

City of Milford



Agenda *City Council Committee Meeting*

ANNEXATION COMMITTEE

AUGUST 20, 2012

Joseph Ronnie Rogers Council Chambers-Milford City Hall
201 South Walnut Street, Milford, Delaware

5:30 p.m. -- Meeting

Call to Order - Chairperson Katrina Wilson

Annexation/Lands belonging to the City of Milford
Tax Parcel 1-30-6.00-94.00 P/O
3.23 +/- Acres P/O (Entire Parcel is 4.23 +/- Acres)
Current Zone AR-1/Proposed Zone C-3

Advantages and Disadvantages

Recommendation

Adjourn

**SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT
NO LATER THAN ONE WEEK PRIOR TO MEETING; NO PAPER DOCUMENTS WILL BE
ACCEPTED OR DISTRIBUTED AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.**

081012



OFFICE OF THE CITY MANAGER
P 302.424.3712, F 302.424.3558

201 SOUTH WALNUT STREET
MILFORD, DE 19963

www.cityofmilford.com

September 21, 2011

City Council
City of Milford
201 S Walnut Street
Milford, DE 19963

Dear Council Members,

The City of Milford has acquired two parcels of land, one inside City limits and the other outside of City limits, for the purpose of constructing an electric substation.

The City Planner is in the process of updating our Comprehensive Plan to include the "Calhoun" in our urban growth boundary and once complete will have the amended Comp Plan certified by the State. In the meantime, I respectfully request you consider annexation of the parcel contingent upon certification and waive the utility agreement requirement due to the property being owned by the City.

The property is described as tax map and parcel number 1-30-6.00-99.02 p/o, located on South DuPont Blvd, consisting of 3.23 acres (4.23 acres for the entire parcel) in Sussex County, Delaware. Currently the property is zoned AR-1 in Sussex County and we are seeking it be zoned C-3, Highway Commercial, in the City of Milford.

The property is contiguous to the City of Milford corporate boundaries as indicated on the included survey. Also included, please find a copy of the most current recorded deed and a legal description for the property.

If I can be of any assistance, please contact me at (302) 424-3712 ext 304.

Sincerely,

Richard D. Carmean
City Manager

Witness

RE: TM# 1-30-6.00-94.00 P/O

All that certain lot, piece and parcel of land, lying and being situate in Cedar Creek Hundred, Sussex County, and the State of Delaware, as depicted on a plat titled Property Conveyances to The City of Milford by Bob Nash Associates, dated 29 July 2011, as recorded at the Sussex County Recorder of Deeds in plot book 161 page 54, lying west of but not adjacent to the westerly right-of-way line of U.S. Route 113, adjoining lands now or formerly of Bruce N. and Susan P. Geyer and Joan L. Palmer, lands now or formerly of Preston L. and Betty A. Nailor, residual lands of Calhoun Farms, L.P., lands now or formerly of the Delaware Solid Waste Authority, and being more particularly described as follows, to wit:

Beginning at a found capped rebar at a common corner for lands now or formerly of the Delaware Solid Waste Authority (DSWA) and lands now or formerly of Bruce N. and Susan P. Geyer and Joan L. Palmer, said point being distant 0.85 miles from the centerline of County Road 207; and following the common line between said DSWA lands and Geyer/Palmer lands North 84 degrees 40 minutes 57 seconds West 297.99 feet to the said rebar at a corner for said Geyer/Palmer lands and the point of beginning, thence following said Geyer/Palmer lands, South 42 degrees 57 minutes 23 seconds East 85.77 feet to a set capped rebar at a corner for lands now or formerly of Preston L. and Betty A. Nailor, thence following said Nailor lands, South 03 degrees 18 minutes 53 seconds East 29.42 feet to a set capped rebar at a point on line of said Nailor lands, thence leaving said Nailor lands and proceeding through said Calhoun lands with newly established lines the following three (3) courses and distances:

- 1) North 49 degrees 33 minutes 34 seconds West 214.02 feet to a set capped rebar,
- 2) North 84 degrees 41 minutes 09 seconds West 608.14 feet to a set capped rebar and
- 3) North 05 degrees 18 minutes 38 seconds East 406.86 feet to a found capped rebar at a corner for lands now or formerly of DSWA

Thence following said DSWA lands the following two (2) courses and distances:

1. South 53 degrees 15 minutes 16 seconds East 808.47 feet to a found capped rebar and finally,
2. South 42 degrees 57 minutes 23 seconds East 33.41 feet to the place of beginning, containing 3.230 acres of land, more or less.

City of Milford
RESOLUTION 2012-10

Annexation/Lands belonging to the City of Milford
Tax Parcel 1-30-6.00-94.00 P/O
3.23 +/- Acres (entire Parcel is 4.23 +/- Acres
Current Zone AR-1/Proposed Zone C-3

COMMITTEE DIRECTED TO INVESTIGATE ANNEXATION

Whereas, a Petition, signed by the legal property owner and duly witnessed, requesting annexation into the City of Milford, land situated west of US Route 113, south of the Delaware Solid Waste Authority Transfer Station, approx 1.38 miles south of the Cypress Hall entrance, Sussex County, legally described as follows:

RE: TM# 1-30-6.00-94.00 P/O

All that certain lot, piece and parcel of land, lying and being situate in Cedar Creek Hundred, Sussex County, and the State of Delaware, as depicted on a plat titled Property Conveyances to The City of Milford by Bob Nash Associates, dated 29 July 2011, as recorded at the Sussex County Recorder of Deeds in plot book 161 page 54, lying west of but not adjacent to the westerly right-of-way line of U.S. Route 113, adjoining lands now or formerly of Bruce N. and Susan P. Geyer and Joan L. Palmer, lands now or formerly of Preston L. and Betty A. Nailor, residual lands of Calhoun Farms, L.P., lands now or formerly of the Delaware Solid Waste Authority, and being more particularly described as follows, to wit:

Beginning at a found capped rebar at a common corner for lands now or formerly of the Delaware Solid Waste Authority (DSWA) and lands now or formerly of Bruce N. and Susan P. Geyer and Joan L. Palmer, said point being distant 0.85 miles from the centerline of County Road 207; and following the common line between said DSWA lands and Geyer/Palmer lands North 84 degrees 40 minutes

57 seconds West 297.99 feet to the said rebar at a corner for said Geyer/Palmer lands and the point of beginning, thence following said Geyer/Palmer lands, South 42 degrees 57 minutes 23 seconds East 85.77 feet to a set capped rebar at a corner for lands now or formerly of Preston L. and Betty A. Nailor, thence following said Nailor lands, South 03 degrees 18 minutes 53 seconds East 29.42 feet to a set capped rebar at a point on line of said Nailor lands, thence leaving said Nailor lands and proceeding through said Calhoun lands with newly established lines the following three (3) courses and distances:

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Thence following said DSWA lands the following two (2) courses and distances:

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has been submitted to the City Council of the City of Milford.

Now, Therefore, a Committee, composed of three (3) elected members of City Council and one (1) member of the Planning Commission has been appointed by the Mayor to investigate the possibility of annexing said property, said Committee to be comprised of Chair Katrina Wilson, Douglas Morrow, S. Allen Pikus and Planning Commission Chairman Charles Rini.

Be It Further Resolved, that said Committee shall submit a written report containing its findings and conclusions, including the advantages and disadvantages of the proposed annexation both to the City and to the property proposed to be annexed and said report shall further contain the committees' recommendations whether or not to proceed with the proposed annexation and the reasons therefor.

City Clerk

Adopted: August 13, 2012