

THE MAYOR AND COUNCIL OF BOONSBORO

RESOLUTION 2019-06

**AUTHORIZING PERMISSION FOR THE PRESERVE AT FOX GAP, LLC TO SUBMIT A
CONCEPT PLAN FOR RESIDENTIAL DEVELOPMENT AT THE EASTERDAY ANNEXATION
PROPERTY**

WHEREAS, The Mayor and Council of Boonsboro is a municipal corporation; and

WHEREAS, Resolution No. 2004-04 enlarged the corporate boundaries of the Town of Boonsboro by adding thereto 96.1918 acres, more or less, owned by Easterday Land Development, LLC et. al.; and

WHEREAS, the Annexation Agreement made as of December 28th, 2006 by and between the Mayor and Council of Boonsboro, a municipal corporation (the "Town") and Easterday Land Development, LLC, a Maryland limited liability company, Jacob E. Easterday, Jeanette Easterday, Todd Easterday, and Michael Easterday, gave the Town the unconditional right to limit the uses and densities of development of the Property, in accordance with the authority conferred upon the Town under Md. Ann. Code, Art. 66B, Sec.4.01.c.2. at the time the agreement became effective;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of Boonsboro that The Preserve at Fox Gap, LLC is hereby authorized to submit a proposal for residential development of the remaining portion of the property referenced by both Resolution No. 2004-04 and the Annexation Agreement between The Mayor and Council of Boonsboro and Easterday Land Development, LLC, a Maryland limited liability company, Jacob E. Easterday, Jeanette Easterday, Todd Easterday, and Michael Easterday (collectively, the "Petitioner") dated December 28th, 2006.

ATTEST:

Mayor and Council of Boonsboro

Heather Slough, Town Clerk

Howard W. Long, Mayor

[SEAL]

Rickard Byrd, Assistant Mayor

Marilee Kerns, Council Member

Anthony Nally, Council Member

Terri Hollingshead, Council Member

Ricky Weaver, Council Member

Date of Introduction: August 12th, 2019

Date of Passage: August 12th, 2019

Effective Date:

Raymond Hanson, Council Member