

COMMISSIONERS OF POOLESVILLE, MARYLAND

Resolution No: 001-26
Introduced: February 2, 2025
Public Hearing:
Adopted:
Effective:

A RESOLUTION OF THE COMMISSIONERS OF POOLESVILLE APPROVING AND AUTHORIZING THE EXECUTION OF A PARTIAL RELEASE AND AMENDMENT TO THE 1989 JAMISON ANNEXATION AGREEMENT

WHEREAS, on May 30, 1989, Robert P. Jamison and Susan S. Jamison (predecessors-in-interest to the current owners) entered into an Annexation Agreement with the Town of Poolesville (the "Original Agreement") concerning the annexation of approximately 90.14 acres of land located at 16410 Budd Road, Poolesville, Maryland 20837 (Parcel ID# 3-1-39688; the "Property"), which Original Agreement was authorized by Town Resolution No. 005-90, adopted April 2, 1990, and recorded among the Land Records of Montgomery County, Maryland, at Liber 9354, Folio 273; and

WHEREAS, the Original Agreement imposes certain obligations on the owners and their successors, including, among others: (i) in Section 5, the dedication of up to one-quarter (1/4) acre of the Property for a Town well site upon request, with ingress and egress; (ii) in Sections 6 and 7, the dedication of portions of the Property for stormwater management ponds and related easements upon request; and (iii) in Section 8, easements for utilities and underground stormwater conveyance upon request; and

WHEREAS, on December 17, 2025, the current owners, Laura Jamison Wright and Riley S. Jamison, submitted a written request to the Town for a release from certain provisions of the Original Agreement, specifically Sections 5 (well site), 6 and 7 (stormwater management ponds and easements), and 8 (underground stormwater conveyance), to facilitate a lease of a portion of the Property to Solar Budd LLC for a solar energy project; and

WHEREAS, the Town has determined that the stormwater management obligations under Sections 6 and 7, and the underground stormwater conveyance obligation under Section 8, are no longer necessary, as alternative solutions have been implemented, and agrees to a full release thereof; and

WHEREAS, the Town desires to retain a modified right to a well site under Section 5, limited to the portion of the Property north of the existing residential dwelling unit (the "Northern Portion"), while releasing such obligation as to the portion south thereof (the "Southern Portion"); and

WHEREAS, the Town desires to retain the utility easements under Section 8, while releasing the underground stormwater conveyance obligation therein; and

WHEREAS, Town staff, including the Town Manager and Assistant Town Manager, have reviewed the request and recommend approval of a Partial Release and Amendment to the Original

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Agreement, consistent with the Town's interests in preserving potential future water resources while supporting compatible development; and

WHEREAS, the Commissioners of Poolesville have reviewed the proposed Partial Release and Amendment to the Annexation Agreement (the "Amendment"), attached hereto as Exhibit A, and find that its approval is in the public interest and will not impair any existing obligations or contract rights under the Original Agreement; and

WHEREAS, the Commissioners considered the matter at a regular meeting on January February 20, 2026, and determined that the Amendment is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Poolesville, Maryland, that:

1. The Partial Release and Amendment to the Annexation Agreement, substantially in the form attached hereto as Exhibit A, is hereby approved.
2. The President of the Commissioners of Poolesville (or designee) is hereby authorized and directed to execute the Amendment on behalf of the Town, with such non-substantive changes as the Town Attorney may approve.
3. Upon execution by all parties, the Town Manager or designee is authorized to record the Amendment among the Land Records of Montgomery County, Maryland, at the Town's expense.
4. This Resolution shall take effect immediately upon adoption.

BE IT FURTHER RESOLVED by the Commissioners of Poolesville that this Resolution shall take effect immediately.

ADOPTED this [Insert Date, e.g., 2nd] day of [Insert Month, e.g., February], 2026, by the Commissioners of Poolesville.

James E. Brown, President
Commissioners of Poolesville

A TRUE COPY ATTEST:

A Margaret, Leibrand, Town Clerk