

**RESOLUTION NO. 19-04  
OF THE MAYOR AND COMMON COUNCIL**

**ENLARGING THE CORPORATE BOUNDARIES OF THE CITY OF WESTMINSTER  
BY ANNEXING INTO THE CITY CERTAIN PROPERTY CONTIGUOUS AND  
ADJOINING TO THE CITY'S EXISTING CORPORATE BOUNDARIES  
CONSISTING OF THE REAL PROPERTY LOCATED AT  
1117 OLD NEW WINDSOR ROAD, WESTMINSTER, MARYLAND 21158  
AND CONSISTING OF 3.22 ± ACRES, BEING THE PROPERTY IDENTIFIED AS  
TAX MAP 45, GRID 15, PARCEL 438, TAX ID NO. 07035403 AND  
COMMONLY KNOWN AS "THE WESTMINSTER LIVESTOCK  
AUCTION PROPERTY"**

**(Annexation No. 70)**

WHEREAS, pursuant to Local Government Article, Title 4, Subtitle 4 of the Annotated Code of Maryland, and §164-6 of the Code of the City of Westminster, the Mayor and Common Council of Westminster is vested with the authority and discretion to enlarge the corporate boundaries of the City; and

WHEREAS, the Mayor and Common Council of Westminster ("the City") owns certain parcels of land in Carroll County, Maryland, known collectively as 1117 Old New Windsor Road, and more particularly described as Tax Map 045, Grid 015, Parcel 438 ("the Property"), which are presently classified as "I-G General-Industrial" under the zoning laws of Carroll County; and

WHEREAS, the City has operated a Wastewater Treatment Plant on the adjacent property since 1973, serving residents and business in the City and in Carroll County ("the County"); and

WHEREAS, the City has acquired the Property for, among other purposes, the staging and parking by the professionals and contractors retained by the City to accomplish improvements to the City's adjacent Wastewater Treatment Plant and to comply with requirements relating to effluent discharge imposed by the federal and State governments and for potential future expansion of the City's utility infrastructure; and

WHEREAS, the City proposes to annex the Property, as described by metes and

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**(Annexation No. 70)**

WHEREAS, pursuant to Local Government Article, Title 4, Subtitle 4 of the Annotated Code of Maryland, and §164-6 of the Code of the City of Westminster, the Mayor and Common Council of Westminster is vested with the authority and discretion to enlarge the corporate boundaries of the City; and

WHEREAS, the Mayor and Common Council of Westminster ("the City") owns certain parcels of land in Carroll County, Maryland, known collectively as 1117 Old New Windsor Road, and more particularly described as Tax Map 045, Grid 015, Parcel 438 ("the Property"), which are presently classified as "I-G General-Industrial" under the zoning laws of Carroll County; and

WHEREAS, the City has operated a Wastewater Treatment Plant on the adjacent property since 1973, serving residents and business in the City and in Carroll County ("the County"); and

WHEREAS, the City has acquired the Property for, among other purposes, the staging and parking by the professionals and contractors retained by the City to accomplish improvements to the City's adjacent Wastewater Treatment Plant and to comply with requirements relating to effluent discharge imposed by the federal and State governments and for potential future expansion of the City's utility infrastructure; and

WHEREAS, the City proposes to annex the Property, as described by metes and

bounds on Exhibit A hereto, and consisting of two parcels comprising approximately 3.22 ± acres in total, and represented on the Annexation Plat attached hereto as Exhibit B; and

WHEREAS, the Property is situated to the north of Old New Windsor Pike, somewhat west of Route 852 and is contiguous to and adjoining the City's existing corporate boundary along portions of the south, southwest and western boundaries of the Wastewater Treatment Plant property; and

WHEREAS, the parcels in the Annexation Area, being entirely in public ownership, have no assessed value and therefore there are no property owners from whom the City must obtain consent pursuant to Md. Code Ann., Local Gov't Art., § 4-403; and

WHEREAS, there are no persons residing within the area to be annexed and from whom consent to annexation is required by Md. Code Ann., Local Gov't Art., § 4-403; and

WHEREAS, the proposed annexation comprises land contiguous to and adjoining the City's existing corporate boundaries and the annexation of the subject property will not create any unincorporated area that is bounded on all sides by real property presently or by this legislative action or by a combination of both within the corporate limits of the City of Westminster.

IT IS THEREFORE RESOLVED, by the Mayor and Common Council of the City of Westminster, that the tracts or parcels of land in the Seventh (7th) Election District of Carroll County, Maryland, adjacent to the corporate limits of the City of Westminster, comprising a total of approximately 3.22 of land, more or less, as shown on the Annexation Plat, Exhibit B hereto, and described in a metes and bounds description as set forth in Exhibit A, be added to the corporate boundaries of the City of Westminster, generally subject to the provisions of the Charter, City Code, Ordinances and other rules and regulations of the City of Westminster, except that so long as the properties comprising the Annexation Area remain in governmental ownership they shall be

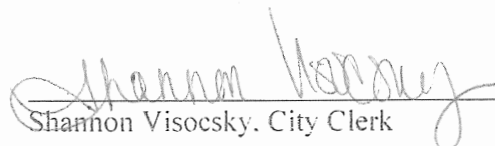
subject to such laws, rules and regulations only to the extent they would ordinarily apply to the governmental owners of the subject property and shall be exempt from the planning and zoning laws of the City of Westminster;

AND BE IT FURTHER RESOLVED, pursuant to §164-6 and all other related and applicable sections of the City Code that the Zoning Map of the City of Westminster shall be amended to include this newly annexed property in the "I-G" General-Industrial District.

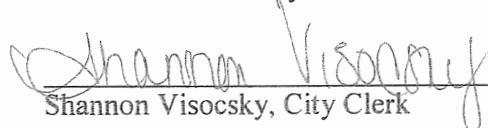
AND BE IT FURTHER RESOLVED, that this Resolution shall become effective forty-five (45) days following its passage and approval by the Mayor and Common Council of Westminster, unless within forty-five (45) days of the date of enactment the City receives a Petition for Referendum filed in accordance with the provisions of Md. Code Ann., Local Gov't Article, §§ 4-408 through 4-410.

AND BE IT FURTHER RESOLVED, by the Mayor and Common Council of Westminster that the City Administrator shall, on or after the effective date of the Resolution, promptly register both the original and new corporate boundaries of the City of Westminster with the City Clerk, the Clerk of the Circuit Court for Carroll County, and the Maryland Department of Legislative Services for the State of Maryland.


INTRODUCED this 28th day of January, 2019

  
Shannon Visocsky, City Clerk

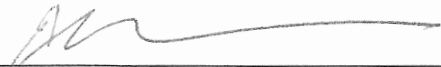
PASSED this 9th day of December, 2019

  
Shannon Visocsky, City Clerk

APPROVED this 9th day of December, 2019

  
\_\_\_\_\_  
Joe Dominick, Mayor

APPROVED AS TO FORM AND SUFFICIENCY  
this 9th day of December, 2019

  
\_\_\_\_\_  
Elissa D. Levan, City Attorney

LR - Government  
Instrument 0.00  
Agency Name: city of  
westminster  
Instrument List: Other  
Describe Other:  
Resolutions  
Ref:  
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Total: 0.00  
01/24/2020 02:10  
00006-KH  
#13000405 C00502 -  
Carroll  
County/C005.00.00 -  
Register W3

HT.  
Shannon Hooley

KEEP

**RTF ASSOCIATES, INC. LAND SURVEYORS & PLANNERS**

142 East Main Street  
 Westminster, Maryland 21157  
 Phone 410-848-2040, 410-876-1222  
 Web RTFsurveying.com  
 Fax 443-289-8942

November 14, 2018  
 RTF Assoc. #18-154

**PARCEL-1**  
**DESCRIPTION OF 2.887 ACRES**

**ALL** that tract or parcel of land situate on the North side of Maryland Route 31, Old New Windsor Road in the Seventh Election District of Carroll County, Maryland, and according to a Survey by RTF Associates, Inc. November 7, 2018 is described as follows:

**BEGINNING** at a rebar found on the North Right-Of-Way line of Maryland Route 31, said rebar being 90.00 feet right of P.C. Station 173+37.47 as shown on State Roads Commission Plat No. 27682, said rebar also being the beginning of the North 19°00'14" West 300.00 foot line of the First parcel of a Confirmatory Deed unto **Westminster Livestock Auction & Auction Services, LLC** dated March 26, 2012 and recorded among the Land Records of Carroll County, Maryland in Liber D.B.S. 6866, Folio 333. Thence, running with said line and all bearings referred to Maryland State Grid Meridian (NAD-83/91) 1) North 18°53'18" West 300.05 feet to a rebar found; thence 2) North 70°56'23" East 277.53 feet to a rebar and cap found at the end of the Eleventh or North 65°04'59" West 289.46 foot line of a tract of land conveyed unto **The Mayor and Common Council of Westminster** by deed dated January 29, 1987 and recorded among the aforementioned Land Records in Liber L.W.S. 1037, Folio 245; thence reversely on said line 3) South 65°13'21" East 289.39 feet to a railroad spike found; thence 4) South 21°48'59" East 101.40 feet to a rebar found on the North Right-Of-Way line of Maryland Route 31; thence with said Right-Of-Way line South 71°08'04" West 492.05 feet to the place of beginning. **Containing 2.887 Acres of land, more or less.**

**BEING** all the remains of the First Parcel of land in a Confirmatory Deed dated March 26, 2012 unto **Westminster Livestock Auction & Auction Services, LLC** recorded in the Land Records of Carroll County, Maryland in Liber D.B.S. 6866, Folio 333.

**A LICENSEE** either personally prepared this metes and bounds description or was in responsible charge over its preparation and the survey work reflected in it, in compliance with requirements set forth in §09.13.06.12 of the Annotated Code of Maryland.



  
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**JOHN E. LEMMERMAN**  
**PROFESSIONAL LAND SURVEYOR NO. 21096**  
 CURRENT LICENSE EXPIRES AUGUST 3, 2019

**RTF ASSOCIATES, INC. LAND SURVEYORS & PLANNERS**

142 East Main Street  
Westminster, Maryland 21157  
Phone 410-848-2040, 410-876-1222  
Web RTFsurveying.com  
Fax 443-289-8942

November 14, 2018  
RTF Assoc. #18-154

**PARCEL-2**  
**DESCRIPTION OF 14,732 SQ. FT. OR 0.338 ACRES**

ALL that tract or parcel of land situate on the North side of Maryland Route 31, Old New Windsor Road in the Seventh Election District of Carroll County, Maryland, and according to a Survey by RTF Associates, Inc. November 7, 2018 is described as follows:

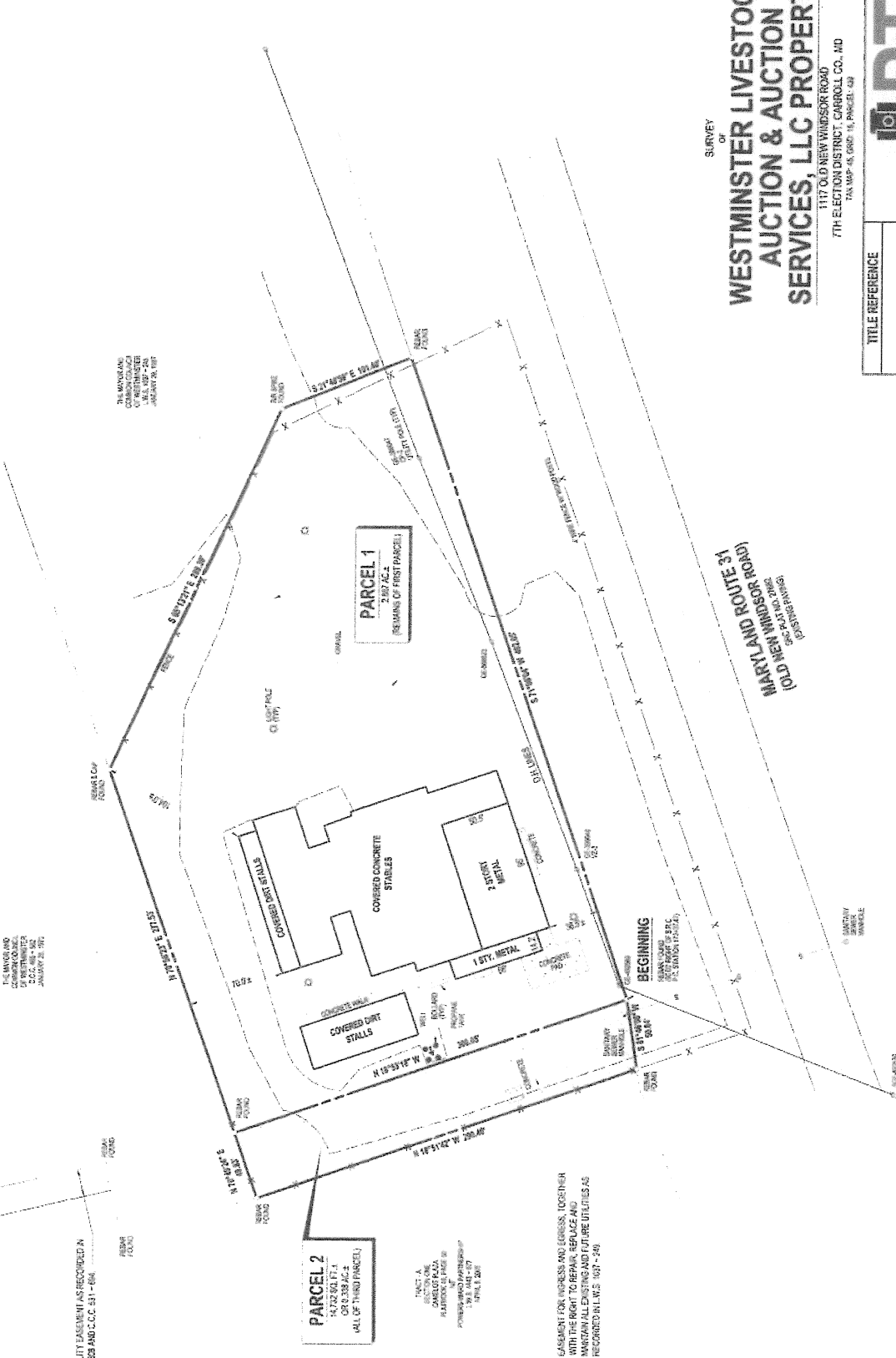
**BEGINNING** at a rebar found on the North Right-Of-Way line of Maryland Route 31, said rebar being 90.00 feet right of P.C. Station 173 + 37.47 as shown on State Roads Commission Plat No. 27682, said rebar also being the beginning of the South 81°39'59" West 50.87 foot line of the Third parcel of a Confirmatory Deed dated March 26, 2012 unto **Westminster Livestock Auction & Auction Services, LLC** and recorded among the Land Records of Carroll County, Maryland in Liber D.B.S. 6866, Folio 333. Thence running with said line with all bearings referred to the Maryland State Grid Meridian (NAD-83/91) 1) South 81°46'06" West 50.84 feet to a rebar found; thence reversely on the South 19°02'01" East 291.84 foot line of Tract-A, as shown on a plat titled **Section One, Camelot Plaza**, recorded in the aforementioned Land Records in Plat Book 49, Page 50, 2) North 18°51'42" West 290.40 feet to a rebar found; thence 3) North 70°49'24" East 49.83 feet to a rebar found; thence reversely with the North 19°00'14" West 300.00 foot line of the First parcel of the aforementioned Confirmatory Deed, 4) South 18°53'18" East 300.05 feet to the place of beginning. **Containing 14,732 square feet or 0.338 Acres of land more or less.**

**BEING** all the Third Parcel of land in a Confirmatory Deed dated March 26, 2012 unto **Westminster Livestock Auction & Auction Services, LLC** recorded in the Land Records of Carroll County, Maryland in Liber D.B.S. 6866, Folio 333.

A **LICENSEE** either personally prepared this metes and bounds description or was in responsible charge over its preparation and the survey work reflected in it, in compliance with requirements set forth in §09.13.06.12 of the Annotated Code of Maryland.

  
\_\_\_\_\_  
**JOHN E. LEMMERMAN**  
**PROFESSIONAL LAND SURVEYOR NO. 21096**  
CURRENT LICENSE EXPIRES AUGUST 3, 2019

MARYLAND STATE GRID NORTH (NAD 83) 1811



37 WIDE UTILITY EASEMENT WAS RECORDED IN C.C.C. 690- 508 AND C.C.C. 511-684.

THE MANTLAND COMMON COUNCIL HAS APPROVED THIS SURVEY AND HAS ADOPTED A RESOLUTION TO APPROVE THIS SURVEY.

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**PARCEL 2**  
1.11 AC  
ALL OF THIRD PARCEL

**PARCEL 1**  
2.87 AC  
REMAINS OF FIRST PARCEL

TRACT A  
DANIEL KALIA  
HARRISONVILLE, MARYLAND  
PIONEERHOOD PARTNERSHIP  
1974, L.S. 207

EASEMENT FOR ACCESS AND EGRESS, TOGETHER WITH THE RIGHT TO REPAIR, SERVE AND MAINTAIN EXISTING AND FUTURE UTILITIES AS RECORDED IN L.S. 107-249

SURVEY OF  
**WESTMINSTER LIVESTOCK AUCTION & AUCTION SERVICES, LLC PROPERTY**

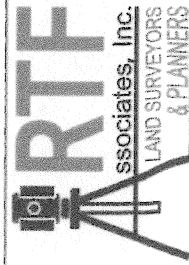
1117 OLD NEW WINDSOR ROAD  
7TH ELECTION DISTRICT, CARROLL CO., MD  
TAX MAP-45, GRID 14, PARCEL 439

**TITLE REFERENCE**

WESTMINSTER LIVESTOCK AUCTION & AUCTION SERVICES, LLC D.B.S. 5886-333 MARCH 26, 2012
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DATE	REVISION	REASON

JOHN F. LEIBERMAN  
REGISTERED PROFESSIONAL LAND SURVEYOR #2108  
DP 1815



160 EAST MAIN STREET, WESTMINSTER, MD 21157  
HARRISBURG, PENNSYLVANIA 17101  
EMAIL: RTF@RTFASOCIATES.COM WWW.RTFASOCIATES.COM  
CHECKED BY: JEL DATE: 11-14-2012  
DRAWN BY: SP DATE: 11-13-2012  
SCALE: 1" = 50' REF. JOB# 18154

**NOTE:** THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT.  
**NOTE:** THE SURVEYOR HAS CONDUCTED THIS SURVEY AND IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE SURVEYOR HAS CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN §9-116(c), §3 OF THE ANNOTATED CODE OF MARYLAND.