

RESOLUTION 23-08

ADOPTING AN ANNEXATION PLAN FOR CERTAIN REAL PROPERTY
CONSISTING OF 1.1812 ACRES OF LAND, CONTIGUOUS TO AND
ADJOINING THE CITY'S EXISTING CORPORATE BOUNDARIES,
LOCATED ON THE NORTH SIDE OF LEIDY ROAD, COMMONLY KNOWN AS
ELLSWORTH CEMETERY, IDENTIFIED AS TAX ACCOUNT NUMBER 07-004788,
MAP 46, GRID 0016, PARCEL 1592, WHICH PROPERTY IS THE SUBJECT OF A
PETITION FOR ANNEXATION SUBMITTED BY THE OWNERS OF THE PROPERTY,
THE COMMUNITY FOUNDATION OF CARROLL ACOUNTY, INC., TO THE MAYOR
AND COMMON COUNCIL OF WESTMINSTER.

WHEREAS, pursuant to Local Government Article, Title 4, Subtitle 4 of the Annotated Code of Maryland, § 4-401 et seq., 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, Md. Code Ann., Local Government Article, § 4-415, requires municipalities to prepare an annexation plan for each new annexation consistent with the municipal growth element of the comprehensive plan of the municipality, and that it be adopted by the legislative body of the municipality in addition to an annexation resolution; and

WHEREAS, The Community Foundation of Carroll County, Inc. ("Petitioner") is the owner of 1.1812 acres certain real property contiguous to and adjoining the corporate limits of the City of Westminster located along the north side of Leidy Road, Westminster, Maryland 21157, which is zoned R-10,000 Residential Zone under the zoning laws of Carroll County, commonly referred to as the Ellsworth Cemetery, by virtue of a Deed dated June 17, 2019 recorded in the Land records of Carroll County at Liber 9323, Folio 47, and further identified as Tax Account Number 07-004788, Map 46, Grid 0016, Parcel 1592 (the "Property"); and

WHEREAS, Petitioner wishes to have the Ellsworth Cemetery annexed into the City's boundaries; and

WHEREAS, the Ellsworth Cemetery comprises the entire Annexation Area; and


WHEREAS, as is required by Md. Code Ann., Local Government Article, § 4-415, at least thirty (30) days before the public hearing on Annexation Resolution 23-06, which proposes to annex the Property into the City of Westminster, a copy of the annexation plan was provided to the Board of County Commissioners for Carroll County, the Carroll County Department of Planning, and the Maryland Department of Planning; and

WHEREAS, Exhibit A constitutes the Annexation Plan for the proposed annexation of the Ellsworth Cemetery and demonstrates that the proposed annexation meets all the applicable requirements of State law.


Section 1. NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of Westminster that the Annexation Plan for the annexation of Ellsworth Cemetery attached hereto as Exhibit A is adopted.

Section 2. BE IT FURTHER RESOLVED by the Mayor and Common Council of Westminster that this Resolution is contingent upon the annexation of the Property and shall become effective concurrent with the effective date of an Annexation Resolution annexing the subject property into the City.

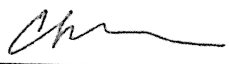
INTRODUCED AND ADOPTED this 12th day of June, 2023


Douglass A. Barber, City Clerk

APPROVED this 12th day of June, 2023


Dr. Mona Becker, Mayor

APPROVED AS TO FORM AND SUFFICIENCY


Elissa D. Levan, City Attorney