

RESOLUTION R 007 93

A RESOLUTION TO EXTEND THE BOUNDARY OF THE FENWICK ISLAND SANITARY SEWER DISTRICT TO ENCOMPASS A CONTIGUOUS AREA OF .98 ACRES MORE OR LESS, APPROXIMATELY 916 FEET EAST OF THE CENTERLINE OF RIVER RUN ROAD, THE ENTRANCE-WAY TO KEENWICK SOUND, PHASE I.

WHEREAS, Sussex County has established the Fenwick Island Sanitary Sewer District;

WHEREAS, a letter dated November 12, 1992, was received by the Sussex County Council from Marvin Long requesting his property, being .98 acres more or less, be included in the sanitary sewer district;

WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County west of Fenwick Island, the inclusion of the property near the Keenwick Sound subdivision would be beneficial;

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;

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 Anthony DiGiuseppe, a copy of which affidavit and public notice is attached hereto and made a part hereof;

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 Fenwick Island Sanitary Sewer District to encompass the property near the Keenwick Sound subdivision as follows:

BEGINNING at a 3/4 inch iron pipe on the southerly right-of-way (ROW) of State of Delaware Route 54, said point being the northwesternmost property corner of land now or formerly (N/F) of Herbert L. and Lois V. Chapman, said point also being the northeastern property corner of land N/F of Marvin Long; thence proceeding by and with the southern ROW of Route 54 (1) North 86°39'58" west, 150 feet to a point being on the boundary line of the Fenwick Island Sanitary Sewer District; thence proceeding with the boundary line (2) south 05°48'04" west, 274.30 feet to a point where it meets the lands of the Keenwick Sound subdivision; thence proceeding (3) south 80°04'49" east, 150 feet to a 3/4" iron pipe, thence proceeding by and with other lands N/F of Marvin Long (4) north 05°1'00" east, 291.53 feet 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.

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 007 93 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 9TH DAY OF MARCH, 1993.

  
\_\_\_\_\_  
Robin A. Griffith  
Clerk of the County Council



FENWICK ISLAND SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE )( :  
COUNTY OF SUSSEX )(

BE IT REMEMBERED, That the subscriber, ANTHONY DI GIUSEPPE, 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 February 17, 1993 he was a Planning Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. He did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On bulletin board of Bethany-Fenwick Chamber Office, Route 1, north of Fenwick Island, Delaware;
  - 2. On main entrance door, Plaza Liquors, within the Ocean Bay Plaza, Route One, Fenwick Island, Delaware;
  - 3. On front window of Fenwick Island Town Hall, Route One, Fenwick Island, Delaware;
  - 4. On front window of Texaco Service Station at the northeast corner of Route 1 and Bayard Street, Fenwick Island, Delaware;
  - 5. On glass window on right side of front doors, Royal Farm Store, Route 1, Fenwick Island, Delaware;
  - 6. On main entrance door, Amoco Pep-Up, intersection of Route 1 and Route 54, Fenwick Island, Delaware;
  - 7. On bulletin board, approximately 600 feet from the entrance to Cape Windsor, across from recreational area, west of the Town of Fenwick Island, Delaware;
  - 8. On main entrance door, Bayville Quick Stop, Route 54, west of the Town of Fenwick Island, Delaware;
  - 9. On bulletin board, approximately 325 feet from the entrance to Keenwick West, on Oyster Bay Lane, west of the Town of Fenwick Island, Delaware;
  - 10. On main entrance door of Exxon Mini-Market, next to Laundromat, Route 54, west of the Town of Fenwick Island, Delaware; and

11. On the parcel of land being considered for the proposed extension of the Fenwick Island Sanitary Sewer District, in four locations along the southerly right-of-way of Route 54 as follows: (a) approximately 906 feet east of entrance way to Keenwick Sound, Phase I, on River Run Road; (b) proceeding with the aforementioned point in a westerly direction approximately 40 feet; (c) proceeding with the aforementioned point in a westerly direction approximately 50 feet; and (d) proceeding with the aforementioned point in a westerly direction approximately 50 feet.

Anthony Di Giuseppe  
ANTHONY DI GIUSEPPE

SWORN TO AND SUBSCRIBED before me on this 23<sup>rd</sup> day of February  
A.D., 1993.

Gayne E. Tickerson  
NOTARY PUBLIC



## NOTICE

### PUBLIC HEARING

#### PROPOSED EXPANSION TO THE FENWICK ISLAND SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council will hold a public hearing on the question of extending the boundary of the Fenwick Island Sanitary Sewer District to encompass a certain piece, parcel or tract of land lying contiguous to the Fenwick Island Sanitary Sewer District, approximately 916 feet east of the centerline of the entrance way to Keenwick Sound, Phase 1, on River Run Road.

This action is in conformity with 9 Del.C. §6502.

BEGINNING at a 3/4 inch iron pipe on the southerly right-of-way (ROW) of State of Delaware Route 54, said point being the northwesternmost property corner of land now or formerly (N/F) of Herbert L. and Lois V. Chapman, said point also being the northeastern property corner of land N/F of Marvin Long; thence proceeding by and with the southern ROW of Route 54 (1) North 86° 39' 58" West, 150 feet to a point being on the boundary line of the Fenwick Island Sanitary Sewer District; thence proceeding with the boundary line (2) South 05° 48' 04" West, 274.30 feet to a point where it meets the lands of the Keenwick Sound subdivision; thence proceeding (3) South 80° 04' 49" East, 150 feet to a 3/4" iron pipe, thence proceeding by and with other lands N/F of Marvin Long (4) North 05° 51' 00" East, 291.53 feet to the point of beginning.

The proposed expansion of the Fenwick Island Sanitary Sewer District is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 5-33-12 and a survey prepared by MSI, Land Surveyors and Land Use Consultants, dated January 29, 1985.

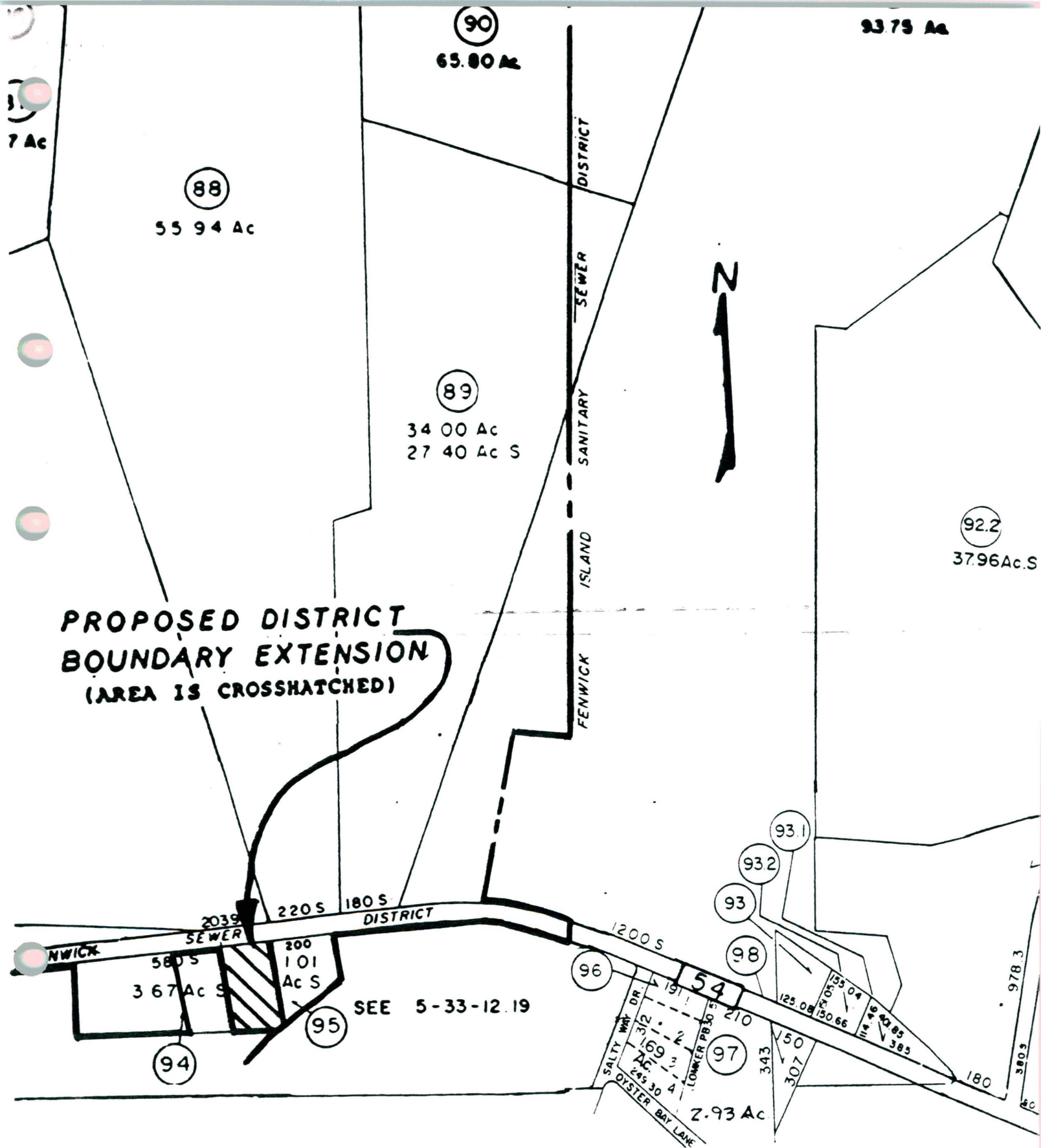
The above described parcel of land contains .98 acres be the same more or less.

A map outlining and describing the extension of the Fenwick Island Sanitary Sewer District is attached. The area involved is cross-hatched.

The public hearing will be held on this issue at 11:00 a.m. on Tuesday, March 9, 1993 in the Sussex County Council Chambers, Room 115, The Courthouse, 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 at one of their regularly scheduled meetings following the hearing.

For further information, please call or write the Sussex County Engineering Department, Race and Pine Streets, Post Office Box 589, Georgetown DE 19947 - (302) 855-7718.

Robert W. Wood, P.E.  
Sussex County Engineer



**PROPOSED EXPANSION TO THE  
FENWICK ISLAND SANITARY SEWER DISTRICT**

SCALE 1 INCH = 400 FEET