



# The Mayor and Commissioners of the Town of Elkton

## **De-Annexation Resolution D1-2023** **305 Delancy 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 19, Article 23A, Annotated Code of Maryland, for the enlargement of the corporate boundaries of the Town of Elkton by the annexation of certain land contiguous to and adjoining the existing corporate boundaries.

**WHEREAS**, in accordance with Section 19(c), Article 23A, Annotated Code of Maryland, a petition for annexation was presented to the Mayor and Commissioners of the Town of Elkton on **August 3, 2011, by Wilber Properties, LLC**, *the contract purchaser of the property at that time*, and upon the Mayor and Commissioners of the Town of Elkton's enactment of Annexation Resolution A1-2011 on February 15, 2012, said annexation begin effective on March 31, 2012; and

**WHEREAS**, upon receipt of a Petition for De-annexation delivered to the Mayor and Commissioners on March 1, 2023, the Mayor, the presiding officer, caused to be made a verification of the signature of the fee simple owners of improved property identified as Map 027I, Parcel 1093, containing approximately 40,075 square feet, and further addressed as 305 Delancy Road, Elkton, Maryland Deed: 00196/00605; and

**WHEREAS**, the Mayor and Commissioners of the Town of Elkton, upon proper verification of the requirements of the laws of the State of Maryland as set forth above, have accepted this De-Annexation Resolution for introduction with the intent to de-annex the hereinafter described land, **totaling approximately 40,075 square feet**, from the corporate boundaries and taxable limits 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 remove the following described land:

**ALL that certain lot, piece, parcel or tract of land with improvements erected hereon, situate in the Third Election District, Cecil County, State of Maryland, consisting of approximately 40,075 square feet more or less, located at 305 Delancy Road and further described on Tax Map 027I, Parcel 1093, and more particularly described as follows to wit:**

Beginning for the same at a point in the middle of the Public Road leading from Elkton-Glasgow State Road to Christiana Turnpike, said point of beginning being located North 0 degrees, 11 minutes, 35 seconds East, 330 feet from the northernmost side of a private road, which is the southern boundary of the whole tract of which this lot is a part, and running thence North 85 degrees 24 minutes 25 seconds West, 200 feet; thence parallel with said public road, North 0 degrees 11 minutes 35 seconds East, 200 feet; thence parallel with said first line, South 85 degrees 24 minutes 25 seconds East, 200 feet to a point in the middle of the said public road; thence by and with said road, South 0 degrees 11 minutes 35 seconds West, 200 feet to the point and place of beginning. Containing 40,000 square feet of land, be the same more or less.

More particularly being shown on a plat entitled “*Plat to Accompany Particular Description, Land to be Annexed into the Town of Elkton, Lands of Wilber Properties LLC, et al*” prepared by Joseph Thompson & Associates, dated July 21, 2011.

The land proposed for annexation is currently zoned R-3 (Multi-family Residential) under Town of Elkton Zoning regulations.

A copy of a plat detailing the area to be de-annexed is available for 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.].

**BE IT FURTHER RESOLVED** the person(s) and land included with the aforementioned boundaries as land to be de-annexed shall be removed from all provisions of the Charter and Code of the Town of Elkton heretofore enacted and those subsequently enacted by the Mayor and Commissioners of the Town of Elkton, as applicable; and

**BE IT FURTHER RESOLVED** that the land being de-annexed herein from the corporate boundaries of the Town of Elkton shall no longer be subject to levy for municipal taxes, including real and personal property taxes, effective upon the tax year beginning **July 1, 2023**; and

**BE IT FURTHER RESOLVED** that the **Mayor and Commissioners** of the Town of Elkton shall hold a public hearing with regard to the enactment of this Resolution on the **19th** day of **April, 2023, at 12:05 p.m.**, in the council meeting room, Elkton Municipal Building, 100 Railroad Avenue, Elkton, Maryland; and

**BE IT FURTHER RESOLVED** that notice of said public hearings 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 **(March 8, 2023 ) (March 15, 2023) and on the Town of Elkton’s Website at [www.elkton.org](http://www.elkton.org)** ; and

**BE IT FURTHER RESOLVED** that this Resolution shall be subject to adoption by the Mayor and Commissioners of the Town of Elkton on the **19th** day of **April, 2023**, and, if adopted, it shall become effective forty-five (45) days after said adoption unless a proper petition for referendum hereon shall be filed in accordance with Section 19(f), Article 23A, 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 for a period of forty-five (45) days following its adoption; and

**BE IT FURTHER RESOLVED** that upon the first publication of notice regarding the public hearing on this Resolution and not less than thirty (30) days prior to said public hearing, a copy of this Resolution shall be provided to the County Council for Cecil County, Maryland, to the Director, Cecil County Office of Land Use and Development, and to the Maryland Department of Planning. This Resolution shall be subject to public review and discussion at the above referenced public hearing, as well as commentary received from Cecil County and the Maryland Department of Planning; and

**BE IT FURTHER RESOLVED** that upon the effective date of this Resolution, a copy shall be delivered to the Clerk of the Circuit Court for Cecil County and to the Maryland Department of Legislative Services.

**THIS AMENDMENT** to the Charter of the Town of Elkton and de-annexation enacted by the foregoing Resolution shall become effective forty-five (45) days from the date of adoption, unless a proper petition for referendum has been filed with the Town of Elkton prior to that date.

**ACCEPTED FOR INTRODUCTION BY** the Mayor and Commissioners of the Town of Elkton at a regularly scheduled public meeting on the **1<sup>st</sup>** day of **March 2023**, 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 on the **19<sup>th</sup>** day of **April 2023**.

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