

RESOLUTION NO. R 015 96

A RESOLUTION TO EXTEND THE BOUNDARY OF THE BETHANY BEACH SANITARY SEWER DISTRICT (BBSSD) TO ENCOMPASS A CERTAIN PIECE, PARCEL, OR TRACT OF LAND CONTIGUOUS TO THE BBSSD, SITUATE WEST OF THE ASSAWOMAN CANAL AND THE TOWN OF BETHANY BEACH AND BEING SITUATE IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

WHEREAS, Sussex County has established the Bethany Beach 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 Bethany Beach, which is contiguous to the BBSSD, 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 fifty 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 affidavits of Anthony DiGiuseppe and Russell W. Archut, copies of which affidavits 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 Bethany Beach Sanitary Sewer District to encompass Savannah's Landing, as follows:

BEGINNING at a point located in the center of a culvert on the easterly right-of-way (ROW) of Riga Drive, said point being on the northwestern corner of lands now or formerly (N/F) of the State of Delaware, thence proceeding S 23° 05' 38" E, 43.43 feet to a point,

said point being at the centerline of a ditch; thence by and with said ditch S 69° 23' 54" E, 145 feet to a point, said point also being on the boundary line of the BBSSD; thence proceeding with said boundary line S 16° 52' 26" E, 62.46 feet to a point, said point also being a corner for Sections I & II of Ocean Way Estates and the boundary line of the BBSSD; thence proceeding with said boundary line the following seven (7) courses and distances: (1) S 52° 24' 32" W, 33.76 feet to a point; thence (2) S 22° 19' 22" W, 100.78 feet to a point; thence (3) S 76° 31' 30" W, 30.15 feet to a point; thence (4) S 34° 49' 39" W, 30.17 feet to a point; thence (5) S 57° 41' 28" W, 59.17 feet to a point; thence (6) S 28° 47' 52" W, 19.97 feet to a point; thence (7) S 56° 58' 11" W, 84.34 feet to a point, said point on the northerly ROW of Riga Drive and the centerline of the ditch, also on said boundary line of the BBSSD; thence proceeding in a southerly direction with said boundary line to a point on the southerly ROW of Riga Drive; thence proceeding with said boundary line and centerline of an 8-foot ditch the following four courses and distances: (1) S 15° 18' 19" W, 334.57 feet to a point; thence (2) S 09° 43' 11" W, 81.60 feet to a point; thence (3) S 00° 42' 10" W, 231.49 feet to a point; thence (4) S 27° 05' 23" W, 1602.36 feet to a point; thence leaving said boundary line and continuing with the centerline of said ditch N 45° 29' 39" W, 419.84 feet to a point; thence proceeding the following eight courses and distances: (1) N 47° 03' 15" W, 198.10 feet to a point; thence (2) N 37° 34' 57" W, 254.10 feet to a 3/4-inch iron pipe; thence (3) N 26° 15' 26" E, 405.94 feet to a 3/4-inch iron pipe; thence (4) S 83° 06' 09" W, 579.03 feet to a 24-inch pine tree; thence (5) N 04° 10' 51" E, 171.26 feet to a 3-inch concrete marker; thence (6) N 03° 56' 01" E, 239.87 feet to a 4-inch concrete marker; thence (7) N 03° 45' 33" E, 292.53 feet to a 4-inch concrete marker; thence (8) N 02° 49' 59" E, 22.73 feet more or less to a point, said point being the Ocean View town line; thence proceeding with said town line in a northeasterly direction 1,784 feet more or less to a point on the centerline of a ditch,



said point also being on the southern property line of lands N/F of Guns for Hire of Delaware, Inc.; thence proceeding with said centerline of the ditch the following six courses and distances: (1) S 76° 28' 13" E, 31.95 feet to a point; thence (2) N 54° 14' 03" E, 110.44 feet to a point; thence (3) S 85° 09' 33" E, 106.13 feet to a point; thence (4) S 55° 49' 56", 19.96 feet to a point; thence (5) S 63° 11' 16" E, 26.65 feet to a point; thence (6) S 14° 39' 22" W, 10.64 feet to a point on the center of a culvert on the westerly ROW of Riga Drive; thence proceeding with the center of the culvert in an easterly direction to the point of BEGINNING.

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 96 ADOPTED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 30TH DAY OF APRIL, 1996.

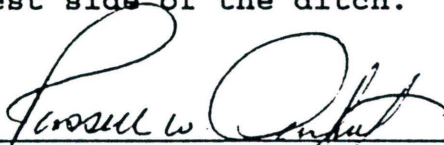
  
Robin A. Griffith  
Clerk of the County Council

BETHANY BEACH SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING


STATE OF DELAWARE )(   
 :   
 COUNTY OF SUSSEX )(

BE IT REMEMBERED, That the subscriber, RUSSELL W. ARCHUT, 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 April 19, 1996 he was Director of Planning & Permits for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On April 19, 1996 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, in the proposed parcel extension of the Bethany Beach Sanitary Sewer District at the end of Milda Drive in Section 3 of Ocean Way Estates on the west side of the ditch.

  
Russell W. Archut

SWORN TO AND SUBSCRIBED before me on this 19<sup>th</sup> day of April  
A.D., 1996.

  
NOTARY PUBLIC

My Commission Expires Jayne E. Dickerson .  
Notary Public  
Commission Expires 3/22/97

BETHANY BEACH SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE ) (  
:  
COUNTY OF SUSSEX ) (

BE IT REMEMBERED, That the subscriber, ANTHONY DI GIUSEPPE, 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 April 12, 1996 he was a Planning Technician II for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On April 12, 1996 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On bulletin board of Bethany Beach Town Hall, Garfield Parkway, Bethany Beach, Delaware;
  - 2. On bulletin board above the service counter, Baltimore Trust Company, Garfield Parkway, Bethany Beach, Delaware;
  - 3. On bulletin board of the U. S. Post Office, Pennsylvania Ave., Bethany Beach, Delaware;
  - 4. On front window of Shore Stop/Exxon Station, Route 26 Mall, Bethany Beach, Delaware;
  - 5. On bulletin board of Bethany Beach Wash & Fold Laundry, Route 26, Bethany Beach, Delaware;
  - 6. On bulletin board in the South Coastal Library Cultural Center, Kent Avenue, Bethany Beach, Delaware;
  - 7. In the proposed parcel extension of the Bethany Beach Sanitary Sewer District (BBSSD), located above the center of a culvert on the easterly right-of-way (ROW) or Riga Drive and approximately 20 feet from the centerline of Riga Drive and between an underground power cables sign and telephone station AA34;



8. In the proposed parcel extension of the BBSSD, located above the center of a culvert on the westerly ROW of Riga Drive and approximately 22 feet from the centerline of Riga Drive and between the 10 mph speed limit sign and "residents and guests only" sign;
9. In the proposed parcel extension of the BBSSD, located above the center of a culvert on the westerly ROW of Riga Drive and approximately 210 feet from the centerline of Route 26 and approximately 46 feet from the centerline of Riga Drive;
10. In the proposed parcel extension of the BBSSD, located above the center of a culvert on the easterly ROW of Riga Drive and approximately 232 feet from the centerline of Route 26 and approximately 14 feet from the centerline of Riga Drive; and
11. In the proposed parcel extension of the BBSSD, on DP&L electric pole #61702/99500 on the westerly ROW of Riga Drive.

Anthony DiGiuseppe  
ANTHONY DI GIUSEPPE

SWORN TO AND SUBSCRIBED before me on this 18th day of April  
A.D., 1996.

NOTARY PUBLIC

Jayne E. Dickerson

My Commission Expires 3/22/97.

Jayne E. Dickerson  
Notary Public  
Commission Expires 3/22/97

NOTICE

PROPOSED EXPANSION TO THE  
BETHANY BEACH SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on February 27, 1996 to consider extending the Bethany Beach Sanitary Sewer District (BBSSD) to include a certain piece, parcel, or tract of land owned by R.D.M. Inc., also being known as "Savannah's Landing," on a parcel of land contiguous to the BBSSD, situate west of the Assawoman Canal and the Town of Bethany Beach and being situate in Baltimore Hundred, Sussex County, Delaware.

This action is in conformity with 9 Del.C. §6502.

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

BEGINNING at a point located in the center of a culvert on the easterly right-of-way (ROW) of Riga Drive, said point being on the northwestern corner of lands now or formerly (N/F) of the State of Delaware, thence proceeding S 23° 05' 38" E, 43.43 feet to a point, said point being at the centerline of a ditch; thence by and with said ditch S 69° 23' 54" E, 145 feet to a point, said point also being on the boundary line of the BBSSD; thence proceeding with said boundary line S 16° 52' 26" E, 62.46 feet to a point, said point also being a corner for Sections I & II of Ocean Way Estates and the boundary line of the BBSSD; thence proceeding with said boundary line the following seven (7) courses and distances: (1) S 52° 24' 32" W, 33.76 feet to a point; thence (2) S 22° 19' 22" W, 100.78 feet to a point; thence (3) S 76° 31' 30" W, 30.15 feet to a point; thence (4) S 34° 49' 39" W, 30.17 feet to a point; thence (5) S 57° 41' 28" W, 59.17 feet to a point; thence (6) S 28° 47' 52" W, 19.97 feet to a point; thence (7) S 56° 58' 11" W, 84.34 feet to a point, said point on the northerly ROW of Riga Drive and the centerline of the ditch, also on said boundary line of the BBSSD; thence proceeding in a southerly direction with said boundary line to a point on the southerly ROW of Riga Drive; thence proceeding with said boundary line and centerline of an 8-foot ditch the following four courses and distances: (1) S 15° 18' 19" W, 334.57 feet to a point; thence (2) S 09° 43' 11" W, 81.60 feet to a point; thence (3) S 00° 42' 10" W, 231.49 feet to a point; thence (4) S 27° 05' 23" W, 1602.36 feet to a point; thence leaving said boundary line and continuing with the centerline of said ditch N 45° 29' 39" W, 419.84 feet to a point; thence proceeding the following eight courses and distances: (1) N 47° 03' 15" W, 198.10 feet to a point; thence (2) N 37° 34' 57" W, 254.10 feet to a 3/4-inch iron pipe; thence (3) N 26° 15' 26" E, 405.94 feet to a 3/4-inch iron pipe; thence (4) S 83° 06' 09" W, 579.03 feet to a 24-inch pine tree; thence (5) N 04° 10' 51" E, 171.26 feet to a 3-inch concrete marker; thence (6) N 03° 56' 01" E, 239.87 feet to a 4-inch concrete marker; thence (7) N 03° 45' 33" E, 292.53 feet to a 4-inch concrete marker; thence (8) N 02° 49' 59" E, 22.73 feet more or less to a point, said point being the Ocean View town line; thence proceeding with said town line in a northeasterly direction 1,784 feet more or less to a point on the centerline of a ditch, said point also being on the southern property line of lands N/F of Guns for Hire of



Delaware, Inc.; thence proceeding with said centerline of the ditch the following six courses and distances: (1) S 76° 28' 13" E, 31.95 feet to a point; thence (2) N 54° 14' 03" E, 110.44 feet to a point; thence (3) S 85° 09' 33" E, 106.13 feet to a point; thence (4) S 55° 49' 56", 19.96 feet to a point; thence (5) S 63° 11' 16" E, 26.65 feet to a point; thence (6) S 14° 09' 22" W, 10.64 feet to a point on the center of a culvert on the westerly ROW of Riga Drive; thence proceeding with the center of the culvert in an easterly direction to the point of Beginning.

The proposed expansion of the BBSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 1-34-13 and a survey plot prepared by Land Tech, Inc., dated March 3, 1995.

A map outlining and describing the extension of the BBSSD is attached. The area involved is cross-hatched.

The public hearing will be held on this issue at 11:00 a.m. on Tuesday, April 30, 1996 in the Sussex County Council Chambers, Room 115, The Courthouse, 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, Race and Pine Streets, Post Office Box 589, Georgetown DE 19947 - (302) 855-7719.

Robert W. Wood, P.E.  
Sussex County Engineer



