

RESOLUTION 24-05

ADOPTING AN ANNEXATION PLAN FOR CERTAIN PROPERTY CONTAINING ± 0.6950 ACRES, CONTIGUOUS TO AND ADJOINING THE CITY'S EXISTING CORPORATE BOUNDARIES, CONSISTING OF LAND LOCATED AT 411 MALCOLM DRIVE, WESTMINSTER, MARYLAND 21157, ALSO IDENTIFIED AS TAX ACCOUNT NUMBER 07-007884, MAP 0046, GRID 0015, PARCEL 0100, AND COMPRISING ± 0.3144 ACRES AND ± 0.3806 ACRES OF STATE HIGHWAY ADMINISTRATION PROPERTY CONTAINING A PORTION OF MD-ROUTE 97 (MALCOLM DRIVE), WHICH PROPERTY IS THE SUBJECT OF A PETITION FOR ANNEXATION SUBMITTED BY THE OWNERS OF A PORTION OF THE SUBJECT PROPERTY TO THE MAYOR AND COMMON COUNCIL OF WESTMINSTER,

(Annexation No. 79)

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 that: (1) includes a description of the land use pattern for the area to be annexed; (2) demonstrates the available land for public facilities which may be considered reasonably necessitated by the proposed use; (3) describes the schedule for extending to the area to be annexed each municipal service performed within the municipality at the time of annexation; and, (4) includes a statement as to the general methods by which the municipality anticipates to finance the extension of municipal services into the area to be annexed; and

WHEREAS, Crosscreek Enterprises, LLC ("Petitioner") is the owner of certain real property located at 411 Malcolm Drive, Westminster, Maryland 21157, containing ± 0.3144

acres and zoned C-2 Commercial Medium Intensity District under the zoning laws of Carroll County (“the Crosscreek Enterprises Property”), by virtue of a Deed dated January 20, 2022, recorded in the Land records of Carroll County at Liber 10662, Folio 291, and further identified as Tax Account Number 07-007884, Map 46, Grid 0015, Parcel 0100; and

WHEREAS, Petitioner wishes to have the Crosscreek Enterprises Property annexed into the City’s boundaries; and

WHEREAS, the State Highway Administration (“SHA”) owns certain real property containing a portion of the roadbed for Maryland Route 97 (Malcolm Drive), which property abuts the Property on the south and the City’s existing boundaries on the north; and

WHEREAS, Petitioners propose that the City annex a portion of the SHA’s property containing ± 0.3806 acres of land (“the SHA Property”) along with the Crosscreek Enterprises Property; and

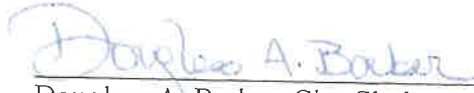
WHEREAS, the Crosscreek Enterprises Property and the SHA Property collectively comprise of ± 0.6950 acres (“the Annexation Area”); and

WHEREAS, Exhibit A constitutes the Annexation Plan for the proposed annexation and demonstrates that the proposed annexation meets all of 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 referenced annexation as further described in Exhibit A is approved.

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 Annexation Resolution No. 24-02 annexing the subject property into the City.

INTRODUCED AND ADOPTED this 22nd day of April, 2024



Douglass A. Barber, City Clerk

APPROVED this 22nd day of April, 2024



Dr. Mona Becker, Mayor

APPROVED AS TO FORM AND SUFFICIENCY, this 22nd day of April, 2024



Elissa D. Levan, City Attorney