

RESOLUTION NO. R 027 07

A RESOLUTION TO EXTEND THE BOUNDARY OF THE OAK ORCHARD SANITARY SEWER DISTRICT (OOSSD) TO INCLUDE PARCELS OF LAND IN THE COMMUNITY OF CAPTAIN'S GRANT LOCATED NORTH OF OAK ORCHARD ROAD (STATE OF DELAWARE ROUTE 5), BEING SITUATE IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the Oak Orchard Sanitary Sewer District (OOSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County south, east and north of the OOSSD, which is contiguous to the OOSSD, 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 Rob Davis, 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 OOSSD to include parcels of land in the community of Captain's Grant along State of Delaware Route 5, as follows:

Beginning at a point, said point being on the centerline of Emily Gut, said point also being the easternmost property corner of Captain's Grant subdivision (found in Plot Book 29, Pages 320 and 321 in the Sussex County Recorder of Deeds Office), said point also being on the boundary line of the OOSSD; thence proceeding with the boundary line of said subdivision and the boundary line of the OOSSD in a southwesterly, northwesterly, and northeasterly direction respectively to a point where the northerly boundary line Captain's Grant subdivision meets the centerline of Emily Gut; thence leaving the

boundary line of the OOSD and proceeding in a southeasterly direction 2771.37 ± feet with the centerline of Emily Gut to the point of Beginning.

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 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 ORDINANCE NO. R 027 07 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 16TH DAY OF OCTOBER 2007.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

OAK ORCHARD SANITARY SEWER DISTRICT
AFFIDAVIT FOR PUBLIC HEARING.
CAPTAIN'S GRANT EXPANSION


STATE OF DELAWARE §

COUNTY OF SUSSEX §

BE IT REMEMBERED that the subscriber, ROB DAVIS, 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 September 25, 2007 he was a Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On September 25, 2007 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On bulletin board in the entry of Valero Shore Stop food store, Trading Post Plaza, 31507 Oak Orchard Road, Oak Orchard, Delaware.
 - 2. On community bulletin board next to community mailboxes at the east entrance to River Village, Oak Orchard, Delaware.
 - 3. On community mailboxes in the entrance to Oak Meadows, Oak Orchard Road, Oak Orchard, Delaware.
 - 4. On community mailboxes in the entrance to Driftwood Village, Oak Orchard, Delaware.
 - 5. On community mail boxes near entrance to Oak Orchard West, Oak Orchard Road, Oak Orchard, Delaware.
 - 6. On Connective pole #58699/01801 at community mailboxes near the entrance to Captain's Grant, Oak Orchard Road, Oak Orchard, Delaware.
 - 7. On community bulletin board next too community mailboxes near the entrance to Captain's Grant, Oak Orchard, Delaware.
 - 8. On a driven stake next to the stop sign at the intersection of Captains Way and King Charles Drive along the southerly right of way of Captains Way, Captain's Grant, Oak Orchard, Delaware.

9. On a driven stake next to the stop sign at the intersection of South Captains Way and King Charles Drive along the northerly right of way of South Captains Way, Captain's Grant, Oak Orchard, Delaware.
10. On a driven stake next to the stop sign at the intersection of Captains Way and Lord Calvert Drive along the southerly right of way of Captains Way, Captain's Grant, Oak Orchard, Delaware.
11. On bulletin board in entry to A and R General Store, 32665 Oak Orchard, Road, Oak Orchard, Delaware.


ROB DAVIS

SWORN TO AND SUBSCRIBED before me on this 28th day of September A.D., 2007.


NOTARY PUBLIC

My Commission Expires Jayne E. Dickerson
Notary Public
Commission Expires 4/7/2011

NOTICE

PROPOSED EXPANSION OF THE OAK ORCHARD SANITARY SEWER DISTRICT CAPTAIN'S GRANT EXPANSION

NOTICE IS HEARBY GIVEN that the Sussex County Council voted on September 18, 2007 to consider extending the Oak Orchard Sanitary Sewer District (OOSSD) to include parcels of land located east of State of Delaware Route 5 in the Captain's Grant subdivision, being situate in Indian River Hundred of 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 OOSSD, is more particularly described as follows:

Beginning at a point, said point being on the centerline of Emily Gut, said point also being the easternmost property corner of Captain's Grant subdivision (found in Plot Book 29, Pages 320 and 321 in the Sussex County Recorder of Deeds Office), said point also being on the boundary line of the OOSSD; thence proceeding with the boundary line of said subdivision and the boundary line of the OOSSD in a southwesterly, northwesterly, and northeasterly direction respectively to a point where the northerly boundary line Captain's Grant subdivision meets the centerline of Emily Gut; thence leaving the boundary line of the OOSSD and proceeding in a southeasterly direction 2771.37 ± feet with the centerline of Emily Gut to the point of Beginning.

Note: The above description has been prepared using Sussex County Delaware Tax Map No. 2-34-29.00.

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

The public hearing is scheduled for Thursday, October 11, 2007 at 7:00 p.m. at the Indian River Fire Volunteer Fire Company, 32628 Oak Orchard Road, Millsboro, 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. Following the hearing, the Sussex County Council will make the final decision on the boundary extension, at one of their regularly scheduled meetings.

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.

Michael A. Izzo, P. E.
County Engineer

