

**RESOLUTION NO. R 014 11**

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE ANGOLA NECK SANITARY SEWER DISTRICT (ANSSD) TO INCLUDE 15 PARCELS OF LAND, EAST OF THE TOWN OF MILLSBORO, BEING SITUATE IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE**

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

**WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County and contiguous to the ANSSD, the inclusion of these parcels 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 Anthony Diguseppe, Jr., 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 ANSSD to include 15 parcels of land east of the town of Millsboro, as follows:**


**BEGINNING at a point located  $\pm 530$  feet southeast of the intersection of private road Jolyns Way and County Rd 279 (Camp Arrowhead Rd), said point being the easternmost corner of a parcel now or formally (N/F) of Wandendale Farms Inc; thence proceeding by and with said lands of Wandendale in the following distances and directions: southwesterly  $\pm 400$  feet, southeasterly  $\pm 810$  feet, southwesterly  $\pm 490$  feet, southeasterly  $\pm 550$  feet and southwesterly  $\pm 750$  feet to a point, said point being the westernmost corner of lands N/F of Richard J Marsh & Mary T Buck; thence proceeding by and with said lands of Marsh in the following two (2) courses and distances: northeasterly  $\pm 330$  feet and southeasterly  $\pm 1306$  feet to a point, said**

point being the southwesternmost corner of lands N/F of Richard J Marsh & Mary T Buck, said point also being along the Angola Neck Sanitary Sewer district boundary (ANSSD); thence proceeding by and with said lands of Marsh in a northeasterly direction  $\pm 1630$  feet to a point, said point being the southeasternmost corner of lands N/F of Richard J Marsh & Mary T Buck; thence leaving the boundary of the ANSSD and proceeding in a northerly direction with lands of Marsh  $\pm 235$  feet to a point, said point being along the westerly right of way (ROW) of Camp Arrowhead Rd; thence crossing said ROW ( $\pm 50'$ ) in a northerly direction  $\pm 50$  feet to a point, said point being along the southerly boundary line of lands N/F of Richard J Marsh & Mary T Buck; thence proceeding by and with said lands of Marsh in the following 2 distances and directions: northeasterly  $\pm 30$  feet and northwesterly  $\pm 940$  feet to a point, said point being along the southerly ROW of County Road 279A (Waterview Rd); thence crossing said ROW ( $\pm 50'$ ) in a northwesterly direction  $\pm 50$  feet to a point, said point being along the eastern boundary line of lands N/F of Richard J Marsh & Mary T Buck; thence by and with said lands of Marsh in a northwesterly direction  $\pm 760$  feet to a point, said point being along the southerly boundary line of lands N/F of Migc Realty LLC; thence proceeding by and with said lands in a northeasterly direction  $\pm 200$  feet to a point, said point being the northwesternmost corner of other lands N/F of Charles H & John Guy; thence proceeding by and with said lands of Guy in the following distances and directions: southeasterly  $\pm 65$  feet and northeasterly  $\pm 50$  feet, and southeasterly  $\pm 445$  feet to a point, said point being along the westerly boundary line of lands N/F of Charles H & John Guy; thence crossing said lands of Guy in a generally northeasterly direction  $\pm 1400$  feet to a point, said point being the southeasternmost corner of lands N/F of Migc Realty LLC; thence proceeding by and with said lands in the following courses and distances: northeasterly  $\pm 1900$  feet, northwesterly  $\pm 1170$  feet, southwesterly  $\pm 3500$  feet to a point, said point being along the easterly ROW of Camp Arrowhead Rd; thence crossing said ROW ( $\pm 50'$ ) in a southwesterly direction  $\pm 50$  feet to a point, said point being that of the 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 11 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 7TH DAY OF JUNE 2011.**

  
**ROBIN A. GRIFFITH**  
**CLERK OF THE COUNCIL**



ANGOLA NECK SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE )(

COUNTY OF SUSSEX )(

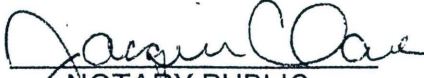
BE IT REMEMBERED That the subscriber, ANTHONY DIGIUSEPPE, JR., personally appeared before me and known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

- A. On May 19, 2011 he was a Planning Technician II for the Sussex County Engineering Department, Sussex County, State of Delaware, and
- B. On May 19, 2011 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On a driven stake near the southeasterly property corner of parcel 2-34-11.00-52.01.
  - 2. On a post of a Angola Neck Sanitary Sewer District sign near the exit of Angola By the Bay.
  - 3. On Delaware Electric Co-op utility pole #21292 near community mailboxes at entrance to Angola Neck Park, Cypress Drive.
  - 4. On the area of land being considered for the proposed extension of Angola Neck Sanitary Sewer District in six locations as follows:
    - a. On post of Pelican Landing sign located along the westerly boundary line of parcel 2-34-7.00-132.00;
    - b. On Delaware Electric Co-op utility pole #113369 located along the westerly right of way (ROW) of County Road 279 (Camp Arrowhead Rd);
    - c. On bulletin board located inside the entrance of Marsh Island pro shop;
    - d. On a driven stake along the Easterly ROW of Camp Arrowhead Rd across from Delaware Electric Co-op utility pole #11337;
    - e. On a driven stake located at the northerly boundary line of parcel 2-34-12.00-17.02;

- f. On Delaware Electric Co-op utility pole located along the westerly ROW of Camp Arrowhead Rd across from Delaware Electric Co-op utility pole #32384.
- 5. On a tree next to community mailboxes near the entrance to Villages of Herring Creek. (Note- on tax maps it is the south Villages at Herring Creek, long white fence on both sides of lane).
- 6. On a driven stake near Delaware Electric Co-op utility pole #117286 at entrance to Bay Ridge Woods.

  
ANTHONY DIGIUSEPPE, JR.

SWORN TO AND SUBSCRIBED before me on this 26 day of May A.D., 2010.

  
NOTARY PUBLIC

My Commission Expires \_\_\_\_\_  
JACQUELINE D. CLARK  
NOTARY PUBLIC  
STATE OF DELAWARE  
My Commission Expires on June 20, 2011



**NOTICE  
PROPOSED EXPANSION OF THE ANGOLA NECK  
SANITARY SEWER DISTRICT TO INCLUDE  
15 PARCELS LOCATED ALONG COUNTY RD 279**

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on April 12, 2011 to consider extending the boundary of the Angola Neck Sanitary Sewer District (ANSSD) to include 15 parcels of land, east of the town of Millsboro, being in Indian River Hundred, Sussex County, Delaware. File numbers: ANG-7.01 and ANG-7.02.

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 ANSSD is described as follows:

**BEGINNING** at a point located  $\pm 530$  feet southeast of the intersection of private road Jolyns Way and County Rd 279 (Camp Arrowhead Rd), said point being the easternmost corner of a parcel now or formally (N/F) of Wandendale Farms Inc; thence proceeding by and with said lands of Wandendale in the following distances and directions: southwesterly  $\pm 400$  feet, southeasterly  $\pm 810$  feet, southwesterly  $\pm 490$  feet, southeasterly  $\pm 550$  feet and southwesterly  $\pm 750$  feet to a point, said point being the westernmost corner of lands N/F of Richard J Marsh & Mary T Buck; thence proceeding by and with said lands of Marsh in the following two (2) courses and distances: northeasterly  $\pm 330$  feet and southeasterly  $\pm 1306$  feet to a point, said point being the southwesternmost corner of lands N/F of Richard J Marsh & Mary T Buck, said point also being along the Angola Neck Sanitary Sewer district boundary (ANSSD); thence proceeding by and with said lands of Marsh in a northeasterly direction  $\pm 1630$  feet to a point, said point being the southeasternmost corner of lands N/F of Richard J Marsh & Mary T Buck; thence leaving the boundary of the ANSSD and proceeding in a northerly direction with lands of Marsh  $\pm 235$  feet to a point, said point being along the westerly right of way (ROW) of Camp Arrowhead Rd; thence crossing said ROW ( $\pm 50'$ ) in a northerly direction  $\pm 50$  feet to a point, said point being along the southerly boundary line of lands N/F of Richard J Marsh & Mary T Buck; thence proceeding by and with said lands of Marsh in the following 2 distances and directions: northeasterly  $\pm 30$  feet and northwesterly  $\pm 940$  feet to a point, said point being along the southerly ROW of County Road 279A (Waterview Rd); thence crossing said ROW ( $\pm 50'$ ) in a northwesterly direction  $\pm 50$  feet to a point, said point being along the eastern boundary line of lands N/F of Richard J Marsh & Mary T Buck; thence by and with said lands of Marsh in a northwesterly direction  $\pm 760$  feet to a point, said point being along the southerly boundary line of lands N/F of Migc Realty LLC; thence proceeding by and with said lands in a northeasterly direction  $\pm 200$  feet to a point, said point being the northwesternmost corner of other lands N/F of Charles H & John Guy; thence proceeding by and with said lands of Guy in the following distances and directions: southeasterly  $\pm 65$  feet and northeasterly  $\pm 50$  feet, and southeasterly  $\pm 445$  feet to a point, said point being along the westerly boundary line of lands N/F of Charles H & John Guy; thence crossing said lands of Guy in a generally northeasterly direction  $\pm 1400$  feet to a point, said point being the southeasternmost corner of lands N/F of Migc Realty LLC; thence proceeding by and with said lands in the following courses and distances: northeasterly  $\pm 1900$  feet, northwesterly  $\pm 1170$  feet, southwesterly  $\pm 3500$  feet to a point, said point being along the easterly ROW of Camp Arrowhead Rd; thence crossing said ROW ( $\pm 50'$ ) in a southwesterly direction  $\pm 50$  feet to a point, said point being that of the **BEGINNING**.

The proposed expansion of the ANSSD is within these boundaries and said to contain 192.2 acres, more or less. The boundary description has been prepared using Sussex County Tax Map Numbers 234-7.00, and 234-12.00.

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

The public hearing will be held on this issue at 11.00 a.m. on June 7, 2011 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 Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension.

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 – (302) 855-1299.

Michael A. Izzo, P. E.  
County Engineer



