

RESOLUTION NO. R 015 21

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) MILLER CREEK AREA, TO INCLUDE ONE LANDLOCKED PARCEL OF LAND AT THE CURRENT END OF SEA SPRAY LANE LOCATED IN THE BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE (ZINZER PROPERTY – ESTUARY, PHASE 5) (MILLER CREEK AREA)

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 the Bayard area, 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 Miller Creek area and further described as follows:

BEGINNING at a point, said point being on the SCUSSD (Miller Creek Area) boundary, said point also being a shared property corner of lands Now-Or-Formerly of Donna M. Zinzer and Estuary Development LLC; thence proceeding by and with said SCUSSD boundary the following courses and distances 1) N60°38'45"W 719.53', (2) N44°30'07"W 38.98', (3) N26°26'09"W 31.03', (4) N13°34'23"W 30.79', (5) N10°07'12"W 35.23', (6) N02°26'38"W 74.71', (7) N 66°38'06"W 152.98', (8) S29°25'10"W 65.26', (9) N66°23'31"W 239.97', (10) N71°30'50"E 503.52', (11) N37°24'16"W 593.88, (12) N52°02'54"E493.86', (13) S39°23'34"E 857.86, (14) S51°35'59"W 470.29', (15) S46°43'15"E 1025.52' to a point, said point being a common property corner of lands N/F Camp Barnes

Inc and State of Delaware; thence leaving said SCUSSD boundary and continuing by and with said Estuary Development lands the following three courses and distances (1) S45°54'51"E 584.38', (2) S31°10'36"W 324.67', (3) N50°45'15"W436.32' to a point, said point being that of the BEGINNING.

NOTE: The above description has been prepared using Sussex County Tax Map 134-19.00 and Sussex County property assessment records.

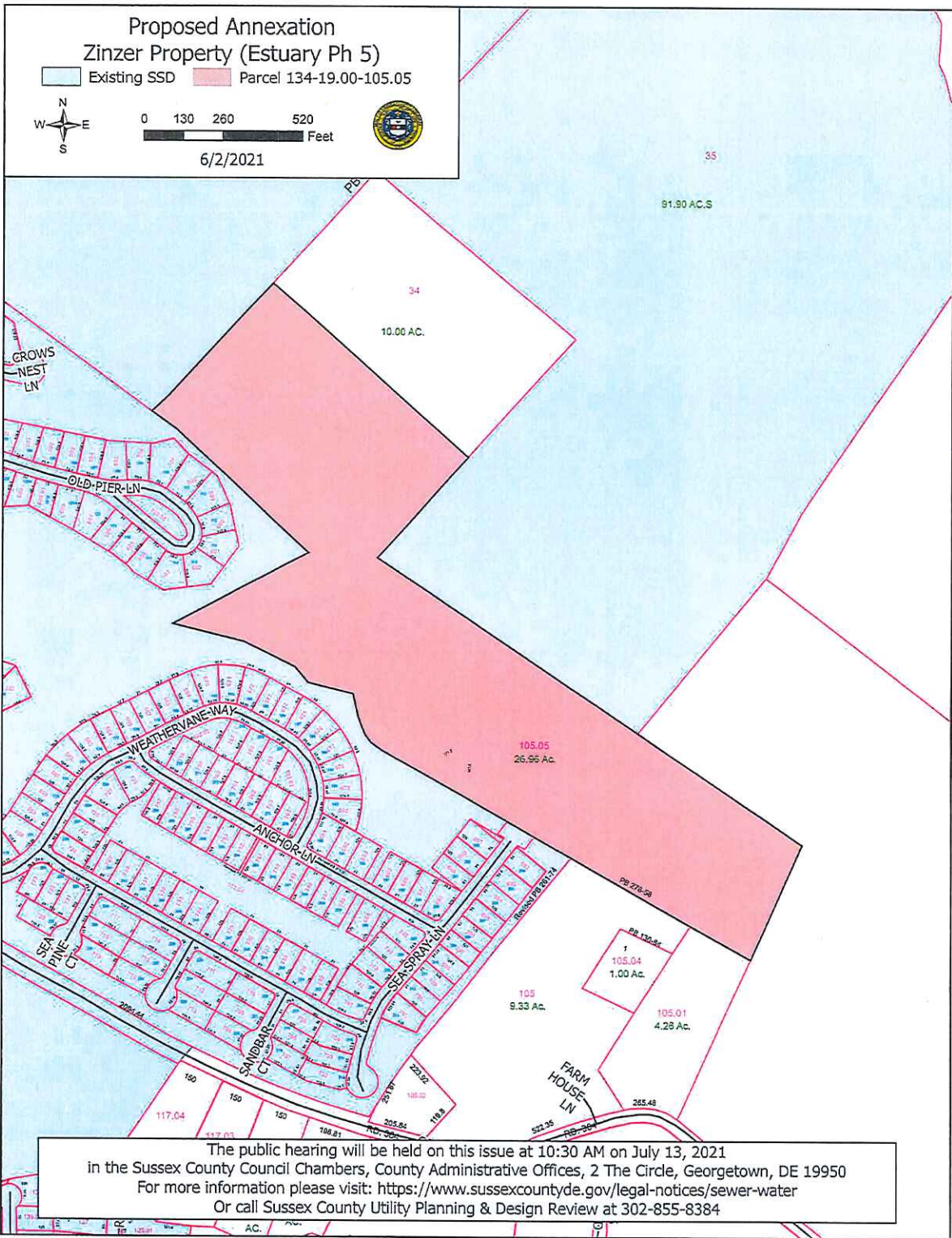
A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

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 TRUE AND CORRECT COPY OF RESOLUTION NO. R 015 21 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 13TH DAY OF JULY 2021.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL



PUBLIC NOTICE

PROPOSED ZINZER PROPERTY EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (MILLER CREEK AREA)

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **May 25, 2021** to consider extending the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), Miller Creek Area, to include the Zinzer Property at the end of Sea Spray Lane inside The Estuary, being situate in Baltimore 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 SCUSSD is described as follows:

Beginning at a point, said point being on the SCUSSD (Miller Creek Area) boundary, said point also being a shared property corner of lands Now-Or-Formerly of Donna M. Zinzer and Estuary Development LLC; thence proceeding by and with said SCUSSD boundary the following courses and distances 1) N60°38'45"W 719.53', (2) N44°30'07"W 38.98', (3) N26°26'09"W 31.03', (4) N13°34'23"W 30.79', (5) N10°07'12"W 35.23', (6) N02°26'38"W 74.71', (7) N 66°38'06"W 152.98', (8) S29°25'10"W 65.26', (9) N66°23'31"W 239.97', (10) N71°30'50"E 503.52', (11) N37°24'16"W 593.88, (12) N52°02'54"E493.86', (13) S39°23'34"E 857.86, (14) S51°35'59"W 470.29', (15) S46°43'15"E 1025.52' to a point, said point being a common property corner of lands N/F Camp Barnes Inc and State of Delaware; thence leaving said SCUSSD boundary and continuing by and with said Estuary Development lands the following three courses and distances (1) S45°54'51"E 584.38', (2) S31°10'36"W 324.67', (3) N50°45'15"W436.32' to a point, said point being that of the **BEGINNING**.

NOTE: The above description has been prepared using Sussex County Tax Map 134-19.00 and Sussex County property assessment records. The annexation contains 26.96 acres more or less.

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

The public hearing will be held on this issue at 10:30 a.m. on July 13, 2021 in the Sussex County Council Chambers, 2 The Circle, Georgetown, Delaware 19947. 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) 855-1299).

Hans M. Medlarz, P.E.
County Engineer

SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
ZINZER 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 June 22, 2021 he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On June 22, 2021 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On a post on the southwesterly property line of the expansion area 140'± southeast of the current end of Sea Spray Lane,
 - 2. On a post on the southwesterly property line of the expansion area 163'± southeast of the current end of Sea Spray Lane,
 - 3. On a post on the southwesterly property line of the expansion area 175'± southeast of the current end of Sea Spray Lane,
 - 4. On a post on the southwesterly property line of the expansion area 190'± southeast of the current end of Sea Spray Lane,
 - 5. On a post in front of a stop sign at the intersection of Double Bridges Road and Lutes Lane, The Woodlands at Bethany,
 - 6. On a post in front of a stop sign at the intersection of Double Bridges Road and Lindel Lane, The Woodlands at Bethany,
 - 7. On a post in front of a stop sign at the intersection of Camp Barnes Road and Estuary Boulevard, The Estuary subdivision.
 - 8. On a post in front of a stop sign at the intersection of Camp Barnes Road and Watch Hill Road, The Estuary subdivision


PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 22nd day of June A.D., 2021


NOTARY PUBLIC

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

My Commission Expires 6/14/22