

RESOLUTION R 029 07

A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO INCLUDE CERTAIN LOTS, PIECES OR PARCELS OF LAND SITUATED SOUTHWEST OF COUNTY ROUTE 382, ARMORY ROAD, WEST OF THE INDIAN RIVER HIGH SCHOOL, AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE

WHEREAS, Sussex County has established the Dagsboro-Frankford 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 southeast of the Town of Dagsboro, which includes the certain lots, pieces or parcels of land situated southwest of County Route 382, Armory Road, west of the Indian River High School, which is contiguous to the DFSSD, 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 Lora Hudson, 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 Dagsboro-Frankford Sanitary Sewer District to encompass certain lots, pieces or the parcels of land situated southwest of County Route 382, Armory Road, west of the Indian River High School.

BEGINNING at a point, said point being a point on the northern Right of Way (ROW) of County Route (CR) 382, ± 600 feet from the intersection of CR 382 and Prince George's Drive, then proceeding in a southwesterly direction ± 50 feet to a point on the southern ROW of CR 382, said point also on the boundary of the lands N/F Indian River School District, thence proceeding by and with said boundary in a westerly direction ± 170 feet to a point, said point being a point on the Prince George's Acres subdivision boundary (as recorded in Plot Book 10, Page 31 Sussex County Recorder of Deeds); thence by and with said boundary in the following directions, southwesterly ± 205 feet; westerly ± 130 feet; southerly ± 820 feet; westerly ± 160 feet; southerly ± 123 feet; northwesterly ± 900 feet respectfully to a point, said point being on the boundary of the Dagsboro-Frankford Sanitary Sewer District and a point on the southeasternmost corner of the lands now or formerly of (N/F) Dianna Butler; continuing in a northwesterly direction ± 205 feet across said lands and lands N/F Gerald & Kathleen Steen to a point, said point being the northeasternmost corner of said lands of Steen and the western ROW of Prince George's Drive; thence proceeding in northeasterly direction ± 164 feet across Prince George's Drive to a point; said point being the southwesternmost point of land N/F James David & Michele K. Proctor; thence by and with said lands ± 85 feet to a point, said point being the southwesternmost corner of other lands N/F James David & Michele K. Proctor; thence by and with said lands ± 85 feet to a point, said point being the southwesternmost corner of lands N/F Maria E. Schmidt, thence by and with said lands in a easterly direction ± 150 feet to the southeasternmost corner of said lands; thence by and with said lands in a northerly direction ± 82 feet to a point; said being the southwesternmost corner of lands N/F Gregory S. Kneller; thence by and with said lands in a easterly direction ± 123 feet to a point, said point being the southeasternmost corner of said lands; thence by and with said lands in a northerly direction ± 85 feet to the southeasternmost corner of other lands N/F Gregory S. Kneller; thence by and with said lands in a northerly direction ± 213 feet to a point, said point being a point on the western ROW of Queen Ann Street; thence proceeding in an easterly direction crossing said street ± 40 feet to a point; said point being the

southwesternmost corner of lands N/F Steven C. & Maria A. Hitchens; thence proceeding in a easterly direction ± 123 feet to a point; said point being the southwesternmost corner of lands N/F Mary Odder; thence proceeding in a easterly direction ± 123 feet to a point; said point being the western ROW of King George's Street; thence proceeding in an easterly direction crossing said street ± 40 feet to a point; said point being the northwesternmost corner of lands N/F Delores C. & Maria A. Estep; thence by and with said lands in the following directions southerly ± 85 feet, a easterly ± 115 feet, northerly ± 85 feet respectfully to a point; said point being the southwesternmost corner of lands N/F Patricia E. Donofrio; thence by and with said lands in a northeasterly direction ± 123 feet to point; said point being the southwesternmost corner of lands N/F J. Michael Downes Jr; thence by and with said lands in a easterly direction ± 123 feet to a point; said point being the southeasternmost corner of said lands; thence by and with said lands in a northerly direction ± 80 feet to a point; said point being the southern ROW of Blackfoot Town Street; thence proceeding in an northerly direction crossing said street ± 40 feet to a point; said point being a point on the southern boundary of the lands N/F Eric William and Jan Bomhardt; thence proceeding in a northerly direction ± 120 feet crossing said lands to a point; said point being the southern ROW of CR 382; thence proceeding in a northerly direction ± 50 feet crossing CR 382 to a point; said point being a point on the northern ROW of CR 382; thence following said ROW southeasterly ± 450 feet to a point; said point being that of the 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;

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 029 07 ADOPTED BY THE SUSSEX COUNTY COUNCIL
ON THE 6TH DAY OF NOVEMBER 2007.



ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED that the subscriber, LORA HUDSON, 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 October 23, 2007 she was a Planning Technician for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On October 23, 2007 she did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Dagsboro, Delaware.
 - 2. In the lobby of Bank of Delmarva, Main and Clayton Streets, Dagsboro, Delaware.
 - 3. On the bulletin board of Frankford Library, Main Street, Frankford, Delaware.
 - 4. On the bulletin board of Frankford Town Hall, 5 Main Street, Frankford, Delaware.
 - 5. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Frankford, Delaware.
 - 6. On bulletin board inside front door of Bailey's Seafood, 28653 Gum Tree Road, Frankford, Delaware.
 - 7. In the front lobby of Dagsboro Town Hall, 504 Main Street, Dagsboro, Delaware.
 - 8. On the bullentin board of Bodies Dairy Market, 912 Clayton Avenue, Dagsboro, Delaware.

9. On the area of land being considered for the proposed extension of the Dagsboro-Frankford Sanitary Sewer District, in four locations as follows:

- (1) On a stub at the east side of the entrance to Prince George's Acres.
- (2) On a stub at the Northeast corner of Blackfoot Town Street and Chapel of Ease Street.
- (3) On a stub at the Northwest corner of Chapel of Ease Street and Prince George's Drive.
- (4) On a stub at the Northeast corner of Queen Ann Street and Prince George's Drive.

Lora Hudson
LORA HUDSON

SWORN TO AND SUBSCRIBED before me on this 25th day of Oct, A.D., 2007.

Jayne E. Dickerson
NOTARY PUBLIC

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

PROPOSED EXPANSION TO THE
DAGSBORO-FRANKFORD
SANITARY SEWER DISTRICT
PRINCE GEORGE'S ACRES ANNEXATION

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on October 9, 2007 to consider extending the Dagsboro-Frankford Sanitary Sewer District (DFSSD) to include all those certain lots, pieces or parcels of land, situated South West of County Route 382, Armory Road, West of the Indian River High School, to be the remainder of Prince George's Acres not currently part of the Dagsboro Frankford Sanitary Sewer District located in the Town of Dagsboro, Dagsboro 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 DFSSD is described as follows:

BEGINNING at a point, said point being a point on the northern Right of Way (ROW) of County Route (CR) 382, ± 600 feet from the intersection of CR 382 and Prince George's Drive, then proceeding in a southwesterly direction ± 50 feet to a point on the southern ROW of CR 382, said point also on the boundary of the lands N/F Indian River School District, thence proceeding by and with said boundary in a westerly direction ± 170 feet to a point, said point being a point on the Prince George's Acres subdivision boundary (as recorded in Plot Book 10, Page 31 Sussex County Recorder of Deeds); thence by and with said boundary in the following directions, southwesterly ± 205 feet; westerly ± 130 feet; southerly ± 820 feet; westerly ± 160 feet; southerly ± 123 feet; northwesterly ± 900 feet respectfully to a point, said point being on the boundary of the Dagsboro-Frankford Sanitary Sewer District and a point on the southeasternmost corner of the lands now or formerly of (N/F) Dianna Butler; continuing in a northwesterly direction ± 205 feet across said lands and lands N/F Gerald & Kathleen Steen to a point, said point being the northeasternmost corner of said lands of Steen and the western ROW of Prince George's Drive; thence proceeding in northeasterly direction ± 164 feet across Prince George's Drive to a point; said point being the southwesternmost point of land N/F James David & Michele K. Proctor; thence by and with said lands ± 85 feet to a point, said point being the southwesternmost corner of other lands N/F James David & Michele K. Proctor; thence by and with said lands ± 85 feet to a point, said point being the southwesternmost corner of lands N/F Maria E. Schmidt, thence by and with said lands in a easterly direction ± 150 feet to the southeasternmost corner of said lands; thence by and with said lands in a northerly direction ± 82 feet to a point; said being the southwesternmost corner of lands N/F Gregory S. Kneller; thence by and with said lands in a easterly direction ± 123 feet to a point, said point being the southeasternmost corner of said lands; thence by and with said lands in a northerly direction ± 85 feet to the southeasternmost corner of other lands N/F Gregory S. Kneller; thence by and with said lands in a northerly direction ± 213 feet to a point, said point being a point on the western ROW of Queen Ann Street; thence proceeding in an easterly direction crossing said street ± 40 feet to a point; said point

being the southwesternmost corner of lands N/F Steven C. & Maria A. Hitchens; thence proceeding in a easterly direction ± 123 feet to a point; said point being the southwesternmost corner of lands N/F Mary Odder; thence proceeding in a easterly direction ± 123 feet to a point; said point being the western ROW of King George's Street; thence proceeding in an easterly direction crossing said street ± 40 feet to a point; said point being the northwesternmost corner of lands N/F Delores C. & Maria A. Estep; thence by and with said lands in the following directions southerly ± 85 feet, a easterly ± 115 feet, northerly ± 85 feet respectfully to a point; said point being the southwesternmost corner of lands N/F Patricia E. Donofrio; thence by and with said lands in a northeasterly direction ± 123 feet to point; said point being the southwesternmost corner of lands N/F J. Michael Downes Jr; thence by and with said lands in a easterly direction ± 123 feet to a point; said point being the southeasternmost corner of said lands; thence by and with said lands in a northerly direction ± 80 feet to a point; said point being the southern ROW of Blackfoot Town Street; thence proceeding in an northerly direction crossing said street ± 40 feet to a point; said point being a point on the southern boundary of the lands N/F Eric William and Jan Bomhardt; thence proceeding in a northerly direction ± 120 feet crossing said lands to a point; said point being the southern ROW of CR 382; thence proceeding in a northerly direction ± 50 feet crossing CR 382 to a point; said point being a point on the northern ROW of CR 382; thence following said ROW southeasterly ± 450 feet to a point; said point being that of the BEGINNING.

The proposed expansion of the DFSSD is within these boundaries and said to contain 19.3 \pm acres, more or less. The boundary description has been prepared using Sussex County Tax Map 233-11.00 and Sussex County property assessment records.

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

The public hearing will be held on this issue at 11:00 a.m. on Tuesday, November 6, 2007 in the Sussex County Council Chambers, County Administrative Office, 2 The Circle, Georgetown, 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. 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) 855-7719.

Michael A. Izzo, P.E.
County Engineer

PROPOSED PRINCE GEORGES ACRES
EXPANSION OF THE DAGSBORO/FRANKFORD
SANITARY SEWER DISTRICT

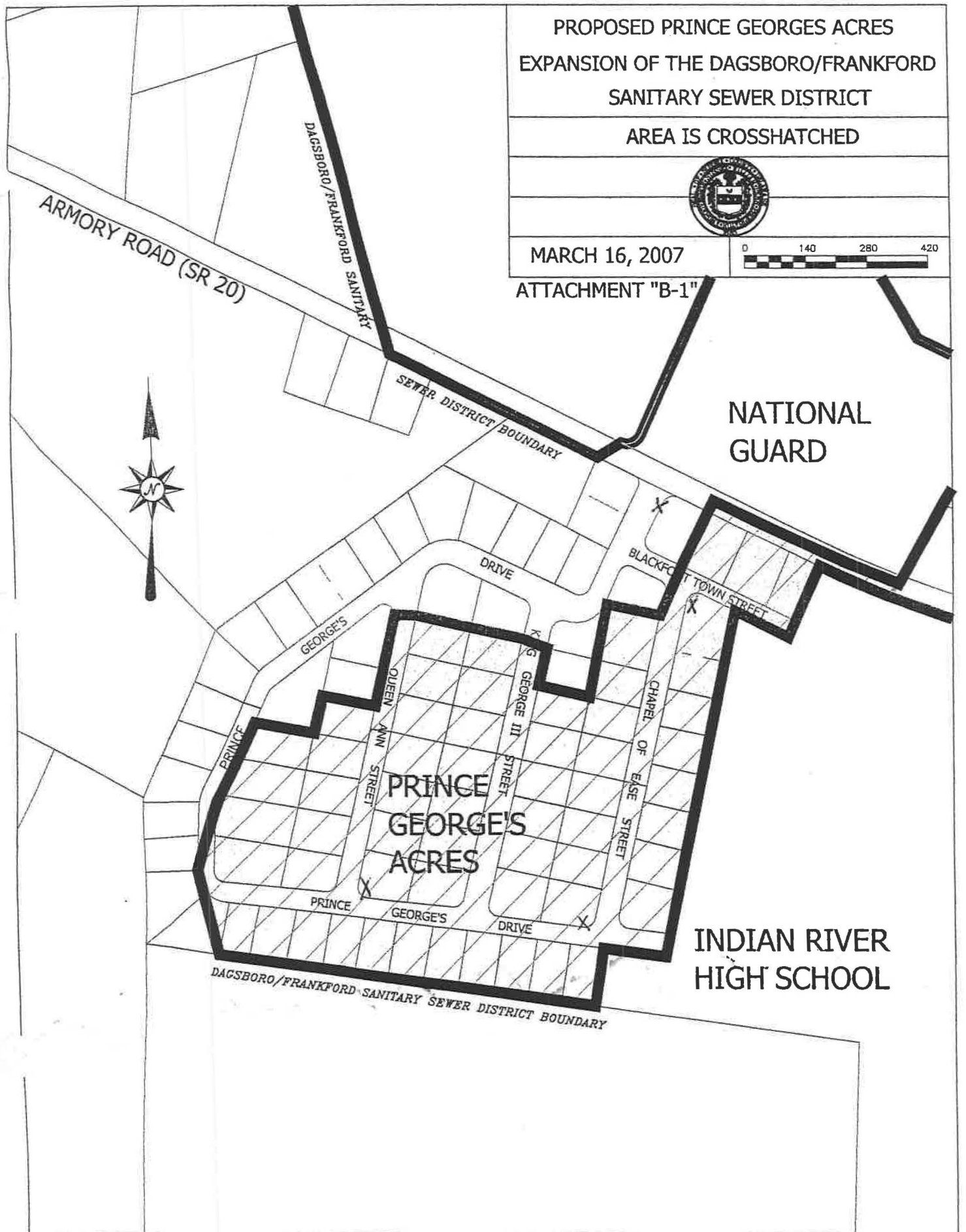
AREA IS CROSSHATCHED



MARCH 16, 2007



ATTACHMENT "B-1"



RESOLUTION

BE IT RESOLVED THAT the Sussex County Council, at a regularly scheduled meeting held on April 17, 2007, at the Sussex County Administrative Offices, does hereby name and appoint the following persons as their authorized representatives to transact and sign any and all documents related to the securing of funds from the Federal grant awarded to Sussex County, Delaware as administered by the Environmental Protection Agency; and

BE IT FURTHER RESOLVED THAT on a Motion by Councilman Vance Phillips, seconded by Councilman Finley Jones, and carried by a vote of 5-0, the Sussex County Council designates either David B. Baker, County Administrator, or Susan M. Webb, County Finance Director, as their duly appointed persons to act on behalf of the Sussex County Council to satisfy this RESOLUTION.

RE: \$250,000 GRANT FOR SOUTH OCEAN VIEW SANITARY SEWER DISTRICT – QUAINT ACRES FROM EPA.