

**Preliminary Land Use Service (PLUS)
Comprehensive Plan Amendments and Municipal Ordinances**

Delaware State Planning Coordination
122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Name of Municipality: Town of Middletown PLUS 2010-01-04	
Address: 19 West Green Street Middletown, DE 19709	Contact Person: Morris Deputy, P.E.
	Phone Number: 378-9120
	Fax Number: 378-5672
	E-mail Address: mdeputy@middletownde.org

Date of Most Recently Certified Comprehensive Plan: November 2005

Application Type:

Comprehensive Plan Amendment: X

Ordinance: _____

Other: _____

Comprehensive Plan Amendment or Municipal Ordinance prepared by:	
Address: 19 West Green Street Middletown, DE 19709	Contact Person: Morris Deputy, P.E.
	Phone Number: 378-9120
	Fax Number: 378-5672
	E-mail Address: mdeputy@middletownde.org

Maps Prepared by: KCI Technologies	
Address: 1352 Marrows Road Suite 100 Newark, DE 19711	Contact Person: Todd Frey, P.E.
	Phone Number: 731-9176
	Fax Number: 731-7807
	E-mail Address: tfrey@kci.com

Preliminary Land Use Service (PLUS)
Comprehensive Plan Amendments and Municipal Ordinances

Delaware State Planning Coordination
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Please describe the submission: The Town of Middletown is requesting an amendment to its comprehensive plan to include two locations owned by the State of Delaware into Map 6-Future Land Use.

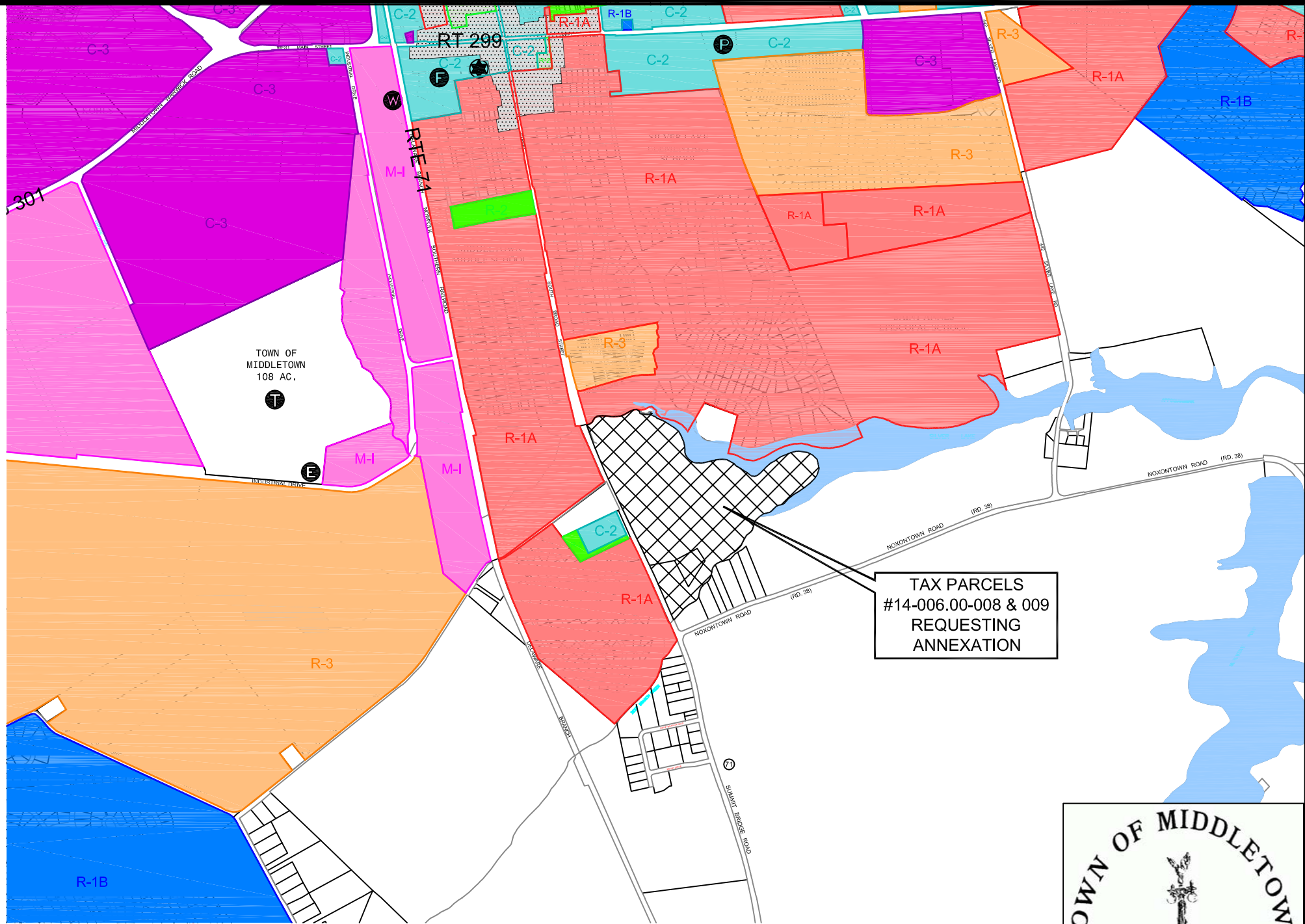
Tax Parcels 14-006.00-008 / 14-006.00-009

The Town of Middletown is requesting the addition of the above referenced tax parcels into the Future Land Use Map of the Town of Middletown's Comprehensive Plan on behalf of the State of Delaware (DelDOT). The parcels total approximately 75.883 acres and are currently being used as a DelDOT maintenance yard (Middletown Yard NC-110). The intent is to zone the parcel as commercial and continue/expand the existing maintenance operations.

SR-299 Maintenance Facility

The Town of Middletown is requesting the addition of the above referenced property into the Future Land Use Map of the Town of Middletown's Comprehensive Plan on behalf of the State of Delaware (DelDOT). The property equals approximately 19.820 acres and is currently being used as a DelDOT maintenance yard and park-n-ride. The intent is to zone the parcel as commercial and continue/expand the existing maintenance operations and park-n-ride.

Plans and descriptions of the proposed annexations are included for your review.



TAX PARCELS
#14-006.00-008 & 009
REQUESTING
ANNEXATION

PLAN TO ACCOMPANY COMPREHENSIVE PLAN AMENDMENT SUBMISSION

DATE: 01-04-10





STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION

800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

CAROLANN WICKS, P.E.
SECRETARY

December 3, 2009

The Honorable Kenneth Branner, Jr., Mayor
Town of Middletown
19 West Green Street
Middletown, DE 19709

RE: State Owned Lands ... New Castle County
SR-299 Maintenance Facility & Middletown Yard NC-110

Dear Mayor Branner:

The Department of Transportation is currently working to construct a Maintenance Facility located on SR-299. When completed, the Maintenance facility will require sewer and water service. Our Middletown Yard located on SR-71 while not currently slated for any improvements may at some point require the same services. As such the Department of Transportation is requesting to have the above mentioned two properties annexed into the Town of Middletown.

Enclosed are plots and descriptions of the two properties. If there are any meetings requiring the department's attendance, please notify me of the times and dates so I may have a representative attend. Should you need any additional information please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolann Wicks".

Carolann Wicks
Secretary

cc: V. Wayne Rizzo, Assistant Director, Real Estate Services

Beginning at a point formed by the intersection of the centerline of State Route 71 (County Road 14 ROW varies) and the centerline of Noxontown Road (County Road 38 at 60 feet wide), thence on the arc of a circle curving to the left and having a radius of 3859.72 feet, an arc length of 12.82 feet and a chord bearing of North 14 degrees 52 minutes 18 seconds West, 12.82 feet to a point; thence, North 14 degrees 58 minutes 00 seconds West 189.50 feet to the point and place of **Beginning**.

Thence from the point of Beginning with the existing easterly right-of-way line of SR-71 (County Road 14) the nine (9) following courses and distances: (1) North 14 degrees 58 minutes 00 seconds West, 31.89 feet to a point; (2) on the arc of a circle curving to the left and having a radius of 8424.79 feet, an arc length of 530.57 feet and a chord bearing of North 16 degrees 46 minutes 15 seconds West, 530.48 feet to a point; (3) North 18 degrees 34 minutes 30 seconds West, 728.46 feet to a point; (4) on the arc of a circle curving to the right and having a radius of 11,419.16 feet, an arc length of 332.17 feet and a chord bearing of North 17 degrees 44 minutes 30 seconds West, 332.16 feet to a point; (5) North 16 degrees 58 minutes 26 seconds West, 332.52 feet to a point; (6) on the arc of a Spiral Curve curving to the right having a radius of 3779.72 feet, a length of 149.25 feet, a chord bearing of North 16 degrees 35 minutes 48 seconds West, 149.25 feet, a Theta of 1 degree 07 minutes 52 seconds, a long tangent of 99.50 feet and a direction of North 16 degrees 58 minutes 26 seconds West, and a short tangent of 49.75 feet and a direction of North 15 degrees 50 minutes 34 seconds West to a point; (7) on the arc of a circle curving to the right and having a radius of 3779.72 feet, an arc length of 329.98 feet and a chord bearing of North 13 degrees 20 minutes 30 seconds West, 329.88 feet to a point; (8) North 79 degrees 09 minutes 34 seconds East, 30.00 feet to a point; (9) on the arc of a Spiral Curve curving to the right having a radius of 3749.72 feet, a length of 148.65 feet, a chord bearing of North 10 degrees 26 minutes 07 seconds West, 61.98 feet, a Theta of 1 degree 08 minutes 08 seconds, a long tangent of 99.10 feet and a direction of North 09 degrees 42 minutes 56 seconds West, and a short tangent of 49.55 feet and a direction of North 10 degrees 51 minutes 05 seconds West to a point located on the centerline of Deep Creek;

Thence with the centerline of Deep Creek the twenty one (21) following courses and distances: (1) North 85 degrees 27 minutes 27 seconds East, 14.80 feet to a point; (2) North 62 degrees 33 minutes 17 seconds East, 45.01 feet to a point; (3) North 45 degrees 01 minutes 22 seconds East, 58.68 feet to a point; (4) North 72 degrees 44 minutes 53 seconds East, 35.02 feet to a point; (5) South 86 degrees 16 minutes 40 seconds East, 115.12 feet to a point; (6) South 76 degrees 56 minutes 49 seconds East, 66.84 feet to a point; (7) North 87 degrees 11 minutes 59 seconds East, 50.43 feet to a point; (8) South 04 degrees 43 minutes 04 seconds West, 23.07 feet to a point; (9) South 29 degrees 41 minutes 15 seconds East, 24.36 feet to a point; (10) North 73 degrees 06 minutes 44 seconds East, 29.85 feet to a point; (11) South 75 degrees 44 minutes 26 seconds East, 43.81 feet to a point; (12) North 82 degrees 33 minutes 14 seconds East, 80.81 feet to a point; (13) North 74 degrees 17 minutes 05 seconds East,

45.27 feet to a point; (14) South 88 degrees 16 minutes 37 seconds East, 106.72 feet to a point; (15) North 54 degrees 21 minutes 40 seconds East, 29.09 feet to a point; (16) North 85 degrees 52 minutes 42 seconds East, 32.98 feet to a point; (17) South 64 degrees 35 minutes 04 seconds East, 54.75 feet to a point; (18) South 73 degrees 08 minutes 34 seconds East, 19.21 feet to a point; (19) South 73 degrees 14 minutes 16 seconds East, 32.16 feet to a point; (20) South 38 degrees 55 minutes 59 seconds East, 31.82 feet to a point; (21) South 86 degrees 39 minutes 03 seconds East, 105.75 feet to a point located on the centerline of the North Fork of Silver Lake;

Thence with the centerline of the North Fork of Silver Lake the Nine (9) following courses and distances: (1) South 66 degrees 59 minutes 05 seconds East, 151.92 feet to a point; (2) South 18 degrees 26 minutes 21 seconds East, 242.29 feet to a point; (3) South 22 degrees 39 minutes 01 seconds East, 233.14 feet to a point; (4) North 84 degrees 04 minutes 01 seconds East, 277.06 feet to a point; (5) South 56 degrees 31 minutes 41 seconds East, 372.15 feet to a point; (6) North 66 degrees 11 minutes 56 seconds East, 298.80 feet to a point; (7) North 77 degrees 51 minutes 12 seconds East, 138.08 feet to a point; (8) South 86 degrees 36 minutes 03 seconds East, 248.89 feet to a point; (9) South 19 degrees 05 minutes 59 seconds East, 440.50 feet to a point located on the centerline of the South Fork of Silver Lake;

Thence with the last mentioned division line and the centerline of the South Fork of Silver Lake the eleven (11) following courses and distances: (1) South 48 degrees 23 minutes 02 seconds West, 207.54 feet to a point; (2) South 65 degrees 48 minutes 07 seconds West, 648.47 feet to a point; (3) South 79 degrees 17 minutes 28 seconds West, 80.54 feet to a point; (4) South 35 degrees 02 minutes 01 seconds West, 126.37 feet to a point; (5) South 49 degrees 09 minutes 37 seconds West, 247.41 feet to a point; (6) South 34 degrees 12 minutes 58 seconds West, 117.87 feet to a point; (7) South 62 degrees 46 minutes 48 seconds West, 95.57 feet to a point; (8) South 77 degrees 42 minutes 16 seconds West, 172.74 feet to a point; (9) South 34 degrees 20 minutes 12 seconds West, 498.58 feet to a point; (10) South 69 degrees 59 minutes 51 seconds West, 173.54 feet to a point; (11) South 53 degrees 19 minutes 06 seconds West, 128.71 feet to the point and place of **Beginning**.

Containing within the said metes and bounds 75.883 acres of land, be the same more or less.

Being a part of the same lands and premises (tax parcel # 14-006.00-08) which Walter Harman & Helen B. Money, by Indenture, dated the 18th day of November A.D., 1943, and recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware, in Deed Volume B, Book 44, Page 298, did grant and convey unto the State of Delaware, in fee.

Also Being a part of the same lands and premises (tax parcel # 14-006.00-08) which Walter Harman & Helen B. Money, by Indenture, dated the 31st day of January A.D., 1955, and recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware, in Deed Volume U, Book 55, Page 442, did grant and convey unto the State of Delaware, in fee.

Also Being a part of the same lands and premises (tax parcel # 14-006.00-09) which Walter Harman & Helen B. Money, by Indenture, dated the 1st day of May A.D., 1964, and recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware, in Deed Volume Y, Book 72, Page 252, did grant and convey unto the State of Delaware, in fee.

**CENTERLINE DISTANCES/BEARINGS
DEEP CREEK
NORTH FORK OF SILVER LAKE
SOUTH FORK OF SILVER LAKE**

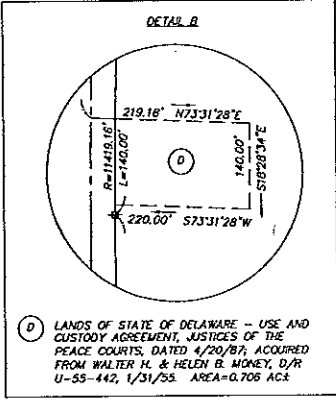
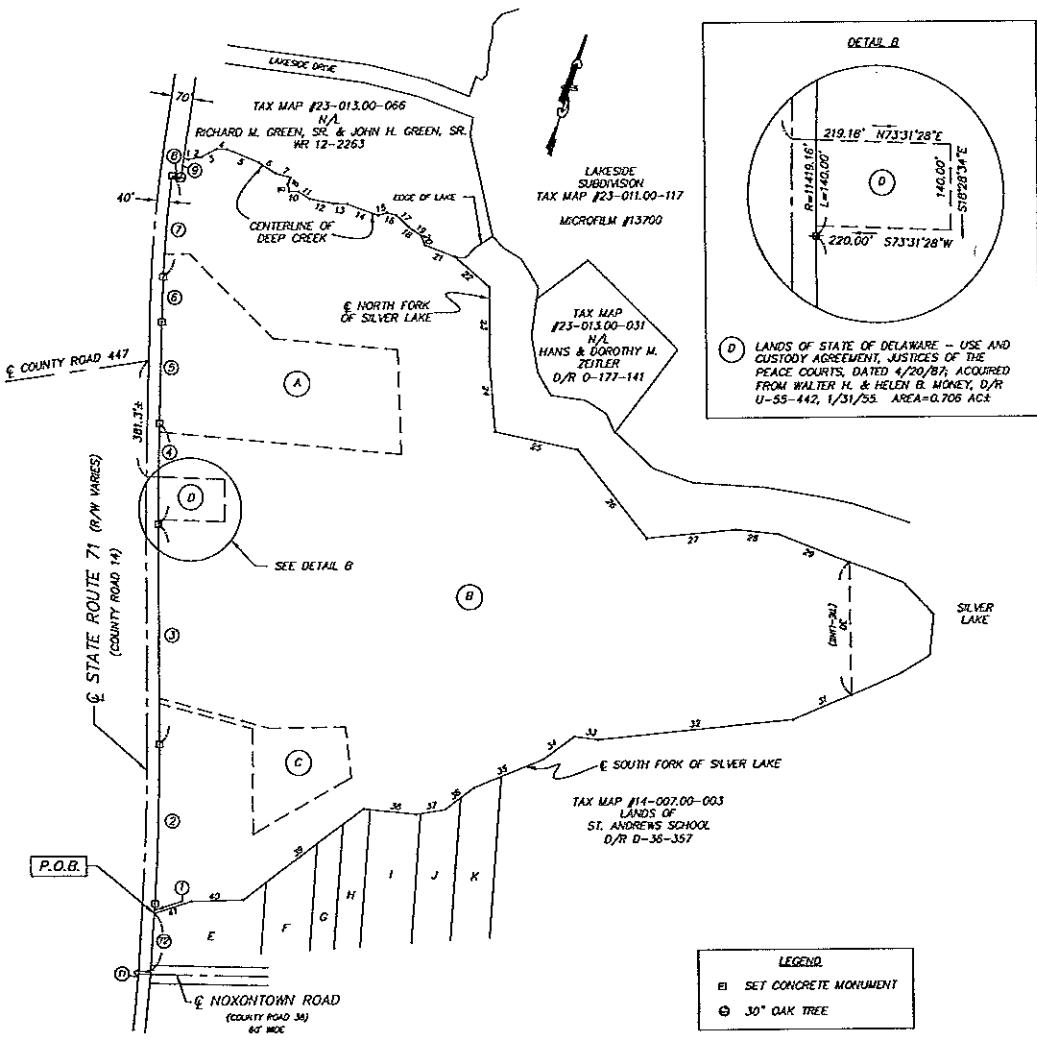
LINE	LENGTH	BEARING
1	14.80	N85°27'27"E
2	45.01	N62°33'17"E
3	58.68	N45°01'22"E
4	33.02	N72°44'53"E
5	115.12	S86°16'40"E
6	65.84	N37°11'59"E
7	50.43	S04°43'04"W
8	23.07	S29°41'15"E
9	29.85	N73°06'44"E
10	43.81	S75°44'26"E
11	80.81	N82°33'14"E
12	45.27	N74°17'05"E
13	106.72	S88°16'37"E
14	29.09	N54°21'40"E
15	32.98	N85°52'42"E
16	54.75	S84°35'04"E
17	12.71	S21°09'34"E
18	32.16	S21°11'16"E
19	31.82	S18°55'59"E
20	105.75	S86°39'03"E
21	151.92	S66°59'05"E
22	242.29	S18°26'21"E
23	233.14	S22°39'01"E
24	277.06	N84°04'01"E
25	372.15	S56°31'41"E
26	298.80	N66°11'56"E
27	138.88	N77°51'12"E
28	248.89	S61°36'03"E
29	440.80	S10°25'59"E
30	207.54	S48°23'02"W
31	648.47	S55°48'07"W
32	80.54	S79°17'28"W
33	126.37	S35°02'01"W
34	247.41	S49°09'37"W
35	117.87	S34°12'58"W
36	93.57	S62°46'48"W
37	172.74	S77°42'16"W
38	488.68	S34°20'12"W
39	173.54	S69°59'51"W
40	128.71	S53°19'06"W

**BEARINGS/DISTANCES
ALONG STATE ROUTE 71**

- ① R=3059.72 L
A=12.82
CHD=N145°21'8" W, 12.82
- ② N145°00'0" W 189.50'
- ③ N145°00'0" W 31.89'
- ④ R=8424.79 L
A=530.57
CHD=N16°46'15" W, 530.48
- ⑤ N16°34'30" W 728.46'
- ⑥ R=11419.16 R
A=332.17
CHD=N17°44'30" W, 332.16
- ⑦ N16°58'26" W 333.52'
- ⑧ SPI (SEE SPIRAL TABLE)
CHORD = N16°35'48" W, 149.25'
- ⑨ R=3779.72 R
A=329.98'
CHD=N13°20'30" W, 329.88'
- ⑩ N79°09'34" E 30.00'
- ⑪ PORTION OF SP2 (SEE SPIRAL TABLE)
CHORD = N10°26'07" W, 61.98'

SPIRAL TABLE

SPI	R=	L=	THETA=	LONG TAN=	SHORT TAN=
SP1	3,779.72'	149.25'	107°52'	99.50', N 16°58'26" W	49.75', N 15°50'34" W
SP2	3,749.72'	148.65'	108°08'	99.10', N 09°42'56" W	49.55', N 10°51'05" W



DETAIL C
AREA: 75.883 AC± (3,305,463.48 SF±)
--AREA: 0.706 (AREA D)
75.177 AC± TOTAL AREA

DETAIL A
TAX MAP #14-006.00-08 (LANDS ACQUIRED)
A ACQ. FROM WALTER HARMAN & HELEN B. MONEY
D/R B-44-298, 11/18/43
B ACQ. FROM WALTER H. & HELEN B. MONEY
D/R U-55-442, 1/31/55
(INCLUDES AREA E)
C TAX MAP #14-006.00-09 (LANDS ACQUIRED)
ACQ. FROM HARRY D. & HELEN W. PEARCE
D/R Y-72-252, 5/1/64

ADJOINING PROPERTY OWNERS

PARCEL	TAX MAP #	PROPERTY OWNERS	DEED #
E	14-006.41-014	W. WAYNE & JOANNE C. ETZHELER	X-110-197
F	14-006.41-015	DAVID KENNETH & PATRICIA M. ANGLE	I-82-380
G	14-006.41-016	DAVID KENNETH & PATRICIA M. ANGLE	P-83-983
H	14-006.41-017	JOHN CURRY & MARGARET JUANITA WARD	C-81-316
I	14-006.41-018	JOHN CURRY & MARGARET JUANITA WARD	O-85-41
J	14-006.41-010	MIDDLETOWN, DELAWARE CONGREGATION OF JEHOVAH'S WITNESSES	0270-340
K	14-006.41-011	STEVEN H. & PAMELA L. MONTGOMERY	0181-0272

PROFESSIONAL SURVEYOR
No. 006
April 3, 2001
DATE

STATE OF DELAWARE
LANDS OF

NEW CASTLE COUNTY	APPOQUINIMINK HUNDRED	14-006.00-008 TAX ASSMT. PAR. NO.
DELDOT MIDDLETOWN MAINTENANCE YARD PROJECT TITLE		
N/A CONTRACT NO.	SEE DETAIL A DEED RECORD	SEE DETAIL A DEED DATE
N/A CONTRACT PARCEL NO.	SEE DETAIL C AREA OF	

SCALE: 1 INCH = 300 FEET / FULL SIZE DWG. IS 17" x 22" FOR 8 1/2" COPIES: SCALE X 2

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
OFFICE OF PRECONSTRUCTION
P.O. BOX 778
DOVER, DELAWARE 19903
REAL ESTATE SECTION

DRAWN BY: TAN/CEI/2/26/01
CEI DWG. MIDDLETOWN.DWG
PLOT DWG. NO. NC-110B

CENTURY ENGINEERING, INC.
LAND SURVEYORS / ENGINEERS / PLANNERS
4134 North Dupont Highway
Dover, Delaware 19901

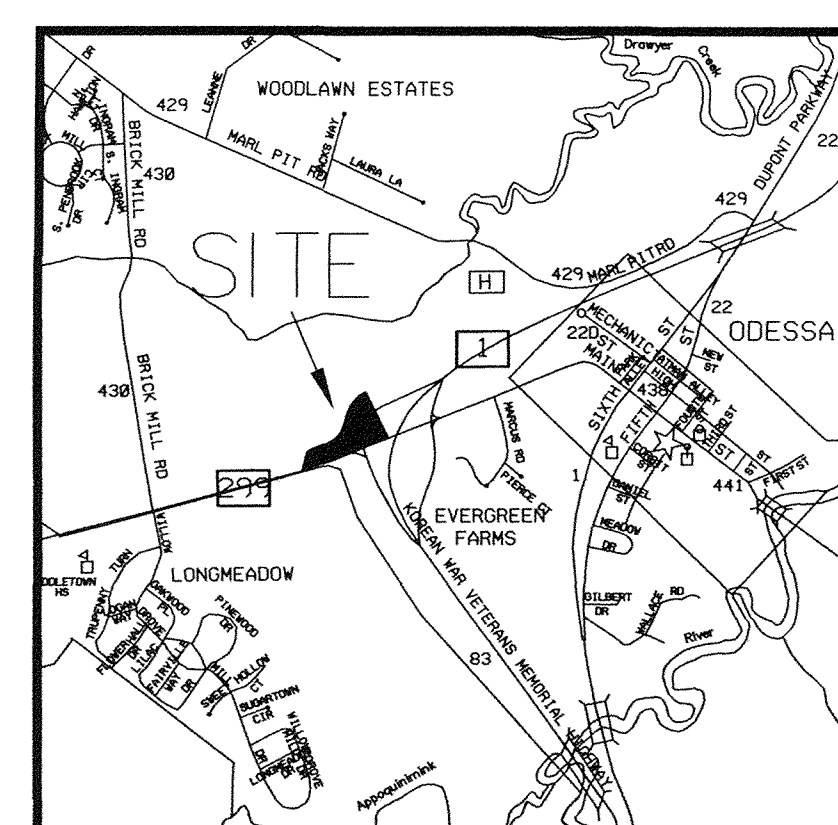
ADDRESS: North Side State Route 299

OWNERS: The State of Delaware

ALL that certain lot, piece or parcel of land; situated in Saint Georges Hundred, New Castle County and State of Delaware; lying on the Northerly side of State Route 299 (Middletown - Odessa Rd. at varied width) and bounded on the west and north by lands now or formerly of Christiana Health Care Services Inc., on the east by other lands of the State of Delaware, and on the south by the said State Route, and being more particularly bounded and described as shown on a recent survey by Century Engineering, Inc., Consulting Engineers/Land Surveyors, dated November 20, 2009 as follows, to-wit:

BEGINNING at a found iron pipe located on the said northerly Right of Way (R/W) line of State Route 299, said point being a common corner for this property and lands of said Christiana Health Care and being located at Station 31+31.16, 45.11 feet left of the baseline for State Route 299 as shown on page 15 of 24 of DelDOT contract 83-110-02, SR-1 North of Appoquinimink Bridge to N423; thence, from the said **Point and Place of Beginning** and following the R/W of SR-1 and lands of said Christiana Health Care the following (2) courses and distances: 1), North 18 deg. 02 min. 13 sec. East a distance of 338.98 feet to a found Delaware Right of Way (DE/RW) monument; thence, 2) North 64 deg. 02 min. 56 sec. East a distance of 177.44 feet to a found DE/RW monument; thence continuing with the R/W line of SR-1 (said R/W being a common line with said Christiana Health Care and with other lands owned by the State of Delaware), North 71 deg. 22 min. 07 sec. East, crossing over a found capped iron pin at a distance of 71.74, for a total distance of 277.97 feet to a set capped iron pin at a corner for this property and other lands of the State of Delaware; thence, continuing with the R/W line of SR-1 and other lands of the State of Delaware, along the arc of a 465.62 feet radius curve to the left, an arc distance of 441.05 to a found DE/RW monument (the chord of which bears North 45 deg. 16 min. 55 sec. East a distance of 424.74 feet); thence continuing with the R/W line of SR-1 (said R/W being a common line with said Christiana Health Care and with other lands owned by the State of Delaware), North 19 deg. 11 min. 40 sec. East a distance of 221.99 feet to a found DE/RW monument; thence, continuing with the R/W of SR-1 and lands of said Christiana Health Care, along the arc of a 663.96 feet radius curve to the right, an arc distance of 491.14 to a set capped iron pin (the chord of which bears North 43 deg. 06 min. 35 sec. East a distance of 537.51 feet); thence, leaving the R/W of SR-1 and running with a new annexation line hereby created, South 23 deg. 51 min. 33 sec. East a distance of 940.64 feet to a set capped iron pin on the northerly R/W of said State Route 299; thence, running with the northerly R/W of said State Route 299 the following (3) courses and distances: 1) South 69 deg. 39 min. 18 sec. West a distance of 767.01 feet to a set capped iron pin; thence, 2) along the arc of

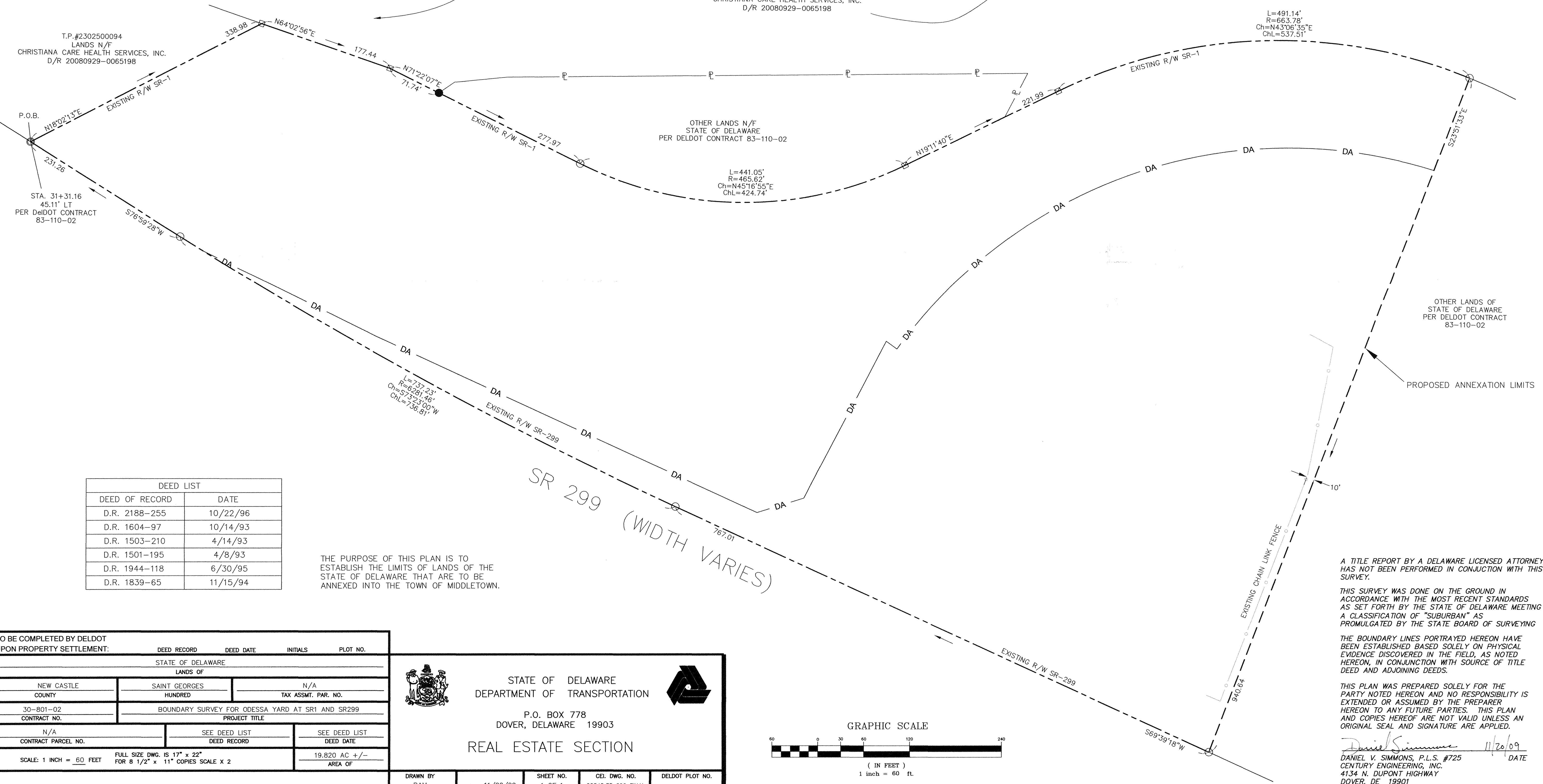
a 6281.46 feet radius curve to the right an arc distance of 737.23 feet to a set capped iron pin (the chord of which bears South 73 deg. 23 min. 00 sec. West a distance of 736.81 feet); thence, South 76 deg. 59 min. 28 sec. West a distance of 231.26 feet to the said **Point and Place of Beginning**, and containing 863,347 +/- sq ft or 19.820 +/- acres of land be the same more or less.



LEGEND

- ○ ○ ○ ○ EXISTING CHAIN LINK FENCE
- DA — EXISTING DENIAL ACCESS
- - - - - EXISTING RIGHT OF WAY
- P — PROPERTY LINE (FOR REFERENCE)
- SET CAPPED IRON PIN
- FOUND MONUMENT
- FOUND IRON PIPE
- FOUND CAPPED IRON PIN

SITE MAP (NTS)



T.P.#2302500094
LANDS N/F
CHRISTIANA CARE HEALTH SERVICES, INC.
D/R 20080929-0065198

T.P.#2300900001
LANDS N/F
CHRISTIANA CARE HEALTH SERVICES, INC.
D/R 20080929-0065198

OTHER LANDS N/F
STATE OF DELAWARE
PER DELDOT CONTRACT 83-110-02

L=441.05'
R=465.62'
Ch=N45°16'55\"/>

L=491.14'
R=663.78'
Ch=N43°06'35\"/>

P.O.B.
N18°02'13\"/>

STA. 31+31.16
45.11' LT
PER DeIDOT CONTRACT
83-110-02

OTHER LANDS OF
STATE OF DELAWARE
PER DELDOT CONTRACT
83-110-02

DEED LIST

DEED OF RECORD	DATE
D.R. 2188-255	10/22/96
D.R. 1604-97	10/14/93
D.R. 1503-210	4/14/93
D.R. 1501-195	4/8/93
D.R. 1944-118	6/30/95
D.R. 1839-65	11/15/94

THE PURPOSE OF THIS PLAN IS TO ESTABLISH THE LIMITS OF LANDS OF THE STATE OF DELAWARE THAT ARE TO BE ANNEXED INTO THE TOWN OF MIDDLETOWN.

SR 299 (WIDTH VARIES)

A TITLE REPORT BY A DELAWARE LICENSED ATTORNEY, HAS NOT BEEN PERFORMED IN CONJUNCTION WITH THIS SURVEY.

THIS SURVEY WAS DONE ON THE GROUND IN ACCORDANCE WITH THE MOST RECENT STANDARDS AS SET FORTH BY THE STATE OF DELAWARE MEETING A CLASSIFICATION OF "SUBURBAN" AS PROMULGATED BY THE STATE BOARD OF SURVEYING

THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD, AS NOTED HEREON, IN CONJUNCTION WITH SOURCE OF TITLE DEED AND ADJOINING DEEDS.

THIS PLAN WAS PREPARED SOLELY FOR THE PARTY NOTED HEREON AND NO RESPONSIBILITY IS EXTENDED OR ASSUMED BY THE PREPARER HEREON TO ANY FUTURE PARTIES. THIS PLAN AND COPIES HEREOF ARE NOT VALID UNLESS AN ORIGINAL SEAL AND SIGNATURE ARE APPLIED.

Daniel V. Simmons 11/20/09
DANIEL V. SIMMONS, P.L.S. #725
CENTURY ENGINEERING, INC.
4134 N. DUPONT HIGHWAY
DOVER, DE 19901

TO BE COMPLETED BY DELDOT UPON PROPERTY SETTLEMENT:			
DEED RECORD	DEED DATE	INITIALS	PLOT NO.
STATE OF DELAWARE			
LANDS OF			
NEW CASTLE COUNTY	SAINTE GEORGES HUNDRED	N/A	TAX ASSMT. PAR. NO.
30-801-02 BOUNDARY SURVEY FOR ODESSA YARD AT SR1 AND SR299			
CONTRACT NO. PROJECT TITLE			
N/A	SEE DEED LIST	SEE DEED LIST	
CONTRACT PARCEL NO.	DEED RECORD	DEED DATE	
SCALE: 1 INCH = 60 FEET	FULL SIZE DWG. IS 17" x 22" FOR 8 1/2" x 11" COPIES SCALE X 2		19.820 AC +/- AREA OF
REVISIONS:	DRAWN BY RAM	DATE 11/20/09	SHEET NO. 1 OF 1

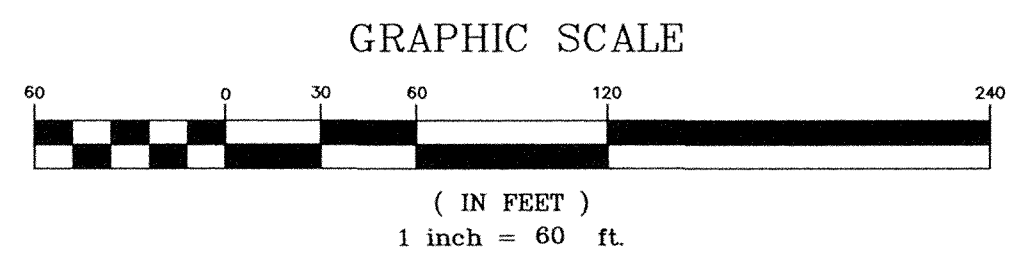
STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION

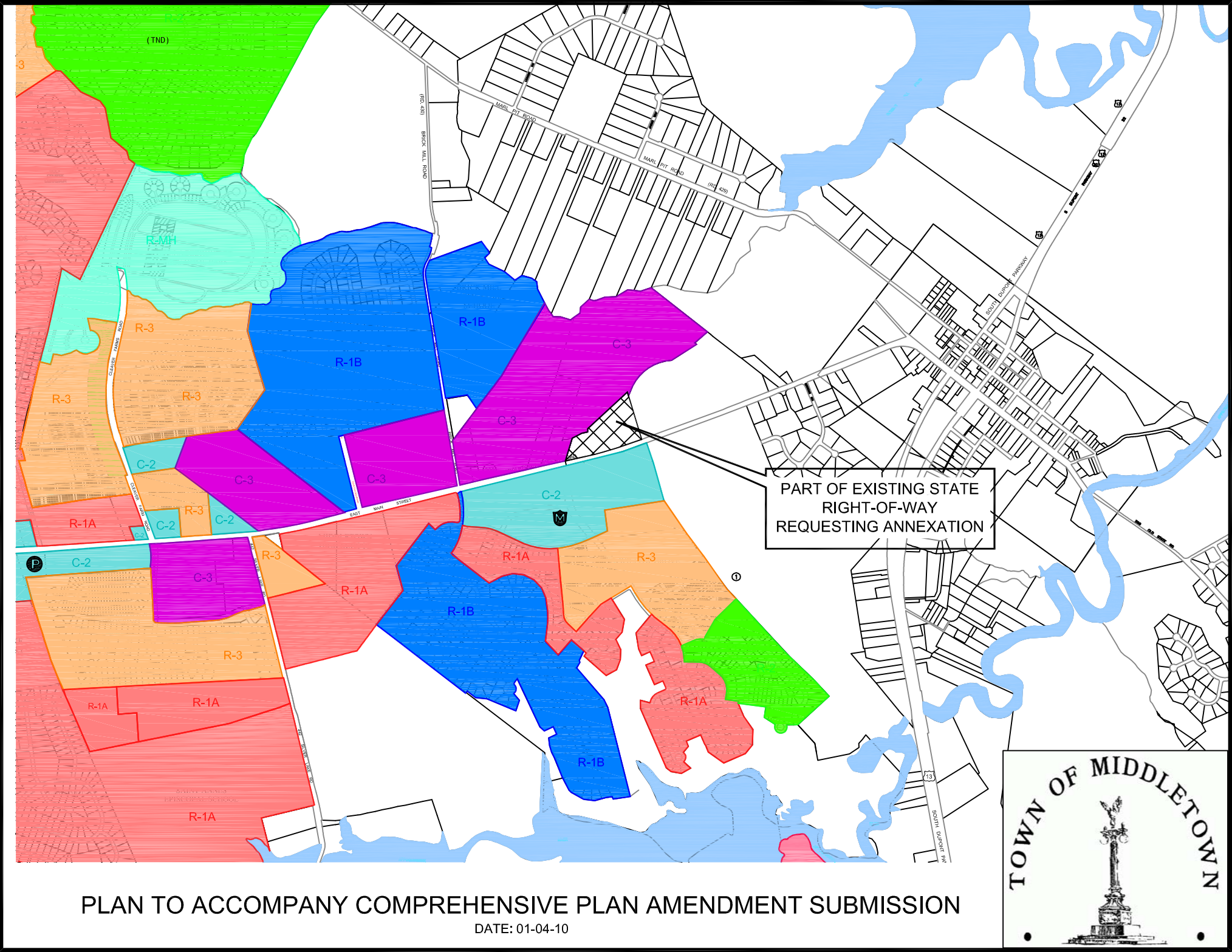
P.O. BOX 778
DOVER, DELAWARE 19903

REAL ESTATE SECTION

CEI DWG. NO. 06542.35 299 FINAL

DELDOT PLOT NO.





PLAN TO ACCOMPANY COMPREHENSIVE PLAN AMENDMENT SUBMISSION

DATE: 01-04-10

