RESOLUTION NO. R 015 02

DISTRICT BOUNDARIES FOR THE PROPOSED SOUTH OCEAN VIEW SANITARY SEWER DISTRICT

WHEREAS, petitions were received from more than 50 legal voters of the proposed South Ocean View Sanitary Sewer District requesting the Sussex County Council to submit the question of organizing a sanitary sewer district to a vote of electors residing in that area; the description and a map of the proposed district boundary is attached as Exhibit "A"; and

WHEREAS, a public hearing was held on February 9, 2002 on the question of organizing a sanitary sewer district dealing with the location of the boundary of the proposed South Ocean View Sanitary Sewer District as shown in Exhibit "A"; and

WHEREAS, several properties have been annexed into other Sussex County Sanitary Sewer Districts;

NOW, THEREFORE,

BE IT RESOLVED by the Sussex County Council that the establishment of a sanitary sewer district is deemed to be in the public interest and will be conducive to the preservation of the public health; and

BE IT FURTHER RESOLVED that the area shown as Exhibit "B" is hereby established as the "South Ocean View Sanitary Sewer District" and is more fully described as follows:

BEGINNING at a point, said point being the southernmost property corner of lands Now or formerly (N/F) of Helen A., Tracy L., & Angela M. Littleton, said point also being on the South Bethany Sanitary Sewer District (SBSSD) boundary line, said point also being on the westerly ROW line of County Road (CR) 362, said point further being 177 feet more or less southwest of the intersection of CR 362 & CR 368; thence proceeding by and with said Boundary and ROW line, North 498 49' 53" East a distance of 122.49 feet to a point; thence leaving said ROW line of CR 362 and crossing County Road 362, South 408 05' 14" East a distance of 50.00 feet to a point formed by the intersection of the easterly ROW line of County Road 362 with the southerly ROW line of County Road 368; thence proceeding by and with said ROW line of County Road 368 South 678 27' 48" East a distance of 334.34 feet to a point, said point being the northeasterly property corner of lands N/F of Mabel L. Layton; thence leaving said County Road 368 ROW line and said SBSSD boundary line and proceeding in a straight line across County Road 368 a distance of 50.00 feet more or less to a point, said point being on the northerly ROW line of County Road 368, said point also being the southwesterly property corner of lands N/F of P.M. Higgins Family L.P., being also known as the subdivision of Southampton RPC, and being also a point on the boundary of the Bethany Beach Sanitary Sewer District (BBSSD); thence proceeding by and with said lands of Southampton RPC and the BBSSD boundary the following six courses: (1) North 238 33' 03" East a distance of 236.88 feet to a concrete marker, (2) North 738 28' 22" West a distance of 260.93 feet to a concrete marker, said concrete marker being on the easterly ROW line of County Road 362; (3) North 358 29' 57" East a distance of 266.92 feet, (4) North 348 54' 28" East a distance of 375.06 feet, (5) North 358 03' 10" East a distance of 335.16 feet, (6) North 348 43' 05" East a distance of 240.16 feet to an iron pipe; thence leaving said ROW line and continuing by and with said lands of Southampton RPC the following five courses: (1) South 828 08' 12" East a distance of 261.59 feet to an iron pipe set, (2) South 848 52' 19" East a distance of 352.53 feet to an iron pipe set, (3) North 898 41' 25" East a distance of 297.21 feet to an iron pipe, (4) South 898 04' 56" East a distance of 210.70 feet to an iron pipe, (5) North 838 20' 25" East a distance of 205.95 feet to an iron pipe, said iron pipe being on the westerly ROW line of CR 361; thence proceeding by and with said ROW line of County Road 361 and the lands of Southampton RPC the following three courses: (1) South 128 51' 10" East a distance of 80.98 feet to a

point, (2) South 178 11' 18" East a distance of 52.76 feet, (3) South 238 04' 13" East a distance of 81.48 feet to an iron pipe, said pipe being on the westerly ROW line of CR 361, said point also being a property corner of lands N/F of Southampton R.P.C.; thence leaving said ROW line and continuing by and with said Southampton R.P.C. lands the following six courses: (1) South 818 04' 37" West a distance of 144.67 feet to an iron pipe, (2) South 058 25' 58" East a distance of 85.12 feet to an iron pipe, (3) South 848 19' 37" West a distance of 492.00 feet to an iron pipe, (4) South 408 40' 56" West a distance of 258.88 feet to an iron pipe, (5) South 828 40' 38" East a distance of 1389.71 feet to an iron pipe, (6) North 20° 31' 42" East a distance of 9.78 feet to a concrete monument, said concrete monument being on the westerly ROW line of CR 361; thence proceeding in a straight line in a northeasterly direction a distance of 70.00 feet +/- to a point, said point being the southwesternmost property corner of lands N/F of Gerard N. & Mary Finiello, said point also being on the easterly ROW line of CR 361; thence proceeding by and with said ROW line a distance of 150 feet +/- to a point, said point being the southeasternmost property corner of lands N/F Gerard N & Mary Finiello; thence leaving said ROW line and proceeding by and with said Finiello lands in a northeasterly and northwesterly direction respectively a distance of 867 feet +/- to a point, said point being the southwesternmost property corner of lands N/F of Peter & Marybeth Fowler; thence proceeding by and with said Fowler lands in a northeasterly direction a distance of 223.7 feet +/- to a "T" bar, said "T" bar being the northeasternmost property corner of lands N/F of Timothy S. Elder, said point also being on the Hunter's Run subdivision boundary; thence proceeding by and with said subdivision boundary the following nine (9) courses: (1) North 538 19' 23" West a distance of 225.65 feet to a point, (2) North 748 37' 50" West a distance of 147.58 feet to a point, (3) South 168 29' 58" East a distance of 95.11 feet to a point, (4) South 058 47' 14" West a distance of 92.29 feet to a point, (5) South 708 07' 47" West a distance of 74.96 feet to a point, (6) North 828 02' 13" West a distance of 149.31 feet to an iron pipe, (7) North 288 58' 42" West a distance of 82.77 feet to an iron pipe, (8) South 798 52' 21" West a distance of 413.96 feet to a point, (9) a curve to the right having a radius of 25 feet, a central angle of 618 32' 47", an arc length of 26.85 feet, and a chord which bears North 698 21' 15" West to an iron pipe, said iron pipe being on the easterly ROW line of CR 361; thence proceeding by and with said ROW line and subdivision boundary, a distance of 1019 feet more or less to an iron pipe located on the easterly ROW line of CR 361 and being a corner of said Hunter's Run subdivision boundary; thence proceeding in a straight line in a westerly direction a distance of 50 feet more or less to a point, said point being on the westerly ROW of CR 361; thence proceeding with said ROW in a northerly direction a distance of 434 feet more or less to a point, said point being the southeastern most property corner of lands of Providence subdivision (as found in Plot Book 65, page 329 in the Sussex County Recorder of Deeds Office), said point also being on the Ocean View Expansion of the Bethany Beach Sanitary Sewer District (OVX) boundary; thence proceeding by and with said OVX and said subdivision boundary in a westerly and northerly direction, respectively, a distance of 1429 feet more or less to a point, said point being a property corner for Quaint Acres subdivision (as found in Plot Book 11, page 90, in the Sussex County Recorder of Deeds Office), thence continuing by and with said OVX and said subdivision boundary in a northerly direction a distance of 1313 feet more or less to a point, said point being the southernmost property corner of lands N/F Georgie H. Shaw; thence leaving said subdivision boundary and continuing by and with said OVX boundary in a westerly and easterly direction respectively a distance of 370 feet more or less to a point, said point being on the Town of Ocean View boundary; thence proceeding by and with said Town boundary and continuing by and with said OVX boundary in a westerly direction a distance of 1593 feet more or less to a point, said point being on the western property line of lands N/F Mark J & Adrienne M. Bennett, said point also being on the eastern property line of lands of The Reserves, a subdivision (as found in Plot Book 62, page 18, in the Sussex County Recorder of Deeds Office); thence leaving said Town boundary and continuing by and with said OVX and The Reserves subdivision boundary in a southerly direction a distance of 2219 feet more or less to a point, said point being the southwesternmost property corner of lands N/F Quaint Acres subdivision; thence continuing by and with said OVX boundary in an easterly direction a distance of 520 feet more or less to a point, said point being on the westerly ROW of Hemlock Street; thence leaving said OVX boundary and continuing by and with The Reserves subdivision boundary and the westerly ROW line of Hemlock Street in a southerly direction a distance

of 895 feet more or less to a point, said point being the northeasternmost property corner of Lot 1 Block R of Shady Dell Park subdivision (as found in Plot Book 9 Page 72, in the Sussex County Recorder of Deeds Office); thence continuing by and with The Reserves subdivision boundary and proceeding by and with said lot 1 boundary in a westerly and southerly direction, respectively, a distance of 215 feet more or less to a point, said point being the southwesternmost property corner of said lot, said point also being on the northerly ROW of Birch Street Extended and the The Reserves subdivision boundary; thence leaving said lot 1 boundary and continuing by and with said subdivision boundary and proceeding by and with said ROW of Birch Street Extended in a westerly direction a distance of 900 feet more or less to a point, said point being on the western ROW of Ginkgo Street; thence continuing by and with said subdivision boundary and proceeding by and with said ROW in a southerly direction a distance of 578 feet to a point, said point being a property corner of said Shady Dell Park subdivision, said point also being on the South Bethany Sanitary Sewer District (SBSSD) boundary line; thence leaving said The Reserves subdivision boundary and ROW of Ginkgo Street and continuing by and with said Shady Dell Park subdivision boundary and proceeding by and with said SBSSD boundary in an easterly, southeasterly, southwesterly and southeasterly directions, respectively, a distance of 2490 feet more or less to a point, said point being a property corner of lands N/F of Forest Reach L.L.C.; thence leaving said SBSSD boundary and continuing by and with said Shady Dell Park subdivision boundary, and proceeding by and with said lands N/F of Forest Reach L.L.C. in a northeasterly and easterly directions respectively a distance of 1015 feet more or less to a point, said point being the northeasternmost property corner of lands N/F of Forest Reach L.L.C., said point also being the southeastern most property corner of Shady Dell Park subdivision, said point further being on the western ROW line of CR 362; thence leaving said Shady Dell Park subdivision boundary and proceeding by and with said Forest Reach lands and said ROW line in a southerly direction a distance of 285 feet more or less to a point, said point being a property corner of lands N/F Helen A, Tracy L. & Angela M. Littleton; thence leaving said ROW and proceeding by and with said Littleton lands in a westerly, southerly and easterly direction, respectively a distance of 511 feet more or less to the point of BEGINNING.

The South Ocean View Sanitary Sewer District is within these boundaries. The boundary description has been prepared using a survey provided by Bear Trap Dunes Subdivision, a boundary survey provided by Hunters Run subdivision, a boundary survey of Lands of P.M. Higgins Family L.P., et al., and Sussex County Tax Maps 1-34 12.00, 1-34 13.00, 1-34 16.00 and 1-34 17.00.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon is adoption by majority vote of all members of the County Council of Sussex County, Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 015 02 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 27TH DAY OF MAY, 2002.

ROBIN A. GRIFFITM CLERK OF THE COUNCIL

EXHIBIT "A"

PROPOSED SOUTH OCEAN VIEW SANITARY SEWER DISTRICT

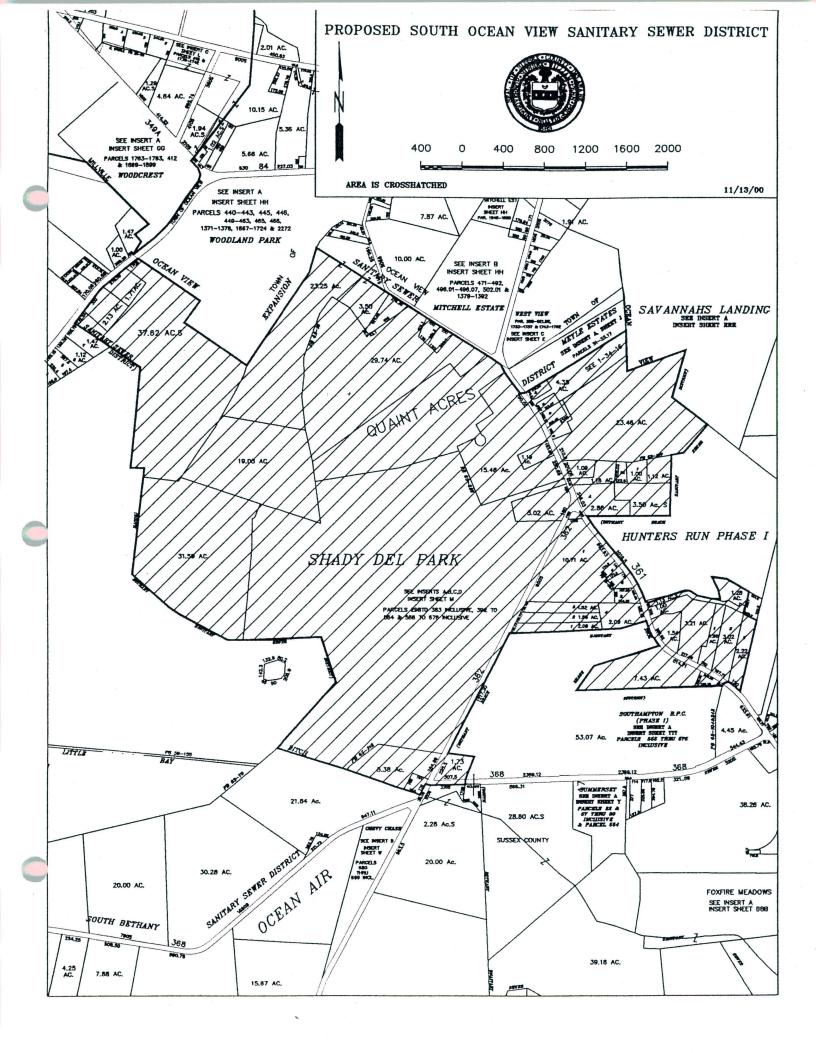
The description of the proposed South Ocean View Sanitary Sewer District, which lies south of the Town of Ocean View, in Baltimore Hundred is:

BEGINNING at a point formed by the intersection of the easterly right-of-way (ROW) of County Road (CR) 84, the northerly boundary of the lands now or formerly (N/F) of Bear Trap Partners, LLC, and the easterly boundary of lands N/F of Frank E. and Lois J. Lathbury, as recorded in the Sussex County Office of the Recorder of Deeds in Deed Record Book 2054, Page 227, being also a point on the boundary of the South Bethany Sanitary Sewer District (SBSSD); thence leaving said County Road 84 right-ofway and proceeding by and with said lands N/F of Bear Trap Partners, LLC, and the boundary of the SBSSD the following sixteen courses: (1) South 32° 35' 00" East a distance of 801.00 feet to a point, (2) South 28° 23' 22" West a distance of 985.59 feet to an iron pipe found, (3) South 53° 47' 55" East a distance of 73.08 feet to a point, (4) South 18° 45' 09" West a distance of 125.45 feet to a concrete monument, (5) South 18° 45' 09" West a distance of 961.12 feet to an iron rod with cap set, (6) South 25° 26' 39" East a distance of 51.05 feet to an 18 inch oak tree, (7) South 28° 42" 03" East a distance of 507.26 feet to an iron rod with cap found, (8) South 35° 38' 49" East a distance of 261.84 feet to a nail set in the base of a tree, (9) South 48° 39' 55" East a distance of 182.19 feet to an iron rod with cap found, (10) South 52° 31' 38" East a distance of 185.00 feet to an iron rod with cap found, (11) South 64° 48' 03" East a distance of 34.52 feet to a concrete monument found, (12) South 73° 26' 03" East a distance of 45.54 feet to a point, (13) South 65° 41' 25" East a distance of 227.09 feet to a point, (14) South 69° 30' 21" East a distance of 538.04 feet to a point, (15) South 04° 25' 49" West a distance of 498.32 feet to a point, (16) South 72° 26' 51" West a distance of 898.50 feet to an iron pipe found on the westerly property line of lands N/F of Mabel E. Layton, as recorded in the Office of the Registrar of Wills, in and for Sussex County and the State of Delaware, in Will Book 128, page 310; thence proceeding by and with said lands N/F of Mabel E. Layton the following three courses: (1) South 47° 30' 03" East a distance of 713.81 feet to a point, (2) South 48° 27' 26" East a distance of 580.48 feet to a point, (3) South 49° 52' 20" East a distance of 164 feet to a point on the westerly ROW line of County Road 362; thence proceeding by and with said ROW line, North 49° 49' 53" East a distance of 122.49 feet to a point; thence leaving said ROW line and crossing County Road 362, South 40° 05' 14" East a distance of 50.00 feet to a point formed by the intersection of the easterly ROW line of County Road 362 with the southerly ROW line of County Road 368; thence proceeding by and with said ROW line of County Road 368 South 67° 27' 48" East a distance of 334.34 feet to a point, said point being the northeasterly property corner of lands N/F of Mabel L. Layton; thence leaving said County Road 368 ROW line and said SBSSD boundary line and proceeding in a straight line across County Road 368 a distance of 50.00 feet to a point, said point being on the northerly ROW line of County Road 368, said point also being the southwesterly property corner of lands N/F of P.M. Higgins Family L.P., being also known as the subdivision of Southampton RPC, and

being also a point on the boundary of the Bethany Beach Sanitary Sewer District (BBSSD); thence proceeding by and with said lands of Southampton RPC and the BBSSD boundary the following six courses: (1) North 23° 33' 03" East a distance of 236.88 feet to a concrete marker, (2) North 73° 28' 22" West a distance of 260.93 feet to a concrete marker, said concrete marker being on the easterly ROW line of County Road 362; (3) North 35° 29' 57" East a distance of 266.92 feet, (4) North 34° 54' 28" East a distance of 375.06 feet, (5) North 35° 03' 10" East a distance of 335.16 feet, (6) North 34° 43' 05" East a distance of 240.16 feet to an iron pipe; thence leaving said ROW line and continuing by and with said lands of Southampton RPC the following five courses: (1) South 82° 08' 12" East a distance of 261.59 feet to an iron pipe set, (2) South 84° 52' 19" East a distance of 352.53 feet to an iron pipe set, (3) North 89° 41' 25" East a distance of 297.21 feet to an iron pipe, (4) South 89° 04' 56" East a distance of 210.70 feet to an iron pipe, (5) North 83° 20' 25" East a distance of 205.95 feet to an iron pipe, said iron pipe being on the westerly ROW line of CR 361; thence proceeding by and with said ROW line of County Road 361 and the lands of Southampton RPC the following three courses: (1) South 12° 51' 10" East a distance of 80.98 feet to a point, (2) South 17° 11' 18" East a distance of 52.76 feet, (3) South 23° 04' 13" East a distance of 81.48 feet to an iron pipe, said pipe being on the westerly ROW line of CR 361, said point also being a property corner of lands N/F of Southampton R.P.C.; thence leaving said ROW line and continuing by and with said Southampton R.P.C. lands the following five courses: (1) South 81° 04' 37" West a distance of 144.67 feet to an iron pipe, (2) South 05° 25' 58" East a distance of 85.12 feet to an iron pipe, (3) South 84° 19' 37" West a distance of 492.00 feet to an iron pipe, (4) South 40° 40' 56" West a distance of 258.88 feet to an iron pipe, (5) South 82° 40' 38" East a distance of 1389.71 feet to an iron pipe, said iron pipe being on the westerly ROW line of CR 361; thence proceeding in a straight line in a northeasterly direction a distance of 70.00 feet +/- to a point, said point being the southwesternmost property corner of lands N/F of Gerard N. & Mary Finiello, said point also being on the easterly ROW line of CR 361; thence proceeding by and with said ROW line a distance of 150 feet +/- to a point, said point being the southeasternmost property corner of lands N/F Gerard N & Mary Finiello; thence leaving said ROW line and proceeding by and with said Finiello lands in a northeasterly and northwesterly direction respectively a distance of 867 feet +/- to a point, said point being the southwesternmost property corner of lands N/F of Peter & Marybeth Fowler; thence proceeding by and with said Fowler lands in a northeasterly direction a distance of 223.7 feet +/- to a "T" bar, said "T" bar being the northeasternmost property corner of lands N/F of Timothy S. Elder, said point also being on the Hunter's Run subdivision boundary; thence proceeding by and with said subdivision boundary the following twenty-nine (29) courses: (1) North 53° 19' 23" West a distance of 225.65 feet to a point, (2) North 74° 37' 50" West a distance of 147.58 feet to a point, (3) South 16° 29' 58" East a distance of 95.11 feet to a point, (4) South 05° 47' 14" West a distance of 92.29 feet to a point, (5) South 70° 07' 47" West a distance of 74.96 feet to a point, (6) North 82° 02' 13" West a distance of 149.31 feet to an iron pipe, (7) North 28° 58' 42" West a distance of 82.77 feet to an iron pipe, (8) South 79° 52' 21" West a distance of 413.96 feet to a point, (9) a curve to the right having a radius of 25 feet, a central angle of 61° 32' 47", an arc length of 26.85 feet, and a chord which bears North 69° 21' 15" West to

an iron pipe, said iron pipe being on the easterly ROW line of CR 361; (thence proceeding by and with said ROW line and subdivision boundary), (10) North 11° 01' 32 "West a distance of 43.35 feet to a point, (11) North 13° 15' 24" West a distance of 56.56 feet to a point, (12) North 16° 15' 50" West a distance of 59.57 feet to a point, (13) North 19° 10' 32" West a distance of 62.82 feet to a point, (14) North 22° 32' 10" West a distance of 53.36 feet to a point, (15) North 25° 56' 35" West a distance of 58.71 feet to a point, (16) North 27° 34' 28" West a distance of 57.35 feet to a point, (17) North 28° 24' 32" West a distance of 56.15 feet to a point, (18) North 28° 58' 22" West a distance of 402.62 feet, (19) North 27° 50' 13" West a distance of 39.56 feet to a point, (20) North 26° 23' 48" West a distance of 53.13 feet to a point, (21) North 23° 55' 55" West a distance of 53.35 feet to a point, (22) North 21° 43' 37" West a distance of 22.97 feet to an iron pipe (thence leaving the easterly ROW line of CR 361 and continuing by and with said Hunter's Run subdivision boundary), (23) South 81° 30' 05" a distance of 797.05 feet to an iron pipe, (24) North 08° 31' 06" a distance of 570.13 feet to a point, (25) North 78° 48' 50" East a distance of 30.00 feet to a point, (26) North 75° 01' 59" East a distance of 187.56 feet to a point, (27) North 61° 30' 55" East a distance of 50.55 feet to a point, (28) North 40° 08' 13" East a distance of 159.09 feet to a point, (29) North 53° 28' 27" East a distance of 36.23 feet to a point, said point being the easternmost property corner of lands N/F Robert E. Reeping, et ux., said point also lying on the Savannahs Landing subdivision boundary; thence proceeding by and with said subdivision and Reeping lands in a northwesterly, northeasterly, southwesterly, and northerly direction respectively a distance of 1679 feet +/- to a point, said point being northwesternmost property corner of lands N/F of Robert E. Reeping et ux.; thence continuing by and with said Savannahs Landing subdivision boundary in a northerly direction a distance of 243 feet +/- to a point, said point being the northernmost property corner of lands N/F Garland D. Saville et ux., being also on the boundary of the Ocean View Expansion of the BBSSD (OVE); thence leaving the BBSSD boundary and proceeding by and with said OVE boundary and Saville lands in a southwesterly direction a distance of 1144.06 feet to a point, said point being on the easterly ROW line of CR 361; thence proceeding in a straight line in a southwesterly direction a distance of 50 feet +/- to a point, said point being on the westerly ROW line of CR 361; thence proceeding by and with said ROW line in a northwesterly direction a distance of 337 feet +/- to a point, said point being on the Ocean View Town Boundary line; thence proceeding by and with said Town and OVE boundary in a northwesterly direction a distance of 2124 feet +/- to a point, said point being on the Woodland Park subdivision boundary; thence proceeding by and with said subdivision boundary and continuing with said OVE and Town boundary in a southerly, southwesterly, northwesterly, northeasterly, and northwesterly, direction respectively a distance of 3059 feet +/- to a point, said point being on the easterly ROW line of CR 84, said point also being the northernmost property corner of lands N/F of Frank E. & Lois J. Lathbury; thence proceeding by and with said ROW line of CR 84 in a southwesterly direction a distance of 881 feet +/- to the point of BEGINNING.

The above description has been prepared using a boundary survey provided by Bear Trap Dunes Subdivision, a boundary survey of Lands of P.M. Higgins Family L.P., et al., and Sussex County Tax Maps 1-34 12.00, 1-34 13.00, 1-34 16.00 and 1-34 17.00.



PROPOSED SOUTH OCEAN VIEW SANITARY SEWER DISTRICT (REVISED BOUNDARY) EXHIBIT "B"

