



The Mayor and Commissioners of the Town of Elkton

Annexation Resolution A2-2020
732 East Pulaski Highway
411 Maloney Road

A RESOLUTION of the Mayor and Commissioners of the Town of Elkton, adopted pursuant to the authority of Article XI-E., Constitution of the State of Maryland, and Section 4-401, et. seq., Subtitle 4, Title 4, Division II, Local Government Article, Annotated Code of Maryland, for the enlargement of the corporate boundaries of the Town of Elkton by the annexation of certain land contiguous and adjoining to the existing corporate boundaries of Elkton.

WHEREAS, in accordance with Section 4-404, et seq., Subtitle 4, Title 4, Division II, Local Government Article, Annotated Code of Maryland, a **Petition for Annexation** was presented to the Mayor and Commissioners of the Town of Elkton on **Wednesday, May 13, 2020**, by Manuel Espinosa and Anthony Scarangelo, II (“Petitioners”); and

WHEREAS, upon presentation of the Petition for Annexation to the Mayor and Commissioners of the Town of Elkton, the Mayor, the presiding officer, caused to be made a verification of the signature(s) of the Petitioners; and

WHEREAS, the improved land subject to annexation is owned entirely by the Petitioners, Manuel Espinosa and Anthony Scarangelo, II; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commissioners of the Town of Elkton that the corporate boundaries of the Town of Elkton, as filed by the Town, the Clerk of the Circuit Court for Cecil County, the Maryland Department of Legislative Services, and as described in the Charter of the Town of Elkton, shall be amended to include the following described two (2) parcels of land:

Parcel One (Espinosa parcel) - Tax ID 03-005593:

A parcel of land identified on Tax Map 316 as Parcel 0170, consisting of approximately 0.592 acres, with improvements erected thereon, situate in the Third Election District, Cecil County, State of Maryland, addressed as 732 East Pulaski Highway, Elkton, Maryland, and further

described in the Cecil County Land Records in Liber 1048, folio 0621 as follows:

Beginning at the intersection of the division line between the lands of said Esperanza Painting on the east and the lands of Anthony Scarangelo, II on the West, with the southerly right-of-way limits of Pulaski Highway - U.S. Route 40, thence with said southerly right-of-way limits;

1. North $67^{\circ}32'57''$ East, 200.00 feet, to the westerly right-of-way limits of Maloney Road, thence with said westerly right-of-way limits;
2. South $27^{\circ}17'48''$ East, 128.89 feet to the intersection of said westerly right-of-way limits with the division line between the lands of said Esperanza Painting on the north, and the lands of said Anthony Scarangelo, II on the south, thence with said division line the following two (2) courses and distances:
3. South $64^{\circ}24'24''$ West, 184.97 feet to a concrete monument found, thence;
4. Continuing, North $33^{\circ}09'27''$ West, 141.02 feet to the place of beginning.

Parcel Two (Scarangelo parcel) - Tax ID 03-028607:

A parcel of land identified on Tax Map 316 as Parcel 0171, consisting of approximately 1.453 acres, with improvements erected thereon, situate in the Third Election District, Cecil County, State of Maryland, addressed as 411 Maloney Road, Elkton, Maryland, and further described in the Cecil County Land Records in Liber 2671, folio 0239, (Scarangelo parcel) as follows:

Beginning at the intersection of the division line between the lands of said Anthony Scarangelo, II on the east, and the lands of Realty Income Corporation on the west with the southerly right-of-way limits of Pulaski Highway - U.S. Route 40 (150' right-of-way), thence with said southerly right-of-way limits:

1. North $67^{\circ}32'57''$ East, 50.00 feet, to the intersection of said southerly right-of-way limits with the division line between the lands of said Anthony Scarangelo, II on the west, and the lands of Esperanza Painting on the east, thence with said division line the following two (2) courses and distances::
2. South $33^{\circ}09'27''$ East, 141.02 feet to a concrete monument found, thence;
3. Continuing North $64^{\circ}24'24''$ East, 184.97 feet to the westerly right-of-way limits of Maloney Road, thence with said westerly right-of-way limits;
4. South $27^{\circ}34'13''$ East, 278.59 feet to an iron pipe found marking the intersection of said westerly right-of-way limits with the division line between the lands of said Anthony Scarangelo, II on the north and the lands of Anne H. Guns, Francis W. Guns, Jr. and John J. Guns on the south, thence with

said division line the following three (3) courses and distances:

5. South 76°40'18" West, 180.17 feet, thence;

6. Continuing North 38°28'44" West, 190.02 feet to an iron pipe found, thence;

7. Continuing South 64°31'50" West, 56.68 feet to the said division line between Anthony Scarangelo, II on the east and Realty Income Corporation on the west, thence with said division line;

8. North 22°06'01" West, 197.69 feet to the place of beginning.

The improved property addressed as 411 Maloney Road, Elkton, Maryland (Scarangelo property)

BE IT FURTHER RESOLVED that the land currently zoned by Cecil County as Business General District (BG) and will be designated as Highway Commercial District (C-2) by the Town of Elkton following the annexation; and

BE IT FURTHER RESOLVED that a copy of this Resolution, following its introduction, along with a plat detailing the area to be annexed, shall be available for public inspection at the Town of Elkton Administration Office, Elkton Municipal Building, 100 Railroad Avenue, Elkton, Maryland, during normal business hours [Monday - Friday 8:00 a.m. - 4:30 p.m.] and via the Town of Elkton's website at www.elkton.org; and

BE IT FURTHER RESOLVED that the aforementioned and described land shall upon annexation be subject to all provisions of the Charter and Code of the Town of Elkton heretofore and subsequently enacted by the Mayor and Commissioners of the Town of Elkton; and

BE IT FURTHER RESOLVED that the aforementioned and described land shall be subject to a levy of real and personal property taxes by the Town effective July 1, 2021; and

BE IT FURTHER RESOLVED that the **Mayor and Commissioners** of the Town of Elkton shall hold a **PUBLIC HEARING** on the annexation on **Wednesday, July 15, 2020, at 12:05 p.m.,** Elkton Municipal Building, 100 Railroad Avenue, Elkton, Maryland; and

BE IT FURTHER RESOLVED that notice of the public hearing and of the proposed change to the corporate boundaries of the Town of Elkton shall be published in the Cecil Whig on the following dates: **June 10, 2020** and **June 17, 2020** and on the Town of Elkton's Website at **www.elkton.org**; and

BE IT FURTHER RESOLVED that immediately following its first publication a copy of the

Resolution shall be provided to the County Council of Cecil County, the Cecil County Department of Planning, and the Maryland Department of Planning, which shall be entitled the right to be heard before the public at the public hearing on the proposed annexation; and

BE IT FURTHER RESOLVED that this Resolution shall be subject to adoption by the Mayor and Commissioners of the Town of Elkton on **July 15, 2020, following the PUBLIC HEARING** and, if adopted, it shall become effective **forty-five (45) days** after said adoption unless a petition for referendum hereon shall be filed in accordance with Section 4-408, et seq., Subtitle 4, Title 4, Division II, Local Government Article, Annotated Code of Maryland. A copy of this Resolution shall be posted at the Elkton Municipal Building, 100 Railroad Avenue, Elkton, Maryland, for public viewing until the **45th** day of the referendum period has elapsed; and

BE IT FURTHER RESOLVED that not less than thirty (30) days prior to PUBLIC HEARING, a copy of the ANNEXATION PLAN shall be provided to the County Council of Cecil County, to the Cecil County Office of Planning and Zoning, and to the Maryland Department of Planning that outlines the extension of services and public facilities, as may be applicable, for the aforementioned land. The ANNEXATION PLAN shall be subject to public review and discussion at the PUBLIC HEARING, as well as subject to commentary received from Cecil County and the Maryland Department of Planning. The ANNEXATION PLAN shall contain a description of the proposed land use [Suburban Residential District (R-2)]; and

BE IT FURTHER RESOLVED that upon the **effective date** of this Resolution, which shall be forty-five (45) days from the date of the Resolution's enactment, unless a Petition for Referendum is received by the Town, a copy of the Resolution shall be delivered to the Clerk of the Circuit Court for Cecil County, the Maryland Department of Legislative Services and the Federal Emergency Management Administration.

ACCEPTED FOR INTRODUCTION BY the Mayor and Commissioners of the Town of Elkton at a regularly scheduled public meeting on the **27th** day of **May, 2020**, and directed to be published in accordance with Section 4-406, Subtitle 4, Title 4, Division II, Local Government Article, Annotated Code of Maryland.

**Mayor and Commissioners
of the Town of Elkton**

**Mayor Robert J. Alt
Commissioner Jean A. Broomell
Commissioner Charles H. Givens, Sr.
Commissioner Robert M. Massimiano
Commissioner Earl M. Piner, Sr.**

ADOPTED by the Mayor and Commissioners of the Town of Elkton at a regularly scheduled public meeting and following a PUBLIC HEARING this **15th** day of **July, 2020**.

**Mayor and Commissioners
of the Town of Elkton**

**Mayor Robert J. Alt
Commissioner Jean A. Broomell
Commissioner Charles H. Givens, Sr.
Commissioner Robert M. Massimiano
Commissioner Earl M. Piner, Sr.**