

RESOLUTION NO. R 012 99

ELLENDALE SANITARY SEWER DISTRICT DECLARED UNDER THE PROVISIONS OF  
TITLE 9, CHAPTER 54 OF THE DELAWARE CODE

WHEREAS, the eligible voters of the Proposed Ellendale Sanitary Sewer District approved the creation of the sewer district by a vote of 162 to 47 in an election held on March 18, 1999; 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 Ellendale Sanitary Sewer District approved the creation of said district, that the description of the Ellendale 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, select contracts for and supervise the construction and maintenance of any structures required to provide for the safe disposal of sewage in the sanitary sewer district.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 012 99 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 23RD DAY OF MARCH, 1999.

  
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Robin A. Griffith  
Clerk of the County Council



Exhibit "A"

Description of the Ellendale Sanitary Sewer District

BEGINNING at a point, said point being the intersection of the westerly Right-of Way (ROW) line of U. S. Route 113 with the westerly ROW line of County Road 607 and being the southeasternmost property corner of the lands now or formerly (N/F) of Robert P. Short, Robert P. Short, Jr., and Virginia R. Short; thence proceeding in a northerly direction with said ROW to a point where it meets the southerly ROW line of State of Delaware Route 16; thence proceeding in a westerly direction 450 feet more or less ( $\pm$ ) with the southerly ROW line of State of Delaware Route 16 to a point; thence proceeding 70 feet  $\pm$  in a northerly direction with a straight line to a point, said point being the southwesternmost property corner of the lands N/F of Raymond W. and Ann B. Spicer; thence proceeding in a northerly and easterly direction, respectively, with the boundary line of lands N/F of Raymond W. and Ann B. Spicer to a point where it meets the westerly ROW of U.S. Route 113; thence proceeding in an easterly direction 210 feet  $\pm$  with a straight line to a point, said point being on the easterly ROW of U.S. Route 113 and the northwesternmost property corner of lands N/F of Leroy Williams and Charles Vann; thence proceeding in a southerly, easterly and northerly direction, respectively, with said lands to a point, said point being a corner of lands N/F of Reed Trucking Company, Inc.; thence proceeding in an easterly, northerly and northeasterly direction, respectively, with the lands N/F of Reed Trucking Company, Inc., to a point, said point being the northeasternmost property corner of lands N/F of Reed Trucking Company, Inc. and on the eastern boundary of lands N/F of Burton P. Walius and Theodore H. Walius; thence proceeding in a northerly direction with the eastern boundary line of lands N/F of Burton P. Walius and Theodore H. Walius to a point, said point being the northeasternmost point of lands N/F of Burton P. Walius and Theodore H. Walius; thence proceeding in a northeasterly, northerly, and northwesterly direction, respectively, with the boundary line of lands N/F of Hazel M. Evans to a point where it meets the boundary line of lands N/F of the State of Delaware; thence proceeding in a northeasterly direction to a point where it meets the westerly ROW line of County Road 213; thence continuing in a westerly, northerly and easterly direction, respectively, with the boundary line of lands N/F of the State of Delaware to a point where it meets the westerly ROW line of County Road 213; thence proceeding 50 feet  $\pm$  in an easterly direction with a straight line to a point, said point being on the easterly ROW line of County Road 213; thence proceeding 170 feet  $\pm$  in a southerly direction with the easterly ROW line of County Road 213 to a property corner of lands N/F of Glatfelter Pulp Wood Company; thence proceeding in an easterly, southeasterly and northeasterly direction, respectively, to a point where it meets the westerly ROW line N/F of Consolidated Rail Corporation; thence proceeding 70 feet  $\pm$  in a northeasterly direction with a straight line to a point, said point being the southwestern property corner of other lands of Glatfelter Pulp Wood Company; thence proceeding in a northeasterly and southeasterly direction with the boundary line of lands N/F of Glatfelter Pulp Wood Company to a point, said point being the westernmost property corner of other lands N/F of Raymond W. and Ann B. Spicer; thence proceeding in a southeasterly direction with the boundary line of lands N/F of Raymond W. and Ann B. Spicer to a point, said point being the northwestern property corner of lands N/F of Michael A. and Elvin Spence; thence proceeding in a southeasterly and southwesterly direction, respectively with the boundary line of lands N/F of Michael A. and Elvin Spence to a point, said point



being the northernmost property corner of lands N/F of Robert I. Pettyjohn; thence proceeding in a southeasterly direction with the boundary line of lands N/F of Robert I. Pettyjohn to a point in the northerly ROW line of County Road 232; thence proceeding 480 feet  $\pm$  in a northeasterly direction with the northerly ROW line of County Road 232 to a point; thence proceeding with a straight line in a southeasterly direction 50 feet  $\pm$  to a point in the southerly ROW line of County Road 232, said point being a property corner of other lands N/F of Raymond W. and Ann B. Spicer; thence proceeding in a southeasterly direction with the boundary line of lands N/F of Raymond W. and Ann B. Spicer to a point where it meets the westernmost property corner of other lands N/F of Raymond W. and Anne B. Spicer; thence proceeding in an easterly and southeasterly direction, respectively, with the boundary line of lands N/F of Raymond W. and Anne B. Spicer to a point where it meets the westerly ROW line of County Road 227; thence proceeding in a southeasterly direction 50 feet  $\pm$  with a straight line to a point, said point being the intersection of the easterly ROW line of County Road 227 and the centerline of Church Branch; thence proceeding in a southwesterly direction with the centerline of Church Branch to a point where it meets the northerly ROW line of State of Delaware Route 16; thence proceeding in a southwesterly direction with the northerly ROW line of State of Delaware Route 16 to a point where it meets the northerly ROW of County Road 231; thence proceeding in an easterly direction with the northerly ROW of County Road 231 to a point, said point being the intersection of the northerly ROW line of County Road 231 and the centerline of Sowbridge Branch; thence proceeding in a southwesterly direction with the centerline of Sowbridge Branch to a point, said point being the intersection of Sowbridge Branch with the northerly ROW line of lands N/F of Consolidated Rail Corporation; thence proceeding in a northwesterly and westerly direction, respectively, with the northerly ROW line N/F of Consolidated Rail Corporation to a point where it meets the boundary line of the Town of Ellendale; thence proceeding in a southerly and westerly direction, respectively, with the boundary line of the Town of Ellendale to a point where it meets the westerly ROW line N/F of Consolidated Rail Corporation; thence proceeding in a southerly direction with the westerly ROW line N/F of Consolidated Rail Corporation to a point, said point being the intersection of the westerly ROW line N/F of Consolidated Rail Corporation with the centerline of Maple Branch; thence proceeding in a westerly direction with the centerline of Maple Branch to a point, said point being the intersection of the centerline of Maple Branch with the western property line of Lands N/F of Elsmere Realty Corporation; thence proceeding in a southerly and easterly direction, respectively, with the boundary line of lands N/F of Elsmere Realty Company to a point where it meets the westerly ROW line N/F of Consolidated Rail Corporation; thence proceeding in a southerly direction with the westerly ROW line N/F of Consolidated Rail Corporation to a point where it meets the northeastern property corner of lands N/F of Mark L. and Marjorie C. Davis; thence proceeding in a westerly and southerly direction, respectively, with the boundary line of lands N/F of Mark L. and Marjorie C. Davis, to a point where it meets the northeasternmost property corner of lands N/F of David H. Piper; thence proceeding in a westerly and southerly direction, respectively, to a point in the boundary line of lands N/F of the State of Delaware; thence proceeding in a westerly direction with the boundary line of lands N/F of the State of Delaware to a point where it meets the easterly ROW line of County Road 213; thence proceeding in a southerly direction 170 feet  $\pm$  with the easterly ROW line of County Road 213, to a point; thence proceeding 50 feet  $\pm$  in a westerly direction with a straight line to a point, said point being on the westerly ROW line of County Road 213, being also a property corner for lands N/F of



Mark L. and Marjorie C. Davis; thence proceeding in a westerly and northerly direction, respectively, with the boundary line of lands N/F of Mark L. and Marjorie C. Davis to a point in the boundary line of lands N/F of the State of Delaware; thence proceeding in an easterly and northerly direction, respectively, with the boundary line of lands N/F of State of Delaware to a point where it meets the southeastern property corner of lands N/F of the Delaware Solid Waste Authority; thence proceeding in a northwesterly direction with the boundary line of lands N/F of the Delaware Solid Waste Authority to a point where it meets the southeastern property corner of lands N/F of the Philadelphia Pentecostal Holiness Church; thence proceeding in a northerly direction with the boundary line of lands N/F of Philadelphia Pentecostal Holiness Church to a point in the boundary line of lands N/F of Herman B. Williams, Jr.; thence proceeding in a northerly direction 400 feet  $\pm$  with a straight line to a point, said point being in the southerly boundary line of lands N/F of Shirley Lea Joseph; thence proceeding in an easterly, northerly, northwesterly and southerly direction, respectively, with the boundary line of lands N/F of Shirley Lea Joseph to a point where it meets the northeast property corner of lands N/F of Jeanette D. Short, being also the northeast corner of lot 2 of the Joseph S. Short subdivision (found in Deed Book 328, Page 593 in the Office of the Sussex County Recorder of Deeds); thence proceeding in a westerly direction with the northern boundary line of said lot to a point where it meets the easterly ROW line of U.S. Route 113; thence proceeding in a northerly direction 220 feet  $\pm$  with the easterly ROW line of U.S. Route 113 to a point, thence proceeding in a westerly direction 250 feet  $\pm$  with a straight line to the point of BEGINNING, be the contents thereof what they may. The proposed Ellendale Sanitary Sewer District is within these proposed approximate boundaries. A map drawn to scale indicating the boundaries of the proposed Ellendale Sanitary Sewer District is attached.