

Mayor and City Council
X-9683-2023
Exhibit 9

VERIFICATION

I HEREBY CERTIFY, that in accordance with §4-404 of the Local Government Article of the Annotated Code of Maryland, I have caused to be verified, as shown on Exhibits A and B attached hereto and incorporated herein, the signatures contained in the Petition for Annexation filed for the annexation of the property owned by Eugene B. Casey Foundation, containing approximately 228,633 square feet or 5.2 acres of land and known as the Parcel Number 09-00768787 and also known as S. Frederick Avenue without a specific numerical address in Montgomery County, Maryland, and based on this examination certify that the persons signing the Petition and consenting to the annexation meet the not less than twenty-five per centum (25%) of the persons who reside in the area to be annexed and who are registered as voters in county elections in the precinct or precincts in which the territory to be annexed is located and the persons signing the Petition and consenting to the annexation are the owners of not less than twenty-five per centum (25%) of the assessed valuation of the real property located in the area to be annexed requirements.

Dated this 27th day of November, 2023.

DocuSigned by:

Jud Ashman

52E570A5749C472...

JUD ASHMAN, MAYOR and
President of the Council

MEMORANDUM

TO: Mayor Jud Ashman

FROM: Erick Perla, Assistant City Attorney

RE: Petition for Annexation – Eugene B. Casey Foundation Property

DATE: November 22, 2023

Please be advised that I have verified with the Montgomery County Board of Elections that no persons reside on the property subject to the above-referenced Petition for Annexation who are registered as voters in county elections in the precinct or precincts in which the property to be annexed is located. *See* attached letter to and email from the Montgomery County Board of Elections. This meets the consent requirements of §4-404 of the Local Government Article of the Annotated Code of Maryland.

cc Rob Robinson
Lynn Board



EXHIBIT A



November 9, 2023

Montgomery County Board of Elections
Attn: Election Director Boris Brajkovic
18753 N. Frederick Avenue, Suite 210
Gaithersburg, MD 20879

Re: Petition for Annexation – Eugene B. Casey Foundation Property

Dear Mr. Brajkovic:

Enclosed please find a Petition for Annexation and Description of the Property filed with the City of Gaithersburg for the property owned by Eugene B. Casey Foundation located on South Frederick Avenue without a numerical address (Parcel No. 09-00768787), currently undeveloped property. The owners of these properties are seeking to annex the properties into the City of Gaithersburg.

In accordance with §4-404 of the Local Government Article of the Annotated Code of Maryland, the City must confirm whether the Annexation Petition has been signed by a sufficient number of the registered voters residing on the property. The Applicant has asserted and the City believes that there are no registered voters residing on this property.

We are requesting that you confirm the number of registered voters residing on this property. Should you have any questions with regard to this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Erick Perla", is written over a horizontal line.

Erick Perla,
Assistant City Attorney

cc Rob Robinson
Lynn Board

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • cityhall@gaitthersburgmd.gov • gaithersburgmd.gov

MAYOR
Jud Ashman

COUNCIL MEMBERS
Neil Harris
Lisa Henderson
Jim McNulty
Robert T. Wu

CITY MANAGER
Tanisha R. Briley

From: **Brajkovic, Boris** <Boris.Brajkovic@montgomerycountymd.gov>
To: **Erick Perla** <Erick.Perla@gaithersburgmd.gov>
CC: **Lauren Klingler** <Lauren.Klingler@gaithersburgmd.gov>; **Ross, Janet A.** <Janet.Ross@montgomerycountymd.gov>
Subject: RE: Petition for Annexation - Eugene B. Casey Foundation Property
Date: 22.11.2023 13:42:20 (+01:00)

This email is from an EXTERNAL source. Please use caution when opening attachments, clicking links, or responding.

Good morning Eric,
Individual voter registration is based, among other requirements, on a residential address that must include street name and house / apartment / unit number.
As presented documents do not indicate street name nor house / apartment / unit number, the Montgomery County Board of Elections is not in a position to ascertain if any voters are registered at the property.
Please let me know if I could be of any further assistance.
Best regards,
Boris

Boris Brajkovic
Election Director
Montgomery County Board of Elections
18753 N. Frederick Avenue, Suite 210
Gaithersburg, Maryland 20879
240-777-8523 (office)
240-372-5152 (cell)
Boris.Brajkovic@montgomerycountymd.gov

-----Original Message-----

From: Erick Perla <Erick.Perla@gaithersburgmd.gov>
Sent: Tuesday, November 21, 2023 3:09 PM
To: Lauren Klingler <Lauren.Klingler@gaithersburgmd.gov>; Brajkovic, Boris <Boris.Brajkovic@montgomerycountymd.gov>
Subject: RE: Petition for Annexation – Eugene B. Casey Foundation Property

[EXTERNAL EMAIL]

Hi Boris,

I don't mean to be annoying with this, but City staff are setting a deadline for submitting documents regarding annexation by Monday, November 27, 2023 - ahead of the Mayor and City Council meeting set for early December.

Can you please provide me with a status of the requested certification and when you think it will be ready?
Thank you.

Erick Perla | Assistant City Attorney

City of Gaithersburg | 31 S Summit Avenue | Gaithersburg, MD 20877 D (240) 805-1178

-----Original Message-----

From: Lauren Klingler <Lauren.Klingler@gaithersburgmd.gov>
Sent: Thursday, November 16, 2023 9:56 AM

To: Brajkovic, Boris <Boris.Brajkovic@montgomerycountymd.gov>
Cc: Erick Perla <Erick.Perla@gaitthersburgmd.gov>
Subject: Petition for Annexation – Eugene B. Casey Foundation Property

Boris,

The attached letter was mailed to your office last week -

Please contact me with any questions.

Thank you,
Lauren



Suspect something isn't right?

CLICK, CALL, or EMAIL to file a report
240-777-7644 • IG@montgomerycountymd.gov



Office of the Inspector General

YOUR IDENTITY IS PROTECTED!

To report fraud, waste, abuse, or mismanagement in County government, visit:
www.montgomerycountymd.gov/oig

MEMORANDUM

TO: Mayor Jud Ashman

FROM: Erick Perla, Assistant City Attorney

RE: Petition for Annexation – Eugene B. Casey Foundation

DATE: November 22, 2023

Please be advised that I have examined the Land Records and Assessment Records for Montgomery County, Maryland with regard to the above-referenced Petition for Annexation. Based on this examination, the Petitioner, Eugene B. Casey Foundation, owns not less than twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed. This meets the ownership requirements of §4-404 of the Local Government Article of the Annotated Code of Maryland.

cc Rob Robinson
Lynn Board

EXHIBIT B