

RESOLUTION R 017 01

A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO INCLUDE THE LANDS OF THE DAGSBORO CHURCH OF GOD, SITUATE, LYING WEST OF STATE OF DELAWARE ROUTE 113, AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE

WHEREAS, Sussex County has established the Dagsboro-Frankford 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 Dagsboro, which includes the Dagsboro Church of God, which is contiguous to the DFSSD, 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 Chris Calio, a copy of which affidavits 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 Dagsboro-Frankford Sanitary Sewer District to encompass the Dagsboro Church of God, as follows:

Beginning at a point, said point being on the DFSSD boundary, said point also being 1164 \pm northwest of the intersection of State Road 26, and US 113; thence proceeding in a straight line in a southwesterly direction a distance of 100 \pm to a point, said point being on the westerly right-of-way (ROW) of US 113, said point also being a property corner of lands now or formerly (N/F) of Trustees of the Church of God, et ux., said point also being the northeasterly property corner of Dagsworthy Park Subdivision (found in Plot Book 17 Page 6 in the Sussex County Recorder of Deeds Office); thence proceeding by and with said westerly ROW of US 113 in a southeasterly direction a distance of 85 \pm more or less to a point, said point being a property corner of lands N/F of Ernest P. Timmons, said point also being 1025 ∇ northwest of the centerline of State Road 26; thence proceeding by and with said Timmons lands with an arc to the right having a radius of 25 feet, an angle of 114 $\text{846}\text{52}\nabla$, an arc of 50.00 \pm , and a tangent of 39.08 \pm , to a point; thence proceeding by and with the Dagsworthy Park Subdivision boundary the following seven courses, (1) South 40 $\text{824}\text{05}\nabla$ West a distance of 427.94 \pm to an iron pipe; (2) South 43 $\text{849}\text{15}\nabla$ East a distance of 201.02 \pm to a point; (3) South 40 $\text{824}\text{05}\nabla$ West a distance of 200.00 \pm to a point, (4) South 33 $\text{836}\text{13}\nabla$ East a distance of 196.56 \pm to a point, (5) South 55 $\text{807}\text{25}\nabla$ West a distance of 132.58 \pm to a point, (6) South 34 $\text{846}\text{25}\nabla$ East a distance of 84.04 \pm to a point, (7) South 59 $\text{822}\text{29}\nabla$ West a distance of 77.00 \pm to a point, said point being the northwesternmost property corner of lands N/F of Francis P. & Teresa H. Smith; thence proceeding in a straight line in a southwesterly direction a distance of 50 \pm more or less to a point, said point being on the easternmost property line of lands N/F of Robert L. & Mary A. Littleton; thence proceeding North 38 $\text{836}\text{13}\nabla$ West a distance of 63.50 \pm to a point, said point being the southeasternmost property corner of lands N/F of Donald Raper Jr. et ux.; thence proceeding South 56 $\text{823}\text{47}\nabla$ West a distance of 205.36 \pm to a point; thence proceeding North 34 $\text{853}\text{27}\nabla$ West a distance of 270.91 \pm to a concrete marker; thence proceeding

North 64°01'06" West a distance of 298.84 to a concrete monument, said monument being the westernmost property corner of Dagsworthy Park Subdivision, said monument is also a property corner of lands N/F Trustees of the Church of God et ux.; thence proceeding by and with said Church lands the following eight courses: (1) North 82°37'24" West a distance of 101.55, (2) North 78°06'00" West a distance of 508.09, (3) North 06°11'14" East a distance of 925.50, (4) North 50°21'39" East a distance of 248.95, (5) North 78°01'39" East a distance of 298.54, (6) South 03°42'35" East a distance of 233.00, (7) South 83°28'07" East a distance of 409.00, (8) North 68°55'11" East a distance of 378.15 to a concrete marker, said concrete marker being the northeasternmost property corner of lands N/F Trustees of the Church of God, et ux., said concrete marker also being on the westerly ROW of US 113; thence proceeding in a straight line, in an easterly direction a distance of 100 +/- to a point, said point being on the DFSSD Boundary; thence proceeding by and with said boundary in a southeasterly direction a distance of 1164 +/- 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 01 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 5TH DAY OF JUNE, 2001.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED, That the subscriber, CHRIS 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 May 15, 2001 he was a Planning Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On May 15, 2001 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Dagsboro, Delaware.
 - 2. In the lobby of Bank of Delmar, Main and Clayton Streets, Dagsboro, Delaware.
 - 3. On the bulletin board of Frankford Library, Main Street, Frankford, Delaware.
 - 4. On the bulletin board in lobby of Frankford Town Hall, 5 Main Street, Frankford, Delaware.
 - 5. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Frankford, Delaware.
 - 6. On bulletin board inside front door of Jay's Market, Route 113 & Hickory Street, Frankford, Delaware.
 - 7. In the front lobby of Dagsboro Town Hall, 504 Main Street, Dagsboro, Delaware.
 - 8. On the bulletin board of Bodies Dairy Market, 912 Clayton Avenue, Dagsboro, Delaware.
 - 9. On the parcel of land being considered for the proposed extension of the Dagsboro-Frankford Sanitary Sewer

District, in four locations as follows:

- (1) On a post, west of US 113, 1028 feet +/- north of State Route 26;
 - (2) On a post, west of US 113, 1121 feet +/- north of State Route 26;
 - (3) On a post, west of US 113, 1249 feet +/- north of State Route 26; and
 - (4) On a post, west of US 113, 1358 feet +/- north of State Route 26.
10. On the bulletin board in S & J Restaurant, Main Street, Dagsboro, Delaware; and
11. On the bulletin board in the Dagsboro Quick Stop, Routes 113 & 26, Dagsboro, Delaware.


CHRIS CALIO

SWORN TO AND SUBSCRIBED before me on this 17th day of May A.D., 2001.


NOTARY PUBLIC

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

NOTICE

PROPOSED EXPANSION TO THE
DAGSBORO-FRANKFORD
SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on April 24, 2001 to consider extending the Dagsboro-Frankford Sanitary Sewer District (DFSSD) to include the lands of the Dagsboro Church of God, situate, lying west of State of Delaware Route 113, and being in Dagsboro 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 DFSSD is described as follows:

Beginning at a point, said point being on the DFSSD boundary, said point also being 1164' +/- northwest of the intersection of State Road 26, and US 113; thence proceeding in a straight line in a southwesterly direction a distance of 100' +/- to a point, said point being on the westerly right-of-way (ROW) of US 113, said point also being a property corner of lands now or formerly (N/F) of Trustees of the Church of God, et ux., said point also being the northeasterly property corner of Dagsworthy Park Subdivision (found in Plot Book 17 Page 6 in the Sussex County Recorder of Deeds Office); thence proceeding by and with said westerly ROW of US 113 in a southeasterly direction a distance of 85' more or less to a point, said point being a property corner of lands N/F of Ernest P. Timmons, said point also being 1025" northwest of the centerline of State Road 26; thence proceeding by and with said Timmons lands with an arc to the right having a radius of 25 feet, an angle of 114°46'52", an arc of 50.00', and a tangent of 39.08', to a point; thence proceeding by and with the Dagsworthy Park Subdivision boundary the following seven courses, (1) South 40°24'05" West a distance of 427.94' to an iron pipe; (2) South 43°49'15" East a distance of 201.02' to a point; (3) South 40°24'05" West a distance of 200.00' to a point, (4) South 33°36'13" East a distance of 196.56' to a point, (5) South 55°07'25" West a distance of 132.58' to a point, (6) South 34°46'25" East a distance of 84.04' to a point, (7) South 59°22'29" West a distance of 77.00' to a point, said point being the northwesternmost property corner of lands N/F of Francis P. & Teresa H. Smith; thence proceeding in a straight line in a southwesterly direction a distance of 50' more or less to a point, said point being on the easternmost property line of lands N/F of Robert L. & Mary A. Littleton; thence proceeding North 38°36'13" West a distance of 63.50' to a point, said point being the southeasternmost property corner of lands N/F of Donald Raper Jr. et ux.; thence proceeding South 56°23'47" West a distance of 205.36' to a point; thence proceeding North 34°53'27" West a distance of 270.91' to a concrete marker; thence proceeding North 64°01'06" West a distance of 298.84' to a concrete monument, said monument being the westernmost property corner of Dagsworthy Park Subdivision, said monument is also a property corner of lands N/F Trustees of the Church of God et ux.; thence proceeding by and with said Church lands the following eight courses, (1) North 82°37'24" West a distance of 101.55', (2) North 78°06'00" West a distance of 508.09', (3) North 06°11'14" East a distance of 925.50', (4) North 50°21'39" East a distance of 248.95', (5) North 78°01'39" East a distance of 298.54', (6) South 03°42'35" East a distance of 233.00', (7) South 83°28'07" East a distance of 409.00', (8) North 68°55'11" East a distance of 378.15' to a concrete marker, said concrete marker being the northeasternmost property corner of lands N/F Trustees of the Church of God, et ux., said concrete marker also being on the westerly ROW of US 113; thence proceeding in a straight line, in an easterly direction a distance of 100' +/- to a point, said point being on the DFSSD Boundary; thence proceeding by and with said boundary in a southeasterly direction a distance of 1164' +/- to the point of BEGINNING.

The proposed expansion of the DFSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 2-33 10.00, a Parcel Survey provided by Land Tech Inc., and a subdivision plot of Dagsworthy Park Subdivision found in the Recorder of Deeds Office in Plot Book 17 Page 6.

A map outlining and describing the expansion of the DFSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 10:45 a.m. on June 5, 2001 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 expansion are welcome to attend. There will be an opportunity for questions and answers. The final decision on the boundary expansion 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 CHURCH OF GOD
EXPANSION OF THE DAGSBORO-
FRANKFORD SANITARY SEWER DISTRICT



AREA IS CROSSHATCHED

12/12/00

