

RESOLUTION R 017 00

A RESOLUTION TO EXTEND THE BOUNDARY OF THE FENWICK ISLAND SANITARY SEWER DISTRICT TO ENCOMPASS THE ASHLEY MANOR SUBDIVISION AND ADJACENT PARCELS, LYING CONTIGUOUS TO THE FENWICK ISLAND SANITARY SEWER DISTRICT, SITUATE NORTHWEST OF THE INTERSECTION OF STATE OF DELAWARE ROUTES 20 AND 54 IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the Fenwick Island 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 Fenwick Island, the inclusion of the property northwest of the intersection of State of Delaware Routes 20 and 54 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, 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 Fenwick Island Sanitary Sewer District to encompass the property northwest of the intersection of State of Delaware Routes 20 and 54 as follows:

Beginning at a point, said point being the northeasterly property corner of Lands Now or Formerly of (N/F) Peninsula Oil Company, Inc., said point also being the southeasterly property corner of Lands N/F of CMF Bayside, said point also being on the Fenwick Island Sanitary Sewer

District boundary (FISSD) and the westerly Right of Way (ROW) of County Road (CR) 381; thence leaving said ROW and proceeding by and with said FISSD boundary the following four (4) courses; (1) North 66° 05' 27" West a distance of 145.99 feet to a point, (2) North 69° 13' 49" West a distance of 48.78' to a point, (3) North 73° 31' 02" West a distance of 51.55 feet to a point, (4) North 87° 45' 16" West a distance of 600.89 feet to a re-bar, said re-bar being on the northeasterly Right of Way (ROW) of State of Delaware Route (SR) 20, 800 +/- northwest of the centerline of SR 54, said point also being the westerly property corner of Lands N/F Peninsula Oil Co. Inc.; thence leaving the FISSD boundary and proceeding by and with said ROW North 59° 11' 16" West a distance of 582.75 feet to an iron pipe, said iron pipe being the westerly property corner of Lands N/F Casher W. Shockley, said iron pipe also being the southernmost property corner of Lands N/F of Kenneth S. Woodring Jr.; Thence continuing by and with said ROW North 59° 14' 21" West a distance of 1020.18 feet to a T-bar, said T-bar being a property corner for Lands N/F Grace J. Cobb, heirs; thence proceeding by and with said Cobb lands North 31° 48' 30" East a distance of 1464.43 feet to an iron axle; thence continuing by and with said Cobb lands South 51° 59' 01" East a distance of 527.00 feet to an iron axle, said axle being a property corner of lands N/F Grace J. Cobb, heirs, said axle also being on the property line of Mill Creek Acres Subdivision; thence proceeding by and with said Mill Creek Acres property line the following three courses (1) South 44° 27' 15" West a distance of 323.42 feet to an iron axle, (2) South 45° 26' 33" East a distance of 841.76 feet to a T-bar, (3) South 45° 16' 29" East a distance of 778.65 feet to a point, said point being on the westerly ROW of CR 381, said point also being a property corner for Mill Creek Acres Subdivision, and a property corner for lands N/F CMF Bayside; thence proceeding by and with said ROW South 10° 47' 21" East a distance of 494.16 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 017 00 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 21ST DAY OF MARCH, 2000.

  
ROBIN A. GRIFFITH  
CLERK OF THE COUNTY COUNCIL



FENWICK ISLAND SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING  
ASHLEY MANOR

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. In lobby of Delaware National Bank, Route 54, Fenwick Island, Delaware;
  - 2. On public bulletin board of Uncle Willies, Route 54, Fenwick Island, Delaware;
  - 3. On bulletin board of Baltimore Trust Bank, Route One, Farmington Street, Fenwick Island, Delaware;
  - 4. On bulletin board of Fenwick Island Town Hall, Route One, Fenwick Island, Delaware;
  - 5. On bulletin board of Bethany-Fenwick Chamber Office, Route One, north of Fenwick Island, Delaware;
  - 6. On main entrance door, Bayville Quick Stop, Route 54, west of the Town of Fenwick Island, Delaware;
  - 7. On front window of Texaco Service Station at the northeast corner of Route One and Bayard Street, Fenwick Island, Delaware;
  - 8. The following four locations on parcel being considered for the expansion:
    - 1. On Post on County Road 382, 750 feet more or less northwest of Route 54;

2. On Post on County Road 382, 1350 feet more or less northwest of Route 54;
3. On Post on County Road 382, 2025 feet more or less northwest of Route 54;
4. On Post on County Road 381, 600 feet more or less northwest of Route 54;

  
PHILLIP C. CALIO

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

Jayne E. Dickerson  
Notary Public  
Commission Expires 3/10/00<sup>03</sup>

  
NOTARY PUBLIC



## NOTICE

### PROPOSED EXPANSION TO THE FENWICK ISLAND SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on February 8, 2000 to consider extending the Fenwick Island Sanitary Sewer District (FISSD) to include the proposed Ashley Manor subdivision and adjacent properties, being situate in Baltimore 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 FISSD is described as follows:

Beginning at a point, said point being the northeasterly property corner of Lands Now or Formerly of (N/F) Peninsula Oil Company, Inc., said point also being the southeasterly property corner of Lands N/F of CMF Bayside, said point also being on the Fenwick Island Sanitary Sewer District boundary (FISSD) and the westerly Right of Way (ROW) of County Road (CR) 381; thence leaving said ROW and proceeding by and with said FISSD boundary the following four (4) courses; (1) North 66° 05' 27" West a distance of 145.99 feet to a point, (2) North 69° 13' 49" West a distance of 48.78' to a point, (3) North 73° 31' 02" West a distance of 51.55 feet to a point, (4) North 87° 45' 16" West a distance of 600.89 feet to a re-bar, said re-bar being on the northeasterly Right of Way (ROW) of State of Delaware Route (SR) 20, 800 +/- northwest of the centerline of SR 54, said point also being the westerly property corner of Lands N/F Peninsula Oil Co. Inc.; thence leaving the FISSD boundary and proceeding by and with said ROW North 59° 11' 16" West a distance of 582.75 feet to an iron pipe, said iron pipe being the westerly property corner of Lands N/F Casher W. Shockley, said iron pipe also being the southernmost property corner of Lands N/F of Kenneth S. Woodring Jr.; Thence continuing by and with said ROW North 59° 14' 21" West a distance of 1020.18 feet to a T-bar, said T-bar being a property corner for Lands N/F Grace J. Cobb, heirs; thence proceeding by and with said Cobb lands North 31° 48' 30" East a distance of 1464.43 feet to an iron axle; thence continuing by and with said Cobb lands South 51° 59' 01" East a distance of 527.00 feet to an iron axle, said axle being a property corner of lands N/F Grace J. Cobb, heirs, said axle also being on the property line of Mill Creek Acres Subdivision; thence proceeding by and with said Mill Creek Acres property line the following three courses (1) South 44° 27' 15" West a distance of 323.42 feet to an iron axle, (2) South 45° 26' 33" East a distance of 841.76 feet to a T-bar, (3) South 45° 16' 29" East a distance of 778.65 feet to a point, said point being on the westerly ROW of CR 381, said point also being a property corner for Mill Creek Acres Subdivision, and a property corner for lands N/F CMF Bayside; thence proceeding by and with said ROW South 10° 47' 21" East a distance of 494.16 feet to the point of beginning.

The proposed expansion of the FISSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 5-33-12.00 and site plans submitted by Land, Tech, LLC, dated August 2, 1999 and Land Tech, Inc., dated July 2, 1998:

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

The public hearing will be held on this issue at 10:45 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



