CITY COUNCIL

OF

HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2020-_____

Introduced by Council Member Ringsaker

A RESOLUTION BY THE CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION ARTICLE XI-E AND THE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND, LOCAL GOVERNMENT ARTICLE SECTION 4-405, AND CITY CHARTER SECTION 34 ADOPTING AN ANNEXATION PLAN FOR THE LANDS OF 1748 PULASKI HIGHWAY CONSISTING OF TWO PARCELS FOR A TOTAL OF 1.5688 ACRES MORE OR LESS

WHEREAS, the Mayor and City Council of Havre de Grace seek to annex certain property known as 1748 Pulaski Highway/Route 40 and adopt this Annexation Plan in furtherance of a proposed Charter Resolution for Annexation; and

WHEREAS, the property consists of two parcels owned by Havre de Grace Mini Storage LLC, which parcels are contiguous and are located on the east side of Pulaski Highway south of the Stack and Store mini storage facility, situate and lying in the Sixth Election District of Harford County, Maryland as set forth more fully below (collectively, the annexed areas are referred here as the "Property"); and.

WHEREAS, the Property is reflected on the attached plat marked Exhibit A and said properties sit on the east side of Pulaski Highway, Route 40, adjacent to the Stack and Store mini storage parcel and west of the Amtrak right of way, which is within the municipal limits of the City of Havre de Grace ("City"); and

WHEREAS, the annexation is consistent with the City's Comprehensive Plan, and specifically the Municipal Growth Element and expansion along Route 40;

NOW THEREFORE, the Mayor and City Council adopt the following Annexation Plan for the Property:

1. THE ANNEXATION PLAN FOR THE LANDS OF 1748 PULASKI HIGHWAY CONSISTING OF TWO PARCELS LOCATED EAST OF PULASKI HIGHWAY, IN THE SIXTH ELECTION DISTRICT WITH TAX ID NUMBERS 06-006078

(1.2539 ACRES), 06-045057 (0.3190 ACRES), CONSISTING OF A TOTAL OF 1.5688 ACRES MORE OR LESS.

2. Introduction. The Property proposed to be annexed in this Plan are situated along Pulaski Highway (Route 40) at the eastern side of south of the Stack and Store mini storage facility. For identification purposes, the Property being annexed consists of two separate parcels known as 1748 Pulaski Highway, with the total acreage being 1.5688 acres, more or less. The entire area to be annexed is reflected on Exhibit A, acquired by the owners by virtue of and more particularly described in, the following:

   PARCEL 1: 1748 Pulaski Highway, Tax Map 52, Parcel #203, Account ID No. 06-006078, and described in a Deed dated November 16, 2018 and recorded among the Land Records of Harford County, Maryland, in Liber 13073, folio 00241, from Bayside Homes Ltd. to Havre de Grace Mini Storage LLC, consisting of 1.2539 acres more or less.

   PARCEL 2: Designated as Lot 0.3188 acres, Tax Map 52, Parcel 203, Account ID No. 06-045057, and described in a Deed dated November 16, 2018 and recorded among the Land Records of Harford County in Liber 13073, folio 241, from Bayside Homes Ltd. To Havre de Grace Mini Storage LLC, consisting of 0.03188 acres more or less.

3. Current Conditions. Currently there are no homes located on the Property and no resident voters. The Property is not currently serviced with City water or sewer.

4. Current Zoning. The Property is currently zoned CI/Commercial Industrial district on the official zoning maps of Harford County.

5. Future Proposed Use. Major change is proposed for as the developer has indicated an interest in constructing an addition to the Stack and Store mini storage located on the adjacent parcel. The specific proposed use may change and is not finalized.

6. Proposed Zoning. Proposed zoning for the Property will be C/Commercial. Amendment to the City's zoning code will not be required for the proposed use. The proposed zoning is also consistent with the Comprehensive Plan for the City of Havre de Grace.

7. Public Facilities. There is currently no requirement that the land subject to this Annexation Plan be set aside for a school site, water or sewer treatment facilities, libraries, recreation, or fire, EMS or police departments, except for a construction of a water line from the City's water line to the subject property at the property owner's expense that will serve the proposed development project. The current annexation shall be reviewed for anticipated infrastructure needs. As for water and sewer capacity, the City estimates that it currently has the water and sewer capacity for the property.

However, infrastructure improvements for water pressure and volume of delivery may be required. Until the site plan is approved, water and sewer capacity remain uncommitted and not guaranteed. Sewer lines must be extended to the property, and any recorded recoupments will need to be collected. If there are any required infrastructure improvements, including but not limited to water and sewer capacity or distribution, they shall all be paid for by the owner/developers of the property along with required bonding for performance and maintenance. The owners/developers of the Property shall be charged the standard capital cost recovery charges, user benefit fees and all other fees and charges associated with connection to the City's water and sewer systems. Water and Sewer service rates shall be charged at the generally applicable rates and pursuant to the conditions generally applied by the City. The Property may be subject to recoupment agreements for water and sewer as may be authorized by the Annexation Resolution, Annexation Agreement, or Public Works Agreement, or separate agreements for capital cost recoupment that are recorded among the Land Record for Harford County.

8. Trash Removal. The Property will be serviced by a private trash removal provider.

9. Fire Protection. Fire protection shall continue to be provided to the Property by the Susquehanna Hose Company, Inc. pursuant to conditions applicable to the other properties within the corporate boundaries of the City.

10. Schools – Library – Recreation. The scope of the development on the Property is limited in size and will not include a residential component. As such, no recreation element is required, and no additional school or library expansions will be needed as a result of the proposed development.

11. Real Property Taxes. The Property shall be taxed by the City at generally applicable rates. If the land is potentially subject to an abatement request due to an enterprise zone designation and/or extensive recoupment fees, and if a request for an abatement is made, the City acknowledges that it would consider such a request in accordance with applicable law so long as the terms of this Annexation Plan have otherwise been complied with by the owners and developers.

12. EMS. EMS protection shall be provided to the Property by the Havre de Grace Ambulance Corps, Inc. pursuant to the conditions applicable to other properties within the corporate boundaries of the City of Havre de Grace.

13. Police. Police protection shall be provided to the Property by the Havre de Grace Police Department pursuant to the conditions to other properties within the corporate boundaries of the City of Havre de Grace.

14. Timing of Municipal Services. Municipal services shall be provided at the time of construction/development of the Property and prior to the issuance of any new use and occupancy permit.

15. Annexation Agreement. The City and the owners/developers of the Property agree to enter into an Annexation Agreement and/or Public Works Agreements detailing the terms of this Annexation Plan and any other appropriate conditions, if required by the City. The provisions of this Annexation Plan are to be considered minimum requirements and additional requirements or more stringent requirements may be added and addressed in an Annexation Agreement and/or Public Works Agreements.

NOW THEREFORE, it is this 3rd day of August, 2020 determined, decided and resolved by the Mayor and City Council to adopt the Annexation Plan

ATTESTED by the Director of Administration and signed by the Mayor of the City of Havre de Grace, Maryland this ____ day of _____, 2020.

ATTEST:	THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND
_____	_____
Patrick D. Sypolt Director of Administration	William T. Martin Mayor

Introduced: 08/03/2020
Passed/Adopted: 08/03/2020

Effective Date: 08/03/2020

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Exhibit A

Metes and Bounds Description

Tax Account No. 06-006078

BEGINNING for the same at a ½" iron pipe heretofore set on the southeasterly right of way line of U.S. Route 40, Pulaski Highway as shown on State Roads Commission of Maryland Plat No. 1833 at the beginning of that tract or parcel of land conveyed by Nicholas DeBonis and Grace B. DeBonis to Alfred Palumbo and Marie V. Palumbo by a deed dated March 3, 1972 as recorded among the land records of Harford County in Liber HDC 892, folio 609 and by a Confirmatory Deed dated April 29, 1972 as recorded among the land records of Harford County in Liber HDC 899, folio 24. Said point of beginning also bears coordinates, referenced to the Maryland Coordinate System (NAD83/2011) of North 680768.3727 and East 1560279.7719. Thence from the point of beginning, binding on the first course of said conveyance unto Palumbo and on the southeasterly right of way line of U.S. Route 40, as now surveyed,

1) North 57°00'53" East 199.95 feet to a ¼" iron pipe heretofore set. Thence, leaving U.S. Route 40 and binding on the second course of said conveyance unto Palumbo,

2) South 33°00'56" East, passing over a tall ½" pipe heretofore set in a stream at 267.94 feet and continuing, for a total distance of 268.19 feet to intersect the fifth or radius 8469.42 feet, distance 2785 feet course of that parcel or strip of land conveyed by the Manor Real Estate and Trust Company to the Philadelphia Baltimore and Washington Railroad Company by a deed dated January 19, 1911 as recorded among the land records of Harford County in Liber JAR 132, folio 212. Thence, binding thereon,

3) by a curve to the right, non-tangent to the previous course, in a southwesterly direction, of radius 8469.42 feet, and passing over a ¼" iron pipe heretofore set at the end of the seventh or South 53°07' West 265.60 feet chord of the curved tenth course of that tract or parcel of land conveyed by Philadelphia Baltimore and Washington Railroad Company to Isidore Samuelson by a deed dated May 3, 1962 as recorded among the land records of Harford County in Liber GRG 594, folio 07 at an arc length of 29.31 feet and continuing, for a total arc length of 200.30 feet and, subtended by a chord; South 54°26'56" West 200.29 feet. Thence, leaving the outline of the conveyance unto the Philadelphia Baltimore and Washington Railroad recorded in Liber JAR 132, folio 212 and binding reversely on the second or South 32°53' East 276.69 feet line of that tract or parcel of land conveyed by Nicholas DeBonis and Grace B. DeBonis to Alfred Palumbo and Marie V. Palumbo by a deed dated March 15, 1971 as recorded among the land records of Harford County in Liber HDC 868, folio 610,

4) North 32°59'07" West 277.15 feet to the point of beginning hereof.

CONTAINING 54620 square feet (1.2539 acre) of land, more or less.

BEING the same lot or parcel of land which by a Deed dated June 2, 1989 and recorded among the Land Records of Harford County, Maryland in Liber C.G.H. No. 1554, folio 43 was granted and conveyed by Alfred Palumbo and Marie V. Palumbo, his wife, to Bayside Homes, Ltd., a Maryland corporation, the Grantor herein, in fee simple.

177604.DOC

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Tax Account No. 06-045057

BEGINNING for the same at a ½" iron pipe heretofore set on the southeasterly right of way line of U.S. Route 40, Pulaski Highway as shown on State Roads Commission of Maryland Plat No. 1833 at the beginning of the second or South 32°53' East 276.69 feet line of that tract or parcel of land conveyed by Nicholas DeBonis and Grace B. DeBonis to Alfred Palumbo and Marie V. Palumbo by a deed dated March 15, 1971 as recorded among the land records of Harford County in Liber HDC 868, folio 610 and also the beginning of that tract or parcel of land conveyed by Alfred Palumbo and Marie V. Palumbo to Bayside Homes, LTD by a deed dated October 11, 1989 as recorded among the land records of Harford County in Liber CGH 1589, folio 716. Said point of beginning also bears coordinates, referenced to the Maryland Coordinate System (NAD83/2011) of North 680768.3727 and East 1560279.7719. Thence from the point of beginning, binding on said second course of the conveyance unto Palumbo and on the first course of the conveyance unto Bayside Homes, LTD, as now surveyed,

1) South 32°59'07" East 277.15 feet to intersect the fifth or radius 8469.42 feet, distance 2785 feet course of that parcel or strip of land conveyed by the Manor Real Estate and Trust Company to the Philadelphia Baltimore and Washington Railroad Company by a deed dated January 19, 1911 as recorded among the land records of Harford County in Liber JAR 132, folio 212. Thence, binding thereon,

2) by a curve to the right, non-tangent to the previous course, in a southwesterly direction, of radius 8469.42 feet, an arc length of 50.02 feet and, subtended by a chord; South 55°17'44" West 50.02 feet. Thence, Thence, leaving the outline of the conveyance unto the Philadelphia Baltimore and Washington Railroad recorded in Liber JAR 132, folio 212 and binding on the third or North 32°53'00" West 278.79 feet course of the aforesaid conveyance unto Bayside Homes, LTD recorded in Liber CGH 1589, folio 716,

3) North 32°59'07" West 278.66 feet to intersect the aforesaid southwesterly right of way line of U.S. Route 40. Thence, binding on said right of way line,

4) North 57°00'53" East 50.00 feet to the point of beginning hereof.

CONTAINING 13896 square feet (0.3190 acre) of land, more or less.

BEING the same lot or parcel of land which by a Deed dated October 11, 1989 and recorded among the Land Records of Harford County, Maryland in Liber C.G.H. No. 1589, folio 716 was granted and conveyed by Alfred Palumbo and Marie V. Palumbo, his wife, to Bayside Homes, Ltd., a Maryland corporation, the Grantor herein, in fee simple.

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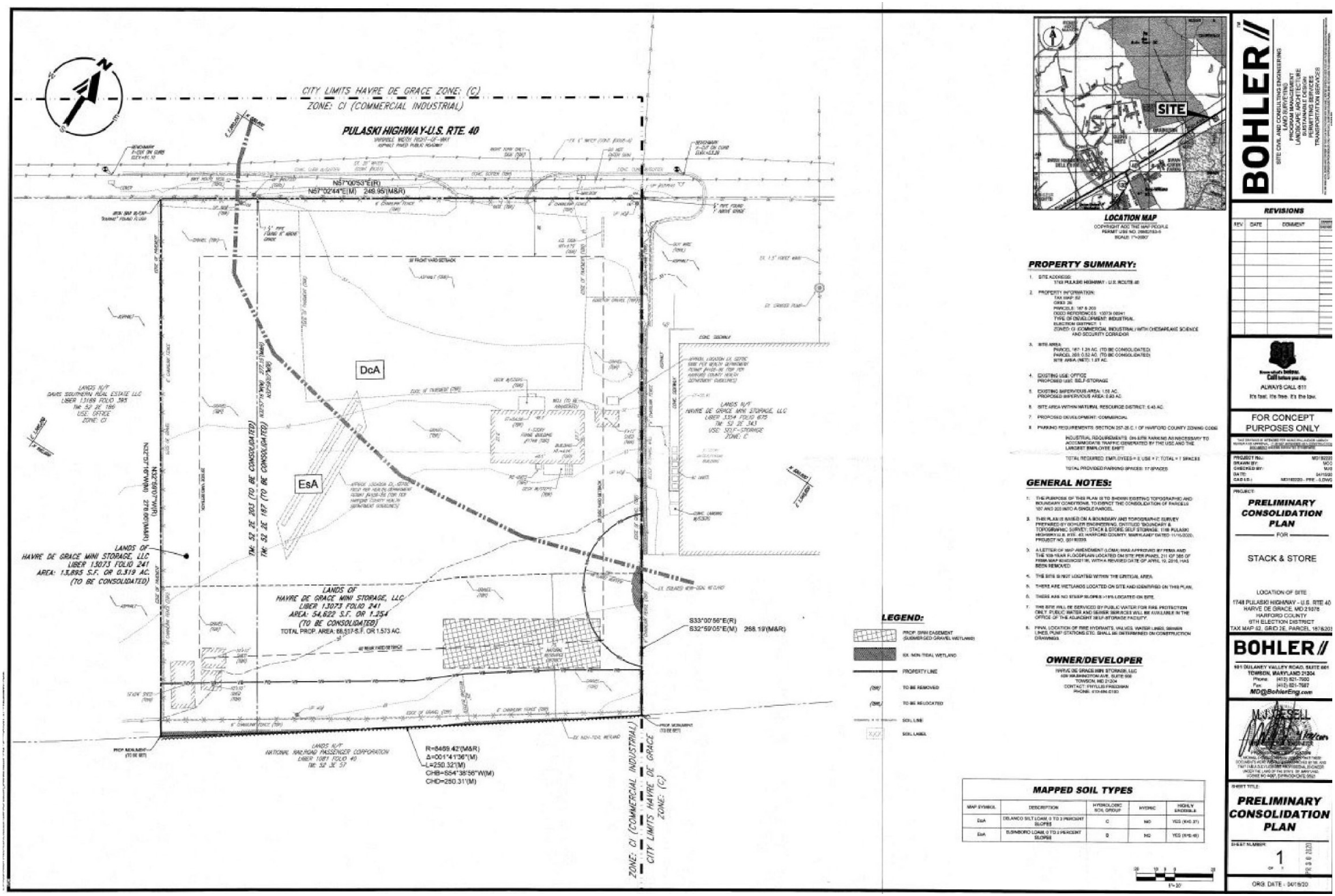
CITY LIMITS HAVRE DE GRACE ZONE: (C)
ZONE: CI (COMMERCIAL INDUSTRIAL)
PULASKI HIGHWAY-U.S. RTE. 40
N57°00'53"E(R)
N57°02'44"E(M) 248.95'(M&R)
DcA
EsA
LANDS OF
HAVRE DE GRACE MINI STORAGE, LLC
LIBER 13073 FOLIO 241
AREA: 13,895 S.F. OR 0.319 AC.
(TO BE CONSOLIDATED)
LANDS OF
HAVRE DE GRACE MINI STORAGE, LLC
LIBER 13073 FOLIO 241
AREA: 54,622 S.F. OR 1.254
(TO BE CONSOLIDATED)
TOTAL PROP. AREA: 68,517 S.F. OR 1.573 AC.
S33°00'56"E(R)
S32°59'05"E(M) 268.19'(M&R)
R=8469.42'(M&R)
Δ=001°41'36"(M)
L=250.32'(M)
CHB=S54°35'56"W(M)
CHD=250.31'(M)
ZONE: CI (COMMERCIAL INDUSTRIAL)
CITY LIMITS HAVRE DE GRACE
ZONE: (C)
LOCATION MAP
SITE
PROPERTY SUMMARY:
GENERAL NOTES:
OWNER/DEVELOPER
LEGEND:
MAPPED SOIL TYPES
BOHLER
REVISIONS
ALWAYS CALL 811
It's fast. It's free. It's the law.
FOR CONCEPT PURPOSES ONLY
PRELIMINARY CONSOLIDATION PLAN
FOR
STACK & STORE
LOCATION OF SITE:
1748 PULASKI HIGHWAY - U.S. RTE 40
HAVRE DE GRACE, MD 21078
HARFORD COUNTY
6TH ELECTION DISTRICT
TAX MAP 52, GRID 2E, PARCEL 187&203
BOHLER
601 DULANEY VALLEY ROAD, SUITE 601
TOWSON, MARYLAND 21204
Phone: (410) 821-7000
Fax: (410) 821-7027
MD@BohlerEng.com
PRELIMINARY CONSOLIDATION PLAN
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ORIG. DATE - 04/16/20