

**RESOLUTION NO. R 019 21**

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD), TO INCLUDE PARCEL 235-23.00-1.02 ON THE WEST SIDE OF COASTAL HIGHWAY. THE PARCEL IS LOCATED IN THE BROADKILL HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE (CHAPPELL FARM)**

**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 Coastal Highway, 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 west side of Coastal Highway, as follows:**

**BEGINNING at a point, situate at the intersection of the westerly right of way (ROW) of Coastal Highway, the southerly ROW of Cave Neck Road, a point on the existing boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD); thence leaving said Coastal Highway ROW and continuing by and with said Cave Neck Road ROW and SCUSSD boundary in a southwesterly direction a distance of 850'± to a point; thence leaving said ROW and SCUSSD boundary and proceeding across Cave Neck Road in a northwesterly direction a distance of 60'± to a point, said point being on the northerly ROW of Cave Neck Road, said point also being the southernmost property corner of lands N/F of Chappell Farm LLC; thence leaving said ROW and**

proceeding by and with said Chappell Farm boundary the following bearings and distances (1) North 51°09'48" West 843.80' to an iron rod, (2) North 37°45'07" East 501.41' to a stone marker, (3) South 51°06'08" East 342.23 to a stone marker, (4) North 39°40'47" East 410.66' to an iron pipe, said iron pipe being a shared property corner of lands N/F Chappell Farm LLC and lands N/F of Three D Corporation, said pipe also being on the westerly ROW of Coastal Highway; thence leaving said property corner and ROW and proceeding across Coastal Highway in a northeasterly direction a distance of 150'± to a point, said point being on the easterly ROW of Coastal Highway, said point also being on the southwesterly property line of land N/F Overbrook Acres LLC; thence proceeding by and with said ROW and Overbrook Acres property line in a southeasterly direction a distance of 589' ± to a point; thence leaving said ROW and lands of Overbrook Acres and proceeding in a southwesterly direction across Coastal Highway a distance of 150'± to a point, said point being that of the Point of Beginning; and

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 019 21 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 31ST DAY OF AUGUST 2021.

  
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ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

# PUBLIC NOTICE

EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT  
CHAPPELL FARM EXPANSION – WEST REHOBOTH AREA  
FILE NUMBER: OM 9.13-AQ

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on July 13, 2021, to consider expanding the boundary of the West Rehoboth Area of the Sussex County Unified Sanitary Sewer District (SCUSSD) to include a property situated on the west side of State Route 1 (Coastal Highway). The parcel is located in the Broadkill Hundred, Sussex County, Delaware and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

**BEGINNING** at a point, situate at the intersection of the westerly right of way (ROW) of Coastal Highway, the southerly ROW of Cave Neck Road, a point on the existing boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD); thence leaving said Coastal Highway ROW and continuing by and with said Cave Neck Road ROW and SCUSSD boundary in a southwesterly direction a distance of 850'± to a point; thence leaving said ROW and SCUSSD boundary and proceeding across Cave Neck Road in a northwesterly direction a distance of 60'± to a point, said point being on the northerly ROW of Cave Neck Road, said point also being the southernmost property corner of lands N/F of Chappell Farm LLC; thence leaving said ROW and proceeding by and with said Chappell Farm boundary the following bearings and distances (1) North 51°09'48" West 843.80' to an iron rod, (2) North 37°45'07" East 501.41' to a stone marker, (3) South 51°06'08" East 342.23 to a stone marker, (4) North 39°40'47" East 410.66' to an iron pipe, said iron pipe being a shared property corner of lands N/F Chappell Farm LLC and lands N/F of Three D Corporation, said pipe also being on the westerly ROW of Coastal Highway; thence leaving said property corner and ROW and proceeding across Coastal Highway in a northeasterly direction a distance of 150'± to a point, said point being on the easterly ROW of Coastal Highway, said point also being on the southwesterly property line of land N/F Overbrook Acres LLC; thence proceeding by and with said ROW and Overbrook Acres property line in a southeasterly direction a distance of 589' ± to a point; thence leaving said ROW and lands of Overbrook Acres and proceeding in a southwesterly direction across Coastal Highway a distance of 150'± to a point, said point being that of the **BEGINNING**.

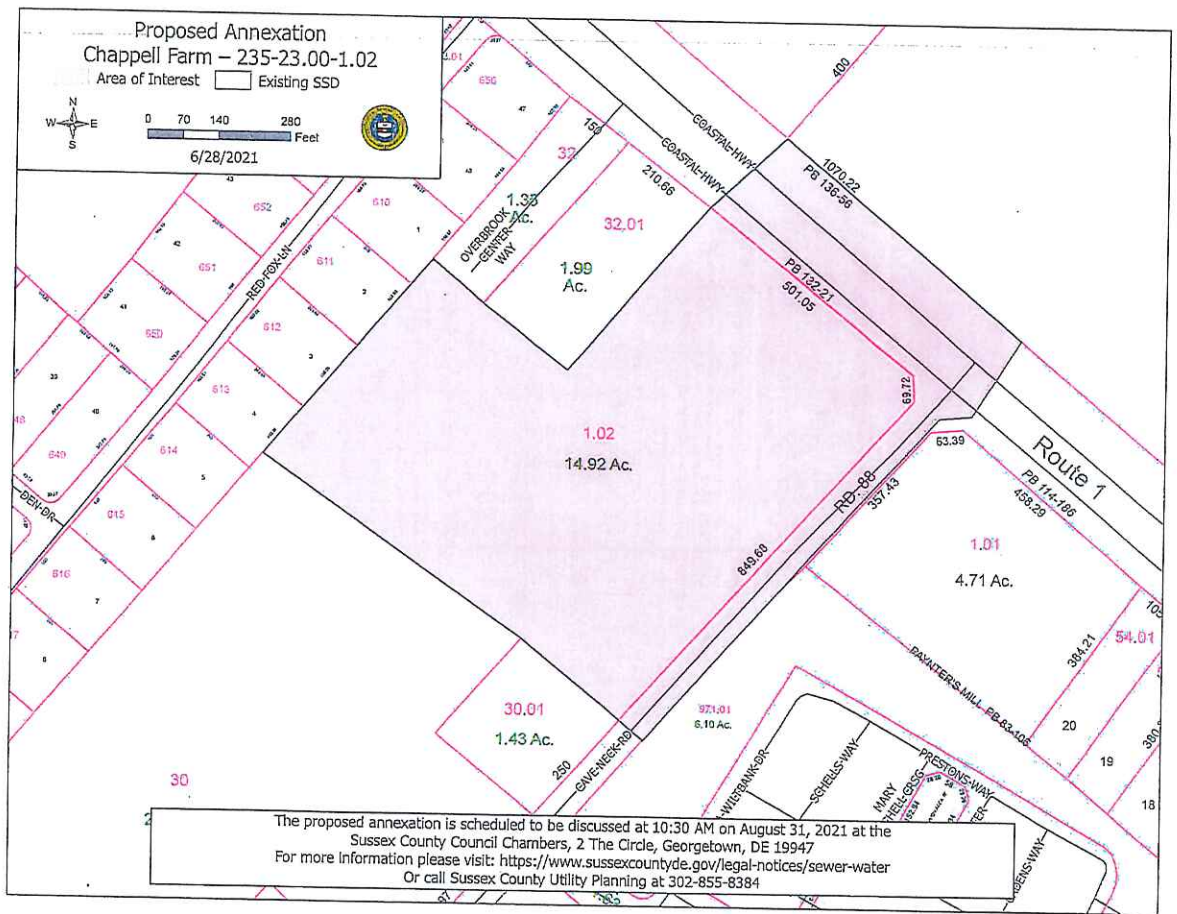
The proposed expansion of the SCUSSD is within these boundaries and said to contain 14.92 acres more or less. The boundary description has been prepared using Sussex County tax map numbers 235-23.00.

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

The public hearing will be held on this issue at 10:30 am on August 31, 2021 in the Sussex County Council Chambers. 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




PROPOSED CHAPPELL FARM 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 August 2, 2021 he was a Planning Tech for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On August 2, 2021 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
1. On a post in the northerly Right-Of-Way (ROW) OF Cave Neck Road 133'± southwest of Coastal Highway,
  2. On a post in the westerly ROW of Coastal Highway 124'± northwest of Cave Neck Road,
  3. On a post in the northely ROW of Cave Neck Road 514'± southwest of Coastal Highway,
  4. On a post in the northerly ROW of Cave Neck Road 927'± southwest of Coastal Highway,
  5. On a post in front of Stop sign at the exit of Paynter's Mill,
  6. On a post front of DEC Pole 30424 in the southerly ROW of Cave Neck Road 776'± southwest of Coastal Highway,
  7. On a post in front of a stop sign in the southerly ROW of Best Road at the intersection with Coastal Highway,
  8. On a post in front of a stop sign in the southerly ROW of Pondview Drive at the intersection with Coastal Highway.

  
PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 2<sup>nd</sup> day of Aug, 2021

  
NOTARY PUBLIC

My Commission Expires 6/14/22

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