

RESOLUTION R 014 04

A RESOLUTION TO EXTEND THE BOUNDARY OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (WRX) TO ENCOMPASS TWO PARCELS OF LAND ON COUNTY ROAD 275 (PLANTATIONS ROAD) AND STATE ROUTE 24 (JOHN J. WILLIAMS HIGHWAY) 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 the parcels of land situate east of County Road 275 and north of State Route 24, as follows:

Beginning at a point, said point being a common corner of lands now or formerly (N/F) of Country Life Homes, Inc., and lands N/F of Summerset Associates, L.L.C., said point also being in the southwestern boundary line of the Maplewood subdivision (as recorded in Sussex County Recorder of Deeds Office, Plot Book 29, Page 128), said point also being on the boundary of the WRX;

thence proceeding South 57 degrees 40 minutes, 38 seconds West 1335.38 \pm feet to a point, said point being a common corner of lands N/F of Country Life Homes, Inc. and lands N/F of Summerset, L.L.C., said point also being on the eastern right-of-way of County Road 275, 1420 \pm feet north of the intersection of the northern right-of-way of State Route 24 with the eastern right-of-way of County Road 275, said point also being on the boundary of the WRX; thence leaving the boundary line of Country Life Homes, Inc. and the WRX, and proceeding in a southeasterly direction 899.80 feet to a point, said point being a common corner of lands N/F of Summerset, L.L.C. and the Midway Acres subdivision (as recorded in the Sussex County Recorder of Deeds Office, Plot Book 4, Page 24), said point also being on the eastern right-of-way of County Road 275; thence proceeding 703.6 \pm feet in a northeasterly direction with the boundary line of lands of Summerset, L.L.C. and the Midway Acres subdivision to a point, said point being on the boundary line of lands N/F of Summerset, L.L.C., said point also being a common corner of the Midway Acres subdivision and lands N/F of Angola Beach and Estates Sales Center, L.L.C.; thence proceeding 356.53 \pm feet in a southeasterly direction to a point, said point being a corner of the Midway Acres subdivision, said point also being in the boundary of lands N/F Angola Beach and Estates Sales Center, L.L.C., said point also being on the northern right-of-way of State Route 24; thence leaving the boundary of the Midway Acres subdivision, and proceeding in a southeasterly direction 6.0 \pm feet to a point, said point being the southernmost property corner of lands N/F of Angola Beach and Estates Sales Center, L.L.C., said point also being on the northern right-of-way of State Route 24; thence leaving the northern right-of-way of State Route 24 and boundary line of land N/F of Angola Beach and Estates Sales Center, L.L.C. and proceeding 45.0 \pm feet in a straight line in a southeasterly direction to a point, said point being on the centerline of State Route 24, said point also being on the boundary of the WRX; thence proceeding 834.65 \pm feet in a northeasterly direction with the centerline of State Route 24 and the boundary of the WRX to a point, said point being on the centerline of State Route 24, said point also being on the boundary of the WRX; thence proceeding 55.0 \pm feet in a straight line in a

northwesterly direction to a point, said point being a common corner of lands N/F of Angola Beach and Estates Sales Center, L.L.C. and the Maplewood subdivision, said point also being on the boundary of the WRX, said point also being on the northern right-of-way of State Route 24; thence leaving the northern right-of-way of State Route 24 and proceeding 355.4± feet in a northwesterly direction to a point, said point being a common corner of lands N/F of Angola Beach and Estates Sales Center, L.L.C. and lands N/F of Summerset, L.L.C., said point also being in the southwestern boundary line of the Maplewood subdivision, said point also being on the boundary of the WRX; thence proceeding in a northwesterly direction 815.93± with the boundary line of land N/F of Summerset, L.L.C., the Maplewood subdivision and the WRX, 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 014 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
ROUTE 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 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 Conectiv Pole 59519/07336, intersection of Savannah Road and Dove Drive, Lewes, Delaware.
2. On Conectiv Pole 58287/07197, intersection of County Road 265 and Edgewater Drive, Lewes, Delaware.
3. On bulletin Board in Wawa Market, Route One and Wolfe Neck Road (County Road 270), Rehoboth Beach, Delaware.
4. On community bulletin board, U.S. Post Office, Five Points Plaza, 1111 Highway One, Nassau, Delaware.
5. On wall at bulletin display area, Exxon Convenience Store, 18904 Highway One, intersection of Route One and Route 24, Lewes, Delaware.
6. On bulletin board at rear of store, Texaco Shore Stop Express, 3107 Highway One, Dewey Beach, Delaware.
7. On bulletin board inside foyer, Dewey Beach Town Hall, 105 Rodney Avenue, Dewey Beach, Delaware.
8. On window next to entry door, Beach Shop/Exxon Service Station, intersection of Route One & Swedes Street, Dewey Beach, Delaware.
9. On entry door, DeLux Dairy Market, Route One and Cullen Street, Rehoboth Beach, Delaware.

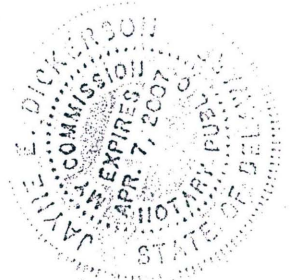
10. On entry door, Bay Road Package Store, James A. Street & Route 1, 3206 Highway One, Rehoboth Beach, Delaware.
11. On wall at customer service area, Food Lion, 16922 Savannah Road, Nassau, Delaware.
12. On bulletin board in customer area, Wawa Food Market, Route One and Dartmouth Drive, Lewes, Delaware.
13. The parcel of land being considered for the proposed extension of the West Rehoboth Expansion Area in locations as follows:
 - a) On land of Angola Beach and Estates Sales Center, LLC, approximately 55 feet west of the parcel's eastern most corner located on the northerly right of way of State of Delaware Route 24.
 - b) On land of Angola Beach and Estates Sales Center, LLC, approximately 60 feet north east of the parcel's southern most corner located on the northerly right of way of State of Delaware Route 24.
 - c) On land of Summerset Associates, LLC, approximately 60 feet north of the parcel's southern most corner on the easterly right of way of County Road 275.
 - d) On land of Summerset Associates, LLC, approximately 50 feet southeast of the parcel's western most corner on the easterly right of way of County Road 275.


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
ROUTE 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 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.

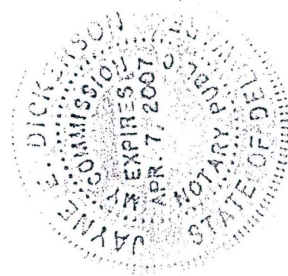

ROB DAVIS

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


NOTARY PUBLIC

My Commission Expires

4/17/07



NOTICE

PROPOSED EXPANSION
TO THE WEST REHOBOTH EXPANSION OF THE
DEWEY BEACH SANITARY SEWER DISTRICT
ROUTE 24

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 two parcels of land on County Road 275 (Plantations Road) and 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 a common corner of lands now or formerly (N/F) of Country Life Homes, Inc., and lands N/F of Summerset Associates, L.L.C., said point also being in the southwestern boundary line of the Maplewood subdivision (as recorded in Sussex County Recorder of Deeds Office, Plot Book 29, Page 128), said point also being on the boundary of the WRE; thence proceeding South 57 degrees 40 minutes, 38 seconds West 1335.38± feet to a point, said point being a common corner of lands N/F of Country Life Homes, Inc. and lands N/F of Summerset, L.L.C., said point also being on the eastern right-of-way of County Road 275, 1420± feet north of the intersection of the northern right-of-way of State Route 24 with the eastern right-of-way of County Road 275, said point also being on the boundary of the WRE; thence leaving the boundary line of Country Life Homes, Inc. and the WRE, and proceeding in a southeasterly direction 899.80 feet to a point, said point being a common corner of lands N/F of Summerset, L.L.C. and the Midway Acres subdivision (as recorded in the Sussex County Recorder of Deeds Office, Plot Book 4, Page 24), said point also being on the eastern right-of-way of County Road 275; thence proceeding 703.6± feet in a northeasterly direction with the boundary line of lands of Summerset, L.L.C. and the Midway Acres subdivision to a point, said point being on the boundary line of lands N/F of Summerset, L.L.C., said point also being a common corner of the Midway Acres subdivision and lands N/F of Angola Beach and Estates Sales Center, L.L.C.; thence proceeding 356.53± feet in a southeasterly direction to a point, said point being a corner of the Midway Acres subdivision, said point also being in the boundary of lands N/F Angola Beach and Estates Sales Center, L.L.C., said point also being on the northern right-of-way of State Route 24; thence leaving the boundary of the Midway Acres subdivision, and proceeding in a southeasterly direction 6.0± feet to a point, said point being the southernmost property corner of lands N/F of Angola Beach and Estates Sales Center, L.L.C., said point also being on the northern right-of-way of State Route 24; thence leaving the northern right-of-way of State Route 24 and boundary line of land N/F of Angola Beach and Estates Sales Center, L.L.C. and proceeding 45.0± feet in a straight line in a southeasterly direction to a point, said point being on the centerline of State Route 24, said point also being on the boundary of the WRE; thence proceeding 834.65± feet in a northeasterly direction with the centerline of State Route 24 and the boundary of the WRE to a point, said point being on the centerline of State Route 24, said point also being on the boundary of the WRE; thence proceeding 55.0± feet in a straight line in a northwesterly direction to a point, said point being a common corner of lands N/F of Angola Beach and Estates Sales Center, L.L.C. and the Maplewood subdivision, said point also being on the boundary of the WRE, said point also being on the northern right-of-way of State Route 24; thence leaving the northern right-of-way of State Route 24 and proceeding 355.4± feet in a northwesterly direction to a point, said point being a common corner of lands N/F of Angola Beach and Estates Sales Center, L.L.C. and lands N/F of Summerset, L.L.C., said point also being in the southwestern boundary line of the Maplewood subdivision, said point also being on the boundary of the WRE; thence proceeding in a northwesterly direction 815.93± with the boundary line of land N/F of Summerset, L.L.C., the Maplewood subdivision and the WRE, 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.

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 11:00 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

