

RESOLUTION NO. R 021 23

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) DAGSBORO/FRANKFORD AREA, TO INCLUDE PARCELS 533-1.00-38.00, 533-4.00-28.00 & 28.01 ON THE EAST SIDE OF PEPPER ROAD, THE SOUTH SIDE OF FRANKFORD SCHOOL ROAD, THE PARCELS ARE LOCATED IN THE DAGSBORO HUNDRED & 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 Pepper Road & Frankford School Road, 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 situated on the east side of Pepper Road and the south side of Frankford School Road, as follows:

Beginning at a point, said point being on the Sussex County Unified Sanitary Sewer District (SCUSSD) boundary, said point also being on the southernmost property corner of lands Now-or-Formerly (N/F) 1 Thatcher Street LLC, said point also being on the easterly Right-of-Way (ROW) of Pepper Road; thence leaving said ROW and proceeding by and with said SCUSSD and running along Vines Creek the following 37 courses and distances, (1) N32°48'19"E 68.67', (2) N55°13'54"E 139.85', (3) N64°21'08"E 579.46', (4) N33°42'05"E 222.12', (5) N27°50'31"E 224.52', (6) N15°54'19"E 190.08', (7) N29°48'21"E 120.57', thence leaving said Vines Creek and SCUSSD and running, (8) S54°05'04"E 77.95', (9) N48°30'56"E 425.93', (10) with a curve to the left having a radius of 853.27', an arc length of 2.52', a chord bearing and distance S70°05'03"E 22.52', (11) S01°39'07"W 77.42', (12) S37°14'55"E 102.01', (13) S65°23'23"E 22.49' (14) S78°08'34"E 123.57', (15) N79°57'00" 75.59', (16) S63°25'17"E 89.34', (17) N38°25'07"E 211.96' (18) with a non-tangent curve deflecting to the left having a radius of 1797.07', an arc length of 90.48', a chord bearing and distance of S89°52'43"E 90.47' (19) S38°28'41"E 293.65', (20) S38°48'03"E 648.12', (21) S13°40'57"E 523.83', (22) S15°00'31"E 1391.94', (23) N82°27'29"E 851.56', (24) S38°47'31"W 762.30', (25) N85°08'34"W 198.70', (26) N18°37'25"W 395.95', (27) S70°52'35"W 980.00', (28) N18°37'25"W 279.27', (29) S70°52'32"W 1451.90', (30) running by and with said ROW N18°21'14"W 1382.65', (31) N17°50'19"W 384.10', (32) N18°29'21"W 1.21', (33) with a non-tangent curve deflecting to the left having a radius of 602.92', an arc length of 186.85', a chord bearing and distance of N27°21'57"W 186.10', (34) N53°45'24"E 15.00', (35) with a non-tangent curve deflecting to the left having a radius of 617.96', an arc length of 107.86', a chord bearing and distance of N41°14'36"W 107.72', (36) N43°45'24"E 15.00', (37) with a non-tangent curve deflecting to the left having a radius of 632.92', an arc length of 48.61', a chord bearing and distance of N48°26'36"W 48.60' to a point, said point being the Point of Beginning.

NOTE: The above description has been prepared using Sussex County Tax Map 533-1.00 & 533-4.00 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 021 23 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 7TH DAY OF NOVEMBER 2023.



Tracy N. Torbert
Clerk of the Council

