execution of this Lease Agreement. Except as otherwise set forth, this deposit will be refunded upon termination of the Lease Agreement.

c. All lease payments and deposits are to be made payable to the Board of County Commissioners for St. Mary's County and sent to the Fiscal Supervisor, Department of Public Works and Transportation, P.O. Box 508, California, Maryland 20619. An additional fee for returned checks in the amount of \$25 will be assessed for any payment not honored by the issuing financial institution.

d. Rental payments not received in full by the tenth (10th) of the month will be subject to a late fee of ten percent (10%) of the unpaid rent. If the Lease Amount is delinquent by thirty (30) days or more, the Lessee will be

in default, and this Lease Agreement will automatically terminate. As a penalty, Lessor reserves the right to seek damages for unpaid rent and any necessary repairs to the Leased Premises. Upon termination, the Lessor may apply the security deposit, and any interest accrued thereon and not paid over to the Lessee, to any or all damages sustained and any Lease Amount past due.

e. At any time after termination due to default, Lessor may resume possession of the Leased Premises by any lawful means.

f. Termination by Lessee without the required thirty (30) day notice will result in forfeiture of the Lessee's security deposit.

7. Right of Ingress and Egress. Lessee shall have the right of ingress to and egress from the Leased Premises, provided access to the airfield is not otherwise reasonably restricted by the Lessor. The Lessee understands that the Airport may be closed on a temporary basis and/or that airport use restrictions may be imposed, from time to time, for reasons including, but not limited to, hazardous conditions, special events, safety, security, noise, and environmental issues. In addition, the Lessee shall comply with any safety and security planning efforts reasonably adopted by the Lessor.

8. Conditions.

a. The Aircraft assigned to the Leased Premises must be identified in this Lease Agreement as required by Section 1 above.

b. The Leased Premises is to be maintained by Lessee in a good state of repair and in the same condition, with exception of normal wear and tear, as of the day Lessee took possession of the Leased Premises, or as upgraded during the term of this Lease Agreement.

c. Lessee will be responsible for the clean up and proper disposal of any hazardous or other material spills from Lessee's aircraft, vehicles, or containers.

d. The Leased Premises may not be sublet or assigned without the prior written consent of the Lessor.

e. The Leased Premises is for general aviation related storage only and no commercial operations (including but not limited to any aeronautical service provided to the public and Fixed Base Operator ("FBO") activities) are permitted without a separate lease with the County Commissioners for St. Mary's County.

f. Lessee may not make alterations, additions, or improvements to or about the Leased Premises, without the written consent of Lessor.

g. This Lease Agreement is strictly a rental agreement and creates no rights in the Leased Premises or the Airport apart from those specifically set forth in this Lease Agreement.

h. Lessor reserves the right to require the Lessee to temporarily relocate his/her aircraft to an unoccupied Area of the hanger or an outside tie-down location for Airport safety, security, operational or maintenance purposes. In a non-emergency situation, if, after notice by Lessor, Lessee is not available to move the aircraft, Lessor may move the aircraft without liability, using its best efforts to prevent damage. During the period of relocation, Lessee will be charged the lesser amount of: the Lease Amount due under the Lease Agreement or the lease amount for the unoccupied area in the hanger or tie-down space Lessee's Aircraft is occupying.

i. Lessor reserves the right to inspect the Leased Premises without notice to Lessee.

j. Lessee understands that it is possible that, in the future, the Airport may revert to the federal government. To the extent that Lessee's rights to the Leased Premises are affected by such a reversion, Lessee agrees to seek redress from the federal government.

k. Lessee shall place aircraft wheel chocks under the wheels of the Aircraft when it is on the Leased Premises. Chocks may be contour, pyramid, wedge, or "D" block in shape and shall be made of aluminum, wood, recycled rubber or urethane, and shall be painted yellow. Minimum dimensions and weight shall be as follows: width, eight (8) inches; length, three and one-half (3½) inches; height, two and three-eighths (2-3/8) inches; weight, one and one-half (1½) pounds. Chocks may be paired with yellow rope, cable or affixed with individual cable loop handles.

l. Maintenance. Lessee and Lessor shall be responsible for maintenance and repairs to the Leased Premises as set forth below:

1. Lessee shall be responsible to cover the cost of any repairs necessitated by the negligence or willful misconduct of the Lessee, its agents, employees, or guests. Such repairs shall be undertaken by the Lessor, and Lessee will be assessed the amount of the repairs, and will be expected to immediately remit payment.
2. General maintenance and repair of the Hangar, not caused by negligence or willful misconduct of the Lessee, its agents, employees, or guests, will be the responsibility of Lessor.
3. If maintenance/repairs are the responsibility of the Lessee, rent shall not be abated during the period of maintenance/repairs.

LIBERO 027 PAGE 82

4. If maintenance/repairs are the responsibility of the Lessor, and damage or scope of repairs render the Leased Premises untenable for a period of seven (7) days or more, Lessor shall make reasonable efforts to provide Lessee with space in an unoccupied area of the Hangar or a tie down space. Alternatively, the Lessee shall have the option to terminate this Lease Agreement by notifying the Lessor in writing of this election.

m. Pursuant to FAA Order 5190.6A, Airport Compliance Requirements, the Lessee, with its own equipment and employees or agents, shall be allowed to perform maintenance on the Aircraft within/on the Leased Premises, provided that it is not done in a manner that would be unsafe, unsightly, or detrimental to the efficient use of the airport facilities by others. Lessee will dispose of used oil or hazardous waste only in approved receptacles. Approved receptacles may not be available at the Airport, in which case the Lessee must remove the oil or hazardous waste from the Airport for proper disposal.

n. Prior to final approval of this Lease Agreement, the Lessee shall provide to the Lessor a copy of the Lessee's valid, current photographic identification/driver's license, and the requisite proof of aircraft ownership, insurance coverage and binder/terms for permanent record by the Lessor.

o. Keys. Lessor will provide Lessee with keys in order to access the Airport and the Hangar, subject to the following:

1. Each owner of the Aircraft shall be issued a proximity card reader in order to access the gate into the secure area of the Airport. Absent exigent circumstances, access shall be twenty four hours a day, seven days a week. A refundable deposit of fifteen dollars (\$15.00) per key will be required per proximity card reader.

2. Each owner of the Aircraft shall be issued a separate key for the Hangar in order to access the Aircraft.

3. Proximity card readers and keys shall be issued upon submission of all of the information and copies of documents required by this Lease Agreement, any required deposits, and first month's rent. Proximity card readers and keys are to be returned to the Airport Manager upon termination of this Lease Agreement, at which time the \$15.00 deposit will be refunded. If a proximity card reader or key is lost or stolen, this should be immediately reported to the Airport Manager. The proximity card reader deposit may be forfeited and a new deposit required before issuance of a new proximity card reader or readers.

LIBERO 027 PAGE 083

9. Default. Except as provided above in paragraph 6, if Lessor defaults in the performance of its duties or obligations as required under the terms of this Lease Agreement, and if Lessor fails to remedy any such default in a manner reasonably satisfactory to Lessee within fourteen (14) days following receipt of Lessee's written notice to remedy said default, Lessee may immediately terminate this Lease Agreement, with written notice to Lessor. If Lessee defaults in the performance of its duties or obligations as required under the terms of this Lease Agreement, and if Lessee fails to remedy any such default in a manner reasonably satisfactory to Lessor within fourteen (14) days following receipt of Lessor's written notice to remedy said default, Lessor may immediately terminate this Lease Agreement, with written notice to Lessee.

10. Operation of Aircraft. The Lessee is responsible for operating the Aircraft on the Airport in accordance with the applicable Federal and Maryland Aviation Administration laws, rules, regulations, and advisory circulars and opinions. In addition, the Lessee agrees to make reasonable efforts to comply with the established Fly Quiet Program, as amended from time to time, attached hereto as Exhibit B. Lessee has read, understands and agrees to comply with the St. Mary's County Airport Rules and Minimum Standards adopted on August 16, 1994, as amended from time to time, incorporated herein, and attached as Exhibit C. Lessee will receive written notice of any proposed change(s) to the Rules and Minimum Standards as required under local Ordinances, and will be provided with copies of any amendments to the St. Mary's County Airport Rules and Minimum Standards, as they are instituted.

11. Indemnification. The parties agree to indemnify each other as follows.

- a. Lessee agrees to indemnify, defend and hold Lessor harmless from and against any and all injury, loss, damage, liability claims, costs or expenses, including reasonable attorneys' fees and court costs, arising directly or indirectly out of the use, maintenance, or repair of the Leased Premises or Lessee's breach of any provision of this Lease Agreement, except to the extent attributable to the intentional act or omission of Lessor, its employees, agents or independent contractors.
- b. Lessor's obligations under this section are contingent upon: (i) its receiving prompt written notice of any event giving rise to an obligation to indemnifying the other party, and (ii) Lessee granting Lessor the right to control the defense and settlement of the same.

12. Surrender of Possession. On the expiration or other termination of this Lease Agreement, Lessee's rights to use of the Leased Premises shall cease and Lessee shall immediately vacate the Leased Premises and surrender all keys. If Lessee remains on the Leased Premises beyond the expiration or other termination date, Lessee shall be considered as holding over, and shall remain liable for payment of the Lease Amount,

and for complying with all the terms of this Lease Agreement. Lessor retains the right to take any lawful action to regain possession of the Leased Premises. Except as otherwise provided in this Lease Agreement, all fixtures, improvements, equipment and other property bought, installed, erected, or placed in the Leased Premises by the Lessee shall remain the property of Lessee. Lessee shall have the right to remove these fixtures, improvements, equipment and other property prior to the expiration or termination of this Lease Agreement; however, the Lessee shall be responsible for any damage caused by such removal. Title to fixtures, improvements, equipment and other property not removed as of the expiration or termination of this Lease Agreement, shall vest in Lessor.

13. Insurance. Subject to paragraph 23, the parties agree to maintain the following insurance coverage:

a. Lessee shall maintain continuous liability insurance coverage on the Aircraft that is subject to this Lease Agreement. Aircraft insurance coverage shall be not less than the requirements of *Transportation Article § 5-1002 of the Maryland Annotated Code*, as amended from time to time. In the event that the aircraft is kept in an un-flyable condition, insurance must include "Ground, not in motion" coverage. At or prior to the effective date of this Lease Agreement, the Lessee shall provide Lessor with a certificate showing proof of required insurance. Lessee will be required to certify the required insurance coverage by filling out and signing a Maryland Department of Transportation Insurance Record (MAA-210) Form and providing a copy to the Airport Manager. Lessee shall notify Lessor of any change in the insurance coverage and will do so within five (5) business days after effective date of the change.

b. Lessor is currently maintaining Hangar Keeper's Insurance in the amount of five million dollars (\$5,000,000) limit each for personal property and personal injury, per any one occurrence of damage, and one million dollars (\$1,000,000) limit per any one aircraft. Subject to the provisions of paragraph 23, Lessor will continue to maintain such insurance.

14. Notice. All notices and requests required or authorized under this Lease Agreement shall be in writing and sent by certified mail, return receipt requested, or hand delivered to the noticed party. Notices to Lessee shall be to the address for that party as stated in the beginning of this Lease Agreement. Notices to Lessor shall be to Airport Manager, Department of Public Works and Transportation or Airport, P.O. Box 508, California, Maryland 20619. The date on which any such notice is received by the addressee shall be deemed the date of notice. Should either party change addresses, that party shall notify the other party within seven (7) days after the change.

15. Waiver. Either party's failure to enforce any provision of this Lease Agreement against the other party shall not be construed as a waiver thereof so as to excuse the other party from future performance of that provision or any other provision.

16. Severability. In the event any portion of this Lease Agreement is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the parties to sever only the invalid portion or provision, and that the remainder of the Lease Agreement shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Lease Agreement, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the parties in entering into the Lease Agreement.

17. Governing Law. This Lease Agreement will be enforced in accordance with the laws of the State of Maryland.

18. Paragraph Headings. The headings to the paragraphs to this Lease Agreement are solely for convenience and may have no substantive effect on the Lease Agreement nor are they intended to aid in the interpretation of the Lease Agreement.

19. Subordination of Agreement. This Lease Agreement shall be subordinate to the provisions of any existing or future agreement between the Lessor and the United States relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

20. Entire Agreement. This Lease Agreement constitutes the entire agreement between the parties. No statements, promises, or inducements made by any party to this Lease Agreement, or any agent or employees of either party, which are not contained in this written contract shall be valid or binding. This Lease Agreement may not be enlarged, modified, or altered except in writing signed by the parties.

21. Local Government Tort Claims Act. By entering into this Lease Agreement, the Lessor and its "employees" as defined in the Local Government Tort Claims Act, Section 5-301 et seq. of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland do not waive sovereign immunity, do not waive any defenses and do not waive any limitations of liability as may be provided for by law. No provision of this Lease Agreement modifies and/or waives any provision of the Local Government Tort Claims Act.

22. Third Party Beneficiary. It is specifically agreed between the parties executing this Lease Agreement that it is not intended by any of the provisions of this Lease Agreement to create in the public or any member thereof, third party beneficiary status in connection with the performance of the obligations herein without the written consent of the Lessor and notwithstanding its concurrence in or approval of the award of any contract or subcontract or the solicitation thereof in fulfilling the obligations of the Lease Agreement.

23. Sufficient Appropriations. The County's financial obligations, if any, under this Lease Agreement are contingent upon sufficient appropriations and authorization being made by the County for the performance of this Lease Agreement. The County's decision as to whether sufficient appropriations are available shall be accepted by the other party or parties to this Lease Agreement, and shall be final.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement the day and year first above written.

LESSOR: COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, for
the Use of Captain Walter Francis
Duke Regional Airport at St. Mary's

By: _____
Airport Manager

Printed Name: _____

Date: _____

Reviewed for Form and Legal Sufficiency:

John B. Norris, III
County Attorney

STATE OF Maryland, COUNTY OF St. Mary's, to wit:

I HEREBY CERTIFY THAT on this ____ day of _____, 200_, before the undersigned notary public of the State and County aforesaid, personally appeared _____, known to me or on oath affirmed to be the Airport Manager of the Captain Walter F. Duke Regional Airport at St. Mary's County, and he/she acknowledged the foregoing instrument to be a duly authorized act and deed of the Lessor.

WITNESS my hand and Notarial seal.

Notary Public
My Commission Expires: _____

ATTEST:

LESSEE:

(Name)

By: _____
Printed Name: _____
Title: _____
Date: _____

STATE OF MARYLAND, St. Mary's County, to wit:

I HEREBY CERTIFY that on this _____ day of _____, 200__ before the undersigned, a Notary Public of the State and County aforesaid, personally appeared, _____, and he/she acknowledged the foregoing instrument to be a duly authorized act and deed of the Lessee.

WITNESS my hand and Notarial seal.

NOTARY PUBLIC

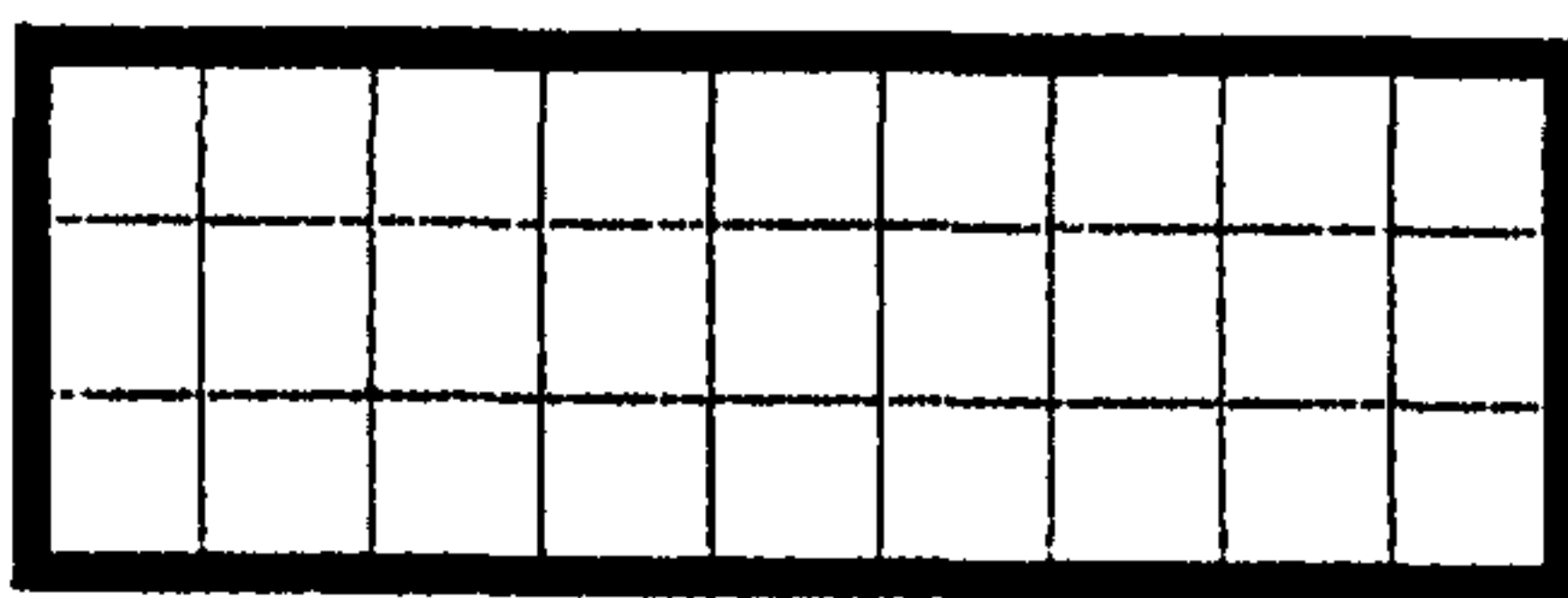
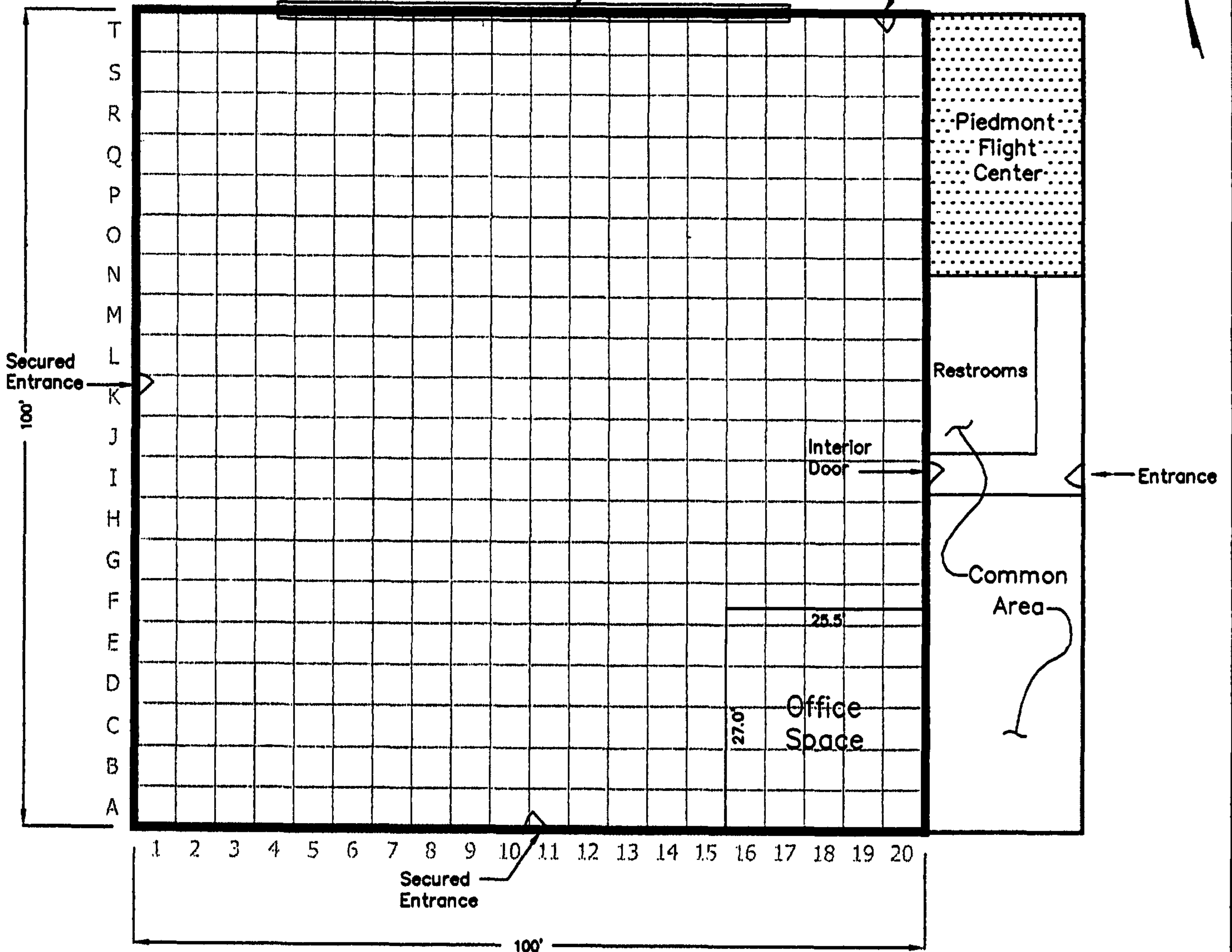
My commission expires: _____

Apron Area

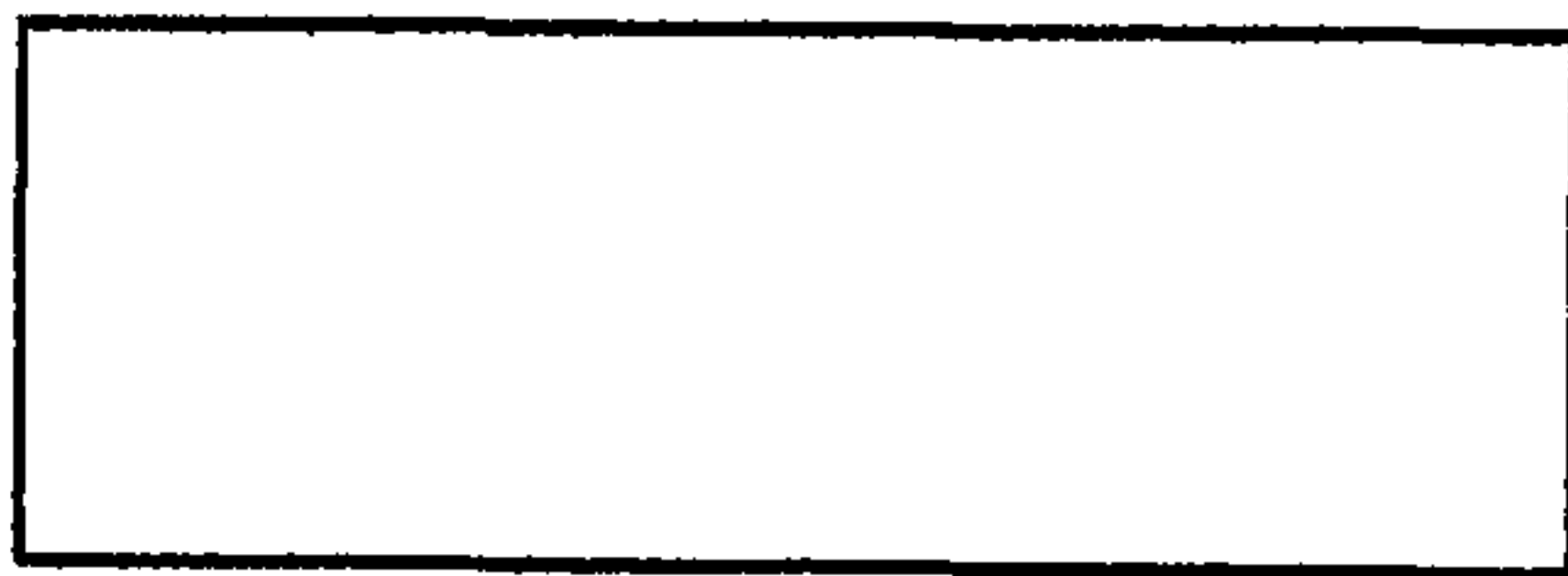
Sliding Hangar Door

LIBERO 027

PAGE 01
Secured Entrance



LEASEABLE AREA (5' x 5' GRID)



LEASED PREMISES (_____ S.F.)

LEASED PREMISES - HANGAR BUILDING NO. 6

EXHIBIT "A"

ST. MARY'S COUNTY AIRPORT
6th ELECTION DISTRICT
ST. MARY'S COUNTY, MARYLAND

REVISION

DATE	DESCRIPTION
8-8-03	ADD GRID LAYOUT AND TEXT

SCALE: 1"=20' DATE: 8-05-03

DRAWN: AMS CHECKED: GAE

DWG. NO.:

**SUBJECT: APPROVING FORM OF
TIE-DOWN LEASE AGREEMENT FOR
THE CAPTAIN WALTER FRANCIS DUKE
REGIONAL AIRPORT AT ST. MARY'S AND
AUTHORIZING SIGNATURE OF AIRPORT
MANAGER ON LEASE AGREEMENTS**

LIBERO 0 2 7 PAGE 0 9 0

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY**

PURPOSE

FOR THE PURPOSE OF APPROVING FORM OF TIE-DOWN LEASE AGREEMENT FOR THE CAPTAIN WALTER FRANCIS DUKE REGIONAL AIRPORT AT ST. MARY'S AND AUTHORIZING SIGNATURE OF AIRPORT MANAGER ON LEASE AGREEMENTS

RECORDING FEE 0.00
TOTAL 0.00
Restored Report#999999
EWA KEB 811:44763

RECITALS

WHEREAS, there are numerous aircraft currently being parked and/or stored on the premises of the Walter Francis Duke Regional Airport at St. Mary's, without the benefit of a lease agreement with the County; and

Oct 27, 2003 10:35 am

WHEREAS, the Airport Manager, with the advice and consent of the Airport Advisory Committee at its July 17, 2003 meeting, has developed a form Tie-Down Lease Agreement for use with any individual, corporation, or other entity wishing to park and/or store aircraft at the Walter Francis Duke Regional Airport at St. Mary's, which is attached hereto as Exhibit A; and

WHEREAS, the Board of County Commissioners for St. Mary's County has reviewed the proposed Tie-Down Lease Agreement and approves the same as to its form and substance, with the intent that such Lease Agreements be non-negotiable; and

WHEREAS, the Board of County Commissioners for St. Mary's County recognizes that it would significantly streamline the process for entering into these Tie-Down Lease Agreements if the Airport Manager was given authority to sign the Lease Agreements on behalf of the Board of County Commissioners for St. Mary's County; and

WHEREAS, staff and the Airport Advisory Committee have recommended that the Board of County Commissioners for St. Mary's County approve the form of the Tie-Down Lease Agreement as written and presented, and authorize the Airport Manager, upon review by the County Attorney, to execute Lease Agreements with tenants on behalf of the Board of County Commissioners for St. Mary's County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, that the Board of County Commissioners for St. Mary's County hereby approves the Tie-Down Lease Agreement set forth in Exhibit 1 in form and substance, and that such Lease Agreements will be used for any individual, corporation, or other entity wishing to park and/or store an aircraft at the Walter Francis Duke Regional Airport at St. Mary's, without further negotiation.

BE IT FURTHER RESOLVED that the Board of County Commissioners for St. Mary's County hereby authorizes the Airport Manager at the Walter Francis Duke Regional Airport at St. Mary's to sign Tie-Down Lease Agreements on behalf of the Board of County Commissioners for St. Mary's County, after such Lease Agreements have been approved for form and legal sufficiency by the County Attorney.

LIBERO 0 2 7 PAGE 9 1

**SUBJECT: APPROVING FORM OF
TIE-DOWN LEASE AGREEMENT FOR
THE CAPTAIN WALTER FRANCIS DUKE
REGIONAL AIRPORT AT ST. MARY'S AND
AUTHORIZING SIGNATURE OF AIRPORT
MANAGER ON LEASE AGREEMENTS**

BE IT FURTHER RESOLVED that the foregoing recitals are incorporated herein by reference.

BE IT FURTHER RESOLVED that this Resolution shall take effect from the date set forth below as the "Effective Date."

Those voting Aye: all

Those voting Nay: 0


Those Absent: 0

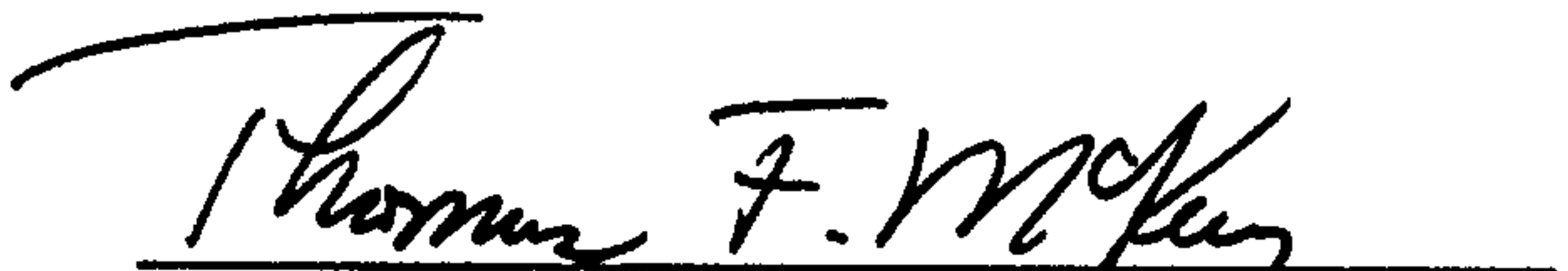
DATE OF ADOPTION: 9-30-03

EFFECTIVE DATE: 9-30-03

ATTEST:


**BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY**

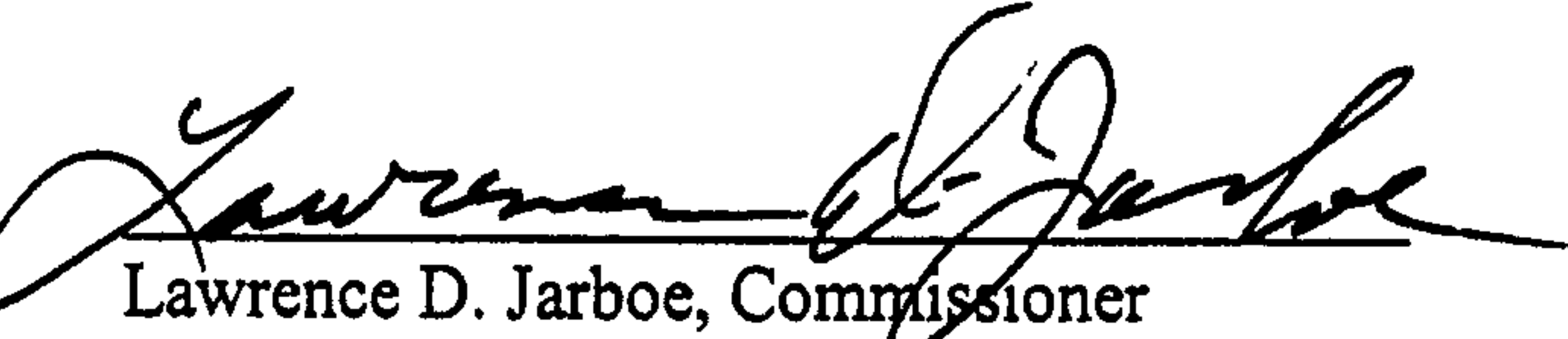

George G. Forrest
County Administrator

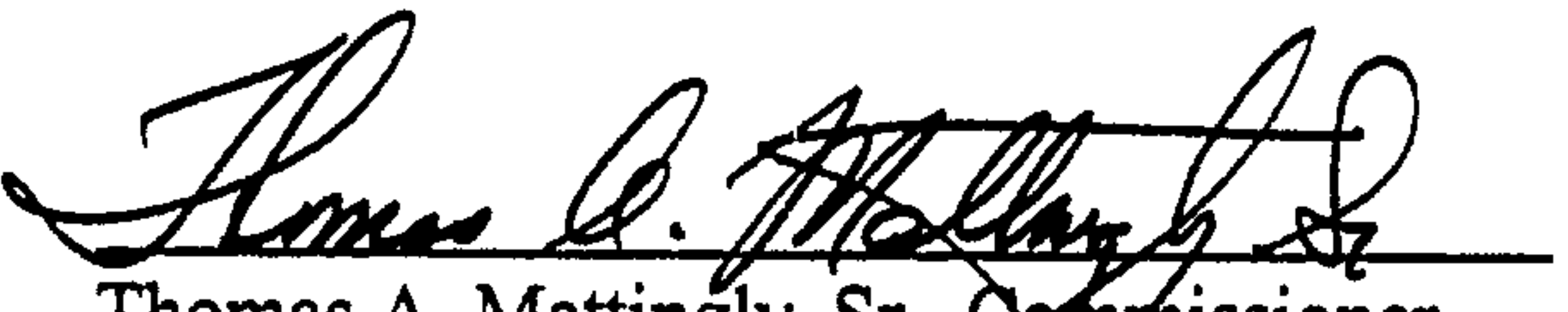

Thomas B. McKay, President

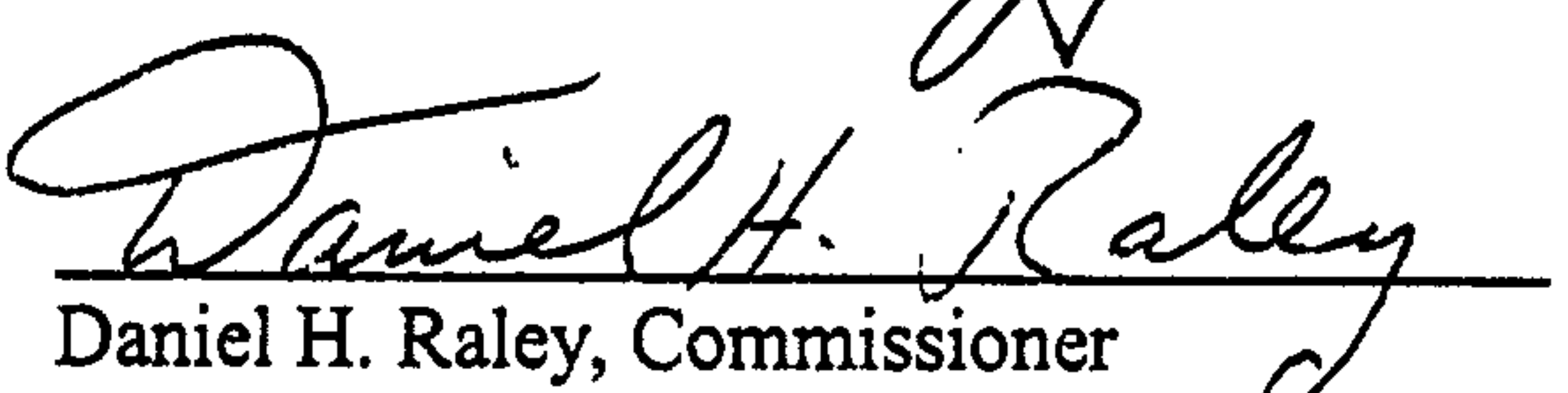
**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**


Kenneth R. Dement, Commissioner


John B. Norris, III,
County Attorney


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

TIE-DOWN LEASE AGREEMENT



THIS LEASE AGREEMENT, is entered into this _____ day of _____, _____, by and between the County Commissioners for St. Mary's County, (the "Lessor"), a body corporate and politic, having its principal place of business at 23115 Leonard Hall Drive, Leonardtown, Maryland 20650; and _____, (the "Lessee"), a(n) _____ [individual(s)/ corporation/partnership/LLC] whose _____ [address is/principal office is located at] _____:

IN WITNESS WHEREOF, in consideration of the premises, the mutual covenants contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

1. Lease of Tie-down. Lessor agrees to lease to Lessee and Lessee agrees to lease from Lessor tie-down _____ (the "Leased Premises"), as shown in Exhibit A, located at Captain Walter Francis Duke Regional Airport at St. Mary's (the "Airport"), for the purpose of storing/parking the following aircraft (the "Aircraft").

Aircraft Make _____
Aircraft Model _____
Aircraft Year _____
Aircraft Registration Number _____
Aircraft Serial Number _____
Aircraft Registered Owner(s) _____
Aircraft Owner Address & Phone Number (if different from Lessee) _____

Distinguishing Aircraft Markings _____
Quantity and ID of Airport Access Keys _____
Valid Registration Certificate _____
Assigned tie-down space _____

2. Leased Premises. The ground area comprising the Leased Premises shall be as recommended by FAA Airport Advisory Circular 150/5300-13, and shall be no less than the area depicted on Exhibit A, attached hereto.

3. Permitted Uses.

a. The Leased Premises shall be used for the storage/parking of the Aircraft. Lessee shall abide by the St. Mary's County Airport Rules and Minimum Standards, as amended from time to time, with respect to driving inside the gate area and on the Leased Premises and storage of lockboxes or other storage bins, units, crates, boxes, or other articles, and parking on the Leased Premises. Lessee may request a waiver for any use

not prohibited by requesting prior written approval from the Airport Manager.

LIBERO 0 2 7 PAGED 9 3

b. The Lessee agrees not to deposit discharge, or release waste, fuel, oil or other petroleum products or fractions at the Captain Walter F. Duke Regional Airport at St. Mary's or on the Leased Premises and agrees not to use the Leased Premises for any unlawful purpose, or for any purpose that may constitute a nuisance.

c. Aircraft fueling may only be performed in accordance with St. Mary's County Airport Rules and Minimum Standards, as amended from time to time. Self-fueling is not allowed on the Leased Premises.

d. Except as otherwise provided herein, Lessee shall only use the Leased Premises for the storage of the Aircraft in the space designated in this Lease Agreement and shall not take or use any aircraft tie-down space that is not part of the Leased Premises.

4. Term. The term of this Lease Agreement is for a period of one (1) month commencing _____. Commencement date is considered to be the first day of each month, and lease payments, as set forth below, will not be pro-rated for partial months. This Lease Agreement will automatically renew on a month-to-month basis upon completion of the initial month unless sooner terminated in accordance with the terms of this Lease Agreement.

5. Termination. Either party may terminate this Lease Agreement with thirty (30) days prior written notice.

6. Lease Amount and Payment.

a. The Lease Amount is \$40 per month for storage on grass, or \$60 per month for storage on hard surfaces, including, but not limited to, asphalt or concrete (tail end or pull thru spaces), due and payable on the first of each month.

b. A security deposit equal to one month's Lease Amount per aircraft must be paid upon execution of this Lease Agreement. Except as otherwise set forth, this deposit will be refunded upon termination of the Lease Agreement.

c. All lease payments and deposits are to be made payable to the Board of County Commissioners for St. Mary's County and sent to the Fiscal Supervisor, Department of Public Works and Transportation, P.O. Box 508, California, Maryland 20619. An additional fee for returned checks in the amount of \$25 will be assessed for any payment not honored by the issuing financial institution.

d. Rental payments not received in full by the tenth (10th) of the month will be subject to a late fee of ten percent (10%) of the unpaid rent. If the Lease Amount is delinquent by thirty (30) days or more, the Lessee will be in default, and this Lease Agreement will automatically terminate. As a penalty, Lessor reserves the right to seek damages for unpaid rent and any necessary repairs to the Leased Premises.

e. At any time after termination due to default, Lessor may resume possession of the Leased Premises by any lawful means.

f. Termination by Lessee without the required thirty (30) day notice will result in forfeiture of the Lessee's security deposit.

7. Right of Ingress and Egress. Lessee shall have the right of ingress to and egress from the Leased Premises, provided access to the airfield is not otherwise reasonably restricted by the Lessor. The Lessee understands that the Airport may be closed on a temporary basis and/or that airport use restrictions may be imposed, from time to time, for reasons including, but not limited to, hazardous conditions, special events, safety, security, noise, and environmental issues. In addition, the Lessee shall comply with any safety and security planning efforts reasonably adopted by the Lessor.

8. Conditions.

a. All aircraft assigned to the Leased Premises must be identified in this Lease Agreement as required by Section 1 above. Lessee is responsible for requesting permission from Lessor in writing prior to storing any additional objects or materials on the Leased Premises, and Lessor reserves the right to refuse any such requests.

b. The Leased Premises is to be maintained by Lessee in a good state of repair and in the same condition, with exception of normal wear and tear, as of the day Lessee took possession of the Leased Premises, or as upgraded during the term of this Lease Agreement.

c. Lessee will be responsible for the clean up of any hazardous or other material spills from Lessee's aircraft, vehicles, or containers.

d. The Leased Premises may not be sublet or assigned without the prior written consent of the Lessor.

e. The Leased Premises is for general aviation related storage only and no commercial operations (including any aeronautical service provided to the public and Fixed Base Operator ("FBO") activities) are permitted without a separate lease with the Board of County Commissioners for St. Mary's County. The Leased Premises shall be used for no other purposes than

aircraft storage, unless authorized in writing by Lessor and the St. Mary's County Airport Manager, or his/her designee.

LIBERO 0 2 7 PAGE 9 5

f. Lessee may not make alterations, additions, or improvements to or about the Leased Premises, without the written consent of Lessor.

g. This Lease Agreement is strictly a rental agreement and creates no rights in the Leased Premises or the Airport apart from those specifically set forth in this Lease Agreement.

h. Lessor reserves the right to require the Lessee to temporarily relocate his/her aircraft to an equal tie-down location for Airport safety, security, operational or maintenance purposes for an initial period of up to thirty (30) days. In a non-emergency situation, if, after notice by Lessor, Lessee is not available to move the aircraft, Lessor may move the aircraft, using its best efforts to prevent damage. If the aircraft needs to be relocated for more than sixty (60) days, it will be assigned a new tie-down space. The Lessee will be notified of the location of the new tie-down space in writing, and that letter will be considered an amendment to this Lease Agreement.

i. Lessor reserves the right to inspect the Leased Premises without notice to Lessee.

j. Lessee understands that it is possible that, in the future, the Airport may revert to the federal government. To the extent that Lessee's rights to the Leased Premises are affected by such a reversion, Lessee agrees to seek redress from the federal government.

k. Lessor will provide the minimum number of tie-down ground anchors that meet the minimum specifications recommended by FAA Advisory Circular 20-35C for Bituminous Paved Areas, as amended from time to time, or an approved equivalent. The Lessee is solely responsible for parking and tying down his/her Aircraft, including any special security measures required by weather or other conditions at the Airport. The Lessee will provide the tie-down ropes. Ropes shall have an individual rated minimum breaking strength of 3,000 lbs. Ropes shall be synthetic 3/8 inch diameter stranded nylon or 5/16 inch diameter double braided nylon. The Lessor shall be responsible for all maintenance/repairs to the ground anchors within the Leased Premises.

l. The Lessee of an unpaved Leased Premises will provide a minimum of three (3) metal tie-down ground anchors, a minimum of fifteen (15) inches in length, five (5) coils, and five-sixteenths (5/16) of an inch in diameter, unless aircraft specifications otherwise dictate, in which case Lessee will provide the minimum number of sufficient tie-down ground anchors as set

out in said aircraft specifications. The Lessee is solely responsible for parking and tying down aircraft, including any special security measures required by weather or other conditions at the Airport. The Lessee will provide the tie-down ropes. Ropes shall have an individual rated minimum breaking strength of 3,000 lbs. Ropes shall be synthetic 3/8 inch diameter stranded nylon or 5/16 inch diameter double braided nylon. The Lessee shall be responsible for all maintenance/repairs to the ground anchors within the Leased Premises.

m. Maintenance.

1. The Lessee shall be responsible for grass mowing, snow and debris removal on the Leased Premises.
2. For Lessees of paved Leased Premises, Lessee shall be responsible for any repairs necessitated by the negligence or willful misconduct of the Lessee, its agents, employees, or guests. Such repairs shall be made under the direction of the Airport Manager.
3. General maintenance and repair of paved areas, including routine repaving, and filling of holes not caused by negligence or willful misconduct of the Lessee, its agents, employees, or guests, will be the responsibility of Lessor.
4. In general, the responsible party shall conduct all other maintenance/repairs with due diligence at its own cost.
5. If maintenance/repairs are the responsibility of the Lessee, the rent shall not be abated during the period of maintenance/repairs.
6. If the maintenance/repairs are the responsibility of the Lessor, and the damage renders the Leased Premises untenable for a period of seven (7) days or more, Lessor shall make reasonable efforts to provide Lessee with an interim tie down space. Alternatively, the Lessee shall have the option to terminate this Lease Agreement by notifying the Lessor in writing of this election.

n. Pursuant to FAA Order 5190.6A, Airport Compliance Requirements, the Lessee, with its own equipment and employees or agents, shall be allowed to perform maintenance on the Aircraft within/on the Leased Premises, provided that it is not done in a manner that would be unsafe, unsightly, or detrimental to the efficient use of the airport facilities by others. Lessee will dispose of used oil or hazardous waste only in approved receptacles. Approved receptacles may not be available at the Airport, in which case the Lessee must remove the oil or hazardous waste from the Airport for proper disposal.

o. Prior to final approval of this Lease Agreement, the Lessee shall provide to the Lessor a copy of the Lessee's valid, current photographic identification/drivers license, and the requisite proof of aircraft ownership, insurance coverage and binder/terms for permanent record by the Lessor.

p. Each owner of the Aircraft shall be issued a proximity card reader (a "key") in order to access the Aircraft. Absent exigent circumstances, access shall be twenty four hours a day, seven days a week. Keys shall be issued upon submission of all of the information and copies of documents required by this Lease Agreement, the deposit and first month's rent, along with a deposit of fifteen dollars (\$15.00) per key. Keys are to be returned to the Airport Manager upon termination of this Lease Agreement, at which time the key deposit will be refunded. If a key is lost or stolen, this should be immediately reported to the Airport Manager. The key deposit may be forfeited and a new deposit required before issuance of a new key or keys.

9. Default. Except as provided above in paragraph 6, if Lessor defaults in the performance of its duties or obligations as required under the terms of this Lease Agreement, and if Lessor fails to remedy any such default in a manner reasonably satisfactory to Lessee within fourteen (14) days following receipt of Lessee's written notice to remedy said default, Lessee may immediately terminate this Lease Agreement, with written notice to Lessor. If Lessee defaults in the performance of its duties or obligations as required under the terms of this Lease Agreement, and if Lessee fails to remedy any such default in a manner reasonably satisfactory to Lessor within fourteen (14) days following receipt of Lessor's written notice to remedy said default, Lessor may immediately terminate this Lease Agreement, with written notice to Lessee.

10. Operation of Aircraft. The Lessee is responsible for operating the Aircraft on the Airport in accordance with the applicable Federal and Maryland Aviation Administration laws, rules, regulations, and advisory circulars and opinions. In addition, the Lessee agrees to make reasonable efforts to comply with the established Fly Quiet Program, as amended from time to time, attached hereto as Exhibit B. Lessee has read, understands and agrees to comply with the St. Mary's County Airport Rules and Minimum Standards adopted on August 16, 1994, as amended from time to time, incorporated herein. Lessee will receive written notice of any proposed change(s) to the Rules and Minimum Standards as required under local Ordinances, and will be provided with copies of any amendments to the St. Mary's County Airport Rules and Minimum Standards, as they are instituted.

11. Indemnification.

- a. Lessee agrees to indemnify, defend and hold Lessor harmless from and against any and all injury, loss, damage, liability claims, costs or expenses, including reasonable attorneys' fees and court costs, arising directly or indirectly out of the use, maintenance, or repair of the Leased Premises or Lessee's breach of any provision of this Lease Agreement, except to the extent attributable to the intentional act or omission of Lessor, its employees, agents or independent contractors.

- b. Lessor's obligations under this section are contingent upon: (i) its receiving prompt written notice of any event giving rise to an obligation to indemnifying the other party, and (ii) Lessee granting Lessor the right to control the defense and settlement of the same.

12. Surrender of Possession. On the expiration or other termination of this Lease Agreement, Lessee's rights to use of the Leased Premises shall cease and Lessee shall immediately vacate the Leased Premises and surrender all keys. If Lessee remains on the Leased Premises beyond the expiration or other termination date, Lessee shall be considered as holding over, and shall remain liable for payment of the Lease Amount, and for complying with all the terms of this Lease Agreement. Lessor retains the right to take any lawful action to regain possession of the Leased Premises. Except as otherwise provided in this Lease Agreement, all fixtures, improvements, equipment and other property bought, installed, erected, or placed in the Leased Premises by the Lessee shall remain the property of Lessee. Lessee shall have the right to remove these fixtures, improvements, equipment and other property prior to the expiration or termination of this Lease Agreement; however, the Lessee shall be responsible for any damage caused by such removal. Title to fixtures, improvements, equipment and other property not removed as of the expiration or termination of this Lease Agreement, shall vest in Lessor.

13. Insurance. Lessee shall maintain continuous liability insurance coverage on the Aircraft that is subject to this Lease Agreement. Aircraft insurance coverage shall be not less than the requirements of *Transportation Article § 5-1002 of the Maryland Annotated Code*, as amended from time to time. In the event that the aircraft is kept in an un-flyable condition, insurance must include "Ground, not in motion" coverage. At or prior to the effective date of this Lease Agreement, the Lessee shall provide Lessor with a certificate showing proof of required insurance. Lessee will be required to certify the required insurance coverage by filling out and signing a Maryland Department of Transportation Insurance Record (MAA-210) Form and providing a copy to the Airport Manager. Lessee shall notify Lessor of any change in the insurance coverage and will do so within five (5) business days after effective date of the change.

14. Notice. All notices and requests required or authorized under this Lease Agreement shall be in writing. Notices shall be sent by certified mail, return receipt requested, to the address for that party as stated in the beginning of this Lease Agreement, or hand delivered to the noticed party. The date on which any such notice is received by the addressee shall be deemed the date of notice. Should either party change addresses, that party shall notify the other party within seven (7) days after the change.

15. Waiver. Either party's failure to enforce any provision of this Lease Agreement against the other party shall not be construed as a waiver thereof so as to excuse the other party from future performance of that provision or any other provision.

16. Severability. In the event any portion of this Lease Agreement is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the parties to sever only the invalid portion or provision, and that the remainder of the Lease Agreement shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Lease Agreement, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the parties in entering into the Lease Agreement.

17. Governing Law. This Lease Agreement will be enforced in accordance with the laws of the State of Maryland.

18. Paragraph Headings. The headings to the paragraphs to this Lease Agreement are solely for convenience and may have no substantive effect on the Lease Agreement nor are they intended to aid in the interpretation of the Lease Agreement.

19. Subordination of Agreement. This Lease Agreement shall be subordinate to the provisions of any existing or future agreement between the Lessor and the United States relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

20. Entire Agreement. This Lease Agreement constitutes the entire agreement between the parties. No statements, promises, or inducements made by any party to this Lease Agreement, or any agent or employees of either party, which are not contained in this written contract shall be valid or binding. This Lease Agreement may not be enlarged, modified, or altered except in writing signed by the parties.

21. Local Government Tort Claims Act. By entering into this Lease Agreement, the Lessor and its "employees" as defined in the Local Government Tort Claims Act, Section 5-301 et seq. of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland do not waive sovereign immunity, do not waive any defenses and do not waive any limitations of liability as may be provided for by law. No provision of this Lease Agreement modifies and/or waives any provision of the Local Government Tort Claims Act.

22. Third Party Beneficiary. It is specifically agreed between the parties executing this Lease Agreement that it is not intended by any of the provisions of this Lease Agreement to create in the public or any member thereof, third party beneficiary status in connection with the performance of the obligations herein without the written consent of the Lessor and notwithstanding its concurrence in or approval of the award of any contract or subcontract or the solicitation thereof in fulfilling the obligations of the Lease Agreement.

23. Sufficient Appropriations. The County's financial obligations, if any, under this Lease Agreement are contingent upon sufficient appropriations and authorization being made by the County for the performance of this Lease Agreement.

The County's decision as to whether sufficient appropriations are available shall be accepted by the other party or parties to this Lease Agreement, and shall be final.

LIBERO 027 PAGE 00

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement the day and year first above written.

LESSOR: COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, for
the Use of Captain Walter Francis
Duke Regional Airport at St. Mary's

By: _____
Airport Manager

Printed Name: _____

Date: _____

Reviewed for Form and Legal Sufficiency:

John B. Norris, III
County Attorney

STATE OF Maryland, COUNTY OF St. Mary's, to wit:

I HEREBY CERTIFY THAT on this ____ day of _____, 200_, before the undersigned, a notary public of the State and County aforesaid, personally appeared _____, known to me or on oath affirmed to be the Airport Manager of the Captain Walter F. Duke Regional Airport at St. Mary's County, and he/she acknowledged the foregoing instrument to be a duly authorized act and deed of the Lessor.

WITNESS my hand and Notarial seal.

Notary Public
My Commission Expires: _____

ATTEST:

LESSEE:

LIBERO 027 PAGE 101

(Name)

By: _____
Printed Name: _____
Title: _____
Date: _____

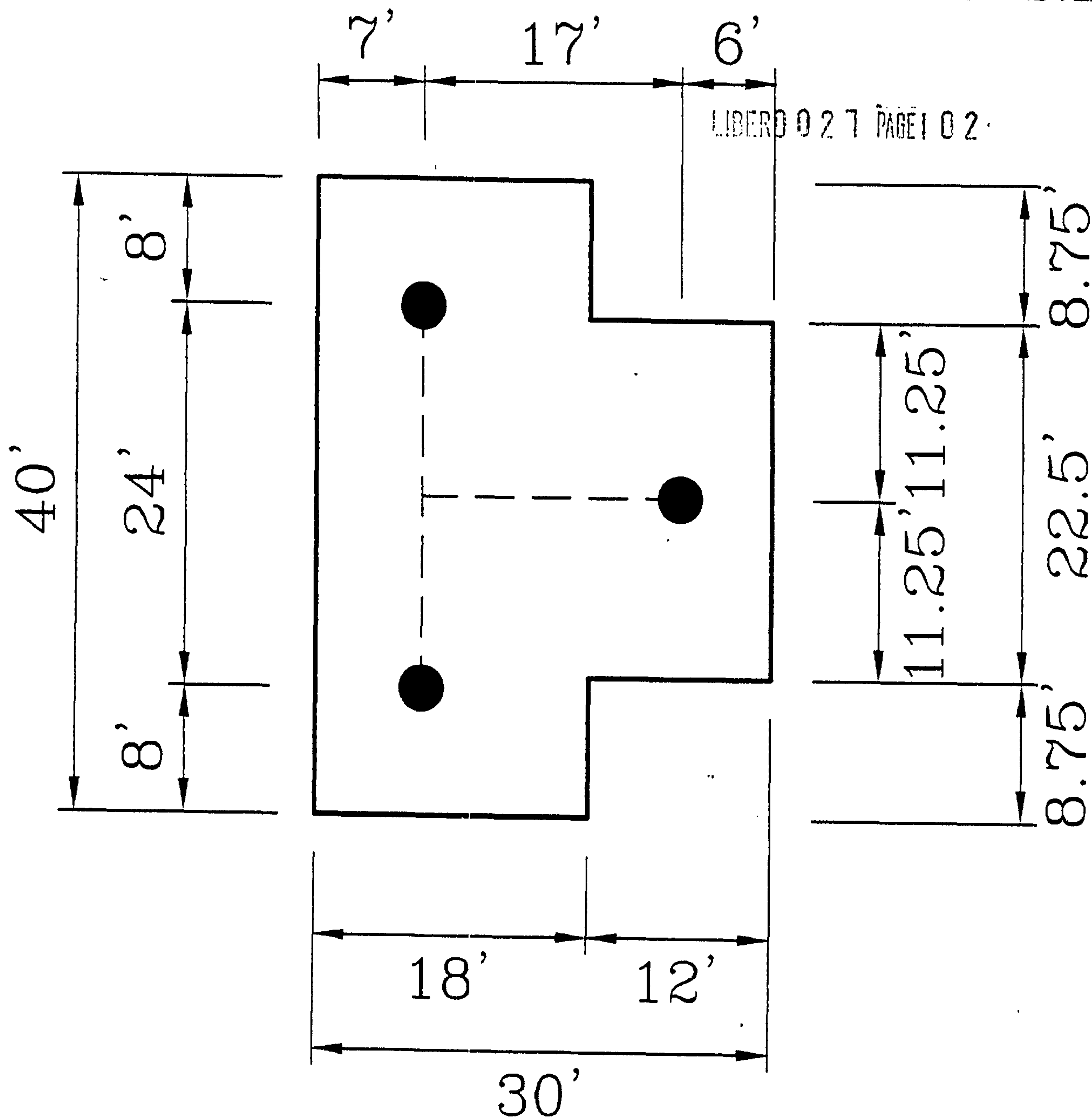
STATE OF MARYLAND, St. Mary's County, to wit:

I HEREBY CERTIFY that on this ____ day of _____, 200__ before the undersigned, a Notary Public of the State and County aforesaid, personally appeared, _____, and he/she acknowledged the foregoing instrument to be a duly authorized act and deed of the Lessee.

WITNESS my hand and Notarial seal.

NOTARY PUBLIC
My commission expires: _____

Leased Premises Area = 990 s.f.



- Ground Anchors (Paved Locations)
- Leased Premises

LEASED PREMISES	REVISION	
EXHIBIT "A"	DATE	DESCRIPTION
ST. MARY'S COUNTY AIRPORT 6th ELECTION DISTRICT ST. MARY'S COUNTY, MARYLAND	SCALE: 1" = 10'	DATE: 3-13-03
	DRAWN: AMS	CHECKED: GAE
	DWG. NO.:	

Exhibit "B"
Fly Quiet Program

LIBERO 027 PAGE 03

In 2003, the St. Mary's County Regional Airport instituted a voluntary "*Fly Quiet*" aircraft noise reduction program to minimize the effect of aircraft noise on neighboring residential communities. The voluntary program is not a result of any specific noise problems. It is a commitment to the local community by the County that the Airport is a responsible neighbor promoting airport noise reduction to every extent possible, within the constraints of safety and promoting commerce. The plan was developed by the *DPW&T* Airport Manager and Airport Advisory Committee with input from local homeowners, pilots, and Airport businesses. This Program was discussed by the Board of County Commissioners prior to their adoption of the Airport Master Plan on September 3, 2002.

The "Fly Quiet" Program requests that pilots reduce power or propeller RPM as soon after take-off as is safely possible. Propellers generate more noise than engines, thus flying with the lowest practical RPM setting will reduce aircraft noise substantially. Pilots flying VFR (Visual Flight Rules) departures who participate in the program will gain altitude as quickly as possible without compromising safety and fly a departure track which minimizes residential over-flights until the aircraft reaches an altitude of 1,500 feet MSL.

Landing aircraft are requested to fly at or above 1,000 feet MSL while in the traffic pattern over residential areas until a further descent is required for landing. Pilots should avoid sudden RPM or power changes when over residential areas. Use of the Precision Approach Path Indicator (PAPI) will indicate a safe glide-path and a low smooth, quiet descent to the runway. Noise conscious pilots will fly a tight landing pattern, keeping the aircraft noise as close to the airport as possible. If possible, wait until short final to adjust the propeller control to flat pitch and make as few power changes as possible during approach.

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND**

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MASS TRANSIT ADMINISTRATION OF THE MARYLAND DEPARTMENT OF TRANSPORTATION FOR A SECTION 5311 GRANT UNDER THE FEDERAL TRANSIT ACT.

Recitals

WHEREAS, The Mass Transit Administration is the designated recipient in Maryland for grants under the Federal Transit Act;

WHEREAS, the Administrator of the Mass Transit Administration, a modal administration of the Maryland Department of Transportation, is authorized to make grants to counties and to local governments for a mass transportation programs and projects through a contract for financial assistance with the Mass Transit Administration; and

WHEREAS, a contract for financial assistance imposes certain obligations upon the applicant, including the provision that the local government share of the project costs; and

WHEREAS, it is required by the United States Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964 that, in connection with the filing of an application for assistance under the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the County that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definite procedures shall be established and administered to ensure that minority business shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland the filing of the aforesaid application be endorsed, and

BE IT FURTHER RESOLVED that the President of the Board of County Commissioners is hereby authorized to execute the application for a 5311 Grant under the Federal Transit Act, in substantially the same form as attached hereto as Exhibit A, incorporated by reference, and all other instruments, documents and certificates necessary, proper, or expedient in connection with the application and securing said Grant, and

BE IT FURTHER RESOLVED that this Resolution shall take effect from the date set forth below as the "Effective Date."

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Maryland Transit Administration of the Maryland Department of Transportation.

Those voting aye: all

Those voting nay: - 0 -

Those abstaining or absent: - 0 -

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rec#4999999
LWA KAE 811#2292
Nov 17, 2003 02:51 PM


LIBERO 027 PAGE 05

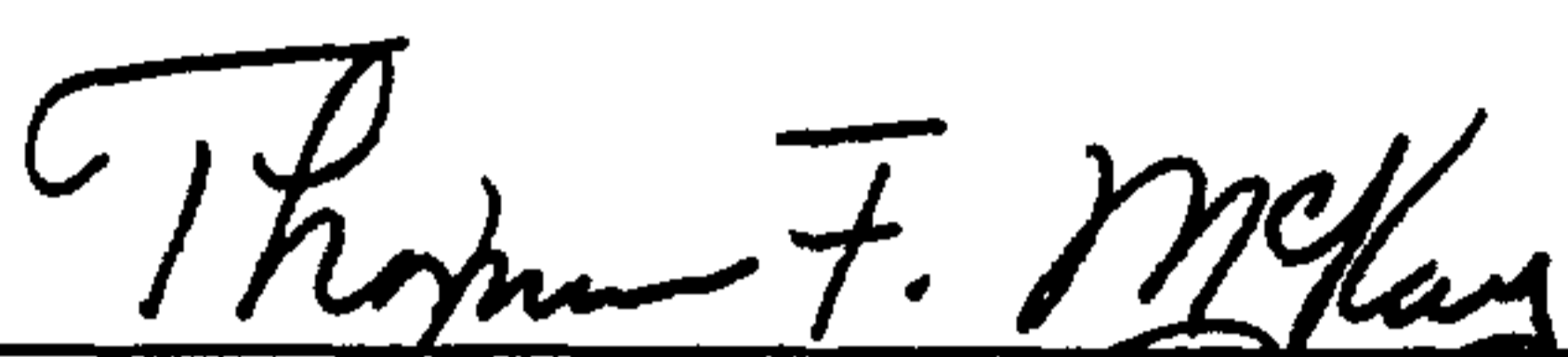
Approval Date: 10/21/03

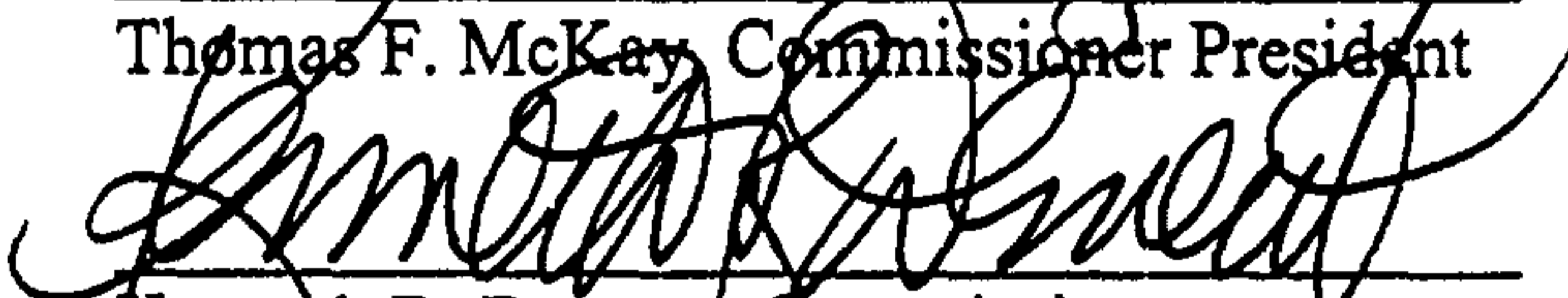
Effective Date: 10/21/03

ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND

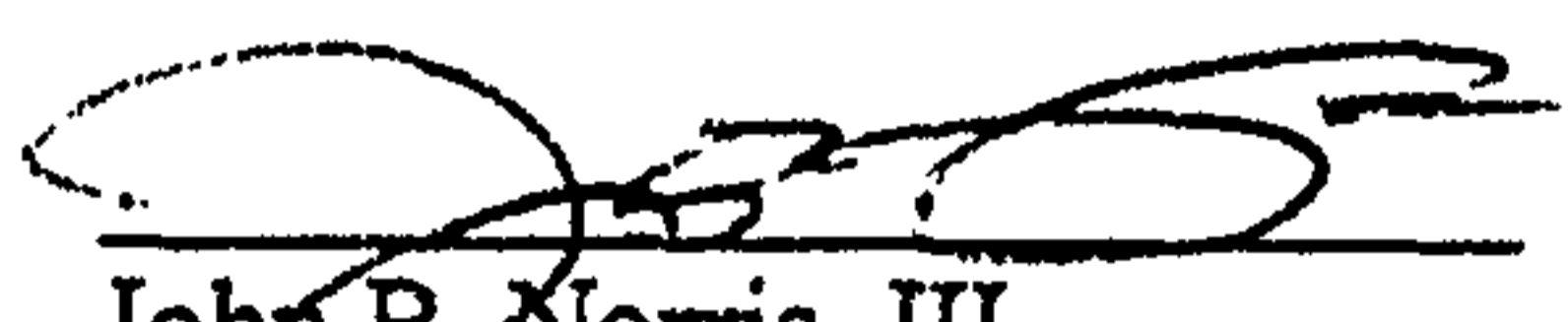

George G. Forrest
County Administrator


Thomas F. McKay, Commissioner President

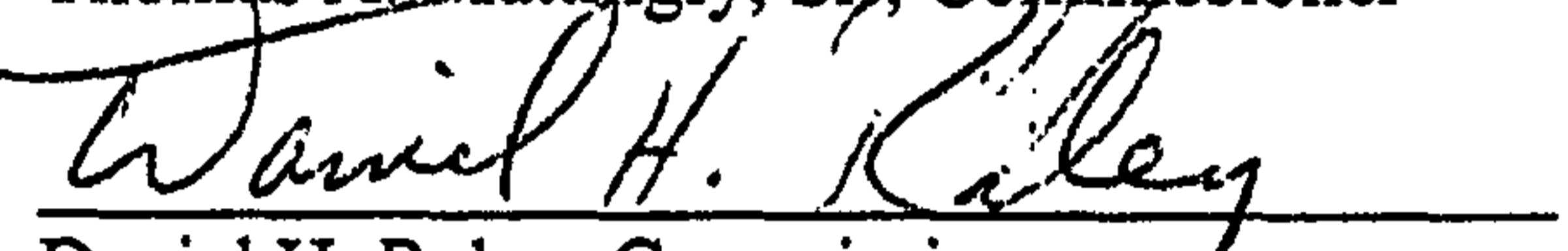

Kenneth R. Dement, Commissioner

Approved as to form and legal
sufficiency:


Lawrence D. Jarboe, Commissioner



John B. Norris, III
County Attorney


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

CERTIFICATE

This certifies that the President of the Board of County Commissioners did in fact before me this date, sign and execute this application and the foregoing Resolution.


Signature of Recording Officer

Asst. to the Board of County Commissioners
Title of Recording Officer

10/21/03
Date

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the Board of County Commissioners for St. Mary's County is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated September 8, 1998, and Record Plat recorded among the Land Records of St. Mary's County at Liber EWA 35, Folio 54, for Avenmar Drive, County Route 31364, and Avenmar Court, County Route 31365; and

WHEREAS, Avenmar Subdivision is subject to the requirements of the St. Mary's County Subdivision Ordinance (1978) and pursuant to Section 24 of the St. Mary's County Subdivision Ordinance (2002).


NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, finding that Avenmar Drive, County Route 31364, and Avenmar Court, County Route 31365, located in the Avenmar Subdivision, Section 1, Third (3rd) Election District, St. Mary's County, Maryland (Plat Reference: Liber EWA 35, Folio 54) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Avenmar Drive, County Route 31364, and Avenmar Court, County Route 31365, into the County's Highway Maintenance System.

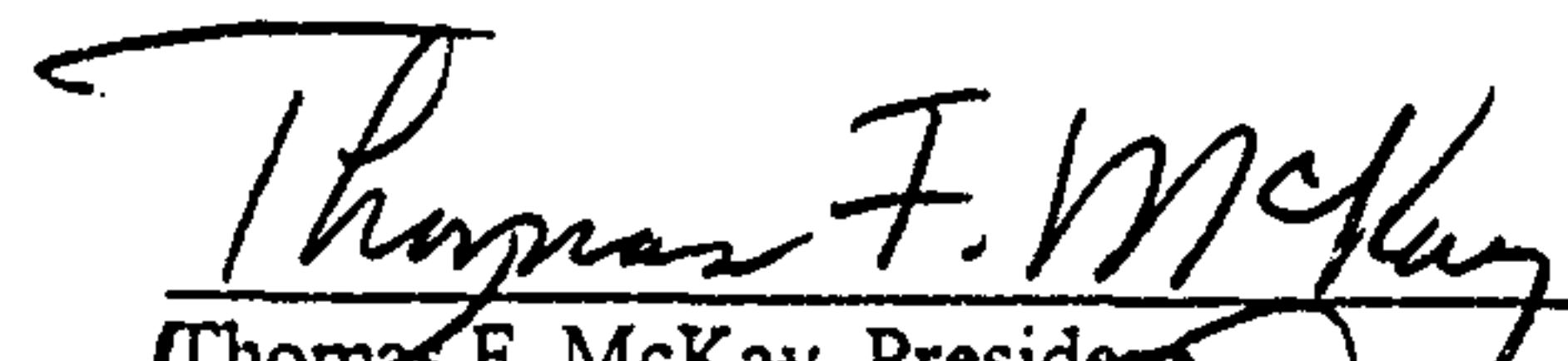
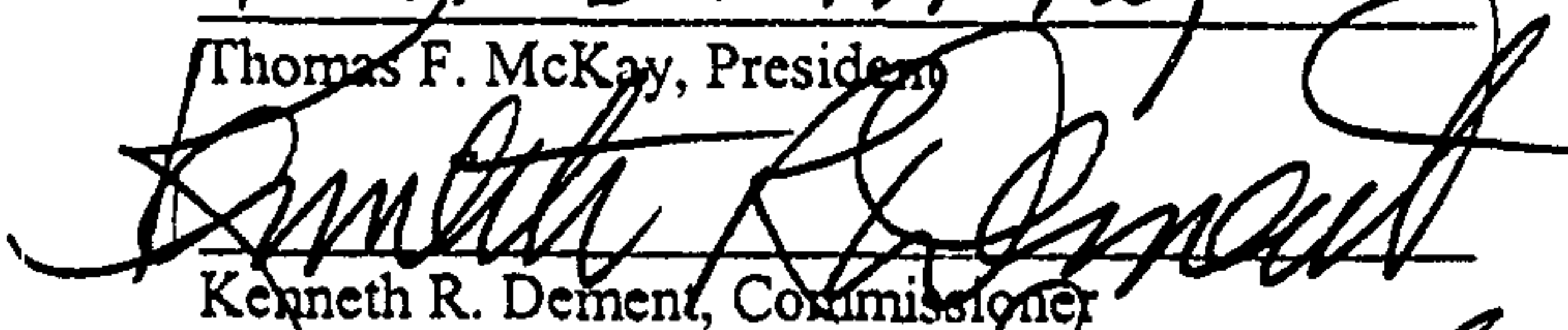
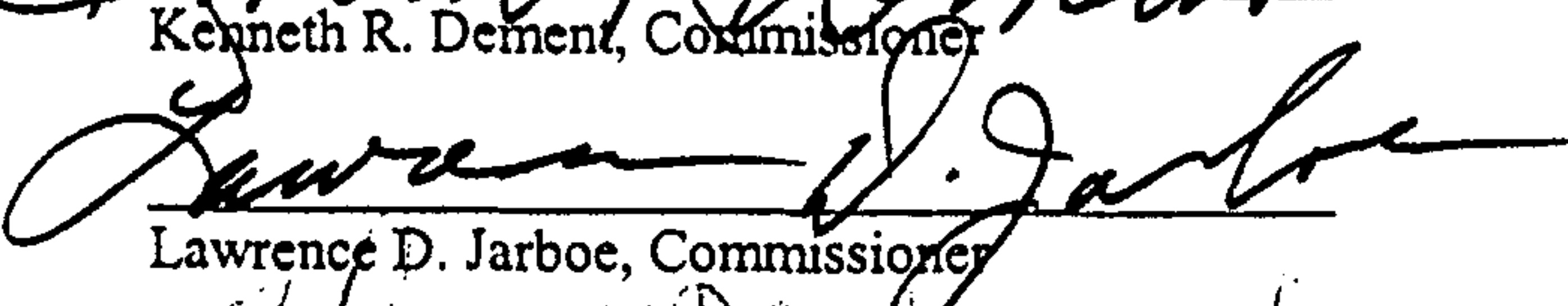
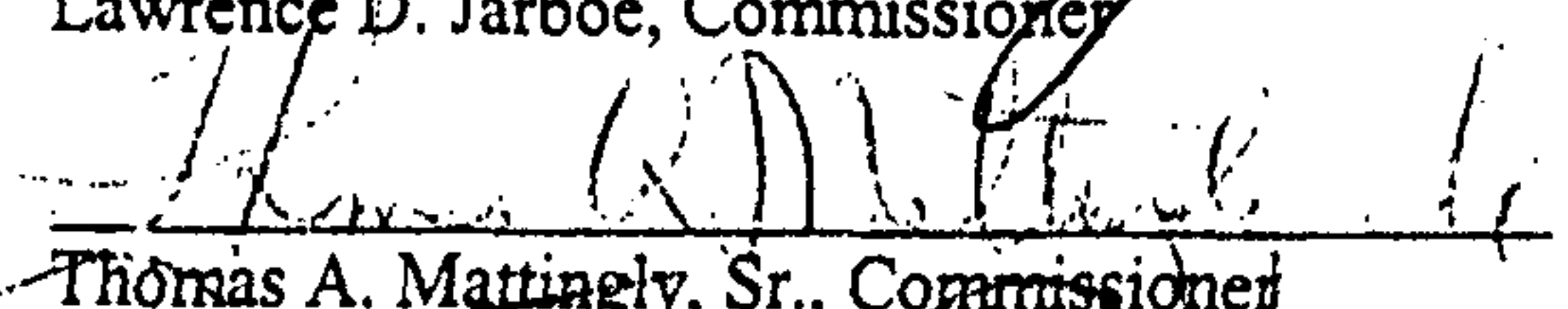
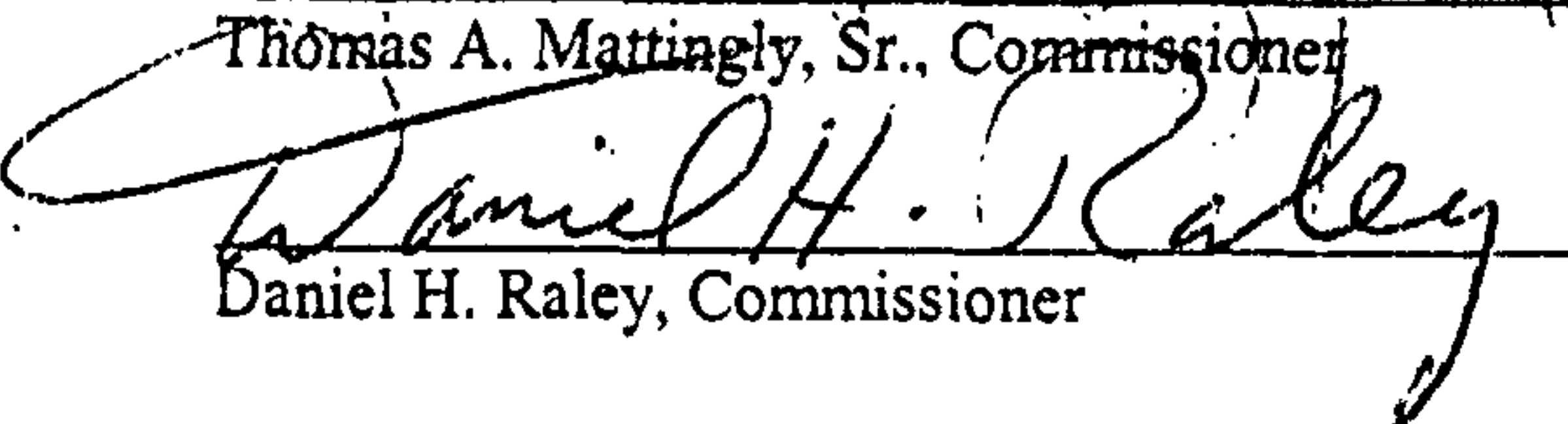
Those voting aye: all
Those voting nay: -0-
Those abstaining or absent: -0-
Date of Adoption: 10/28/03
Effective Date: 10/28/03

RECORDING FEE 0.00
TOTAL 0.00
Res#5482 Rert#999999
EWA KAE 81K2232
Nov 17: 2003 02:51 PM


ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George G. Forrest
County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

NO.: 03- 66
SUBJECT: Avenmar Drive and Avenmar Court
Stop Signs
Avenmar Subdivision, Section 1

LIBERO 027 PAGE 107 RESOLUTION

WHEREAS, pursuant to Sections 1 and 10-1 of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersection of Avenmar Drive and Avenmar Court located in the Avenmar Subdivision, Section 1, Third (3rd) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 35, Folio 54, as a threat to public safety and a hazardous condition due to the absence of a traffic control device at these intersections; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County exercise its authority to regulate traffic at this intersection by means of a traffic control device; specifically, a stop sign on Avenmar Drive, County Route 31364, at the intersection with Bull Road, County Route 30167; and Avenmar Court, County Route 31365, at the intersection with Avenmar Drive, County Route 31364.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Avenmar Drive, County Route 31364, at the intersection with Bull Road, County Route 30167; and Avenmar Court, County Route 31365, at the intersection with Avenmar Drive, County Route 31364; and in the interest of public safety and to eliminate a hazardous condition, Avenmar Drive, County Route 31364, and Avenmar Court, County Route 31365, further identified as being located in the Avenmar Subdivision, Section 1, Third (3rd) Election District, St. Mary's County, Maryland (Plat Reference: EWA 35, Folio 54) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

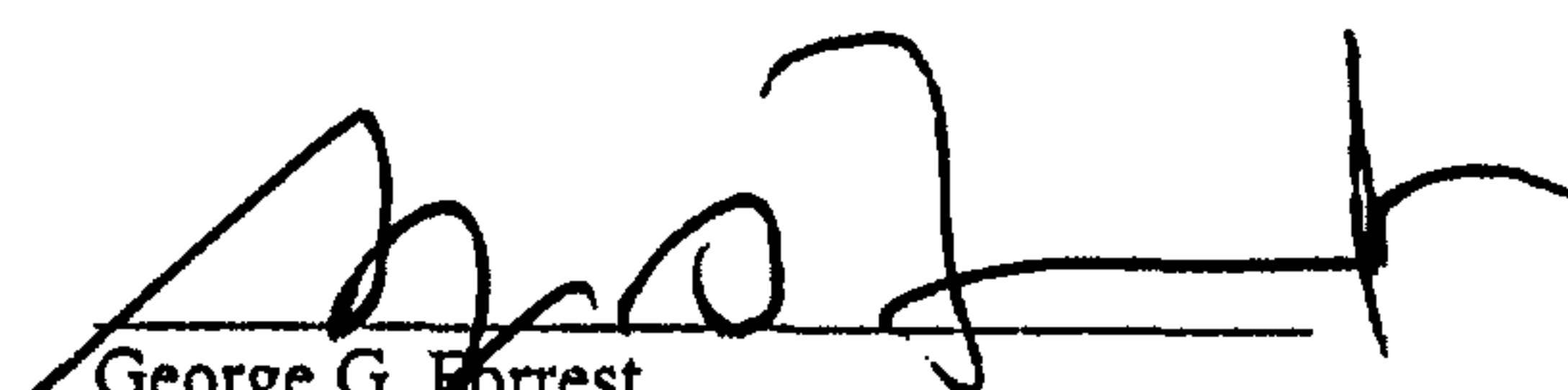
BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County directs and instructs the Director of the Department of Public Works and Transportation to erect a traffic control device; specifically, a stop sign on Avenmar Drive, County Route 31364, at the intersection with Bull Road, County Route 30167; and Avenmar Court, County Route 31365, at the intersection with Avenmar Drive, County Route 31364.

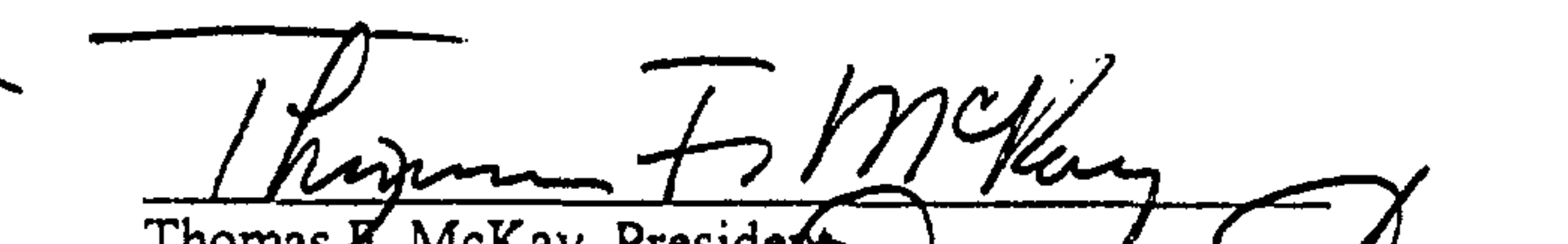
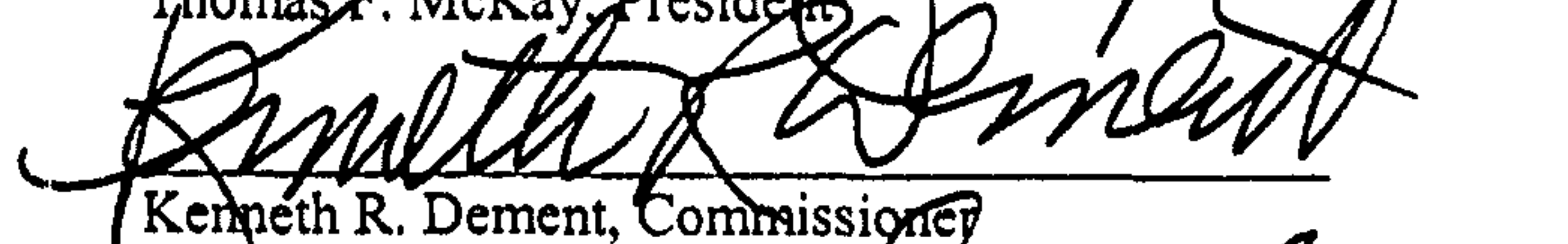

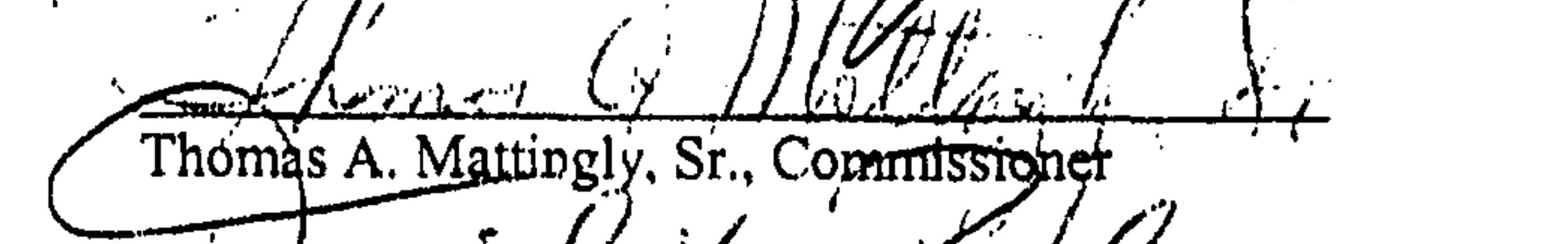
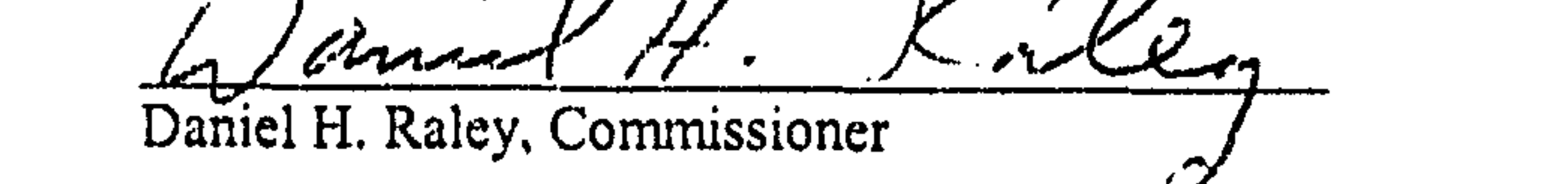
Those voting aye: all
Those voting nay: -0-
Those abstaining or absent: -0-
Date of Adoption: 10/28/03
Effective Date: 10/28/03

RECORDING FEE 0.00
TOTAL 0.00
RESOLUTION REPT#999999
EWA KAC BIK#2202
Nov 17, 2003 02:52 PM


ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George G. Forrest
County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-I of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Section 21-801.1 of the Transportation Article of the Maryland Annotated Code for Avenmar Drive, County Route 31364, and Avenmar Court, County Route 31365, located in the Avenmar Subdivision, Section 1, Third (3rd) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 35, Folio 54, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Avenmar Drive, County Route 31364, and Avenmar Court, County Route 31365.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds the maximum speed limit set forth for roads of the type of Avenmar Drive and Avenmar Court is greater than reasonable or safe, and that Avenmar Drive, County Route 31364, and Avenmar Court, County Route 31365, located in the Avenmar Subdivision, Section 1, Third (3rd) Election District, St. Mary's County, Maryland (Plat Reference: EWA 35, Folio 54) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

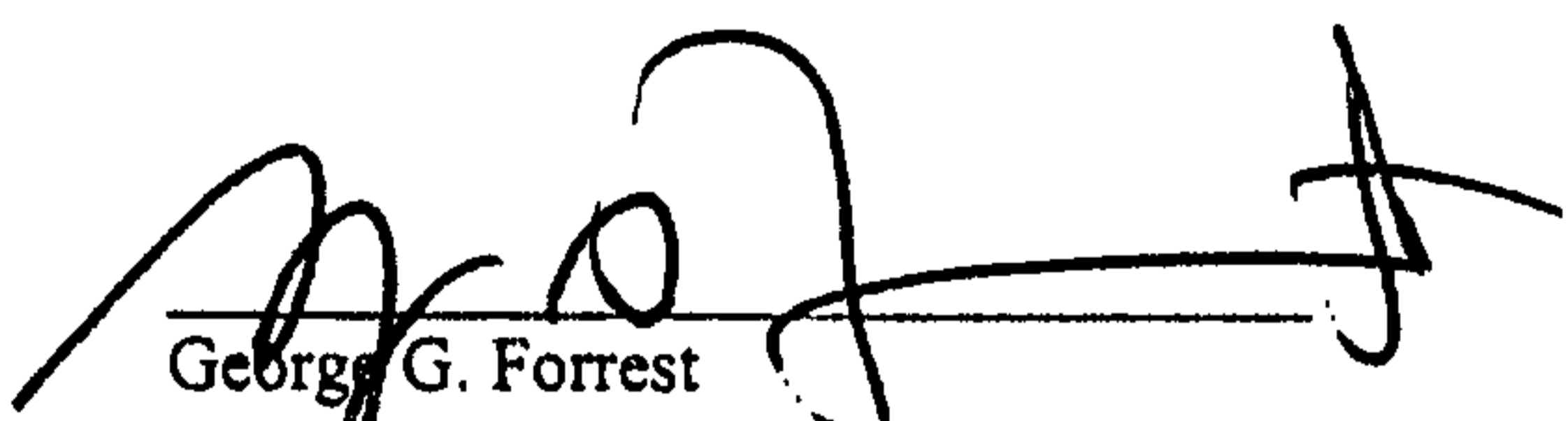
BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

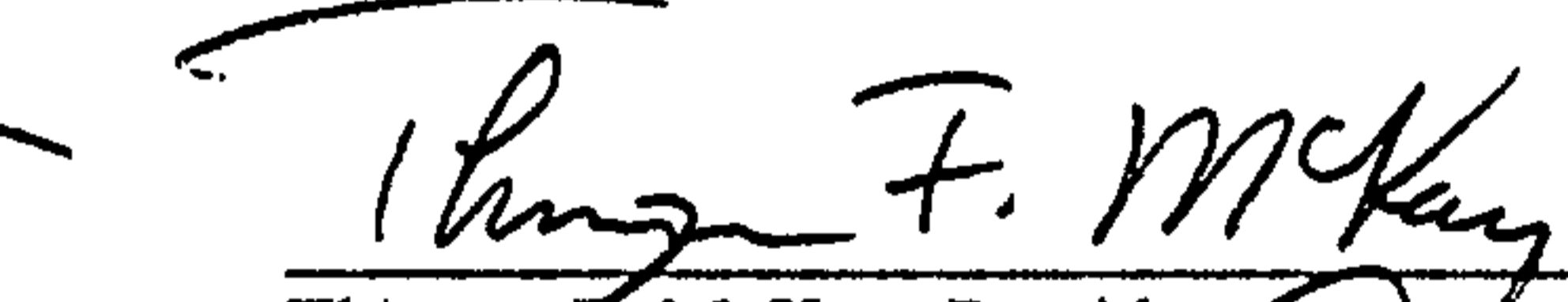

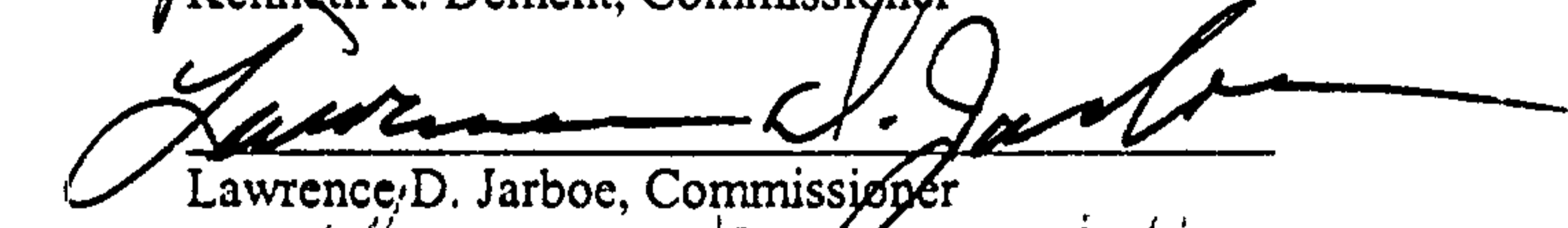

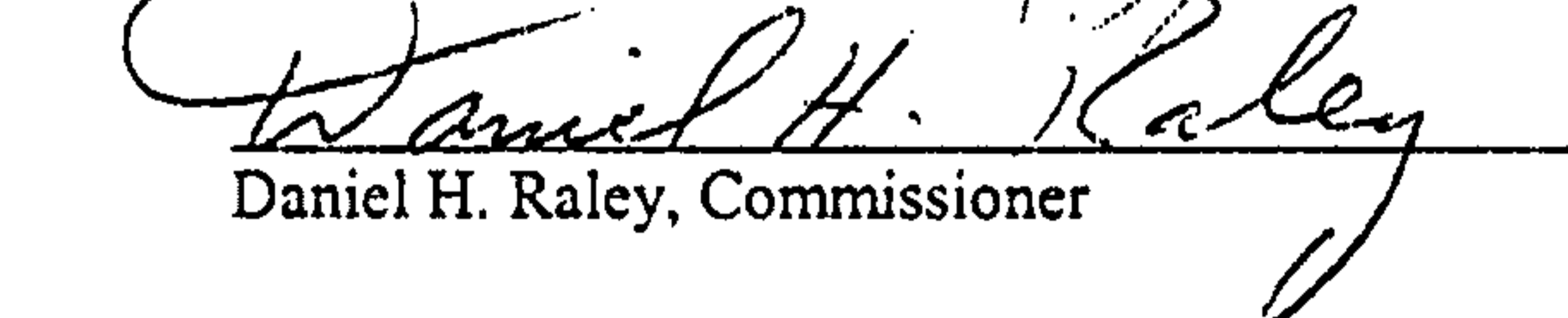
Those voting aye: all
Those voting nay: -0-
Those abstaining or absent: -0-
Date of Adoption: 10/28/03
Effective Date: 10/28/03

RECORDING FEE 0.00
TOTAL 0.00
RESUBMIT Fc:tt999999
EWA KAE B1K:2292
Nov 17, 2003 02:52 PM

ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George G. Forrest
County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
County Attorney

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the Board of County Commissioners for St. Mary's County is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated May 29, 1998, and Record Plat recorded among the Land Records of St. Mary's County at Liber EWA 47, Folio 25, for Hunting Quarter Drive, Mallard Place, and Widgon Place; and

WHEREAS, Hunting Quarter Subdivision is subject to the requirements of the St. Mary's County Subdivision Ordinance (1978) and pursuant to Section 24 of the St. Mary's County Subdivision Ordinance (2002).

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, finding that Hunting Quarter Drive, County Route 30951, Mallard Place, County Route 31369, and Widgon Place, County Route 31370, located in the Hunting Quarter Subdivision, Phase 2, Section 2C, Second (2nd) Election District, St. Mary's County, Maryland (Plat Reference: Liber EWA 47, Folio 25) meet the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Hunting Quarter Drive, County Route 30951, Mallard Place, County Route 31369, and Widgon Place, County Route 31370, into the County's Highway Maintenance System.

Those voting aye: all
Those voting nay: 0
Those abstaining or absent: 0

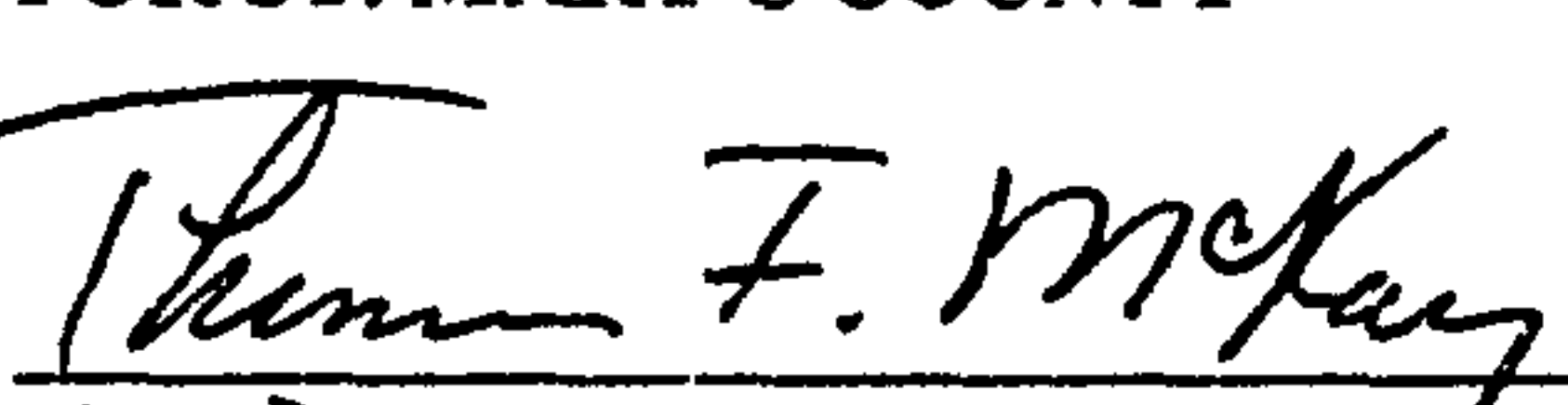
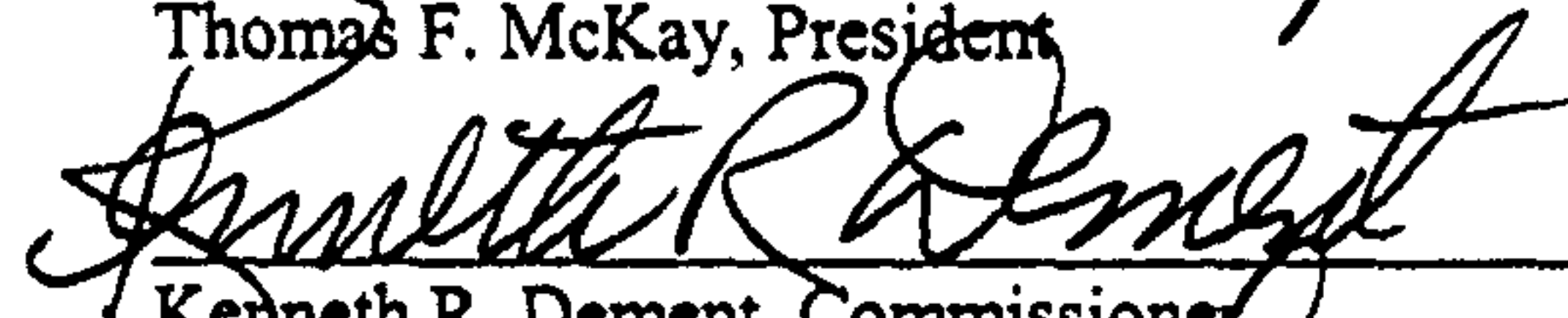
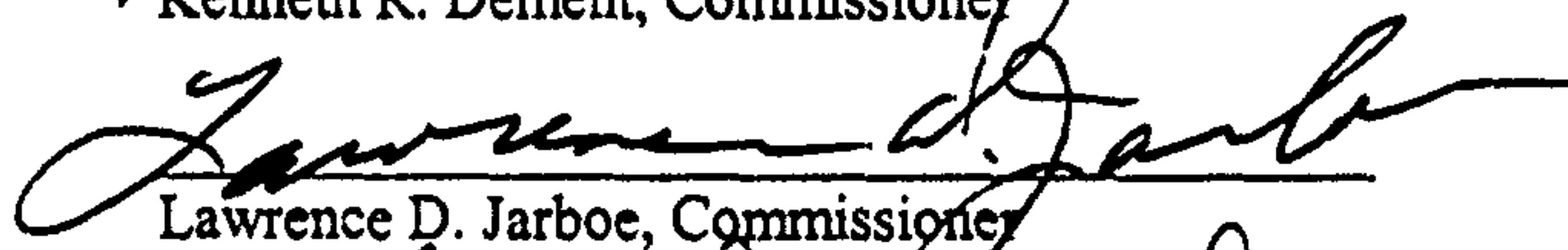
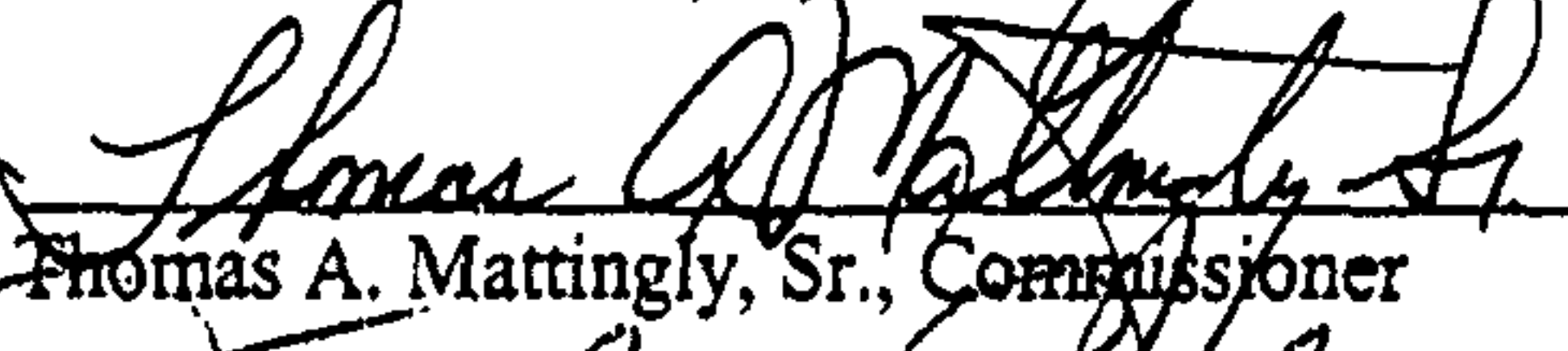

Date of Adoption: 11/4/03
Effective Date: 11/4/03

RECORDING FEE 0.00
TOTAL 0.00
RES#02 RPL#999999
EWA KAE DIR#2272
Nov 17, 2003 02:53 PM


ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George G. Forrest
County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

NO.: 03- 69
SUBJECT: Hunting Quarter Drive, Mallard Place
and Widgon Place
Speed Limit
Hunting Quarter Subdivision
Phase 2, Section 2C

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-1 of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Section 21-801.1 of the Transportation Article of the Maryland Annotated Code for Hunting Quarter Drive, County Route 30951, Mallard Place, County Route 31369, and Widgon Place, County Route 31370, located in the Hunting Quarter Subdivision, Phase 2, Section 2C, Second (2nd) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 47, Folio 25, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Hunting Quarter Drive, County Route 30951, Mallard Place, County Route 31369, and Widgon Place, County Route 31370.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds the maximum speed limit set forth for roads of the type of Hunting Quarter Drive, Mallard Place and Widgon Place is greater than reasonable or safe, and that Hunting Quarter Drive, County Route 30951, Mallard Place, County Route 31369, and Widgon Place, County Route 31370, located in the Hunting Quarter Subdivision, Phase 2, Section 2C, Second (2nd) Election District, St. Mary's County, Maryland (Plat Reference: EWA 47, Folio 25) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.


BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

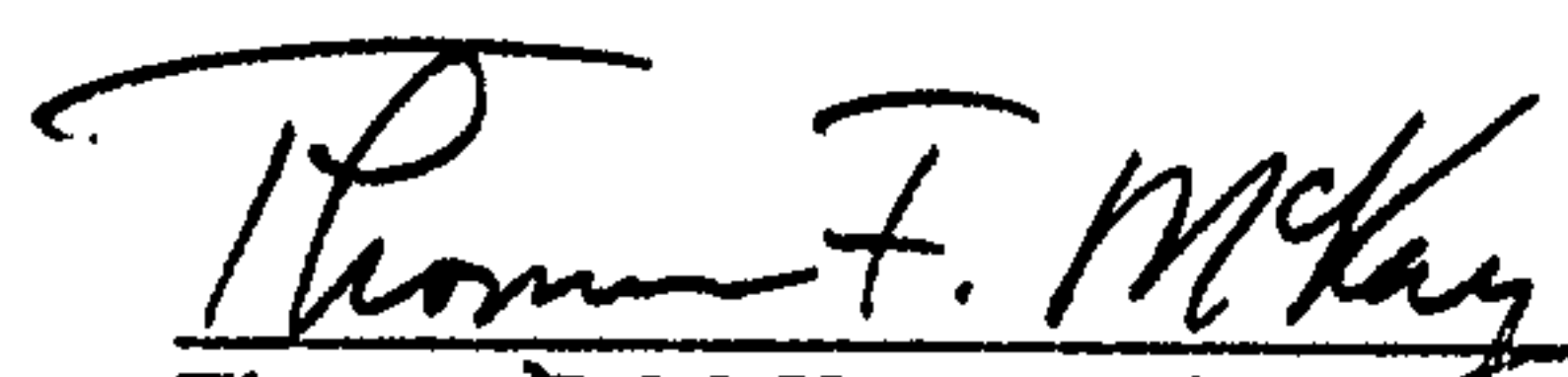
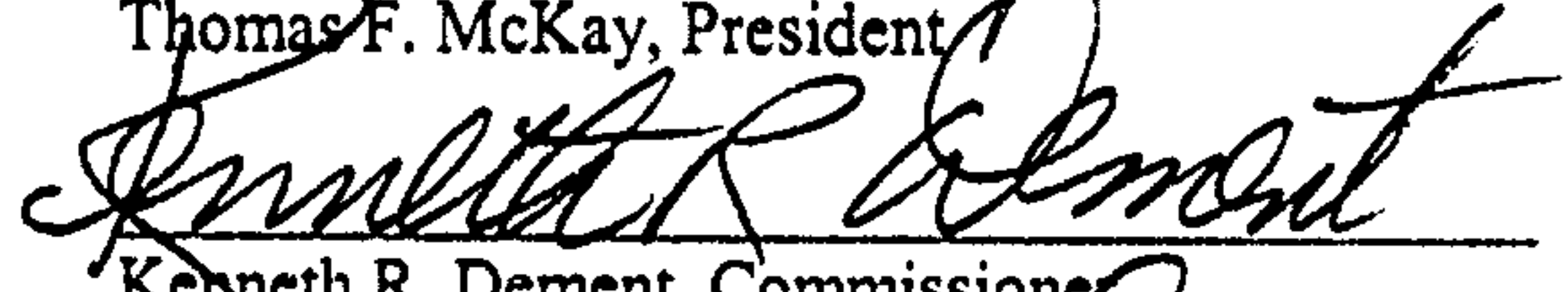
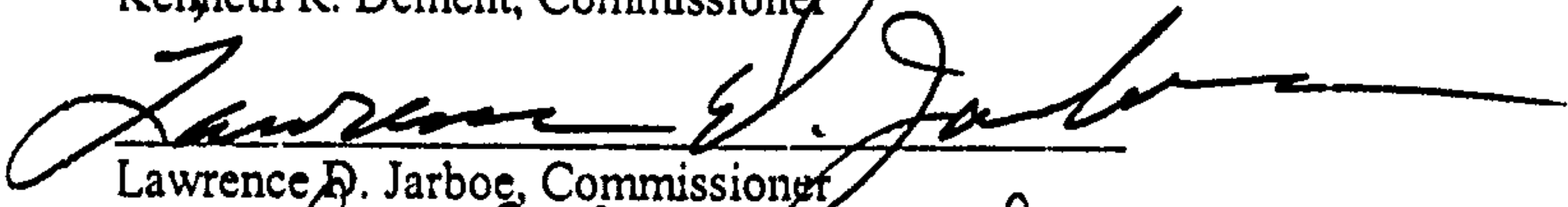
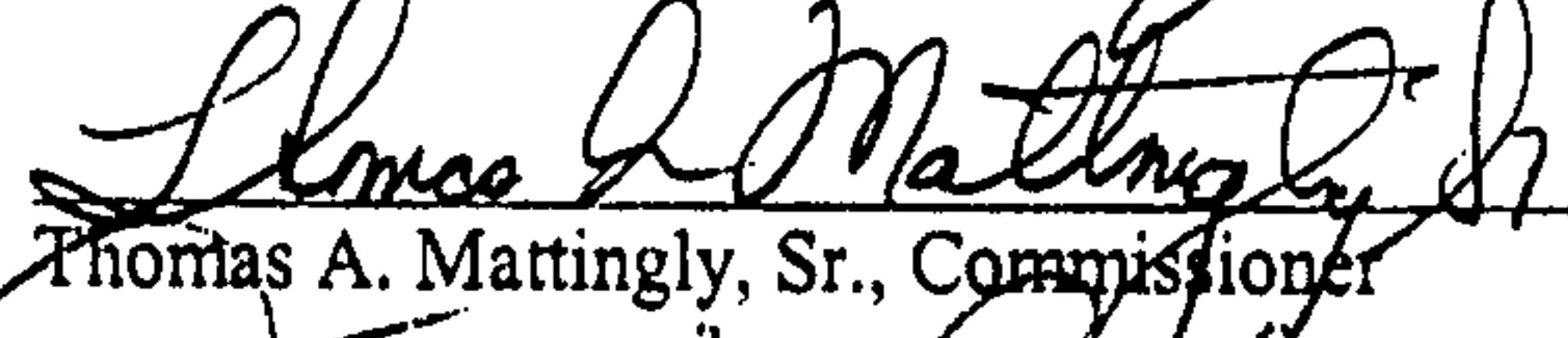
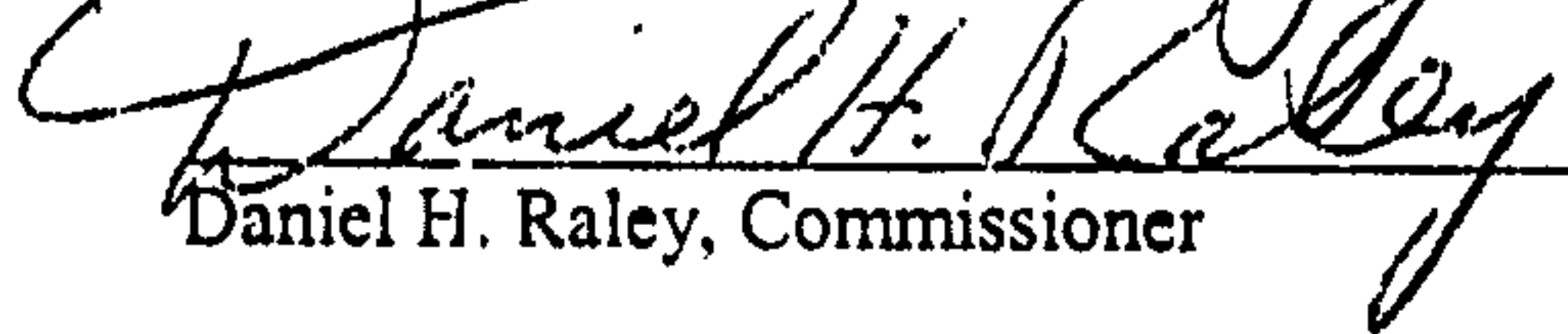
Those voting aye: all
Those voting nay: 0
Those abstaining or absent: 0
Date of Adoption: 11/4/03
Effective Date: 11/4/03

RECORDING FEE 0.00
TOTAL 0.00
RESUME RPT#999999
EWA KAE BIK#2222
Nov 17, 2003 02:54 PM

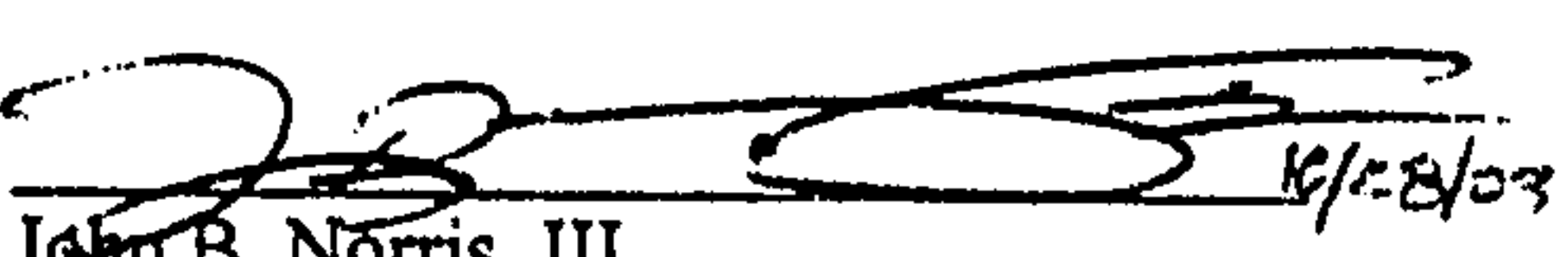
ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George G. Forrest
County Administrator


Thomas F. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
County Attorney

NO.: 03- 70
SUBJECT: Hunting Quarter Drive, Mallard Place,
and Widgon Place
Stop Signs
Hunting Quarter Subdivision
Phase 2, Section 2C

RESOLUTION

WHEREAS, pursuant to Sections 1 and 10-I of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersection of Mallard Place and Hunting Quarter Drive, and Widgon Place and Hunting Quarter Drive, located in the Hunting Quarter Subdivision, Phase 2, Section 2C, Second (2nd) Election District, St. Mary's County, Maryland, as depicted on Record Plat recorded among the Land Records of St. Mary's County at EWA 47, Folio 25, as a threat to public safety and a hazardous condition due to the absence of a traffic control device at these intersections; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County exercise its authority to regulate traffic at these intersections by means of a traffic control device; specifically, a stop sign on Mallard Place, County Route 31369, at the intersection with Hunting Quarter Drive, County Route 30951; and Widgon Place, County Route 31370, at the intersection with Hunting Quarter Drive, County Route 30951.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Mallard Place, County Route 31369, with the intersection of Hunting Quarter Drive, County Route 30951; and at the intersection of Widgon Place, County Route 31370, with the intersection with Hunting Quarter Drive, County Route 30951; and in the interest of public safety and to eliminate a hazardous condition, Mallard Place, County Route 31369, and Widgon Place, County Route 31370, further identified as being located in the Hunting Quarter Subdivision, Phase 2, Section 2C, Second (2nd) Election District, St. Mary's County, Maryland (Plat Reference: EWA 47, Folio 25) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County directs and instructs the Director of the Department of Public Works and Transportation to erect a traffic control device; specifically, a stop sign on Mallard Place, County Route 31369, at the intersection with Hunting Quarter Drive, County Route 30951; and Widgon Place, County Route 31370, at the intersection with Hunting Quarter Drive, County Route 30951.

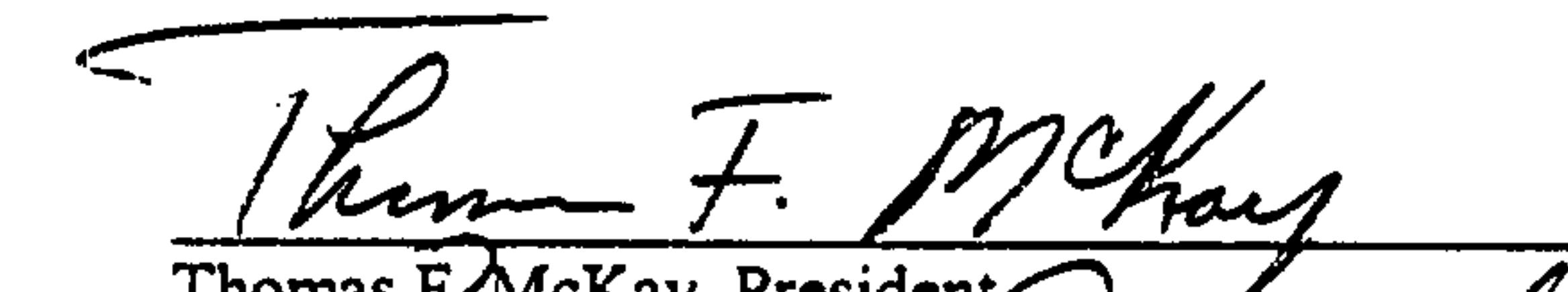
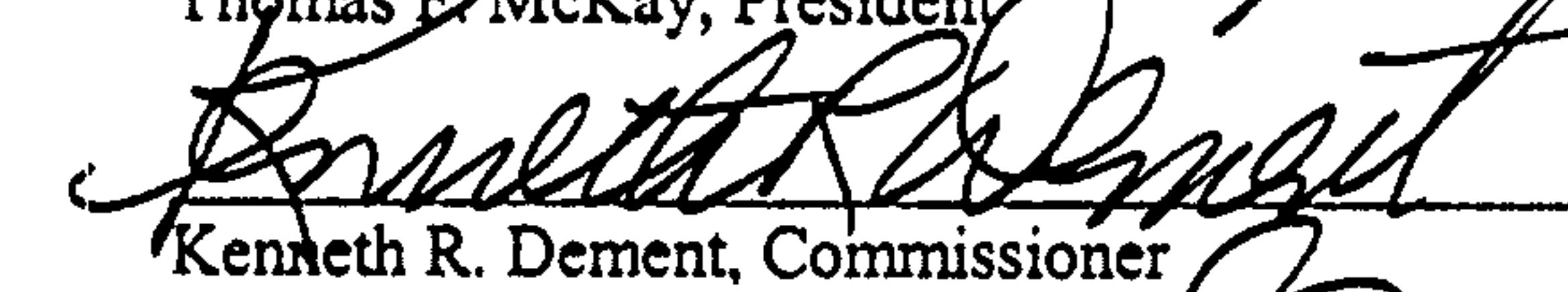
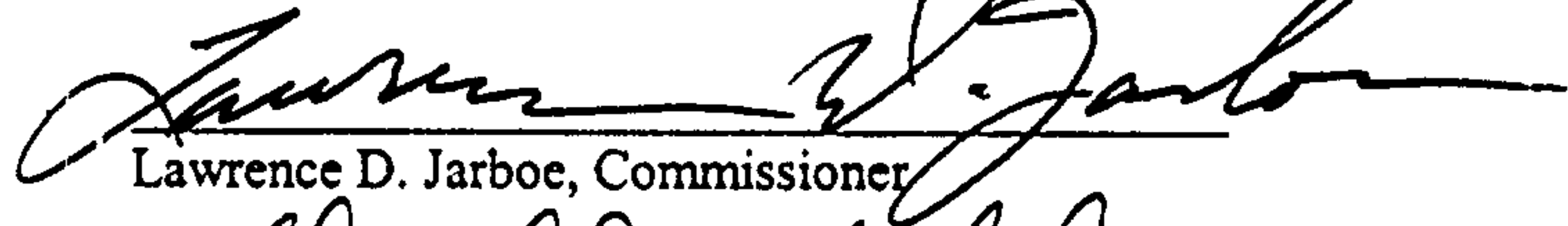
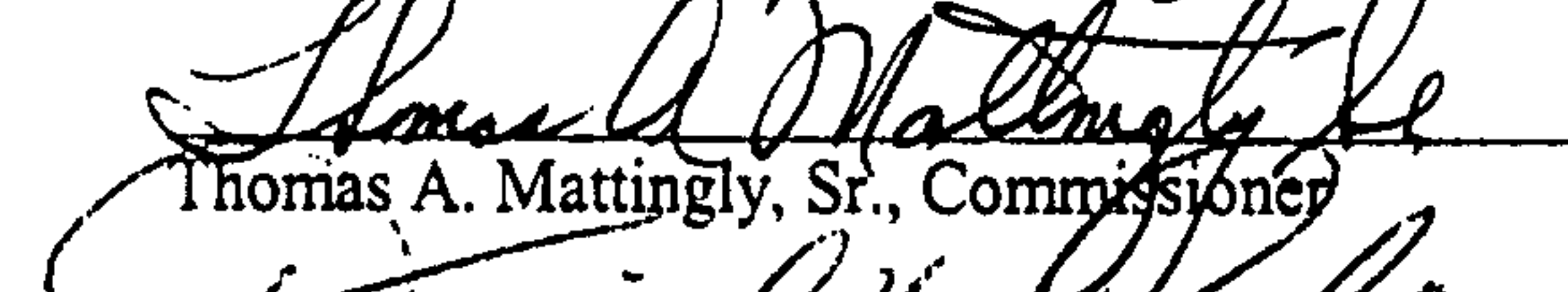
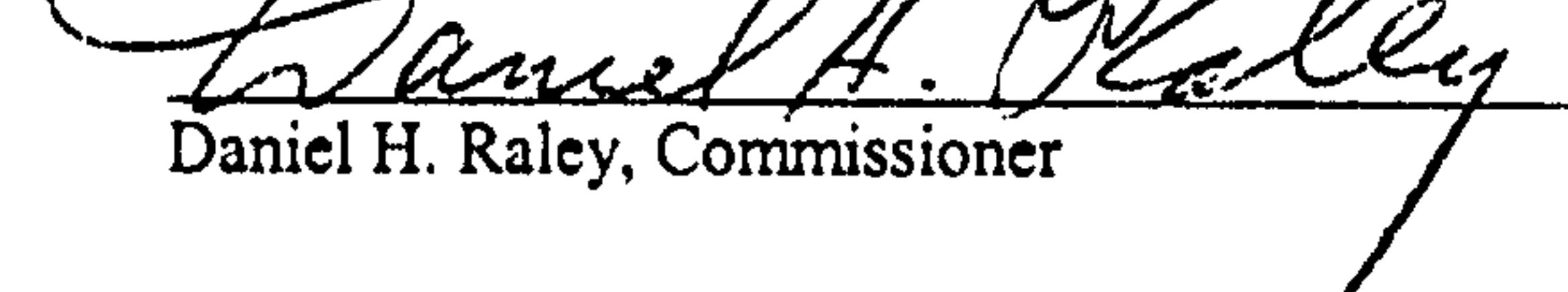
RECORDING FEE 0.00
TOTAL 0.00
Rest#SMB2 Ropt#999999
LWA KAE BIK#2232
Nov 17, 2003 02:55 PM

Those voting aye: all
Those voting nay: 0
Those abstaining or absent: 0
Date of Adoption: 11/4/03
Effective Date: 11/4/03

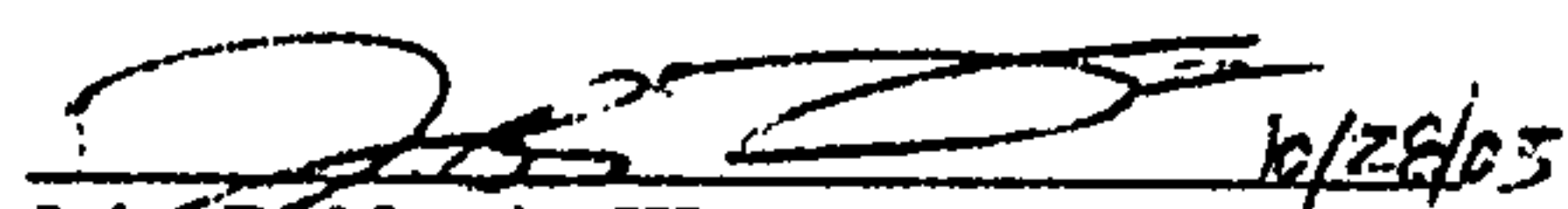
ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY


George G. Forrest
County Administrator


Thomas E. McKay, President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

NO.: 11

LIBERO 027 PAGE 1 12

SUBJECT: FY 2004 Supplemental Appropriation
Office of Community Services

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2004 General Fund Operating Budget to increase the appropriation for the Office of Community Services for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$7,870.00 are available in the Revolving Funds for the Alliance and for Events, and

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, October 14, 2003 pursuant to Notice published on or about October 3, 2003 and October 10, 2003 in the Enterprise, a newspaper of general circulation in St. Mary's County.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, October 14, 2003 to present and explain the requirements to increase the Fiscal Year 2004 Budget in the amount of \$7,870.00 (Seven Thousand Eight Hundred and Seventy Dollars), and such increase is hereby approved this _____ day of November, 2003 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: all
Those voting Nay: 0
Those Absent: 0

Date of Adoption: 11/4/03

Effective Date: 11/4/03

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND

Thomas F. McKay
Thomas F. McKay, President

Kenneth R. Dement
Kenneth R. Dement, Commissioner

Lawrence D. Jarboe
Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr.
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley
Daniel H. Raley, Commissioner

ATTEST:

George G. Forrest
George G. Forrest
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

John B. Norris
John B. Norris
County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Rest#582 Rest#99999
EMA KAE 81K2232
Nov 17, 2003 02:56 PM

CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: October 16, 2003


TO: Board of County Commissioners

ORDINANCE
NUMBER: 11

PURPOSE: Office of Community Services
for additional funds to cover SOSAR, summer 2003, transportation and other costs.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$7,870.00	Per Notice of Budget Amendment 9/29/2003


Elaine M. Kramer
Director of Finance

Subject: Growth Allocation Request
of the Town of Leonardtown

LIBERO 027 PAGE 1 4

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY**

PURPOSE

To support the application of the Town of Leonardtown to seek an award of 3.136 acres of Growth Allocation to accommodate development within the Leonardtown Wharf Property in the Town of Leonardtown.

WHEREAS, the St. Mary's County Commissioners seeks to encourage development within the Town of Leonardtown; and

WHEREAS, according to the St. Mary's County Comprehensive Zoning Ordinance, Section 41.9 , the Board of County Commissioners may grant Growth Allocation; and

WHEREAS, on October 14, 2003, the St. Mary's County Planning Commission held a hearing to consider the request of the Town of Leonardtown and voted unanimously to recommend the award of 3.136 acres of Growth Allocation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County that:

1. It is the Board of County Commissioners's opinion at this time that it is in the best interest of the health, safety and welfare of the citizens of St. Mary's County, Maryland, that the request for the award of Growth Allocation to the Town of Leonardtown be granted; and
2. This Resolution shall take effect from the date set forth below as the "Effective Date;" and
3. The foregoing recitals are hereby adopted as if fully set forth herein.

Aye: All
 Nay: None
 Absent: None
 Adopted: October 21, 2003
 Effective Date: October 21, 2003


RECORDING FEE 0.00
 TOTAL 0.00
 Res#SM02 Rcr#1999999
 EWA KAE 81K:2292
 Nov 17, 2003 02:56 PM

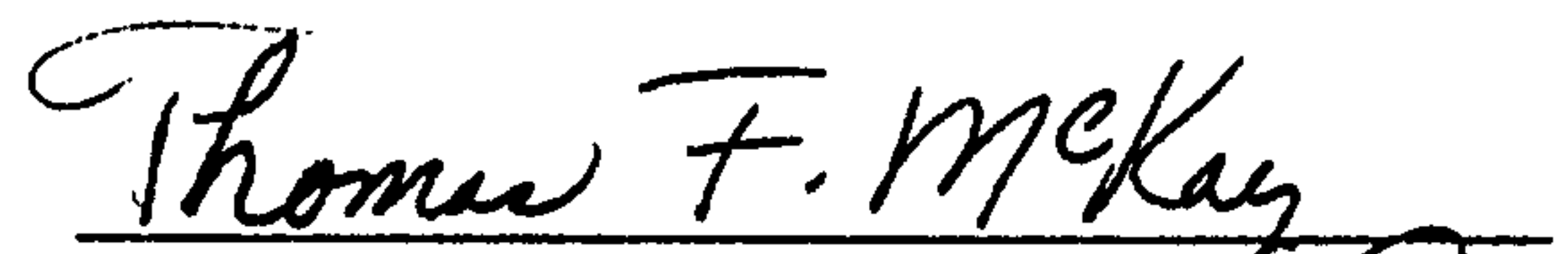
**BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND**

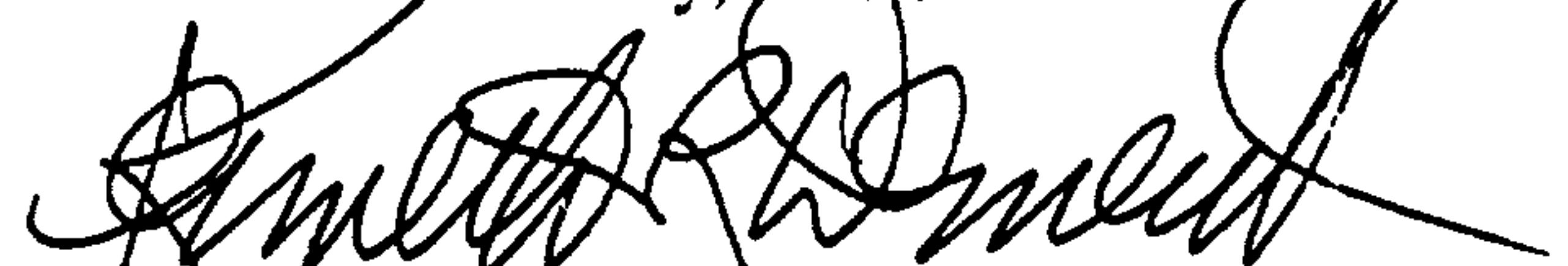
ATTEST:

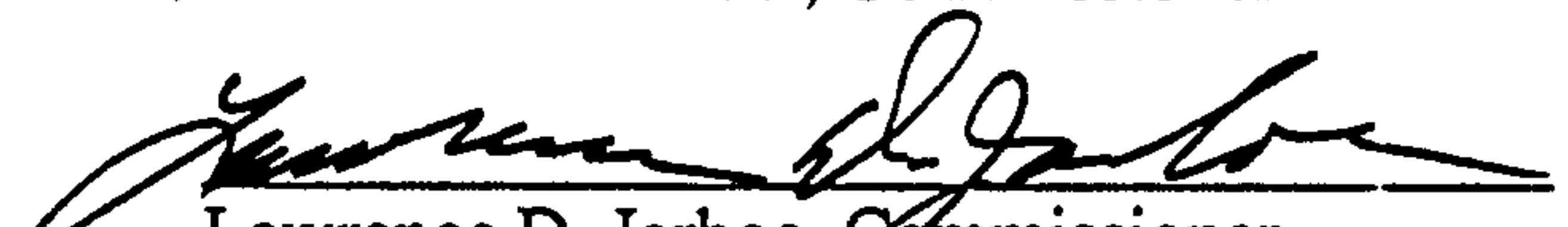

 George F. Forrest
 County Administrator


**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

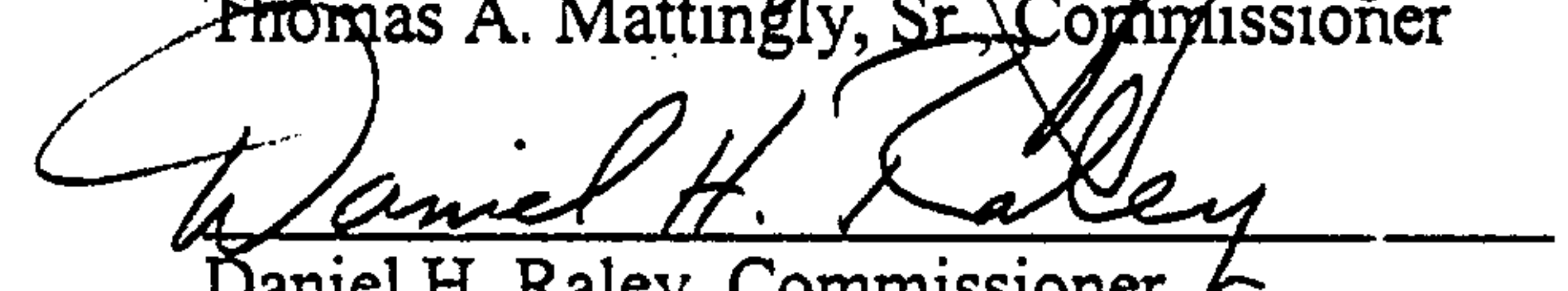

 John B. Norris, III
 County Attorney


 Thomas F. McKay, President


 Kenneth R. Dement, Commissioner


 Lawrence D. Jarboe, Commissioner


 Thomas A. Mattingly, Sr., Commissioner


 Daniel H. Raley, Commissioner

LIBERO 027 PAGE 15

ORDINANCE

**AN ORDINANCE FOR THE PURPOSE OF AMENDING THE
ST. MARY'S COUNTY AIRPORT LAYOUT/MASTER PLAN**

WHEREAS, on October 14, 2003, in open session and pursuant to *Article 66B*, Section 3.05 of the Maryland Annotated Code, the St. Mary's County Planning Commission forwarded a recommendation to the Board of County Commissioners to adopt the proposed amendments to the St. Mary's County Airport Layout/Master Plan ("Plan"); and

WHEREAS, the Board of County Commissioners for St. Mary's County, following due notice published in the October 1, 2003 and October 8, 2003 editions of *The Enterprise*, a newspaper of general circulation in St. Mary's County, held a public hearing on October 21, 2003 regarding the proposed amendment of Sheet 2, Airport Layout Drawing, and Sheet 9, Airport Property Map ("Exhibit A"), of the approved St. Mary's County Airport Layout/Master Plan; and

WHEREAS, all procedural requirements of *Article 66B* of the Maryland Annotated Code, as amended, with regard to preparation of the recommendation of the Planning Commission and subsequent action of the Board of County Commissioners for St. Mary's County have been met; and

WHEREAS, on August 25, 2003, the Airport Advisory Committee, following due published notice, recommended approval of staff proceeding with preparation of a pen and ink change and formal update of the adopted Airport Master Plan document as approved by the Board of County Commissioners and Federal Aviation Administration on September 3, 2002, and November 19, 2002, respectively; and

WHEREAS, upon due consideration of the comments of the public and staff, the recommendation of the St. Mary's Planning Commission and in furtherance of the public health, safety and welfare, it is in the best interest of public health, safety and welfare of the citizens of the St. Mary's County, Maryland, to adopt amendments to the St. Mary's County Airport Layout/Master Plan to reflect the approved hangar development on land currently under lease by the Board of County Commissioners to the Airport Development, LLC and S.M. Hangars, Inc.; and to facilitate a proposed amendment of Chapter 50, Use Classifications, and Chapter 51, Use Regulations and Standards, of the St. Mary's County Comprehensive Zoning Ordinance.

WHEREAS, the proposed developments reflected on Sheets 2 and 9 of the Airport Layout/Master Plan include approximately 73,550 square feet of additional hangar development and land donations of Lot 1 - 5.057 acres, and Parcel A - 1.770 acres, which are to be dedicated for airport use.

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rec#999999
EMA KAE BL#2292

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County that the St. Mary's County Airport Layout/Master Plan shall be amended as shown on Exhibit "A", hereby incorporated by reference; and same are hereby adopted. The amendments shall be forwarded to the Federal and Maryland Aviation Administration upon recordation of this Ordinance.

Nov 17, 2003 02:57 PM


BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County Maryland that, in the event any portion of the St. Mary's County Airport Layout/Master Plan is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Plan shall be enforceable and valid.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the forgoing amendments to the St. Mary's County Airport Layout/Master Plan shall be effective upon the date written below.


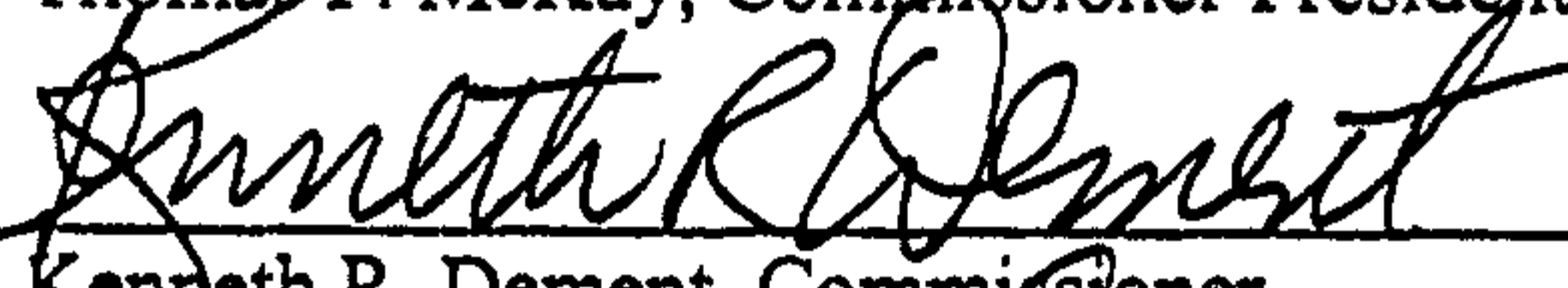
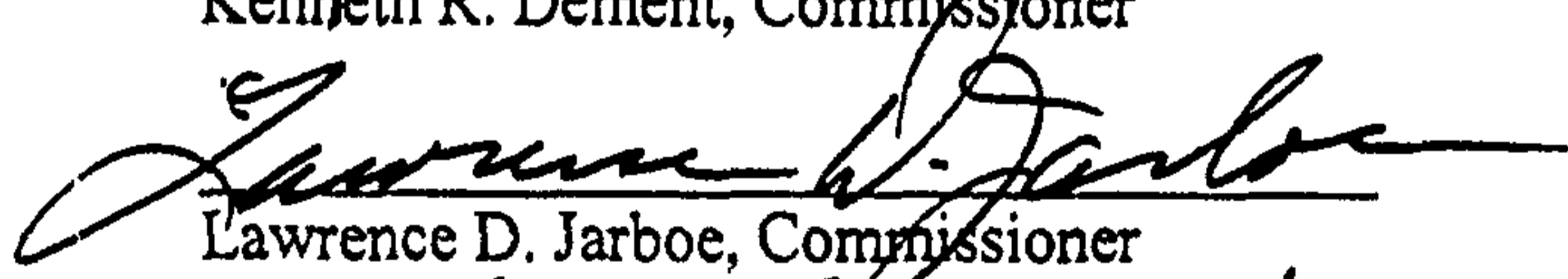

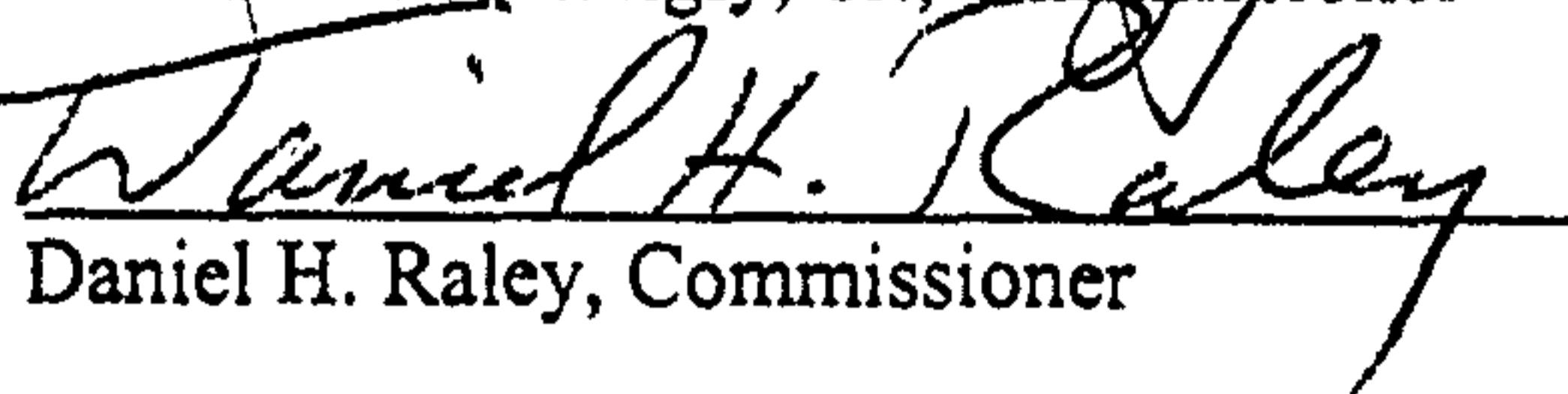
BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County that the foregoing recitals are adopted as if fully rewritten herein.

Those voting Aye: all
Those voting Nay: 0
Those abstaining or absent: 0
DATE OF ADOPTION: 11/4/03
EFFECTIVE DATE: 11/4/03

ATTEST:

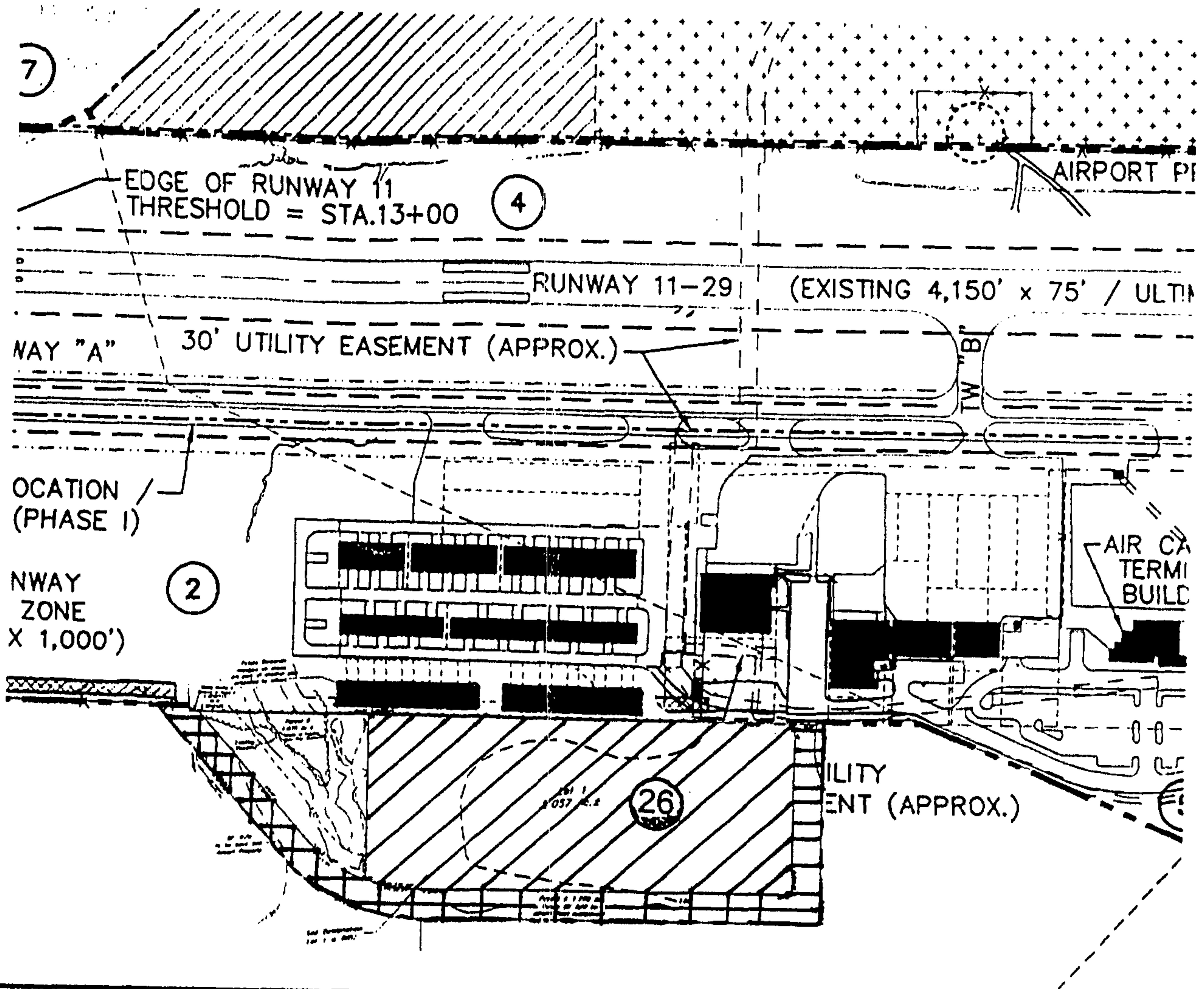

George C. Forrest
County Administrator

BOARD OF COUNTY COMMISSIONERS
ST. MARY'S COUNTY, MARYLAND


Thomas F. McKay, Commissioner President

Kenneth R. Dement, Commissioner

Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
County Attorney



NAL AIRPORT AT ST. MARY'S

CUMULATIVE UTILITY	FAA PROJECT NO.	REMARKS
	FAAP 9-18-020-0901	ORIGINAL PURCHASE, RECORDED PARCELS 1 AND 2
	FAAP 9-18-020-0901	ORIGINAL PURCHASE, RECORDED PARCELS 3 AND 4
	FAAP 9-18-020-0901	ORIGINAL PURCHASE, RECORDED PARCEL 6
	LOCAL	ORIGINAL PURCHASE, RECORDED PARCEL 5, TOTAL ACREAGE 138.24 (TRACT 1 = 136.625)
	LOCAL	ORIGINAL PURCHASE, PART OF RECORDED PARCEL 5, TOTAL ACREAGE 138.24 (TRACT 2 = 1.615)
	AIP 3-24-0022-08	

LAND DONATION:



ST. MARY'S COUNTY
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Airport Property Map - Sheet 9 of 9

6th ELECTION DISTRICT
ST. MARY'S COUNTY, MARYLAND

REVISION	
DATE	DESCRIPTION
SCALE: 1"=300'	DATE: 10-14-03
DRAWN: AMS	CHECKED: GAE
DWG. NO.:	

ORDINANCE

**AN ORDINANCE FOR THE PURPOSE OF AMENDING THE ST.
MARY'S COUNTY COMPREHENSIVE ZONING ORDINANCE AT
CHAPTERS 50 AND 51.**

WHEREAS, on October 14, 2003, in open session and pursuant to *Article 66B*, Section 3.05 of the Maryland Annotated Code, the St. Mary's County Planning Commission forwarded a recommendation to the Board of County Commissioners to adopt the proposed amendments to the St. Mary's County Comprehensive Zoning Ordinance; and

WHEREAS, the Board of County Commissioners for St. Mary's County, following due notice published in the October 1, 2003 and October 8, 2003 editions of *The Enterprise*, a newspaper of general circulation in St. Mary's County, held a public hearing on October 21, 2003 regarding the proposed amendment of Chapter 50, Use Classifications; and Chapter 51, Use Regulations and Standards, of the St. Mary's County Comprehensive Zoning Ordinance; and

WHEREAS, all procedural requirements of *Article 66B* of the Maryland Annotated Code, as amended, with regard to preparation of the recommendation of the Planning Commission and subsequent action of the Board of County Commissioners for St. Mary's County have been met; and

WHEREAS, upon due consideration of the comments of the public and staff, the recommendation of the St. Mary's Planning Commission and in furtherance of the public health, safety and welfare, it is in the best interest of public health, safety and welfare of the citizens of the St. Mary's County, Maryland, to adopt amendments to the St. Mary's County Comprehensive Zoning Ordinance set forth below, which shall otherwise remain in full force and effect.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County that the amendments to the St. Mary's County Comprehensive Zoning Ordinance set forth at Exhibit "A," hereby incorporated by reference, be and the same are hereby adopted.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County Maryland that, in the event any portion of the St. Mary's County Comprehensive Zoning Ordinance, is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the forgoing amendments to the St. Mary's County Comprehensive Zoning Ordinance shall be effective upon the date written below.

RECORDING FEE 0.00
TOTAL 0.00
Res#SMB2 Rpt#999999
EWA KAE 011:42:32
Nov 17, 2003 02:58 PM

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County that the foregoing recitals are adopted as if fully rewritten herein.

Those voting Aye: all

Those voting Nay: 0

DATE OF ADOPTION: November 4, 2003

EFFECTIVE DATE: November 14, 2003

**BOARD OF COUNTY COMMISSIONERS
ST. MARY'S COUNTY, MARYLAND**

Thomas F. McKay
Thomas F. McKay, Commissioner President

Kenneth R. Dement
Kenneth R. Dement, Commissioner

Lawrence D. Jarboe
Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr.
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley
Daniel H. Raley, Commissioner

ATTEST:

George F. Forrest
George F. Forrest
County Administrator

APPROVED AS TO LEGAL FORM AND
SUFFICIENCY:

John B. Norris, III 10/27/03
John B. Norris, III
County Attorney

12/2/02	Legend	P	Use is permitted in accordance with Chapter 51 General standards
	L	Use is permitted in accordance with Chapter 51 General and Limited standards	
	C	Use is permitted in accordance with Chapter 51 General and Conditional standards	
	A	Use is permitted as accessory to an allowable use (See Section 11.2.4.b).	
	PD	Use is permitted only within a Planned Unit Development subject to the review, conditions, and approval of the Board of County Commissioners.	
	-	Use is prohibited within the zone	
	RCA	Use may be allowed in the Resource Conservation Area Overlay in accordance with the provisions of this Ordinance only if use is allowed in the base zoning district.	
	LDA	Use may be allowed in the Limited Development Area Overlay in accordance with the provisions of this Ordinance only if use is allowed in the base zoning district.	
	IDA	Use may be allowed in the Intensely developed Area Overlay in accordance with the provisions of this Ordinance only if use is allowed in the base zoning district.	
	X	In the Critical Area, new non-maritime industries may be permitted only in the IDA and then only if the facility or activity demonstrates that there will be a net improvement in water quality to the adjacent body of water.	

Use Type	Description	Use Intensity	RPD	RSC	RCL	RL	RH	RNC	RMX	VMX	TMX	DMX	CMX	CC	I	OBP	CM	Critical Area Overlay
Transportation, Communication and Utility Use Classifications																		
85.	Airport, landing strip and heliport.	Facilities open to aviation or operated for the takeoff and landing of aircraft, including runways; helicopter pads; passenger and cargo facilities; facilities for air traffic control, emergency service, informational devices, maintenance and overhaul, fueling, service, storage; tie-down areas; hangars and other necessary open spaces. May include offices and facilities for flight instruction, charter and cargo service and related services for airport customers as accessory uses.	High	C	-	-	-	-	-	-	-	-	-	-	P/C	C	-	LDA IDA
86.	Antennae and microwave equipment.	Amateur radio antennae, or satellite and microwave dish antennae and equipment installed and operated to serve an individual residence or business.	Low	L	L	L	L	L	L	L	L	L	L	L	L	L	L	RCA LDA IDA
87.	Communication tower, public safety or other non-commercial.	Communication tower designated by the Board of County Commissioners for operation of emergency communications equipment or co-located commercial equipment.	High	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-
88.	Communication tower, commercial.	Communication tower that supports commercial uses or non-commercial uses when the structure exceeds 100 feet in height.	High	C	-	C	C	-	-	C	C	C	C	C	C	C	-	-
89.	Freight terminal.	Facilities for freight service and operations by truck, rail, or ship. This classification does not include airports or heliports.	High	-	-	-	-	-	-	-	-	-	-	-	P	L	P	LDA IDA
90.	Passenger terminal.	Facilities for passenger transportation operations. This classification includes rail stations and bus terminals.	High	-	-	-	-	-	-	-	P	P	P	L	P	-	-	LDA IDA
91.	Regional flood and storm water management facility.	Facilities designed and managed by a public agency or public utility to provide flood control or manage stormwater drainage for multiple development sites.	High	P	P	P	P	P	P	P	P	P	P	P	P	P	P	RCA LDA IDA
92.	Solid waste acceptance, processing, transfer and/or resource recovery facility.	Public or private recycling, refuse collection, solid waste transfer or disposal facilities or material recovery facilities.	High	C	-	-	-	-	-	-	-	-	-	-	L	-	-	IDA

- 1 84. **Wrecking and Salvage.**
- 2 a. **General Standards:**
- 3 (1) A "C" buffer shall be provided outside of a 12-foot tall perimeter stockade fence
4 (or similar opaque fence type) that is located at least 25 feet inside the boundary
5 of the property. Egress and ingress into the salvage yard shall be via gates at
6 least 8 feet tall.
- 7 (2) No junk vehicles, parts or materials shall be located outside of or be visible
8 above the fence.
- 9 (3) Oils, petroleum products and other liquids shall be collected from salvaged
10 materials and equipment and disposed of in accordance with applicable
11 regulations.
- 12 (4) Storm water management shall be required regardless of area of salvage yard.
13 Design for protection of surface water and groundwater quality shall be
14 required, especially from heavy metals, and petrochemicals in runoff.
- 15 (5) Unless authorized by the Board of County Commissioners as a PUD, hours of
16 operation shall not exceed 7:00 am to 6:00 p.m. Monday through Saturday.
17 Facility shall be closed and locked outside hours of operation.
- 18 85. **Airport, Landing Strip, and Heliport.**
- 19 a. **General Standards:**
- 20 (1) Publicly-owned airports, landing strips, and heliports are permitted in
21 accordance with an adopted Airport Master Plan. All other airports, landing
22 strips, and heliports may be permitted as a conditional use in accordance with
23 Chapter 25 of this Ordinance.
- 24 ~~(1)~~(2) A site plan must be submitted showing existing or proposed buildings, hangars,
25 runways, tie-down areas, fuel storage and pumping areas, fencing, employee and
26 public parking, public transit loading and unloading areas, screening, vehicle
27 ingress and egress areas, and off-street pedestrian pickup space.
- 28 ~~(2)~~(3) A site plan shall be provided showing topography and footprint and elevations of
29 the highest point or projection for structures and towers (existing or in site plan
30 review) surrounding the runway/landing area for a distance of
- 31 (a) 20,000 feet from the runways of an airport with at least one runway
32 more than 3,200 feet in length; or
- 33 (b) 10,000 feet from the runways of an airport with at least one runway no
34 more than 3,200 feet in length; or
- 35 (c) 5,000 feet from the landing and take off areas of each heliport.
- 36 ~~(3)~~(4) Minimum setbacks for the facility shall be determined by the clearance criteria
37 of Chapter 43. The height of existing structures in the vicinity of the proposed
38 facility shall be evaluated when siting for new airports, airfields, landing strips
39 and heliports
- 40 ~~(4)~~(5) Minimum lot size for an airport shall be 10 acres and for a heliport shall be two
41 acres.
- 42 86. **Antennae and Microwave Equipment.**
- 43 a. **General Standards. (reserved).**
- 44 b. **Limited Standards:**

LIBERO 027 PAGE 123

ORDINANCE

RECORDING FEE 0.00
TOTAL 0.00
Rest#02 Rcpt#99999

WHEREAS, the Maryland Historical Trust has provided a Preservation Incentive for Local Governments Grant to the County Commissioners for St. Mary's County, who provided a local match, for the purpose of preparing Historic Preservation Guidelines, (the "Guidelines"); and

EWA KAE 011:42292
Nov 17, 2003 02:59 PM

WHEREAS, the County Commissioners for St. Mary's County directed that the Historic Preservation Commission and the Historic Preservation Planner work with a consultant and the advice of the Maryland Historical Trust to write the Guidelines; and

WHEREAS, the draft document was made available for public inspection on the St. Mary's County Web Site, in the Department of Land Use and Growth Management and at the three branches of the County public library system; and

WHEREAS, on August 28, 2003, the Historic Preservation Commission voted unanimously to recommend adoption of the "Historic Preservation Guidelines for St. Mary's County" (attached hereto as Exhibit "A") to the St. Mary's County Planning Commission and the Board of County Commissioners; and

WHEREAS, the Guidelines supplement the St. Mary's County Comprehensive Plan; and

WHEREAS, the Guidelines are a sub plan to and incorporated by reference within the St. Mary's County Comprehensive Plan; and

WHEREAS the Guidelines are enabled and mandated by Section 42.8.3 of Ordinance Z-02-01 (St. Mary's County Comprehensive Zoning Ordinance) and are hereby incorporated by reference therein; and

WHEREAS the St. Mary's County Planning Commission at its September 22, 2003 meeting unanimously endorsed the Guidelines and recommended their approval to the Board of County Commissioners for St. Mary's County; and

WHEREAS, in accordance with Article 25, Section 3(r) of the Annotated Code of Maryland, notice of the public hearing was advertised on September 24, 2003 and October 1, 2003 in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on October 14, 2003, to consider the Planning Commission's recommendation, hear public comment and discuss this matter; and

WHEREAS, upon consideration of public comment and staff recommendation, the Board of County Commissioners for St. Mary's County finds that is in the best interest of the health, safety and welfare of the citizens of St. Mary's County to adopt the Guidelines.

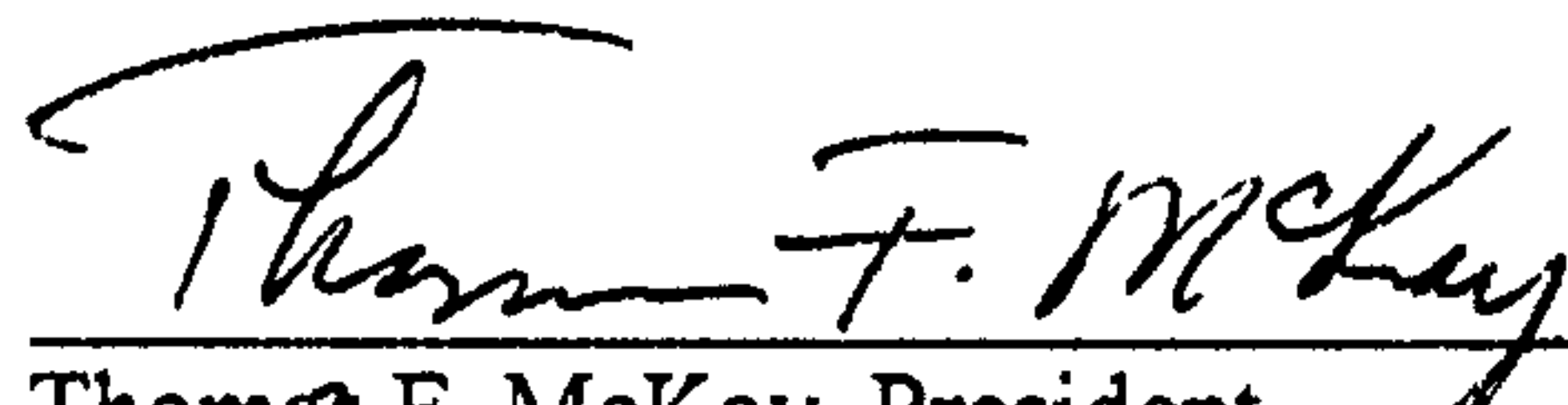
NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County that the "Historic Preservation Guidelines for St. Mary's County" attached hereto as Exhibit "A" is hereby adopted and shall be implemented through the relevant provisions of the St. Mary's County Comprehensive Plan, the St. Mary's County Comprehensive Zoning Ordinance and the St. Mary's County Subdivision Ordinance, each, as amended from time to time; and

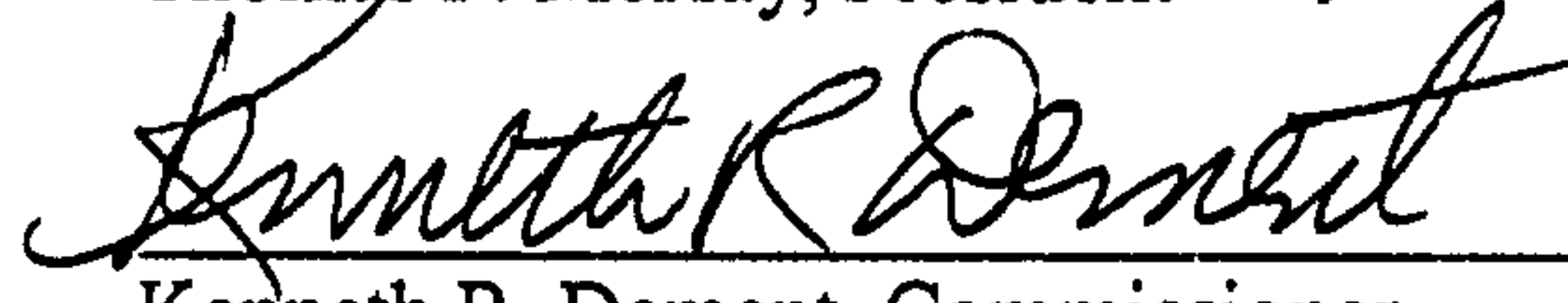
BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County that the foregoing recitals are hereby incorporated by reference as if fully set forth herein; and

BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County that this Ordinance shall become effective upon the date set forth below as the "Effective Date."

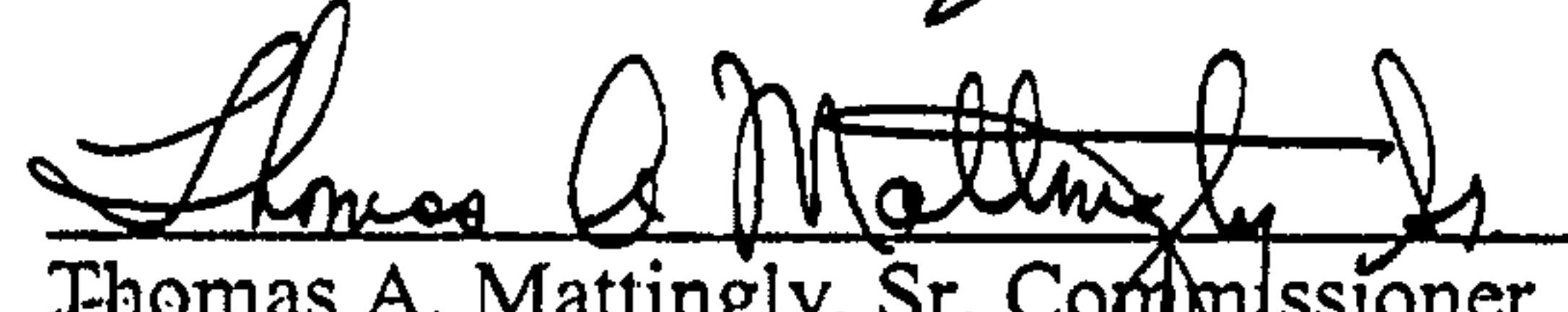
DATE OF ADOPTION: 11/4/03
EFFECTIVE DATE: 11/4/03
Those voting aye: all
Those voting nay: 0
Those abstaining or absent: 0

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


Thomas F. McKay, President



Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner



Thomas A. Mattingly, Sr. Commissioner

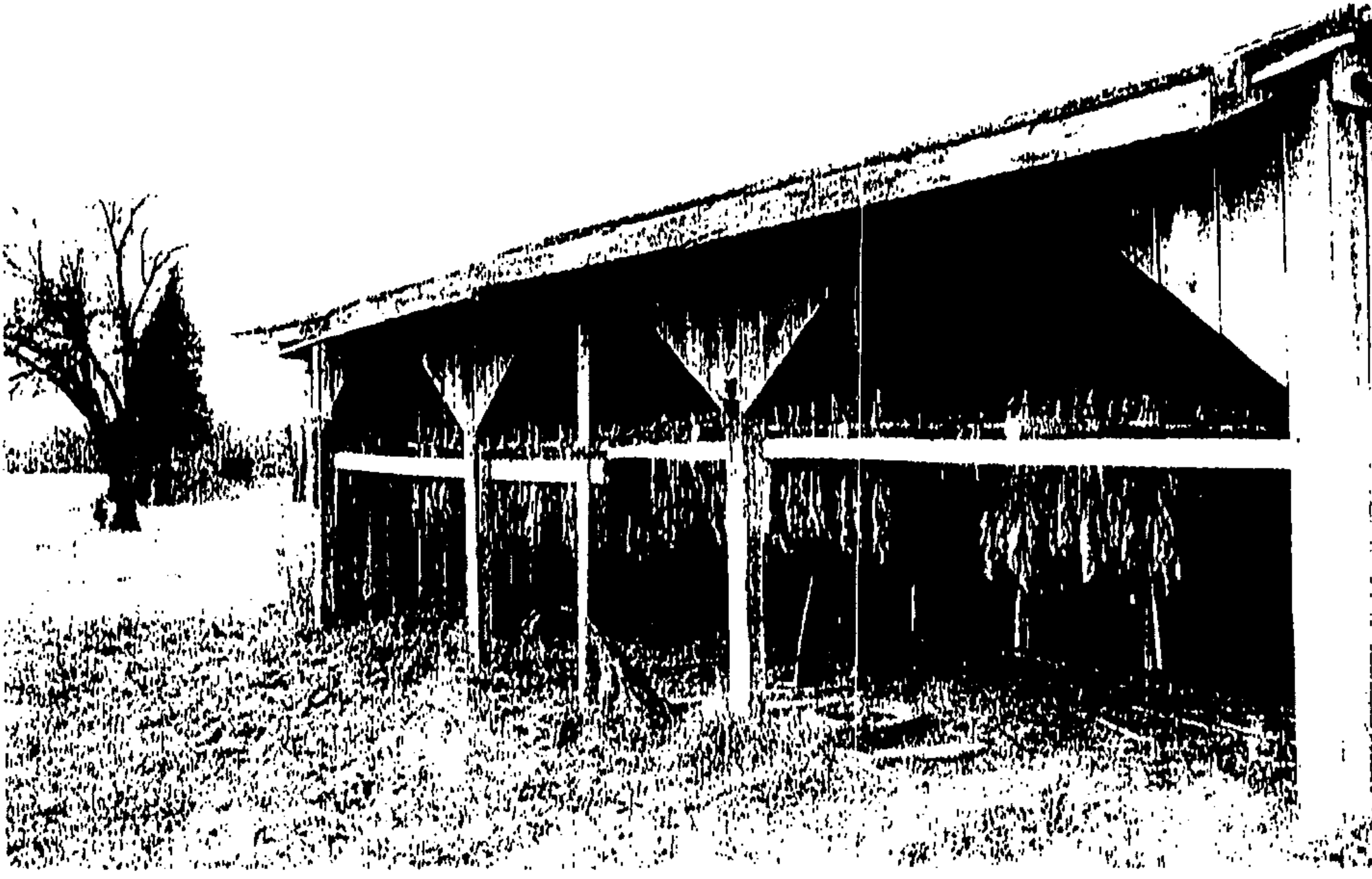

Daniel H. Raley, Commissioner

Attest:

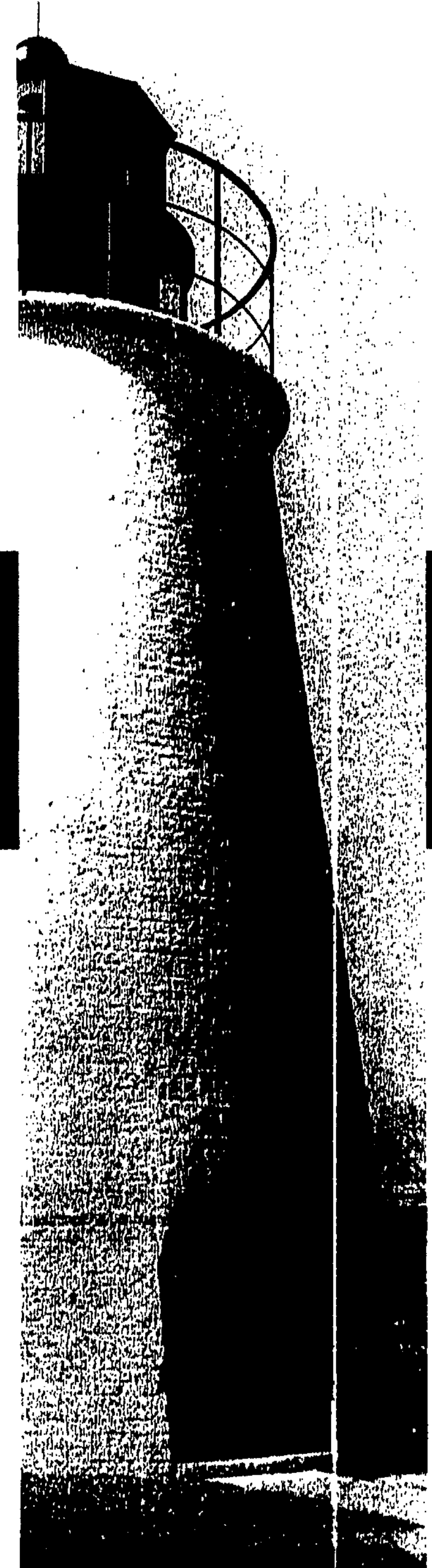

George G. Forrest
County Administrator

Approved as to Form
and Legal Sufficiency:


John B. Norris, III
County Attorney



Historic Preservation Guidelines for
St. Mary's County



Liber 0027 folio 125A

Copyright © 2003 St. Mary's County

This publication has been financed in part with State Funds from the Maryland Historical Trust, an agency of the Department of Housing and Community Development of the State of Maryland. However, the contents and opinions do not necessarily reflect the views or policies of the Maryland Historical Trust or the Department of Housing and Community Development.

Additional funding provided by the St. Mary's County Commissioners.

Richard Wagner, AIA, David H. Gleason Associates, Inc., Baltimore, Maryland wrote the St. Mary's County Historic Preservation Guidelines, with research assistance from Susan Catlin. Teresa Wilson, Historic Preservation Planner, St. Mary's County, wrote the sections "History of St. Mary's County" and "Overview of St. Mary's Historic Resources," found in the Appendices.

Historic Preservation Guidelines for
St. Mary's County



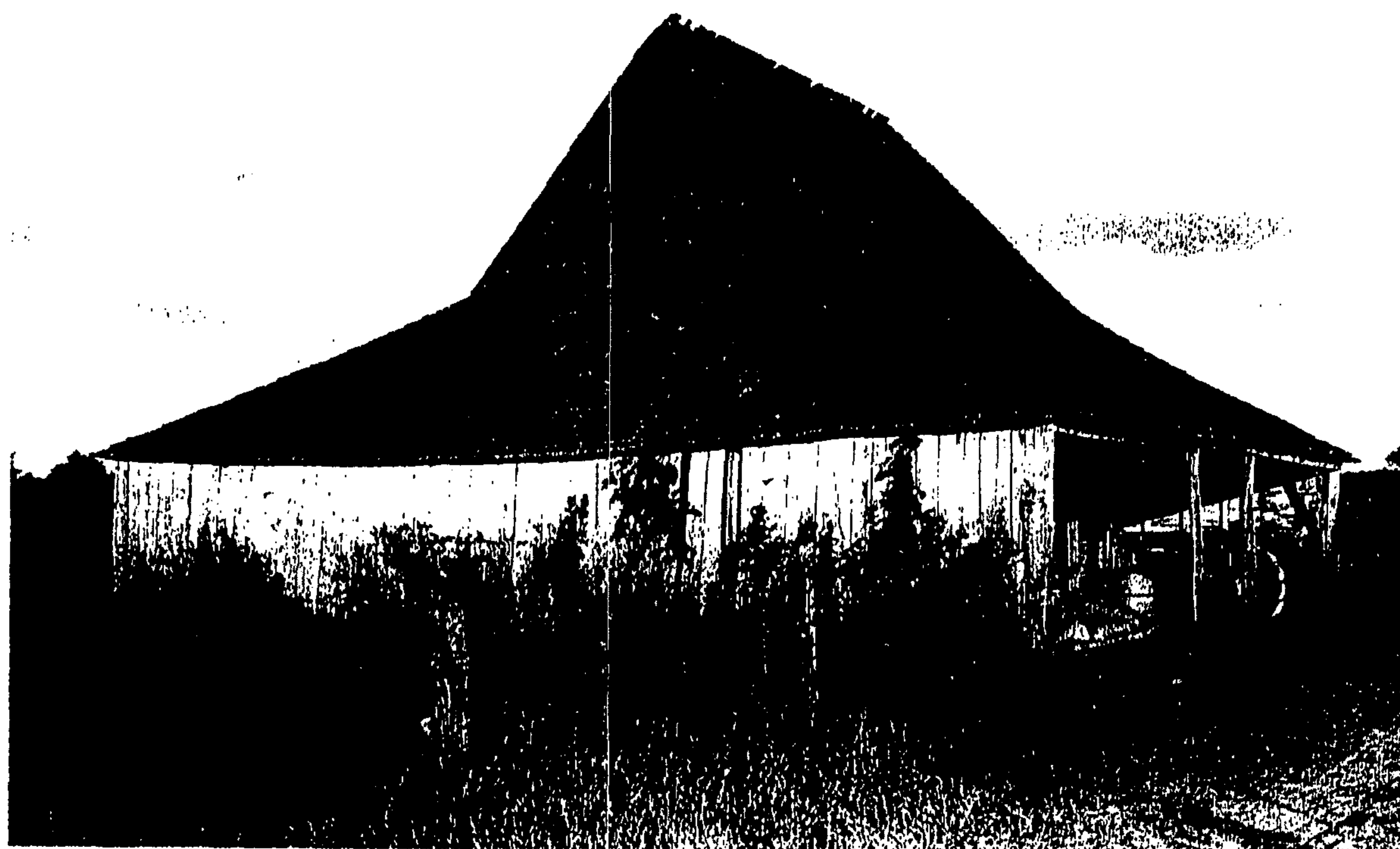
ST. MARY'S COUNTY
COMMISSIONERS

Thomas F. McKay, President
Kenneth R. Dement
Lawrence D. Jarboe
Thomas A. Mattingly, Sr.
Daniel H. Raley

ST. MARY'S HISTORIC DISTRICT
COMMISSION

Robert Hurry, Chairman
Peter Himmelheber, Vice Chairman
Dawn Frost
James W. Grusholt
Margaret McCoy Padukiewicz
Holly South
Jack Williamson
Teresa Wilson, Historic Preservation Planner

Libex⁰⁰²⁷ Folio 126A



Acknowledgements

The *Historic Preservation Guidelines for St. Mary's County* was prepared in 2003 under the auspices of the Board of County Commissioners and the Historic Preservation Commission of St. Mary's County. Historic Preservation Planner Teresa Wilson wrote the History of St. Mary's County and Overview of St. Mary's County's Historic Resources sections with the editorial assistance of the members of the HPC and with advice from architectural historian Kirk Ranzetta. The Maryland Historical Trust provided additional assistance.



Contents

<i>Foreword</i>	1
<i>Introduction</i>	3
Purpose of the Guidelines	3
Design Review Process	5
Projects Subject to Design Review	9
St. Mary's County Historic Preservation Commission	11
Secretary of the Interior's Standards for Rehabilitation And Guidelines for the Treatment of Cultural Landscapes	12
<i>Context and Site Features</i>	14
View Sheds and Scenic Corridors	15
Landscapes, Landforms and Plantings	17
Fences, Gateposts, Signposts and Boundary Markers	19
Driveways, Farm Roads and Parking Areas	20
Accessory Buildings	21
Archaeological Resources	23
Cemeteries	24
<i>Rehabilitation and Maintenance of Existing Buildings</i>	26
Facades	27
Masonry	28
Wood	29
Doors and Windows	30
Doors	30
Windows	32
Roofs	34
Porches	37
Details and Ornamentation	39
Color	41
Commercial Storefronts	42
<i>New Buildings and Additions to Historic Buildings and Landscapes</i>	46
Location	47
Scale	49
Proportion	50
Rhythm	51
Massing	52
Materials	53
Roof Shape	55
Details and Ornamentation	56
<i>Contact Information</i>	inside back cover



Foreword

IN ORDER FOR WE THE CITIZENS OF ST. MARY'S COUNTY to fully enjoy the benefits of our historic resources, it is of primary importance to preserve the built environment, along with the natural environment and our community heritage. The buildings, structures, and landscapes of the past not only serve to remind us of where we have come from, but also help guide us to where we want to go in the future.

The preservation of our historic resources is not only important to the quality of life in St. Mary's County, but is also significant to our economic health. For example, the link between historic districts and increased property value has long been established. A 1999 study conducted by the Maryland Historical Trust and the Maryland Association of Historic District Commissions demonstrated positive links between the establishment of historic districts and economic development throughout the state.

As stewards of our common heritage, owners of historic properties benefit in many ways. Yet stewardship has its responsibilities; in recognizing this, St. Mary's County has created a local tax credit program to assist owners who have requested and received historic landmark or district designation for their properties. To assist owners of historic buildings, the Historic Preservation Commission has produced these Preservation Guidelines. Owners wishing to make changes to their historic properties or to construct new buildings adjacent to them now have access to detailed guidance. The Historic Preservation Commission is prepared to assist you with your stewardship of our county's heritage. If you have any questions or concerns, please feel free to contact us at the address and phone number listed on the inside back cover.

LIBERO 027 PAGE 30

Introduction

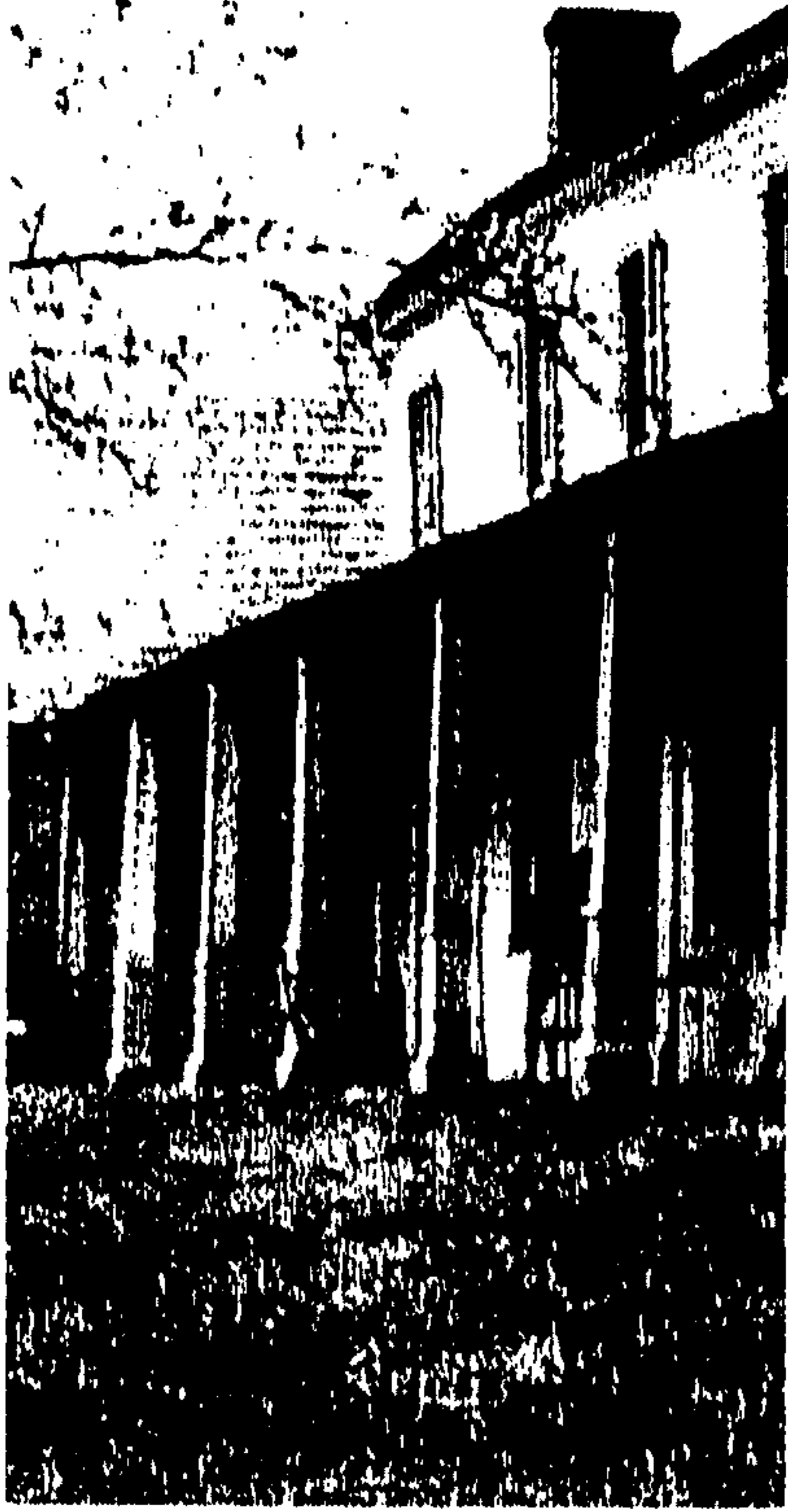
PURPOSES OF DESIGN GUIDELINES

Design guidelines are created by cities, towns and counties that are concerned about the appearance of their buildings, neighborhoods, communities and landscapes, as well as how that appearance in turn contributes to their livability, growth and economic health. During the past quarter century, over twenty-five hundred cities, towns, and counties across the country have adopted design guidelines as part of their historic preservation efforts. Almost all are intended to protect and enhance the quality of buildings, neighborhoods, landscapes and public spaces.

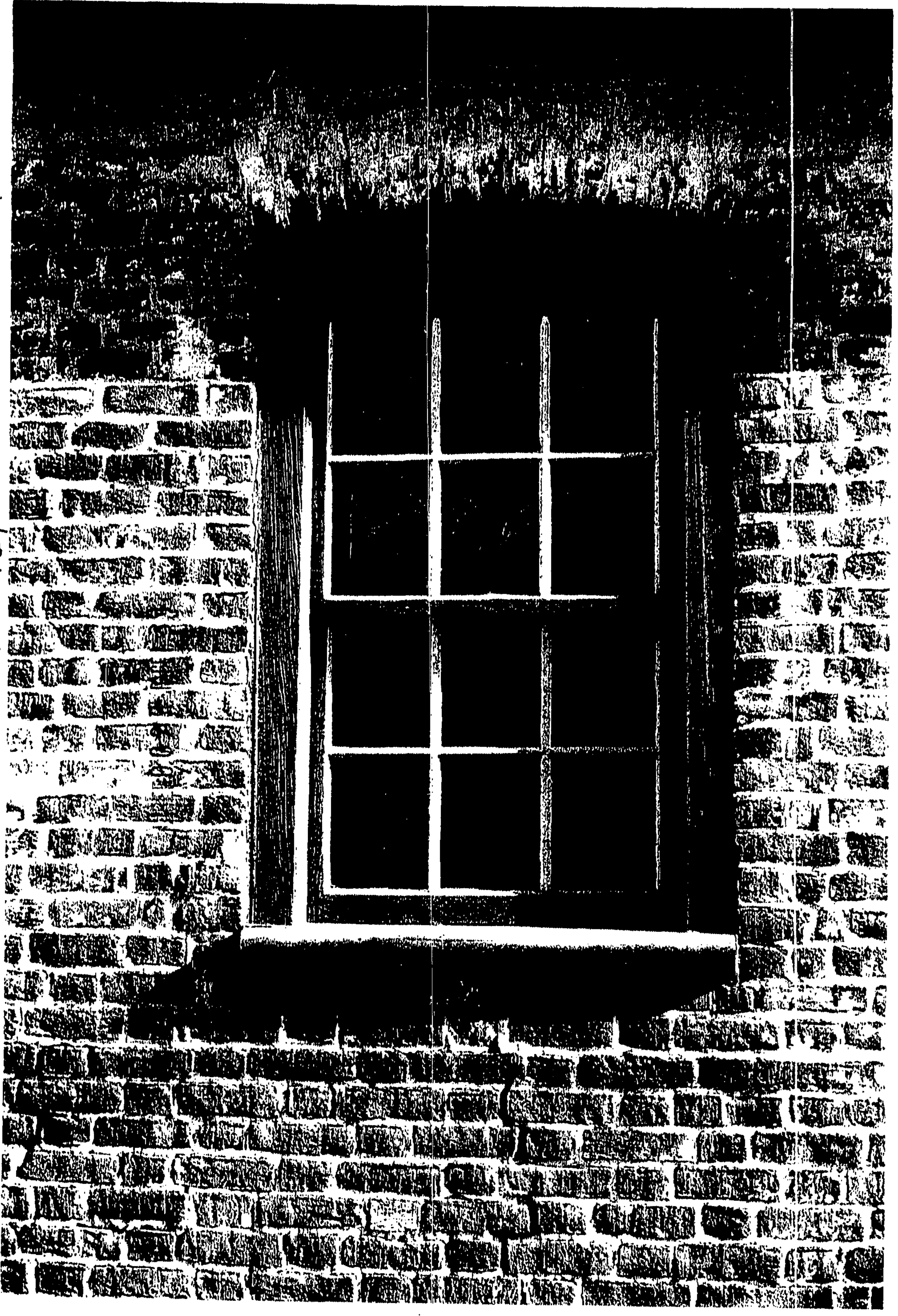
Design guidelines provide a basis for objective decisions about the appropriateness of proposed changes to the environment. They should also support and reflect the preservation and development goals and objectives of the local government, as well as those of its planning, zoning and historic preservation commissions.

The St. Mary's County *Historic Preservation Guidelines* have been created, in part, to fulfill Section 42.8.3.a of the County's Comprehensive Zoning Ordinance. They are intended to assist owners and tenants of historic buildings and landscapes in maintaining, preserving and enhancing the character of their properties. The guidelines are also intended to assist architects, engineers, contractors and others involved in the maintenance, enhancement, or alteration of these buildings, open spaces and landscapes to plan and implement projects that preserve and enhance the character of those places. In addition, the guidelines are intended to assist anyone undertaking new construction – additions to existing buildings as well as entirely new buildings – within historic districts.

Prior to using the *Historic Preservation Guidelines*, owners, tenants, architects, contractors and others are strongly encouraged to read the "History of St. Mary's County" and the "Overview of St. Mary's County's Historic Resources," found in the Appendices.



Libre 57 Folio 131



Design Review Process

THE DESIGN REVIEW PROCESS MUST BE FOLLOWED FOR ALL properties designated with "H" overlay zoning in the manner outlined in Chapter 42 of the St. Mary's County Comprehensive Zoning Ordinance. The Process governs all development, exterior alteration, restoration, rehabilitation, relocation or demolition of any structure on or within a designated historic landmark or district, with the exception of routine maintenance and repair that does not change design, materials or outward appearance, which does not require a Certificate of Appropriateness. If in doubt as to whether or not the Design Review Process applies, please contact the Historic Preservation Commission and the St. Mary's County Preservation Planner for clarification.

Please see the Appendices for information about the St. Mary's County Tax Credit Application. If a property owner wishes to take advantage of these local credits, the Application **MUST** be submitted at the same time as the application for the Certificate of Appropriateness.

If there is an easement on the property held by a public agency or non-profit organization, the applicant must submit written proof of approval of proposed exterior changes from the agency or organization holding the easement at the time of application for a Certificate of Appropriateness.

If the Certificate of Appropriateness is being requested for a non-residential historic building or structure, for example a commercial building or a barn, the site review process as outlined in Chapter 60 in the St. Mary's County Comprehensive Zoning Ordinance must be followed. A full site plan review is **not** required for residential properties.

LIBERO 027 PAGE 33

The following steps outline how to obtain a Certificate of Appropriateness and the Design Review Process followed by the St. Mary's County Historic Preservation Commission. The chart found on page 6 summarizes this process.

STEP ONE: Prior to undertaking any work, the applicant should meet with the St. Mary's County Preservation Planner to review the application requirements and process for obtaining a Certificate of Appropriateness, as incomplete applications or those lacking sufficient detail cannot be accepted and processed. In addition to the completed application form, the following must be provided if the application is for an Historic Landmark:

- a written description of the proposed work;
- a site plan drawn to scale showing the location of important existing site features, buildings and structures, and proposed additions and new structures if applicable;
- color photographs sufficient to show important existing site features, buildings, and structures, including the proposed locations of additions or new structures if applicable;
- and samples or color photographs of principal exterior materials, systems and components sufficient to provide to the Historic Preservation Commission an understanding of the proposed changes.

STEP TWO: Once the application is deemed complete, the 45-day review period begins. The Preservation Planner will schedule the Historic Preservation Commission review of the application at its next meeting.

STEP THREE: At the meeting, the Historic Preservation Commission will review the application with the applicant or his/her representative. The applicant will receive written confirmation of the Commission's decision either within two weeks of the meeting or before the conclusion of the 45-day review period, whichever comes first.

STEP FOUR: If the proposed work is approved, a Certificate of Appropriateness for the reviewed work will be issued and sent to the Planning Director, who signs it, effectively granting the Historic Area Work Permit. It should be noted that obtaining the Certificate of Appropriateness and Historic Area Work Permit does not constitute approval of other required permits and certificates, such as a building permit or certificate of lead paint abatement.

LIBEN 0027 PAGE 134

If the Historic Preservation Commission denies the Certificate of Appropriateness, the applicant is informed of the decision in writing along with the Commission's recommendations for revisions to the proposal that would make it consistent with Chapter 42 of the of the St. Mary's County Comprehensive Zoning Ordinance and the Historic Preservation Design Guidelines. If after reviewing the application the Historic Preservation Commission finds that denial might preclude all reasonable use of the property or impose unnecessary economic hardship on the property owner, a 120-day period review period begins. During this time, the owner must attempt to develop acceptable alternatives that would allow reasonable use of the property or else not impose undue economic hardship. If at the end of this period the owner demonstrates to the Historic Preservation Commission that an alternative plan permitting reasonable use or one that would not impose undue economic hardship cannot be found, the Historic Preservation Commission must approve the proposal. However, mitigation in accordance with Chapter 42 of the St. Mary's County Comprehensive Zoning Ordinance may be required.

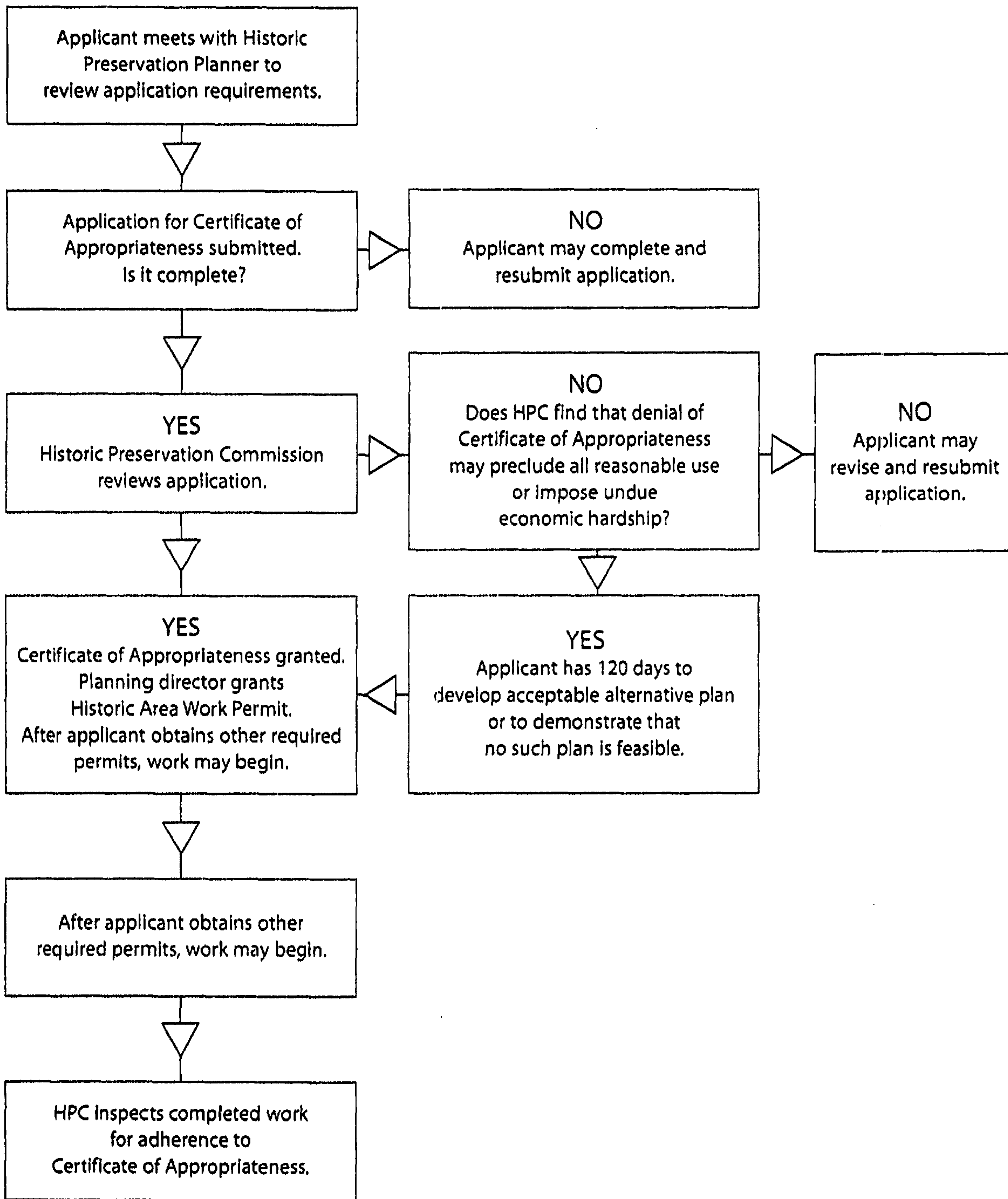
STEP FIVE: After the Certificate of Appropriateness, Historic Area Work Permit, and all other required certificates and permits have been obtained, the proposed work may begin. If during construction changes that will significantly affect the work approved by the Historic Preservation Commission are required, the owner must immediately contact the Preservation Planner and submit such documentation that may be required so that the Historic Preservation Commission can determine the effect of the changes on the property. Approval of the changes must be obtained prior to their implementation.

STEP SIX: The Historic Preservation Commission or Preservation Planner inspects the completed work for adherence to the Certificate of Appropriateness. The Commission will provide the property owner with written notification as to whether or not the completed work is in compliance with the Certificate of Appropriateness.

STEP SEVEN: If an application was made to obtain St. Mary's County Tax Credits for historic properties, all completed forms and documentation must be presented to St. Mary's County Office, Maryland Department of Assessments and Taxation within 90 days of written notification that the completed work is in compliance with the Certificate of Appropriateness.

LIDEP0027 PAGE 135

The Process



LIBERO 027 PAGE 136

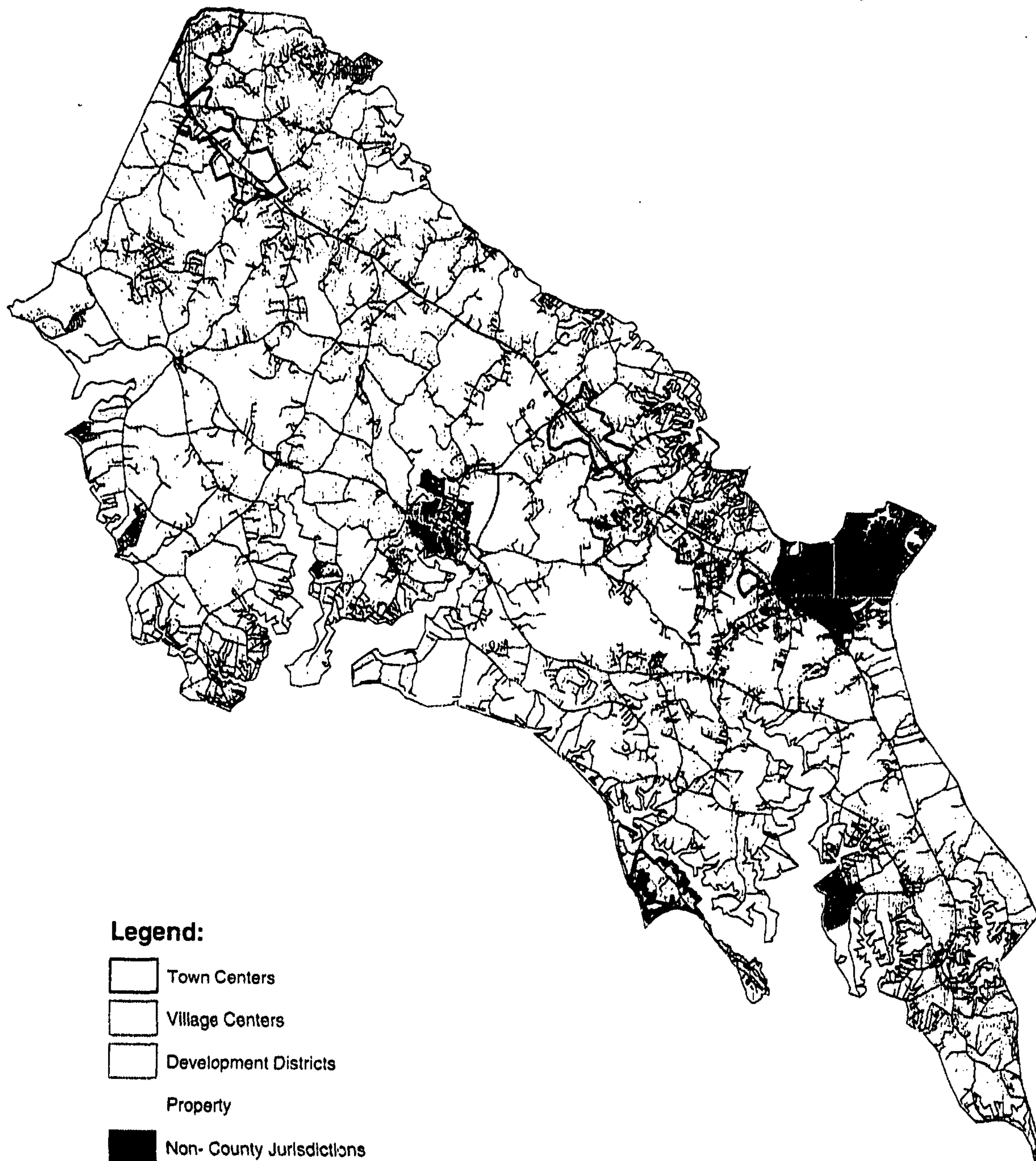


1867 Simon J. Martenet map of St. Mary's County
Courtesy of Calvert Marine Museum

PROJECTS SUBJECT TO DESIGN REVIEW

Properties that lie within an "H" (Historic) Overlay Zone are subject to design review when owners or occupants are contemplating changes to the exterior design, materials, features or appearance of a building or other historic resource. Routine maintenance and the repair of features that does not involve a change in design, material or outward appearance does not need to be reviewed by the Commission. For example, if a slate roof is repaired using new slate of the same design, shape, color and overall appearance, the repair may be done without review by the Historic Preservation Commission. However, if the owner wishes to use a different material, such as a "rubber" slate, the material must be reviewed by the Commission to determine its acceptability. If an owner or occupant is unsure whether a property lies within an "H" Overlay Zone or if the work contemplated requires review, he or she should contact the County's Historic Preservation Commission at the address found on the inside back cover prior to doing any work.

LIBERO 0 2 7 PAGE 37 *St. Mary's County*



REF ID: A660027 PAGE 138

ST. MARY'S COUNTY HISTORIC PRESERVATION COMMISSION

The St. Mary's County Historic Preservation Commission was first created on June 4, 1975. After successfully establishing two historic districts, St. Joseph's Manor and New Towne Manor House, it was disbanded in 1986. As part of a matching grant provided to the county by the Maryland Historical Trust, the commission was reactivated in 1993. The grant also initiated a multi-phased program to develop an active historic preservation program. By 2003, nearly 900 historic structures in the County had been documented and added to the Maryland Inventory of Historic Sites.

The main goals of the Historic Preservation Commission are:

1. To safeguard the heritage of the County by preserving sites, structures, or districts therein that reflect elements of cultural, social, economic, political, archaeological or architectural history;
 2. To stabilize and improve property values of such sites, structures or districts;
 3. To foster civic beauty;
 4. To strengthen the local economy; and
 5. To promote the preservation and appreciation of these sites, structures and districts for the education and welfare of the residents of the County.
-

The Historic Preservation Commission is made up of seven members appointed by the Board of County Commissioners to three-year terms. Commission members are expected to have special interest or training in architecture, preservation, history, design or other relevant disciplines. All Historic Preservation Commission members must be residents of St. Mary's County. The Commission meets monthly at open public meetings.

In addition to assisting in the designation of historic properties, the Commission reviews applications submitted by citizens requesting historic landmark or district zoning prior to Planning Commission consideration and final approval by the Board of County Commissioners. The Historic Preservation Commission also reviews applications for Certificates of Appropriateness from owners of designated historic properties who are planning to make changes in an historic building that would alter the outward appearance of the building, including requests for demolition.

The Commission is also charged with educating the public about the benefits of historic preservation, as well as assisting them to understand how historic properties should be maintained and treated. As part of this effort, the Historic Preservation Commission has created these *Historic Preservation Guidelines*.

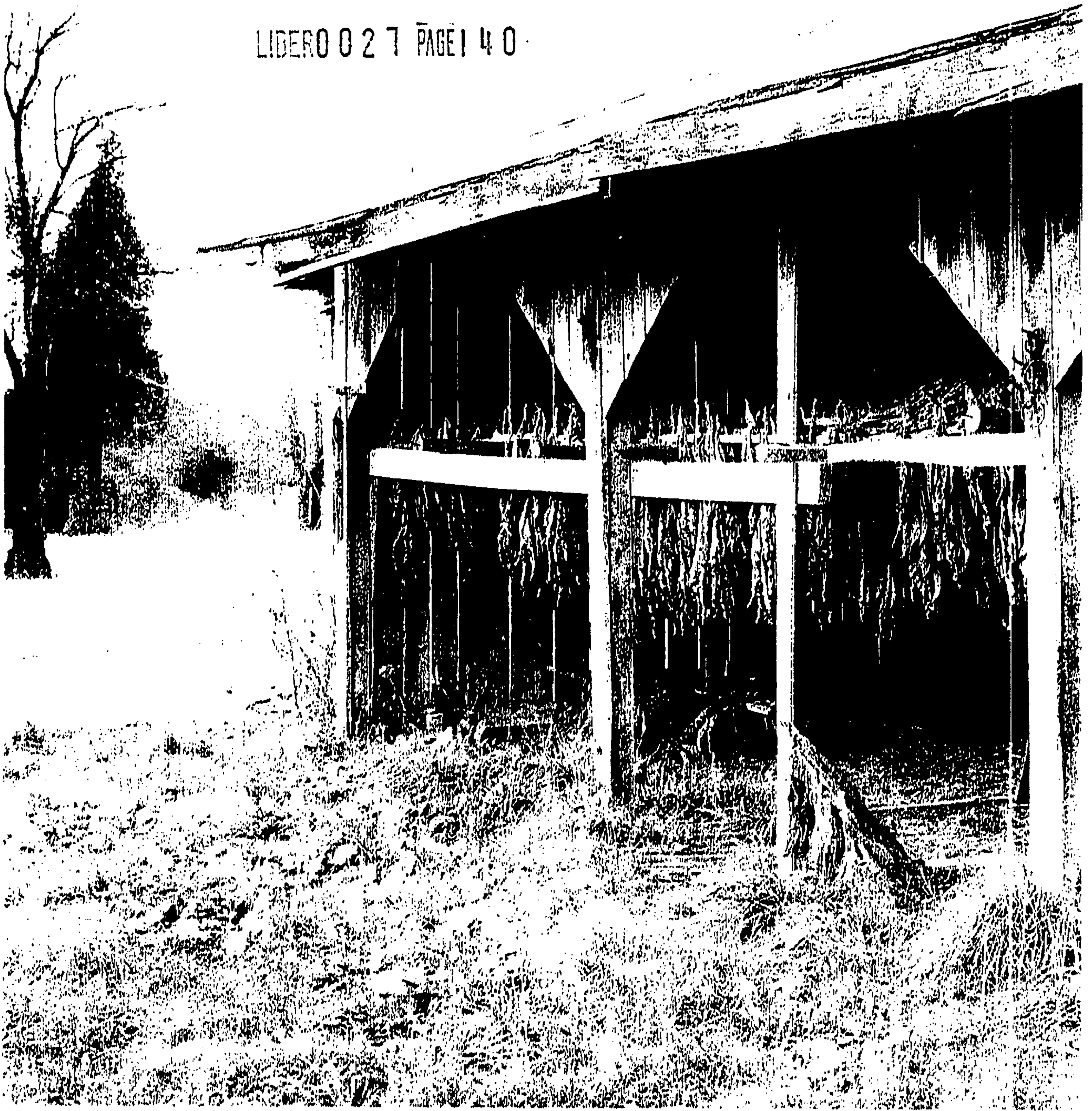
LIBERO 027 PAGE 139



SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION AND GUIDELINES FOR THE TREATMENT OF CULTURAL LANDSCAPES

The County's Comprehensive Ordinance directs that the *St. Mary's Historic Preservation Guidelines* "shall be consistent with the *Secretary of the Interior's Standards for Rehabilitation*." Originally created in 1976 to determine the appropriateness of proposed changes to income-producing National Register buildings whose owners wished to take advantage of beneficial federal tax considerations, the Rehabilitation Standards have become the basis of almost all local design guidelines. A copy of the ten *Secretary of the Interior's Standards for Rehabilitation* is included in the Appendices.

Since so many of the County's historical resources are in rural areas and its Comprehensive Zoning Ordinance also directs that the design guidelines address the county's historic rural landscape, these design guidelines are also consistent with the *Secretary of the Interior's Guidelines for the Treatment of Cultural Landscapes*. These Guidelines help ensure that the character-defining features of an historic property or vista are maintained and even enhanced over time. The Guidelines indicate a four-step process for determining if a particular element of a landscape, such as a stand of trees, hedgerow, fence or barn, is important to the character of that property and, if so, how it should be preserved, repaired or replaced. They also address the design of replacement features if needed, the design of alterations or additions to historic properties, and considerations such as health, safety, and environmental concerns. A copy of the *Guidelines for Treatment of Cultural Landscapes* is also included in the Appendices.



Context and Site Features

St. Mary's County Historic Preservation Guidelines



Context and Site Features

THE CONTEXT OF AN HISTORIC LANDMARK OR DISTRICT often includes its accessory buildings, walls, fences, landscapes, roads, landforms and natural features. It may also include above and below ground archaeological resources, as well as those submerged in the County's bodies of water. The context of a landmark or district is essential in understanding the historical and architectural significance of the principal resource; it is no less important than its architectural style, construction methods and materials, or its role in historic events or associations with historic persons. The natural site features of the land in St. Mary's County, its rivers, creeks, soils, stands of trees, open fields and the like, often determined the original location and orientation of historic buildings. For example, many of the county's earliest buildings were located on rivers and creeks with their principal elevations facing the water, while others were located along ridges and on hills, commanding views in all directions.

The influence of the land and its features on the location and orientation of buildings has been true from the time of the founding of the County until today. For example, in the nineteenth century, when roads began to replace waterways as the primary means of transportation, farm and village buildings were then built along and often oriented toward them. As these features have changed so too have the county's historic resources. Original accessory buildings have been removed and new ones constructed. As new subdivisions appear, historic view sheds are altered or blocked altogether. As roads are straightened or widened to accommodate more traffic, the relationship between the road and historic buildings is altered, historic bridges bypassed or demolished, and the fences, entries, and vegetation lining the road changed. Sometimes these changes have enhanced the significance of a resource; however, in other instances they have detracted from its appearance or historic setting. Knowing how an historic resource is sited and how its context contributes to its significance is crucial for any decision-making regarding historic resources in St. Mary's County.



VIEW SHEDS AND SCENIC CORRIDORS

The definition of a "view shed" is the view a person has to or from a particular object, such as an historic building or landscape. While typically described as a 60-degree cone of vision of a stationary observer, view sheds can also occur along highways and waterways where the observer is riding in a car or boat, so that the view shed is therefore changing. The views to and from historic resources, especially those located in rural areas, contribute significantly to their character. For example, groups of trees and open fields, as well as the relationship between the buildings themselves, may define views to a group of historic farm buildings along Maryland Route 5. On the other hand, the views from an historic house on the banks of the St. Mary's or Patuxent Rivers may be of the fields rolling down to the river and the shore on the opposite side.

View sheds can also occur within more densely populated settings. For example, in both Leonardtown and Lexington Park streets, sidewalks, and street trees create view sheds to and from the historic commercial and residential buildings.

Section 62.7 of the *St. Mary's County Comprehensive Zoning Ordinance* establishes five Scenic Corridors that have a set of design criteria aimed at maintaining the historic view shed along those roads as much as possible. The five corridors, St. Andrews Church Road and Patuxent Beach Road, Point Lookout Road, New Market Turner Road, Budds Creek Road, and Mattapany Road, are some of the most historic in the County, as well as those that are under the most pressure from development.

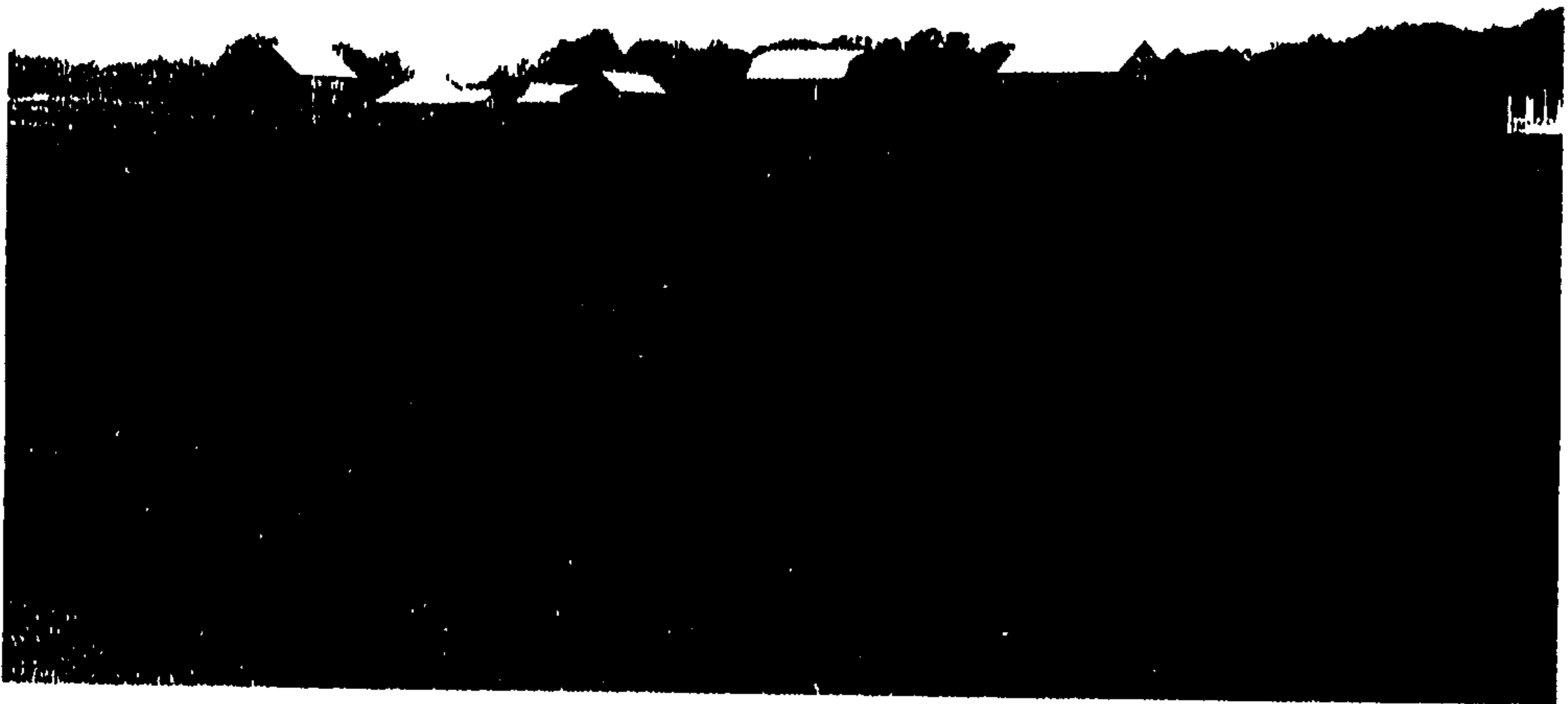
VIEW SHEDS AND SCENIC CORRIDORS

RECOMMENDED

- Maintaining historic view sheds to and from historic buildings, structures, and landscapes.
- Removing or screening incompatible intrusions within historic view sheds.
- Maintaining historic views within historic districts in towns, as well as along streets and sidewalks.
- Maintaining historic view sheds from the County's waterways.
- Maintaining historic view sheds along designated Scenic Corridors.
- Designing compatible buildings and landscapes along designated Scenic Corridors.

NOT RECOMMENDED

- Altering in a detrimental fashion the historic view shed to or from historic buildings, structures, and landscapes.
- Altering in a detrimental fashion the historic view sheds along streets and sidewalks in historic districts.
- Altering in a detrimental fashion historic view sheds from the County's waterways or along designated Scenic Corridors.
- Adding TV dishes, prefabricated shelters, above ground pools, and other incompatible structures within view sheds from the County's waterways or along designated Scenic Corridors.



LIBERO 027 PAGE 144



LANDSCAPE, LANDFORMS AND PLANTINGS

In St. Mary's County the landscape consists predominantly of cultivated fields, hedgerows, planted trees, shrubs, and formal and informal gardens. In addition, rolling hills, creek valleys, rivers, and woodlands are important historic features. Collectively, the landscape, landforms and natural and manmade plantings serve as the setting for the majority of the historic resources in the County. These landscapes change with the seasons, as well as from year to year. Existing plantings should be maintained by fertilizing, pruning and treating for disease, in addition to other appropriate measures. Dead and diseased plants should be removed and replaced with healthy specimens. Working landscapes should be preserved as much as possible, especially within the view sheds of buildings.

LANDSCAPE, LANDFORMS AND PLANTINGS

RECOMMENDED

- Preserving historic landscapes, landforms and plantings that are significant in defining the character of an historic resource.
- Restoring deteriorated historic landscapes, landforms and plantings to their original appearance, based on documentary or physical evidence.
- Maintaining existing historic plantings by fertilizing, pruning, treating for disease, or other appropriate measures.
- Removing dead and diseased plantings and replacing them with similar, healthy specimens.
- Preserving working landscapes, especially those within the view sheds of historic buildings.
- Making compatible changes to historic landscapes, landforms, and plantings adjacent to historic resources and along Scenic Corridors that respect the existing landscape, landforms and plantings.

NOT RECOMMENDED

- Altering historic landscapes, landforms and plantings so that they detract from the significance of an historic resource.
- Removing healthy plantings that are significant in defining the character of an historic property.
- Removing diseased plantings that are significant in defining the character of an historic property without replacing them.





FENCES, GATEPOSTS, SIGNPOSTS AND BOUNDARY MARKERS

Fences in St. Mary's County are for the most part functional, confining livestock and pets, protecting fields, and providing security and privacy. Wood is the most common material for this type of fencing. Some historic properties have distinctive gateposts located at entry driveways.

RECOMMENDED

- Retaining and preserving fences, gateposts, signposts, and boundary markers that contribute to the significance of an historic resource.
- Repairing in kind deteriorated fences, gateposts, signposts and boundary markers, including decorative features and ornamentation.
- Repainting previously painted fences, gateposts, signposts, and boundary markers in colors that are appropriate to their design and to the design of the principal buildings of the associated historic resource. If the fence, gatepost, signpost or boundary marker was not previously painted it should remain unpainted.

NOT RECOMMENDED

- Removing or relocating fences, gateposts, signposts, and boundary markers that are significant in defining the overall character of an historic resource.
- Repairing or repainting significant fences, gateposts, signposts, and boundary markers in a manner that is not in keeping with their original design and construction.
- Painting previously unpainted fences, gateposts, signposts or boundary markers.
- Adding gateposts and entry gateways to subdivisions along scenic corridors.



DRIVEWAYS, FARM ROADS AND PARKING AREAS

In rural areas driveways are long, often curved, unpaved, and typically lined with trees. Walkways connecting driveways or parking areas to a house may be constructed of various materials including gravel, stone, brick or concrete. Parking areas in front of garages near residences may be formal in design, or informal if situated near accessory buildings such as barns. In contrast, the design of driveways, walkways and parking areas in population centers are short, straight, and typically paved with concrete or asphalt. Public walkways are usually parallel to streets and often separated from private walks by a change in grade.

RECOMMENDED

- Retaining and preserving walkways, driveways and parking areas that are significant in defining the overall character of an historic resource.
- Repairing or replacing deteriorated surfaces of walkways, driveways and parking areas using the same material, color, texture and design, duplicating the appearance of the original.

NOT RECOMMENDED

- Removing or relocating historic walkways, driveways or parking areas that are important to defining the overall character of an historic resource.
- Repairing or replacing significant historic walkways, driveways and parking areas in a manner that is not in keeping with the original design and construction.



ACCESSORY BUILDINGS

Farmhouses are typically associated with a variety of accessory buildings dedicated to various agricultural and domestic uses. Historically, kitchens, barns, storage sheds, smokehouses, springhouses, wells and privies were located in close proximity to the main house. In addition, tobacco barns and other agricultural structures were scattered over the landscape. Accessory buildings are sometimes grouped around a central open space or else are less formally arranged, conforming to topographic features. Because of their location, scale, design, construction materials, detailing, or function, accessory buildings may be significant in their own right in addition to contributing to the ensemble of buildings. Certain accessory buildings may be distinguished by the presence of historic signs. Typically advertising agricultural products, these signs were often painted on the sides or roofs of barns visible from a road. Faded remnants of these signs, known as ghost signs, contribute to the historic value of the building and its context.

LIBERO 027 PAGE 149

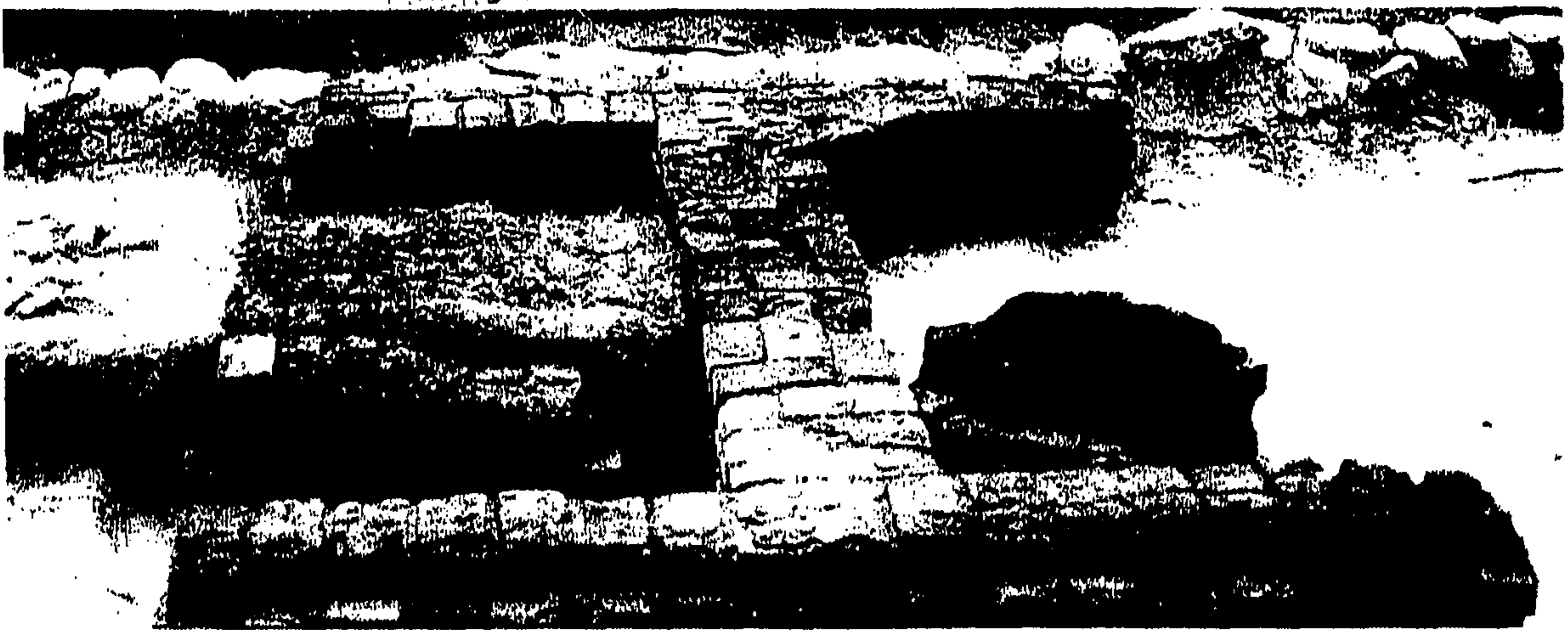
ACCESSORY BUILDINGS

RECOMMENDED

- Retaining and preserving the location, orientation, design, scale, and materials of construction and detailing of accessory buildings that significantly contribute to the principle structure or are significant in their own right.
- Repairing deteriorated accessory buildings and their distinctive features and details, using the same materials or ones that are similar in form, texture and color.
- Replacing destroyed accessory buildings or those that have deteriorated beyond repair with new ones resembling the originals in location, scale, proportion, fenestration, materials and color as closely as possible, but still recognizable as new construction.
- Preserving, without repainting, ghost signs

NOT RECOMMENDED

- Removing, relocating or destroying accessory buildings that are themselves significant or that significantly contribute to the principal building or context.
- Replacing deteriorated or destroyed accessory buildings with new ones inappropriate in location, scale, proportion, fenestration, materials or color.



ARCHAEOLOGICAL RESOURCES

Archaeology is the study of the past through the examination and analysis of material remains. Archaeological resources may include driveways, walkways, privies, cisterns, old wells, foundations of destroyed buildings, refuse piles, arrowheads, crockery, glassware, fittings of farm machinery and other artifacts remaining from human habitation and use of a property. Often archaeological resources yield information about the past inhabitants and use of a property that may not be recoverable from written or other documentary sources.

The Historic Preservation Commission encourages but does not require property owners to consider including an archaeological assessment in projects they are planning. However, if federal or state funds are utilized an archaeological assessment is required. The purpose of the assessment is to determine if an archaeological investigation should be undertaken before a project is started. An assessment includes a detailed review of historical, environmental and previous survey data.

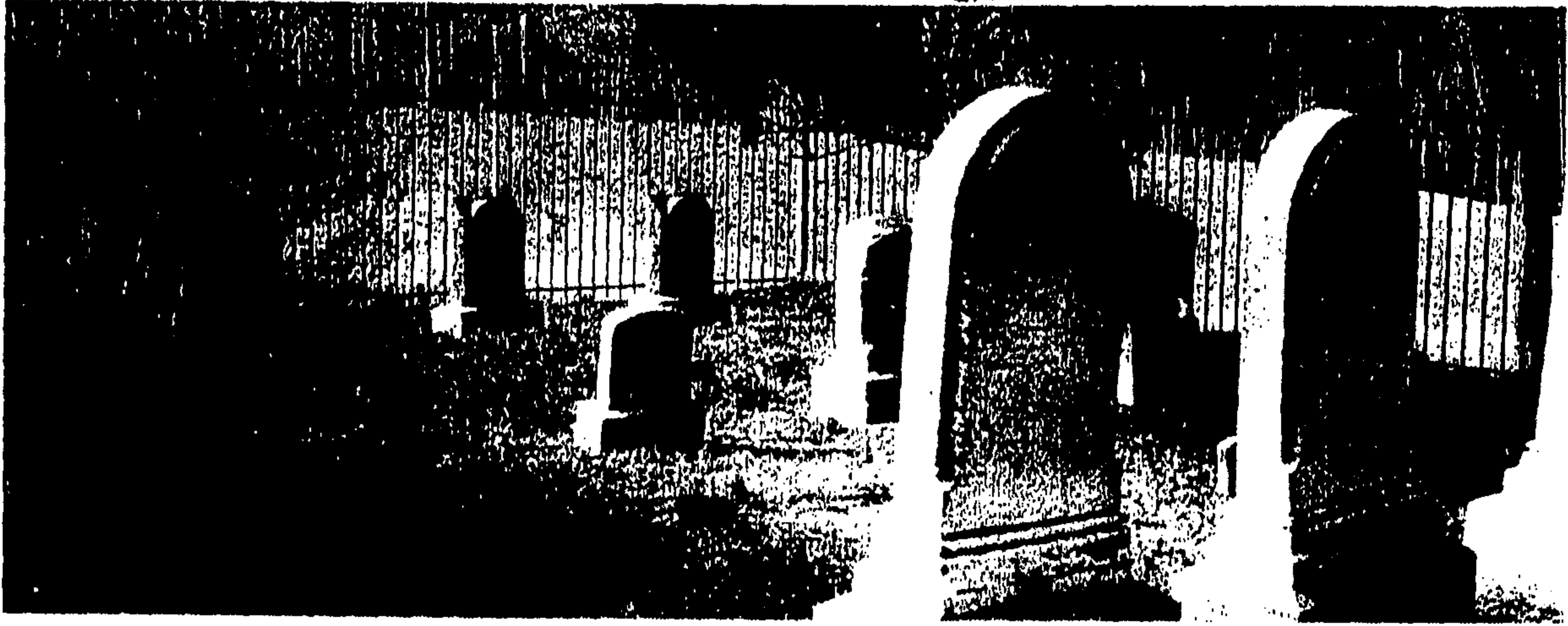
RECOMMENDED

- Conducting a professional archaeological assessment prior to undertaking a project is encouraged, especially if the ground adjacent to an historic property will be significantly disturbed during the work.
- Retaining and preserving known archaeological sites and resources using appropriate methods and techniques.

NOT RECOMMENDED

- Disturbing or destroying archaeological sites and resources.
- Collecting archaeological resources without appropriate professional guidance and involvement.

LIBERO 027 PAGE 151



CEMETERIES

St. Mary's County has many church cemeteries as well as family cemeteries scattered throughout the rural landscape. Cemeteries can be important resources for locating information about the history of St. Mary's County and are protected by state laws. Tombstones contain information on the lifespan, gender and occupation of people who lived in the County. They may also provide other information about the historical period. Tombstones, along with fences, walls, gateposts and plantings that surround graves and cemeteries, may be significant architectural features in their own right.

RECOMMENDED

- Retaining and preserving tombstones, gateways, fences, walls, plantings and other significant features of cemeteries.
- Righting, repairing and re-anchoring toppled tombstones using appropriate techniques and methods.
- Repairing deteriorated gateways, fences, walls and other significant features of cemeteries with the same materials or those similar to the original in scale, color, size, shape, and texture.

NOT RECOMMENDED

- Removing or inappropriately replacing or repairing tombstones, fences, gateways, gatehouses or other significant features of cemeteries.

The Annotated Code of Maryland (Section 14-121, of the Real Property Tax Article and Section 2-213 of the Tax Property Article) stipulates that the location of small family cemeteries should be documented and recorded on county tax maps. Section 5.03 (E) of Article 66B (Zoning and Planning) requires recording an access easement for family cemeteries.



Rehabilitation of Existing Buildings St. Mary's County Historic Preservation Guidelines



NO. 027 PAGE 53

Rehabilitation of Existing Buildings

THIS SECTION PROVIDES GUIDANCE for the rehabilitation of all existing historic buildings in St. Mary's County. It is not meant to be an exhaustive list; rather, it is intended to illustrate acceptable and unacceptable methods, materials and practices in treating historic properties so that changes comply with the *Secretary of the Interior's Standards for Rehabilitation*.

St. Mary's County's historic fabric is composed of commercial, public, religious, industrial, institutional, residential and accessory buildings, as well as objects, structures, landscapes, and landforms. Together they define the unique character of St. Mary's County, distinct from those of other Southern Maryland counties. With few exceptions, the buildings and landscapes of the County have been altered over time and will continue to be modified to meet the changing needs of owners and tenants. These guidelines and the *Secretary of the Interior's Standards for Rehabilitation* acknowledge this inevitability. They do not prohibit change. Instead, they encourage appropriate changes that do not significantly affect the character of an historic resource. For this reason it is important to understand character-defining materials, features, forms, details and other factors crucial to the significance of the resource prior to undertaking any change.

Property owners and tenants should consult with the Historic Preservation Commission and its staff to understand the elements and features significant to the character of their historic resource. This preliminary step will ensure that when the proposed changes are presented to the Historic Preservation Commission, they will be appropriate and compatible with these guidelines as well as the *Secretary of the Interior's Standards for Rehabilitation*.



FACADES

The facades of historic buildings, especially the front facade, are among their most important character-defining features. The materials and design of the facade – the location, proportion and scale of windows and doors, rhythm and massing of features such as porches and bays, as well as the ornamentation and details used – all contribute to that character. Alteration, replacement or repair of elements and features of facades should be carefully considered so as to avoid detracting from the character of the building or district.

MASONRY

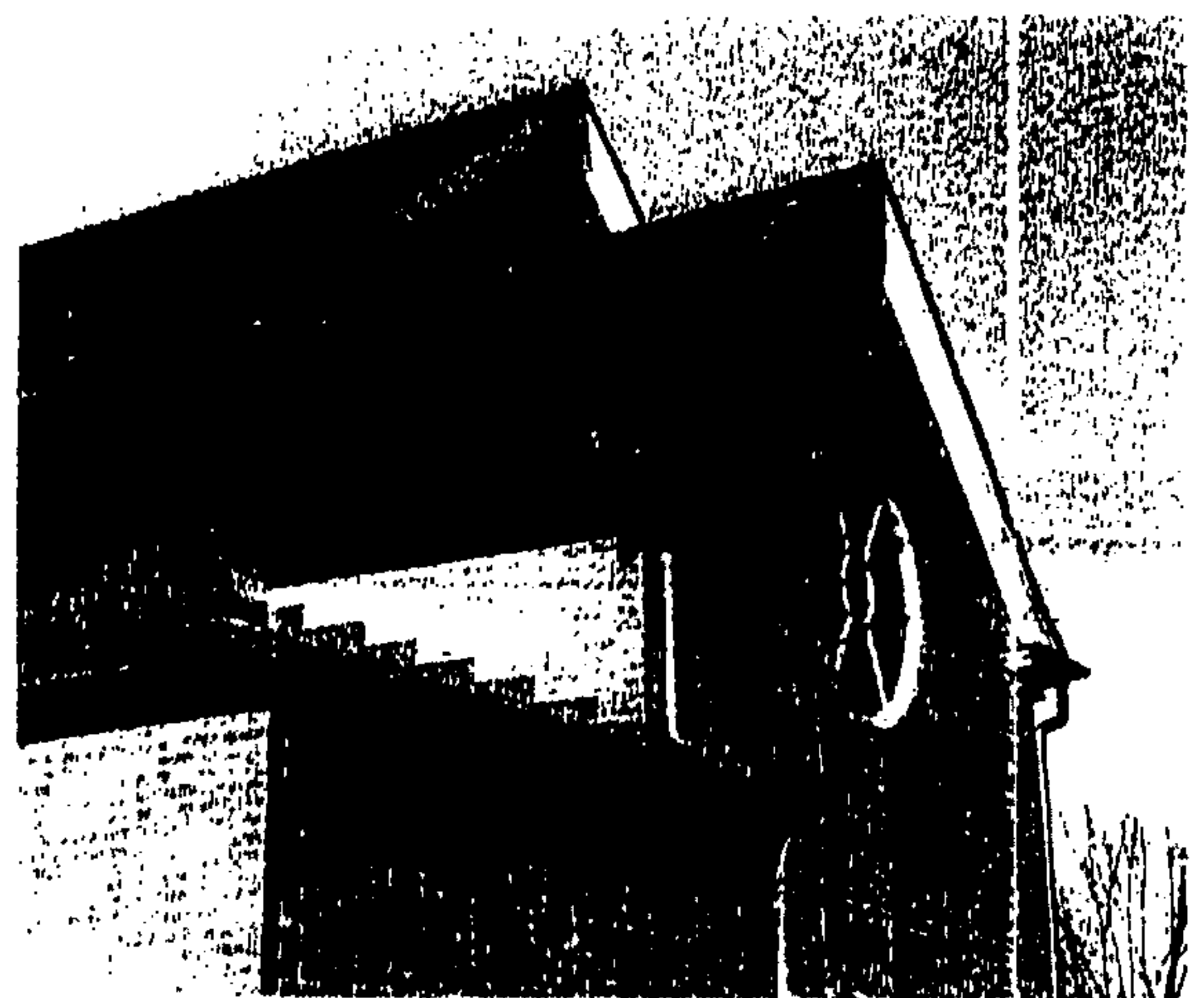
Brick is a common facade material for historic buildings in St. Mary's County, either for foundations or entire walls. There are also a few buildings on which stone, cast concrete blocks or stucco are employed.

RECOMMENDED

- Maintaining and repairing character-defining brick, stone, cast block or stucco, as well as other types of masonry used for facades.
- Repairing and replacing deteriorated masonry using materials that match the original in size, shape, texture and color as closely as possible.
- Repainting historically painted masonry walls using historic colors.
- Removing modern covering materials that have been applied over historic masonry.
- Replacing missing masonry features, such as a window hood or brick voussior, using documentary or photographic evidence. If no evidence of the design of the feature exists, the design of the new features should be compatible with similar details on the building, or, if none are evident, with the overall character of the building.
- Repointing mortar joints to match the original in size, depth, profile, and color, using appropriate mortar composition for the period of the masonry.
- Cleaning masonry, if necessary, using the gentlest method possible.

NOT RECOMMENDED

- Painting historically unpainted masonry walls.
- Covering original masonry walls.
- Sandblasting or using other inappropriate methods to clean masonry.
- Removing paint from historically painted masonry walls except as preparation for repainting.
- Applying waterproof coatings to masonry walls that change its appearance or trap moisture inside the wall.



WOOD

LIBERO 027 PAGE 15b

Wood is the most common facade material used on historic buildings in St. Mary's County. A few are constructed of logs while most others use various types of vertical siding, lapped siding, or shingles. In some cases historic wood facades have been covered with vinyl, metal or other inappropriate materials, not only obscuring the original material, but also quite often damaging historic ornamentation and details. These can also trap moisture inside walls, contributing to structural problems.

RECOMMENDED

- Maintaining existing wood facades using appropriate paint or other protective coatings.
- Properly preparing painted surfaces prior to repainting.
- Repairing minor deterioration using an appropriate wood consolidant. In the event of serious deterioration, replace only the affected areas with wood that matches the original in size and profile.
- Removing metal, vinyl, asbestos shingles and other inappropriate covering materials from facades and repairing damaged wood as necessary.

NOT RECOMMENDED

- Using butane torches, other open flames, power washing, sandblasting or other inappropriate methods to remove paint prior to repainting.
- Applying vinyl and metal siding, artificial brick and stone, or other inappropriate materials to facades of wood buildings.
- Removing historic wood siding except when it is too deteriorated to repair.
- Replacing original wood siding with wood siding that does not match the original in size and profile.





DOORS AND WINDOWS

The materials, size, shape, and location of doors and windows significantly contribute to the character of historic buildings. Most commonly, doors and windows are formally and symmetrically arranged on the front facades of buildings. In some cases, such as Victorian residential buildings, doors and windows may be formally but asymmetrically arranged. Windows on side or rear facades are often informally arranged and positioned for strictly functional purposes. In addition, the design, ornamentation, and details of doors and windows often differ according to their location: those located on the front facade tend to be more elaborate than those located on side or rear facades.

DOORS

Main entry doors, typically located on the front facade, are commonly designed to symbolically welcome visitors to houses. They usually have a friendly, welcoming appearance. In contrast, side and rear doors are generally more utilitarian in design.

UNZ0027 PAGE 158

Historically, residential doors were made of wood with raised or recessed panels. Doors located on front facades sometimes incorporated plain, stained, colored, beveled or etched glass panels. Fanlights and sidelights may also be incorporated in entry doors. Some wood screen doors on residential buildings constructed after World War I had removable screens that could be replaced with storm windows.

RECOMMENDED

- Maintaining and repairing original locations, designs, surrounds, frames, sills, transoms, fanlights and sidelights of doors.
- Replacing primary entry doors too badly deteriorated to repair with ones that are designed to duplicate the original as closely as possible. Replacement doors on secondary facades should be compatible with the overall character of the facade on which they are located.
- Replacing an inappropriately designed, non-original door or surround with an appropriately designed door or surround based on documentary or photographic evidence. If no such evidence exists, the design of the replacement door or surround should be compatible with the character of the facade on which it is located.
- Maintaining and repairing original screen doors. If the screen door is too badly damaged to repair, it should be replaced with one that duplicates the original as closely as possible. If appropriate to the building, adding a wood screen door on the front facade that is designed to be compatible with the door. On side and rear facades, painted metal screen/storm doors may be used.

NOT RECOMMENDED

- Changing the location or size of doors, openings, transom windows or sidelights, particularly those located on a front facade.
- Using inappropriately detailed replacement doors, such as an elaborate Victorian door on a 1920s bungalow, or ones that are not in keeping with the character of a residential building.
- Adding details, surrounds, canopies and other features or ornamentation that have no historical basis and are not in keeping with the character of the original door.

WINDOWS

A window is made up of a number of elements, each of which is important to its character. Until the late nineteenth century, window surrounds in residential buildings were almost always made of wood or brick. In the latter part of that century, elaborate surrounds of scrolled wood, patterned brick, and pressed metal were found on many residential buildings. In the nineteenth century windows were usually double-hung with the sash sometimes divided into two, four, six, nine or even twelve lights (panes of glass) each. The upper sash may be squared, rounded or feature other shapes at its top.

By the twentieth century, other types of windows were also used in residential buildings. Casement windows, popularized in this country at the very end of the nineteenth century, are mounted on vertical hinges and often open outward. They may be found individually, in pairs, or in rows. The sash may consist of a single pane or be subdivided vertically, horizontally or in a diamond pattern. Casement windows may be constructed of wood or metal.

In the mid-twentieth century, awning windows consisting of a single pane of glass in a metal or wood sash hinged at the top became popular in residential buildings, as did decorative windows of various shapes. Bullseye windows, usually constructed of wood, are often located above the main entrance or at the top a gable-end wall. Oval windows, usually divided into multiple lights, are similarly located. Several other popular shapes for residential buildings include half-circular, quarter-circular, and hexagonal.

RECOMMENDED

- Maintaining original locations of windows.
- Maintaining original size, shape, sash, light configuration and other important character-defining features of windows and surrounds, repairing if necessary.
- If advanced deterioration makes repair impossible, replacing windows on primary facades duplicating the original size, shape, material, sash, and light configuration as closely as possible. Replacement windows on secondary facades should fit the size and shape of

continued

NOT RECOMMENDED

- Changing the location, size or shape of original windows and window openings, particularly those on a front facade.
- Altering the materials, configuration, number of lights, or surrounds of original windows.
- Replacing original windows that can be repaired and thermally upgraded with inappropriately designed thermal windows.

continued

LIBEFO 027 PAGE 150

RECOMMENDED CONT.

the original opening and be compatible with the overall character of the facade in which they are located.

- Replacing inappropriately designed non-original windows with appropriately designed ones, sized and shaped to fit the original opening, based upon documentary or photographic evidence. If no such evidence exists, the replacement window should be sized and shaped to fit the original opening and be designed to be compatible with the character of the facade in which it is located.
- Maintaining and repairing original shutters. Replacement shutter material should be based on documentary or photographic evidence. Even if the shutters are not operable, they should be sized to appear to cover the window if closed.
- Detachable wood screens and storm windows were often used in residential and upper floor commercial windows through the first half of the twentieth century. New storm windows and screens should match as closely as possible the historic windows in size, profile of sash and frame, color, and other character-defining features. If evidence of historic exterior storm windows exists, they should be considered for replacement. In cases where exterior storm windows were not used historically, interior storm windows may be considered. Clear glass should be used for glazing all storm windows.

NOT RECOMMENDED CONT.

- Using metal or vinyl-clad windows to replace wood windows on the front facade or significant side and rear facades. However, appropriately detailed and designed metal or vinyl replacement windows may be used on non-significant secondary facades if using wood windows is shown not to be economically or technically feasible.
- Using replacement windows that do not completely fill original openings.
- Adding details, surrounds, shutters, ornamentation, and other features that have no historical basis and that are not in keeping with the character of the original window.
- Using through-window air conditioning units on primary facades. If through-window air conditioning units must be used, they should be located only on side and rear facades, preferably not visible from the public right-of-way.

LIBERO 027 PAGE 161



ROOFS

The roofs of historic buildings are one of their most important character-defining features. Commercial buildings typically have flat roofs hidden from view by a cornice and parapet. Sloped roofs usually found on historic residential buildings include gable, cross-gable, gambrel, mansard, hipped and shed styles. Typical sloped roofs found on accessory buildings include gable, hipped and shed.

Roofs on residential buildings often possess character-defining features such as towers, chimneys, dormer windows, finials and cresting. The shape, size and materials of gutters and downspouts also contribute to a roof's character, as do the materials used to cover it. Until the close of the eighteenth century, hand split wood shake roofs were typical. During the first half of the nineteenth century machine-cut wooden shingles slowly replaced shake roofs.

LIBRARY 027 PAGE 152

Copper, lead and terne plate became common metal roofing materials in the nineteenth century. By the early twentieth century zinc and galvanized tin were also used as coverings for sloped roofs, particularly on accessory buildings. The character of a metal roof is derived from the type of metal used, the manner in which it is finished, and the method by which sections are joined together and attached to the roof's substructure. Copper, which weathers to a green patina, and lead, which weathers to a warm gray, are usually left unpainted. All other types of metal roofs should be painted to protect them from corrosion.

Substantial numbers of residential buildings in the nineteenth and early twentieth century had slate roofs. Slate came in many shapes, with rectangular, hexagonal, and diamond the most popular. Although predominantly gray in color, slate roofs may also be red or green, or of mixed colors and shapes for ornamental purposes.

Asphalt shingles were introduced in the late nineteenth century as an inexpensive roofing material. By the mid-twentieth century they had become the most common material for sloped roofs. While gray is the predominant color for asphalt shingles, red, green and black shingles are also used.



ROOFS

ORDER 027 PAGE 63

RECOMMENDED

- Maintaining original roof shape, ornamentation, details and other character-defining features.
- Maintaining and repairing original materials on sloped roofs. If the severity of deterioration requires that the material be replaced, the replacement material should match the existing in size, color, orientation, reflectivity, and other defining characteristics of the original. On roofs not visible from a public right-of-way, if using the same materials is not possible for technical or economic reasons, then a replacement material that resembles the existing in size, color, orientation, reflectivity and other defining characteristics may be used.
- Replacing missing or severely damaged dormers, towers, cresting, finials, chimneys and other character-defining roof features based on documentary or photographic evidence. If no evidence of the appearance of the element exists, a new element should be designed to be compatible with the overall character of the building.

NOT RECOMMENDED

- Changing the shape or slope of a roof.
- Installing solar panels, satellite dishes, antenna, or other structures or equipment on roofs that are visible from a public right-of-way.
- Adding roof decks to existing roofs.
- Installing new skylights, vents, chimneys or other projections that are visible from a public right-of-way.

LIBERO 027 PAGE 164



PORCHES

Porches are significant character-defining elements of many residential and some commercial buildings. Many original porches still exist and are well maintained. Others are deteriorated or have been removed. Still others have been enclosed or their character-defining features, such as railings and columns, inappropriately altered.

Besides contributing to the character of historic buildings, porches serve as sheltered places to sit outdoors. They provide protection to walls and doors from the weather while also shading windows, helping to reduce solar gain and thus air conditioning loads. The roofs of some porches provide a vantage point from which to observe the countryside.

LIBERO 0 2 7 PABE1 6 5

PORCHES

RECOMMENDED

- Maintaining and repairing original porches, including their character-defining features such as steps, ceiling, flooring, columns, roof, details, ornamentation and the like.
- If materials or features are too severely deteriorated to repair, replacing them with new ones that resemble the original as closely as possible in material, size, shape, color, and other distinguishing features.
- Replacing missing features based on documentary or photographic evidence. If none exists, the replacement features should be designed to be compatible with the overall character of the facade to which the porch is attached.

NOT RECOMMENDED

- Removing an original porch or any of its character-defining features such as steps, flooring, roof, ceiling, columns, details or ornamentation.
- Enclosing a porch located on the front facade or one that is visible from a public right-of-way. If a porch is not visible from a public right-of-way it may be enclosed if done in a manner that does not significantly alter the original character of the porch.

LIBERO 027 PAGE 156



DETAILS AND ORNAMENTATION

St. Mary's County's historic buildings exhibit a wide variety of architectural details and ornamentation. The details are as varied as the County's resources, including those associated with the classically inspired Georgian and Federal styles, elaborate Victorian-era facades, and 1920's bungalows, as well as local vernacular craftsmanship, to name but a few. Each detail or ornament contributes significantly to the character of the building. Some of the most common details found on St. Mary's County buildings are bays, gables, cornices, door surrounds, finials, balustrades and railings.

Bays may be square, round, hexagonal or other shapes. They may be one or two stories in height, providing interest and rhythm to a building's facade.

Cornices are located at the junction between the wall and roof, hiding the joint between them and often visibly capping a building. Cornices may contain elaborate brackets, moldings or other details made of wood, brick, stone or metal. Wood and metal cornices are often non-structural, attached to the wall by bracing and anchors; brick and stone cornices are usually a structural part of the wall.

Window hoods and door surrounds provide visual emphasis to openings and help direct water away from the window or door. Hoods made of brick or stone may sometimes be structural, while hoods made of wood or metal are usually non-structural, yet equally important in defining the character of a building.

Historically, some residential, agricultural and institutional buildings featured weather vanes, lightening rods, roof finials and cresting. Typically made of metal, all of these features visually accentuate roof ridges, turrets and towers.

Balustrades can be found on some of St. Mary's County's historic buildings. They are used to visually cap a building, porch or portico and often hide the roof from view.

Railings serve as a safety function and contribute to the appearance of a building. Most commonly constructed of metal or turned wood, railings of stone or brick are also found on St. Mary's County's historic buildings.

Wood decorative brackets are often found at the top of porch columns. They visually anchor the beam to the column while providing lateral stability.



DETAILS AND ORNAMENTATION

RECOMMENDED

- Maintaining and repairing details and ornamentation. If replacement is necessary, the deteriorated detail or ornament should be replaced with one that resembles the original in size, shape, scale, texture, color and other distinguishing features, and if possible, using the same material. If a different material is used, it should be visually, physically and chemically compatible with surrounding original material.
- Carefully removing multiple coats of paint that obscure details and ornamentation prior to repainting.
- Replacing missing details or ornamentation based on documentary or photographic evidence. If similar details or ornamentation exist on the building, they should be used as models.

NOT RECOMMENDED

- Removing without replacing details or ornamentation.
- Covering details and ornamentation.
- Adding historically incorrect details or ornamentation to a building.

COLOR

10730027 PAGE 158

Some of the construction materials used for the buildings in St. Mary's County have colors that are integral to their manufacture, such as brick and copper. Other materials, particularly wood and tin, are painted or finished with other types of applied architectural coatings that protect them from the weather while contributing to the character of the building.

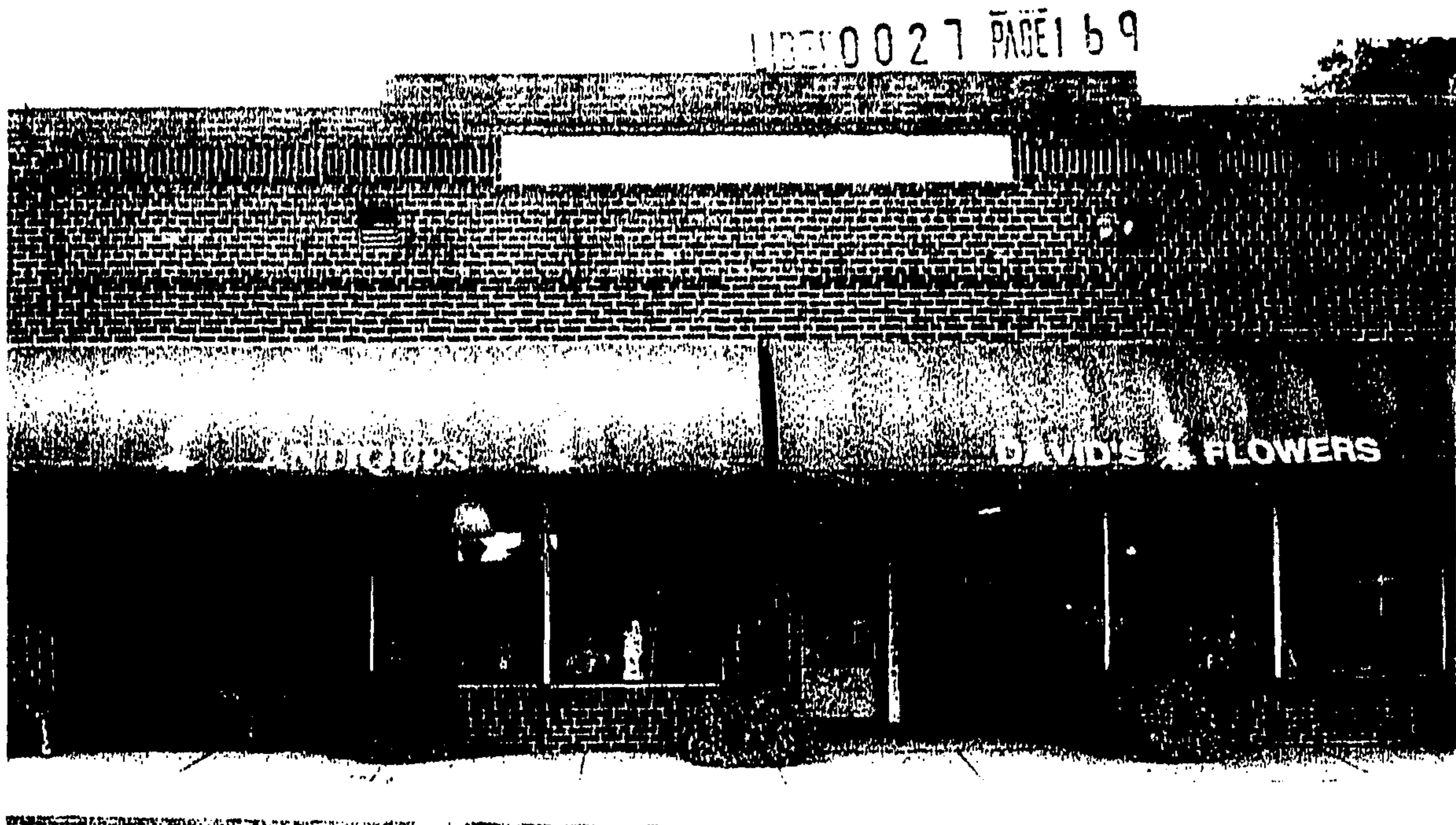
In selecting a color scheme for a building it is always best to begin with the palette presented by the materials with integral colors, then choosing paint and other architectural coating colors to complement. In addition, when selecting the applied colors for a building, the colors of adjacent buildings should be considered and complemented. Finally, historic buildings in St. Mary's County should contain no more than three basic colors and no more than two additional colors to accent details, ornamentation, awnings, window and door surrounds, and cornices.

RECOMMENDED

- Using compatible applied colors on front, side and rear elevations.
- If the building is listed in the National Register, a paint analysis to determine historic colors and paint composition is recommended. Strong consideration should be given to repainting using the historic color scheme.
- Not painting historically unpainted materials.
- Paint applied to buildings built prior to 1960 should be tested for lead. If found, appropriate abatement should be undertaken.

NOT RECOMMENDED

- Painting materials with integral colors, unless there is a documented historical basis for doing so.
- Using sandblasting or other abrasive methods to strip paint from wood, masonry, tin or zinc.
- Using flame or a heating iron to remove paint from wood surfaces.



COMMERCIAL STOREFRONTS

Storefronts are one of the most important elements of the front facades of commercial buildings. They help attract customers and clients to a business with an inviting appearance and views into the ground floor. Traditional storefronts are composed of a storefront cornice, signboard area, display windows, and enframing elements consisting of storefront piers, base and entry. In many examples, traditional storefronts were designed to have transom windows and canvas awnings. On country stores, the storefront cornice, signboard area, and sometimes the enframing elements are absent, although a front porch is almost always present.

The design of storefronts has evolved over the past 150 years, reflecting changes in how retail businesses are operated as well as the evolution of construction materials and methods. In the mid-nineteenth century, cast iron, steel, plate glass and pressed metal were introduced as storefront materials. Display windows became larger as glass manufacturing improved. Transom windows, typically containing prism or colored glass, allowed diffused sunlight deep into the store and were often operable to allow natural ventilation. Awnings and porches were used to protect window displays from sunlight, as well as pedestrians from rain and light snow. Storefront entries, except for country stores, were typically recessed to provide further protection from inclement weather as well as to allow window displays to be viewed from more than one side.

1981 0027 PAGE 170

Main entry doors were commonly designed to welcome customers into commercial buildings while sometimes conveying the prominence of the business. Historically, solid wood doors with raised or recessed panels were used for county stores, often in conjunction with screen doors. Commercial doors in village centers were often single panes of glass in wood surrounds.

RECOMMENDED

- Maintaining and repairing original existing storefronts. If repair or replacement is necessary, the same material designed to resemble the original element as closely as possible in size, shape, profile, color and other defining characteristics should be used.
- If using the original material is not economically or technically feasible, a replacement material that resembles the original in size, shape, profile, color and other characteristics may be used.
- Missing storefront elements should be replaced. The design of the replacement should be based on documentary or photographic evidence. If none exists, the replacement element should be designed to be compatible with the character of the storefront in size, shape, profile, color and other defining characteristics.
- A new storefront should be designed to fit within the enframing storefront piers and cornice line; it should not be recessed behind the enframing elements. It should be designed to be compatible in scale, proportion and details with the overall character of the

continued

NOT RECOMMENDED

- Removing or inappropriately altering an original existing storefront or its materials and elements.
- Blocking-down or covering over storefronts, storefront openings or display windows.
- Adding a new storefront that is not compatible with the overall character of the front facade.
- Adding a new storefront that is recessed behind the plane of the enframing elements.
- Using inappropriate materials such as vinyl and aluminum siding, bare anodized aluminum, mirrored or tinted glass, artificial stone and the like for a new storefront.
- Using metal, wood, fiberglass, plastic or other inappropriate materials for awnings.
- Adding porches to country stores and village commercial buildings that did not previously have them.

continued

LIBERO 027 PAGE 171

COMMERCIAL STOREFRONTS

RECOMMENDED CONT.

front facade, or may be the restoration of the original storefront based on documentary evidence. Entrances should usually be recessed.

- Awning frames should fit within the storefront or window opening to which they are attached. The shape of the awning (round, sloped, square, bull nose, and the like) should complement the design of the storefront or window to which it is attached.
- Porches should stretch across the entire front of the facade and be wooden, with appropriate detailing and ornamentation.
- If the use of the ground floor requires more privacy than allowed by the display windows, install privacy curtains or blinds.
- If storefront security systems are to be added, preference is given to electronic systems that do not alter the appearance of the storefront.

NOT RECOMMENDED CONT.

- Adding details and ornamentation to existing storefronts that create a false sense of history, or are incompatible with the overall design of the storefront.





*New Buildings and Additions
to Historic Buildings &
Landscapes* St. Mary's County Historic Preservation Guidelines

LIB 000 27 PAGE 173

New Buildings and Additions to Historic Buildings & Landscapes

IN ORDER TO PRESERVE THE CHARACTER OF HISTORIC BUILDINGS AND LANDSCAPES, the design of additions to them and of changes to the landscapes surrounding them must be carefully planned. Additions and new buildings should contribute to the character of an historic resource by respecting the location, scale, proportion, massing, rhythm, materials, roof shapes, and details and ornamentation of existing historic buildings. They must also respect the character of landscapes, landforms, accessory buildings and other important features associated with the resource. New buildings should be architecturally compatible with the existing environment without exactly duplicating existing buildings.

Architectural compatibility may be achieved in a variety of ways. It is grounded in an understanding of the character-defining elements of the existing buildings, landscape, and other features of an historic property. Usually this understanding involves an analysis of how the principles of design – location, scale, proportion, massing, rhythm, materials, roof shapes, and details and ornamentation – are used in the existing buildings and landscapes and then interpreting these principles in the new building or addition to reflect today's design philosophy, materials, and construction techniques.

Compatibility does not mean exact duplication. The new building or addition should look like a product of its own time, not an exact copy. Exactly copying an historic building, style or features creates a false sense of history about the new building, simultaneously compromising the historical value of the original. A new building or addition should seek to contribute to the resource's future evolution, just as the existing building typically displays its evolution over time. The goal is for the new building or addition to harmonize with what has come before it.

The same is true when adding features to historic landscapes. If possible, the features should be located outside of important view sheds to and from existing features on the property, as well as be designed to blend into the landscape. In some cases this may require that the new feature be screened or masked in some manner.

LIBER 0027 PAGE 174



LOCATION

The location of an addition is critical to its compatibility. Historically, many resources in St. Mary's County have been added to over the years, with the additions typically attached to the rear or a secondary side facade. In some cases, the additions are smaller than the original building, while in a few instances they are larger.

If a new accessory building is to be added to an historic property, it should be located in a way that enhances view sheds to and from the principal building as well as enhances the character of the entire resource. If no historic accessory buildings exist, a new accessory building should be located outside the primary view sheds to and from the historic resource.

New elements or features such as prefabricated carports, TV dishes, decks, swimming pools and the like should be located so they are not seen from public rights of way, including waterways, or else screened from view.

LOCATION

RECOMMENDED

- Locating additions and new elements or features to historic resources on rear or other secondary facades.
- Locating additions and new elements or features outside of primary view sheds to and from the historic resource.
- Locating new accessory buildings so that they enhance the overall character of the entire resource.
- If no accessory buildings currently exist, locating new accessory buildings outside of primary view sheds to and from historic resources.
- Screening new elements and features from view.

NOT RECOMMENDED

- Locating additions and new elements or features on the front or other primary facades.
- Locating additions and new elements or features within primary view sheds to and from an historic resource.
- Locating new accessory buildings where they will detract from the overall character of an historic resource.
- Locating new accessory buildings within primary view sheds to and from an historic resource.

LIBRO 027 PAGE 76



SCALE

Scale is the relative or apparent size of a building in relation to its neighbors. Scale is also the relative or apparent size of building elements, such as windows, doors, cornices and other features, to each other and to the building as a whole. The buildings in St. Mary's County are designed to be of human scale, which means they appear to be of a size appropriate for human occupancy and use.

Scale is achieved in a variety of ways. For example, windows, doors, cornices and other elements convey a sense of size in relationship to a human, as do bricks, shingles, clapboards and other wall materials. In addition, details and ornamentation on buildings give them a sense of scale.

RECOMMENDED

- Respecting the prevailing scale of surrounding buildings when designing new buildings or additions.
- In a few cases, a new building's use and symbolic importance may make it appropriate for its scale to differ from that of its neighbors.
- Slightly diminishing the scale of additions to historic resources, particularly residential properties.

NOT RECOMMENDED

- Constructing an addition or new building that does not respect the scale of the historic building to which it is attached or near.

PROPORTION

Proportion is the relative size of elements of a building to each other and to its overall facade. Often proportions are expressed as mathematical ratios, drawn from the architectural theories of ancient Greece or Renaissance Italy. For example, many historic buildings designed in the Classical Revival style use mathematical proportions to locate and size windows, doors, columns, cornices and other building elements.

RECOMMENDED

- Designing new buildings and additions that respect the existing proportions of historic buildings.

NOT RECOMMENDED

- Constructing additions to historic buildings that are drastically out of proportion with the original building.
- Constructing new buildings near historic buildings that are drastically out of proportion with the original buildings.

LIBERO 027 PAGE 178



RHYTHM

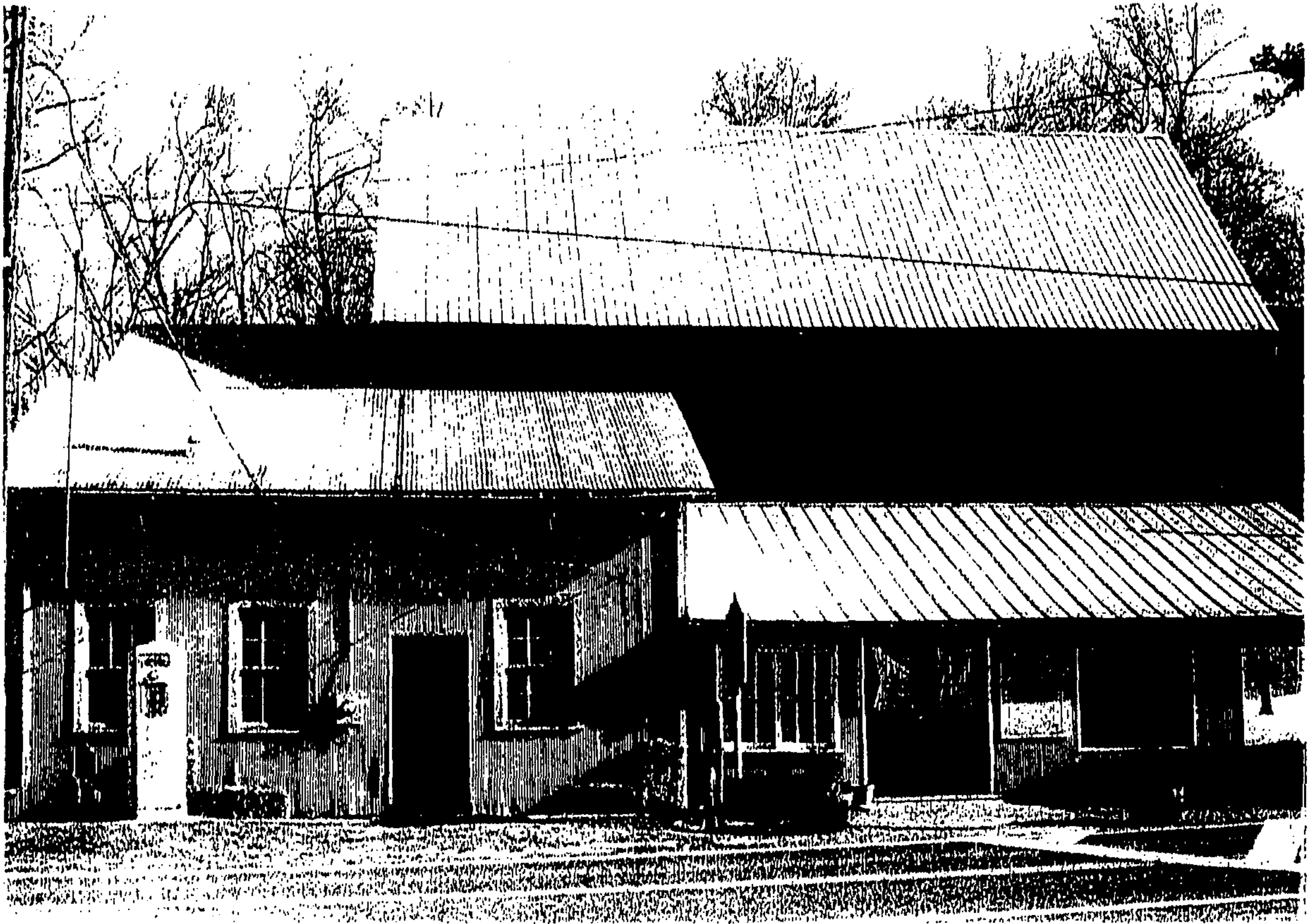
The spacing and repetition of facade elements such as windows, doors, belt courses, and the like contribute to the rhythm of a facade. The space between free-standing buildings in towns, as well as the height of roofs, setbacks, cornices, towers and other roof projections, establishes the rhythm of a street.

RECOMMENDED

- Constructing additions that respect the rhythm of the existing historic building to which they are attached.
- Designing new buildings that respect the rhythm of their neighboring buildings.

NOT RECOMMENDED

- Constructing an addition or new building that does not respect the rhythm of existing buildings.



MASSING

A building's massing is derived from the articulation of its facade through the use of dormers, towers, bays, porches, steps and other projections. The projections significantly contribute to the character of the building and, in town centers, to the character of a street.

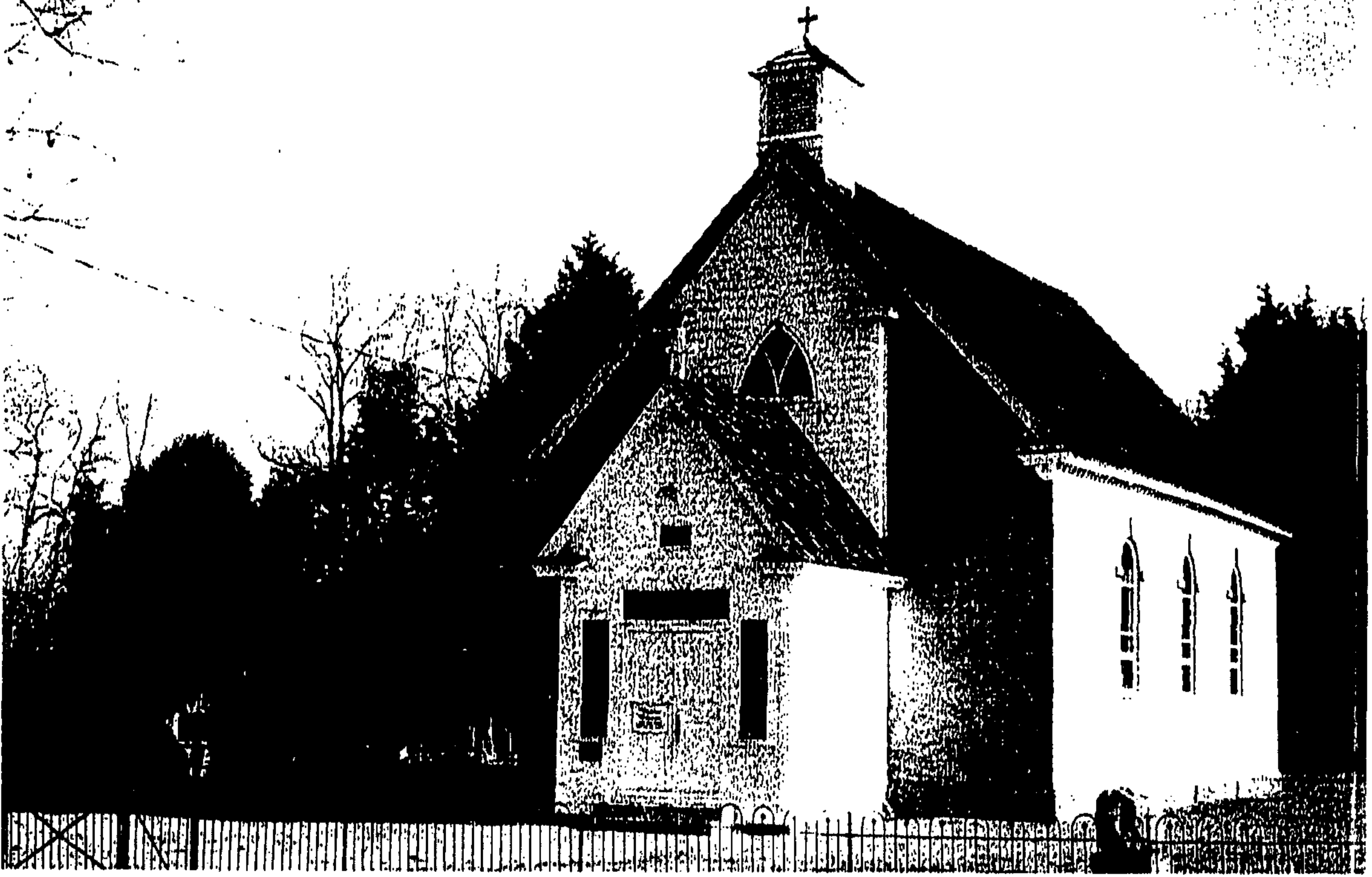
RECOMMENDED

- Designing additions that respect the massing of the existing historic building to which it is attached.
- Designing new buildings that respect the massing of neighboring buildings.

NOT RECOMMENDED

- Constructing new buildings or additions that do not respect the massing of historic buildings.

LIBEX 0027 PAGE 180



MATERIALS

The materials selected for walls, sloped roofs and other visible elements of additions and new buildings should respect the materials of historic buildings. The texture, size, surface finish and other defining characteristics of exterior materials are as important as the type of material used. For example, if an historic building facade has 4-inch wood lapped siding, installing 8-inch vertical board and batten on the addition would not be compatible. Similarly, a new accessory building constructed of glazed brick near an historic unglazed brick building would not be compatible.

MATERIALS

RECOMMENDED

- Using exterior materials for additions that are compatible in size, texture, surface finish and other defining characteristics with the exterior of the historic building to which it is attached.
- Using exterior materials for new buildings that are compatible in size, texture, surface finish and other defining characteristics with the exteriors of neighboring buildings, but still recognizable as new construction.
- Using materials that are chemically and physically compatible with the existing.

NOT RECOMMENDED

- Using materials that are not compatible with the existing for the exterior of additions and new buildings.
- Using materials that are chemically and physically incompatible with the existing.

LIBERO 027 PAGE 182



ROOF SHAPE

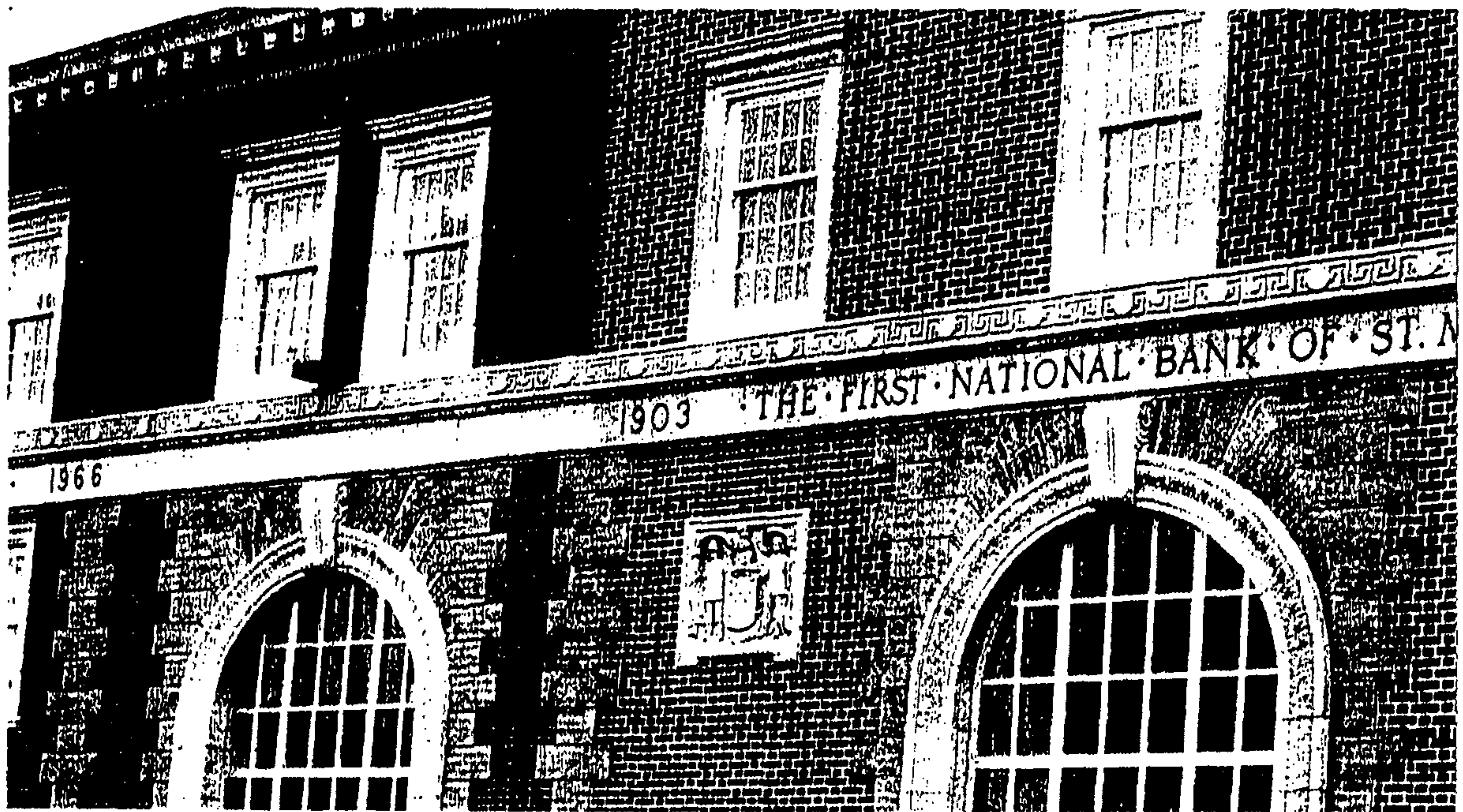
The shape of an addition's roof should respect that of the historic building to which it is attached. In towns and farmstead clusters, roof shapes of new buildings should also be compatible with the roof shapes of neighboring historic buildings. For example, introducing a different roof shape, such as a flat roof with an elaborate cornice, would not be compatible in a street or farmstead of buildings with gable end roofs.

RECOMMENDED

- Designing the roof shape of an addition to be compatible with that of the building to which it is attached.
- Designing the roof shape of a new building to be compatible with the roof shapes of neighboring historic buildings.

NOT RECOMMENDED

- Constructing incompatible roof shapes for new buildings and additions.



DETAILS AND ORNAMENTATION

The details and ornamentation of additions and new buildings are important to making them compatible with existing resources. The design of a new building should consider the amount, location and elaborateness of details and ornamentation found on adjacent historic buildings. Existing details and ornamentation may be used as the basis for those on a new building, but they should not be identical copies.

RECOMMENDED

- Designing additions with details and ornamentation that are compatible in amount, location, elaborateness and other defining features to the details and ornamentation on an historic building.
- Designing new buildings with details that are compatible with the details and ornamentation of neighboring historic buildings.

NOT RECOMMENDED

- Constructing additions with details and ornamentation that are very different than those on the historic building to which they are attached.
- Attaching additions without any details and ornamentation to an historic building that contains details and ornamentation.
- Exactly copying details and ornaments from historic buildings for an addition or new building.

CONTACT INFORMATION

For information on anything related to historic properties, the design review process or these *Historic Preservation Design Guidelines*, contact:

TERESA WILSON, Historic Preservation Planner
Department of Land Use and Growth Management
St. Mary's County
PO Box 653
23150 Leonard Hall Drive
Leonardtown, Maryland 20650
301.475.4200 ext. 1548
301.475.4635 (fax)
Teresa.Wilson@co.saint-marys.md.us

For information on Historic Overlay ("H") Zoning and Scenic Corridors Design Guidelines, contact:

DAVID CHAPMAN, Department of Zoning and Scenic Roads
Department of Land Use and Growth Management
St. Mary's County
PO Box 653
23150 Leonard Hall Drive
Leonardtown, Maryland 20650
301.475.4200 ext. 1524
301.475.4635 (fax)
David.Chapman@co.saint-marys.md.us

For information on the Maryland Inventory of Historic Places or federal and state rehabilitation tax credits, contact:

MARYLAND HISTORICAL TRUST
100 Community Place
Crownsville, Maryland 21032
410.514.7600
<http://www.marylandhistoricaltrust.net>

ORDINANCE

FOR THE PURPOSE OF ALLOCATING 3.136 ACRES OF ST. MARY'S COUNTY'S CHESAPEAKE BAY CRITICAL AREAS GROWTH ALLOCATION TO THE TOWN OF LEONARDTOWN NECESSARY FOR DEVELOPMENT OF LEONARDTOWN WHARF.

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rpt#299999
LWR KAE 811#2292
Nov 17, 2003 03:00 PM

WHEREAS, the Town of Leonardtown has utilized all its original allotment of Growth Allocation; and

WHEREAS, in April 2003 RAR Associates and the Town of Leonardtown submitted a proposal for development of the Leonardtown Wharf requiring growth allocation for preliminary County staff review; and

WHEREAS, the application was held at the request of the Town of Leonardtown in anticipation of the revisions to the growth allocation process allowing the Board of County Commissioners to consider both general and specific requests from the Town of Leonardtown and streamlining the review and approval process for award of growth allocation which were proposed as part of the comprehensive update of St. Mary's County's Critical Area Program; and

WHEREAS, on August 26, 2003 the St. Mary's County Board of County Commissioner's set the effective date for the revised Critical Area provisions of the Comprehensive Zoning Ordinance, (the "Ordinance") as September 26, 2003; and

WHEREAS, on September 2, 2003 the mayor of Leonardtown submitted a letter to the Board of County Commissioners in accordance with Section 41.9.7 procedures of the Ordinance requesting award of 3.136 acres of Growth Allocation for a proposed development on the Leonardtown Wharf property (a property is located entirely within the Town of Leonardtown) in anticipation of the effective date of the Critical Area Program; and

WHEREAS, the proposal is for development of a mixed used development including 41 dwellings, commercial, retail, and office space on 5.9 acres of land with Commercial Marine (CM) zoning requiring an Intensely Developed Area (IDA) Critical Area overlay to proceed as planned; and

WHEREAS, 2.764 acres of the Leonardtown Wharf site (identified as Tax Map 133, Parcels 324, 325, 327, 328, and 329) currently have the Intensely Developed Area (IDA) Critical Area overlay and the remaining 3.136 acres of the Leonardtown Wharf site (identified as Tax Map 133, Parcels 330 and 326 (the "Property")) have the Limited Development Area (LDA) Critical Area overlay; and

WHEREAS, the Department of Land Use and Growth Management reviewed the request, identified as application number 03-120-029, Leonardtown Wharf, for compliance with the provisions of Section 41.9 of the Ordinance necessary to accept the application for processing; and found the request and the accompanying project plans and information to be in accordance with Section 41.9.7 of the Ordinance necessary to proceed with hearings before the Planning Commission and Board of County Commissioners; and

WHEREAS, following the posting of notice on the Property on September 29, 2003, publication of notice in The Enterprise, a paper of general circulation in St. Mary's County, on September 24, and October 1, 2003 and written notification of all contiguous property owners by certified mail on September 29, 2003, the St. Mary's County Planning Commission conducted a public hearing on the application on October 14, 2003, closed the public hearing and after consideration of the public comment and staff recommendations, the St. Mary's County Planning Commission, by vote of 7 to 0 recommended approval of the request to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners, following the posting of notice on the Property on September 30, 2003, publication of notice in The Enterprise, a paper of general

circulation in St. Mary's County, on October 1, and October 8, 2003 and written notification of all contiguous property owners by certified mail on September 29, 2003, conducted a public hearing on the application on October 21, 2003, closed the public hearing and after deliberation upon public testimony and staff input and responses to questions from the Board, the St. Mary's Board of County Commissioners decided to approve by vote of 5 to 0, the request of growth allocation on October 21, 2003; and

WHEREAS, in accordance with that decision the Board of County Commissioners of St. Mary's County enacted resolution Z03-09 to support the application of the Town of Leonardtown to seek award of 3.136 acres of Growth Allocation to accommodate development within the Leonardtown Wharf property in the Town of Leonardtown.


NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND, that it approve the grant of 3.136 acres of the County's growth allocation to the Town of Leonardtown for the Leonardtown Wharf Property subject to the Chesapeake and Coastal Bays Critical Area Commission's approval; and

BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County that the foregoing recitals are hereby incorporated by reference as if fully set forth herein; and


BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County that this Ordinance shall become effective upon the date set forth below as the "Effective Date."

Those voting Aye: all
Those voting Nay: 0
Those abstaining: 0
Date of Adoption: November 4, 2003
Effective Date: November 4, 2003

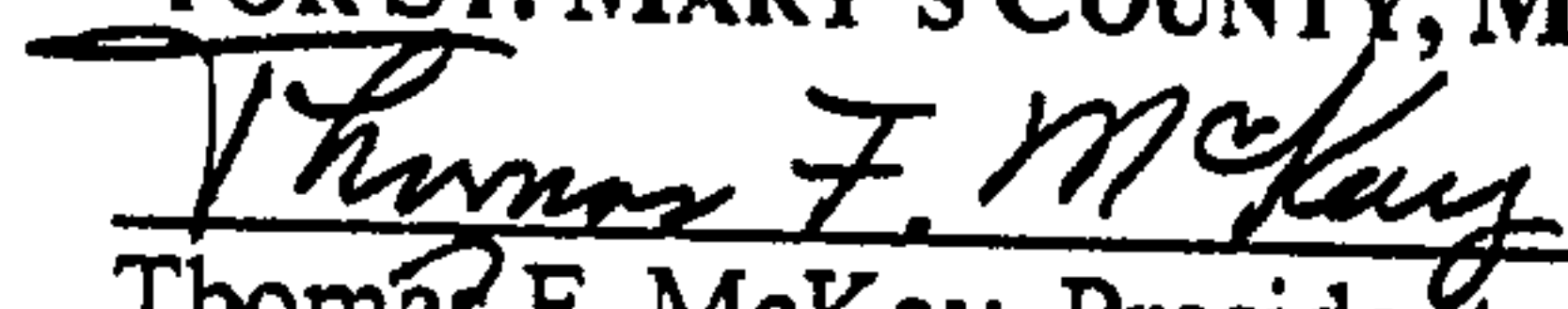
ATTEST:

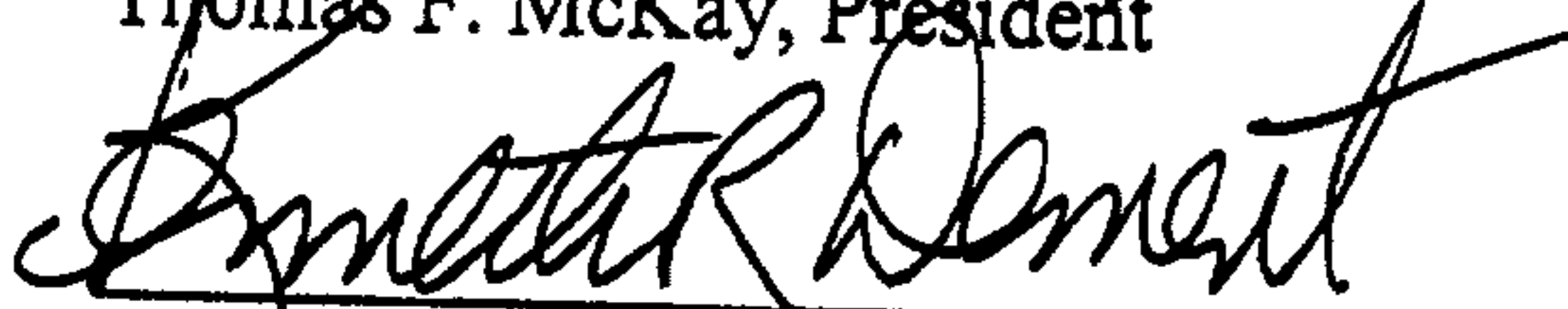

George F. Forrest,
County Administrator

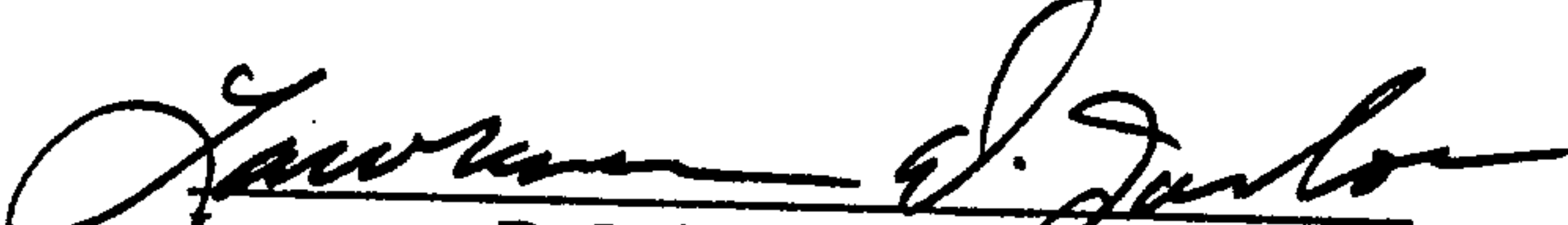
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



John B. Norris, III
County Attorney

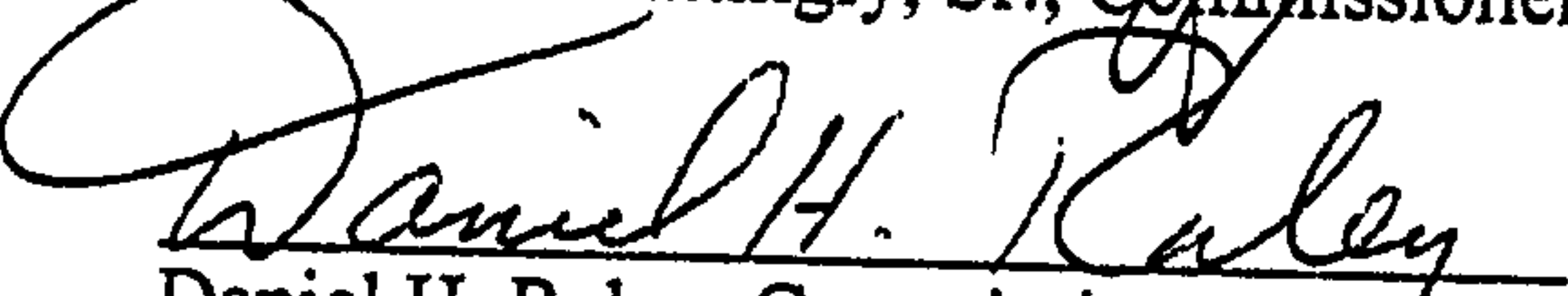
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


Thomas F. McKay, President


Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner