

**AS AMENDED ON APRIL 8, 2019
RESOLUTION NO. 2914**

A RESOLUTION of the City of Salisbury pursuant to the authority of Article XI-E., Constitution of the State of Maryland, and Section 4-301, et seq., Subtitle 3, Title 4, Division II and Section 4-401, et seq., Subtitle 4, Title 4, Division II, Local Government Article, Annotated Code of Maryland, for the purpose of amending its corporate limits as required in its Charter (SC1-2), which covers the descriptions of the lands that make up the City, to correct an inadvertent property description involving a parcel of land owned by Kevin Leonard Smith, Jr., which was included in a prior annexation near Queen Avenue and West Road.

WHEREAS the City of Salisbury expanded its corporate limits in accordance with the State of Maryland required annexation procedures when it passed and approved Resolution No. 1447, which was subsequently filed with the State of Maryland, and which annexed real property located on the Northerly side of Queen Avenue and Westerly side of West Road, including a portion of West Road and Queen Avenue, said parcel having been contiguous to and binding upon the Westerly corporate limit of the City of Salisbury; and

WHEREAS, in accordance with Section 4-301, et seq. of the Local Government Article, Annotated Code of Maryland, the City of Salisbury is required pursuant to its Charter (SC1-2) to include a description of its annexed land completed in accordance with Section 4-401, et seq. of the Local Government Article, Annotated Code of Maryland; and

WHEREAS, the City's past adoption of Resolution No. 1447 and the subsequent annexed lands became effective on or about January 25, 2007; and

WHEREAS, Resolution No. 1447 contained a property description that inadvertently included a property which was then owned by Daniel W. Corbin Blamar Properties, LLC, which was not to have been included in the annexation property description; and

WHEREAS, the affected parcel of property was subsequently acquired by Kevin Leonard Smith, Jr. from Blamar Properties, LLC by deed dated March 20, 2018 and subsequently recorded in the Land Records for Wicomico County, Maryland in Liber MSB No. 4302, Folio 282 having a

property address of 1410 West Road, Salisbury, Maryland 21801; and

WHEREAS, the incorrect metes and bounds description, which included that property was recently discovered and there have been no municipal services provided to that property after the adoption of Resolution No. 1447 and the property owner desires the inadvertent error to be corrected, which requires a revised City boundary description; and

WHEREAS, the property inadvertently included in the prior annexation property description was at the time of the annexation owned by Daniel W. Corbin Blamar Properties, LLC, District 09, Property Tax ID No. 036423, Map 29, Parcel 224 334, Deed Reference Liber 2950 2972, Folio ~~0084~~ 0389, being LOT NO. 1, BLOCK "Q" AND A PARCEL OF LAND 145 FEET IN WIDTH AND EXTENDING BACK FROM SAID LOT NO. 1, BLOCK "Q" FOR A DISTANCE OF 230 FEET as shown and designated on a Plat of West Side Manor-Section No. 1, made for Chandler and Carey by G.F. Schafer, R.S., dated June, 1960 and recorded among the Land Records of Wicomico County, Maryland in Liber J.W.T.S. No. 486, Folio 11 SUBJECT to and together with two certain 10 foot easements described in a Deed from Chandler & Carey, Inc., et al, to Lola M. White, et al, dated August 15, 1962, and recorded among the Land Records for Wicomico County, Maryland in Liber J.W.T.S. No. 551, Folio 308; the improvements thereon being known as 1410 West Road, Salisbury, MD 21801; and

WHEREAS, the City of Salisbury received a Petition from Kevin Leonard Smith, Jr., on December 28, 2018 **(Exhibit 1)** and an Amended Petition signed by him on April 4, 2019 to correctly identify the parcel number as 334 (Exhibit 1 Amended Petition), requesting the correction to be made pertaining to the hereinafter described parcel of land that was previously included in the annexation property described in Resolution No. 1447, since it was not to have been included in the annexation; and

WHEREAS, Leslie C. Sherrill, Surveyor, of the City of Salisbury prepared and reviewed the corrected metes and bounds description; and

WHEREAS, it appears that all of the requirements of applicable law have been met; and

WHEREAS, the City of Salisbury consents to the correction and has confirmed that the current petitioner is the valid owner of the affected property.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT the charter description pertaining to the City's property boundaries, shall be amended to correct the prior metes and bounds description contained in Resolution No. 1447, which shall be replaced with the corrected metes and bounds description contained in **(Exhibit A)**; and

BE IT FURTHER RESOLVED, that the affected property is described as follows: ALL that lot or parcel of land situate, lying and being in Salisbury Election District, Wicomico County, State of Maryland, located on the Westerly side of and binding upon West Road and more particularly described as follows: BEGINNING for the same at a point at the southwesterly corner of Lot 3, Block 'Q', of "Westside Manor" X 1,197,704.86 Y 206,366.83. Thence by and with original westerly line of Lot 1, Block 'Q' of "Westside Manor Subdivision" South three degrees ten minutes fifty-nine seconds East (S 03° 10' 59" E) one hundred forty-five decimal zero, zero (145.00) feet to a point at the original southwesterly corner of the said Lot 1, Block 'Q' X 1,197,712.91 Y 206,222.05; thence with the boundary line of Lot 1A, Block 'Q', of "Westside Manor" Corrected Subdivision" the following three courses: (1) South eighty-six degrees forty-nine minutes one second West (S 86° 49' 01" W) two hundred thirty decimal zero, zero (230.00) feet to a point X 1,197,483.27 Y 206,209.28; (2) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) one hundred forty-five decimal zero, zero (145.00) feet to a point X 1,197,475.22 Y 206,354.06; (3) North eighty-six degrees forty-nine minutes one second East (N 86° 49' 01" E) two hundred thirty decimal zero, zero (230.00) feet to the point of beginning. The herein described land containing 33,541.20 square feet (0.77 acres), more or less the intersection of the Westerly line of West Road with the Northerly line of a future 50 foot street as shown on a plat of West Side Manor Section No. 1 hereinafter referred to, thence (1) running North 05 degrees 40 minutes East by and with the Westerly line of said West Road, a distance of 145 feet to the Southerly line of Lot No. 3, Block "Q" as shown on said Plat;

thence (2) running North 84 degrees 20 minutes West by and with the Southerly line of Lot No. 3, Block "Q" as shown as said Plat and through other land now or formerly of Chandler & Carey, Inc., a distance of 400 feet; thence (3) running South 05 degrees 40 minutes West a distance of 145 feet to the Northerly line of the aforementioned future 50 foot street; thence (4) running by and with the Northerly line of said future 50 foot street South 84 degrees 20 minutes East, a distance of 400 feet to the place of beginning; being a part of LOT NO. 1A LOT NO. 1, BLOCK "Q" AND A PARCEL OF LAND 145 FEET IN WIDTH AND EXTENDING BACK FROM SAID LOT NO. 1, BLOCK "Q" FOR A DISTANCE OF 230 FEET as shown and designated on a Plat titled THE CORRECTED PLAT OF THE RESUBDIVISION PLAT OF PARCEL A THE LANDS OF LAND HOLDING, LLC & LOT 1, BLOCK "Q". "WESTSIDE MANOR" SUBDIVISION THE LAND OF BLAMAR PROPERTIES, LLC of West Side Manor- Section No. 1, made for Chandler and Carey by G.F. Schafer, R.S., dated October 11, 2017 ~~June, 1960~~ and recorded among the Land Records of Wicomico County, Maryland in Liber 0017, Folio 0047 ~~Liber J.W.T.S. No. 486, Folio 11~~ SUBJECT to and together with two certain 10 foot easements described in a Deed from Chandler & Carey, Inc., et al, to Lola M. White, et al, dated August 15, 1962, and recorded among the Land Records for Wicomico County, Maryland in Liber J.W.T.S. No. 551, Folio 308; the improvements thereon being known as 1410 West Road, Salisbury, MD 21801.

BE IT FURTHER RESOLVED, that a public hearing is scheduled for April 8, 2019 at 6:00 p.m.; and


BE IT FURTHER RESOLVED, that the Zoning Map of the City of Salisbury shall be amended to address the correction tied to the aforementioned parcel of property, which will revise the City's municipal boundaries; and

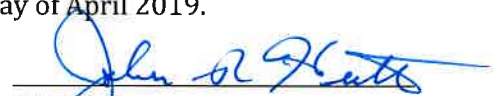
BE IT FURTHER RESOLVED, that the Council hold a public hearing on the correction of the prior annexation property description hereby proposed on April 8, 2019 at 6:00 p.m. in the Council Chambers at the City-County Office Building and the City Administrator shall cause a public notice of time and place of said hearing to be published not fewer than two (2) times at not less than

weekly intervals, in a newspaper of general circulation in the City of Salisbury, which said notice shall specify a time and place at which the Council of the City of Salisbury will hold a public hearing on the Resolution, which date shall be no sooner than 15 days after the final required date of publication specified above; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT this resolution shall take effect upon the expiration of forty-five (45) days following its final passage, subject, however, to the right of referendum as contained in the Local Government Article of the Maryland Code.

The above Resolution was introduced, read and passed at the regular meeting of the Council of the City of Salisbury held on the 11th day of March 2019, having been duly published as required by law in the meantime a public hearing was held on the 8th day of April 2019, and was finally passed by the Council at its regular meeting held on the 8th day of April 2019.


Kimberly R. Nichols,
City Clerk


John R. Heath,
Council President

APPROVED BY ME this 15th day of APRIL, 2019.


Jacob R. Day,
Mayor

*Additions shown as underlined _____

*Deletions shows as strikethrough ~~xxxxxxx~~

Exhibit 1

CITY OF SALISBURY

PETITION FOR DE-ANNEXATION

To the Mayor and Council of the City of Salisbury.

I/We request de-annexation of my/our land from the City of Salisbury.

Parcel(s) # 224 - 1410 West Road

Map # 29 - Amd 19

SIGNATURE (S)

Steve L. Smith

12/28/18
Date

Date

Date

Date

Exhibit 1 Amended Petition

CITY OF SALISBURY

PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # 334

Map # 29- Grid 19

SIGNATURE (S)

Paul L. [Signature]

4/9/19
Date

Date

Date

Date

WEST ROAD - WESTWOOD AND SASSAFRAS ANNEXATION

A CERTAIN AREA OF LAND contiguous to and binding upon the westerly Corporate Limit of the City of Salisbury to be known as "West Road - Westwood and Sassafras Annexation" beginning for the same at a point on the Corporate Limit, said point lying on the easterly right-of-way line of West Road at the northwest corner of the lands of Fermin C. and Martha M. Cobian X 1,198,820.80 Y 200,066.86; thence running with the easterly right-of-way line of said road the following nine courses: (1) South eighty-eight degrees eleven minutes thirty-eight seconds West (S 88° 11' 38" W) eleven decimal six, seven (11.67) feet to a point X 1,198,809.14 Y 200,066.50; (2) North twenty-two degrees forty minutes twenty-nine seconds West (N 22° 40' 29" W) one thousand five hundred and seventy-three decimal six, zero (1,573.60) feet to a point X 1,198,202.52 Y 201,518.47; (3) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) three hundred and thirty-eight decimal two, eight (338.28) feet to a point X 1,198,183.74 Y 201,856.23; (4) South eighty-six degrees forty-nine minutes one second West (S 86° 49' 01" W) four decimal one, nine (4.19) feet to a point X 1,198,179.55 Y 201,856.00; (5) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) five hundred and thirty-one decimal two, one (531.21) feet to a point X 1,198,150.06 Y 202,386.38; (6) North eighty-six degrees forty-nine minutes one second East (N 86° 49' 01" E) one decimal five, zero (1.50) feet to a point X 1,198,151.55 Y 202,386.47; (7) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) one thousand six hundred and thirty-four decimal two, one (1,634.21) feet to a point X 1,198,060.81 Y 204,018.15; (8) North eighty-six degrees forty-nine minutes one second East (N 86° 49' 01" E) five decimal zero, zero (5.00) feet to a point X 1,198,065.81 Y 204,018.43; (9) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) one thousand five hundred and forty decimal zero, zero (1,540.00) feet to a cement post on the easterly right-of-way line of West Road X 1,197,980.30 Y 205,556.06; thence crossing said road and running by and with the northerly right-of-way line of Queen Avenue the following four courses: (1) South eighty-six degrees forty-nine minutes one second West (S 86° 49' 01" W) two hundred and twenty-nine decimal nine, three (229.93) feet to a point X 1,197,750.72 Y 205,543.29; (2) South eighty-six degrees forty-eight minutes nine seconds West (S 86° 48' 09" W) four hundred and seventy-nine decimal nine, zero (479.90) feet to a point X 1,197,271.57 Y 205,516.52; (3) a simple curve to the left radius six hundred and fifty-three decimal seven, one (R = 653.71) feet one hundred and twenty-six decimal one, one (126.11) feet to a point X 1,197,147.12 Y 205,497.42; (4) South seventy-five degrees forty-four minutes fifty-nine seconds West (S 75° 44' 59" W) five hundred and seventy-four decimal zero, zero (574.00) feet to a point on the easterly right-of-way line of Sassafras Drive X 1,196,590.78 Y 205,356.13; thence by and with the easterly right-of-way line of said road the following three courses: (1) a simple curve to the right radius twenty decimal zero, zero (R = 20.00) feet thirty-one decimal four, two (31.42) feet to a point X 1,196,566.47 Y 205,370.59; (2) North fourteen degrees fifteen minutes one second West (N 14° 15' 01" W) two hundred and twenty-four decimal three, zero (224.30) feet to a point X 1,196,511.26 Y 205,587.99; (3) a simple curve to the left radius three hundred and forty decimal zero, zero (R = 340.00) feet fifty-five decimal nine, five (55.95) feet to a point on the northerly boundary line of "Royal Woodlands Subdivision, Section One" X 1,196,493.10 Y 205,640.84; thence with the northerly boundary line of said lands the following three courses: (1) North seventy-five degrees forty-four minutes fifty-nine seconds East (N 75°

44' 59" E) six hundred and ninety decimal eight, six (690.86) feet to a point X 1,197,162.70 Y 205,810.90; (2) North eighty-six degrees forty-eight minutes nine seconds East (N 86° 48' 09" E) five hundred and seventy-two decimal one, eight (572.18) feet to a point X 1,197,733.99 Y 205,842.82; (3) South three degrees eleven minutes fifty-one seconds East (S 03° 11' 51" E) ten decimal two, six (10.26) feet to a point at the northwest corner of Lot 3, Block O of "Westside Manor Subdivision" X 1,197,734.56 Y 205,832.57; thence with the northerly boundary line of said lot North eighty-six degrees forty-nine minutes one second East (N 86° 49' 01" E) one hundred and seventy decimal zero, one (170.01) feet to a point on the westerly right-of-way line of West Road X 1,197,904.31 Y 205,842.01; thence by and with the same North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) fifty decimal zero, zero (50.00) feet to a point at the southeast corner of Block P of "Westside Manor Subdivision" X 1,197,901.53 Y 205,891.93; thence with the boundary line of said Block P the following three courses: (1) South eighty-six degrees forty-nine minutes one second West (S 86° 49' 01" W) one hundred and seventy decimal zero, zero (170.00) feet to a point X 1,197,731.79 Y 205,882.50; (2) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) two hundred and ninety decimal zero, eight (290.08) feet to a point X 1,197,715.69 Y 206,172.12; (3) North eighty-six degrees forty-nine minutes one second East (N 86° 49' 01" E) one hundred and seventy decimal zero, zero (170.00) feet to a point on the westerly right-of-way line of West Road X 1,197,885.42 Y 206,181.56; thence by and with the same North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) fifty decimal zero, zero (50.00) feet to a point at the southeast corner of Lot 1A, Block Q of "Westside Manor Subdivision" X 1,197,882.65 Y 206,231.49; thence with the boundary line of the said Lot 1A the following three courses: (1) South eighty-six degrees forty-nine minutes one second West (S 86° 49' 01" W) four hundred decimal zero, zero (400.00) feet to a point X 1,197,483.27 Y 206,209.28; (2) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) one hundred forty-five decimal zero, zero (145.00) feet to a point X 1,197,475.22 Y 206,354.06; (3) North eighty-six degrees forty-nine minutes one second East (N 86° 49' 01" E) two hundred thirty decimal zero, zero (230.00) feet to a point at the southwesterly corner of Lot 3, Block 'Q' X 1,197,704.86 Y 206,366.83; thence by and with the westerly and northerly lines of the said Lot 3 the following two courses: (1) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) one hundred forty-five decimal zero, zero (145.00) feet to a point X 1,197,696.79 Y 206,512.00; (2) North eighty-six degrees forty-nine minutes one second East (N 86° 49' 01" E) one hundred and seventy decimal zero, zero (170.00) feet to a point on the westerly right-of-way line of West Road X 1,197,866.52 Y 206,521.44; thence by and with the same North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) fifty decimal zero, zero (50.00) feet to a point at the southeast corner of Block R of "Westside Manor Subdivision" X 1,197,863.75 Y 206,571.36; thence with the boundary line of said Block R the following three courses: (1) South eighty-six degrees forty-nine minutes one second West (S 86° 49' 01" W) one hundred and seventy decimal zero, zero (170.00) feet to a point X 1,197,694.01 Y 206,561.92; (2) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) two hundred and ninety decimal zero, zero (290.00) feet to a point X 1,197,677.91 Y 206,851.47; (3) North eighty-six degrees forty-nine minutes one second East (N 86° 49' 01" E) one hundred and seventy decimal zero, zero (170.00) feet to a point on the westerly right-of-way line of West Road X 1,197,847.64 Y 206,860.91; thence by and with the same North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) fifty decimal zero, zero (50.00) feet to a point at the southeast corner of Block S of "Westside

Manor Subdivision" X 1,197,844.87 Y 206,910.83; thence with the boundary line of said Block S the following three courses: (1) South eighty-six degrees forty-nine minutes one second West (S 86° 49' 01" W) one hundred and fifty decimal zero, zero (150.00) feet to a point X 1,197,695.10 Y 206,902.51; (2) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) four hundred and thirty decimal zero, zero (430.00) feet to a point X 1,197,671.22 Y 207,331.84; (3) North eighty-six degrees forty-nine minutes one second East (N 86° 49' 01" E) one hundred and fifty decimal zero, zero (150.00) feet to a point on the westerly right-of-way line of West Road X 1,197,820.99 Y 207,340.17; thence by and with the same North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) four hundred and ninety decimal seven, four (490.74) feet to a point at the northeast corner of the lands of Thomas H. Ruark, Inc. X 1,197,793.75 Y 207,830.15; thence with the northerly boundary line of said lands North seventy-five degrees nineteen minutes fifty-two seconds West (N 75° 19' 52" W) one thousand six hundred and eighty-three decimal seven, six (1,683.76) feet to a cement post at the southwest corner of the lands of Green Acres Memorial Park, Inc. X 1,196,164.87 Y 208,256.53; thence with the boundary line of said lands the following two courses: (1) North five degrees fifty-nine minutes thirty-two seconds West (N 05° 59' 32" W) one hundred and forty-nine decimal three, six (149.36) feet to a field stone X 1,196,149.28 Y 208,405.08; (2) North sixty-six degrees twenty-one minutes fifty seconds East (N 66° 21' 50" E) one thousand two hundred and forty-five decimal eight, three (1,245.83) feet to a point on the westerly right-of-way line of West Road X 1,197,290.59 Y 208,904.56; thence running with the same the following two courses: (1) North twenty-nine degrees fifty-four minutes forty-five seconds West (N 29° 54' 45" W) two hundred and fourteen decimal zero, six (214.06) feet to a point X 1,197,183.85 Y 209,090.10; (2) North thirty-four degrees thirty-six minutes seven seconds West (N 34° 36' 07" W) ninety-seven decimal four, five (97.45) feet to a point X 1,197,128.51 Y 209,170.32; thence running across West Road North thirty-three degrees forty-four minutes forty-six seconds West (N 33° 44' 46" W) four hundred and seventy decimal four, two (470.42) feet to a point on the west side of Ed Taylor Road X 1,196,867.19 Y 209,561.47; thence crossing said road and running South eighty-three degrees fifty-one minutes forty-one seconds East (S 83° 51' 41" E) ninety-eight decimal eight, seven (98.87) feet to a point on the easterly side of Ed Taylor Road X 1,196,965.49 Y 209,550.90; thence running with the lands of Westwood Development, L.L.C. the following two courses: (1) North seventy-one degrees forty-five minutes eighteen seconds East (N 71° 45' 18" E) nine hundred and ninety-four decimal four, nine (994.49) feet to a point X 1,197,909.99 Y 209,862.26; (2) North seven degrees ten minutes forty-one seconds West (N 07° 10' 41" W) six hundred and four decimal eight, one (604.81) feet to a point on the southerly side of the U.S. Route 50 Salisbury By-Pass X 1,197,834.42 Y 210,462.32; thence crossing the same and running North eight degrees thirty-nine minutes fifty-three seconds West (N 08° 39' 53" W) two hundred and ninety-six decimal two, four (296.24) feet to a point on the northerly right-of-way line of said by-pass X 1,197,789.79 Y 210,755.18; thence running with the easterly boundary line of the lands of Westwood Development, L.L.C. North twenty-six degrees thirty-four minutes thirty-three seconds West (N 26° 34' 33" W) one thousand three hundred and twenty-eight decimal seven, two (1,328.72) feet to a point on the southerly right-of-way line of West Naylor Mill Road X 1,197,195.34 Y 211,943.52; thence running generally by and with the same the following three courses: (1) South sixty-three degrees forty-two minutes thirty-five seconds West (S 63° 42' 35" W) one thousand three hundred and ninety-eight decimal six, nine (1,398.69) feet to a point X 1,195,941.33 Y 211,324.01; (2) South sixty degrees twenty-six minutes twenty seconds

West (S 60° 26' 20" W) two hundred and twenty-six decimal seven, one (226.71) feet to a point X 1,195,744.13 Y 211,212.16; (3) a simple curve to the left radius eight hundred and twenty-three decimal eight, three (R = 823.83) feet six hundred and six decimal three, zero (606.30) feet to a point X 1,195,378.25 Y 210,745.86; thence crossing the said West Naylor Mill Road and running North seventy-two degrees fifty-eight minutes twelve seconds West (N 72° 58' 12" W) fifty decimal zero, zero (50.00) feet to a point on the southerly right-of-way line of Milford Twilley Road X 1,195,330.44 Y 210,760.50; thence running generally with the southerly right-of-way line of said road the following eight courses: (1) a simple curve to the left radius sixty-one decimal zero, one (R = 61.01) feet ninety decimal two, one (90.21) feet to a point X 1,195,295.27 Y 210,834.81; (2) North sixty-seven degrees forty-one minutes eleven seconds West (N 67° 41' 11" W) eighty-three decimal eight, five (83.85) feet to a point X 1,195,217.70 Y 210,866.65; (3) a simple curve to the left radius two hundred and forty-seven decimal eight, five (R = 247.85) feet two hundred and nine decimal one, six (209.16) feet to a point X 1,195,014.80 Y 210,860.04; (4) South sixty-three degrees fifty-seven minutes thirty-five seconds West (S 63° 57' 35" W) one hundred and eighty-eight decimal seven, two (188.72) feet to a point X 1,194,845.24 Y 210,777.20; (5) South seventy-seven degrees nineteen minutes thirty-five seconds West (S 77° 19' 35" W) forty-three decimal two, six (43.26) feet to a point X 1,194,803.04 Y 210,767.71; (6) South sixty-three degrees fifty-seven minutes thirty-six seconds West (S 63° 57' 36" W) one hundred and four decimal seven, seven (104.77) feet to a point X 1,194,708.90 Y 210,721.71; (7) a simple curve to the left radius eight hundred and ninety-five decimal zero, zero (R = 895.00) feet three hundred and nineteen decimal six, one (319.61) feet to a point X 1,194,452.59 Y 210,533.64; (8) South forty-three degrees twenty-nine minutes fifty-eight seconds West (S 43° 29' 58" W) nine hundred and ninety-nine decimal three, nine (999.39) feet to a point on the northerly right-of-way line of the U.S. Route 50 Salisbury By-Pass X 1,193,764.66 Y 209,808.70; thence running across said by-pass South thirty-five degrees thirty-eight minutes twenty-one seconds West (S 35° 38' 21" W) four hundred and seventy-two decimal four, two (472.42) feet to a point on the southerly right-of-way line of the U.S. Route 50 Salisbury By-Pass X 1,193,489.40 Y 209,424.76; thence running by and with the same the following two courses: (1) South twenty-eight degrees forty-two minutes forty-seven seconds West (S 28° 42' 47" W) four hundred and ninety-two decimal one, one (492.11) feet to a point X 1,193,252.98 Y 208,993.17; (2) South eight degrees nineteen minutes twelve seconds West (S 08° 19' 12" W) one hundred and ten decimal zero, seven (110.07) feet to a point on the easterly right-of-way line of U.S. Route 50 X 1,193,237.05 Y 208,884.25; thence running generally with the easterly right-of-way line of said U.S. Route 50 the following six courses: (1) South seventeen degrees thirty-seven minutes eleven seconds East (S 17° 37' 11" E) four hundred and fourteen decimal two, four (414.24) feet to a point X 1,193,362.44 Y 208,489.45; (2) South twenty degrees thirty-six minutes thirty-seven seconds East (S 20° 36' 37" E) one thousand one hundred and fifty-one decimal one, three (1,151.13) feet to a point X 1,193,767.65 Y 207,411.99; (3) South twenty-two degrees five minutes thirty-seven seconds East (S 22° 05' 37" E) forty-one decimal eight, two (41.82) feet to a point X 1,193,783.38 Y 207,373.24; (4) South twenty-two degrees four minutes forty-seven seconds East (S 22° 04' 47" E) seven hundred decimal one, six (700.16) feet to a point X 1,194,046.57 Y 206,724.43; (5) South twenty-three degrees nine minutes fifteen seconds East (S 23° 09' 15" E) two hundred and sixty-two decimal seven, six (262.76) feet to a point X 1,194,149.89 Y 206,482.83; (6) South twenty-three degrees twenty-eight minutes fifty-three seconds East (S 23° 28' 53" E) forty-eight decimal eight, four (48.84)

feet to a cement post at the southwest corner of "Westwood Commerce Park, Phase IB" X 1,194,169.35 Y 206,438.04; thence by and with the southerly boundary line of said lands North fifty-eight degrees forty-five minutes forty-nine seconds East (N 58° 45' 49" E) one thousand two hundred and ten decimal one, seven (1,210.17) to a point at the northwest corner of "Sassafras Meadows Subdivision, Phase I" X 1,195,204.09 Y 207,065.60; thence by and with the boundary line of said lands the following three courses: (1) South thirty-one degrees six minutes fifty-five seconds East (S 31° 06' 55" E) two hundred and sixteen decimal five, four (216.54) feet to a point X 1,195,315.99 Y 206,880.21; (2) South fifty-eight degrees fifty-three minutes five seconds West (S 58° 53' 05" W) sixty-four decimal three, five (64.35) feet to a point X 1,195,260.90 Y 206,846.95; (3) South thirty-four degrees twenty-six minutes fifty-five seconds East (S 34° 26' 55" E) one thousand nine hundred and thirty-six decimal four, zero (1,936.40) feet to a point on the southerly right-of-way line of Queen Avenue X 1,196,356.26 Y 205,250.14; thence running by and with the same the following eight courses: (1) North seventy-five degrees forty-four minutes fifty-nine seconds East (N 75° 44' 59" E) four hundred and forty decimal eight, nine (440.89) feet to a point X 1,196,783.59 Y 205,358.67; (2) South nineteen degrees forty-two minutes fifty-four seconds East (S 19° 42' 54" E) five decimal zero, two (5.02) feet to a point X 1,196,785.28 Y 205,353.94; (3) North seventy-five degrees forty-four minutes fifty-nine seconds East (N 75° 44' 59" E) two hundred and sixty-seven decimal four, three (267.43) feet to a point X 1,197,044.48 Y 205,419.77; (4) South nineteen degrees eleven minutes seven seconds East (S 19° 11' 07" E) two decimal one, zero (2.10) feet to a point X 1,197,045.17 Y 205,417.78; (5) North seventy-five degrees forty-one minutes forty-four seconds East (N 75° 41' 44" E) one hundred and thirty-nine decimal five, seven (139.57) feet to a point X 1,197,180.41 Y 205,452.26; (6) a simple curve to the right radius four hundred and ninety decimal four, seven (R = 490.47) feet ninety-five decimal two, seven (95.27) feet to a point X 1,197,274.43 Y 205,466.72; (7) North eighty-six degrees forty-nine minutes nine seconds East (N 86° 49' 09" E) six hundred and twenty-nine decimal seven, four (629.74) feet to a point X 1,197,903.20 Y 205,501.67; (8) a simple curve to the right radius twenty decimal zero, zero (R = 20.00) feet thirty-one decimal four, two (31.42) feet to a point on the westerly right-of-way line of West Road X 1,197,924.28 Y 205,482.81; thence running by and with the westerly right-of-way line of said road the following ten courses: (1) South three degrees ten minutes fifty-nine seconds East (S 03° 10' 59" E) one thousand two hundred and eighty-seven decimal eight, two (1,287.82) feet to a point X 1,197,995.79 Y 204,196.98; (2) North seventy-eight degrees forty-two minutes one second East (N 78° 42' 01" E) five decimal zero, five (5.05) feet to a point X 1,198,000.74 Y 204,197.97; (3) South three degrees ten minutes fifty-nine seconds East (S 03° 10' 59" E) one thousand eight hundred and ten decimal one, seven (1,810.17) feet to a point X 1,198,101.25 Y 202,390.59; (4) North sixty-seven degrees twenty-four minutes four seconds East (N 67° 24' 04" E) three decimal seven, one (3.71) feet to a point X 1,198,104.67 Y 202,392.01; (5) South three degrees ten minutes fifty-nine seconds East (S 03° 10' 59" E) four hundred and twenty-six decimal eight, seven (426.87) feet to a point X 1,198,128.37 Y 210,965.80; (6) South sixty-seven degrees twenty-six minutes four seconds West (S 67° 26' 04" W) one decimal zero, six (1.06) feet to a point X 1,198,127.40 Y 201,965.39; (7) South three degrees ten minutes fifty-nine seconds East (S 03° 10' 59" E) one hundred and forty-four decimal eight, five (144.85) feet to a point X 1,198,135.44 Y 201,820.77; (8) South four degrees five minutes forty-five seconds East (S 04° 05' 45" E) sixty-two decimal seven, six (62.76) feet to a point X 1,198,139.92 Y 201,758.17; (9) South three degrees ten minutes fifty-nine seconds

East (S 03° 10' 59" E) two hundred and twenty-three decimal seven, one (223.71) feet to a point X 1,198,152.34 Y 201,534.81; (10) South twenty-two degrees forty minutes twenty-nine seconds East (S 22° 40' 29" E) two thousand five hundred and ninety-seven decimal one, two (2,597.12) feet to a point on the Corporate Limit X 1,199,153.52 Y 199,138.43; thence running by and with the Corporate Limit the following two courses: (1) North twenty-eight degrees twenty-four minutes fifty-eight seconds East (N 28° 24' 58" E) sixty-five decimal one, zero (65.10) feet to a point X 1,199,184.50 Y 199,195.68; (2) North twenty-two degrees thirty-nine minutes thirty-four seconds West (N 22° 39' 34" W) nine hundred and forty-four decimal zero, five (944.05) feet to the point of beginning and containing 434.746 acres all of which are the lands of Thomas H. Ruark, Inc., Westwood Development, LLC (formerly known as H & R Pepsi, LLC), Windsor Development, LLC, The State of Maryland to the use of the Department of Labor, Licensing and Regulation, H & S Properties, Inc., The Westwood Owner's Corporation, Stock Building Supply, Inc., Ferguson Enterprises, Inc., Sassafras Meadows Homeowners Association, Inc., Shelley Doane-Dashiell, Jesse Darnell Allen and Denise Parker Allen, Thomasine and Bernard Graham, Sr., Darlene F. M. Hanlon, Brian K. and Nicole L. Hunger, Jennifer L. and Thomas J. Donahue, III, Lora A. Collins, Brian Richard Price, Shelley Terrelle Hearn, James E. Booth, Loretta E. Savoy, Gloria J. Littleton and Michael and Davina Campbell, the roadbeds of Westwood Drive, Exchange Court and Sassafras Drive and portions of West Road, Queen Avenue, Ed Taylor Road, West Naylor Mill Road, U.S. Route 50 Salisbury By-Pass, Marquis Avenue and Jim Morton Drive. All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.

RESOLUTION NO. 1447

A RESOLUTION of the Council of the City of Salisbury proposing the annexation to the City of Salisbury of a certain area of land situate contiguous to and binding upon the Westerly corporate limit of the City of Salisbury, to be known as the "West Road - Westwood and Sassafras Annexation" being an area located on the North side of Queen Avenue and the West side of West Road, including a portion of West Road and Queen Avenue.

WHEREAS the City of Salisbury has received a petition to annex, signed by at least twenty-five percent (25%) of the persons who are resident registered voters and of the persons who are owners of at least twenty-five percent (25%) of the assessed valuation of the real property in the area sought to be annexed, and being located on the Northerly side of Queen Avenue and Westerly side of West Road, including a portion of West Road and Queen Avenue, said parcel being contiguous to and binding upon the Westerly corporate limit of the City of Salisbury;

WHEREAS the City of Salisbury has caused to be made a certification of the signatures on said petition to annexation and has verified that the persons signing the petition represent at least twenty-five percent (25%) of the persons who are eligible voters and property owners owning twenty-five percent (25%) of the assessed valuation of real property in the area to be annexed, all as of September 25, 2006, as will more particularly appear by the certification of W. Clay Hall, Surveyor, of the City of Salisbury, attached hereto; and

WHEREAS it appears that the petition meets all the requirements of the law,

SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT it is hereby proposed and recommended that the boundaries of the City of Salisbury be changed so as to annex to and include within said City all that parcel of land together with the persons residing therein and their property, contiguous to and binding upon the Northerly side of Queen Avenue and the Westerly side of West Road, including a portion of West Road and Queen Avenue, and being more particularly described on Exhibit "A" attached hereto and made a part hereof.

SECTION 2. AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the annexation of the said area be made subject to the terms and conditions in Exhibit "B" and "C" attached hereto and made a part hereof.


SECTION 3. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT the Council hold a public hearing on the annexation hereby proposed on December 11, 2006, at 6:00 o'clock p.m. in the Council Chambers at the City-County Office Building and the City Administrator shall cause a public notice of time and place of said hearing to be published not fewer than four (4) times at not less than weekly intervals, in a newspaper of general circulation in the City of Salisbury, of the area to be annexed, accurately describing the proposed annexation and the conditions and circumstances applicable thereto, which said notice shall specify a time and place at which the Council of the City of Salisbury will hold a public hearing on the Resolution.

SECTION 4. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT this resolution shall take effect upon the expiration of

forty-five (45) days following its final passage, subject, however, to the right of referendum as contained in Article 23A of the Maryland Code.

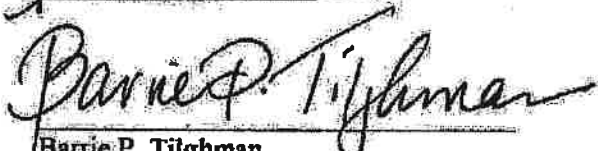
The above resolution was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 9th day of October, 2006, and having been duly published as required by law in the meantime, was finally passed after a public hearing at its meeting held on this 11th day of December, 2006.

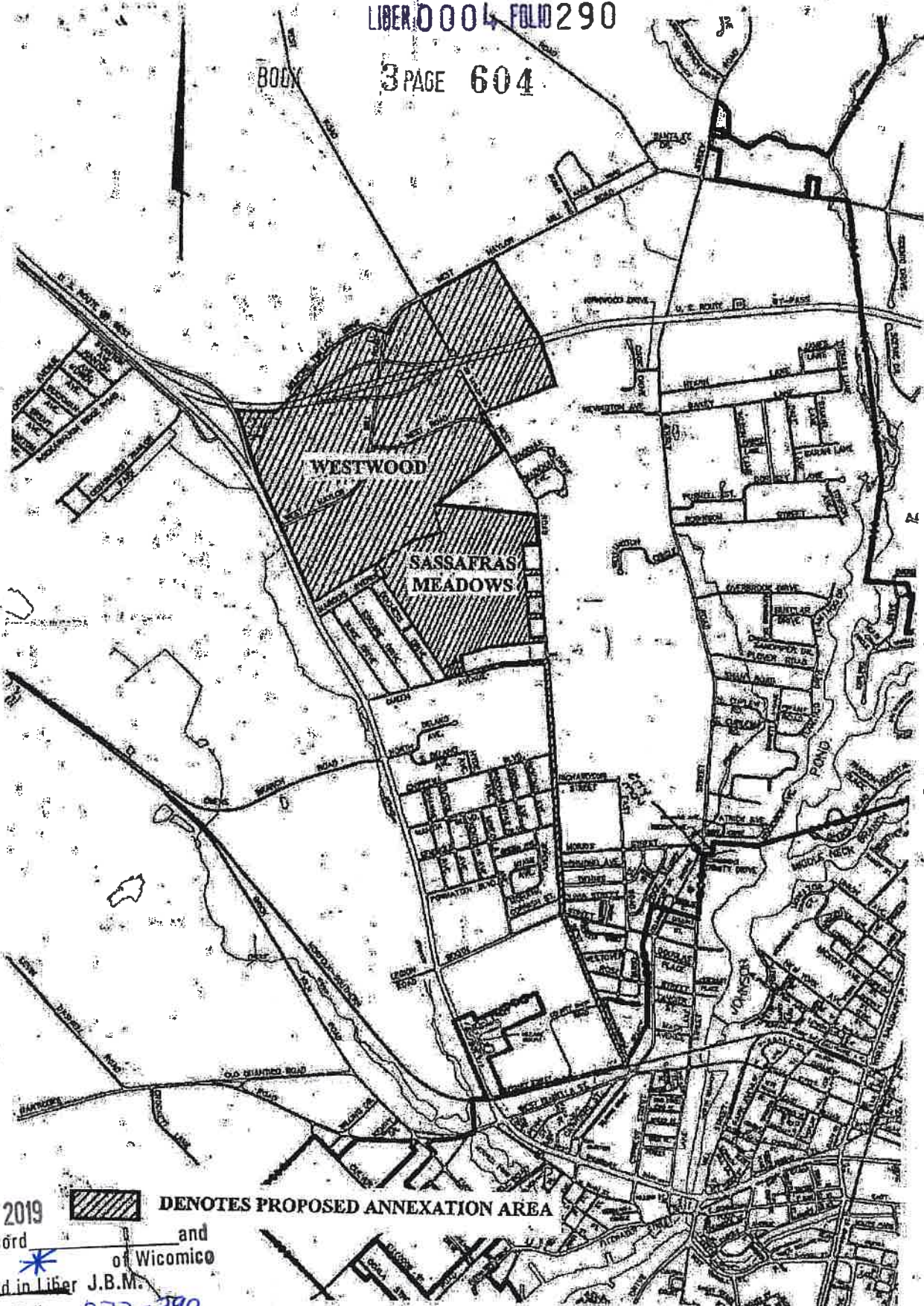

Brenda J. Colegrove,
City Clerk


Michael P. Dunn,
Council President

APPROVED BY ME this 15th day of

December 2006.


Barrie P. Tilghman,
Mayor of the City of Salisbury



DENOTES PROPOSED ANNEXATION AREA

MAY 29 2019

Received for Record and recorded in the *City of Salisbury* of Wicomico County, Maryland in Liber J.B.M.

No. *4* Folios *272-290*

Clerk

**WEST ROAD - WESTWOOD & SASSAFRAS
PROPOSED ANNEXATION**

John B. McAttee
* City of Salisbury
Ordinances & Resolutions

MUNICIPAL CHARTER OR ANNEXATION RESOLUTION REPOSITION FORM

Article 23A, § 9A of the Annotated Code of Maryland requires municipal officials to deposit certain municipal documents with the Department of Legislative Services. Please use this registration form for each resolution that alters the charter or the boundaries of your municipal corporation. Complete a separate form for each resolution, and mail the entire text of the resolution, along with this form to:

Georgeanne Carter, Legislative Counsel
Municipal Resolution Reposition
Department of Legislative Services
90 State Circle
Annapolis, MD 21401-1991

City of Salisbury
Municipal Corporation

Wicomico
County(ies)

Kimberly R. Nichols, City Clerk
Name and Title of Official Submitting this Resolution

125 N. Division St.
Address

Room 305

Salisbury, MD 21801

2914
Resolution Number

410-548-3140
Phone

5-28-19
Date of Submitting this Resolution*

March 11, 2019
Date Enacted by Legislative Body

May 24, 2019
Effective Date**

* This is an amendment to the Annexation (Res. 1447) to correct a property description
1) For an annexation resolution, state the charter section (e.g., boundary description section, appendix) that is amended _____ OR state the charter section (e.g., general powers section) pursuant to which the property is annexed SC1-2. (Enclose a copy of the metes and bounds description of the complete boundaries of your municipal corporation that includes the newly annexed property, including the number of acres and the point of beginning coordinates for the newly annexed property.)

For a charter resolution, state whether the entire charter is repealed and a new charter is adopted _____ OR state the specific section(s) that is added, repealed, renumbered, or repealed and reenacted with amendments _____.

2) Number of votes cast by the legislative body for 5 and against 0 this resolution.

3) Will this resolution be petitioned to referendum? no

If "yes", date of the referendum election (if known) _____.

* A resolution should be submitted to the Department of Legislative Services 10 days after the effective date of the resolution (Art. 23A, § 9A(c)). Generally, provided that a resolution is not petitioned to referendum, the effective date for a charter resolution is 50 days after enactment (Art. 23A, § 13(f)), and for an annexation resolution is no earlier than 45 days after enactment (Art. 23A, § 19(e)).

Memorandum

To: Amanda Pollack, Director Infrastructure & Development
From: William T. Holland
Date: 4/4/2019
Re: City Boundary Correction of 1410 West Road

Attached is a Petition signed by Kevin L. Smith requesting that his property, which was inadvertently contained in a prior annexation description be removed from that description. The area of land affected is approximately 0.77 acres.

On October 9, 2006, the City Council introduced Resolution 1447, which involved the annexation titled "West Road – Westwood and Sassafras Annexation." On December 11, 2006, a public hearing was held for the "West Road – Westwood and Sassafras Annexation" and the City Council thereafter passed Resolution No. 1147, which contained a metes and bounds description, which inadvertently included the property now owned by Mr. Smith.

The property now owned by Mr. Smith, was at the time of the annexation owned by Daniel W. Corbin. The inadvertent error in the description was recently discovered when the property was sold to Kevin L. Smith, Jr., on March 20, 2018, by Blamar Properties, LLC and the current property owner desires the error to be corrected, which requires that the City boundaries to be adjusted accordingly.

With this in mind, please move this forward to a City Council work session.