

RESOLUTION NO. R 011 03

A RESOLUTION TO EXTEND THE BOUNDARY OF THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT (OVX) TO ENCOMPASS THE LANDS OF THE AVON PARK ADDITION TO WEDGEFIELD SUBDIVISION, CONTIGUOUS TO THE OVX, SITUATE SOUTH OF THE TOWN OF OCEAN VIEW, AND WEST OF COUNTY ROAD 84, AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY DELAWARE.

WHEREAS, Sussex County has established the Ocean View Expansion of the Bethany Beach Sanitary Sewer District (OVX); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County south of the Town of Ocean View, which is contiguous to the OVX, 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 Chris Calio, 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 OVX to encompass the Avon Park Addition to Wedgefield subdivision, situate south of the Town of Ocean View, as follows:

Beginning at a point, said point being on the eastern right-of-way (ROW) of County Road (CR) 352, said point also being on the OVX boundary line, said point also being a property corner of land Now or Formerly (N/F) of Sylvester E. & Marion L. Quillen; thence leaving said eastern ROW and proceeding by and with said OVX

boundary in a westerly direction a distance of 50 feet more or less to a point, said point being on the western ROW of CR 352, thence leaving said OVX boundary and proceeding by and with said ROW in a northerly direction a distance of 1930 feet more or less to a point, said point being the southeasterly property corner of lands N/F Marianne Beatrice Freeman Trustee; thence leaving said western ROW and proceeding in an easterly direction a distance of 50 feet more or less to a point, said point being on the eastern ROW of CR 352, said point also being the southwesternmost property corner of Pine Grove subdivision (found in Plot Book 13 Page 133 as recorded in the Sussex County Recorder of Deeds Office), said point also being the northwesternmost property corner of lands N/F Gulfstream Homes Inc.; thence leaving said ROW and proceeding by and with said Pine Grove boundary the following eight courses (1) South $63^{\circ}07'06''$ East a distance of 1687.69 feet to a point, (2) North $61^{\circ}39'34''$ East a distance of 38.93 feet to a point, (3) North $56^{\circ}20'34''$ East a distance of 51.21 feet to a point, (4) North $45^{\circ}58'25''$ East a distance of 47.73 feet to a point, (5) North $66^{\circ}35'24''$ East a distance of 58.01 feet to a point, (6) North $70^{\circ}05'02''$ East a distance of 105.60 feet to a point, (7) North $25^{\circ}41'25''$ East a distance of 57.22 feet to a point, (8) North $22^{\circ}55'21''$ East a distance of 87.99 feet to a point, said point being the northeasternmost property corner of Pine Grove subdivision; thence leaving said Pine Grove boundary and proceeding South $63^{\circ}07'06''$ East a distance of 4.20 feet to a concrete monument, said monument being on the westerly property line of Country Village subdivision (found in Plot Book 8, page 681 in the Sussex County Recorder of Deeds Office), said point also being on the OVX boundary line; thence proceeding by and with said subdivision and OVX boundary South $24^{\circ}15'41''$ West a distance of 769.30 feet to a concrete monument, said monument being the southwesternmost property corner of Country Village subdivision (found in Plot Book 8, page 681 in the Sussex County Recorder of Deeds Office); thence leaving said subdivision boundary and proceeding by and with said OVX boundary the following four courses (1) North $70^{\circ}24'51''$ West a distance of 66.15 feet to a point, (2) North $66^{\circ}21'46''$ West a distance of 196.44 feet to a point, (3) North $65^{\circ}07'28''$ West a distance of 247.41 feet to a point, (4) North $63^{\circ}41'56''$ West a distance of 87.63 feet to a point, said point being the northeasternmost property

corner of lands N/F Sylvester E & Marion L. Quillen, said point also being the northwesternmost property corner of lands N/F Wedgefield Land Ltd. (found in Plot Book 61, page 277 in the Sussex County Recorder of Deeds Office); thence proceeding by and with said lands N/F of Sylvester E. & Marien L. Quillen and OVX boundary in a southwesterly direction a distance of 1105 feet more or less to the place and 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 011 03 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 7TH DAY OF JANUARY, 2003.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

OCEAN VIEW EXPANSION OF THE
BETHANY BEACH SANITARY SEWER DISTRICT
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED, That the subscriber, PHILLIP C. CALIO, 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 December 17, 2002 he was a Planning Technician II for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On December 17, 2002 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On bulletin board of Ocean View Town Hall, Oakwood Avenue, Ocean View, Delaware;
 - 2. On bulletin board of Ocean View Post Office, Route 26, Ocean View, Delaware;
 - 3. On bulletin board of Hocker's Grocery & Deli, Routes 26 & 17, Millville, Delaware;
 - 4. On bulletin board of Hocker's Super Center, Routes 26 & 17, Millville, Delaware;
 - 5. On bulletin board of Bethany Beach Town Hall, Garfield Parkway, Bethany Beach, Delaware;
 - 6. On window inside the shopping cart area, Food Lion, State of Delaware Route 26, Millville, Delaware;
 - 7. On bulletin board of the U. S. Post Office, Pennsylvania Ave., Bethany Beach, Delaware;
 - 8. On bulletin board of Bethany Beach Wash & Fold Laundry, Route 26, Bethany Beach, Delaware;
 - 9. On bulletin board in the South Coastal Library Cultural Center, Kent Avenue, Bethany Beach, Delaware;
 - 10. On bulletin board inside Grotto's Pizza, State of Delaware Route 26, Bethany Beach, Delaware;

11. On bulletin board in the Ocean View Deli, State of Delaware Route 26, Ocean View, Delaware;
12. On the site of the expansion area in the following four locations:
 - (1) On a post in the eastern right-of-way (ROW) of County Road (CR) 352, 780 feet more or less west of the intersection of CR 352 and CR 84,
 - (2) On a post on the eastern ROW of CR 352, 1100 feet more or less west of the intersection of CR 352 & 84,
 - (3) On a post on the eastern ROW of CR 352, 820 feet more or less south of the intersection of CR 352 & 353,
 - (4) On a post on the eastern ROW of CR 352, 400 feet more or less south of the intersection of CR 352 & 353.


PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 17th day of December A.D., 2002.


NOTARY PUBLIC

My Commission Expires Jayne E. Dickerson
Notary Public
Commission Expires 3/10/03

NOTICE

PROPOSED EXPANSION TO THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **November 19, 2002** to consider extending the Ocean View Expansion of the Bethany Beach Sanitary Sewer District (OVX) to include the lands of the Avon Park addition to Wedgefield subdivision, situate, lying south of the town of Ocean View, and west of County Road 84 and being in Baltimore 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 OVX is described as follows:

Beginning at a point, said point being on the eastern right-of-way (ROW) of County Road (CR) 352, said point also being on the OVX boundary line, said point also being a property corner of land Now or Formerly (N/F) of Sylvester E. & Marion L. Quillen; thence leaving said eastern ROW and proceeding by and with said OVX boundary in a westerly direction a distance of 50 feet more or less to a point, said point being on the western ROW of CR 352, thence leaving said OVX boundary and proceeding by and with said ROW in a northerly direction a distance of 1930 feet more or less to a point, said point being the southeasterly property corner of lands N/F Marianne Beatrice Freeman Trustee; thence leaving said western ROW and proceeding in an easterly direction a distance of 50 feet more or less to a point, said point being on the eastern ROW of CR 352, said point also being the southwesternmost property corner of Pine Grove subdivision (found in Plot Book 13 Page 133 as recorded in the Sussex County Recorder of Deeds Office), said point also being the northwesternmost property corner of lands N/F Gulfstream Homes Inc.; thence leaving said ROW and proceeding by and with said Pine Grove boundary the following eight courses (1) South 63°07'06" East a distance of 1687.69 feet to a point, (2) North 61°39'34" East a distance of 38.93 feet to a point, (3) North 56°20'34" East a distance of 51.21 feet to a point, (4) North 45°58'25" East a distance of 47.73 feet to a point, (5) North 66°35'24" East a distance of 58.01 feet to a point, (6) North 70°05'02" East a distance of 105.60 feet to a point, (7) North 25°41'25" East a distance of 57.22 feet to a point, (8) North 22°55'21" East a distance of 87.99 feet to a point, said point being the northeasternmost property corner of Pine Grove subdivision; thence leaving said Pine Grove boundary and proceeding South 63°07'06" East a distance of 4.20 feet to a concrete monument, said monument being on the westerly property line of Country Village subdivision (found in Plot Book 8, page 681 in the Sussex County Recorder of Deeds Office), said point also being on the OVX boundary line; thence proceeding by and with said subdivision and OVX boundary South 24°15'41" West a distance of 769.30 feet to a concrete monument, said monument being the southwesternmost property corner of Country Village subdivision (found in Plot Book 8, page 681 in the Sussex County Recorder of Deeds Office); thence leaving said subdivision boundary and proceeding by and with said OVX boundary the following four courses (1) North 70°24'51" West a distance of 66.15 feet to a point, (2) North 66°21'46" West a distance of 196.44 feet to a point, (3) North 65°07'28" West a distance of 247.41 feet to a point, (4) North 63°41'56" West a distance of 87.63 feet to a point, said point being the northeasternmost property corner of lands N/F Sylvester E. & Marion L. Quillen, said point also being the northwesternmost property corner of lands N/F Wedgefield Land Ltd. (found in Plot Book 61, page 277 in the Sussex County Recorder of Deeds Office); thence proceeding by and with said lands N/F of Sylvester E. & Marien L. Quillen and OVX boundary in a southwesterly direction a distance of 1105 feet more or less to the place and point of BEGINNING.

The proposed expansion of the OVX is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 1-34 12.00 & 16.00, and a Parcel Survey provided by Madison J. Bunting, Jr. Surveyor, Inc. found in Plot Book 71, page 222 in the Sussex County Recorder of Deeds Office.

A map outlining and describing the expansion of the OVX is attached. The area involved is crosshatched.

The public hearing will be held on this issue at **11:00 a.m.** on **January 7, 2003** 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 expansion are welcome to attend. There will be an opportunity for questions and answers. The final decision on the boundary expansion 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) 855-7719.

Michael A. Izzo, P.E.
County Engineer