

**TOWN OF NEWPORT**  
**NEWPORT, DELAWARE**

**ORDINANCE NO. 2015-004**

**AN ORDINANCE TO ESTABLISH ELLA JOHNSON PARK AS BEING ZONED TOWN OF NEWPORT ZONING CLASSIFICATION CONSERVATION (CON) DISTRICT AND THAT THE TOWN OF NEWPORT ZONING MAP AND 2014 COMPREHENSIVE PLAN SHALL REFLECT THAT CONSERVATION DISTRICT (CON) ZONING CLASSIFICATION**

**WHEREAS**, pursuant to the Town Charter and Ordinances of the Town of Newport (hereinafter "Newport" and the "Town") Newport has the power to establish the Zoning for the real estate property within the Town; and

**WHEREAS**, pursuant to the Town Charter and Ordinances of the Town of Newport, the Town has desires to establish, amend and confirm that the Zoning of Ella Johnson Park is Conservation District(CON) and to amend such Newport Zoning Map and the 2014 Comprehensive Plan so as to show such parcel as Conservation District (CON)

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF NEWPORT** as follows:

1. The Town of Newport is the owner of a certain piece and parcel of land of approximately 2.45 acres within the Town limits of the Town of Newport known as Ella Johnson Park, more particularly described as 301 West Ayre Street, Newport DE 19804, New Castle County Tax Parcel Number 2000300111, as further described in the legal description of such parcel, attached hereto and incorporated herewith by reference as Exhibit A ( hereinafter "Ella Johnson Park").
2. The Town of Newport hereby establishes, amends and confirms that the Zoning of Ella Johnson Park is Conservation District(CON) and further amends the Newport Zoning Map and the 2014 Comprehensive Plan so as to show such parcel as Conservation District (CON)
6. If any section, clause, or phrase of this Ordinance shall be declared invalid or unconstitutional by the judgment of any court of competent

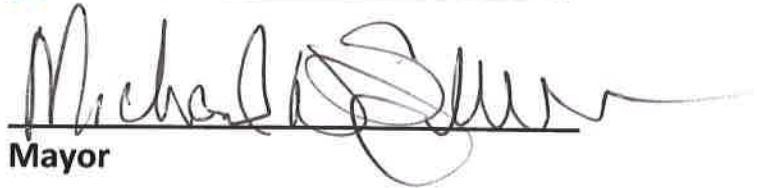
jurisdiction, such invalidity shall not affect the remaining sections, clauses or phrases of this Ordinance.

7. Other ordinances or parts of other ordinances deemed to be in conflict with this Ordinance are hereby repealed and superseded to the extent that other such ordinances or parts of ordinances are in conflict, provided that such repeal shall not abate a right of action already accrued under any repealed ordinance.
8. The Town Secretary shall certify to the adoption of this Ordinance and this Ordinance shall take full force and effect immediately after the date of final passage.

**THE MAYOR AND COMMISSIONERS OF THE TOWN OF NEWPORT HEREBY ADOPT THIS ORDINANCE THIS 17<sup>TH</sup> DAY OF DECEMBER, 2015.**



Town Secretary



Mayor




Town Solicitor



Commissioner

**FIRST READING: 11/19/2015**



Commissioner

**PUBLIC HEARING & SECOND  
READING: 12/17/2015**



Commissioner



Commissioner

**Parcel # 2000300111**

Property Address: 301 W AYRE ST  
 WILMINGTON, DE 19804-  
 Subdivision:  
 Owner: TOWN OF NEWPORT  
 226 N JAMES ST  
 Owner Address:  
 WILMINGTON, DE 19804  
 Municipal Info: Incorporated in NEWPORT PROPERTY TAX AREA

Lot #:	Property Class: EXEMPT RESIDENTIAL
Location:	Lot Size: 2.45
Map Grid: 09003500	Lot Depth: 0
Block:	Lot Frontage: 0
Census Tract: 127.00	Street Finish:
Street Type:	
Water:	
Microfilm #: 000000	

**District & Zoning Info**

Districts

- **COUNCIL 1 - JOSEPH M REDA**
- **FIRE/RESCUE - MINQUAS**
- **RED CLAY SCHOOL DIST-TRES**
- NORTH OF C&D CANAL
- TRAFFIC ZONE T098 (YR2000)
- SEWER DISTRICT NORTHERN-ASMT
- PLANNING 8 - LOWER CHRISTINA
- LIGHT-WOOD POLE HPSODIUM-TRES
- DE REP 19-KIMBERLY WILLIAMS
- DE SEN 09-KAREN E PETERSON

Zoning

- 20CON - CONSERVATION DISTRICT

**Sales History**

Owner	Deed	Current Owner?	Multi?	Sale Date	Sale Amount
TOWN OF NEWPORT	20030213 0020772	Y	N	1/20/2003	\$10.00

**Tax/Assessment Info**

Assessment

Land: 19800  
 Structure: 0  
 Homesite: 0  
 Total: 19800  
 County Taxable: 0  
 School Taxable: 0

Exemptions

Description	Amount
LOCAL GOVT	19800

**Parcel # 2000300111**

Property Address: 301 W AYRE ST  
 WILMINGTON, DE 19804-  
 Subdivision:  
 Owner: TOWN OF NEWPORT  
 226 N JAMES ST  
 Owner Address:  
 WILMINGTON, DE 19804  
 Municipal Info: Incorporated in NEWPORT PROPERTY TAX AREA

Lot #:	Property Class: EXEMPT RESIDENTIAL
Location:	Lot Size: 2.45
Map Grid: 09003500	Lot Depth: 0
Block:	Lot Frontage: 0
Census Tract: 127.00	Street Finish:
Street Type:	
Water:	
Microfilm #: 000000	

**District & Zoning Info**

Districts

- **COUNCIL 1 - JOSEPH M REDA**
- **FIRE/RESCUE - MINQUAS**
- **RED CLAY SCHOOL DIST-TRES**
- NORTH OF C&D CANAL
- TRAFFIC ZONE T098 (YR2000)
- SEWER DISTRICT NORTHERN-ASMT
- PLANNING 8 - LOWER CHRISTINA
- LIGHT-WOOD POLE HPSODIUM-TRES
- DE REP 19-KIMBERLY WILLIAMS
- DE SEN 09-KAREN E PETERSON

Zoning

- 20CON - CONSERVATION DISTRICT

**Sales History**

Owner	Deed	Current Owner?	Multi?	Sale Date	Sale Amount
TOWN OF NEWPORT	20030213 0020772	Y	N	1/20/2003	\$10.00

**Tax/Assessment Info**

Assessment

Land: 19800  
 Structure: 0  
 Homesite: 0  
 Total: 19800  
 County Taxable: 0  
 School Taxable: 0

Exemptions

Description	Amount
LOCAL GOVT	19800



20030213-0020772

Pages: 4 F: \$48.00  
02/13/03 03:29:48 PM  
T20030013771

Michael E. Kosikowski  
New Castle Recorder DEE

TAX PARCEL NUMBER: 07-047.30-103

Prepared by:  
Henry H. Silliman, III Esquire  
Legal Department  
E. I. DuPont De Nemours  
and Company  
Barley Mill Plaza 25-1286  
Wilmington, Delaware 19880-0025

Return to:  
Stephen D.M. Robinson, Esq.  
Robinson and Grayson  
910 Foulk Road Suite 200  
Wilmington, DE 19803

DEED

THIS DEED, made this 20<sup>th</sup> day of January, 2003,  
between E. I. DU PONT DE NEMOURS AND COMPANY, a Delaware  
corporation of 1007 Market Street, Wilmington Delaware  
19898, ("GRANTOR") and THE TOWN OF NEWPORT, 226 North James  
Street Newport, Delaware 19804 ("GRANTEE").

W I T N E S S E T H :

That GRANTOR, for and in consideration of the  
sum of Ten Dollars (\$10.00), and other good and valuable  
consideration, receipt of which is hereby acknowledged, does  
hereby donate and quitclaim unto the GRANTEE; ALL that  
certain lot, piece or parcel of land, situate in Christiana  
Hundred, New Castle County, State of Delaware described as  
follows to-wit:

BEGINNING at a point on the southwesterly side of Lynam  
Street (40' wide) said point also being the southeasterly  
corner of Lands Now or formerly of Delaware Power & Light  
Company and being located South 09 degrees 33 minutes 00  
seconds 151.83 feet from the intersection formed by the  
southeasterly side of Woodbine Avenue (40' wide) with the  
southwesterly side of Lynam Street,

Thence from the point of Beginning, continuing along the southwesterly side of Lynam Street South 09 degrees 33 minutes 00 seconds 309.81 feet to a point, said point being on line of Lands Now or Formerly of Penn Central Railroad;

Thence, heading in a southwesterly direction continuing along Lands Now or Formerly of Penn Central Railroad South 79 degrees 26 minutes 25 seconds West 309.51 feet to a point, said point being on line of an unnamed street per the plat of Silview (50' wide):

Thence, heading in a northwesterly direction by the plat of Silview passing by an unnamed street, by Lands now or Formerly of Pamela M. Benson, passing by Windsor Avenue (40' wide), By Lands Now or Formerly of Teresa Y. & Kim I. Meyers, by Lands Now or formerly of Lawrence H. Schueler & wife and by a portion of Lands Now or Formerly of Nadine Boruta North 07 degrees 28 minutes 00 seconds West 360.52 feet to a point, said point being a corner for Lands Now or Formerly of Milton C. Silview, Jr. & Sandra J. Silview and also being a corner for the subdivision of Plymouth;

Thence, heading in a northeasterly direction by the plat of Plymouth and by Lands Now or Formerly of Lands Now or Formerly of Milton C. Silview, Jr. & Sandra J. Silview, by Lands Now or Formerly of Anna C. Hombach, passing by Grant Street (unimproved), by Lands Now or Formerly of Albert C. Leifheit, Jr., and by a portion of Lands Now or Formerly of Carl W. Smith, Trustee North 79 degrees 27 minutes 00 seconds 246.39 feet to a point, said point being the northwesterly corner for Lands Now or formerly of Delaware Power & Light Company;

Thence, heading in a southeasterly and northeasterly direction continuing along line of Lands Now or formerly of Delaware Power & Light Company the following two (2) courses and distances, 1) South 09 degrees 33 minutes 00 seconds East 49.32 feet to a point, passing over a concrete monument at 5.00' and passing over a concrete monument at 44.32 feet, 2) North 80 degrees 27 minutes 00 seconds East 50.00 feet to the point or place of Beginning, passing over a concrete monument at 5.00 feet.

Contain in said metes and boundary 2.446 +/- Acres more or less.

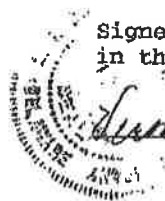
Subject to all matters of record and any state of facts that are shown on the survey dated September 27, 2002 entitled "Windsor Avenue, Christiana Hundred, New Castle County, Delaware ALTA/ACSM Land Title Survey" prepared by Pennoni Associates Inc.

Being a part of the same lands and premises which Krebs Pigment Color Corporation, a corporation of the State of Delaware, by Deed dated December 21, 1935 and recorded January 11, 1936 in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Record S, Volume 39, Page 526 did grant and convey unto E. I. du Pont de Nemours and Company, a corporation of the State of Delaware, in fee.

IN WITNESS WHEREOF, GRANTOR through its authorized representative has set his hand and seal the day and year first above written.

Signed, Sealed and Delivered  
in the Presence of:

E. I. DU PONT DE NEMOURS AND  
COMPANY



*James A. Stewart*

*James R. Stewart*

HHSN  
DLB  
(seal)

STATE OF DELAWARE  
COUNTY OF NEW CASTLE

This instrument was acknowledged before me on JANUARY 20,  
2003 by BRUCE R. FITZGERALD as GENERAL DIRECTOR FACILITIES SERVICES AND REAL ESTATE (title)  
of E. I. DU PONT DE NEMOURS AND COMPANY

*Lois A. Smith*  
Notary Public



My Commission Expires: Aug. 8, 2003  
LOIS A. SMITH  
Notary Public  
New Castle County  
State of Delaware  
My Commission Expires Aug. 8, 2003

2003.1 Newport DE Deed



No. 833  
Amount \$ EXEMPT  
Date Feb. 13, 2003

*James H. Sheldon*  
(Tax Collector)