

PREPARED BY:

City of Dover
PO Box 475
Dover, DE 19903-0475



TAX MAP PARCEL NO.

ED-00-086.05-01-46.02/000

MAYOR AND COUNCIL

COUNCIL RESOLUTION NO. 2016-01

APPROVING THE INCLUSION OF AN AREA WITHIN THE LIMITS OF THE CITY OF DOVER.

WHEREAS, the Charter of the City of Dover authorizes Council to extend the boundaries of the said City in accordance with Title 22, Chapter 1, Section 101 of the Delaware Code (22 Del.C. § 101); and

WHEREAS, the Mayor and Council deem it to be in the best interest of the City of Dover to include an area contiguous to the present City limits, and hereinafter more particularly described, within the limits of the City of Dover; and

WHEREAS, the Charter of the City of Dover provides that if an annexation is petitioned by all owners of all property considered for annexation, no election shall be required. For an annexation petition not requiring an election, such petition shall be processed in accordance with procedures established for amendments to the zoning map, specified in Dover Code, Appendix B - Zoning. All annexation petitions shall be processed concurrently with the rezoning of the property considered for annexation and shall be subject to public hearing before City Council. Public notice shall be completed in accordance with the provisions of the Dover Code relating to amendment of the zoning map.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

1. That the following described area, situated in East Dover Hundred, Kent County, State of Delaware, along with all adjacent paths, sidewalks, roadways, and rights-of-way in their entirety, shall be annexed to and included within the limits of the City of Dover:

ALL that certain tract, piece or parcel of land situated on the Westerly side of South State Street (Also known as U.S. Route #113A) leading from U.S. Route #13 at Cooper's Corner to Wyoming Avenue and being more particularly described according to a plan prepared by Gerald A. Donovan Associates, Inc., dated April 2, 1979 reference CL-96-2 as follows.

Beginning at an iron pipe in the Westerly side of South State Street at the Northeasterly corner for this subject land and land now or formerly of Elma P. LeCompte and L. Leslie H/H (deed reference T-25-292). This point is located N 23° 43' 07"E 200.00 feet from a concrete monument in the Westerly side of South State Street at the Southeasterly corner for lands about to be conveyed to Robert M. Duncan and lands now or formerly of Thomas M. McGinnis and Evelyn E. H/W (deed reference W-16-184). Thence from said beginning point and by a line along the Westerly side of State Street; 1) S 23° 43' 07"W 80.00 feet to a point in said side of State Street at a corner for land now or formerly of David B. Greene

and Edwena L. H/W (being a residue of deed reference X-23-102 and a corner for lands about to be conveyed to Robert M. Duncan). Thence with said Green-Robert M. Duncan land the following 4 courses of distances 2) N 89° 17' 32"W 70.51 feet to a point (in line of lands about to be conveyed to Robert M. Duncan and a corner for lands about to be conveyed to Earl Duncan). 3) N 0° 45' 16"E 47.90 feet (intersecting a building wall and partition wall at approximately 29.16 feet) to a point in a partition wall. Thence continuing with a partition wall; 4) S 89° 14' 44"E 1.23 feet to a point in a partition wall. Thence continuing in part, with a partition wall; 5) N 0° 45' 16"E 26.16 feet (exiting said building at approximately 12 feet) to a point at a corner for said lands about to be conveyed to Earl Duncan in line of land of the aforesaid LeCompte. Thence with said LeCompte land; 6) S 89° 02' 54"E 100.49 feet to the point of Place of beginning. Containing within the above described courses and distances 6,331^{+/-} square feet.

To the extent it is situate on the property described above, said property is expressly subject to a road easement, the nature and extent of said easement and its location being described hereinafter. To the extent that said road easement is not situate upon the property described above then granted and conveyed herein is a road easement, the nature and extent of said easement and its location being described hereinafter. This road easement is an easement for ingress and egress from each of the properties contiguous with the easement to South State Street, Dover, Delaware, including all business traffic reasonably associated with the businesses located on the said contiguous properties.

The said road easement shall be fifteen feet (15 ft) in width having as its reference line one of the boundary lines of the said contiguous properties said line from its point of beginning running North 89° 17' 32" West a distance of 136.05 feet; said point of beginning being located on the west side of South State Street (aka U.S. Rt. 113A) leading from U.S. Rt. 13 at Cooper's Corner to Wyoming Avenue and being more particularly found N 23° 43' 07"E a distance of 120 feet from a concrete monument located on the west side of South State Street in the boundary line between lands about to be conveyed to Robert M. Duncan and lands now or formerly of Thomas M. McGinnis, et ux (Deed Ref. W-16-184), 5 feet of said easement shall be north of said reference line and 10 feet shall be south of said reference line.

2. That the above described property shall be annexed into the City of Dover with a zoning classification as set by City Council and in accordance with the zoning map and environs then in force, effective upon such lands being included within the limits of the City of Dover.
3. That the certified copy of this resolution of annexation, together with a plot of the area annexed, shall be filed for record with the Recorder of Deeds of Kent County.

4. That the effective date of this resolution shall be the 12th day of April, 2016 at 12:01 a.m.

ADOPTED: APRIL 11, 2016

S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\2016\ADOPTED\RESOLUTION NO. 2016-01 ANNEXATION - 1102 SOUTH STATE STREET\2016-01 - Approval Resolution - Annexation - 1102 South State Street for Packet-No Referendum ADOPTED (for signature).wpd



ROBIN R. CHRISTIANSEN
MAYOR



TIMOTHY A. SLAVIN
COUNCIL PRESIDENT