

TAX PARCEL #: 1502200086
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC (DBE)
225 S. State Street
Dover, DE 19901

A RESOLUTION APPROVING THE INCLUSION OF 1510 PADDOCK ROAD (TAX MAP ID: 1502200086) WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF SMYRNA

WHEREAS, the Charter of the Town of Smyrna authorizes the Council to extend the Town's boundaries pursuant to procedures outlined in the Charter;

WHEREAS, the Mayor and Council of the Town of Smyrna deem it to be in the best interest of the Town of Smyrna to include the area more particularly described hereinafter within the municipal limits of the Town of Smyrna;

WHEREAS, pursuant to the Town of Smyrna Charter, all owners of record of the land proposed for annexation have petitioned the Town for annexation or consented in writing to the annexation, and no written objection has been received by the Town from a qualified resident of the territory proposed for annexation; and

WHEREAS, pursuant to the terms of the Charter, the Town Council is authorized to vote to accept the proposed annexation and adopt a resolution annexing the said territory and including the same within the limits of the Town of Smyrna.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The following territory situated in New Castle County, State of Delaware as more particularly bounded and described by the following description be annexed to and included within the limits of the Town of Smyrna:

All that certain lot(s), piece(s) or parcel(s) of land and premises situated in Blackbird Hundred, New Castle County, State of Delaware, near the Town of Smyrna, as more particularly described as follows, to wit:

RECORD OWNER: KRM DEVELOPMENT CORP.

PROPERTY ADDRESS: 1510 Paddock Road
Smyrna, DE 19977

TAX MAP ID: 1502200086

BRIEF DESCRIPTION:

All that certain lot, piece or parcel of land situate in Blackbird Hundred, New Castle County and State of Delaware, being known as Tract "A", together with right of way, on a Plan of the Lands of Charles Arthur Reihm and Hester Ann Reihm, entitled "Boundary Survey – 1511 Paddock Road", dated February 17-21, 2005, prepared by William A. Carroll, Registered Surveyor, Chestertown, Maryland, as follows, to wit:

Beginning for the same at an iron rod set along the northwesternmost side of Paddock Road, aka Road #30 (60' wide) at the intersection of the herein described parcel of land, being part of the lands of Charles Arthur and Hester Ann Reihm (see Deed Book M 37, page 333) and the lands of Ronald L. & Glenda A. Burris (see Deed Book 2083, page 292). Said beginning point being located *with the arc of a curve to the left* 200.17 feet from a concrete monument found at the intersection of the division line of the said Ronald L. & Glenda A. Burris lands with the lands of WAW, Inc (see Deed Book 1619, page 257) where the same exists along the aforementioned northwesternmost side of Paddock Road, said curve having a radius of 1,402.39 feet. Said beginning point further being the southwestern most corner of the herein described Tract "A" as shown on a plat entitled "Boundary Survey – 1511 Paddock Road, The Lands of Charles Arthur & Hester Ann Reihm" as prepared by William A. Carroll, Registered Surveyor in February of 2005.

Thence leaving said beginning point so fixed and leaving Paddock Road and binding with the northeastern most outline of the said lands of Ronald L. & Glenda A. Burris and the northeastern most outline of the lands of Ronny's Market, Inc. (see Plat No. 12665);

1. North 27°35'54" West 1,377.37 feet to an iron rod set along the southernmost outline of the lands of the State of Delaware, passing, in transit, a concrete monument found 9.73 feet from the end thereof;

Thence leaving the lands of Ronny's Market, Inc. and binding with the State of Delaware lands

2. North 58°44'50" East 656.76 feet to a concrete monument found at the southwestern most corner of other lands of the State of Delaware (see Deed Book 985, page 321);

Thence leaving the first mentioned lands of the State of Delaware and binding with the southernmost outline of the second mentioned lands of the State of Delaware

3. North 65°11'29" East 345.25 to a point at the northwestern most corner of the lands of Arthur E. Smith (See Deed Book 689, page 182), said point being located South 32°20'10" East 1.2 feet from an iron rod found;

Thence leaving the second mentioned lands of the State of Delaware and binding with the westernmost outline of the lands of Arthur E. Smith

4. South 32°20'10" East 747.43 feet to a point along the aforementioned northernmost side of Paddock Road, passing, in transit, an iron rod found 0.56 feet from the end thereof;

Thence leaving the Arthur E. Smith lands and binding with the northernmost side of Paddock Road the two (2) following courses and distances:

5. South 30°10'18" West 1,080.60 feet to a point of curvature, and

6. With the arc of a curve to the right 168.86 feet to the point and place of beginning, said curve having a radius of 1,402.39 feet and being scribed by a chord of South 33°37'16" West 168.76 feet, containing, in all, 25.779 Acres of Land, more or less.

The lands and premises encompassed within the areas proposed to be annexed as described above are depicted on the tax map attached hereto as Exhibit A and incorporated herein by specific reference, a copy of said tax map shall be available for inspection at the Smyrna Town Hall. Pursuant to Section 3.2.10(c) of the Town Charter, upon the annexation of the property more fully described herein, “all streets, roads, and alleys immediately adjacent to the annexed parcel, up to the centerline of the street, road, or alley, shall be deemed annexed into the Town.”

2. The proposed zoning district classification for such lands is CCM – Corridor Commercial, which is consistent with the Town’s Comprehensive Plan.

3. A certified copy of the Resolution of Annexation together with a plot of the annexation area shall be forthwith filed for record with the Recorder of Deeds for New Castle County.

4. The above-described area so annexed and included within the limits of the Town of Smyrna shall, for all purposes, be a part of the Town of Smyrna beginning with the effective date of this Resolution.

5. The Town Council hereby places the owners of record of the lands herein, and all other interested parties, on notice that the Town shall not be obligated to provide or extend any municipal facilities or improvements unless and until the Town Council, in the sole exercise of its reasonable discretion, determines that it is appropriate for the Town to do so *or* the owner or developer of any property so annexed (or any portion thereof) binds itself, with reasonable surety acceptable to the Town, to pay in full all costs and expenses to provide and/or to extend or construct such municipal facilities and improvements to serve such lands (in strict accordance with all governing federal, state, and Town regulations and standards), subject to an appropriate “recapture agreement” (acceptable to the Town) pursuant to which the owner(s) or developer(s) of other lands benefited by the extensions or improvements paid for by the initial owner/developer under the recapture agreement would pay to the Town their equitably-determined proportionate share of such costs and expenses (as a condition precedent to obtaining such extensions and/or improvements) which amounts the Town would, upon receipt, rebate to the owner or developer which had originally paid for those extensions and/or improvements.

6. As a condition of this annexation, the property shall be connected to the Town of Smyrna’s water and sewer utility system within ninety (90) days of water and sewer utilities being made ready and available to service the annexed property. All costs to connect the annexed property to the Town of Smyrna’s water and sewer utility mains shall be the responsibility of the owners of record.

7. The effective date of this Resolution shall be the 19th day of May, 2025.



Tabitha Gott, Mayor

This is a true and correct copy of the resolution adopted by Mayor and Council at their regular meeting on May 19, 2025.

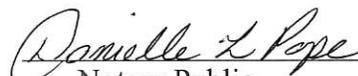


Alvin Pope, Council Secretary

STATE OF DELAWARE :
 : ss
COUNTY OF KENT :

BE IT REMEMBERED that on this 19th day of May, 2025, personally came before me, a Notary Public for the State of Delaware, Tabitha Gott, Mayor of the Town of Smyrna, a municipal corporation existing under the laws of the State of Delaware, known to me personally to be such, and acknowledged this Resolution to be the act and deed of the Town of Smyrna, that the signature of the Mayor thereto is in her proper handwriting and the seal affixed is the seal of the Town of Smyrna.

GIVEN under my hand and seal of office the day and year aforesaid.



Notary Public

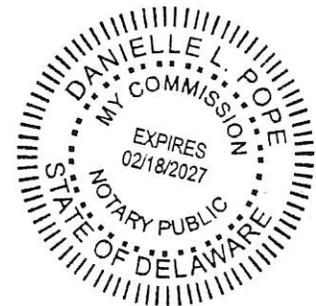


EXHIBIT A

