

RESOLUTION NO. R 010 00

OAK ORCHARD SANITARY SEWER DISTRICT DECLARED UNDER THE PROVISIONS OF TITLE 9, CHAPTER 65 OF THE DELAWARE CODE

WHEREAS, the eligible voters of the Proposed Oak Orchard Sanitary Sewer District approved the creation of the sewer district by a vote of 286 to 261 in an election held on February 12, 2000; and

WHEREAS, Title 9, Delaware Code, Section 6507 requires the County Council to issue a determination of the sewer district within thirty days of its approval by the eligible voters;

NOW, THEREFORE,

BE IT RESOLVED that the County Council of Sussex County, Delaware hereby determines that the eligible voters of the Oak Orchard Sanitary Sewer District have approved the creation of said district, that the description of the Oak Orchard Sanitary Sewer District is described in Exhibit "A"; and that the said district is hereby declared to be validly constituted under the provisions of Title 9, Chapter 65 of the Delaware Code; 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 rights-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 structures required to provide for the safe disposal of sewage in the sanitary sewer district; and

BE IT FURTHER RESOLVED that the County Council of Sussex County apply for and accept grants or loans of money, labor, materials, equipment or technical assistance from agencies of the Federal or State government or from interstate agencies to design, construct, operate and maintain the Oak Orchard Sanitary Sewer District.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 010 00 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 15TH DAY OF FEBRUARY, 2000.



ROBIN A. GRIFFITH
CLERK OF THE COUNTY COUNCIL

EXHIBIT "A"

Description of the Oak Orchard Sanitary Sewer District

Beginning at a point, said point lying on the southwesterly Right of Way (ROW) of State Route (SR) 5, 2780± feet southeast of County Road (CR) 311, said point also being the southeastern property corner of lands Now or Formerly (N/F) of Charles H. and/or Beatrice Moore; thence proceeding in a straight line in a northeasterly direction 50± feet to a point, said point lying on the northeasterly ROW of SR 5, said point also being the westernmost property corner of Orchard Manor Section II subdivision (found in Plot Book 8, Page 752, in the Sussex County Recorder of Deeds Office); thence proceeding by and with said subdivision lands in a northeasterly direction a distance of 1094± feet to a point, said point being the northernmost property corner of Orchard Manor Section II subdivision; said point also being the westernmost property corner of lands N/F of Charles C. Clark, c/o Kenneth S. Clark; thence proceeding by and with said lands of Charles C. Clark in a southerly and northeasterly direction, respectively, to the mean low water line of Emily Gut; thence continuing in a straight line to the center line of Emily Gut; thence proceeding in a southeasterly direction to a point where the centerline of Emily Gut meets the Indian River Bay; thence proceeding in a westerly direction to a point where it meets the mean low water line of the northern shore of the Indian River Bay; thence proceeding in a westerly direction with said mean low water line to a point; said point being the southwesterly property corner of lands N/F of Elva M. Johnson; thence proceeding by and with said property line in a northerly direction a distance of 230± feet to a point; said point being the northwesterly property corner of lands N/F of Elva M. Johnson, said point also lying on the southerly ROW of CR 312; thence proceeding in a straight line in a northerly direction a distance of 40± feet to a point, said point lying on the northerly ROW of CR 312, said point also being the southwesterly property corner of lands N/F of Linda Johnson; thence proceeding by and with said ROW in an easterly direction a distance of 987± feet to a point, said point lying on the northerly ROW of CR 312, said point also being the southwesterly property corner of lands N/F of Anita Louise and Willis J. Carney, Jr.; thence proceeding with said lands in a northerly direction a distance of 130± feet to a point, said point being the northwestern property corner of lands N/F of Helen R. Harmon; thence proceeding in an easterly direction with said lands a distance of 307± feet to point, said point being the northwestern property corner of lands N/F of Ephram L. Harmon, Jr.; thence proceeding in an easterly and southwesterly direction, respectively, with said lands to a point, said point being the northern property corner of lands N/F of Ida H. Ortiz; thence proceeding by and with said lands in a southeasterly direction a distance of 81± feet to a point; thence continuing with said lands in a southwesterly direction a distance of 25± feet to a point, said point being the northwesterly property corner of lands N/F of Indian River Yacht Club; thence proceeding by and with said lands in a southwesterly direction 156± feet to a point, said point being the northeastern property corner of lands N/F of Indian River Yacht Club; thence proceeding with a line running parallel with the northerly ROW of CR 312 in a southerly direction to a point, said point being the northeasterly property corner of lands N/F of James C. and Patricia A. Johnson; thence proceeding in a southerly direction a distance of 67± feet to a point, said point being the southeastern property corner of said lands, said point also being the northeasterly property corner of lands N/F of Wm. N. Smoot & A. C. Smoot Jr., thence proceeding in a southerly direction a distance of 107± feet to a point, said point being the southern property corner of said lands, and also being the northerly property corner of lands N/F of C. J. R. Associates; thence proceeding in a southeasterly direction a distance of 204± feet to a point, said point being the northernmost property corner of lands N/F of Patricia VanAuken & David F. Wilson; thence proceeding in a southeasterly direction a distance of 80± feet to a point, said point being the northeastern property of said lands, and also being on the western boundary of lands N/F of Maurice A. Mosley, Jr.; thence pro-

ceeding in a northerly direction with said lands a distance of 65± feet to a point; thence proceeding in an easterly direction with said lands a distance of 165± feet to a point, said point being the northeasterly property corner of lands N/F of Maurice Antoine Mosley Jr., and also lying on the westerly ROW of CR 312A; thence proceeding with a straight line in an easterly direction 50± feet to a point, said point lying on the easterly ROW of CR 312A, said point also being the southwesterly property corner of lands N/F of Laura K. and Walter L. Hall, Sr.; thence proceeding in an easterly direction a distance of 1460± feet to a point, said point being the southwestern property corner of lands N/F of Joan J. Martin; thence proceeding in an easterly and northerly direction, respectively, to a point, said point being on the western property boundary of lands N/F of Roberto G. Draine, Sr.; thence proceeding with said lands in a northerly direction to a point, said point being the southwestern property corner of lands N/F of Mergenthaler Enterprises LP; thence proceeding by and with said Mergenthaler lands a distance of 220± feet to a point; said point being the southeastern property corner of lands N/F of Mergenthaler Enterprises LP, said point also being on the northerly ROW of CR 311; thence proceeding with a straight line in a southerly direction a distance of 50± feet to a point, said point being on the southerly ROW of CR 311, said point also being the northeastern property corner of lands N/F of Kenneth S. Clark; thence proceeding by and with said property line in a southerly direction a distance of 2450± feet to a point, said point being the southwestern property corner of lands N/F of Charles H. and/or Beatrice Moore; thence proceeding by and with said lands in an easterly direction a distance of 700± feet to the point of beginning.

The Proposed Oak Orchard Sanitary Sewer District is within these boundaries. A map drawn to scale indicating the boundaries of the proposed sanitary sewer district is available in the Sussex County Planning and Permits Division.