

RESOLUTION NO. R 017 24

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) JOHNSON'S CORNER AREA, TO INCLUDE THE ROXANA STORAGE 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 Roxana Storage, 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 Roxana Storage area and further described as follows:

**AREA 1: Parcels 23.00, 23.03, & 23.04**

BEGINNING at a point situate on the southwestern right of way (ROW) of Zion Church Road (US Rt. # 20), said point being  $\pm 670'$  northwest of the intersection of the centerlines of Zion Church Road, and Deer Run Road, said point also being the northern corner of lands now or formerly (N/F) of Kenneth and Mellissa Bertrand; thence by and with said lands of Bertrand the following courses: (1) southwest  $\pm 343.1'$  to a point, and (2) southeast  $\pm 83.94'$  to a point and a corner of other lands of Bertrand; thence by and with said lands of Bertrand the following courses: (1) southeast  $\pm 110.65'$  to a point, and (2) east  $\pm 230.0'$  to a point also being a western corner of the lands N/F of Cornerstone Rentals LLC; Thence by and with said lands of Cornerstone Rentals LLC the following courses: (1) south  $\pm 69.97'$  to a point, (2) southeast  $\pm 34.25'$  to a point, and (3) southeast  $\pm 50.58'$  to a point on the northern ROW of Deer Run Road; Thence by and with said ROW in a southwesterly direction  $\pm 1,307'$  to a point and a corner of lands N/F of Betty Jo Magee; thence by and with said lands of Magee the following courses: (1) northwest  $\pm 374.4'$  to a point, and (2) southwest  $\pm 210'$  to a point and a eastern corner of lands N/F of Harry Orvin Strickler, Jr. and Patricia A. Kagarise; Thence with said lands of Strickler and Kagarise  $\pm 947.37'$  to a point in the centerline of a ditch and a southern corner of lands N/F of Howard Edward Johnson and Naomi B. Johnson; thence by and with said lands of Johnson and along the centerline of said ditch the following courses: (1) east  $\pm 434.7'$  to a point, (2) northeast  $\pm 252.7'$  to a point and the end of said ditch, and (3) northeast  $\pm 382.27'$  to a point and a western corner of lands N/F of Houston G. and Patricia Allen Curd; Thence by and with said lands of Curd in a southerly direction  $\pm 25'$  to a point and a corner of lands N/F of Joseph M. Roselini and Susan E. Harris; thence by and with said lands of Roselini and Harris in a southerly direction  $\pm 174'$  to a point and a corner of lands N/F of Carol S. Coulson; thence by and with said lands of Coulson the following courses: (1) south  $\pm 308'$  to a point, and (2) southeast  $\pm 152'$  to a point and a western corner of lands N/F of James Brian Nelson Frey; Thence by and with said lands of Frey the following courses: (1) southeast  $\pm 233'$  to a point, and (2) northeast  $\pm 249.7'$  to a point on the southeastern ROW of Zion Church Road; Thence with said ROW, following an arc to the southeast  $\pm 230'$  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. The annexation contains 31.78 acres more or less.



**AREA 2: Parcels 23.02**

**BEGINNING** at a point situate on the northeastern right of way (ROW) of Zion Church Road (US Rt. # 20), said point being  $\pm 250'$  northwest of the intersection of the centerlines of Zion Church Road, and Deer Run Road, said point also being the western corner of lands now or formerly (N/F) of Brent and Joan Sunderline; thence by and with said lands of Sunderline and along the centerline of a ditch in a generally northeasterly direction  $\pm 187'$  to a point and a western corner of lands N/F of Treehouse Beach Resort LLC; thence by and with said lands of Treehouse Beach Resort LLC and along the centerline of said ditch in a generally northeasterly direction  $\pm 703'$  to a prong in said ditch and a point on the southern property line of lands N/F of Charles R. and Norma A. Daly, trustees; thence by and with said lands of Daly, along the centerline of said ditch in a generally southwesterly direction  $\pm 660'$  to a point on the bank of said ditch and a corner of lands N/F of Thomas Wayne Quillen; thence by and with said lands of Quillen in a southwesterly direction  $\pm 311.06'$  to a point on the northeastern ROW of Zion Church Road; thence with said ROW following an arc to the southeast  $\pm 641'$  to a point, said point being that of the **BEGINNING**.

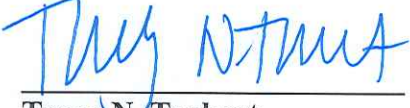
**NOTE:** The above description has been prepared using Sussex County Tax Map 533-11.00 and Sussex County property assessment records.

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

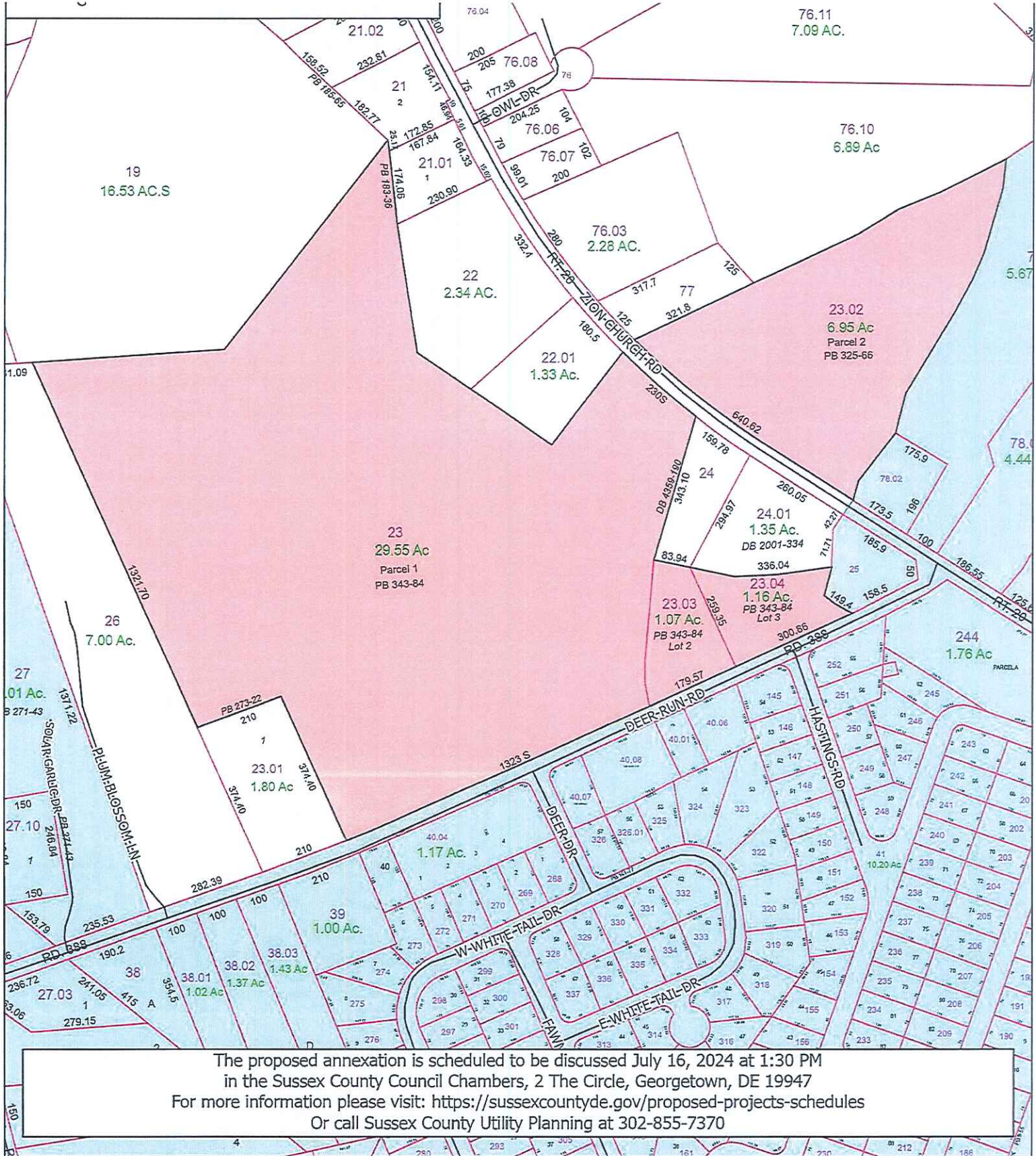
**BE IT FURTHER RESOLVED** that the Sussex County Council directs the County Engineer and the Attorney for the County Council to procure the necessary lands and right-of-way by purchase, agreement, or condemnation in accordance with the existing statutes; and

**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 017 24 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 13<sup>TH</sup> DAY OF AUGUST 2024.**

  
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Tracy N. Torbert  
Clerk of the Council





The proposed annexation is scheduled to be discussed July 16, 2024 at 1:30 PM  
 in the Sussex County Council Chambers, 2 The Circle, Georgetown, DE 19947  
 For more information please visit: <https://sussexcountyde.gov/proposed-projects-schedules>  
 Or call Sussex County Utility Planning at 302-855-7370