

# City of Milford



## *Agenda*

### *City Council Committee Meeting*

**ANNEXATION COMMITTEE**

**DECEMBER 22, 2009**

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

#### **6:30 p.m. -- Meeting**

Call to Order - Chairperson Katrina Wilson

Annexation/Lands of Beverly Ann Thawley  
Tax Parcel 3-30-11.00-70.03  
9.28 +/- Acres  
Current Zone AR  
Proposed Zone C-3

“All that certain tract, piece and parcel of land, lying and being situate in Cedar Creek Hundred, Sussex County, and the State of Delaware, as depicted on a survey prepared by Charles D. Murphy Associates, Inc., dated 31 August 2007, fronting on the northwesterly right-of-way line of County Road 206, also known as Cedar Neck Road, at fifty (50) feet wide, and on the northeasterly right-of-way line of State Route One, also known as Coastal Highway, of which the width varies, adjoining other lands now or formerly of Beverly Ann Thawley, Knollac Acres Subdivision, Section II, as recorded in Plot Book 82, Page 24, at the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, and Beverly T. Dugan Subdivision, as recorded in Plot Book 50, Page 147, at said Recorder of Deeds.”

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.**

12/14/09

Proj #  
09-126

6521 Coastal Hwy  
Milford, DE 19963

~~February 9, 2009~~

August 6

RE: Annexation Request  
City of Milford  
City Council  
P.O.Box 159  
Milford, DE 19963

BAT

Dear Council Members:

This letter will serve as an official request for annexation of property into the city limits of the town of Milford, Delaware by myself, Beverly Ann Thawley, as sole owner of the property in question.

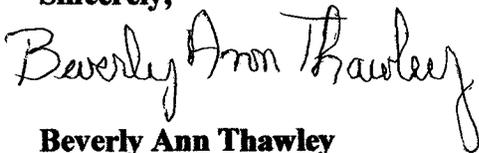
The property is located on the north east corner of SR 1 and Cedar neck Road (CR 206) in Sussex County and is across the highway from Maitlind Estates. Parcel #1 is 7.87 acres (+ or -) and tax map # 3301100007003 and parcel #2 is 1.41 acres (+ or -) and tax map #33011000033300. These parcels are adjacent to each other.

I am requesting annexation of the property so that I may put it to better use by requesting zoning of C3.

I have submitted the necessary documents as required by you as well as the fee of \$7140.00.

Thank you for your consideration. If you have any questions I can be reached at 302-424-2387.

Sincerely,

  
Beverly Ann Thawley



John Karl Severson, witness

Tax Map: 3-30-11-70.3  
3-30-11-333.00  
Prepared By & Return to: RBJ  
HUDSON, JONES, JAYWORK & FISHER, LLC  
225 South State Street, Dover, DE 19901

### CONFIRMATORY DEED

THIS CONFIRMATORY DEED, Made This 21<sup>st</sup> day of February, in the year of our Lord Two Thousand Eight (2008),

BETWEEN,

**BEVERLY ANN THAWLEY**, party of the first part,

-AND-

**BEVERLY ANN THAWLEY**, 6521 Coastal Highway, Milford, Delaware 19963, party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One (\$1.00) Dollar lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said party of the second part, her heirs and assigns:

ALL that certain tract, piece and parcel of land, lying and being situate in Cedar Creek Hundred, Sussex County, and the State of Delaware, as depicted on a survey prepared by Charles D. Murphy Associates, Inc., dated 31 August 2007, fronting on the northwesterly right-of-way line of County Road 206, also known as Cedar Neck Road, at fifty (50) feet wide, and on the northeasterly right-of-way line of State Route One, also known as Coastal Highway, of which the width varies, adjoining other lands now or formerly of Beverly Ann Thawley, Knollac Acres Subdivision, Section II, as recorded in Plot Book 82, Page 24, at the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, and Beverly T. Dugan Subdivision, as recorded in Plot Book 50, Page 147, at said Recorder of Deeds, and being more particularly described as follows, to-wit:

BEGINNING at a point of intersection of the northwesterly right-of-way line of Cedar Neck Road, and the northeasterly right-of-way line of State Route One, also known as Coastal Highway; thence running with said Route One the following two (2) courses and distances:

- (1) North 86 degrees 52 minutes 06 seconds West 57.19 feet, and
- (2) North 49 degrees 00 minutes 17 seconds West 873.40 feet to a corner for other lands now or formerly of Beverly Ann Thawley;

thence running with said Thawley lands North 39 degrees 47 minutes 44 seconds East 413.50 feet to a corner for a thirty (30) foot wide buffer of Knollac Acres Subdivision; thence running with said buffer and with Beverly T. Dugan Subdivision South 53 degrees 01 minutes 49 seconds East 897.88 feet to a point on the aforementioned northwesterly right-

of-way line of Cedar Neck Road; thence finally proceeding along said right-of-way line South 36 degrees 51 minutes 53 seconds West 442.46 feet to the place of beginning, containing 9.28 acres of land, more or less.

A portion of this 9.28 acre parcel was previously a 7.87 acre parcel and a portion was Lot #1 (1.41 acres) of the Beverly T. Dugan Subdivision, Plot Book 50, Page 147—said two parcels being now combined into one 9.28 acre +/- parcel as described above.

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.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal, the day and year aforesaid.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

Christine Baker  
Witness

Beverly Ann Thawley (SEAL)  
Beverly Ann Thawley

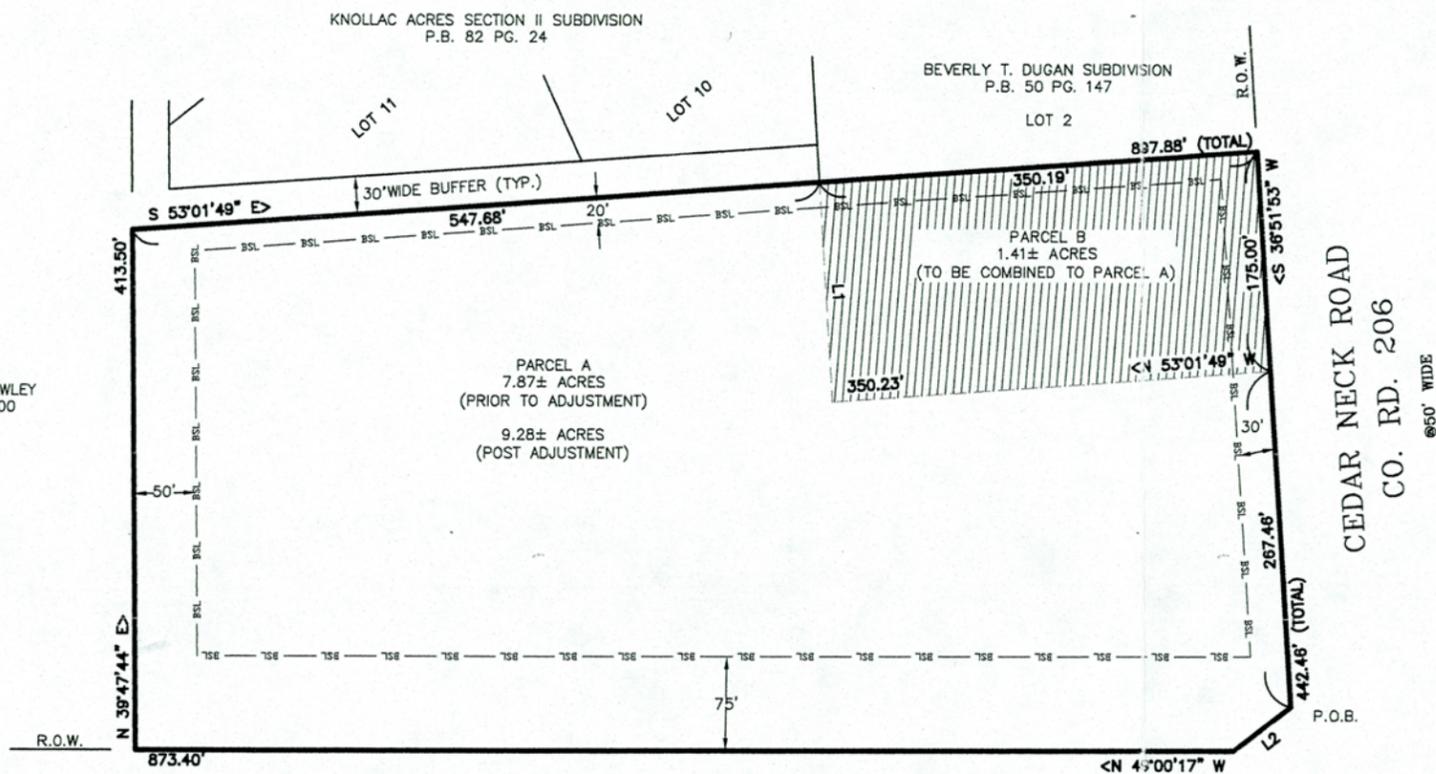
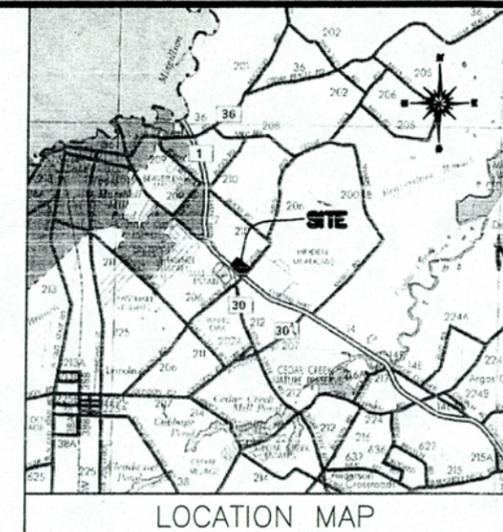
STATE OF DELAWARE :  
                                  : ss.  
COUNTY OF Kent :

BE IT REMEMBERED, That on this 21 day of February, A.D., 2008, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Beverly Ann Thawley, party to this Indenture, known to me personally to be such, and she acknowledged this Indenture to be her Act and Deed.

GIVEN under my Hand and Seal of office the day and year aforesaid.

Debra Andrews  
Notary Public

DEBRA A. ANDREWS  
NOTARY PUBLIC  
STATE OF DELAWARE  
My Commission Expires March 19, 2011



COASTAL HIGHWAY (NORTH BOUND)  
 STATE ROUTE ONE  
 © VARIOUS WIDTHS

CEDAR NECK ROAD  
 CO. RD. 206  
 @50' WIDE

- LEGEND:
- BOUNDARY LINE TO BE EXTINGUISHED
  - - - - - BUILDING SETBACK LINE
  - ▨ PROPOSED BOUNDARY LINE ADJUSTMENT AREA  
 # SG. FT± (TO BE ADDED TO PARCEL A)

DATA COLUMN:

TAX MAP NUMBERS:	3-30-11-70 (PARCEL A) 3-30-11-333 (PARCEL B)
ZONING:	C 3
FRONT SETBACK:	30' 75' HIGHWAY
SIDE SETBACK:	20'
REAR SETBACK:	50'
RESIDUAL ACREAGE:	N/A (AFTER ADJUSTMENT)
RESIDUAL FRONTAGE:	N/A
ROADWAY CLASSIFICATION:	COUNTY ROAD 206 (LOCAL) STATE ROUTE ONE (STATE)
FLOOD PLAIN:	ZONES X (F.I.R.M. 1000290050J)

OWNER OF RECORD: BEVERLY ANN THAWLEY  
 6521 COASTAL HIGHWAY  
 MILFORD, DE 19963

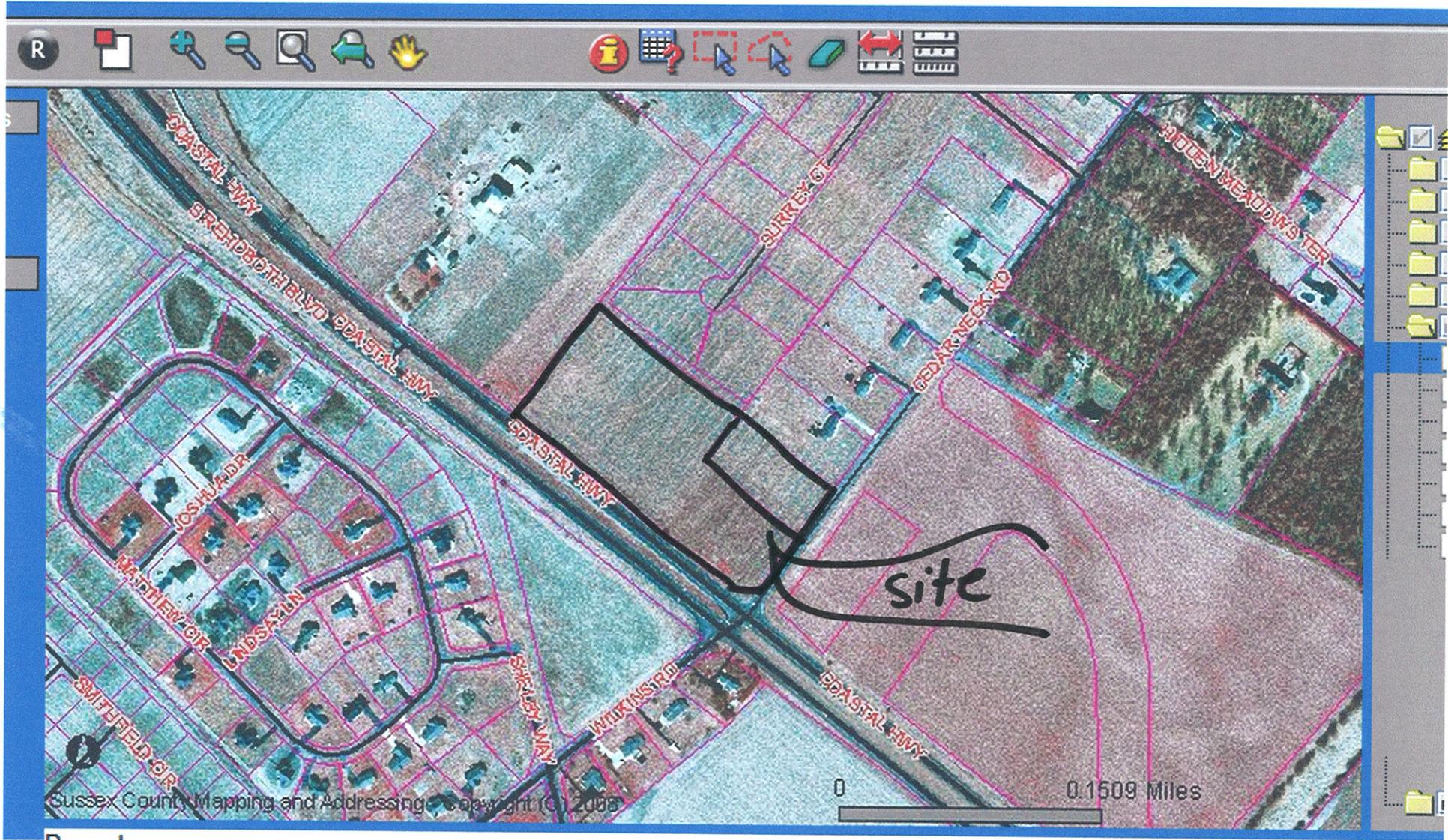
CITY OF MILFORD LIMITS  
 TAX PARCEL# 330-11.00-405.00

R.O.W.

LINE	BEARING	DISTANCE
L1	N 36°58'49" E	175.00'
L2	S 86°52'06" E	57.19'

SOURCE OF BEARING: SUBDIVISION OF LANDS OF BEVERLY T. DUGAN RECORDED IN P.B. 59 PG. 241 & P.B. 61 PG. 76  
 SURVEY CLASSIFICATION: SUBURBAN

<b>Lands Of Beverly Ann Thawley</b>	
<b>To Be Annexed To The City Of Milford</b>	
CEDAR CREEK HUNDRED	DATE: 31 AUGUST 2007
SUSSEX COUNTY, DELAWARE	W.O.: 07-6-138
Charles D. Murphy Associates, Inc.	T.M.: 3-30-11.00-70.03
Land Surveyors 14 South Maple Avenue Milford, Delaware 19963 (302) 422-7327 P.L.S. 551	F.B.: 346-25 DISK: BEVTHAWLEYCOMM.dwg SCALE: NOT TO SCALE



# City of Milford

Annexation/Lands of Beverly Ann Thawley  
Tax Parcel 3-30-11.00-70.03  
9.28 +/- Acres  
Current Zone AR  
Proposed Zone C-3

## ***COMMITTEE DIRECTED TO INVESTIGATE ANNEXATION***

**Whereas**, a Petition, signed by the legal property owner and duly witnessed, requesting the annexation into the City of Milford, lands containing 9.28 +/- acres of land, more or less, legally described as follows:

All that certain tract, piece and parcel of land, lying and being situate in Cedar Creek Hundred, Sussex County, and the State of Delaware, as depicted on a survey prepared by Charles D. Murphy Associates, Inc., dated 31 August 2007, fronting on the northwesterly right-of-way line of County Road 206, also known as Cedar Neck Road, at fifty (50) feet wide, and on the northeasterly right-of-way line of State Route One, also known as Coastal Highway, of which the width varies, adjoining other lands now or formerly of Beverly Ann Thawley, Knollac Acres Subdivision, Section II, as recorded in Plot Book 82, Page 24, at the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, and Beverly T. Dugan Subdivision, as recorded in Plot Book 50, Page 147, at said Recorder of Deeds, and being more particularly described as follows, to wit:

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

**Now, Therefore**, a Committee, composed of four (4) 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 Chairman Katrina Wilson, Michael Spillane, John Workman, Douglas Morrow 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.

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Mayor Daniel Marabello

Attest:

City Clerk

Adopted: October 12, 2009