

City of Salisbury

BOOK

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Brenda J. Colegrove, City Clerk
City of Salisbury
410-548-3140

MARYLAND

125 N. Division St., Room 305
Salisbury, MD 21801-4940
410-548-3781 (fax)

VIA CERTIFIED MAIL

January 26, 2007

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

MSB W102
Jan 29, 2007 12:14 PM

Dear Ms. Carter:

Enclosed is the following annexation resolution which was enacted by the City of Salisbury on December 11, 2006 and became effective January 25, 2007:

Resolution No. 1447 - "West Road - Westwood and Sassafras Annexation"

As required, I have also enclosed a copy of the new boundary description of the City. If you have any questions, please give me a call.

Sincerely,


Brenda J. Colegrove, CMC
City Clerk

Enclosure

cc: Tracey Gordy, Maryland Department of Planning
State Assessments
Mark Bowen, Clerk of Circuit Court

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:

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

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|---|--|
| <u>City of Salisbury</u> Municipal Corporation | <u>Wicomico</u> County(ies) |
| <u>Brenda J. Colegrove, City Clerk</u> Name and Title of Official Submitting this Resolution | |
| <u>125 N. Division Street</u> Address | <u>410-548-3140</u> Phone |
| <u>Room 305</u> <u>Salisbury, MD 21801-4940</u> | <u>January 26, 2007</u> Date of Submitting this Resolution* |
| <u>1447</u> Resolution Number | <u>December 11, 2006</u> Date Enacted by Legislative Body |
| | <u>January 25, 2007</u> Effective Date** |

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 3 and against 1 this resolution.
(1 - abstain)
- 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)).

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.

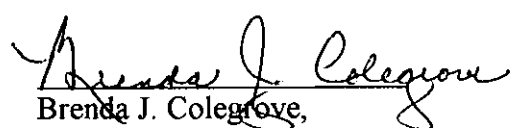
SECTION 2. AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the annexation of the said area be made subject to the terms and conditions in Exhibit "B" and "C" attached hereto and made a part hereof.

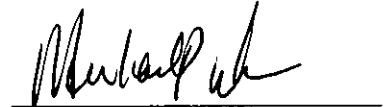
SECTION 3. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT the Council hold a public hearing on the annexation hereby proposed on December 11, 2006, at 6:00 o'clock p.m. in the Council Chambers at the City-County Office Building and the City Administrator shall cause a public 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.

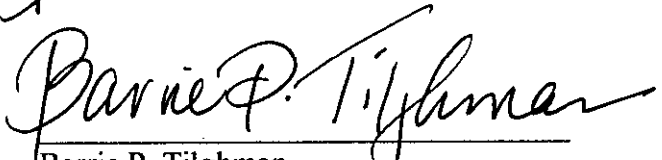

Barrie P. Tilghman,
Mayor of the City of Salisbury

EXHIBIT "A"

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 Block Q of "Westside Manor Subdivision" X 1,197,882.65 Y 206,231.49; thence with the boundary line of said Block Q 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 1,197,712.91 Y 206,222.05; (2) North three degrees ten minutes fifty-nine seconds West (N 03° 10' 59" W) two hundred and ninety decimal four, zero (290.40) feet to a point X 1,197,696.79 Y 206,512.00; (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 1,197,866.52 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 ($N 67^{\circ} 41' 11'' W$) 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 ($S 63^{\circ} 57' 35'' W$) 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 ($S 77^{\circ} 19' 35'' W$) 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 ($S 63^{\circ} 57' 36'' W$) 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 ($S 43^{\circ} 29' 58'' W$) 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 ($S 35^{\circ} 38' 21'' W$) 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 ($S 28^{\circ} 42' 47'' W$) 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 ($S 08^{\circ} 19' 12'' W$) 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 ($S 17^{\circ} 37' 11'' E$) 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 ($S 20^{\circ} 36' 37'' E$) 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 ($S 22^{\circ} 05' 37'' E$) 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 ($S 22^{\circ} 04' 47'' E$) 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 ($S 23^{\circ} 09' 15'' E$) 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 ($S 23^{\circ} 28' 53'' E$) 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 ($N 58^{\circ} 45' 49'' E$) 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 433.976 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.

Exhibit "B"

As amended on October 9, 2006

CONDITIONS OF ANNEXATION
"WEST ROAD – WESTWOOD AND SASSAFRAS ANNEXATION"

A. SERVICES AND TAXES

1. Property taxes will be assessed at the first semi-annual taxing period following annexation.
2. Existing development areas will be given City services upon request and availability. Services requiring engineering design, construction or budget funding will be initiated with the request and completed as soon as practical.
3. Services for developing areas will be provided based upon availability in accordance with City policy in effect at the time the Public Works Agreement is signed and the Comprehensive Development Plan is approved. Note: No request for water and sewer service will be considered complete until all applicable fees, charges and assessments are paid.

B. GENERAL PROVISIONS

1. All EXISTING DEVELOPMENT which is served by onsite water and/or sewer systems may maintain those systems as long as they are in good working order and pose no threat to the environment, City water supply or until ordered to abandon the system(s) by the County Health Department or State Department of the Environment. Prior to connection, the property owner must initiate and complete a request for service with the City Department of Public Works. The application is not considered complete until all appropriate fees, charges and/or assessments are paid.
2. NEWLY DEVELOPING PROPERTIES will be required to use any City water and sewer system available at the time of construction or made available in conjunction with construction. All appropriate fees, charges and/or assessments must be paid before connection to the City service lines is completed.
3. WATER AND SEWER and other improvements and services will be made available to the extent possible to all parcels within the newly annexed areas in accordance with the City Policy in effect at the time the Public Works Agreement is signed and the Comprehensive Development Plan is approved.
4. ZONING of the entire annexation area will be as follows, as recommended by the Salisbury/Wicomico County Planning & Zoning Commission: A Zoning classification of Light Business and Institutional shall be applied to those areas currently zoned County Light Business and Institutional. A Zoning classification of Light Industrial shall be

CONDITIONS OF ANNEXATION

"WEST ROAD – WESTWOOD AND SASSAFRAS ANNEXATION"

applied to those areas currently zoned County Light Industrial. The area currently zoned County R-8 Residential shall be zoned R-10A Residential upon annexation to the City of Salisbury.

C. MISCELLANEOUS

1. As a condition of annexation, the petitioners shall pay the cost of annexation including, but not limited to, advertising costs associated with the annexation.
2. The City of Salisbury accepts no responsibility for the construction, maintenance or upkeep of any existing roadway, public or private, until such is brought up to City standards at the expense of the developer(s) and accepted by the Director of Public Works
3. All new streets or roadways shall be constructed at the expense of the developer(s) to City standards and accepted by the Director of Public Works prior to dedication. Dedication shall be by fee simple ownership.

D. SPECIAL CONDITIONS

1. Development of this site shall be in accordance with Comprehensive Development Plans approved by the Salisbury Planning Commission.
2. A future phase of SassafRAS Meadows will be reserved for "Affordable Senior Housing". "Affordable Senior Housing" is defined as housing restricted by deed for a period of forty years to serve a population 55 years old or older which has an income equal to or less than 60% of the area median income.

OUTLINE OF SERVICES AND FACILITIES
"WEST ROAD – WESTWOOD AND SASSAFRAS ANNEXATION"

1. LAND USE PLAN

The land to be annexed consists of the developments known as "Westwood Commerce Park" and "Sassafras Meadows". The current zoning of the "Westwood Commerce Park" area is "Light Business and Institutional" and "Light Industrial" under Wicomico County zoning regulations. "Sassafras Meadows" is currently zoned R-8 Residential. Zoning of the entire annexation area will be as follows, as recommended by the Salisbury/Wicomico County Planning & Zoning Commission: A Zoning classification of Light Business and Institutional shall be applied to those areas currently zoned County Light Business and Institutional. A Zoning classification of Light Industrial shall be applied to those areas currently zoned County Light Industrial. The area currently zoned County R-8 Residential shall be zoned R-10A Residential.

Development plans for "Westwood Commerce Park" include approximately 49 sites that will consist of offices, light manufacturing, distribution centers and perhaps accessory or related retail. "Sassafras Meadows" is expected to contain 126 single family homes and approximately 276 multi-family units.

2. LAND FOR PUBLIC FACILITIES

Utility easements for water and sanitary sewer mains throughout the sites may be required to be deeded to the City of Salisbury. These lands will be identified on the final approved site plans and will be dependent upon development configuration. No other public facilities are anticipated.

3. EXTENSION OF MUNICIPAL SERVICES

City of Salisbury water and sewer mains currently serve the "Westwood Commerce Park" and "Sassafras Meadows" developments.

Storm water will be managed on both sites. Discharge from "Westwood Commerce Park" is into the State of Maryland system running along U.S. Route 50. Storm water from "Sassafras Meadows" discharges into the Wicomico County system located in West Road.

All City services can be available.

BOOK

PAGE 605

City of Salisbury



JOHN F. JACOBS III, P.E.
DIRECTOR

NEWELL W. MESSICK III, P.E.
DEPUTY DIRECTOR

GOVERNMENT OFFICE BLDG.
125 N. DIVISION STREET
SALISBURY, MARYLAND 21801-4940

Tel.: (410) 548-3170
Fax: (410) 548-3107

MARYLAND

DEPARTMENT OF PUBLIC WORKS

CERTIFICATION

WEST ROAD – WESTWOOD AND SASSAFRAS ANNEXATION.

This is to certify that I have verified the petitions for the annexation and that to the best of my knowledge the persons having signed the petition represent at least 25% of the registered voters residing in the area to be annexed and are the owners of at least 25% of the assessed valuation of real property located in the area to be annexed.

W. Clay Hall
Surveyor

Date: 9/25/06

West Road Certif..ann

CITY OF SALISBURY

PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

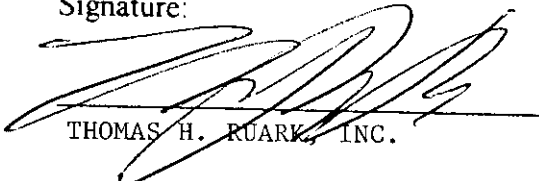
I/We request annexation of my/our land to the City of Salisbury.

Parcel s 229 & 376

Map 29

Conditions:

Signature:


THOMAS H. RUARK, INC.

8/17/00
Date

Date

PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

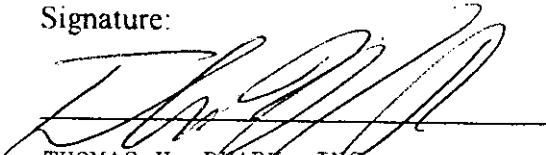
I/We request annexation of my/our land to the City of Salisbury.

Parcel 262

Map 28

Conditions:

Signature:


THOMAS H. RUARK, INC.

8/17/06
Date

Date

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) # 229 & 376

Map # 29

CITY TAXES NOT START UNTIL ^{FINDS} BUILDING PERMIT IS ISSUED PER PARCEL PER PHASE

SIGNATURE(S)

[Signature]

[Signature]

[Signature]

8/19/04

Date

8/18/04

Date

8/19/04

Date

Date

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.

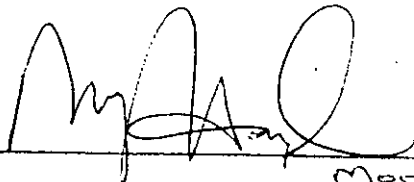
Parcel(s) # 141 & 178, Map 28

91 & 375, Map 29

Map(s) # 28 & 29

Note: City Taxes will not start until the first Building Permit is issued per parcel, **per** phase

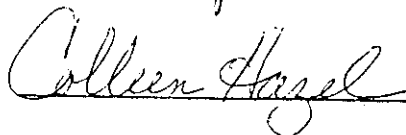
SIGNATURE(S)



Morgan Hazel

9/17/04

Date



9/17/04

Date

Date

Date

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 263, Section 1A, Block E, Lot 1

Map 28, Grid 18

Conditions: None

Signature: [Handwritten Signature] MEMBER
Windsor Development LLC

5.10.06
Date

Date

CITY OF SALISBURY
PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

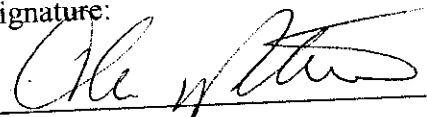
I/We request annexation of my/our land to the City of Salisbury.

Parcel 263, Section 1A, Block E, Lot 3

Map 28, Grid 18

Conditions: None

Signature:



H & S Properties Inc

Charles J Paterski

5/1/06

Date

5/1/06

Date

PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

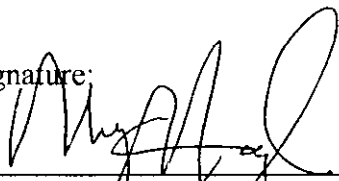
I/We request annexation of my/our land to the City of Salisbury.

Parcel 263, Section 1A, Parcel A - 5.38 Acres

Map 28, Grid 18

Conditions: None

Signature:



THE WESTWOOD OWNERS CORPORATION

4/24/06

Date

Date

BOOK 3 PAGE 613
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) # 263

Section 1A, Block B, Lot 5

Map # 28

SIGNATURE(S)

State of Maryland to the Department of
Labor Licensing & Regulation

Thomas C. Reinhold
Director, Office of General Services

Date

7/20/06

Date

Date

Date

BOOK 3 PAGE 614
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) # P/O 229.
376
Map # 29
Lot # 2-C

SIGNATURES

Shelley Doane - Dashiell
Shelley Doane - Dashiell

July 28, 2006
Date

Date

Date

Date

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) # P/O 229
376

Map # 29

Lot # 1 Block C

SIGNATURES

Jesse D. Allen
Jesse D. Allen

7/31/06
Date

Denise Allen
Denise Allen

7/31/06
Date

_____ Date

_____ Date

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) # P/O 229
376

Map # 29

Lot # 7E

JUL 10 2006

SIGNATURES

Thomasine Graham

Thomasine Graham

7-10-06

Date

Bernard Graham

Bernard Graham

7/10/06

Date

Date

Date

BOOK 3 PAGE 617

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) # P/O 229
376

Map # 29

Lot # 6E

SIGNATURES

Brian Hunger

Brian Hunger

6/28/06

Date

Nicole J. Hunger

Nicole Hunger

6/28/06

Date

Date

Date

BOOK 3 PAGE 618

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) # P/O 229

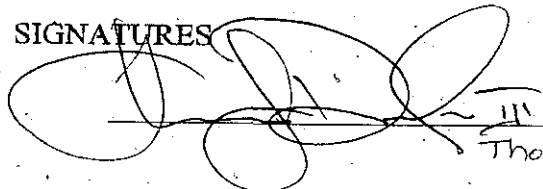
376

Map # 29

Lot # 4 Block E


710 Marquis Ave.

SIGNATURES



Thomas J. Donahue

05/08/06
Date



Jennifer L. Donahue

5/8/06
Date

Date

Date

BOOK 3 PAGE 619
CITY OF SALISBURY

PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

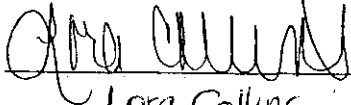
I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # P/O 229
376

Map # 29

Lot # 10E

SIGNATURES



Lora Collins

3-8-00

Date

Date

Date

Date

BOOK 3 PAGE 620

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) # P/O 229
376

Map # 29

Lot # 14 E

SIGNATURES

Brian Richard Price

12/15/05
Date

Shelley Terrelle Hearn

12/15/05
Date

Date

Date

BOOK 3 PAGE 621
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) # P/O 229
376
Map # 29
Lot # 1, Block A

SIGNATURES

James E. Booth
JAMES E. BOOTH

Dec. 19/05
Date

Loretta E. Savoy
LORETTA E. SAVOY

Dec. 19, 2005
Date

Gloria J. Littleton
GLORIA J. LITTLETON

Dec. 19, 2005
Date

Date

RECEIVED
DEC 22 2005
SALISBURY PUBLIC WORKS

PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

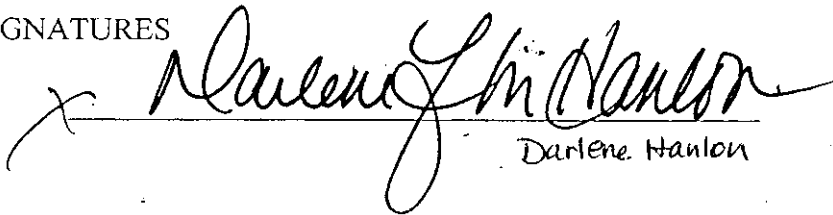
I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # P/O 229
376

Map # 29

Lot # 4C

SIGNATURES



Darlene Hanlon

6/15/06
Date

Date

Date

Date

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) # P/O 229
376

Map # 29

Lot # A B

SIGNATURES

Darlene F.M. Hanlon
Darlene F.M. Hanlon

8/31/06
Date

Date

Date

Date

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) # P/O 229
376

Map # 29

Lot # 11E

SIGNATURES

Michael Campbell
Michael Campbell

9-15-06
Date

Davina Campbell
Davina Campbell

9-15-06
Date

Date

Date

BOOK 3 PAGE 625

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: 264, Block D, Lot 1A (9.02 acres South Side of Naylor Mill Road) as recorded on the plat in Plat Cabinet MSB 15 Page 100

Map: 28

Conditions: None

Signature:

Stock Building Supply, Inc.

Name: Robert J. Yeard
Title: GENERAL COUNSEL + SECRETARY

Date: 8/30/2006

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 263, Parcel C, Block B, Lot 8 (20.02 Acres West Side of Naylor Mill Road) as shown the plat recorded in Plat Cabinet MSB 15 Page 111

Map 28

Conditions: None

City
Ordinance
Records

Received for Record Jan 29²⁰⁰⁷ and
recorded in the ~~land~~ Records of Wilcomico
County, Maryland in Liber M.S.B.
No. 3 Folios 590-626
Max J. Bower Clerk

Ferguson Enterprises, Inc.

Signature:

By: Neil E. Rogers

Ferguson Enterprises, Inc.

Neil E. Rogers

Vice President - Facilities

Name & Title

8-25-06

Date

Date