

**TOWN OF FREDERICA  
RESOLUTION**

**A RESOLUTION ANNEXING THE LAND CONTIGUOUS TO THE SOUTHEASTERN  
LIMITS OF THE TOWN OF FREDERICA, KENT COUNTY, DELAWARE, OWNED BY  
JMER PROPERTIES, LLC, MSK VENTURES, LLC, AND JONNY NICHOLS NURSERIES, LLC,  
BEING FOUR PARCELS IDENTIFIED AS  
TAX MAP PARCEL #MD-00-141.00-01-08.00  
TAX MAP PARCEL #MD-00-141.00-01-27.00  
TAX MAP PARCEL #MD-00-141.00-01-28.00  
TAX MAP PARCEL #MD-00-141.00-01-29.00**

**WHEREAS**, Section 2A of the Town Charter establishes the power and authority for the Town to extend its boundaries by the annexation of territory contiguous to its existing town limits.

**WHEREAS**, the above-referenced property owners have requested annexation by filing an annexation application;

**WHEREAS**, the Town's Comprehensive Plan identifies the said parcels as a "Short-Term Growth Area", which characterizes lands that the Town wants to annex within the five years of plan adoption and recommends that said land be annexed;

**WHEREAS**, the Town has adopted ordinances recommended in the Comprehensive Plan "that allow the town to better control development in any annexation areas";

**WHEREAS**, the Comprehensive Plan states the Town "would like to annex land to ensure that the land uses in adjacent areas mesh with the town's existing community character and that there will be an adequate tax base to provide sufficient services to residents. It is the goal of the town to see that this land is developed efficiently, that open space is preserved, and that the ecology of the area is protected";

**WHEREAS**, the Town and the above-referenced property owners have entered into an Annexation Agreement which establishes the obligations of both parties and the conditions of annexation;

**WHEREAS**, the Town submitted for and received acceptance of the Municipal Plan of Services, pursuant to Title 22, Section 101 of the Delaware Code, from the Office of State Planning Coordination on or about May, 2019;

**WHEREAS**, the Frederica Annexation Committee, appointed by the Mayor pursuant to Section 2D of the Town Charter, was formed to investigate the costs and benefits of the proposed annexation, and submitted a report to the Mayor, concluding that the annexation is

advantageous both to the Town and to the territory being annexed and recommending to proceed with the annexation. A copy of the Report of said Committee is attached hereto as Exhibit "A" and is incorporated by reference herein.

**WHEREAS**, said annexation conforms to the provisions applicable to annexations including Title 22 Section 101 – Annexation by city or town, and Chapter 92, Title 29 of the Delaware Code, as to State Notice, and Title 22 Section 702 – Comprehensive development plan;

**WHEREAS**, a public hearing following fifteen (15) days notice by publication in an official paper of general circulation within the municipality was held on May 1, 2019, followed by a commenting period of at least 30 days;

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Frederica, in session met, that the lands at the southeastern limits of Town, being four parcels identified as Tax Map Parcels #MD-00-141.00-01-08.00, #MD-00-141.00-01-27.00, #MD-00-141.00-01-28.00, and #MD-00-141.00-01-29.00, contiguous to the existing corporate limits of Town of the Frederica, be and are hereby annexed into the corporate limits of the Town of Frederica.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon its adoption by a majority vote of all members of the Town Council.

**ADOPTED INTO THE LAW** by a majority vote of the Town Council of Frederica, Delaware on the 1<sup>st</sup> day of May, A.D., 2019.

William C. Glanden  
William C. Glanden, Mayor

I, Bethany Debussy, Clerk of the Town Council of the Town of Frederica, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by the Town Council at its meeting on May 1, 2019, at which meeting a quorum was present and voting throughout, and the same is still in full force and effect.

Bethany Debussy  
Town Clerk

DATED: