

RESOLUTION NO R 019 07

A RESOLUTION TO EXTEND THE BOUNDARY OF THE FENWICK ISLAND SANITARY SEWER DISTRICT TO ENCOMPASS PARCELS OF LAND EAST AND WEST OF OLD MILL BRIDGES ROAD INCLUDING THE COMMUNITY OF WATER'S RUN (LYNCH PROPERTY), AND PART OF THE COMMUNITIES OF MAGNOLIA SHORES AND MILL CREEK ACRES LYING CONTIGUOUS TO THE FENWICK ISLAND SANITARY SEWER DISTRICT, IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the Fenwick Island 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 west of Fenwick Island Sanitary Sewer District, 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 Penny Massey, 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 Fenwick Island Sanitary Sewer District to encompass the property of Water's Run (Lynch Property), part of Magnolia Shores, and part of Mill Creek Acres as follows:

BEGINNING at a point, said point being on the Fenwick Island Sanitary Sewer District boundary, said point also being the southwesternmost corner of the lands now or formerly (N/F) of Anthony Albert Decesaris, said point also being on the boundary of the lands N/F of Ferdinand J. Illian, thence by and with said lands in a northwesterly direction to a point, said point being the corner of said lands and the lands N/F of James J. & Catherine M. Fackett, thence continuing in a northwesterly direction by and with said lands to a point, said point being the northeasternmost corner of said lands and a corner of the

lands N/F of Richard E. & Diana A. Scott, thence by and with said lands to a point, said point being the northeasternmost corner of said lands and a corner of the lands N/F of Albert L. & Rita L. Yox, thence by and with said lands to a point, said point being the northeasternmost corner of said lands and a corner of the lands N/F of Josephine Maio, thence proceeding by and with said lands to a point, said point being the northeasternmost corner of said lands and a point on the southern right-of-way (ROW) of Old Mill Bridge Road thence proceeding 40± feet across Old Mill Pond Road to a point, said point being on the northern ROW of said roadway and the southeasternmost corner of the lands N/F of Lynn P. Ryan, thence by and with said lands to a point, said point being the northeasternmost corner of said lands and a corner of the lands N/F of William E. & Judith Mae Paxson, thence by and with said lands to a point, said point being the northeasternmost corner of said lands and a corner of lands N/F of Joseph V. Jr. & Jeanette H. Diblasi, thence by and with said lands to a point, said point being the northeasternmost corner of said lands and a corner of the lands N/F of Joanna M. & Brian E. White, thence by and with said lands to a point, said point being the northwesternmost corner of lands N/F of Howard & Rubbie J. Martin, thence by and with said lands in a northeasterly direction to a point, said point being the northeasternmost corner of said lands and a point on the boundary of the lands N/F of Peggy Jean Timmons & Jesse Samuel Cobb, thence by and with said lands in the following directions; northwesterly, northeasterly, easterly, northerly, and northwesterly to a point, said point being the northwesternmost corner of said lands and the northeasternmost corner of the lands N/F of Gladys A. Swann Revocable Trust, thence by and with said lands in a northwesterly direction to a point, said point being a point on the boundary of said lands and the southeasternmost corner of the lands N/F of Teresa K. Swann, thence by and with said lands in a northwesterly direction 700± feet to a point, said point being the northeasternmost point of said lands and a point on the southern edge of Dirickson Creek; thence proceeding in a northwesterly direction a distance of 300± feet to a point, said point being the centerline of Dirickson Creek; thence proceeding by and with said centerline of Creek in a easterly direction a distance of 3,000± feet to a point, said point being the intersection of said centerline and a point on the boundary of the FISSD, thence proceeding by and with said FISSD boundary in a southwesterly direction 700± feet to a point, said point being

a point on the southern edge of Dirickson Creek and the northeasternmost corner of lands N/F of David A. Lehman, thence by and with said lands in a southwesterly direction 171± feet to a point, said point being the southeasternmost corner of said lands and a point on the northern ROW of Derrickson Drive, thence proceeding in a southwesterly direction 40± feet across said roadway to a point, said point being on the southern ROW of said roadway and the northeasternmost corner of the lands N/F of Raymond & Florence M. Sproul, thence by and with said lands in a southwesterly direction 162± feet to a point, said point being the corner of said lands and the lands of Estelle B. Thornley, thence by and with said lands in a southwesterly direction 146± feet to a point, said point being the corner of said lands and the lands of Robert A. Halinski, thence by and with said lands in a southwesterly direction 135± feet to a point, said point being the corner of said lands and the lands of Robert L. & Margaret R. Steele, thence by and with said lands in a southwesterly direction 224± feet to a point, said point being the southeasternmost corner of said lands, thence by and with said lands in a northwesterly direction 212± feet to a point, said point being a point on the boundary of said lands and the southeasternmost corner of the lands N/F of Jonathan M. Shapiro, thence by and with said lands 273± feet in a southwesterly direction to a point, said point being the southwesternmost corner of said lands and a point on the eastern ROW of CR 381 (Old Mill Bridge Road), thence proceeding by and with said ROW in a southeasterly direction 850± feet to a point, said point being on the eastern ROW of said roadway, thence proceeding in a southwesterly direction 50± feet crossing said roadway to a point, said point being on the western ROW of said roadway and the southeasternmost corner of the lands N/F of Anthony Albert Decesaris, thence by and with said lands in a southwesterly direction 175 ± feet to a point, said point being that of the **BEGINNING.**

The proposed expansion of the FISSD is within these boundaries and said to contain 93 acres, more or less. The boundary description has been prepared using Sussex County Tax Map Number 533-12 Sussex County property assessment records.

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, 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 019 07 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 24TH DAY OF JULY 2007.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

