

RESOLUTION NO. R 021 21

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) FENWICK ISLAND AREA, TO INCLUDE THE PROPOSED MARLIN COVE SUBDIVISION PROJECT LOCATED IN THE 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 the proposed Scenic Manor subdivision project, 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 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 Marlin Cove project and further described as follows:

BEGINNING at a point, said point being on the westerly Right-Of-Way (ROW) of New Road (SCR 391), said point also being on the SCUSSD boundary, said point further being the southeasternmost property corner of lands Now-Or-Formerly (N/F) of MDP Partners LLC; thence leaving said ROW and proceeding by and with said sewer boundary and MDP lands in a westerly and northerly direction respectively a distance of 1,385'± to a point, said point being the northeasternmost property corner of lands N/F of Jeanette M. Griffin; thence leaving said SCUSSD boundary and continuing with said MDP lands in a northeasterly direction a distance of 765'± to a point, said point being on the westerly ROW

of New Road (SCR 391); thence continuing with said MDP lands and ROW in a southeasterly direction a distance of 585.66' to a point, said point being that of the BEGINNING.


NOTE: The above description has been prepared using Sussex County Tax Map 533-19.00 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 A TRUE AND CORRECT COPY OF RESOLUTION NO. R 021 21 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 14TH DAY OF SEPTEMBER 2021.



ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

PUBLIC NOTICE

EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
MARLIN COVE EXPANSION – FENWICK ISLAND AREA
FILE NUMBER: OM 4.17

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **July 27, 2021**, to consider expanding the boundary of the Fenwick Island Area of the Sussex County Unified Sanitary Sewer District (SCUSSD) to include a property situated on the west side of New Road. The parcel is located in the Baltimore Hundred, Sussex County, Delaware and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

BEGINNING at a point, said point being on the westerly Right-Of-Way (ROW) of New Road (SCR 391), said point also being on the SCUSSD boundary, said point further being the southeasternmost property corner of lands Now-Or-Formerly (N/F) of MDP Partners LLC; thence leaving said ROW and proceeding by and with said sewer boundary and MDP lands in a westerly and northerly direction respectively a distance of 1,385'± to a point, said point being the northeasternmost property corner of lands N/F of Jeanette M. Griffin; thence leaving said SCUSSD boundary and continuing with said MDP lands in a northeasterly direction a distance of 765'± to a point, said point being on the westerly ROW of New Road (SCR 391); thence continuing with said MDP lands and ROW in a southeasterly direction a distance of 585.66' to a point, said point being that of the **BEGINNING**.

The proposed expansion of the SCUSSD is within these boundaries and said to contain 10.13 acres more or less. The boundary description has been prepared using Sussex County tax map numbers 533-19.00.

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 September 14, 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

SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
MARLIN COVE ANNEXATION
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

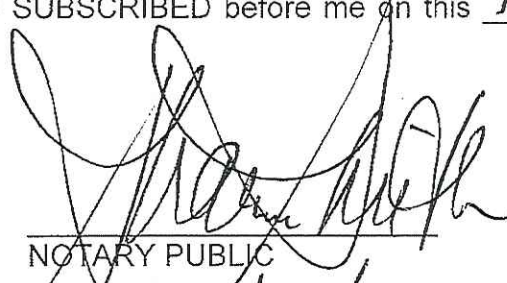
COUNTY OF SUSSEX)(

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 16, 2021 he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On August 16, 2021 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On a post in front of a stop sign in the westerly Right-Of-Way (ROW) of New Road (SCR 391) at the intersection with Lighthouse Road (Rt. 54),
 - 2. On a post in the westerly ROW of New Road (SCR 391) 1,070'± northwest of Lighthouse Rd. (Rt.54),
 - 3. On a post in the westerly ROW of New Road (SCR 391) 1,133'± northwest of Lighthouse Road (Rt. 54),
 - 4. On a post in the westerly ROW of New Road (SCR 391) 1,286'± northwest of Lighthouse Road (Rt. 54),
 - 5. On a post in the westerly ROW of New Road (SCR 391) 1,556'± northwest of Lighthouse Road (Rt. 54),
 - 6. On a post in the northerly ROW of Fenwick Circle, 1,043'± southeast of Zion Church Road (Rt. 20),
 - 7. On a post in the easterly ROW of New Road (SCR 391) at the intersection with Zion Church Road (Rt. 20),
 - 8. On a post in the northwesterly ROW of Bayard Road (SCR384) at the intersection with Zion Church Road (Rt. 20).


PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 19th day of Aug
A.D., 2021


NOTARY PUBLIC

My Commission Expires 6/14/22

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

Proposed Annexation Parcel 533-19.00-8.01

Parcel 533-19.00-8.01 Existing SSD



0 85 170 340 Feet



7/20/2021

9
36.95 Ac.

8.01
10.13 Ac.

8
3.84 Ac.
Parcel A

8.02
2.35 Ac.
Parcel B

8.03
2.55 Ac.
Parcel C

13.05
8.37 Ac.
A

33.03
21.58 Ac.
PARCELA

7
15.70 Ac. S

13.04
1.70 Ac

The proposed annexation is scheduled to be discussed September 14, 2021 at 10:30 AM
at the Sussex County Council Chambers, 2 The Circle, Georgetown, DE 19947.
For more information please visit: <https://www.sussexcountyde.gov/legal-notice/sewer-water>
Or call Sussex County Utility Planning at 302-855-1299