

RESOLUTION NO. R 019 04

A RESOLUTION TO EXTEND THE BOUNDARY OF THE HOLTS LANDING SANITARY SEWER DISTRICT (HLSSD) TO INCLUDE THE SEAGRASS PLANTATION AND PRESERVE AT IRON'S LANDING SUBDIVISIONS, THAT ARE CONTIGUOUS TO THE HLSSD, SITUATE NORTHWEST OF THE TOWN OF MILLVILLE, SOUTH OF THE INDIAN RIVER BAY AND BEING IN BALITMORE 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 northwest of the Town of Millville, which is contiguous to the HLSSD, the inclusion of these subdivisions 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 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 that the Sussex County Council hereby revises the boundary of the HLSSD to include the Seagrass Plantation and Preserve at Irons Lane Subdivisions,

situate northwest of the Town of Millville, as follows:

BEGINNING at a point said point being on the eastern Right-of-way (ROW) of County Road (CR) 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 ROW in a southerly direction a distance of 115 feet more or less to a point, said point being a boundary of The Greens, a subdivision; thence leaving said HLSSD boundary and continuing by and with said ROW in a southerly direction a distance of 348 feet more or less to a point; thence leaving said eastern ROW and proceeding in a westerly direction a distance of 50 feet more or less to a concrete monument, said monument being on the western ROW of CR 348, said monument also being the northeasternmost property corner Now or Formerly (N/F) of Connie M. Justice and Jehu J. Justice, as recorded in said Office of the Recorder of Deeds in Deed Book 954, Page 261, thence running, leaving said Irons Lane and running by and with said lands of Connie M. Justice and Jehu J. Justice, and also running by and with the lands of, now or formerly, Connie M. Justice, as recorded in said Office of the Recorder of Deeds in Deed Book 807, Page 1, said course also running generally by and with the south side of a dirt driveway, South 86 degrees 20 minutes 45 seconds West 805.00 feet to a point, thence running, generally by and with the west side of a dirt driveway, the following two courses, (1) South 04 degrees 58 minutes 41 seconds East 182.90 feet to a concrete monument found, (2) South 21 degrees 37 minutes 37 seconds East 197.05 feet to a concrete monument found at a point on the northerly line of the lands of, now or formerly, Robert Svenson; thence leaving said lands of Connie M. Justice and running by and with said lands of Svenson, North 89 degrees 20 minutes 30 seconds West 881.30 feet to a rebar found at a point on

the easterly property line of lands N/F of South Shore Acquisition, LLC; thence leaving said lands of Wilson and running by and with said lands of Svensen, for the following five courses, (1) North 51 degrees 45 minutes 07 seconds West 58.53 feet to a large blazed oak tree, (2) South 04 degrees 28 minutes 20 seconds West 80.69 feet to a point, (3) South 08 degrees 15 minutes 25 seconds East 50.33 feet to a point, (4) South 02 degrees 01 minutes 39 seconds West 82.39 feet to a point, (5) South 10 degrees 10 minutes 11 seconds West 121.59 feet to a rebar found on the northeasterly boundary line of a subdivision entitled "Subdivision of lands of James N. Bennett Heirs" as recorded in the aforesaid Office of the Recorder of Deeds, in Plot Book 37, Page 228, thence leaving said lands of Svensen and running by and with said "Subdivision of lands of James N. Bennett Heirs", for the following two courses, (1) North 49 degrees 43 minutes 26 seconds West 3,342.36 feet to a stone found, (2) North 48 degrees 31 minutes 02 seconds West 661.54 feet to an iron rod with cap set at the mean low water line of Indian River Bay; thence leaving said subdivision boundary and continuing by and with said mean low water line in a northeasterly direction a distance of 1,513 feet more or less to a point, said point being the centerline of Cripple Creek; thence leaving said mean low water line and proceeding by and with said centerline of Cripple Creek in a southeasterly direction a distance of 3,621 feet more or less to a point, said point being a property corner of lands now or formerly of James E. Carrico; thence leaving said Cripple Creek and running by and with said lands of Carrico for the following five courses, South 70 degrees 28 minutes 01 seconds East 53.27 feet to a point, thence running, South 84 degrees 38 minutes 01 seconds East 594.00 feet to an iron rod with cap set, thence running, South 03 degrees 20 minutes 14 seconds East 15.14 feet to a concrete monument found, thence running, South 74 degrees 20 minutes

31 seconds East 442.50 feet to a concrete monument found, thence running, North 55 degrees 50 minutes 15 seconds East 65.44 feet to an iron rod with cap set on the southerly boundary line of "Bay Colony", a subdivision, as recorded in the Office of the Sussex County Recorder of Deeds in Plot Book 39 Page 91, said iron rod with cap also being on the HLSSD boundary; thence leaving said "Mallard Creek" subdivision and running by and with said "Bay Colony" subdivision and HLSSD boundary, South 74 degrees 20 minutes 31 seconds East 448.19 feet to an iron rod, said iron rod being the southernmost property corner of Bay Colony, a subdivision, said iron rod also being on the western ROW of CR 348; thence leaving said Bay Colony subdivision and continuing by and with said HLSSD boundary in an easterly direction a distance of 50 feet more or less to a point, said point being on the eastern ROW of CR 348; thence proceeding by and with said ROW and continuing by and with said HLSSD boundary in a southerly direction a distance of 532 feet more or less 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; and

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.

3. On a post on the western ROW of County Road 348, 910 feet more or less south of the southern property corner of Bay Colony subdivision;
4. On a post on the north side of an unnamed ingress/egress easement road 4,150 feet more or less west of CR 348.


PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 6th day of July A.D., 2004.


NOTARY PUBLIC

My commission expires: 4/7/07

NOTICE

PROPOSED EXPANSION TO THE HOLTS LANDING SANITARY SEWER DISTRICT (SEAGRASS PLANTATION AND PRESERVE AT IRON'S LANDING REQUEST)

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on April 20, 2004 to consider extending the Holts Landing Sanitary Sewer District (HLSSD) to include the Seagrass Plantation and Preserve at Irons Lane 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 (CR) 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 ROW in a southerly direction a distance of 115 feet more or less to a point, said point being a boundary of The Greens, a subdivision; thence leaving said HLSSD boundary and continuing by and with said ROW in a southerly direction a distance of 348 feet more or less to a point; thence leaving said eastern ROW and proceeding in a westerly direction a distance of 50 feet more or less to a concrete monument, said monument being on the western ROW of CR 348, said monument also being the northeasternmost property corner Now or Formerly (N/F) of Connie M. Justice and Jehu J. Justice, as recorded in said Office of the Recorder of Deeds in Deed Book 954, Page 261, thence running, leaving said Irons Lane and running by and with said lands of Connie M. Justice and Jehu J. Justice, and also running by and with the lands of, now or formerly, Connie M. Justice, as recorded in said Office of the Recorder of Deeds in Deed Book 807, Page 1, said course also running generally by and with the south side of a dirt driveway, South 86 degrees 20 minutes 45 seconds West 805.00 feet to a point, thence running, generally by and with the west side of a dirt driveway, the following two courses, (1) South 04 degrees 58 minutes 41 seconds East 182.90 feet to a concrete monument found, (2) South 21 degrees 37 minutes 37 seconds East 197.05 feet to a concrete monument found at a point on the northerly line of the lands of, now or formerly, Robert Svenson; thence leaving said lands of Connie M. Justice and running by and with said lands of Svenson, North 89 degrees 20 minutes 30 seconds West 881.30 feet to a rebar found at a point on the easterly property line of lands N/F of South Shore Acquisition, LLC; thence leaving said lands of Wilson and running by and with said lands of Svensen, for the following five courses, (1) North 51 degrees 45 minutes 07 seconds West 58.53 feet to a large blazed oak tree, (2) South 04 degrees 28 minutes 20 seconds West 80.69 feet to a point, (3) South 08 degrees 15 minutes 25 seconds East 50.33 feet to a point, (4) South 02 degrees 01 minutes 39 seconds West 82.39 feet to a point, (5) South 10 degrees 10 minutes 11 seconds West 121.59 feet to a rebar found on the northeasterly boundary line of a subdivision entitled "Subdivision of lands of James N. Bennett Heirs" as recorded in the aforesaid Office of the Recorder of Deeds, in Plot Book 37, Page 228, thence leaving said lands of Svensen and running by and with said "Subdivision of lands of James N. Bennett Heirs", for the following two courses, (1) North 49 degrees 43 minutes 26 seconds West 3,342.36 feet to a stone found, (2) North 48 degrees 31 minutes 02 seconds West 661.54 feet to an iron rod with cap set at the mean low water line of Indian River Bay; thence leaving said subdivision boundary and continuing by and with said mean low water line in a northeasterly

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The proposed expansion of the HLSSD is within these boundaries. The boundary description has been prepared using legal descriptions prepared by Davis, Bowen & Friedel, Inc, Salisbury, MD. (DBF Project Nos. 1168A001A & 980B004A)

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 11:00 a.m. on Tuesday, July 20, 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
(SEAGRASS PLANTATION & PRESERVE AT IRONS LANDING)
(AREA IS CROSSHATCHED)
FEBRUARY 3, 2004

