

RESOLUTION NO. 3200

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 “John Deere Drive – Salisbury 50 Annex, LLC Annexation”, beginning at a point at the corner of the easterly existing Corporate Limits Line of the City of Salisbury, MD, at its intersection with the Southwest side of John Deere Drive, continuing South along the existing Corporate Limits Line a distance of 911.37 feet, thence continuing around the southeasterly perimeter of the affected property to a point at the intersection with the Southern existing Corporate City Limits Line along John Deere Drive and the Northeast corner of parcel 739, thence west along the existing Corporate City Limits line to the point of beginning, being all that real property identified as Map 0039, Grid 0011, Parcel 0739, consisting of 16.62 acres of land, more or less.

WHEREAS, pursuant to that certain Petition for Annexation, dated June 17, 2021, attached hereto as **Exhibit 1** and incorporated by reference as if fully set forth herein, the City of Salisbury proposes 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 “John Deere Drive – Salisbury 50 Annex, LLC Annexation”, beginning at a point at the corner of the easterly existing Corporate Limits Line of the City of Salisbury, MD, at its intersection with the Southwest side of John Deere Drive, continuing South along the existing Corporate Limits Line a distance of 911.37 feet, thence continuing around the southeasterly perimeter of the affected property to a point at the intersection with the Southern existing Corporate City Limits Line along John Deere Drive and the Northeast corner of parcel 739, thence west along the existing Corporate City Limits line to the point of beginning, being all that real property identified as Map 0039, Grid 0011, Parcel 0739, consisting of 16.62 acres of land, more or less, 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 the same public rights-of-way more particularly depicted on that certain plat entitled “Annexation Plat” attached hereto as **Exhibit 3** and incorporated as if fully set forth herein (the aforesaid real property is hereinafter referred to as the “**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 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 Property as set forth herein, shall be and hereby is scheduled for March 13, 2023 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 John Deere Drive – Salisbury 50 Annex, LLC 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 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 March 13, 2023 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 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.

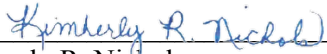
Section 4. It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply 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 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 February 13, 2023, and having been duly published as required by law in the meantime a public hearing was held on March 13, 2023, at 6:00 p.m., and was finally passed by the Council of the City of Salisbury at its regular meeting held on the 13th day of March, 2023.

ATTEST:

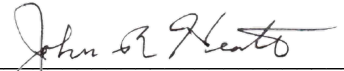


Kimberly R. Nichols,
City Clerk



Muir W. Boda,
Council President

APPROVED BY ME this 16th day of March, 2023.



John R. Heath, Acting Mayor