

RESOLUTION R 015 00

A RESOLUTION TO EXTEND THE BOUNDARY OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (WRX) TO ENCOMPASS A CERTAIN PIECE, PARCEL, OR TRACT OF LAND KNOWN AS BEEBE MEDICAL CENTER'S PROPOSED OUTPATIENT SERVICES CENTER, LYING CONTIGUOUS TO THE WRX, SITUATE ON STATE OF DELAWARE ROUTE 24, WEST OF STATE OF DELAWARE ROUTE ONE 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 Phillip C. Calio, a copy of which affidavit and public notice is attached as Exhibit "A" 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 Beebe Medical Center's proposed Outpatient Services Center situate on State of Delaware Route 24, west of State of Delaware Route One, as follows:

BEGINNING at a point, said point being on the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, said point also being 50 feet +/- southeast of the southernmost property corner of Maplewood, a subdivision, said point also being on the Center Line of State of Delaware Route (SR) 24; thence proceeding in a straight line in a southeasterly direction 50 feet +/- to a point, said point being a property corner of Lands Now or Formerly (N/F) of the Herola

Company, said point also being on the southeasterly Right of Way (ROW) of SR 24; thence proceeding by and with said Herola lands South 29° 11' 50" East a distance of 538.23 feet to a concrete marker; thence proceeding South 48° 37' 31" West a distance of 555.67 feet to a concrete marker, said concrete marker being a property corner of Lands N/F J. G. Townsend Jr. & Co.; thence proceeding North 72° 46' 45" West a distance of 341.16 feet to a concrete marker, said monument being a property corner of Lands N/F Howard Hitchens subdivision; thence proceeding North 34° 53' 20" West a distance of 268.64 feet to an iron pipe, said pipe being the northernmost property corner of Lands N/F Howard Hitchens subdivision, said point also being on the southeasterly ROW of SR 24; thence proceeding in a straight line in a northwesterly direction a distance of 50 feet +/- to a point, said point being on the Center Line of SR 24; thence proceeding in a northeasterly direction with said centerline a distance of 820 feet +/- to the point 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 015 00 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 14TH DAY OF MARCH, 2000.


ROBIN A. GRIFFITH
CLERK OF THE COUNTY COUNCIL

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

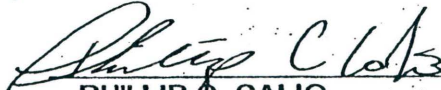
STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED, That the subscriber, PHILLIP C. CALIO, 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 February 23, 2000 he was a Planning Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware, and
- B. On February 23, 2000 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, Lewes, Delaware.
 - 2. On Conectiv Pole 59519/07336, intersection of Savannah Road and Dove Drive, Lewes, Delaware.
 - 3. On Conectiv Pole 58287/07197, intersection of County Road 265 and Edgewater Drive, Lewes, Delaware.
 - 4. In vestibule of the Wilmington Trust Bank, intersection of Route One and Camelot, Rehoboth Beach, Delaware.
 - 5. In the following four locations on the site of the expansion.
 - a. On a post 5,800 feet southwest of the intersection of State of Delaware Route 24 and State of Delaware Route One.
 - b. On a post 6,000 feet southwest of the intersection of State of Delaware Route 24 and State of Delaware Route One.
 - c. On a post 6,300 feet southwest of the intersection of State of Delaware Route 24 and State of Delaware Route One.
 - d. On a post 6,600 feet southwest of the intersection of State of Delaware Route 24 and State of Delaware Route One.
 - 6. In vestibule of PNC Bank, Route One & Sea Air Avenue, Rehoboth Beach, Delaware.

7. In vestibule of the Dewey Beach Town Hall, 105 Rodney Avenue, Dewey Beach, Delaware.
8. On front door of the Exxon Service Station, intersection of Route One & Swedes Street, Dewey Beach, Delaware.
9. On south facing window of the Texaco Station, Route One, Rehoboth Beach, Delaware.
10. On the front door of the Delux Dairy Market, Route One & Cullen Street, Rehoboth Beach, Delaware.
11. In vestibule of the Baltimore Trust Bank, 4161 Highway One, Rehoboth Beach, Delaware.
12. In vestibule of the Delaware National Bank, Route One & Church Street, Rehoboth Beach, Delaware.


PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 25th day of February A.D., 2000.


NOTARY PUBLIC

My Commission Expires 3/10/03

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

NOTICE

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

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on December 21, 1999 to consider extending the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRX) to include Beebe Medical Center's proposed Out Patient Services Center property, being situate in Lewes-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 WRX is described as follows:

Beginning at a point, said point being on the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, said point also being 50 feet +/- southeast of the southernmost property corner of Maplewood, a subdivision, said point also being on the Center Line of State of Delaware Route (SR) 24; thence proceeding in a straight line in a southeasterly direction 50 feet +/- to a point, said point being a property corner of Lands Now or Formerly (N/F) of the Herola Company, said point also being on the southeasterly Right of Way (ROW) of SR 24; thence proceeding by and with said Herola lands South 29° 11' 50" East a distance of 538.23 feet to a concrete marker; thence proceeding South 48° 37' 31" West a distance of 555.67 feet to a concrete marker, said concrete marker being a property corner of Lands N/F J. G. Townsend Jr. & Co.; thence proceeding North 72° 46' 45" West a distance of 341.16 feet to a concrete marker, said monument being a property corner of Lands N/F Howard Hitchens subdivision; thence proceeding North 34° 53' 20" West a distance of 268.64 feet to an iron pipe, said pipe being the northernmost property corner of Lands N/F Howard Hitchens subdivision, said point also being on the southeasterly ROW of SR 24; thence proceeding in a straight line in a northwesterly direction a distance of 50 feet +/- to a point, said point being on the Center Line of SR 24; thence proceeding in a northeasterly direction with said centerline a distance of 820 feet +/- to the point of beginning.

The proposed expansion of the WRX is within these boundaries. The boundary description has been prepared using Sussex County Tax Map Nos. 3-34-12.00 and a site plan submitted by BM²OR, dated August 5, 1997.

A map outlining and describing the extension of the WRX is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 11:00 a.m. on Tuesday, March 14, 2000 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

