

RESOLUTION NO. 19-14

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 214 PENNSYLVANIA AVENUE,
WESTMINSTER, MARYLAND, ALSO IDENTIFIED AS MAP 39, GRID 13,
PARCEL 441, AND DESIGNATED AS TAX ACCOUNT NO. 07-020430, AND
COMPRISING 4088± ACRES AND AN ADJACENT LOT IDENTIFIED AS
MAP 39, GRID 13, PARCEEL 1013, TAX ACCOUNT NO. 07-11443, AND
COMPRISING OF .1722 ± ACRES

(Annexation No. 71)

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, EOB, L.L.C. ("EOB") is the owner of certain real property located at 214 Pennsylvania Avenue, Westminster, Maryland ("the EOB Property"), also identified as Map 39, Grid 13, Parcel 441, and designated as Tax Account No. 07-020430, comprising 4088± acres; and

WHEREAS, DASY Corp. ("DASY") is the owner of certain real property identified as Map 39, Grid 13, Parcel 1013, designated as Tax Account No. 07-11443, comprising .1722 ± acres ("the DASY Property"); and

WHEREAS, MBID of Delaware, L.L.C. ("MBID") is the contract purchaser of the DASY Property and the EOC Property, and desires to construct certain improvements on those properties, together with a number of adjacent parcels already within the boundaries of the City of Westminster; and

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WHEREAS, DASY Corp. ("DASY") is the owner of certain real property identified as Map 39, Grid 13, Parcel 1013, designated as Tax Account No. 07-11443, comprising .1722 ± acres ("the DASY Property"); and

WHEREAS, MBID of Delaware, L.L.C. ("MBID") is the contract purchaser of the DASY Property and the EOC Property, and desires to construct certain improvements on those properties, together with a number of adjacent parcels already within the boundaries of the City of Westminster; and

WHEREAS, DASY, EOB, and MBID have entered into that certain annexation agreement between the property owners and the City, dated March 25, 2019 and recorded in the Land Records of Carroll County at Liber 9348, Folio 80 (“the Annexation Agreement”); and

WHEREAS, the DASY Property and the EOB Property are each contiguous to and adjoining the City’s existing corporate boundaries along their eastern boundaries; and

WHEREAS, DASY and EOB are the sole owners of the properties proposed to be annexed and they have consented to annexation, thereby meeting the requirements of Md. Code Ann., Local Gov’t Art., § 4-403, that the City have consent of the owners of at least 25% of the assessed value of the property to be annexed; 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 Westminster, that the tracts or parcels of land herein designated as the DASY Property and the EOB Property (collectively, “the Properties”), owned by the Petitioners, EOB, DASY, and MBID, as shown on the Annexation Plat, Exhibit A hereto, and described in a metes and bounds description set forth in Exhibit B hereto, 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, subject to the terms of the Annexation Agreement, and, except as specifically stated therein, the Mayor and Common Council agree to no conditions of annexation

related to abatement of taxation or other exemption from legislation, fees, procedures or policies generally applicable to properties in the City, whether asserted or requested in the petition for annexation or otherwise, and provided that the Petitioners and their successors in interest agree to development of the Properties in accordance with the Annexation Agreement;

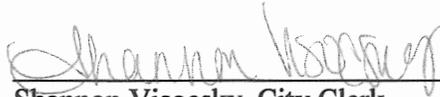
AND BE IT FURTHER RESOLVED, pursuant to §164-6 and all other related and applicable sections of the City Code that the Zoning Map of the City of Westminster shall be amended to include this newly annexed property in the “R-7500 Residential” District. Said property is presently classified as “R-7500 Residence District” under the zoning laws of Carroll County;

AND BE IT FURTHER RESOLVED, that the Petitioners shall , jointly and severally, pay all administrative, engineering and legal fees incurred on behalf of the City of Westminster prior to the effective date of this Resolution;

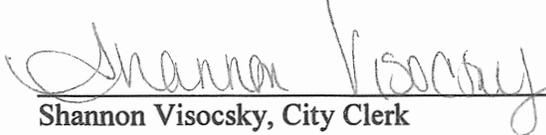
AND BE IT FURTHER RESOLVED, that this Resolution shall become effective forty-five (45) days following its passage and approval by the Mayor and Common Council of Westminster, unless within forty-five (45) days of the date of enactment the City receives a Petition for Referendum filed in accordance with 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 Department of Legislative Services for the State of Maryland.

INTRODUCED this 22nd day of July, 2019


Shannon Visocky, City Clerk

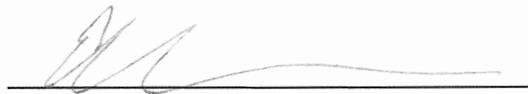
PASSED this 9th day of December, 2019


Shannon Visocky, 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

CR - Government
Instrument @.00
Agency Name: City of
Westminster
Instrument List: Other
Describe Other:
resolution
Ref:

Total: @.00
01/24/2020 02:15
#18240355 CORREP -
Carroll
County:0025.02.WB -
Register 00

Handed to
Shannon Visocky

KEH