

RESOLUTION R 012 04

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO INCLUDE THE LANDS OF JIM LEE, INC. AND DELMAR HOMES, INC., SITUATE, LYING NORTH OF HONOLULU ROAD, AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE**

**WHEREAS, Sussex County has established the Dagsboro-Frankford Sanitary Sewer District; and**

**WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County northeast of the Town of Frankford, which includes the lands of Jim Lee, Inc. and Delmar Homes, Inc., which is contiguous to the DFSSD, 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 affidavits 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 Dagsboro-Frankford Sanitary Sewer District to encompass the lands of Jim Lee, Inc. and Delmar Homes, Inc. as follows:**

**Beginning at a point, said point being on the DFSSD boundary, said point also being on the Town of Frankford boundary, said point further being 430 feet more or less northwest of the intersection of County Road 54 (Thatcher Street) and CR 356 (Honolulu Road); thence leaving said sewer district and town boundary and proceeding in a northeasterly direction a distance of 30 feet more**

or less to a concrete marker, said concrete marker being on the northeasterly Right-of-way (ROW) of CR 356, said point also being the southwesternmost property corner of lands now-or-formerly (N/F) of Clarence E. & Frances Custis; thence leaving said ROW and proceeding by and with said Custis lands the following two courses: (1) North 59°26'02"East a distance of 157.30 feet to an iron bar, (2) North 22°12'44"West a distance of 78.35 feet to a concrete monument, said monument being the northernmost property corner of Custis lands, said monument also being on the southeasternmost property line of lands N/F Sylvester Bratton; thence leaving said Custis lands and proceeding by and with said Bratton lands North 60°15'24"East a distance of 158.20 feet to a point, said point being the northernmost property corner of lands N/F of Sylvester Bratton, said point also being on the southwesternmost property line of lands N/F Elton & Donna L. Murray Trustees; thence leaving said Bratton lands and proceeding by and with said Murray lands the following two courses, (1) South 29°49'01"East a distance of 191.69 feet to an iron bar, (2) South 28°24'36"East a distance of 69.86 feet to a concrete monument, said concrete monument being the northernmost property corner of lands N/F Nino D'Orazio; thence leaving said Murray lands and proceeding South 58°36'38"West a distance of 316.44 feet to a concrete monument, said monument being the southwesternmost property corner of lands N/F Harold E. Dukes, Jr. & Burton C. Dukes; thence proceeding in a straight line in a southwesterly direction a distance of 30 feet more or less to a point, said point being on the DFSSD boundary, said point also being the Town of Frankford boundary; thence proceeding by and with said DFSSD, and Town boundary in a northwestern direction a distance of 191 feet more or less 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 012 04 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 3RD DAY OF FEBRUARY 2004.**

---

**ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL**



DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE )(

COUNTY OF SUSSEX )(

BE IT REMEMBERED, That the subscriber, CHRIS 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 January 14, 2004 he was a Planning Technician II for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On January 14, 2004 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Dagsboro, Delaware.
  - 2. In the lobby of Bank of Delmarva, Main and Clayton Streets, Dagsboro, Delaware.
  - 3. On the bulletin board of Frankford Library, Main Street, Frankford, Delaware.
  - 4. On the bulletin board in lobby of Frankford Town Hall, 5 Main Street, Frankford, Delaware.
  - 5. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Frankford, Delaware.
  - 6. On bulletin board inside front door of Jay's Market, Route 113 & Hickory Street, Frankford, Delaware.
  - 7. In the front lobby of Dagsboro Town Hall, 504 Main Street, Dagsboro, Delaware.
  - 8. On the bullentin board of Bodies Dairy Market, 912 Clayton Avenue, Dagsboro, Delaware.
  - 9. On the area of land being considered for the proposed extension of the Dagsboro-Frankford Sanitary Sewer

District, in four locations as follows:

- (1) On a post, east of Honolulu Road, 210 feet +/- northwest of Thatcher Street;
- (2) On a post, east of Honolulu Road, 281 feet +/- northwest of Thatcher Street;
- (3) On a post, east of Honolulu Road, 351 feet +/- northwest of Thatcher Street; and
- (4) On a post, east of Honolulu Road, 401 feet +/- northwest of Thatcher Street.

  
CHRIS CALIO

SWORN TO AND SUBSCRIBED before me on this 21<sup>st</sup> day of Jan. A.D., 2004.

  
NOTARY PUBLIC

My Commission Expires 4/7/07.

Jayne E. Dickerson  
Notary Public  
Commission Expires ~~3/17/03~~  
4/7/07



## NOTICE

### PROPOSED EXPANSION TO THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **December 9, 2003** to consider extending the Dagsboro-Frankford Sanitary Sewer District (DFSSD) to include the lands of Jim Lee Inc., and Delmar Homes Inc., situate, lying north of Honolulu Road, and being in Dagsboro 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 DFSSD is described as follows:

Beginning at a point, said point being on the DFSSD boundary, said point also being on the Town of Frankford boundary, said point further being 430 feet more or less northwest of the intersection of County Road 54 (Thatcher Street) and CR 356 (Honolulu Road); thence leaving said sewer district and town boundary and proceeding in a northeasterly direction a distance of 30 feet more or less to a concrete marker, said concrete marker being on the northeasterly Right-of-way (ROW) of CR 356, said point also being the southwesternmost property corner of lands now-or-formerly (N/F) of Clarence E. & Frances Custis; thence leaving said ROW and proceeding by and with said Custis lands the following two courses: (1) North 59°26'02"East a distance of 157.30 feet to an iron bar, (2) North 22°12'44"West a distance of 78.35 feet to a concrete monument, said monument being the northernmost property corner of Custis lands, said monument also being on the southeasternmost property line of lands N/F Sylvester Bratton; thence leaving said Custis lands and proceeding by and with said Bratton lands North 60°15'24"East a distance of 158.20 feet to a point, said point being the northernmost property corner of lands N/F of Sylvester Bratton, said point also being on the southwesternmost property line of lands N/F Elton & Donna L. Murray Trustees; thence leaving said Bratton lands and proceeding by and with said Murray lands the following two courses, (1) South 29°49'01"East a distance of 191.69 feet to an iron bar, (2) South 28°24'36"East a distance of 69.86 feet to a concrete monument, said concrete monument being the northernmost property corner of lands N/F Nino D'Orazio; thence leaving said Murray lands and proceeding South 58°36'38"West a distance of 316.44 feet to a concrete monument, said monument being the southwesternmost property corner of lands N/F Harold E. Dukes, Jr. & Burton C. Dukes; thence proceeding in a straight line in a southwesterly direction a distance of 30 feet more or less to a point, said point being on the DFSSD boundary, said point also being the Town of Frankford boundary; thence proceeding by and with said DFSSD, and Town boundary in a northwestern direction a distance of 191 feet more or less to the point of BEGINNING.

The proposed expansion of the DFSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 4-33-6.15, and recorded deeds (Deed Book 2648 page 174 and Deed Book 2783 page 114) as found in the Sussex County Recorder of Deeds Office

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

The public hearing will be held on this issue at **11:00 a.m. on February 3, 2004** 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



