

RESOLUTION NO. R 020 99

DISTRICT BOUNDARIES FOR THE PROPOSED OAK ORCHARD SANITARY SEWER DISTRICT

WHEREAS, petitions were received from more than 50 legal voters of the proposed Oak Orchard Sanitary Sewer District requesting the Sussex County Council to submit the question of organizing a sanitary sewer district to a vote of electors residing in that area; a map of the proposed district boundaries is attached as Exhibit "A"; and

WHEREAS, a public hearing was held on June 12, 1999 on the question of organizing a sanitary sewer district dealing with the location of the boundaries of the proposed Oak Orchard Sanitary Sewer District as shown in Exhibit "A"; and

WHEREAS, the Sussex County Council has considered the comments and concerns of those property owners and residents in determining the boundaries of the district; and

WHEREAS, the Sussex County Council has amended the boundaries to reflect the comments and concerns of affected property owners and residents;

NOW THEREFORE,

BE IT RESOLVED by the Sussex County Council that the establishment of a sanitary sewer district is deemed to be in the public interest and will be conducive to the preservation of the public health; and

BE IT FURTHER RESOLVED that the area shown in Exhibit "B" is hereby established as the "Oak Orchard Sanitary Sewer District" and is more fully described as follows:

Beginning at a point, said point lying on the southwesterly Right of Way (ROW) of State Route (SR) 5, 2780± feet southeast of County Road (CR) 311, said point also being the southeastern property corner of lands Now or Formerly (N/F) of Charles H. and/or Beatrice Moore; thence proceeding in a straight line in a northeasterly direction 50± feet to a point, said point lying on the northeasterly ROW of SR 5, said point also being the westernmost property corner of Orchard Manor Section II subdivision (found in Plot Book 8, Page 752 in the Sussex County Recorder of Deeds Office); thence proceeding by and with said subdivision lands in a northeasterly direction a distance of 1094± feet to a point, said point being the northernmost property corner of Orchard Manor Section II subdivision; said point also being the westernmost property corner of lands N/F of Charles C. Clark, c/o Kenneth S. Clark; thence proceeding by and with said lands of Charles C. Clark in a southerly and northeasterly direction, respectively, to the mean low water line of Emily Gut; thence continuing in a straight line to the center line of Emily Gut; thence proceeding in a southeasterly direction to a point where the centerline of Emily Gut meets the Indian River Bay; thence proceeding in a westerly direction to a point where it meets the mean low water line of the northern shore of the Indian River Bay; thence proceeding in a westerly direction with said mean low water line to a point, said point being the southwesterly property corner of lands N/F of Elva M. Johnson; thence proceeding by and with said property line in a northerly direction a distance of 230± feet to a point, said point being the northwesterly property corner of lands N/F of Elva M. Johnson, said point also lying on the southerly ROW of CR 312; thence proceeding in a straight line in a northerly direction a distance of 40± feet to a point, said point lying on the northerly ROW of CR 312, said point also being the southwesterly property corner of lands N/F of Linda

Johnson; thence proceeding by and with said ROW in an easterly direction a distance of 987± feet to a point, said point lying on the northerly ROW of CR 312, said point also being the southwesterly property corner of lands N/F of Anita Louise & Willis J. Carney Jr.; thence proceeding with said lands in a northerly direction a distance of 130± feet to a point, said point being the northwestern property corner of lands N/F of Helen R. Harmon; thence proceeding in an easterly direction with said lands a distance of 307± feet to point, said point being the northwestern property corner of lands N/F of Ephram L. Harmon Jr.; thence proceeding in an easterly and southwesterly direction, respectively, with said lands to a point, said point being the northern property corner of lands N/F of Ida H. Ortiz; thence proceeding by and with said lands in a southeasterly direction a distance of 81± feet to a point; thence continuing with said lands in a southwesterly direction a distance of 25± feet to a point, said point being the northwesterly property corner of lands N/F of Indian River Yacht Club; thence proceeding by and with said lands in a southeasterly direction 156± feet to a point, said point being the northeastern property corner of lands N/F of Indian River Yacht Club; thence proceeding with a line running parallel with the northerly ROW of CR 312 in a southerly direction to a point, said point being the northeasterly property corner of lands N/F of James C. & Patricia A. Johnson; thence proceeding in a southerly direction a distance of 67± feet to a point, said point being the southeastern property corner of said lands, said point also being the northeasterly property corner of lands N/F of Wm. N. Smoot & A. C. Smoot Jr., thence proceeding in a southerly direction a distance of 107± feet to a point, said point being the southern property corner of said lands, and also being the northerly property corner of lands N/F of C. J. R. Associates; thence proceeding in a southeasterly direction a distance of 204± feet to a point, said point being the northernmost property corner of lands N/F of Patricia VanAuken & David F. Wilson; thence proceeding in a southeasterly direction a distance of 80± feet to a point, said point being the northeastern property of said lands, and also being on the western boundary of lands N/F of Maurice A. Mosley, Jr.; thence proceeding in a northerly direction with said lands a distance of 65± feet to a point; thence proceeding in an easterly direction with said lands a distance of 165± feet to a point, said point being the northeasterly property corner of lands N/F of Maurice Antoine Mosley Jr., and also lying on the westerly ROW of CR 312A; thence proceeding with a straight line in an easterly direction 50± feet to a point, said point lying on the easterly ROW of CR 312A, said point also being the southwesterly property corner of lands N/F of Laura K. & Walter L. Hall, Sr.; thence proceeding in an easterly direction a distance of 1460± feet to a point, said point being the southwestern property corner of lands N/F of Joan J. Martin; thence proceeding in an easterly and northerly direction, respectively, to a point, said point being on the western property boundary of lands N/F of Roberto G. Draine, Sr.; thence proceeding with said lands in a northerly direction to a point, said point being the southwestern property corner of lands N/F of Mergenthaler Enterprises LP; thence proceeding by and with said Mergenthaler lands a distance of 220± feet to a point, said point being the southeastern property corner of lands N/F of Mergenthaler Enterprises LP, said point also being on the northerly ROW of CR 311; thence proceeding with a straight line in a southerly direction a distance of 50± feet to a point, said point being on the southerly ROW of CR 311, said point also being the northeastern property corner of lands N/F of Kenneth S. Clark; thence proceeding by and with said property line in a southerly direction a distance of 2450± feet to a point, said point being the southwestern property corner of lands N/F of Charles H. and/or Beatrice Moore; thence proceeding by and with said lands in an easterly direction a distance of 700± feet to the point of beginning.

The proposed Oak Orchard Sanitary Sewer District is within these boundaries. The boundary description provided has been prepared using Sussex County Tax Map Nos. 2-34-29, 2-34-34, 2-34-34.08, 2-34-34.10, 2-34-34.11, 2-34-35, 2-34-35.05, and 2-34-35.09.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 020 99 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 27TH DAY OF JULY, 1999.



ROBIN A. GRIFFITH
CLERK OF THE COUNTY COUNCIL



