

RESOLUTION NO. R 034 06

A RESOLUTION TO EXTEND THE BOUNDARY OF THE LONG NECK SANITARY SEWER DISTRICT (LNSSD) TO INCLUDE LANDS ALONG THE NORTH SIDE OF ROUTE 24, BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY DELAWARE.

WHEREAS, Sussex County has established the Long Neck Sanitary Sewer District (LNSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County southwest of the LNSSD, 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 LNSSD to include lands along the north side of Route 24, as follows:

Beginning at a point, said point being located on the centerline of SR 24, 725.0 ± FEET north of the intersection of the centerlines of County Road (CR) 299 with SR 24, said point also being on the boundary line of the LNSSD; thence leaving the centerline of SR 24, and the boundary line of the LNSSD, and proceeding in a westerly direction, 25.0 ± feet to a point on the northerly right-of-way (ROW) of SR 24, said point being a common corner for the lands N/F DMR Properties, LLC and the lands N/F Edward Machulski;

thence proceeding with the boundary line of the lands of Edward Machulski North 70 degrees, 00 minutes, 00 seconds West, $150.00 \pm$ feet to a point; said point being a common corner for the lands N/F of Edward Machulski and the lands N/F DMR Properties LLC, said corner also located on the easterly boundary line of the Sherwood Forrest North subdivision (as recorded in Plot Book 16, page 30, in the Sussex County Recorder of Deeds Office); thence proceeding with the boundary line of the Sherwood Forrest North subdivision North 20 degrees, 00 minutes, 00 seconds East, $407.0 \pm$ feet to a point on the boundary line of the lands N/F of Bayshore Plaza III, LLC and the easterly boundary line of the Sherwood Forrest North subdivision, said point also located on the easterly ROW of Tuck's Road; thence proceeding with the common boundary line of the Sherwood Forest North subdivision, the lands N/F of Theodore and Jean McCarthy, and the lands N/F of Bayshore Plaza III, LLC, North 75 degrees, 40 minutes, 35 seconds West, $756.74 \pm$ feet to an iron pipe found lying on the easterly ROW of CR 299, thence proceeding with said ROW along a curve to the left having a central angle of 3 degrees, 18 minutes, 18 seconds, a radius of $372.93 \pm$ feet, and an arc length of $21.51 \pm$ feet to a found iron pipe, said iron pipe marking a common corner of the lands N/F of Trantino and Sandra Norwood and the lands N/F of Bayshore Plaza III, LLC lands; thence proceeding South 75 degrees, 40 minutes, 35 seconds East $318.0 \pm$ feet to a common corner of the lands N/F of Bayshore Plaza III, LLC and the lands N/F of Trantino and Sandra Norwood; thence proceeding with the lands N/F of Trantino and Sandra Norwood, North 10 degrees, 28 minutes, 52 seconds East, $404.05 \pm$ feet to an iron pipe to be set at the common corner of the lands N/F of Trantino and Sandra Norwood and the lands N/F of Jesse and Julie Hall; thence proceeding with the lands N/F of Jesse and Julie Hall the following two (2) courses and distances: 1) North 10 degrees, 39 minutes, 34 seconds East, $190.96 \pm$ feet to a found iron pipe; 2) thence, South 72 degrees, 04 minutes, 41 seconds East, $104.90 \pm$ feet to a found concrete monument marking a common corner of the lands N/F of Jesse and Julie Hall and the lands N/F Lena M. Watts, said corner also being located on the boundary line of the lands N/F Bayshore Plaza III, LLC; thence proceeding North 11 degrees, 56 minutes, 19


seconds East, $518.56 \pm$ feet to an iron pipe found at the common corner of lands N/F Lena M. Watts, and the lands N/F of Jesse and Julie Hall, said corner also being on the boundary line of other lands of Jesse and Julie Hall; thence proceeding into lands of Jesse and Julie Hall the following two courses and distances: 1) North 71 degrees, 28 minutes, 34 seconds West, $19.57 \pm$ feet to a point; 2) North 19 degrees, 58 minutes, 32 seconds East, $110.27 \pm$ feet to an iron pipe found at a common corner of the lands N/F of Jesse and Julie Hall, said corner also being located on the boundary line of other lands N/F of Jesse and Julie Hall; thence proceeding North 71 degrees, 53 minutes, 38 seconds West $146.10 \pm$ feet to a common corner of the lands N/F of Jesse and Julie hall, said corner also being located on the boundary line of other lands of N/F of Jesse and Julie Hall; thence proceeding North 20 degrees, 03 minutes, 41 seconds East, $676.98 \pm$ feet to a common corner of the lands N/F of Jesse and Julie Hall, and the lands N/F of Thomas J. Dunmore, said corner also being on the boundary line of other lands N/F of Jesse and Julie Hall; thence proceeding North 20 degrees, 03 minutes, 43 seconds East, $311.52 \pm$ feet to a corner of lands N/F Thomas Dunmore, said corner also being located on the westerly ROW of SR 5 & 23; thence proceeding in an northerly direction $30.0 \pm$ feet, to a point on the centerline of SR 5 & 23, said point also being on the boundary line of the LNSSD; thence proceeding in a southeasterly direction $145.0 \pm$ feet to a point on the centerline of SR 5 & 23, said point also being located on the boundary line of the LNSSD; thence continuing with the boundary line of the LNSSD and proceeding in a southwesterly direction $30.0 \pm$ feet, to a common corner of the lands N/F of Thomas Dunmore and the lands N/F Trantino and Sandra Norwood, said corner also being located on the westerly ROW of SR 5 & 23 and the boundary line of the LNSSD; thence proceeding in a southwesterly direction $239.41 \pm$ feet with the boundary line of the lands N/F of Thomas J. Dunmore and the lands N/F of Trantino and Sandra Norwood to a common corner of the lands N/F of Jesse and Julie Hall and the lands N/F Trantino and Sandra Norwood; thence proceeding South 78 degrees, 22 minutes, 43 seconds East, $220.68 \pm$ feet to a concrete monument found at the common corner of the lands N/F of Maria E. Zakrociemski and the lands N/F of Jesse and Julie

Hall, said corner also being on the boundary line of the lands N/F of Trantino and Sandra Norwood and the boundary line of the LNSSD; thence proceeding with the with the common boundary line of the lands N/F of Maria E. Zakrociemski and the lands N/F of Jesse and Julie Hall South 11 degrees, 36 minutes, 26 seconds West, 100.00 \pm feet to an iron pipe found at the common corner of the lands Maria E. Zakrociemski and the lands N/F of Jesse and Hall, said iron pipe also located on the boundary of the LNSSD; thence proceeding South 11 degrees, 36 minutes, 26 seconds West, 99.76 \pm feet to an iron pin set at the common corner of the lands N/F Jesse and Julie Hall and other the lands N/F of Jesse and Julie Hall; thence proceeding South 78 degrees, 19 minutes, 21 seconds East, 199.88 \pm feet to a mag nail set at the common corner of the lands N/F of Jesse and Julie Hall and other lands N/F of Jesse and Julie Hall, said mag nail also being located on the northerly ROW line of SR 24 and also being located on the boundary line of the LNSSD; thence proceeding in an southeasterly direction 25.0 \pm feet, to a point on the centerline of SR 24, said point also being on the boundary line of the LNSSD; thence proceeding in a southwesterly direction 2192.66 \pm feet with the center line of SR 24 and the boundary line of the LNSSD 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, 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 034 06 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 12TH DAY OF DECEMBER 2006.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

LONG NECK SANITARY SEWER DISTRICT
AFFIDAVIT FOR PUBLIC HEARING
TO INCLUDE THE LANDS ALONG THE NORTHSIDE OF ROUTE 24

STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED, That the subscribers, 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 November 16, 2006 he was a Senior Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On November 16, 2006 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On bulletin board next to community mailboxes near the entrance to Pot Nets Seaside, Long Neck Road, (a.k.a. State of Delaware Route 23).
 - 2. On bulletin board next to community mail boxes at the entrance to Pot Nets Dockside, Long Neck Road, (a.k.a. State of Delaware Route 23).
 - 3. On the window next to the entry door of Happy Harry's at Back Bay Shopping Center, Long Neck, Delaware.
 - 4. On the bulletin board at the laundromat at the Back Bay Shopping Center, Long Neck, Delaware.
 - 5. On front window of the entry foyer next to the inner double doors of County Bank located southeast of the intersection of County Road 298 and Long Neck Rd. (a.k.a. State of Delaware Route 23).
 - 6. On front window next to entry door, Food Lion at the Long Neck Nanticoke Crossing Plaza.
 - 8. On front glass next to entry door at Rite Aid in the Long Neck Nanticoke Crossing Plaza.
 - 9. On the front window of Perry's One Stop Shop and Citgo Fuel Stop, County Road 22 (a.k.a. State of Delaware Route 23).

10. On the area of land being considered for the proposed extension of the Long Neck Sanitary Sewer District, in seven (7) locations as follows:
- a. On Delaware Electric Cooperative utility pole #26294 near the northeastern corner of a parcel of land having a tax map reference of 2-34-23.00 Parcel 261;
 - b. On Diamond State Telephone Company utility pole #18 near the northeastern corner of a parcel of land having a tax map reference of 2-34-23.00 Parcel 265.16, said parcel also the former site of Bayside Auto Sales.
 - c. On a post near the southeastern corner of a parcel of land having a tax map reference of 2-34-23.00 parcel 265.18;
 - d. On a post at the community mailboxes near the entrance of Timber Acres Mobile Home Park;
 - e. On a post located approximately 100 feet southwest of the northeastern corner of a parcel of land having a tax map reference of 2-34-23.00 Parcel 111.03;
 - f. On Delaware Electric Co-Op pole # 26325 near the intersection of the easterly right of way of Tuck's Road with the northerly right of way of State of Delaware Route 24;
 - g. On Verizon utility pole #VZ AA-32 near the northeastern corner of a parcel of land having a tax map reference of 2-34-23.00 parcel 181.


ROB DAVIS

SWORN TO AND SUBSCRIBED before me on this 21st day of Nov A.D., 2006.


NOTARY PUBLIC

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

**PROPOSED EXPANSION
OF THE LONG NECK SANITARY SEWER DISTRICT
ROUTE 24 - NORTHSIDE EXPANSION**

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on September 19, 2006 to consider extending the Long Neck Sanitary Sewer District (LNSSD) to include parcels of land on the north side of State of Delaware Route (SR) 24 being situate in the Indian River Hundred of Sussex County, Delaware and being more particularly described as follows:

Beginning at a point, said point being located on the centerline of SR 24, **725.0 ± FEET** north of the intersection of the centerlines of County Road (CR) 299 with SR 24, said point also being on the boundary line of the LNSSD; thence leaving the centerline of SR 24, and the boundary line of the LNSSD, and proceeding in a westerly direction, **25.0 ± feet** to a point on the northerly right-of-way (ROW) of SR 24, said point being a common corner for the lands N/F DMR Properties, LLC and the lands N/F Edward Machulski; thence proceeding with the boundary line of the lands of Edward Machulski **North 70 degrees, 00 minutes, 00 seconds West, 150.00 ± feet** to a point; said point being a common corner for the lands N/F of Edward Machulski and the lands N/F DMR Properties LLC, said corner also located on the easterly boundary line of the Sherwood Forrest North subdivision (as recorded in Plot Book 16, page 30, in the Sussex County Recorder of Deeds Office); thence proceeding with the boundary line of the Sherwood Forrest North subdivision **North 20 degrees, 00 minutes, 00 seconds East, 407.0 ± feet** to a point on the boundary line of the lands N/F of Bayshore Plaza III, LLC and the easterly boundary line of the Sherwood Forrest North subdivision, said point also located on the easterly ROW of Tuck's Road; thence proceeding with the common boundary line of the Sherwood Forest North subdivision, the lands N/F of Theodore and Jean McCarthy, and the lands N/F of Bayshore Plaza III, LLC, **North 75 degrees, 40 minutes, 35 seconds West, 756.74 ± feet** to an iron pipe found lying on the easterly ROW of CR 299, thence proceeding with said ROW along a curve to the left having a central angle of **3 degrees, 18 minutes, 18 seconds**, a radius of **372.93 ± feet**, and an arc length of **21.51 ± feet** to a found iron pipe, said iron pipe marking a common corner of the lands N/F of Trantino and Sandra Norwood and the lands N/F of Bayshore Plaza III, LLC lands; thence proceeding **South 75 degrees, 40 minutes, 35 seconds East 318.0 ± feet** to a common corner of the lands N/F of Bayshore Plaza III, LLC and the lands N/F of Trantino and Sandra Norwood; thence proceeding with the lands N/F of Trantino and Sandra Norwood, **North 10 degrees, 28 minutes, 52 seconds East, 404.05 ± feet** to an iron pipe to be set at the common corner of the lands N/F of Trantino and Sandra Norwood and the lands N/F of Jesse and Julie Hall; thence proceeding with the lands N/F of Jesse and Julie Hall the following two (2) courses and distances: **1) North 10 degrees,**

39 minutes, 34 seconds East, 190.96 ± feet to a found iron pipe; 2) thence, **South 72 degrees, 04 minutes, 41 seconds East, 104.90 ± feet** to a found concrete monument marking a common corner of the lands N/F of Jesse and Julie Hall and the lands N/F Lena M. Watts, said corner also being located on the boundary line of the lands N/F Bayshore Plaza III, LLC; thence proceeding **North 11 degrees, 56 minutes, 19 seconds East, 518.56 ± feet** to an iron pipe found at the common corner of lands N/F Lena M. Watts, and the lands N/F of Jesse and Julie Hall, said corner also being on the boundary line of other lands of Jesse and Julie Hall; thence proceeding into lands of Jesse and Julie Hall the following two courses and distances: 1) **North 71 degrees, 28 minutes, 34 seconds West, 19.57 ± feet** to a point; 2) **North 19 degrees, 58 minutes, 32 seconds East, 110.27 ± feet** to an iron pipe found at a common corner of the lands N/F of Jesse and Julie Hall, said corner also being located on the boundary line of other lands N/F of Jesse and Julie Hall; thence proceeding **North 71 degrees, 53 minutes, 38 seconds West 146.10 ± feet** to a common corner of the lands N/F of Jesse and Julie hall, said corner also being located on the boundary line of other lands of N/F of Jesse and Julie Hall; thence proceeding **North 20 degrees, 03 minutes, 41 seconds East, 676.98 ± feet** to a common corner of the lands N/F of Jesse and Julie Hall, and the lands N/F of Thomas J. Dunmore, said corner also being on the boundary line of other lands N/F of Jesse and Julie Hall; thence proceeding **North 20 degrees, 03 minutes, 43 seconds East, 311.52 ± feet** to a corner of lands N/F Thomas Dunmore, said corner also being located on the westerly ROW of SR 5 & 23; thence proceeding in an northerly direction **30.0 ± feet**, to a point on the centerline of SR 5 & 23, said point also being on the boundary line of the LNSSD; thence proceeding in a southeasterly direction **145.0 ± feet** to a point on the centerline of SR 5 & 23, said point also being located on the boundary line of the LNSSD; thence continuing with the boundary line of the LNSSD and proceeding in a southwesterly direction **30.0 ± feet**, to a common corner of the lands N/F of Thomas Dunmore and the lands N/F Trantino and Sandra Norwood, said corner also being located on the westerly ROW of SR 5 & 23 and the boundary line of the LNSSD; thence proceeding in a southwesterly direction **239.41 ± feet** with the boundary line of the lands N/F of Thomas J. Dunmore and the lands N/F of Trantino and Sandra Norwood to a common corner of the lands N/F of Jesse and Julie Hall and the lands N/F Trantino and Sandra Norwood; thence proceeding **South 78 degrees, 22 minutes, 43 seconds East, 220.68 ± feet** to a concrete monument found at the common corner of the lands N/F of Maria E. Zakrociemski and the lands N/F of Jesse and Julie Hall, said corner also being on the boundary line of the lands N/F of Trantino and Sandra Norwood and the boundary line of the LNSSD; thence proceeding with the with the common boundary line of the lands N/F of Maria E. Zakrociemski and the lands N/F of Jesse and Julie Hall **South 11 degrees, 36 minutes, 26 seconds West, 100.00 ± feet** to an iron pipe found at the common corner of the lands Maria E. Zakrociemski and the lands N/F of Jesse and Hall, said iron pipe also located on the boundary of the LNSSD; thence proceeding **South 11 degrees, 36**

minutes, 26 seconds West, 99.76 ± feet to an iron pin set at the common corner of the lands N/F Jesse and Julie Hall and other the lands N/F of Jesse and Julie Hall; thence proceeding **South 78 degrees, 19 minutes, 21 seconds East, 199.88 ± feet** to a mag nail set at the common corner of the lands N/F of Jesse and Julie Hall and other lands N/F of Jesse and Julie Hall, said mag nail also being located on the northerly ROW line of SR 24 and also being located on the boundary line of the LNSSD; thence proceeding in an southeasterly **direction 25.0 ± feet**, to a point on the centerline of SR 24, said point also being on the boundary line of the LNSSD; thence proceeding in a southwesterly direction **2192.66 ± feet** with the center line of SR 24 and the boundary line of the LNSSD to the point of Beginning.

The proposed expansion of the LNSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 2-34-23.00, Sussex County property assessment records, a subdivision plot for Sherwood Forest North recorded in the Sussex County Recorder of Deeds office, legal descriptions and drawings provided by River Basin Engineering on March 21, 2006 and May 3, 2006, and legal descriptions provided by Design Consultants Group, LLC, dated January 24, 2006.

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

The public hearing will be held on this issue at 10:45 a.m. on Tuesday, December 5, 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 other 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

PROPOSED EXPANSION OF THE LONG
NECK SANITARY SEWER DISTRICT
ROUTE 24 - NORTHSIDE EXPANSION
(AREA IS CROSSHATCHED)



AUGUST 24, 2006

