



## MAYOR AND COUNCIL

### COUNCIL RESOLUTION NO. 2020-05

#### **A RESOLUTION 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 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:

##### Parcel 1

ALL that certain lot, piece or parcel of land and premises situated in East Dover Hundred, Kent County and State of Delaware, and lying on the Southerly side of the public road, leading from Dover to Little Creek by way of Dover Water Works and being about one mile East from the East Boulevard, more particularly described as follows, to-wit:

BEGINNING at a point where the Southerly right-of-way line of said public road is intersected by the Westerly line of lands now or formerly of Edgar R, Longnecker, formerly the Millington farm, and from thence running with the Westerly line of said Longnecker in a Southerly direction a distance of One Hundred and Fifty (150) feet to a point; thence running on a line parallel with the Southerly right-of-way line of said public road in a Westerly direction a distance of Sixty (60) feet to a point; thence running on a line parallel with the Westerly line of lands of said Longnecker in a Northerly direction a distance of One Hundred and Fifty (150) feet to a point in the Southerly right-of-way line of said public road; thence running with the Southerly right-of-way line of said public road in an Easterly direction a distance of Sixty (60) feet to the place of beginning and containing Nine Thousand (9,000) square feet of land, be the same more or less, the improvements thereon erected being frame dwelling house with attachments and outbuildings.

And Being the same lands and premises as conveyed unto HERMAN E. MOORE and ANNA M. MOORE, his wife, by Deed of WILIAM A. HAYES and MARIAN A. HAYES, his wife, dated July 30, 1943, and recorded in the Office of Recorder of Deeds, in and for Kent County, Delaware, in Deed Record Book G, Volume 16, Page 480.

#### Parcel 2

ALL that certain lot, piece or parcel of land situated near Dover, in East Dover Hundred, Kent County and State of Delaware, lying on the south side of North Little Creek Road, between Dover and Little Creek, being bounded on the north by North Little Creek Road, on the east and the south by reserved lands of Glen A. Empet Estate, and on the west by lands now of Herman E Moore, and being more particularly described in accordance with a recent survey by Earl D. Smith, Professional Land Surveyor, dated August 20, 1982, as follows, to wit:

BEGINNING at a concrete monument in the south line of North Little Creek Road at a corner for this piece and for lands now of Herman E. Moore, said point of beginning being a distance of 595.0 feet as measured in a southeasterly direction from the intersection of the centerline of Acorn Lane extended with the south line of North Little Creek Road; thence running from said point of beginning with the south line of North Little Creek Road in a southeasterly direction curving to the right on the arc of a circle having a radius of 2829.77 feet an arc distance of 3.00 feet to a pipe at a corner for this piece and for reserved lands of Glen A. Empet Estate; thence running with said reserved lands of Glen, A. Empet Estate on the following two (2) courses: (1) South 15 degrees 35 minutes 35 seconds West 145.0 feet to a pipe; thence (2) North 72, degrees 57 minutes 57 seconds West 3.00 feet to a pipe at a corner for lands of Joseph M. Satterfield and for lands now of Herman E. Moore; thence running with said lands now of Herman E, Moore, North 15 degrees 35 minutes 35 seconds East 145.0 feet to the point and place of beginning, and containing 435 square feet of land, be the same more or less.

And Also Being the same lands and premises as conveyed unto HERMAN E. MOORE and ANNA M. MOORE, his wife by Deed of HILDA E. BRYSON and ELEANOR LEWIS, by Deed dated August 24, 1982, and recorded in the office of the Recorder of Deeds in and for Kent County, State of Delaware, in Book I Volume 37, Page 276. The said Herman E. Moore departed this life on December 9, 1988, leaving Anna B. Moore as his surviving joint tenant. The said Anna B. Moore having departed this life on September 4, 2009, and pursuant to her Last Will and Testament as recorded in the Kent County Register of Wills Office, in Book I, Volume 10, Page 145, devised said property unto her son, Donald E, Moore, Sr., the grantor herein.

The purpose of this Corrective Deed is to add the additional legal description which was erroneously omitted from Deed Record Book 5902, Page 145 and Instrument Number 2011-193875.

Subject, however, to the reservations, restrictions, conditions and covenants of record and subject to such state of facts as an accurate survey and/or inspection of the lands and premises will disclose; the operation and effect of any zoning laws, .and building restrictions imposed by public authority; and easements and public utility grants of record.

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 9<sup>th</sup> day of June, 2020 at 12:01 a.m.

**ADOPTED: JUNE 8, 2020**

S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\2020\ADOPTED\Resolution No 2020-05-Annexation-1448 N Little Creed Rd- For Signature - Signed.wpd



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ROBIN R. CHRISTIANSEN  
MAYOR



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WILLIAM F. HARE  
COUNCIL PRESIDENT

Actions History

06/08/2020 - Introduction - City Council