

**RESOLUTION R 012 07**

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO INCLUDE CERTAIN LOTS, PIECES OR PARCELS OF LAND SITUATED SOUTHERLY OF STATE ROUTE 26 AND NORTHERLY OF STATE ROUTE 20 INCLUDING VINES CREEK VILLAGE, AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE**

**WHEREAS, Sussex County has established the Dagsboro-Frankford Sanitary Sewer District; and**

**WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County southeast of the Town of Dagsboro, which includes the certain lots, pieces or parcels of land situated southerly of State Route 26 and northerly of State Route 20 including Vines Creek Village, which is contiguous to the DFSSD, the inclusion of this property 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 Lora Hudson, 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 thirty 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 Dagsboro-Frankford Sanitary Sewer District to encompass certain lots, pieces or parcels of land situated southerly of State Route 26 and northerly of State Route 20 including Vines Creek Village, as follows:**

**BEGINNING** at an iron pipe found at a point formed by the intersection of the southerly right-of-way line of State Route 26 with the easterly line of the lands, now or formerly, of Howard L. and Duane C. Lynch, as recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 1605, Page 95, thence in the datum of the Delaware State Grid System, leaving said lands of Lynch and running by and with said right-of-way line of State Route 26, the following three courses, North 72 degrees 37 minutes 45 seconds East 44.43 feet to an iron pipe found at a point, thence, South 17 degrees 16 minutes 37 seconds East 5.00 feet to an iron pipe found at a point, thence, North 72 degrees 43 minutes 23 seconds East 910.31 feet to a point on the westerly line of the lands, now or formerly, of Charlie Clifton and Robert Lynch, as recorded in said Office of the Recorder of Deeds in Deed Book 2908, Page 327, thence, leaving said State Route 26 and running by and with said lands of Lynch and also running by and with other lands, now or formerly, of Charlie Clifton and Robert Lynch, as recorded in said Office of the Recorder of Deeds, in Deed Book 2908, Page 329, South 30 degrees 58 minutes 20 seconds East 728.94 feet to a point, thence, continuing by and with said other lands of Lynch, South 53 degrees 41 minutes 22 seconds West 82.50 feet to a concrete monument found, thence, continuing by and with said lands of Lynch, South 29 degrees 31 minutes 28 seconds West 66.00 feet to a point, said point being the Northeastern most corner of the lands N/F of State of Delaware, said point also being a point on the boundary of the Dagsboro Frankford Sanitary Sewer District thence, by and with said boundary, the following courses, Southwest, Northwest, Southwest, curve turning to the right, Southwest, Northwest to a point, said point being that of the **BEGINNING**.

**SAVING** and **EXCEPTING** all those certain lots, pieces or parcels of land, situated southerly of, but not adjacent to, State Route 26; being Parcel 158.02, now or formerly of John and Jean F. Sparpaglione and Parcel 163.00, now or formerly of John and Jean F. Sparpaglione, as recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 963, Page

162 and in Plat Book 18, Page 10, said lands now being more particularly described as follows, to wit:

**BEGINNING** at a point formed by the intersection of the southerly line of the lands of, now or formerly, Dena Bolen and Marie Bolen Ennis, as recorded in said Office of the Recorder of Deeds in Deed Book 2813, Page 183 with the easterly line of the lands of, now or formerly, The Catholic Diocese Foundation, as recorded in said Office of the Recorder of Deeds in Deed Book 1944, Page 165; said point of beginning being located South 39 degrees 40 minutes 46 seconds East 511.84 feet from a point formed by the intersection of the southerly right-of-way line of State Route 26 with said easterly line of the lands of The Catholic Diocese Foundation, thence, leaving said lands of The Catholic Diocese Foundation and running by and with said lands of Bolen and Ennis, North 50 degrees 19 minutes 13 seconds East 150.00 feet to a point on the westerly line of a 30 foot private right-of-way, as recorded in said Office of the Recorder of Deeds in Deed Book 1944, Page 165, thence, leaving said lands of Bolen and Ennis and running by and with said private right-of-way, South 39 degrees 40 minutes 46 seconds East 300.00 feet to a point on the northerly line of said lands of The Catholic Diocese Foundation, thence, leaving said private right-of-way and running by and with said lands of The Catholic Diocese Foundation, the following two courses, South 50 degrees 18 minutes 29 seconds West 150.00 feet to a point, thence running, North 39 degrees 40 minutes 46 seconds West 300.03 feet to the point and place of beginning, having an area of 1.03 acres, more or less.

**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;

**BE IT FURTHER RESOLVED** that the County Engineer is hereby directed to prepare maps, plans, specifications, and estimates, elect 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 012 07 ADOPTED BY THE SUSSEX COUNTY COUNCIL  
ON THE 24TH DAY OF APRIL 2007.



ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE )(

COUNTY OF SUSSEX )(

BE IT REMEMBERED, That the subscriber, LORA HUDSON, 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 9, 2007 she was a Planning Technician for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On April 9, 2007 she did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Dagsboro, Delaware.
  - 2. In the lobby of Bank of Delmarva, Main and Clayton Streets, Dagsboro, Delaware.
  - 3. On the bulletin board of Frankford Library, Main Street, Frankford, Delaware.
  - 4. On the bulletin board of Frankford Town Hall, 5 Main Street, Frankford, Delaware.
  - 5. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Frankford, Delaware.
  - 6. On bulletin board inside front door of Bailey's Seafood, 28653 Gum Tree Road, Frankford, Delaware.
  - 7. In the front lobby of Dagsboro Town Hall, 504 Main Street, Dagsboro, Delaware.
  - 8. On the bullentin board of Bodies Dairy Market, 912 Clayton Avenue, Dagsboro, Delaware.
  - 9. On the area of land being considered for the proposed extension of the Dagsboro-Frankford Sanitary Sewer District, in five locations as follows:

- (1) On a stake located near the area's northwestern corner;
- (2) On a stake located near the area's southwestern corner;
- (3) On a stake located near the area's southeastern corner;
- (4) On a stake located along the area's northeastern corner, and the parcels of Stone Road;
- (5) On a telephone pole on the western edge of entrance to Stone Road;

Lora Hudson  
LORA HUDSON

SWORN TO AND SUBSCRIBED before me on this 10<sup>th</sup> day of April A.D., 2007.

James Williams  
NOTARY PUBLIC

My Commission Expires

July 26, 2017

PROPOSED EXPANSION TO THE  
DAGSBORO-FRANKFORD  
SANITARY SEWER DISTRICT  
VINES CREEK VILLAGE ANNEXATION

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on March 27, 2007, to consider extending the Dagsboro-Frankford Sanitary Sewer District (DFSSD) to include all those certain lots, pieces or parcels of land, situated southerly of State Route 26 and northerly of State Route 20, and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware and located in the Town of Dagsboro, Dagsboro Hundred, Sussex County, Delaware.

This action is in conformity with 9 Del. C. §6502.

A description of the area, which is contiguous to and to be added to the DFSSD is described as follows:

BEGINNING at an iron pipe found at a point formed by the intersection of the southerly right-of-way line of State Route 26 with the easterly line of the lands, now or formerly, of Howard L. and Duane C. Lynch, as recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 1605, Page 95, thence in the datum of the Delaware State Grid System, leaving said lands of Lynch and running by and with said right-of-way line of State Route 26, the following three courses, North 72 degrees 37 minutes 45 seconds East 44.43 feet to an iron pipe found at a point, thence, South 17 degrees 16 minutes 37 seconds East 5.00 feet to an iron pipe found at a point, thence, North 72 degrees 43 minutes 23 seconds East 910.31 feet to a point on the westerly line of the lands, now or formerly, of Charlie Clifton and Robert Lynch, as recorded in said Office of the Recorder of Deeds in Deed Book 2908, Page 327, thence, leaving said State Route 26 and running by and with said lands of Lynch and also running by and with other lands, now or formerly, of Charlie Clifton and Robert Lynch, as recorded in said Office of the Recorder of Deeds, in Deed Book 2908, Page 329, South 30 degrees 58 minutes 20 seconds East 728.94 feet to a point, thence, continuing by and with said other lands of Lynch, South 53 degrees 41 minutes 22 seconds West 82.50 feet to a concrete monument found, thence, continuing by and with said lands of Lynch, South 29 degrees 31 minutes 28 seconds West 66.00 feet to a point, said point being the Northeastern most corner of the lands N/F of State of Delaware, said point also being a point on the boundary of the Dagsboro Frankford Sanitary Sewer District thence, by and with said boundary, the following courses, Southwest, Northwest, Southwest, curve turning to the right, Southwest, Northwest to a point, said point being that of the BEGINNING.

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The proposed expansion of the DFSSD is within these boundaries and said to contain 24.6 acres, more or less. The boundary description has been prepared using Sussex County Tax Map Number 233-11.00, Sussex County property assessment records and a legal description supplied by Fuller Hall & Associates, Inc.

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

The public hearing will be held on this issue at 11:00 a.m. on Tuesday, April 24, 2007 in the Sussex County Council Chambers, County Administrative Office, 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) 855-7719.

Michael A. Izzo, P.E.  
County Engineer



PROPOSED VINES CREEK VILLAGE  
EXPANSION OF THE DAGSBORO/FRANKFORD  
SANITARY SEWER DISTRICT

AREA IS CROSSHATCHED



DATE: MARCH 14, 2007

