

PREPARED BY:
City of Dover
PO Box 475
Dover, DE 19903-0475



TAX MAP PARCEL NO.
ED-00-086.09-01-21.00/000
ED-00-086.09-01-22.00/000

MAYOR AND COUNCIL

COUNCIL RESOLUTION NO. 2016-02

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 the City of Dover, 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 lot, piece or parcels of land with the improvements thereon erected, as combined areas of current tax parcel #s 2-00-086.09-01-21.00-00001 (Parcel "C"), and 2-00-086.09-01-22.00-00001 (Parcel "D"), lying near the Southwest intersection of U.S. Route #13 and Webb's Lane, being bounded on the East by U.S. Route #13, on the South by lands of The Rent Shop, LLC (aka Burger King), to the West by S. Governors Avenue, and to the North by lands now or formerly of Heartland Delaware, LLC, and being more particularly bounded as described in accordance with a recent survey by Mountain Consulting, Inc., as follows to wit:

COMMENCING from a point of intersection of the Easterly right of way line of S. Governors Avenue (76 feet wide) and the centerline construction base line of Webb's Lane (85 feet wide), as shown on DelDOT Contract #20-045-02, #72-02-003, and #93-008-01; THENCE, (by DE SPCS NAD '83-'93 Bearing System), South 08 degrees

08 minutes 25 seconds West, 283^{+/-} feet to a concrete monument found at the POINT OF BEGINNING;

THENCE, from said POINT OF BEGINNING (existing concrete monument having grid coordinates of N: 412,434.0625', E: 624,002.6331), being a common corner for Parcel "D" and lands now or formerly The Rent Shop, LLC, along the Easterly right of way of S. Governors Avenue (76 feet wide), North 08 degrees 08 minutes 25 seconds East, 79.00 feet to a "PK" nail found, at a common corner for Parcels "D" and "C";

THENCE, along Parcel "C" and said right of way, North 08 degrees 08 minutes 25 seconds East, 50.00 feet to a capped rebar found, at a common corner for Parcels "C" and "B";

THENCE, leaving said right of way, and running along the Northerly line of Parcel "C", South 81 degrees 38 minutes 31 seconds East, 188.13 feet to a point, at a common corner for Parcels "C", "B", and in the line of Parcel "A";

THENCE, along Parcels "C" and "A", South 08 degrees 21 minutes 29 seconds West, 50.00 feet to a point, at a common corner for Parcels "C", "D", and "A";

THENCE, along Parcels "D" and "A", South 08 degrees 21 minutes 29 seconds West, 50.00 feet to an iron pipe found, at a common corner for Parcels "D" and "A";

THENCE along Parcels "D" and "A", South 81 degrees 38 minutes 31 seconds East, 173.57 feet to an iron pipe found, on the Westerly right of way line of S. Dupont Hwy. (aka Rt. 13) (180 feet wide);

THENCE, along Parcel "D" and said right of way line of S. Dupont Hwy., South 20 degrees 11 minutes 29 seconds West, 28.52 feet to an iron pipe found, at a common corner for Parcel "D" and lands of said The Rent Shop, LLC;

THENCE, along the Southerly line of Parcel "D" and said lands of The Rent Shop, LLC, North 81 degrees 49 minutes 01 seconds West, 355.36 feet to the concrete monument found at the POINT OF BEGINNING;

CONTAINING 0.6655^{+/-} acres (28,990 square feet) of land within said metes and bounds, being the same 1

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 10th day of May, 2016 at 12:01 a.m.

ADOPTED: MAY 9, 2016

S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\2016\ADOPTED RESOLUTION NO 2016-02 ANNEXATION - 1411 AND 1417 SOUTH GOVERNORS AVENUE\Annexation-1411 and 1417 South
Governors Avenue-Approval Resolution-ADOPTED for Signature.wpd



ROBIN R. CHRISTIANSEN
MAYOR



TIMOTHY A. SLAVIN
COUNCIL PRESIDENT