

Town of Elkton

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NOTICE OF CHARTER & CODE SUPPLEMENT (Charter Appendix - Amendment)

Date: **June 03, 2023**

Reference: **Charter and Code of the Town of Elkton – *Charter Appendix***

NOTICE

The Mayor and Commissioners of the Town of Elkton have approved

Deannexation Resolution D2-2023; Effective Date: June 03, 2023

amending the Charter and Code of the Town of Elkton.

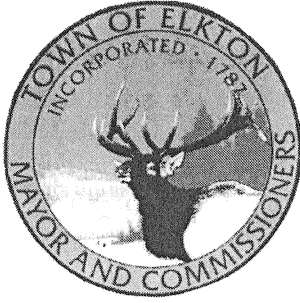
INSTRUCTIONS

Note: Updates will be issued as email attachments unless otherwise requested.

Remove current page/s: Charter Appendix Pages 49

Replace with new page/s: Charter Appendix Pages 49-50

Questions regarding this Notice of Code Supplement should be directed to the Town of Elkton, Administration Office, at (410) 398-0970, Monday - Friday, 8:00 A.M. - 4:30 P.M. or via Email: administration@elkton.org



The Mayor and Commissioners of the Town of Elkton

De-Annexation Resolution D2-2023 **303 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 0661, containing approximately 16,000 square feet, and further addressed as 303 Delancy Road, Elkton, Maryland Deed: 05153/00280; 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 16,000 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 16,000 square feet more or less, located at 303 Delancy Road and further described on Tax Map 027I, Parcel 0661, 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, Route 40, to the Christiana Turnpike, said point of Beginning being located North 0 degrees 11 minutes 35 seconds East 250 feet from the Northernmost side of the Private Road, which is the Southern Boundary of the whole tract of which this lot is a part, running thence South 85 degrees 24 minutes 25 seconds West 200 feet; thence parallel with said Pubic Road North 0 degrees 11 minutes 35 seconds East 80 feet to the line of the land of the Grantees as North 85 degrees 24 minutes 25 seconds East 200 feet to a point in the middle of said Public Road; thence by and with said Public Road South 0 degrees 11 minutes 35 seconds West, 80 feet to the point and place of beginning. Containing 16,000 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** 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 **1st** 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 **19th** 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

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.

(Annexation Resolution A4-2022; effective 12/31/2022)

(78) **305 Delancey Road, Elkton, Maryland - (Deannexation)**
Tax Map 027I, Parcel 1093

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: 2 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.

(Deannexation Resolution D1-2023; effective 06/03/2023)

(79) **303 Delancey Road, Elkton, Maryland - (Deannexation)**

Tax Map 027I, Parcel 0661

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 16,000 square feet more or less, located at 303 Delancy Road and further described on Tax Map 027I, Parcel 0661, and more particularly described as follows to wit: 2 Beginning for the same at a point in the middle of the Public Road leading from Elkton-Glasgow State Road, Route 40, to the Christiana Turnpike, said point of Beginning being located North 0 degrees 11 minutes 35 seconds East 250 feet from the Northernmost side of the Private Road, which is the Southern Boundary of the whole tract of which this lot is a part, running thence South 85 degrees 24 minutes 25 seconds West 200 feet; thence parallel with said Pubic Road North 0 degrees 11 minutes 35 seconds East 80 feet to the line of the land of the Grantees as North 85 degrees 24 minutes 25 seconds East 200 feet to a point in the middle of said Public Road; thence by and with said Public Road South 0 degrees 11 minutes 35 seconds West, 80 feet to the point and place of beginning. Containing 16,000 square feet of land, be the same, more or less.

(Deannexation Resolution D2-2023; effective 06/03/2023)