

RESOLUTION R 013 04

A RESOLUTION TO EXTEND THE BOUNDARY OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (WRX) TO ENCOMPASS PART OF A SINGLE PARCEL OF LAND EAST OF STATE ROUTE 24 (JOHN J. WILLIAMS HIGHWAY), LYING CONTIGUOUS TO THE WRX, AND BEING IN LEWES-REHOBOTH HUNDRED, SUSSEX COUNTY DELAWARE.

WHEREAS, Sussex County has established the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRX); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County between the Towns of Lewes and Rehoboth Beach, which is contiguous to the WRX, 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 Rob Davis, 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 WRX to encompass land situate east of State Route 24, as follows:

Beginning at a point, said point being on the southern right-of-way of State Route 24, 2155 +/- feet west of the intersection of the southern right-of-way of State Route 24 with the western right-of-way of State of Delaware Route 1, said point being a common point of land now or formerly (N/F) of The Herola Co. and land N/F of Beebe Medical Center, Inc., said point also being in the boundary of the WRX; thence proceeding with the boundary of the WRX the following two

courses and distances: (1) South 29 degrees 11 minutes 50 seconds East 538.25 +/- feet; and (2) South 48 degrees 37 minutes 31 seconds West 555.67 +/- feet, respectively, to a point where it meets the boundary line of land N/F of J. G. Townsend, Jr. & Co., said point also being in the boundary of the WRX; thence leaving the boundary of the WRX and proceeding South 30 degrees 9 minutes 20 seconds East 516.07 +/- feet to a point, said point being a common corner of land N/F of J. G. Townsend, Jr. & Co. and land of The Herola Co., said point also being in the boundary line of land N/F of Beebe Medical Center, Inc.; thence proceeding the following two courses and distances: (1) South 44 degrees 42 minutes 57 seconds East 425.04 +/- feet; and (2) North 49 degrees 25 minutes 30 seconds East 439.24 +/- feet, respectively, to a point, said point being a common corner of land N/F of The Herola Co. and land N/F of Earl D. Warrington, said point also being in the boundary line of land of Beebe Medical Center, Inc.; thence proceeding North 49 degrees 25 minutes 30 seconds East 972.29 +/- feet to a point, said point being a common corner of land N/F of Beebe Medical Center, Inc. and other land of The Herola Co., said point also being in the boundary line of land N/F of Earl D. Warrington; thence leaving the boundary line of land N/F of Earl D. Warrington and proceeding the following four courses: (1) a chord to the left, bearing North 68 degrees 30 minutes 46 seconds West 164.73 +/- feet; (2) North 57 degrees 49 minutes 03 seconds West 850.0 +/- feet; (3) a chord to the right, bearing North 57 degrees 49 minutes 03 seconds West 438.56 +/- feet; and (4) North 20 degrees 49 minutes 03 seconds West 200.0 +/- feet, respectively, to the Point and place 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 013 04 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 23RD DAY OF MARCH, 2004.

ROBIN A. GRIFFITH
COUNTY CLERK

WEST REHOBOTH EXPANSION OF THE
DEWEY BEACH SANITARY SEWER DISTRICT
BEEBE MEDICAL CENTER EXPANSION
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED That the subscriber, ROB DAVIS, 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 March 5, 2004 he was a Planning Technician III for the Sussex County Engineering Department, Sussex County, State of Delaware, and
- B. On March 5, 2004 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On community bulletin board, U.S. Post Office, Five Points Plaza, 1111 Highway One, Nassau, Delaware.
 - 2. On wall at bulletin display area, Exxon Convenience Store, 18904 Highway One, intersection of Route One and Route 24, Lewes, Delaware.
 - 3. On bulletin board at rear of store, Texaco Shore Stop Express, 3107 Highway One, Dewey Beach, Delaware.
 - 4. On bulletin board inside foyer, Dewey Beach Town Hall, 105 Rodney Avenue, Dewey Beach, Delaware.
 - 5. On window next to entry door, Beach Shop/Exxon Service Station, intersection of Route One & Swedes Street, Dewey Beach, Delaware.
 - 6. On entry door, DeLux Dairy Market, Route One and Cullen Street, Rehoboth Beach, Delaware.
 - 7. On entry door, Bay Road Package Store, James A. Street & Route 1, 3206 Highway One, Rehoboth Beach, Delaware.
 - 8. On wall at customer service area, Food Lion, 16922 Savannah Road, Nassau, Delaware.
 - 9. On bulletin board in customer area, Wawa Food Market, Route One and Dartmouth Drive, Lewes, Delaware.

10. On Conectiv Pole 59519/07336, intersection of Savannah Road and Dove Drive, Lewes, Delaware.
11. On Conectiv Pole 58287/07197, intersection of County Road 265 and Edgewater Drive, Lewes, Delaware.
12. On bulletin Board in Wawa Market, Route One and Wolfe Neck Road (County Road 270), Rehoboth Beach, Delaware.
13. The parcel of land being considered for the proposed extension of the West Rehoboth Expansion Area in locations as follows:
 - a) Approximately 65 feet southeast of the parcel's corner located on the southerly right of way of State of Delaware Route 24.
 - b) Approximately 540 feet southeast of the parcel's corner located on the southerly right of way of State of Delaware Route 24, at a point approximately 20 feet northeast of a corner of other lands of Beebe Medical Center.
 - c) Approximately 15 feet east of the parcel's westernmost property corner.
 - d) Approximately 20 feet northeast of a common property corner of lands of J. G. Townsend, Jr. and Company and The Herola Company, said property corner also being located on the parcel's southwestern boundary line.


ROB DAVIS

SWORN TO AND SUBSCRIBED before me on this 16th day of March A.D., 2004.


NOTARY PUBLIC

My Commission Expires 4/7/07



WEST REHOBOTH EXPANSION OF THE
DEWEY BEACH SANITARY SEWER DISTRICT
BEEBE MEDICAL CENTER EXPANSION
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED That the subscriber, ROB DAVIS, 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 March 16, 2004 he was a Planning Technician III for the Sussex County Engineering Department, Sussex County, State of Delaware, and
- B. On March 16, 2004 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
1. On display easel in entry foyer of the Beebe Medical Outpatient Care Center, 18941 John J. Williams Highway (Route 24) Rehoboth Beach, Delaware.

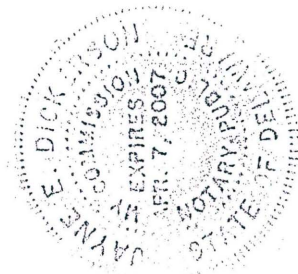

ROB DAVIS

SWORN TO AND SUBSCRIBED before me on this 17th day of March A.D., 2004.


NOTARY PUBLIC

My Commission Expires

4/7/07



NOTICE

PROPOSED EXPANSION
TO THE WEST REHOBOTH EXPANSION OF THE
DEWEY BEACH SANITARY SEWER DISTRICT
BEEBE MEDICAL CENTER ADDITION

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on February 3, 2004, to consider extending the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRE) to include part of a single parcel of land east of State Route 24 (John J. Williams Highway), being in the Lewes and Rehoboth 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 WRE is described as follows;

Beginning at a point, said point being on the southern right-of-way of State Route 24, 2155 +/- feet west of the intersection of the southern right-of-way of State Route 24 with the western right-of-way of State of Delaware Route 1, said point being a common point of land now or formerly (N/F) of The Herola Co. and land N/F of Beebe Medical Center, Inc., said point also being in the boundary of the WRE; thence proceeding with the boundary of the WRE the following two courses and distances: (1) South 29 degrees 11 minutes 50 seconds East 538.25 +/- feet; and (2) South 48 degrees 37 minutes 31 seconds West 555.67 +/- feet, respectively, to a point where it meets the boundary line of land N/F of J. G. Townsend, Jr. & Co., said point also being in the boundary of the WRE; thence leaving the boundary of the WRE and proceeding South 30 degrees 9 minutes 20 seconds East 516.07 +/- feet to a point, said point being a common corner of land N/F of J. G. Townsend, Jr. & Co. and land of The Herola Co., said point also being in the boundary line of land N/F of Beebe Medical Center, Inc.; thence proceeding the following two courses and distances: (1) South 44 degrees 42 minutes 57 seconds East 425.04 +/- feet; and (2) North 49 degrees 25 minutes 30 seconds East 439.24 +/- feet, respectively, to a point, said point being a common corner of land N/F of The Herola Co. and land N/F of Earl D. Warrington, said point also being in the boundary line of land of Beebe Medical Center, Inc.; thence proceeding North 49 degrees 25 minutes 30 seconds East 972.29 +/- feet to a point, said point being a common corner of land N/F of Beebe Medical Center, Inc. and other land of The Herola Co., said point also being in the boundary line of land N/F of Earl D. Warrington; thence leaving the boundary line of land N/F of Earl D. Warrington and proceeding the following four courses: (1) a chord to the left, bearing North 68 degrees 30 minutes 46 seconds West 164.73 +/- feet; (2) North 57 degrees 49 minutes 03 seconds West 850.0 +/- feet; (3) a chord to the right, bearing North 57 degrees 49 minutes 03 seconds West 438.56 +/- feet; and (4) North 20 degrees 49 minutes 03 seconds West 200.0 +/- feet, respectively, to the Point and place of Beginning.

The proposed expansion of the WRE is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 3-34-12.00, Sussex County property assessment records, deeds and plots recorded in the Sussex County Recorder of Deeds Office and a perimeter survey plan prepared by Landmark Engineering, dated January 6, 2004.

A map outlining and describing the extension to the WRE is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 10:45 a.m. on Tuesday, March 23, 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 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 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

