

Resolution No.: 06-20-14-059

Date: 06-20-2014

**RESOLUTION PROPOSING PUBLIC HEARING FOR THE ANNEXATION
OF TWO, (2), PARCELS, (3 LOTS), ON WEST SIDE OF FULTON ST.,
MAP ID 3-00-04615-01-0200.00-00001 AND, 3-00-04615-01-0206.00-00001, IN
ACCORDANCE WITH THE CHARTER OF THE TOWN OF CHESWOLD**

Whereas; the Charter of the Town of Cheswold, Section 3.1.1 and Section 3.2.1, authorizes the Town Council to consider requests from property owners to extend the boundaries of the said Town after notification of the property owners and the residents of the Town and the territory proposed to be annexed; and

Whereas; the Mayor and Council of the Town of Cheswold pursuant to the requirements of the Town Charter, deem it in the best interest of the Town of Cheswold to solicit public comment and opinion on the request for annexation of property described as the land of Eastern Shore Property Management, LLC, represented by Mr. Robert J. Coleman, hereby to be referred to as Fulton Street Lots, consisting of two, (2), parcels totaling 1.64 acres—Tax parcels: 3-00-04615-01-0206-00-00001, (Lot #34) and 3-00-04615-01-0200-00-00001, (Lot #36 and Pasture Lot #2).

Said Parcels lie on the west side of Fulton Street, approximately 2,040' south of the intersection of School Lane & Fulton Streets.

Specifically, Lot #34 lies south, but not adjacent to School Lane and physically adjacent to Fulton Street on the west, with some portion of the lot within the corporate boundaries of the Town of Cheswold and the remainder within the corporate boundaries of Kent County, Delaware, as recorded in Plot Book A, Page 81, and particularly bounded and described in accordance with a recent survey by Robert L. Larimore, RL;

Specifically, Lot #36 lies south and adjacent to Lot #34 on the north, to Fulton Street on the east side; to Pasture Lot #2 on the west side and to lands owned by Marzar Properties, LLC on the south side, with all of the lot being located within the corporate boundaries of Kent County, Delaware, as recorded in Plot Book A, Page 81, and particularly bounded and described in accordance with a recent survey by Robert L. Larimore, RLS, dated, May 13, 2013.

Specifically, Pasture Lot #2 lies south but not adjacent to School Lane and is physically located west of Lot #36; west of lands owned by Marzar Properties, LLC; west of lands owned by the late Daniel S. Cohen; west of Kent Lane; and west and north of other properties within the corporate boundaries of Kent County, Delaware, east of park property of the Town of Cheswold, with all of the lot being located within the corporate boundaries of Kent County, Delaware, as recorded in Plot Book A, Page 81, and particularly bounded and described in accordance with a recent survey by Robert L. Larimore, RLS, dated, May 13, 2013, and

Whereas, the Mayor and Town Council will give proper notification of the proposed annexation to the property owners and the residents of both the Town and the territory to be annexed upon adoption of this resolution;

Be it resolved, that:

1. A Public Hearing is to be held by the Town Council, who shall sit to hear comments and opinions from any concerned party regarding the proposed annexation of the land of the Eastern Shore Property Management, LLC, consisting of two, (2), parcels totaling 1.64 acres, in Kent County, Town of Cheswold.
2. The Public Hearing shall be held before the regular Town Council Meeting on the 4th day of August, 2014, beginning at 6:00 p.m., in the Cheswold Fire Hall, 371 Main Street, Cheswold, DE.

The purpose of the hearing is to obtain public comment and legislative fact finding from any concerned party, on the question of annexation of the subject property. The Town Council is not bound to react in response to any comments or information offered at the hearing.

Anyone desiring to provide comments must submit their names to the Town Clerk at 302-734-6991, by close of business on Friday, August 1, 2014.

The proposed annexation will provide for the expansion of the Town boundary, increase the tax revenue and eventually provide additional housing opportunities, to add to the growth and residential development of the Town in accordance with the provisions of the Town of Cheswold Comprehensive Plan, as updated in 2010.

The proposed annexation includes and is subject to an Annexation Agreement with the owner or representative for the lots of the land to be annexed. The Annexation Agreement provides for zoning and regulations on development and maintenance, copies of which agreement will be available upon request at the Cheswold Town Hall.

This resolution was duly adopted by the Town Council at the Town of Cheswold Town Council Meeting, held on Monday, July 7, 2014.

I, Donald Tinari, Mayor of the Town of Cheswold, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by an affirmative majority vote of all elected members of the Town Council of Cheswold at a regularly scheduled Town Council Meeting, held on, Monday, July 7, 2014, at which a quorum was present and voting throughout, and that the same is still in force and effect.

CERTIFIED: Donald F. Tinari Date: July 7, 2014
Donald F. Tinari - Mayor

ATTEST: Theon E. Callender Date: July 7, 2014
Theon E. Callender - Secretary/Treasurer

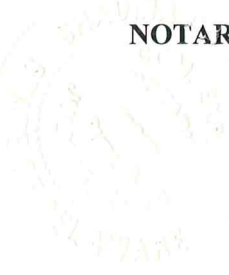
Agreed: Robert W. Sine Date: July 7, 2014
Vice-Mayor Robert W. Sine

Agreed: Sherry Lambertson Date: July 7, 2014
Councilperson Sherry Lambertson

Agreed: Position Vacant Date: July 7, 2014
Councilperson

Agreed: Position Vacant Date: July 7, 2014
Councilperson

NOTARIZED: Shadina Jones Date: July 7, 2014
Shadina Jones - Town Clerk



Primary Sponsor: Land Use Administrator Theon E. Callender
Co-Sponsor: n/a Introduction: July 7, 2014