RESOLUTION NO. R 004 22

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) JOHNSON'S CORNER AREA, TO INCLUDE THE BROOKLAND FARM AREA LOCATED IN THE BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the Sussex County Unified Sanitary Sewer Sanitary Sewer District (SCUSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County in the vicinity of Brookland Farm, the inclusion of this area will be beneficial; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (a), the Sussex County Council may, upon request of the County Engineer, revise the boundary of an established sewer district when 50 or more houses have been connected by posting a public notice in four public places in the district describing the new or revised boundary; and

WHEREAS, the Sussex County Council has caused to be posted a public notice in at least four public places in the district, as verified by the affidavit of Phillip C. Calio, a copy of which affidavit and public notice is attached hereto and made a part hereof; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (b), the Sussex County Council shall, within ninety days after posting the public notices pass a formal resolution establishing the new boundary of the district;

NOW, THEREFORE, BE IT RESOLVED the Sussex County Council hereby revises the boundary of the SCUSSD to encompass the lands mentioned above in the Brookland Farm area and further described as follows:

BEGINNING at a point, situate at the easterly right of way (ROW) of Bayard Road, said point also being a on the existing boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), said point also being a common property corner of lands N/F Brookland Farm and lands N/F of The Hamlet at Dirickson Pond thence leaving said SCUSSD boundary and proceeding by and with said ROW in a northeasterly direction a distance of 980'± to a point, said point being the southwesternmost point of lands N/F of L.D. Long, LP; thence following said Long lands the following five (5) courses and distances (1) S86°14'29"E a distance of 973.31' (2) S53°31'52"W a distance of 251.32', (3) S84°03'41"E a distance of 1814.47', (4) S 05°13'08"E a distance of 363.00', (5) S31°05'58"E a distance of 126.72' to a point, said point being the northeasternmost property corner of lands N/F of The Hamlet at Dirickson Pond; thence proceeding by and with said Hamlet lands N88°26'44"W 3,254.90' to a point, said point being that of the BEGINNING.

NOTE: The above description has been prepared using Sussex County Tax Map 533-11.00 and Sussex County property assessment records.

A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Engineer and the Attorney for the County Council to procure the necessary lands and right-of-way by purchase, agreement, or condemnation in accordance with the existing statutes; and

BE IT FURTHER RESOLVED that the County Engineer is hereby authorized to prepare maps, plans, specifications, and estimates, let contracts for and supervise the

construction and maintenance of, or enlarging and remodeling of, any and all structures required to provide for the safe disposal of sewage in the sanitary sewer district, as amended.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 004 22 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 10TH DAY OF MAY 2022.

TRACY N. TORBERT
CLERK OF THE COUNCIL

PUBLIC NOTICE

PROPOSED BROOKLAND FARM EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (JOHNSON'S CORNER AREA)
FILE NUMBER: OM 24.02.C

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on March 22, 2022, to consider expanding the boundary of the Johnson's Corner Area of the Sussex County Unified Sanitary Sewer District (SCUSSD) to include a property, 533-11.00-87.00, situated on the east side of Bayard Road (SCR 384). The parcel is located in the Baltimore Hundred, Sussex County, Delaware and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

BEGINNING at a point, situate at the easterly right of way (ROW) of Bayard Road, said point also being a on the existing boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), said point also being a common property corner of lands N/F Brookland Farm and lands N/F of The Hamlet at Dirickson Pond thence leaving said SCUSSD boundary and proceeding by and with said ROW in a northeasterly direction a distance of 980'± to a point, said point being the southwesternmost point of lands N/F of L.D. Long, LP; thence following said Long lands the following five (5) courses and distances (1) S86°14'29"E a distance of 973.31' (2) S53°31'52"W a distance of 251.32', (3) S84°03'41"E a distance of 1814.47', (4) S 05°13'08"E a distance of 363.00', (5) S31°05'58"E a distance of 126.72' to a point, said point being the northeasternmost property corner of lands N/F of The Hamlet at Dirickson Pond; thence proceeding by and with said Hamlet lands N88°26'44"W 3,254.90' to a point, said point being that of the **BEGINNING**.

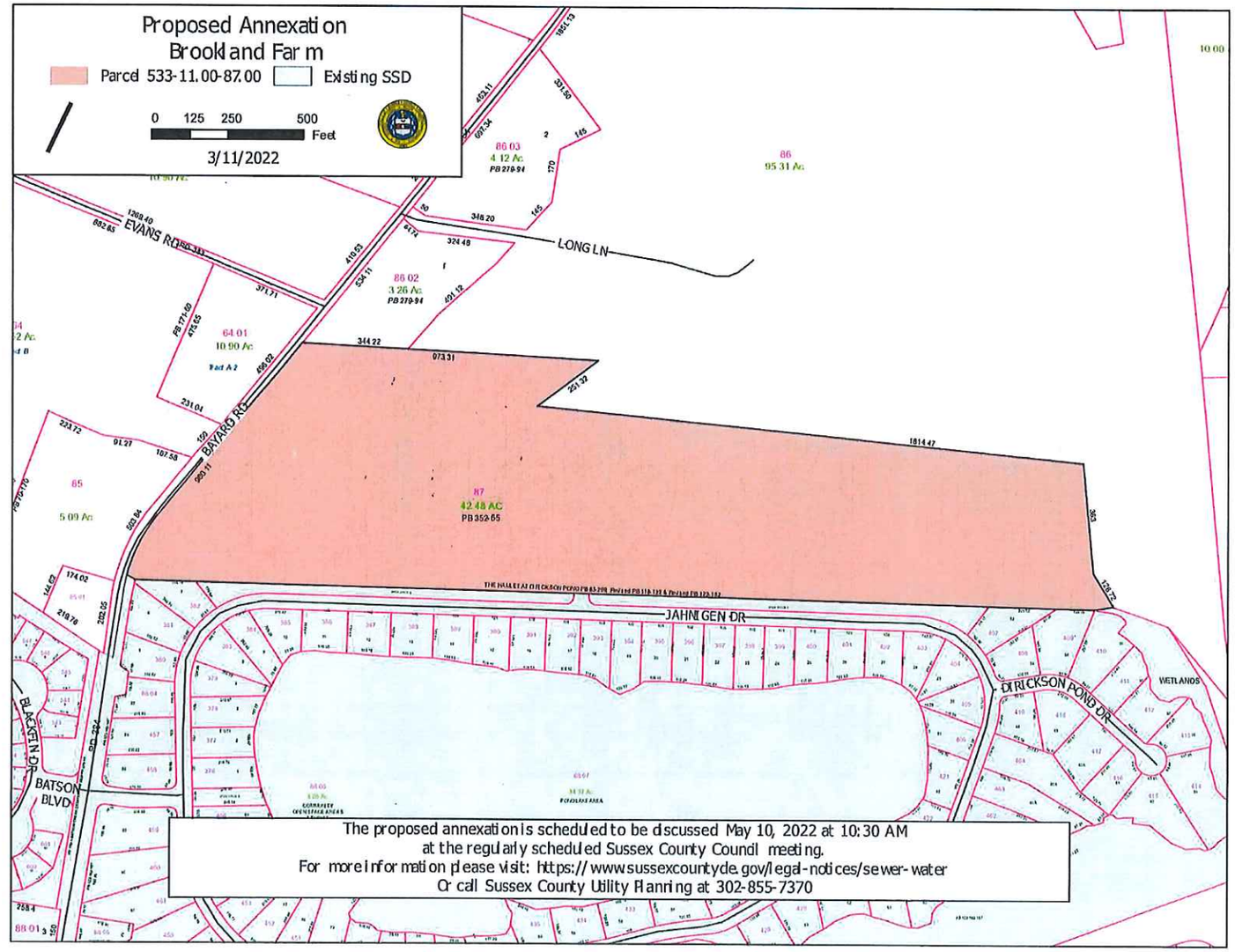
The proposed expansion of the SCUSSD is within these boundaries and said to contain 42.48 acres more or less. The boundary description has been prepared using Sussex County tax map numbers 533-11.00.

A map outlining and describing the extension to the SCUSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 10:30 am on May 10, 2022 in the Sussex County Council Chambers, County Administrative Offices, 2 The Circle, Georgetown, Delaware. All interested persons, officials, residents, voters, taxpayers, property owners, or corporations in any way affected by this boundary extension are welcome to attend. There will be an opportunity for questions and answers. The Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension.

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 – (302) 855-7370.

Hans M. Medlarz, P.E.
County Engineer


Proposed Annexation
Brookland Farm
Parcel 533-11.00-87.00
Existing SSD
0 125 250 500
Feet
3/11/2022
EVANS RD
LONG LN
BAYARD RD
JAHNIGEN DR
DERICKSON POND DR
BLACKFIN DR
BATSON BLVD
WETLANDS
87
42.48 AC
PB 352-65
86.03
4.12 Ac
PB 279-94
86
95.31 Ac
86.02
3.26 Ac
PB 279-94
64.01
10.90 Ac
65
5.09 Ac
The proposed annexation is scheduled to be discussed May 10, 2022 at 10:30 AM
at the regularly scheduled Sussex County Council meeting.
For more information please visit: https://www.sussexcountyde.gov/legal-notices/sewer-water
Or call Sussex County Utility Planning at 302-855-7370

SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
BROOKLAND FARM EXPANSION
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(
:
COUNTY OF SUSSEX)(

BE IT REMEMBERED, That the subscriber, PHILLIP C. CALIO, personally appeared before me and known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

A. On April 11, 2022 he was a Planning Technician IV for the Sussex County Engineering Department, Sussex County, State of Delaware; and

B. On April 11, 2022 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:

1. On a post in front of stop sign at the intersection of Jhanigan Boulevard and Bayard Road.
2. On a post in front of a stop sign at the intersection of Batson Boulevard and Bayard Road.
3. On a post in front of a stop sign at the intersection of Savage Farm Court and Johnson Road.
4. On a post in front of a stop sign at the intersection of Johnson Store Road and Zion Church Road.
5. On a post in the easterly Right-of-way (ROW) of Bayard Road across the road from DEC Pole 21910.
6. On a post in the easterly ROW of Bayard Road in front of DEC Pole 119161.
7. On a post in the easterly ROW of Bayard Road in front of DEC Pole 119160.
8. On a post in the easterly ROW of Bayard Road in front of DEC Pole 119159.

PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 13th day of April A.D., 2022

NOTARY PUBLIC

SHARON E. SMITH
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires on 6/14/22

My Commission Expires 6/14/22