

RESOLUTION NO. R 015 13

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE MILLER CREEK SANITARY SEWER DISTRICT (MCSSD) TO INCLUDE TAX MAP AND PARCEL 134-19.00 75.03, SITUATED ON THE NORTH SIDE OF COUNTY ROAD 363 (DOUBLE BRIDGES ROAD) IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE (EASTER ANNEXATION)**

**WHEREAS, Sussex County has established the Miller Creek Sanitary Sewer District (MCSSD); 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 existing MCSSD, 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 Penny Massey, 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 MCSSD to include tax map 134-19.00 75.03, situated on the north side of Double Bridges Road better described, as follows:**

**BEGINNING at a point, situate on the northerly right of way (ROW) of Double Bridges Road, said point being approximately 2300' east of the intersection of Parker House Road & Double Bridges Road and the southeasternmost corner of lands N/F of Mary I Hentgen; thence proceeding by and with said lands of Hentgen in the following two (2) directions and distances: northwesterly  $\pm 143$  feet and southwesterly  $\pm 109$  feet to a point, said point being the northwesternmost corner of said lands of Hentgen and a point on the existing boundary of the Miller Creek Sanitary Sewer District (MCSSD); thence by and with said MCSSD boundary in the following two (2) directions and distances: northwesterly  $\pm 395$  feet and northeasterly  $\pm 120$  feet to a point, said point being the northwesternmost corner of lands N/F of Lance G Fargo; thence proceeding by and with**

said lands of Fargo in a southeasterly direction  $\pm 600$  feet to a point, said point being the southwesternmost corner of said lands of Fargo and a point along the northerly ROW of Double Bridges Road; thence proceeding by and with said ROW in a southwesterly direction  $\pm 20$  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; 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 RESOLUTION NO. R 015 13 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 5TH DAY OF NOVEMBER 2013.

  
ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

MILLER CREEK SANITARY SEWER DISTRICT ANNEXATION  
AFFIDAVIT FOR POSTING OF NOTICES

STATE OF DELAWARE )(

COUNTY OF SUSSEX )(

BE IT REMEMBERED, That the subscriber, ROBERT LYNCH 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 15, 2013 he was a Planning Technician for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On October 15, 2013 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  1. On the area of land being considered for the proposed annexation of the Miller Creek Sanitary Sewer District being part of tax map reference 1-34-19.00 Parcel 75.03, in four (4) locations as follows:
    - a. On a driven stake located along the northerly right of way (ROW) of Double Bridges Rd (County Road 363);
    - b. On a driven stake located along the northerly right of way (ROW) of Double Bridges Rd (County Road 363);
    - c. On a driven stake near the northwestern property corner in the area of the easement;
    - d. On a driven stake near the northwestern property corner in the area of the easement;
  2. On a driven stake at the exit of Plantation Park 1 near community mail boxes.
  3. On a driven stake at the entrance of Malcolm's Manor subdivision near the community entrance sign.
  4. On a Delaware Electric Cooperative pole number 25106 located near the westerly property corner of parcel 1-34-19.00-19.01.
  5. On a driven stake near the entrance of Forest landing subdivision located at the intersection of Eagle Ln and

Beaver Dam Rd (County Road 368).

  
ROBERT LYNCH

SWORN TO AND SUBSCRIBED before me on this 17<sup>th</sup> day of Oct A.D., 2013.

  
NOTARY PUBLIC

My Commission Expires \_\_\_\_\_ Jayne E. Dickerson  
Notary Public  
Commission Expires 5/31/2015

**PUBLIC NOTICE**  
**PROPOSED EXPANSION OF THE**  
**MILLER CREEK SANITARY SEWER DISTRICT**  
**TAX MAP AND PARCEL NUMBER 134-19.00-75.03**  
**LANDS OF THOMAS & MEGAN EASTER**  
**FILE NUMBER: MC-10.03.09**

**NOTICE IS HEREBY GIVEN** that the Sussex County Council voted on September 17, 2013, to consider expanding the boundary of the Miller Creek Expansion of the Bethany Beach Sanitary Sewer District to include tax map and parcel 134-19.00-75.03, land now or formerly (N/F) of Thomas & Megan Easter, situated on the north side of County Road 363(Double Bridges 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, situate on the northerly right of way (ROW) of Double Bridges Road, said point being approximately 2300' east of the intersection of Parker House Road & Double Bridges Road and the southeasternmost corner of lands N/F of Mary I Hentgen; thence proceeding by and with said lands of Hentgen in the following two (2) directions and distances: northwesterly  $\pm 143$  feet and southwesterly  $\pm 109$  feet to a point, said point being the northwesternmost corner of said lands of Hentgen and a point on the existing boundary of the Miller Creek Sanitary Sewer District (MCSSD); thence by and with said MCSSD boundary in the following two (2) directions and distances: northwesterly  $\pm 395$  feet and northeasterly  $\pm 120$  feet to a point, said point being the northwesternmost corner of lands N/F of Lance G Fargo; thence proceeding by and with said lands of Fargo in a southeasterly direction  $\pm 600$  feet to a point, said point being the southwesternmost corner of said lands of Fargo and a point along the northerly ROW of Double Bridges Road; thence proceeding by and with said ROW in a southwesterly direction  $\pm 20$  feet to a point, said point being that of the **BEGINNING**.

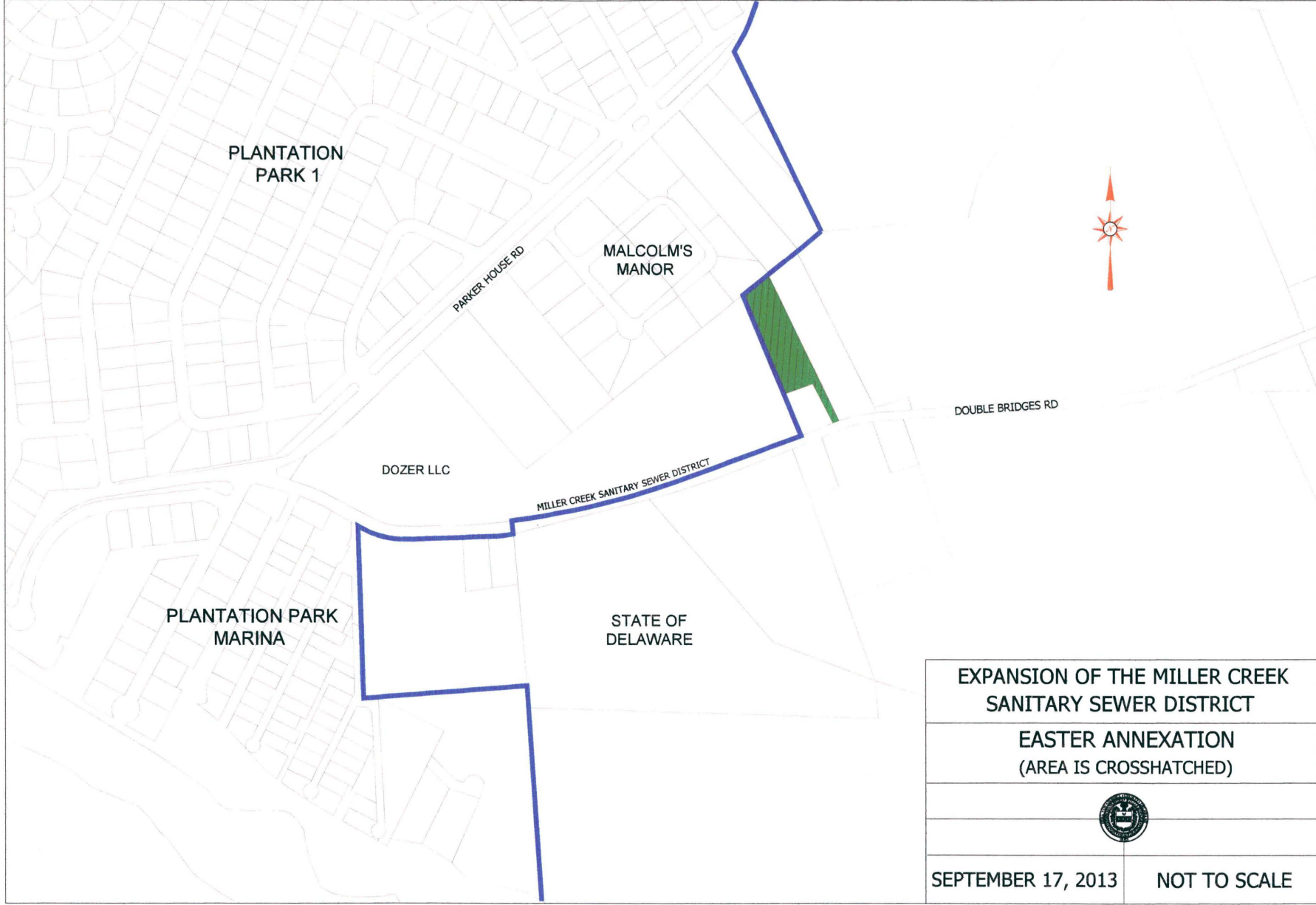
The proposed expansion of the MCSSD is within these boundaries and said to contain 1.46 acres, more or less. The boundary description has been prepared using Sussex County tax map number 134-19.00.


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

**The public hearing will be held on this issue at 10:30 am on November 5, 2013 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.

Michael A. Izzo, P.E.  
County Engineer



EXPANSION OF THE MILLER CREEK SANITARY SEWER DISTRICT	
EASTER ANNEXATION (AREA IS CROSSHATCHED)	
	
SEPTEMBER 17, 2013	NOT TO SCALE