



Ordinance 680

An ordinance relinquishing any claim the Town has over certain portions of a property located on B&O Lane and owned by Medori Enterprises which are shown on the Official Map of the Town of Elsmere as paper streets dedicated for future public use.

Sponsored By: Councilwoman Sally Jensen

First and Second Reading: April 10, 2025 Council Meeting

Results: Passed 6 In Favor, 0 Opposed, 1 Absent

Third and Final Reading: May 8, 2025

Results:

ORDINANCE 680

An ordinance relinquishing any claim the Town has over certain portions of a property located on B&O Lane and owned by Medori Enterprises which are shown on the Official Map of the Town of Elsmere as paper streets dedicated for future public use.

WHEREAS, Medori Enterprises is the owner of a tract of land located on the Town's southern border and located in the General Industrial District which consists of the following Property Tax Parcels; 19-00800-358 through Property Tax Parcels 19-00800-364; and

WHEREAS, There are, located on these parcels of land, a total of three (3) roadways, which, while they have never been constructed, are identified as named streets and were intended for future public use; and

WHEREAS, Medori Enterprises has approached the Town concerning an opportunity to use their property for the purpose of expanding; and

WHEREAS, in order to move forward on the expansion of their property, the area where three of the paper streets are noted would need to be used; and

WHEREAS, the Mayor and Council have directed that the following conduct a review of Medori Enterprises' plan and make any appropriate comments:

1. The Town of Elsmere Planning Commission.
2. The Town of Elsmere Code Enforcement Department.

WHEREAS, the Mayor and Council, after having reviewed the comments received and heard any public comment have determined the following:

1. That there was nothing which would warrant the denial of the owners request; and
2. That relinquishing any right the Town has to the paper streets would not be in conflict with the Town' Comprehensive Plan; and
3. That there is no plan to actually develop the existing paper streets and dedicate them to public use; and
4. With an offer by the property owners to compensate the public in consideration of waiving any right they have to the roadways:
 - a. The owners shall pay the costs incurred by the Town to amend the Official Map of the Town of Elsmere.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE, AS FOLLOWS:

That the official Map of the Town of Elsmere be amended by removing Winston Avenue, Audrey Avenue, and Maddox Avenue, all located on the Town's southern border and located in the General Industrial District, as they currently appear on Property Tax Parcels 19-00800-358 through 19-00800-364.

First and Second Reading
April 10, 2025

Third and Final Reading
May 8, 2025

Joann I. Personti, Mayor

Sally Jensen, Secretary

Approved as to form:

Town Solicitor

SYNOPSIS
ORDINANCE 680

This Ordinance relinquishes any claim the Town has over any portion of Medori Enterprises' property located on B&O Lane, which is shown on the Official Map of the Town of Elsmere as paper streets dedicated for future public use.

Fiscal Impact:

This Ordinance is anticipated to have no expenses.