



The Mayor and Commissioners of the Town of Elkton

Annexation Resolution A4-2022

Tax Map 033C, Parcel 0669

Parcel Located West Side of Chesapeake Blvd

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, September 21, 2022, by Avi Hoffer, on behalf of Perch Creek Properties, LLC ("Petitioner"); 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 Petitioner; and

WHEREAS, the improved land subject to annexation is owned entirely by the Petitioner, Perch Creek Properties, LLC; 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 parcels of land:

Parcel 1:

Commencing at a found 3 inch metal disk in the easterly right-of-way of Maloney Road; thence along said right-of-way the following two (2) calls: S27°50'32"E a distance of 30.02 feet more or less, to a point; S27°49'17"E a distance of 169.99 feet more or less, to a found 1/2 inch bent pipe; thence leaving said right-of-way S72°50'55"E a distance of 42.43 feet more or less, to a found 3 inch metal disk; thence N62°09'05"E a distance of 813.36 feet more or less, to a point which is the Point of Beginning:

Thence N22°26'10"W a distance of 190.25 feet more or less, to a point; thence N66°05'55"E a distance of 764.38 feet more or less, to a found 1/2 inch rebar; thence S24°03'27"E a distance of 16.86 feet more or less, to a point; thence S27°48'50"E a distance of 1371.55 feet or or less, to a found 4x6 inch concrete monument; thence S65°30'24"W a distance of 893.78 feet more or less, to a point; thence N22°32'23"W a distance of 158.35 feet more or less, to a point; thence N22°32'23"W a distance of

22.15 feet more or less, to a point; thence N22°24'55"W a distance of 973.92 feet more or less, to a point; thence N22°24'16"W a distance of 50.23 feet more or less, to the Point of Beginning, having an area of 1,151,825 Square Feet, or 26.442 Acres.

Parcel 2:

Commencing at a found 3 inch metal disk in the easterly right-of-way of Maloney Road; thence along said right-of-way the following two (2) calls: S27°50'32"E a distance of 30.02 feet more or less, to a point; S27°49'17"E a distance of 169.99 feet more or less, to a found 1/2 inch bent pipe; thence leaving said right-of-way S72°50'55"E a distance of 42.43 feet more or less, to a found 3 inch metal disk; thence N62°09'05"E a distance of 813.36 feet more or less, to a point; thence N22°26'10"W a distance of 190.25 feet more or less, to a point; thence N66°05'55"E a distance of 764.38 feet more or less, to a found 1/2 inch rebar; thence S24°03'27"E a distance of 16.86 feet more or less, to a point; thence S27°48'50"E a distance of 1371.55 feet more or less, to a found 4x6 inch concrete monument which is the Point of Beginning:

Thence S27°32'04"E a distance of 400.00 feet more or less, to a point; thence S60°03'55"W a distance of 963.53 feet more or less, to a point; thence N27°50'54"W a distance of 660.00 feet more or less, to a point; thence N71°50'52"E a distance of 88.75 feet more or less, to a point; thence S22°32'23"E a distance of 158.35 feet more or less, to a point; thence N65°30'24"E a distance of 893.78 feet more or less, to the Point of Beginning, having an area of 442,914 Square Feet, or 10.168 Acres.

Parcel 3:

Commencing at a found 3-inch metal disk in the easterly right-of-way of Maloney Road; thence along said right-of-way the following two (2) calls: S27°50'32"E a distance of 30.02 feet more or less, to a point; S27°49'17"E a distance of 169.99 feet more or less, to a found 1/2-inch bent pipe which is the Point of Beginning:

Thence leaving said right-of-way S72°50'55"E a distance of 42.43 feet more or less, to a found 3-inch metal disk; thence N62°09'05"E a distance of 813.36 feet more or less, to a point; thence S22°24'16"E a distance of 50.23 feet more or less, to a point; thence S62°09'05"W a distance of 808.60 feet more or less to a point; thence S17°09'16"W a distance of 42.42 feet more or less, to a found 1/2-inch pipe being in the easterly right-of-way of Maloney Road; thence following said right-of-way N27°50'55"W a distance of 110.00 feet more or less to the Point of Beginning, having an area of 42,952 Square Feet, or 0.986 Acres.

BEING the same lot of ground which is under contract for sale to Estes Express Lines which owns 26.5637 acres of abutting land located at 201 Chesapeake Boulevard in the Town of Elkton, shown on Tax Map 033C, Grid 18, Lot 4, Parcel 2340.

BE IT FURTHER RESOLVED that the land currently is zoned by Cecil County as High Density Residential District (RM) and will be designated as Business Industrial (BI) 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, 2023; and

BE IT FURTHER RESOLVED that the Planning Commission of the Town of Elkton will consider the Petition for Annexation and Annexation Resolution A4-2022 at a regularly scheduled public meeting on November 7, 2022; 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, November 16, 2022, 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: **September 28, 2022, October 5, 2022, October 12, 2022 and October 19, 2022**, 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 **November 16, 2022, 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 [Business Industrial (BI)]; 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 **21st** day of **September 2022**, 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

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 **16th** day of **November, 2022**.

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

Mayor Robert J. Alt
Commissioner Charles H. Givens, Sr.
Commissioner Robert M. Massimiano
Commissioner Earl M. Piner, Sr.