

RESOLUTION R 013 93

A RESOLUTION TO EXTEND THE BOUNDARY OF THE BETHANY BEACH SANITARY SEWER DISTRICT TO ENCOMPASS A CERTAIN PIECE, PARCEL, OR TRACT OF LAND LYING CONTIGUOUS TO THE BETHANY BEACH SANITARY SEWER DISTRICT, LAND BEING KNOWN AS LOT 1, BLOCK F, SECTION II OF OCEAN WAY ESTATES, SITUATED AT THE SOUTHEASTERLY CORNER OF THE INTERSECTION OF PERSE DRIVE AND OGRE DRIVE.

WHEREAS, Sussex County has established the Bethany Beach Sanitary Sewer District;

WHEREAS, a letter dated March 9, 1993 was received by the Sussex County Council from Antonio Viti requesting his property, identified as Lot 1F, Section II of Ocean Way Estates, be included in the sanitary sewer district;

WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County and Ocean Way Estates, the inclusion of Lot 1, Block F, Section II of Ocean Way Estates would be beneficial;

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;

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 Anthony DiGiuseppe, a copy of which affidavit and public notice is attached hereto and made a part hereof;

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 Bethany Beach Sanitary Sewer District to encompass Lot 1, Block F, Section II of Ocean Way Estates as follows:


BEGINNING at the southerly right-of-way (ROW) of Perse Drive, said point being the northeasternmost property corner of land now or formerly (N/F) of Antonio and Lidia Viti, thence proceeding by and with the southern ROW of Perse Drive (1) South 70° 25' 00" West, 55 feet to a point, said point being the beginning of an arc having a radius of 25 feet, and thence proceeding along the circumference of the arc 39.27 feet to a point being the end of the arc; thence proceeding (2) South 19° 35' 00" East 110 feet to a point, said point being on the boundary line of the Bethany Beach Sanitary Sewer District and point also being the northwestern property corner of lands N/F of Berzins Enterprises, Inc.; thence proceeding with the boundary line (3) North 70° 25' 00" East, 80 feet to a point where it meets other lands N/F of Antonio Viti; thence proceeding (4) North 19° 35' 00" West, 135 feet to the point of Beginning;

The above described parcel of land contains 10,666 square feet, be the same more or less;

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 93 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 13TH DAY OF JULY, 1993.

  
Robin A. Griffith  
Clerk of the County Council