

RESOLUTION 2022-
A RESOLUTION TO APPROVE ANNEXATION of
2.00± ACRES OF LAND AS DESCRIBED IN LOCATED
AT THE EAST SIDE OF DELAWARE RAILROAD AVENUE,
MILLINGTON, MD, MAP 0400, PARCEL 0258

WHEREAS, the Mayor and Council of Millington is granted the authority to annex land pursuant to Article 11-3 of the Constitution of the State of Maryland, and Section 19 or Local Government Article of the Annotated Code of Maryland, 1975 Edition, as amended, entitled “Municipal Corporations” , and

WHEREAS, the Mayor and Council of Millington has determined the proposed annexation will not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the town, or real property proposed to be within the corporate limits of the Town as a result of the annexation, or any combination of such properties, and

WHEREAS, the Mayor and Council of Millington have received consent from the owners of more than 25% of the assessed value of the area to be annexed; and

WHEREAS, an annexation plan has been promulgated and is available for public review and discussion at public hearings to be held;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council amend the Charter of Millington by adding a new section of Millington described as follows:

Beginning for the same at a concrete monument located on the Southwest corner of the lot hereby conveyed and on a boundary line between this property and the property of or formerly of Robert G. O’Dell et al, Inc. and running thence by and with the property line as aforesaid North 74 degrees 00 minutes West 173.06 feet to an iron pipe; running thence still with the property line of Robert G. O’Dell et al, Inc. North 05 degrees 20 minutes West 128.8 feet to an iron pipe located on the line of the Pennsylvania Railroad property; running thence by and with said Railroad property North 17 degrees 30 minutes East 286.63 feet to an iron pipe located on the Northwest corner of the lot herein conveyed; running thence South 74 degrees 18 minutes East 232.24 feet to an iron pipe; and running thence with the property line of or formerly of James V. Reynolds South 18 degrees 47 minutes West 408.20 feet to a concrete monument and the place of beginning (see plat files in E.H.P. No. 64, folio 181).

Being the same property conveyed until Central Grain, Inc., a corporation duly formed under the laws of the State of Delaware by Davis Concrete Co., Inc., a corporation duly formed under the laws of the State of Maryland, by deed dated November 13, 1990 and recorded among the land records of Kent County in Liber EHP 299, folio 57.

BE IT PROVIDED that the area to be annexed will become part of the Town of Millington and that persons residing in the area, and their property, and the owners of the property herein, shall be subject to the provisions of the Charter of Millington and its Municipal Ordinances and Resolutions, and that such persons and their property shall be subject to municipal taxation and entitled to municipal services and facilities equal to such taxation imposed and such services and facilities provided to the other residents and property owners of Millington, subject to the provisions contained herein, and

BE IT FURTHER PROVIDED, that the property being annexed shall be zoned in compliance with the Millington Comprehensive Plan and ratified by Kent County.

BE IT FURTHER RESOLVED, provided further that there shall have been published in the Kent County News, a newspaper of general circulation serving the community of Millington, once in each of the four weeks commencing _____, a brief and accurate description of the area to be annexed and the conditions and circumstances applicable thereto, including notice of a public hearing to be held by the Mayor and Council on the proposed annexation on _____, provided further that such public hearing shall have been held, and unless a proper petition for referendum shall have been filed as provided by Section 19 of Local Government Article of the Annotated Code of Maryland prior to such effective date.

AND BE IT FURTHER RESOLVED, that the Mayor of Millington is hereby specifically directed to carry out the provision of the above section hereof regarding the giving of notice by publication of the material directed therein to be published, and as evidence of that compliance, the Town Manager shall cause to be affixed to the Annexation Resolution a certificate of the publication of the newspaper in which such material shall have been published, and the Mayor, if there is no petition for referendum, shall declare the Annexation Resolution to be effective on the effective date herein provided, by affixing his/her signature here to in the space provided below the effective date hereof.

AND BE IT FURTHER RESOLVED, that, if a proper petition for referendum on the Annexation Resolution herein proposed is filed, the Mayor and Council and other proper officials of the Town of Millington shall comply with the provisions set forth in Section 19, Local Government Article of the Annotated Code of Maryland.

AND BE IT FURTHER RESOLVED, that as soon as the Annexation Resolution hereby made shall become effective, either as herein provided or following a referendum, the Mayor of Millington shall promptly register both the original boundaries and the new boundaries with the Town Manager and the Clerk of the Court of Kent County, Maryland, and shall send separately by registered mail to the Secretary of State of Maryland, the Director of the Hall of Records, the State Law Library, and to the Department of Legislative Reference of Maryland, a complete certified copy of the text of this Resolution, the date of the referendum, if any is held, a certificate showing the number of Council members voting for and against it, and a report on the votes cast for or against the amendment hereby enacted and any referendum hereon and the effective date of the Annexation Resolution.

This resolution introduced this _____ day of _____.

Mayor and Council of Millington

Attest to All

Kevin Hemstock, Mayor

Elizabeth Jo Manning, Town Administrator

Michelle Holland, Council

Mark Linton, Council

Zita Seals, Council

Wayne Starkey, Council

The Charter Amendment passed by the foregoing Resolution on _____
Effective 45 days thereafter.

Elizabeth Jo Manning, Town Administrator