

CHARTER RESOLUTION NO. 137-23

A RESOLUTION OF THE BOARD OF TOWN COMMISSIONERS
TO EXTEND THE CORPORATE BOUNDARIES AND
TO DESIGNATE THE ZONING
CLASSIFICATION OF THE LAND BEING ANNEXED

A Resolution of the Board of Town Commissioners, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Section 4-401 of the Local Government Article of the Annotated Code of Maryland, entitled "MUNICIPALITIES", subtitled "Annexation", to enlarge the corporate boundaries of the Town of Bel Air by amending the description of the corporate boundaries and the official survey map of the Town Boundary, as described in Article II, "CORPORATE BOUNDARIES" of the Charter of the Town of Bel Air, to annex the following area, contiguous to and adjoining the present corporate boundary of the Town of Bel Air, being a total of 1.462 acres of land, owned by Loose Cow LLC located along N. Tollgate Road, Third Election District, Harford County, Maryland, which is graphically shown on Exhibit A attached hereto, and which is particularly and separately described as follows:

Parcel A – 1.462 Acre Parcel of Land for the Annexation of Land into the Town of Bel Air, Maryland, located at or near 221 North Tollgate Road, Third Election District, Harford County, Maryland.

The following is the description of Lots 2- 4, as shown on the plat "Williams Subdivision" as recorded in the Harford County land records in plat book 6 page 27, Bel Air, Maryland in the third election district of Harford County part of Map 48 Parcel 387, as surveyed by TGF Land Surveying Inc., 19 November 2021;

Beginning at a cap and pin set 30' from the center of Tollgate Road the corner of Lot 4 of the plat "Williams Subdivision" as recorded in the Harford County land records in plat book 6 page 27, at the corner of FOUR SPORTS, INC as shown on the Plat "Final Plat Lands of FOUR SPORTS, INC." as recorded in the Harford County land records in plat book 96 page 95, thence along Tollgate Road,

- 1) S 89°10'45" W 313.67'; to a cap & pin set at the corner of Lot 3, thence along Lot 3 and the edge of Tollgate road,
- 2) N 72°40'41" W 37.22';
- 3) N 53°44'30" W 64.79'; to a cap & pin set at the corner of Lot 2
- 4) N 53°44'30" W 100.00'; to a spike set in a root at the corner of Lot 1, thence along Lot 1
- 5) N 36°15'30" E 201.20'; to a cap & pin set along the property of FOUR SPORTS, INC., as recorded in the Harford County land records in plat book 96 page 95, thence along the said property and Lot 2,
- 6) S 53°44'30" E 100.00'; to a cap & pin set at the corner of Lot 3, thence continuing along the property of FOUR SPORTS, INC., and Lot 3,
- 7) S 53°44'30" E 100.00'; to the corner of Lot 4, thence continuing along the property of FOUR SPORTS, INC., and Lot 4,
- 8) S 53°44'30" E 250.25'; to the point of beginning,

having an area of 63,691 square feet, 1.462 acres plus or minus.

Being a part of the lands described in the Deed dated 6th day of August 2010, and recorded among the Land Records of Harford County in Liber 8795 folio 225.

CONTAINING 1.462 ACRES OF LAND, more or less, as surveyed by Land Surveying, Inc. on November 19, 2021;

WHEREAS, on the 21st day of February, 2023, was formally presented to the Bel Air Board of Town Commissioners, a written consent to this Resolution signed by the owners of not less than twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed, requesting that the corporate boundaries of the Town of Bel Air be enlarged by annexing the area so described.

WHEREAS, the Town of Bel Air has caused to be made a verification of the signatures on said consent to annexation and has verified that there are no persons currently residing in the area to be annexed.

WHEREAS, it appears that the consents meet all the requirements of law.

Section 1. **NOW, THEREFORE, BE IT RESOLVED** by the Bel Air Board of Town Commissioners that the corporate boundaries of the Town of Bel Air be and the same are hereby enlarged by adding or annexing thereto the property that is contiguous to and

adjoining the present corporate boundaries as particularly described in the aforesaid title to this Resolution;

Section 2. **AND BE IT FURTHER RESOLVED** that the conditions and circumstances applicable to the change in the said corporate boundaries and to the residents of the property in the area so annexed are as follows:

- a) that the area to be annexed and the owner(s) of the property therein shall be generally subject to the provisions of the Charter of the Town of Bel Air, without special treatment as to rates of the municipal tax, or as to municipal services and facilities.
- b) that the designation of the zoning classification of the land lying within the area herein described and hereby annexed shall be designated B3 General Business District as described in the Development Regulations of the Town of Bel Air. The annexed land shall be subject to all provisions and conditions of said Ordinance which are applicable to the specified zoning district.
- c) that the property will be subject to the following conditions of annexation:
 - i. Vehicular access to any development within the subject property meet sight distance standards on N. Tollgate Road or access through the adjacent commercial property.
 - ii. Public utilities must be extended to the subject parcels by the applicant when any development requiring such utilities is proposed.

Section 3. **AND BE IT FURTHER RESOLVED** that in accordance with Article II of the Charter of the Town of Bel Air, the description of the corporate boundaries and the Official Survey Map of the Town Boundary are hereby amended by adding the property designated as "LXXI".

Section 4. **AND BE IT FURTHER RESOLVED** that this Resolution shall become effective at the end of fifty (50) days following its final enactment unless a petition for referendum hereon shall be filed as permitted by law.

INTRODUCTION:

PUBLIC HEARING:

ENACTMENT:

EFFECTIVE:

AYES:

NAYES:

ABSENT:

Kevin Bianca, Chairperson
Board of Town Commissioners

Michael L. Krantz, Town Clerk