

**RESOLUTION R 015 04**

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE HOLTS LANDING SANITARY SEWER DISTRICT TO ENCOMPASS THE ELLIS POINT AND THE GREENS SUBDIVISIONS, LYING CONTIGUOUS TO THE HOLTS LANDING SANITARY SEWER DISTRICT, SITUATE SOUTH OF THE INDIAN RIVER BAY AND WEST OF THE TOWN OF MILLVILLE AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE.**

**WHEREAS, Sussex County has established the Holts Landing Sanitary Sewer District; and**

**WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County west of the Town of Millville and south of the Indian River Bay, the inclusion of this property would 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, copies of which affidavit and public notice are 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 Holts Landing Sanitary Sewer District to encompass the property south of the Indian River Bay and west of the Town of Millville as follows:**

**BEGINNING at a point said point being on the eastern Right-of-way (ROW) of County Road 348 (Irons Way), said point also being on the HLSSD boundary, said point further being a boundary of The Greens a subdivision; thence proceeding by and with said HLSSD and The Greens boundaries the following**

thirty-one (31) courses and distances: (1) S 73° 39' 09" E – 259.42', to a point, (2) N 44° 46' 13" E – 490.86', to a point, (3) S 58° 36' 22" E – 89.19', to a point, (4) S 38° 00' 12" E – 268.00', to a point, (5) N 88° 25' 03" E – 514.56', to a point, (6) S 75° 48' 52" E – 516.43', to a point, (7) S 04° 50' 02" E – 129.73', to a point, (8) By an arc of a circle curving to the left, having a radius of 400.00', an arc distance of 172.89', with a central angle of 24° 45' 54", to a point, (9) N 17° 27' 07" W – 40.74', to a point, (10) N 25° 30' 33" E – 549.12', to a point, (11) N 13° 05' 13" E – 688.03', to a point, (12) N 05° 47' 23" E – 191.39', to a point, (13) N 01° 09' 57" W – 153.80', to a point, (14) N 78° 24' 32" W – 109.78', to a point, (15) S 39° 04' 28" W – 478.81', to a point, (16) S 44° 27' 53" W – 224.25', to a point, (17) N 81° 04' 12" W – 139.30', to a point, (18) N 05° 52' 03" E – 384.33', to a point, (19) N 45° 19' 03" E – 313.97', to a point, (20) N 08° 23' 32" E – 29.99', to a point, (21) S 47° 24' 32" E – 148.17', to a point, (22) N 42° 35' 28" E – 20.00', to a point, (23) N 47° 24' 32" W – 161.76', to a point, (24) N 08° 23' 28" E – 677.75', to a point, (25) N 00° 49' 50" W – 600.94', to a point, (26) N 34° 25' 12" W – 587.00', to a point, (27) N 07° 15' 07" E – 745.59', to an iron pipe found, (28) N 39° 59' 15" E – 1,144.97', to an iron pipe found, (29) N 14° 30' 45" W – 169.95', to a point, (30) N 18° 29' 18" E – 396.00', to a point, (31) N 13° 00' 45" W – 240.00', to a point; Thence meandering along the Indian River Bay with a survey tie line of N 74° 23' 42" E – 1,064.85', to a point in the centerline of Sussex County Road 346B; Thence crossing Sussex County Road 346B with a survey tie line of S 78° 24' 31" E – 30.00', to a point on the easterly side of Sussex County Road 346B; Thence along the easterly side of Sussex County Road 346B, S 11° 35' 29" W – 7,130.54', to a point, said point being formed from the northerly side of Sussex County Road 346 (A.K.A. Holts Landing Road), with the easterly side of Sussex County Road 346B; Thence from said Point of Beginning the following two (2) courses and distances along the northerly side of Sussex County 346 (A.K.A. Holts Landing Road), (1) By an arc of a circle curving to the left having a radius of 675.00', with an arc distance of 254.53', with a central angle of 21° 36' 18", to a point, (2) S 52° 22' 28" W – 296.46', to a point; Thence along the Lands Now or Formerly of Robert L. and Carolyn J. Hickman, the following four (4) courses and distances, (1) N 31°

46' 32" W - 191.81', to a point, (2)N 07° 06' 48" E - 921.56', to a point, (3)N 77° 20' 07" W - 461.71', to a point, (4)S 05° 06' 43" W - 409.43', to a point; Thence along the Lands Now or Formerly of Bessie J. & Bessie Calhoun, Trustee, N 79° 40' 17" W - 959.36', to a point; Thence along the Lands Now or Formerly of Blain W. and Carol D. Whitten, N 05° 06' 43" E - 208.70', to a point; Thence along the Lands Now or Formerly of Virginia F. Stephenson N 79° 40' 17" W - 393.19', to a point; Thence along Sussex County Road 348 (A.K.A. Irons Way), N 05° 04' 20" E - 117.06', 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 015 04 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 30TH DAY OF MARCH 2004.

---

ROBIN A. GRIFFITH  
COUNTY CLERK

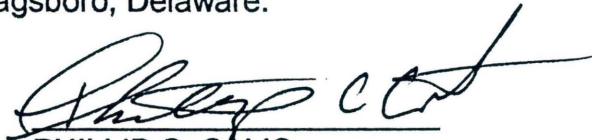
HOLTS LANDING SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING

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 March 12, 2004 he was a Planning Technician II for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On March 12, 2004 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On community bulletin board at the United States Post Office, Clayton Street, Dagsboro, Delaware;
  - 2. On the bulletin board at the entrance to Bay Colony Clubhouse and Swimming Pool, Colony Drive, Dagsboro, Delaware;
  - 3. On the bulleting board inside the Bay Colony Clubhouse, Colony Drive, Dagsboro, Delaware;
  - 4. On bulletin board near mailboxes, Quail Lane, Dagsboro, Delaware;
  - 5. On bulletin board at the Cripple Creek Golf and Country Clubhouse, Cripple Creek Drive, Dagsboro, Delaware;
  - 6. South side of entrance to Fairway Villas, 55 feet more or less east of the centerline of County Road 348;
  - 7. The following four locations on the area being considered for the expansion:
    - 1. On a post at the west side of the entrance to Ellis Point subdivision, 53 feet more or less north of the centerline of County Road 346;
    - 2. On a post in the northern ROW of County Road 346, 456 feet more or less from the centerline of County Road 346B;
    - 3. On a post on the north side of the entrance to The Greens subdivision; and

4. On a post on the south side of the entrance to The Greens subdivision, Dagsboro, Delaware.

  
PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 15<sup>th</sup> day of March A.D., 2004.

  
NOTARY PUBLIC

My commission expires: 4/7/07   
Notary Public  
Commission Expires 4/7/07

## NOTICE

### PROPOSED EXPANSION TO THE HOLTS LANDING SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on February 10, 2004 to consider extending the Holts Landing Sanitary Sewer District (HLSSD) to include the Ellis Point and The Greens subdivisions, lying contiguous to the HLSSD, situate northwest of the Town of Millville, south of the Indian River Bay and being in Baltimore Hundred, Sussex County, Delaware.

This action is in conformity with 9 Del.C., Section 6502.

A description of the property, which is contiguous to, and to be added to the HLSSD is described as follows:

BEGINNING at a point said point being on the eastern Right-of-way (ROW) of County Road 348 (Irons Way), said point also being on the HLSSD boundary, said point further being a boundary of The Greens a subdivision; thence proceeding by and with said HLSSD and The Greens boundaries the following thirty-one (31) courses and distances: (1) S 73° 39' 09" E - 259.42', to a point, (2) N 44° 46' 13" E - 490.86', to a point, (3) S 58° 36' 22" E - 89.19', to a point, (4) S 38° 00' 12" E - 268.00', to a point, (5) N 88° 25' 03" E - 514.56', to a point, (6) S 75° 48' 52" E - 516.43', to a point, (7) S 04° 50' 02" E - 129.73', to a point, (8) By an arc of a circle curving to the left, having a radius of 400.00', an arc distance of 172.89', with a central angle of 24° 45' 54", to a point, (9) N 17° 27' 07" W - 40.74', to a point, (10) N 25° 30' 33" E - 549.12', to a point, (11) N 13° 05' 13" E - 688.03', to a point, (12) N 05° 47' 23" E - 191.39', to a point, (13) N 01° 09' 57" W - 153.80', to a point, (14) N 78° 24' 32" W - 109.78', to a point, (15) S 39° 04' 28" W - 478.81', to a point, (16) S 44° 27' 53" W - 224.25', to a point, (17) N 81° 04' 12" W - 139.30', to a point, (18) N 05° 52' 03" E - 384.33', to a point, (19) N 45° 19' 03" E - 313.97', to a point, (20) N 08° 23' 32" E - 29.99', to a point, (21) S 47° 24' 32" E - 148.17', to a point, (22) N 42° 35' 28" E - 20.00', to a point, (23) N 47° 24' 32" W - 161.76', to a point, (24) N 08° 23' 28" E - 677.75', to a point, (25) N 00° 49' 50" W - 600.94', to a point, N 34° 25' 12" W - 587.00', to a point, N 07° 15' 07" E - 745.59', to an iron pipe found, N 39° 59' 15" E - 1,144.97', to an iron pipe found, N 14° 30' 45" W - 169.95', to a point, N 18° 29' 18" E - 396.00', to a point, N 13° 00' 45" W - 240.00', to a point; Thence meandering along the Indian River Bay with a survey tie line of N 74° 23' 42" E - 1,064.85', to a point in the centerline of Sussex County Road 346B; Thence crossing Sussex County Road 346B with a survey tie line of S 78° 24' 31" E - 30.00', to a point on the easterly side of Sussex County Road 346B; Thence along the easterly side of Sussex County Road 346B, S 11° 35' 29" W - 7,130.54', to a point, said point being formed from the northerly side of Sussex County Road 346 (A.K.A. Holts Landing Road), with the easterly side of Sussex County Road 346B; Thence from said Point of Beginning the following two (2) courses and distances along the northerly side of Sussex County 346 (A.K.A. Holts Landing Road), (1) By an arc of a circle curving to the left having a radius of 675.00', with an arc distance of 254.53', with a central angle of 21° 36' 18", to a point, (2) S 52° 22' 28" W - 296.46', to a point; Thence along the Lands Now or Formerly of Robert L. and Carolyn J. Hickman, the following four (4) courses and distances, (1) N 31° 46' 32" W - 191.81', to a point, (2) N 07° 06' 48" E - 921.56', to a point, (3) N 77° 20' 07" W - 461.71', to a point, (4) S 05° 06' 43" W - 409.43', to a point; Thence along the Lands Now or Formerly of Bessie J. & Bessie Calhoun, Trustee, N 79° 40' 17" W - 959.36', to a point; Thence along the Lands Now or Formerly of Blain

W. and Carol D. Whitten,  
N 05° 06' 43" E – 208.70', to a point; Thence along the Lands Now or Formerly of Virginia F.  
Stephenson N 79° 40' 17" W – 393.19', to a point; Thence along Sussex County Road 348 (A.K.A.  
Irons Way), N 05° 04' 20" E – 117.06', to the point and place of BEGINNING.

The proposed expansion of the HLSSD is within these boundaries. The boundary description has been prepared using a legal description prepared by Environmental Consultants International Corporation, 220 Rehoboth Avenue, PO Box 820, Rehoboth Beach, Delaware, 19971.

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

The public hearing will be held on this issue at 10:45 a.m. on Tuesday, March 30, 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.

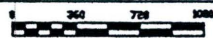
Michael A. Izzo, P.E.  
County Engineer

PROPOSED EXPANSION OF THE  
HOLTS LANDING SANITARY  
SEWER DISTRICT

ELLIS POINT & THE GREENS REQUEST

JANUARY 22, 2004

(AREA IS CROSSHATCHED)



INDIAN RIVER BAY

HOLTS LANDING

STATE PARK

ELLIS POINT

FAIRWAYS VILLAS

BAY COLONY

THE GREENS

