

**RESOLUTION NO. R 014 03**

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE LONG NECK SANITARY SEWER DISTRICT (LNSSD) TO INCLUDE PARCELS OF LAND ON THE SOUTH SIDE OF STATE OF DELAWARE ROUTE 24 (JOHN J. WILLIAMS HIGHWAY), BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY DELAWARE.**

**WHEREAS, Sussex County has established the Long Neck Sanitary Sewer District (LNSSD); and**

**WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County southwest of the LNSSD, 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 LNSSD to include parcels of land on the east side of State of Delaware Route 24, as follows:**

**Beginning at a point, said point being the intersection of the centerlines of State of Delaware Route 24 and County Road 299; thence proceeding from said point with the centerline of State of Delaware Route 24, North 21 degrees, 03 minutes, 07 seconds East 1832.50 feet  $\pm$  to a point, said point being on the centerline of State of Delaware Route 24, said point also being a point in the boundary line of the LNSSD; thence proceeding in an easterly direction 25 feet  $\pm$  to a point, said point being in the easterly right of way (ROW) of State of Delaware Route 24, said point also being a common corner of two parcels now or formerly (N/F) of Janet P. and Paul Oliva, Sr. and lands N/F Julia R. and John H. Ferris; thence proceeding the following three courses: (1) South 61 degrees, 47 minutes, 39**

seconds East 150 feet  $\pm$  to a point; thence (2) South 21 degrees, 03 minutes, 07 seconds West 308 feet  $\pm$  to a point; thence (3) South 60 degrees, 31 minutes, 41 seconds East 17.60 feet  $\pm$  to a point, said point being a common corner of lands N/F of the Sherwood Forest South Property Owners and of lands N/F of Earlyn Y. Jackson, said point also being on the southerly boundary line of lands N/F of Janet P. and Paul Oliva, Sr. and Julia R. and John H. Ferris; thence turning and proceeding South 27 degrees, 19 minutes, 02 seconds West 373.97 feet  $\pm$  to a point, said point being a common corner of lands N/F of Ellen and Allen P. Fongemie and lands N/F of Clarence R. and Meredith J. Warren, said point also being on the northerly ROW line of the Sherwood Forest entrance road; thence proceeding in a southerly direction across the Sherwood Forest entrance road 50.00 feet  $\pm$  to a point, said point being on the southerly ROW line of the Sherwood Forest entrance road, said point also being a common corner of lands N/F of Barbara M. Williams and of lands N/F of Daisey Stevenson; thence proceeding South 21 degrees, 03 minutes, 07 seconds West 874.27 feet  $\pm$  to a point, said point being a common corner of lands N/F of Donald L. and Pauline M. Wittle and lands N/F of Stephen A. and Melissa M. Mallozzi; thence turning and proceeding South 70 degrees, 10 minutes, 44 seconds East 75.0 feet  $\pm$  to a point, said point being a common corner of lands N/F of Donald L. and Pauline M. Wittle and lands N/F of Alice Doreen and William Edward Jackson, said point also being in the boundary line of lands N/F of Lyle and Beverly Riegel; thence turning and proceeding South 19 degrees, 49 minutes, 16 seconds West 178.15 feet  $\pm$  to a point, said point being a common corner of lands N/F of Alice Doreen and William Edward Jackson and lands N/F of Edward J. and Geraldine C. Esser, said point also being on the northerly ROW line of County Road 299 (a. k. a. Bay Farm Road); thence proceeding in a southerly direction with said ROW 611.27 feet  $\pm$  to a point, said point being on the northerly ROW of County Road 299; thence turning and proceeding in a southerly direction 50 feet  $\pm$  to a point, said point being on the southerly ROW of County Road 299, said point also being a common corner of lands N/F of William and Dorothy Mullahy and lands N/F of Back Bay Park Center, LLC; thence proceeding South 30 degrees, 30 minutes, 52 seconds West 1431.02 feet  $\pm$  to a point, said point being a common corner of lands N/F Back Bay Park Center, LLC and lands N/F of John P. and Margaret A. Gibbons, said point also being on the boundary line of John



Burton Manor (as recorded in the Sussex County Recorder of Deeds Office, Plot Book 39, page 43 and Plot Book 47, page 206); thence turning and proceeding North 60 degrees, 06 minutes, 23 seconds West 592.86 feet to a point, said point being a common corner of lands N/F of Back Bay Park Center, LLC and lands N/F of Clara L. Ingram, said point also being on the easterly ROW of State of Delaware Route 24; thence proceeding in a westerly direction 25 feet  $\pm$  to a point, said point being on the centerline of State of Delaware Route 24; thence turning and proceeding North 21 degrees, 03 minutes, 07 seconds East 1,342.79 feet  $\pm$  with the centerline of State of Delaware Route 24, 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; and

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 014 03 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 28TH DAY OF JANUARY, 2003.

  
ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

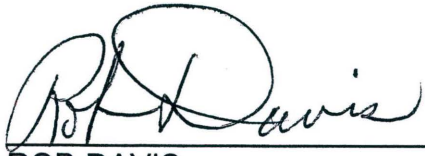
LONG NECK SANITARY SEWER DISTRICT  
RT. 24 EXPANSION  
AFFIDAVIT FOR PUBLIC HEARING

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 January 14, 2003 he was a Planning Technician for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On January 14, 2003 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On a wall next to the community bulletin board located inside of Subway/Dash-in-Foods/Exxon store, located northeast of the intersection of Routes 5 and 24 and County Road 22 (a.k.a. State of Delaware Route 23).
  - 2. On the Community Bulletin Board near the pharmacy area of the Rite Aid Pharmacy in the Long Neck Nanticoke Crossing Plaza.
  - 3. Inside next to the entry doors of the Food Lion Store in the Long Neck Nanticoke Crossing Plaza.
  - 4. Inside on entry door of the Community Offices and Information Center of Pot-Nets Communities, County Road 22 (a.k.a. State of Delaware Route 23).
  - 5. Inside on the front window near the entrance to Uncle Willie's Store, County Road 22 (a.k.a. State of Delaware Route 23).
  - 6. On front window of the entry foyer next to the inner double doors of County Bank located southeast of the intersection of County Road 298 and County Road 22 (a.k.a. State of Delaware Route 23).

7. On the front window of Perry's Shoppes and Citgo Fuel Stop, County Road 22 (a.k.a. State of Delaware Route 23).
8. Inside next to entry door of the Back Bay Liquor Warehouse in the Back Bay Shopping Center.
9. On bulletin board inside Our Clothesline Laundromat in the Back Bay Shopping Center.
10. Inside next to entry door of Happy Harry's Discount Drugs in the Back Bay Shopping Center.
11. At three additional locations on driven stakes in the area being considered for the proposed extension of the Long Neck Sanitary Sewer District as follows:
  - (a) near the area's southwest corner along the east side of State of Delaware Route 24, approximately 1260 feet south of County Road 299;
  - (b) near the area's east corner along the south side of County Route 299, approximately 820 feet east of State of Delaware Route 24; and
  - (c) on the area's west side, along the east side of State of Delaware Route 24, approximately 1680 feet north of County Road 299.

  
ROB DAVIS

SWORN TO AND SUBSCRIBED before me on this 16<sup>th</sup> day of January A.D., 2003.

  
NOTARY PUBLIC

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



## NOTICE

### PROPOSED EXPANSION TO THE LONG NECK SANITARY SEWER DISTRICT TO INCLUDE LANDS ALONG ROUTE 24

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on December 10, 2002 to consider extending the Long Neck Sanitary Sewer District (LNSSD) to include parcels of land on the south side of State of Delaware Route 24 (John J. Williams Highway), being in Indian River 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 LNSSD is described as follows:

Beginning at a point, said point being the intersection of the centerlines of State of Delaware Route 24 and County Road 299; thence proceeding from said point with the centerline of State of Delaware Route 24, North 21 degrees, 03 minutes, 07 seconds East 1832.50 feet  $\pm$  to a point, said point being on the centerline of State of Delaware Route 24, said point also being a point in the boundary line of the LNSSD; thence proceeding in an easterly direction 25 feet  $\pm$  to a point, said point being in the easterly right of way (ROW) of State of Delaware Route 24, said point also being a common corner of two parcels now or formerly (N/F) of Janet P. and Paul Oliva, Sr. and lands N/F Julia R. and John H. Ferris; thence proceeding the following three courses: (1) South 61 degrees, 47 minutes, 39 seconds East 150 feet  $\pm$  to a point; thence (2) South 21 degrees, 03 minutes, 07 seconds West 308 feet  $\pm$  to a point; thence (3) South 60 degrees, 31 minutes, 41 seconds East 17.60 feet  $\pm$  to a point, said point being a common corner of lands N/F of the Sherwood Forest South Property Owners and of lands N/F of Earlyn Y. Jackson, said point also being on the southerly boundary line of lands N/F of Janet P. and Paul Oliva, Sr. and Julia R. and John H. Ferris; thence turning and proceeding South 27 degrees, 19 minutes, 02 seconds West 373.97 feet  $\pm$  to a point, said point being a common corner of lands N/F of Ellen and Allen P. Fongemie and lands N/F of Clarence R. and Meredith J. Warren, said point also being on the northerly ROW line of the Sherwood Forest entrance road; thence proceeding in a southerly direction across the Sherwood Forest entrance road 50.00 feet  $\pm$  to a point, said point being on the southerly ROW line of the Sherwood Forest entrance road, said point also being a common corner of lands N/F of Barbara M. Williams and of lands N/F of Daisey Stevenson; thence proceeding South 21 degrees, 03 minutes, 07 seconds West 874.27 feet  $\pm$  to a point, said point being a common corner of lands N/F of Donald L. and Pauline M. Wittle and lands N/F of Stephen A. and Melissa M. Mallozzi; thence turning and proceeding South 70 degrees, 10 minutes, 44 seconds East 75.0 feet  $\pm$  to a point, said point being a common corner of lands N/F of Donald L. and Pauline M. Wittle and lands N/F of Alice Doreen and William Edward Jackson, said point also being in the boundary line of lands N/F of Lyle and Beverly Riegel; thence turning and proceeding



South 19 degrees, 49 minutes, 16 seconds West 178.15 feet  $\pm$  to a point, said point being a common corner of lands N/F of Alice Doreen and William Edward Jackson and lands N/F of Edward J. and Geraldine C. Esser, said point also being on the northerly ROW line of County Road 299 (a. k. a. Bay Farm Road); thence proceeding in a southerly direction with said ROW 611.27 feet  $\pm$  to a point, said point being on the northerly ROW of County Road 299; thence turning and proceeding in a southerly direction 50 feet  $\pm$  to a point, said point being on the southerly ROW of County Road 299, said point also being a common corner of lands N/F of William and Dorothy Mullahy and lands N/F of Back Bay Park Center, LLC; thence proceeding South 30 degrees, 30 minutes, 52 seconds West 1431.02 feet  $\pm$  to a point, said point being a common corner of lands N/F Back Bay Park Center, LLC and lands N/F of John P and Margaret A. Gibbons, said point also being on the boundary line of John Burton Manor (as recorded in the Sussex County Recorder of Deeds Office, Plot Book 39, page 43 and Plot Book 47, page 206); thence turning and proceeding North 60 degrees, 06 minutes, 23 seconds West 592.86 feet to a point, said point being a common corner of lands N/F of Back Bay Park Center, LLC and lands N/F of Clara L. Ingram, said point also being on the easterly ROW of State of Delaware Route 24; thence proceeding in a westerly direction 25 feet  $\pm$  to a point, said point being on the centerline of State of Delaware Route 24; thence turning and proceeding North 21 degrees, 03 minutes, 07 seconds East 1,342.79 feet  $\pm$  with the centerline of State of Delaware Route 24, to the point and place of Beginning.

The proposed expansion of the LNSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map Nos. 2-34-23.00 and 2-34-29.00, Sussex County property assessment records, and a legal description provided by Larson Engineering, Inc. and dated July 11, 2002.

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

The public hearing will be held on this issue at 11:00 a.m. on Tuesday, January 28, 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 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



