

RESOLUTION NO. R 032 06

A RESOLUTION TO EXTEND THE BOUNDARY OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (WRX) TO INCLUDE A PARCEL OF LAND ALONG THE WEST SIDE OF COUNTY ROAD 274, BEING IN LEWES-REHOBOTH HUNDRED, SUSSEX COUNTY DELAWARE.

WHEREAS, Sussex County has established the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRE); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County between the Towns of Lewes and Rehoboth Beach, which is contiguous to the WRE, 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 WRE to encompass the parcel of land along the west side of County Road 274, as follows:

BEGINNING at a point on the westerly right-of-way line of SCR 274, said point being a found concrete marker at a corner for these lands and lands now or formerly (N/F) of Robino-Sea Chase LLC, said corner also being on the boundary of the WRX; thence proceeding with lands N/F of Robino-Sea Chase LLC and the WRX, the following 2 courses and distances: (1) N 48° 58' 48" W 456.38 feet +/- to a found concrete monument; thence (2) S 44° 35' 10" W 647.37 feet +/- to a concrete monument found to be leaning; thence leaving the boundary of the WRX and proceeding with these lands and lands N/F of Herola Family LLC, N 37° 37' 02" W 682.84 feet +/- to a found iron pipe at the corner for

these lands and in the line of lands now or formerly of Beebe Medical Center, Inc, said iron pipe also being in the boundary of the WRX; thence proceeding in part with lands of Beebe Medical Center LLC. and the boundary of the WRX, N 40° 58' 58" E 979.29 feet +/- to a corner of lands N/F of Beebe Medical Center LLC, said corner also being a point on the line of these lands; thence leaving the boundary of the WRX and continuing with the line of these lands and lands N/F of Herola Family LLC, N 40° 58' 58" E 199.8 feet +/- to a common corner of these lands and lands N/F of J.G. Townsend Jr. & Co, Inc, thence proceeding with these lands and lands of J. G. Townsend Jr. & Co, Inc, the following 3 courses and distances: (1) S 45° 24' 19" E 541.62 feet +/- to a point; thence (2) S 12° 56' 26" W 327.45 feet +/- to a point; thence (3) S 77° 03' 34" E 257.58 feet +/- to a point, said point being a corner for these lands and lands N/F of J.G. Townsend Jr. & Co, said point also located in westerly right-of-way line of CR 274; thence leaving said westerly right-of-way line and proceeding S 77° 55' 07" E 15.84 feet +/- to a point on the centerline of CR 274, said point also being on the boundary for the WRX; thence proceeding with the centerline of CR 274 and the boundary for the WRX, S 12° 54' 59" W 520.43 feet +/- to a point on the centerline of CR 274 and on the boundary for the WRX; thence leaving the centerline of CR 274 and following the boundary of the WRX, N 77° 30' 11" W 16.06 feet +/- to the place and 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 directed to prepare maps, plans, specifications, and estimates; elect 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 032 06 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 24TH DAY OF OCTOBER 2006.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

WEST REHOBOTH EXPANSION OF THE
DEWEY BEACH SANITARY SEWER DISTRICT
OLD LANDING ROAD EXPANSION
AFFIDAVIT FOR PUBLIC HEARING

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 October 12, 2006 he was a Senior Planner for the Sussex County Engineering Department, Sussex County, State of Delaware, and
- B. On October 12, 2006 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On bulletin board, U.S. Post Office, Five Points Plaza, 17601 Coastal Highway, Nassau, Delaware.
 - 2. On Conectiv Pole 59519/07336, intersection of Savannah Road and Dove Drive, Lewes, Delaware.
 - 3. On window in foyer, Happy Harry's, 1549 Savannah Road, Lewes, Delaware.
 - 4. On window in foyer, Bests Ace Hardware, 17412 Coastal Highway, Nassau, Delaware.
 - 5. On Conectiv Pole 58287/07197, intersection of County Road 265 and Edgewater Drive, Lewes, Delaware.
 - 6. On Delaware Electric Cooperative Pole 30265, intersection of County Roads 88 and 261, Lewes, Delaware.
 - 7. On the parcel of land being considered for the proposed expansion of the West Rehoboth Expansion Area in four locations as follows:
 - a. On an existing post near the westerly right-of-way of County Road 274, 120 feet more or less south of the parcel's northeasterly corner;
 - b. Proceeding 145 feet more or less south along the westerly right-of-way of County Road 274, on a driven stake on the north side of the parcel's construction

entrance;

- c. On an existing post along the westerly right-of-way of County Road 274, near the parcel's southeasterly corner;
 - d. Proceeding 445 feet more or less in a northwesterly direction along the parcel's western boundary, on a driven stake near a corner monument for the parcel;
- 8. On entry door, Bay Road Package Store, 20853 Coastal Highway, Rehoboth Beach, Delaware.
 - 9. On window next to entry door, Valero Stop and Shop, 20874 Coastal Highway, Rehoboth Beach, Delaware.
 - 10. On front entry door, Dewey Beach Town Hall, 105 Rodney Avenue, Dewey Beach, Delaware.
 - 11. On window next to entry door, Beach Shop/Exxon Service Station, intersection of Route One & Swedes Street, Dewey Beach, Delaware.
 - 12. In foyer of the Mercantile Peninsula Bank, 37012 Coastal Highway, Rehoboth Beach, Delaware.
 - 13. On bulletin board in Super Giant, 19312 Light House Plaza Boulevard, Rehoboth Beach, Delaware.
 - 14. On bulletin board in Wawa Food Market, 35436 Wolfe Neck Road (County Road 270), Rehoboth Beach, Delaware.
 - 15. On bulletin board, Wawa Food Market, 17663 Dartmouth Drive, Lewes, Delaware.


ROB DAVIS

SWORN TO AND SUBSCRIBED before me on this 13th day of Oct A.D., 2006.


NOTARY PUBLIC

My Commission Expires Jayne E. Dickerson
Notary Public
Commission Expires 4/7/07

NOTICE

PROPOSED EXPANSION TO THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT TO INCLUDE LANDS OF 274 ASSOCIATES, L.L.C.

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on September 12, 2006 to consider extending the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRX) to include a parcel of land along the west side of Sussex County Road (SCR) 274, being in Lewes-Rehoboth 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 WRX is described as follows:

Beginning at a point on the westerly right-of-way line of SCR 274, said point being a found concrete marker at a corner for these lands and lands now or formerly (N/F) of Robino-Sea Chase LLC, said corner also being on the boundary of the WRX; thence proceeding with lands N/F of Robino-Sea Chase LLC and the WRX, the following 2 courses and distances: (1) N 48° 58' 48" W 456.38 feet +/- to a found concrete monument; thence (2) S 44° 35' 10" W 647.37 feet +/- to a concrete monument found to be leaning; thence leaving the boundary of the WRX and proceeding with these lands and lands N/F of Herola Family LLC, N 37° 37' 02" W 682.84 feet +/- to a found iron pipe at the corner for these lands and in the line of lands now or formerly of Beebe Medical Center, Inc, said iron pipe also being in the boundary of the WRX; thence proceeding in part with lands of Beebe Medical Center LLC. and the boundary of the WRX, N 40° 58' 58" E 979.29 feet +/- to a corner of lands N/F of Beebe Medical Center LLC, said corner also being a point on the line of these lands; thence leaving the boundary of the WRX and continuing with the line of these lands and lands N/F of Herola Family LLC, N 40° 58' 58" E 199.8 feet +/- to a common corner of these lands and lands N/F of J.G. Townsend Jr. & Co, Inc, thence proceeding with these lands and lands of J. G. Townsend Jr. & Co, Inc, the following 3 courses and distances: (1) S 45° 24' 19" E 541.62 feet +/- to a point; thence (2) S 12° 56' 26" W 327.45 feet +/- to a point; thence (3) S 77° 03' 34" E 257.58 feet +/- to a point, said point being a corner for these lands and lands N/F of J.G. Townsend Jr. & Co, said point also located in westerly right-of-way line of CR 274; thence leaving said westerly right-of-way line and proceeding S 77° 55' 07" E 15.84 feet +/- to a point on the centerline of CR 274, said point also being on the boundary for the WRX; thence proceeding with the centerline of CR 274 and the boundary for the WRX, S 12° 54' 59" W 520.43 feet +/- to a point on the centerline of CR 274 and on the boundary for the WRX; thence leaving the centerline of CR 274 and following the boundary of the WRX, N 77° 30' 11" W 16.06 feet +/- to the place and Point of Beginning.

The proposed expansion of the WRX is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 3-34-12.00, a legal description provided by Meridian Architects and Engineers, an approved Final Site Plan

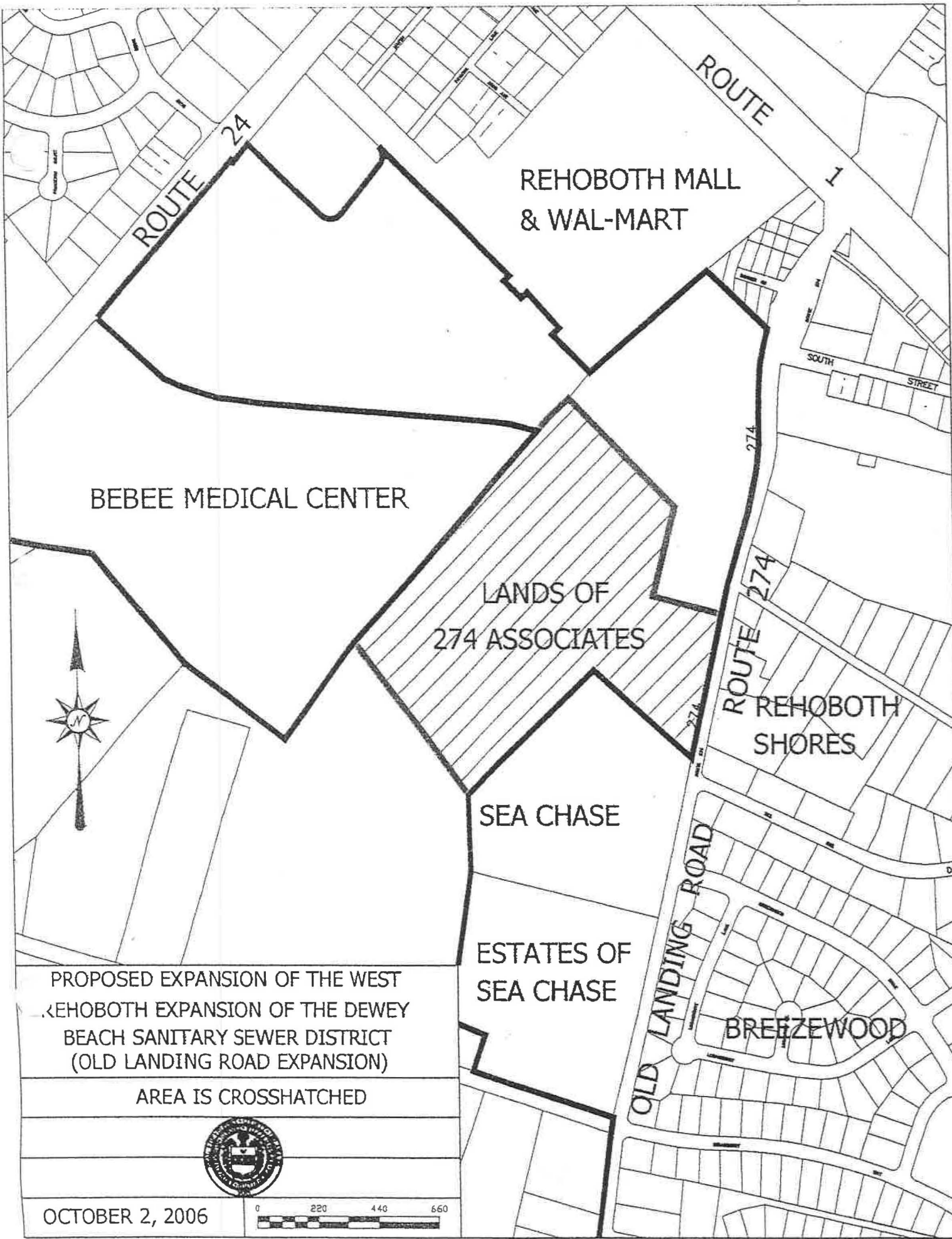
filed in the Sussex County Planning and Zoning Office and Sussex County property assessment records.

A map outlining and describing the extension of the WRX is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 10:45 a.m. on Tuesday, October 24, 2006 in the Sussex County Council Chambers, County Administrative Offices, 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 final decision on the boundary extension will be made by the Sussex County Council following the hearing, 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



REHOBOTH MALL
& WAL-MART

BEBEE MEDICAL CENTER

LANDS OF
274 ASSOCIATES

SEA CHASE

ESTATES OF
SEA CHASE

REHOBOTH
SHORES

BREEZEWOOD

ROUTE 1

ROUTE 24

ROUTE 274

OLD LANDING ROAD

PROPOSED EXPANSION OF THE WEST
REHOBOTH EXPANSION OF THE DEWEY
BEACH SANITARY SEWER DISTRICT
(OLD LANDING ROAD EXPANSION)

AREA IS CROSSHATCHED



OCTOBER 2, 2006

