

RESOLUTION NO. 3375

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 the **“City of Salisbury Wastewater Treatment Plant Annexation,”** beginning for the same at a point being South forty-four degrees forty-one minutes zero seconds East (S 44° 41’ 00” E) a distance of nine hundred eighty-seven decimal one, nine (987.19) feet from an existing corner of the Corporate Limits Line (X 1,192,928.66 Y 194,611.10) located along the southeasterly line of Pemberton Drive near the northwesterly corner of lands of the City of Salisbury – Waste Water Treatment Plant Baseball Fields line of Parsons Road. X 1,193,622.84 Y 193,909.20; thence continuing with the line of the said existing Corporate Limits South forty-four degrees forty-one minutes zero seconds East (S 44° 41’ 00” E) one thousand two hundred twenty decimal three, five (1220.35) feet to a point X 1,194,480.98 Y 193,041.53; thence continuing with the line of the said existing Corporate Limits South fifty-two degrees seventeen minutes zero seconds West (S 52° 17’ 00” W) two hundred seventeen decimal seven, three (217.73) feet to a point at the southeasterly corner of the lands of Value Enterprises, LLC, being “Parcel 1” of “Harbor Pointe” subdivision X 1,194,308.75 Y 192,908.33; thence by and with the easterly line of the said Value Enterprises, LLC, lands North forty-four degrees thirty-seven minutes zero seconds West (N 44° 37’ 00” W) five hundred ninety-three decimal six, four (593.64) feet to a point at the southeasterly corner of the lands of the USDA Farm Service Agency X 1,193,891.80 Y 193,330.90; thence by and with said USDA Farm Service Agency lands North forty-four degrees twenty-seven minutes forty-seven seconds West (N 44° 27’ 47” W) six hundred one decimal six, zero (601.60) feet to a point X 1,193,470.41 Y 193,760.26; thence continuing with the said USDA lands North forty-five degrees thirty-nine minutes forty-eight seconds East (N 45° 39’ 48” E) two hundred thirteen decimal one, two (213.12) feet to the point of beginning (containing 5.962 acres, more or less to be annexed).

RECITALS

WHEREAS, the City of Salisbury has received a Petition for Annexation, dated January 24, 2024, attached hereto as **Exhibit I** and incorporated by reference as if fully set forth herein, 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 binding upon the Corporate Limits of the City of Salisbury to be known as **“City of Salisbury Wastewater Treatment Plant Annexation,”** beginning at a point on the south side of but not binding upon Pemberton Drive and binding upon the existing corporate limits line of the City of Salisbury, MD, being at the northeasterly most point of the affected property on the westerly line of the corporate limits of the City of Salisbury, continuing around the perimeter of the affected property to the point of beginning, being all

that real property identified as Map 0037, Grid 0024, Parcel 0367, 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 (the aforesaid real property is hereinafter referred to as the “**Property**”); and

WHEREAS, the City of Salisbury has caused to be made a certification of the signatures on the said petition for annexation and the City of Salisbury 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 January 3, 2025, as set forth in the certification by Leslie C. Sherrill, Surveyor, of the City of Salisbury, attached hereto as **Exhibit 3** and incorporated by reference as if fully set forth herein; and

WHEREAS, it appears that the aforesaid Petition for Annexation, dated January 24, 2024, meets all the requirements of applicable state and local law; and

WHEREAS, pursuant to MD Code, Local Government, § 4-406, a public hearing on this Resolution, providing for the City of Salisbury’s annexation of the Property as set forth herein, shall be and hereby is scheduled for January 27, 2025 at 6:00 p.m.

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

Section 1. It is proposed and recommended that that the municipal boundaries of the City of Salisbury be changed so as to annex to and include within the said municipal boundaries of the City of Salisbury all that certain real property more particularly described in **Exhibit 2** attached hereto and incorporated by reference as if fully set forth herein (the real property to be annexed by the City of Salisbury as contemplated by this Resolution is hereinafter referred to as the “**Property**”).

Section 2. The annexation of the Property be and hereby is approved by the Council of the City of Salisbury subject to all terms, conditions and agreements contained in the aforementioned property description and the proposed Annexation Plan, attached as **Exhibits 2 and 4** respectively, each of which is attached hereto and incorporated herein as if all such terms, conditions and agreements contained in such Exhibits were specifically set forth at length in this Resolution.

Section 3. The Zoning Map of the City of Salisbury shall be amended to include the Property within that certain Zoning District of the City of Salisbury identified as “**Industrial**”, which said real property newly annexed into Corporate Limits of the City of Salisbury, as contemplated by this Resolution, is presently zoned “**R-15 Residential**” in accordance with the existing zoning laws of Wicomico County, Maryland.

Section 4. 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 27, 2024 at 6:00 p.m. in the Council Chambers at the City-County Office Building located at 125 N. Divisions St., 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 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:

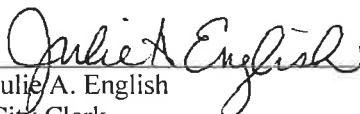
Section 5. It is the intention of the Council of the City of Salisbury that each provision this Resolution shall be deemed independent of all other provisions herein.

Section 6. 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 7. 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 7.

Section 8. 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, read and passed at the regular meeting of the Council of the City of Salisbury held on January 13, 2025; having been duly published as required by law in the meantime, a public hearing was held on January 27, 2025 at 6:00 p.m., and was finally passed by the Council at its regular meeting held on January 27, 2025.



Julie A. English
City Clerk



D'Shawn M. Doughty
Council President

APPROVED BY ME this 7 day of February, 2025.



Randolph J. Taylor, Mayor

EXHIBIT 1