

RESOLUTION NO. 3132

A RESOLUTION of the Council of the City of Salisbury proposing the annexation to the City of Salisbury of a certain area of land contiguous to and binding upon the Corporate Limits of the City of Salisbury to be known as “Beaver Run Drive – PennTex Annexation”, beginning at a point contiguous to and binding upon the existing Corporate Limits Line of the City of Salisbury, MD, being on the westerly right of way line of Walston Switch Road at its intersection with the northerly right of way line of U.S. Route 50, continuing around the perimeter of the affected property to the point of beginning, being all that real property identified as Map 39, Parcel 264, Block A, Lots 1 & 2, and a portion of the public road right-of-way known as “Walston Switch Road”, containing 3.08 acres more or less.

WHEREAS, pursuant to that certain Petition for Annexation, dated May 6, 2021, attached hereto as **Exhibit 1** and incorporated by reference as if fully set forth herein, the City of Salisbury proposes the annexation of that certain lot and parcel of land contiguous to and binding upon the Corporate Limits of the City of Salisbury, beginning at a point contiguous to and binding upon the existing Corporate Limits Line of the City of Salisbury, MD, being on the westerly right of way line of Walston Switch Road at its intersection with the northerly right of way line of U.S. Route 50, continuing around the perimeter of the affected property to the point of beginning, being all that real property identified as Map 39, Parcel 264, Block A, Lots 1 & 2 and all that certain portion of the public road right-of-way known as “Walston Switch Road” and further being the same real property more particularly described in the property description attached hereto as **Exhibit 2** and incorporated as if fully set forth herein and being that same public right-of-way more particularly depicted on that certain plat entitled “Annexation Boundary Exhibit” attached hereto as **Exhibit 3** and incorporated as if fully set forth herein (the aforesaid real property is hereinafter referred to as the “**Annexed Property**”); and

WHEREAS, pursuant to MD Code, Local Government, § 4-415, the City of Salisbury is required to adopt an Annexation Plan for the proposed annexation of the Annexed Property; and,

WHEREAS, pursuant to MD Code, Local Government, § 4-406, a public hearing on this Resolution, providing for the Council of the City of Salisbury’s approval of the Annexation Plan (as defined hereinbelow) for the City of Salisbury’s annexation of the Annexed Property as set forth herein, shall be and hereby is scheduled for January 10, 2022 at 6:00 p.m.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY as follows:

Section 1. The “Annexation Plan for the “Beaver Run – PennTex Annexation to the City of Salisbury”, attached hereto as **Exhibit 4** and incorporated as if fully set forth herein (the “**Annexation Plan**”), be and hereby is adopted for the City of Salisbury’s annexation of the Annexed Property as contemplated by this Resolution.

Section 2. Pursuant to MD Code, Local Government, § 4-406, the Council of the City of Salisbury shall hold a public hearing on this Resolution on January 10, 2022 at 6:00p.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 the said public hearing to be published not fewer than two (2) times at not less than weekly intervals, in at least one (1) newspaper of general circulation in the City of Salisbury, which said public notice shall specify a time and place at which the Council of the City of Salisbury will the hold the aforesaid public hearing, the date of which shall be no sooner than fifteen (15) days after the final required date of publication as specified hereinabove. **AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY AS FOLLOWS:**

Section 3. It is the intention of the Council of the City of Salisbury that each provision this Resolution shall be deemed independent of all other provisions herein.

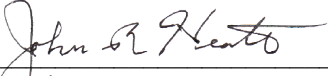
Section 4. It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable.

Section 5. The Recitals set forth hereinabove are incorporated into this section of this Resolution as if such recitals were specifically set forth at length in this Section 5.

Section 6. This Resolution and the annexation of the Annexed Property as contemplated herein, shall take effect upon the expiration of forty-five (45) days following its final passage, subject, however, to the right of referendum with respect to this Resolution as set forth in MD Code, Local Government, § 4-401, et seq.

THIS RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on November 22, 2021, having been duly published as required by law in the meantime a public hearing was held on January 10, 2022 at 6:00 p.m., and was finally passed by the Council of the City of Salisbury at its regular meeting held on the 10th day of January, 2022.

Kimberly R. Nichols,
City Clerk



John R. Heath,
Council President

APPROVED BY ME this 11th day of January, 2022.



Jacob R. Day, Mayor

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) # Parcel 264, Block A - Lots 1 & 2

Map # Map 39

SIGNATURE (S)

Signature



5/6/2021

Date

Printed

William R. Owen, Assit. Vice President
PTV 1167, LLC (Equitable Owner/Applicant)

Signature

Date

Printed

Signature

Date

Printed

Signature

Date

Printed

BEAVER RUN DRIVE – OCEAN PETROLIUM CO.

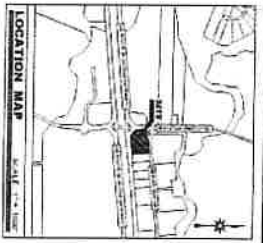
Beginning for the same at a point at a corner of the existing Corporate Limits Line of the City of Salisbury, MD, being on the westerly right of way line of Walston Switch Road at its intersection with the northerly right of way line of U. S. Route 50 (Ocean Gateway). X 1,228,768.68 Y 201,190.66 (1) Thence with the said line of U. S. Route 50 crossing the said Walston Switch Road North eighty-four degrees four minutes four seconds East (N 84° 04' 04" E) sixty decimal one, four (60.14) feet to a point at the point of intersection of the easterly right of way line of the said Walston Switch Road with the said line of U. S. Route 50. X 1,228,828.50 Y 201,196.88 (2) Thence by and with the northerly line of the said U. S. Route 50 the following four courses: (a) North eighty-four degrees twenty- four minutes nineteen seconds East (N 84° 24' 19" E) ten decimal zero, two (10.02) feet to a point X 1,228,838.47 Y 201,197.85; (b) South six degrees zero minutes thirty-two seconds East (S 6° 00' 32" E) ninety-seven decimal six, nine (97.69) feet to a point X 1,228,848.69 Y 201,100.70; (c) South fifty-six degrees nineteen minutes forty-four seconds East (S 56° 19' 44" E) one hundred thirty-seven decimal zero, six (137.06) feet to a point X 1,228,962.76 Y 201,024.71; (d) North seventy-eight degrees twenty-seven minutes twenty-eight seconds East (N 78° 27' 28" E) three hundred eleven decimal six, four (311.64) feet to a point on the said U. S Route 50 at the southwesterly corner of Lot 3, Block A, of "Beaver Run Business Center", Section One. X 1,229,268.10 Y 201,087.07 (3) Thence by and with the westerly line of the said Lot 3 North eleven degrees thirty-two minutes thirty-two seconds West (N 11° 32' 32" W) three hundred ten decimal zero, one (310.01) feet to the southerly right of way line of Beaver Run Drive at the northwesterly corner of the said Lot 3. X 1,229,206.07 Y 201,390.81 (4) Thence by and with the said line of Beaver Run Drive the following four courses: (a) South seventy-eight degrees twenty-seven minutes twenty-eight seconds West (S 78° 27' 28" W) one hundred ninety-five decimal zero, zero (195.00) feet to a point at the beginning of a curve X 1,229,015.01 Y 201,351.79; (b) with a curve to the left having a radius of fifty-six decimal eight, two (56.82) feet and a length of thirty-four decimal three, nine (34.39) feet to a point of reverse curve X 1,228,985.36 Y 201,335.43; (c) with said curve to the right having a radius of eighty-three decimal eight, eight (83.88) feet and a length of fifty decimal seven, seven (50.77) feet to a point X 1,228,941.58 Y 201,311.28; (d) South seventy-eight degrees twenty-seven minutes twenty-nine seconds West (S 78° 27' 29" W) one hundred twenty-five decimal three, eight (125.38) feet to the point of intersection of the projected southerly right of way line of the said Beaver Run Drive with the projected easterly right of way line of the aforesaid Walston Switch Road. X 1,228,818.74 Y 201,286.19 (5) Thence crossing the said Beaver Run Drive and with the said line of Walston Switch Road, in part, North six degrees zero minutes thirty-three seconds West (N 6° 00' 33" W) two hundred four decimal zero, seven (204.07) feet to a point. X 1,228,797.37 Y 201,489.14 (6) Thence crossing the said Walston Switch Road South eighty-four degrees four minutes three seconds West (S 84° 04' 03" W) fifty-nine decimal seven, zero (59.70) feet to a point on the westerly right of way line of the

said Walston Switch Road at a corner of the Corporate Limits of Salisbury, MD, also being the northeasterly corner of the lands of Tri-County Council for the Lower Eastern Shore of Maryland. X 1,228,737.99 Y 201,482.97 (7) Thence by and with the westerly line of the said Walston Switch Road South five degrees fifty-nine minutes nineteen seconds East (S 5° 59' 19" E) two hundred fifteen decimal three, six (215.36) feet to a point. X 1,228,760.46 Y 201,268.78 (8) Thence continuing with the said line of Walston Switch Road South six degrees zero minutes twenty-eight seconds East (S 6° 00' 28" E) seventy-eight decimal five, five (78.55) feet to the point of beginning.

Annexation containing 3.08 acres, more or less.



U.S. ROUTE 50 (OCEAN GATEWAY)
WEST BOUND LANE
VARIABLE WIDTH HWY
INC PLATS 2870 & 2872



LEGEND

—	Proposed Boundary
—	Existing Boundary
—	Proposed Structure
—	Existing Structure
—	Proposed Easement
—	Existing Easement
—	Proposed Utility
—	Existing Utility
—	Proposed Road
—	Existing Road
—	Proposed Right-of-Way
—	Existing Right-of-Way
—	Proposed Water
—	Existing Water
—	Proposed Sewer
—	Existing Sewer
—	Proposed Storm
—	Existing Storm
—	Proposed Other
—	Existing Other

SITE DATA

1. SITE LOCATION	1187 BEAVER RUN DRIVE, WASHINGTON CO., MARYLAND
2. SURVEY	AS SHOWN ON THE ATTACHED SURVEY MAP
3. ZONING	RESIDENTIAL SINGLE-FAMILY (RS)
4. PROJECT	ANNEXATION OF 124,241 S.F. (2.85 ACRES)
5. PREVIOUS DEVELOPMENT	NO PREVIOUS DEVELOPMENT
6. ADJACENT PROPERTIES	AS SHOWN ON THE ATTACHED SURVEY MAP
7. EXISTING UTILITIES	AS SHOWN ON THE ATTACHED SURVEY MAP
8. EXISTING ROADS	AS SHOWN ON THE ATTACHED SURVEY MAP
9. EXISTING WATER	AS SHOWN ON THE ATTACHED SURVEY MAP
10. EXISTING SEWER	AS SHOWN ON THE ATTACHED SURVEY MAP
11. EXISTING STORM	AS SHOWN ON THE ATTACHED SURVEY MAP
12. EXISTING OTHER	AS SHOWN ON THE ATTACHED SURVEY MAP

INSURANCE POLICY NO. 1187 BEAVER RUN DRIVE, WASHINGTON CO., MARYLAND. THE POLICY IS IN FULL FORCE AND EFFECT. THE POLICY IS SUBJECT TO THE TERMS AND CONDITIONS OF THE POLICY. THE POLICY IS SUBJECT TO THE TERMS AND CONDITIONS OF THE POLICY.

BECKER MORGAN ARCHITECTURE ENGINEERING
 1187 BEAVER RUN DRIVE
 WASHINGTON CO., MARYLAND
 ANNEXATION BOUNDARY EXHIBIT

LANDS OF OCEAN PETROLEUM CO INC
 1187 BEAVER RUN DRIVE
 WASHINGTON CO., MARYLAND
 ANNEXATION BOUNDARY EXHIBIT

DATE	06/11/2013
SCALE	1" = 20'
PROJECT NO.	1187 BEAVER RUN DRIVE
PROJECT NAME	ANNEXATION BOUNDARY EXHIBIT
DATE	06/11/2013
SCALE	1" = 20'
PROJECT NO.	1187 BEAVER RUN DRIVE
PROJECT NAME	ANNEXATION BOUNDARY EXHIBIT

**ANNEXATION PLAN
FOR THE
BEAVER RUN ANNEXATION
TO THE CITY OF SALISBURY**

October 20, 2021

This Annexation Plan is consistent with the Municipal Growth Element of the 2010 Comprehensive Plan adopted by the City of Salisbury. The following are milestones in the public review and consideration of the proposed Annexation which is the subject of this Annexation Plan:

- At a Work Session of the City of Salisbury Mayor and City Council (the “**Mayor and City Council**”), held on June 7, 2021, the Salisbury City Council (the “**City Council**”) reviewed the Petition for Annexation (the “**Annexation Petition**”) submitted by PTV 1167, LLC (“**PTV 1167**”), dated May 6, 2021, which requested the City of Salisbury, Maryland (the “**City**”) annex the following parcels of land:
 - Map 0039, Grid 0006, Parcel 0264, Lot 1, consisting of 1.61 acres more or less, and having a premises address of 31997 Beaver Run Drive, Salisbury, Maryland 21801, and further having a Tax Identification Number of 05-106370; and Map 0039, Grid 0006, Parcel 0264, Lot 2, consisting of 1.07 acres more or less, and having a Tax Identification Number of 05-106389 (collectively, the “**Beaver Run Property**”); and;
 - All that certain portion of the public road right-of-way known as “Walston Switch Road”, consisting of 0.40 acres of land more or less and being that same public right-of-way more particularly depicted on that certain plat entitled “Annexation Boundary Exhibit” dated May 11, 2021 and prepared by Becker Morgan Group, which is intended to be recorded among the Plat Records of Wicomico County, Maryland following annexation (the “**Annexation Plat**”). (The Annexation Plat is incorporated herein and a reduced scale copy of said Annexation Plat is attached hereto as *Exhibit A*). (The aforesaid public road right-of-way is hereinafter referred to as the “**Walston Switch ROW**”; the Beaver Run Property and the Walston Switch ROW are hereinafter referred to collectively as the “**Annexed Property**”.)
- At the June 17, 2021 Meeting of the Salisbury Planning Commission (the “**Planning Commission**”), the Planning Commission reviewed the proposed annexation of the Annexed Property and approved a favorable recommendation to the City for the proposed zoning of the Annexed Property.
- On _____, a Regular Meeting of the Mayor and City Council was convened, during which the City Council reviewed this Annexation Plan and a Resolution of the City Council to authorize and approve the City’s annexation of the Annexed Property (said Resolution is hereinafter referred to as the “**Annexation Resolution**”), and, in accordance with applicable state and local law, directed that a date for a Public Hearing be established to hear public comment on the City’s annexation of the Annexed Property, as requested by the Annexation Petition submitted by PTV 1167. Furthermore, at the _____ Regular Meeting of the Mayor and City Council, the City Council directed this Annexation Plan be submitted to the Maryland Department of Planning and the Wicomico County Council for comment, at least thirty (30) days before the Public Hearing on the Annexation Resolution, as required by applicable Maryland law.

1.0. GENERAL INFORMATION AND DESCRIPTION OF ANNEXED PROPERTY.

1.1. Petitioners for Annexation of the Annexed Property. PTV 1167 is the Petitioner for annexation of the Annexed Property. All that certain real property defined herein as the Beaver Run Property is the subject of an executed Agreement of Sale between PTV 1167 and Ocean Petroleum Co., Inc., the current owner of the Beaver Run Property. Ocean Petroleum Co., Inc. has provided express written consent for PTV 1167 to petition the City of Salisbury for the annexation of the Beaver Run Property and has authorized PTV 1167 to perform

all functions, including but not limited to the execution of the petition and related documents and appearing before all state and municipal bodies, in order to effectuate the annexation.

1.2. Location. The Annexed Property is located as follows: **(a)** The Beaver Run Property is located on the northerly side of U.S. Route 50, the easterly side of Walston Switch Road, and the southerly side of Beaver Run Drive; the Beaver Run Property is located at the eastern limits of Salisbury; and **(b)** The Walston Switch ROW is located as on the northerly side of U.S. Route 50, as more particularly shown on the Annexation Plat attached hereto and incorporated herein as *Exhibit A*.

1.3. Property Description; Reason for the Annexation Petition.

- (a)** The Beaver Run Property consists of 2.68 +/- acres of land as more particularly depicted and described by the Annexation Plat. The Annexation Plat depicts all that same real property more particularly described by metes, bounds, courses and distances in that certain legal description attached hereto and incorporated herein as *Exhibit B* (the “**Beaver Run Property Description**”).
- (b)** Lot 1 of the Beaver Run Property is improved with a convenience store and fuel islands, while Lot 2 is unimproved. (*See Exhibit A.*) The convenience store on the Beaver Run Property is served by a separate, independent sewage disposal system. As set forth below, the Annexation Petition submitted by PTV 1167 arises exclusively from the proposed plan for development of the Beaver Run Property as shown on the Concept Development Plan attached hereto and incorporated herein as *Exhibit C* (the “**Concept Development Plan**”).
- (c)** The Walston Switch ROW consists of 0.40 +/- acres of land as more particularly depicted and described by the Annexation Plat. Upon the annexation thereof, the Walston Switch ROW shall be upgraded to meet all applicable City standards and specifications, including all applicable City standards, specifications and/or requirements for road width, sidewalk(s), street lights, on-street parking and the provision of a bike lane thereon. All upgrades made to the Walston Switch ROW, as aforesaid, shall be performed by the City at the sole cost and expense of PTV 1167 as provided in the Annexation Agreement by and between the City and PTV 1167 of even date herewith.

1.4. Existing Zoning. All of the Beaver Run Property is currently zoned LB-1 Light Business and Institutional under the Wicomico County Code. The property adjacent to the Annexed Property is identified as: Map 0039, Grid 0005, Parcel 0266 and Map 0039, Grid 0005, Parcel 0740 (the “**Tri-County Council Property**”). The Tri-County Council Property is located within the municipal limits of the City and is zoned “Mixed Use Non-Residential” under the City of Salisbury City Code (the “**City Code**”).

2.0. LAND USE PATTERN PROPOSED FOR THE ANNEXED PROPERTY.

2.1. Comprehensive Plan.

- (a)** By Resolution No. 1942, the City Council adopted the 2010 City of Salisbury Comprehensive Plan (the “**Comprehensive Plan**”). The Comprehensive Plan sets forth the land use polices for all lands located within the City’s municipal limits and includes a Municipal Growth Element addressing growth areas outside the municipal limits of the City. The Municipal Growth Element section of the City’s Comprehensive Plan provides in pertinent part: “the City has defined a Municipal Growth [A]rea that is sufficient to accommodate residential, commercial, and industrial land uses as illustrated on Map 11-3” attached to and incorporated within the Comprehensive Plan. The Annexed Property is located within the City’s designated Municipal Growth Area.
- (b)** With respect to the City’s annexation of property, the goal of the City’s Comprehensive Plan is: “To encourage the orderly growth and expansion of the City of Salisbury by annexing selected areas and by providing public services to newly developing areas without overburdening these

facilities while continuing to maintain a high level of services to existing developments and residents of the City.”

2.2. Proposed Zoning for Annexed Property. Upon its annexation, the Annexed Property is proposed to be zoned as “Mixed Use Non-Residential”. Per Section 17.46.010 of the City Code, the purpose of the “Mixed Use Non-Residential” zoning district is: “to provide areas for well-designed, functional, and attractive development with indoor retail, office, services, and institutional uses. Land uses are envisioned that promote the best possible building designs, development of public streets and utilities, and conservation of environmentally sensitive areas. The district should be located in areas that continue orderly development and concentration of moderate commercial uses on or within close proximity to major thoroughfares.”

2.3. Proposed Land Use for Annexed Property. The Beaver Run Property is, and will be, redeveloped with a retail use. As set forth in Section 1.3(b) of this Annexation Plan, the Beaver Run Property is improved by a convenience store and fuel islands. Upon its annexation, the proposed Beaver Run Property redevelopment will consist of a new 7-Eleven franchised convenience store, equipped with an expanded fueling area that will utilize both of the Beaver Run Property lots (i.e., the use of the Beaver Run Property will be unchanged from its current use).

3.0. THE PUBLIC FACILITIES AND SERVICES NEEDED BY THE DEVELOPMENT AND THE METHODS TO PROVIDE SUCH FACILITIES AND SERVICES TO THE ANNEXED PROPERTY.

3.1. Roads. Currently, and following its annexation by the City, the Beaver Run Property can be accessed by Walston Switch Road, a County Road and Beaver Run Drive, a County Road. As provided in Section 1.3(c), all that certain area shown as the Walston Switch ROW on the Annexation Plat (*see Exhibit A*) shall be annexed by the City and, in accordance therewith, become a City Road.

3.2. Water and Wastewater Treatment. In keeping with its redevelopment plan, PTV 1167’s redevelopment of the Annexed Property will create a demand of about 810.9 gallons per day. PTV 1167, at its sole cost and expense, will connect to existing public water and sewerage facilities within the area of the Annexed Property, as directed by the City of Salisbury Department of Infrastructure and Development. The City has no concerns about the feasibility or capacity to serve the Annexed Property.

3.3. Schools. The Annexed Property is and will be subject to retail use only and will not generate any pupil enrollment, and therefore will have no impact on school capacity.

3.4. Parks and Recreation. The City’s annexation of the Annexed Property will have no impact on park and recreational facilities, nor will it generate a demand for park and recreational facilities.

3.5. Fire, E.M., and Rescue Services. The City of Salisbury Fire Department provides fire suppression, technical rescue, special operations and advanced life support emergency medical treatment and transport services (collectively “fire and emergency services”) to residents of the Salisbury Fire District. The Annexed Property is located within the Salisbury Fire District; accordingly, the Salisbury Fire Department will continue providing fire and emergency services to the Annexed Property after its annexation into the City.

3.6. Police. The City of Salisbury Police Department will provide police services to the Annexed Property.

3.7. Stormwater Management. Stormwater management is governed by the State of Maryland, and stormwater management regulations are administered locally.

3.8. Waste Collection. Commercial development in the City of Salisbury is served by independent waste haulers.

4.0. HOW DEVELOPMENT OF THE ANNEXED PROPERTY WILL RELATE TO EXISTING/PLANNED LAND USE DEVELOPMENT, STREETS, PUBLIC FACILITIES AND SERVICES, OPEN SPACES AND NATURAL AREAS.

The City’s annexation of the Annexed Property is consistent with applicable Maryland and local law. The Annexed Property is located along and is immediately adjacent to U.S. Route 50 on the eastern side of the City

of Salisbury. PTV 1167's proposed commercial use (convenience store and service station) at the Beaver Run Property is consistent with the overall plan for this geographic area of the City of Salisbury. The Annexed Property is located within the City of Salisbury's Municipal Growth Area and is eligible for annexation. In this matter the Annexation Petition submitted by PTV 1167, requesting the City annex the Annexed Property, arises exclusively from the need to serve the Beaver Run Property with public water and sewer utilities for and in connection with PTV 1167's proposed development of the Beaver Run Property, as shown on the Concept Development Plan attached hereto and incorporated herein as *Exhibit C*.

BEAVER RUN DRIVE – OCEAN PETROLIUM CO.

Beginning for the same at a point at a corner of the existing Corporate Limits Line of the City of Salisbury, MD, being on the westerly right of way line of Walston Switch Road at its intersection with the northerly right of way line of U. S. Route 50 (Ocean Gateway). X 1,228,768.68 Y 201,190.66 (1) Thence with the said line of U. S. Route 50 crossing the said Walston Switch Road North eighty-four degrees four minutes four seconds East (N 84° 04' 04" E) sixty decimal one, four (60.14) feet to a point at the point of intersection of the easterly right of way line of the said Walston Switch Road with the said line of U. S. Route 50. X 1,228,828.50 Y 201,196.88 (2) Thence by and with the northerly line of the said U. S. Route 50 the following four courses: (a) North eighty-four degrees twenty- four minutes nineteen seconds East (N 84° 24' 19" E) ten decimal zero, two (10.02) feet to a point X 1,228,838.47 Y 201,197.85; (b) South six degrees zero minutes thirty-two seconds East (S 6° 00' 32" E) ninety-seven decimal six, nine (97.69) feet to a point X 1,228,848.69 Y 201,100.70; (c) South fifty-six degrees nineteen minutes forty-four seconds East (S 56° 19' 44" E) one hundred thirty-seven decimal zero, six (137.06) feet to a point X 1,228,962.76 Y 201,024.71; (d) North seventy-eight degrees twenty-seven minutes twenty-eight seconds East (N 78° 27' 28" E) three hundred eleven decimal six, four (311.64) feet to a point on the said U. S Route 50 at the southwesterly corner of Lot 3, Block A, of "Beaver Run Business Center", Section One. X 1,229,268.10 Y 201,087.07 (3) Thence by and with the westerly line of the said Lot 3 North eleven degrees thirty-two minutes thirty-two seconds West (N 11° 32' 32" W) three hundred ten decimal zero, one (310.01) feet to the southerly right of way line of Beaver Run Drive at the northwesterly corner of the said Lot 3. X 1,229,206.07 Y 201,390.81 (4) Thence by and with the said line of Beaver Run Drive the following four courses: (a) South seventy-eight degrees twenty-seven minutes twenty-eight seconds West (S 78° 27' 28" W) one hundred ninety-five decimal zero, zero (195.00) feet to a point at the beginning of a curve X 1,229,015.01 Y 201,351.79; (b) with a curve to the left having a radius of fifty-six decimal eight, two (56.82) feet and a length of thirty-four decimal three, nine (34.39) feet to a point of reverse curve X 1,228,985.36 Y 201,335.43; (c) with said curve to the right having a radius of eighty-three decimal eight, eight (83.88) feet and a length of fifty decimal seven, seven (50.77) feet to a point X 1,228,941.58 Y 201,311.28; (d) South seventy-eight degrees twenty-seven minutes twenty-nine seconds West (S 78° 27' 29" W) one hundred twenty-five decimal three, eight (125.38) feet to the point of intersection of the projected southerly right of way line of the said Beaver Run Drive with the projected easterly right of way line of the aforesaid Walston Switch Road. X 1,228,818.74 Y 201,286.19 (5) Thence crossing the said Beaver Run Drive and with the said line of Walston Switch Road, in part, North six degrees zero minutes thirty-three seconds West (N 6° 00' 33" W) two hundred four decimal zero, seven (204.07) feet to a point. X 1,228,797.37 Y 201,489.14 (6) Thence crossing the said Walston Switch Road South eighty-four degrees four minutes three seconds West (S 84° 04' 03" W) fifty-nine decimal seven, zero (59.70) feet to a point on the westerly right of way line of the

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Annexation containing 3.08 acres, more or less.

