

**RESOLUTION NO. R 017 15**

**(As Amended on 11/10/15)**

**(Berzin Expansion)**

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE SOUTH BETHANY SANITARY SEWER DISTRICT (SBSSD) TO INCLUDE ALL THOSE CERTAIN LOTS, PIECES OR PARCELS OF LAND, SITUATED ALONG COUNTY ROAD 361, (MUDDY NECK ROAD) AND COUNTY ROAD 363 (DOUBLE BRIDGES ROAD), AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE, NOT TO EXCEED THE CAPACITY SET FORTH IN THE SOUTH COASTAL AREA PLANNING STUDY (SCAPS)**

**WHEREAS, Sussex County has established the South Bethany 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 in the area of Muddy Neck Road and Double Bridges Road; 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 Robert Lynch, 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 South Bethany Sanitary Sewer District to encompass the lands of situated in the area of Muddy Neck Road and Double Bridges Road, as follows:**

**BEGINNING at a point, situate on the westerly right of way (ROW) of Double Bridges Road, said point being approximately 1190' southwest of the intersection of Kent Avenue and Double Bridges Road and southeasternmost corner of lands N/F of Pito LLC and a point on the existing boundary of the SBSSD, thence following said SBSSD boundary the following directions and distances: southwesterly 15± feet, northwesterly 777± feet, northerly 337± feet, southwesterly 410± feet, northeasterly 430± feet, easterly 1083± feet,**

southwesterly 50± feet, southeasterly 780± feet, southerly 1635± feet to a point, said point being a point on the existing boundary of the SBSSD and the southeasternmost corner of lands N/F of Elbridge & Betty Murray; thence following said lands of Murray the following directions and distances: northwesterly 100± feet, northwesterly 585± feet to a point, said point being the northeasternmost corner of lands N/F of State of Delaware and a point on the existing boundary of the SBSSD; thence following said boundary of the SBSSD the following directions and distances: southwesterly 815± feet, northwesterly 515± feet, southwesterly 175± feet, northwesterly 50± to a point, said point being that of the 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, let 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 15 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 10TH DAY OF NOVEMBER 2015.**

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**ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL**