

RESOLUTION NO. R 021 04

A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO INCLUDE THE LANDS OF GRACE SHAW AND SYLA SYPHENGPHETH, SITUATE, LYING NORTH OF HONOLULU ROAD, 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 northeast of the Town of Frankford, which includes the lands of Grace Shaw and Sylva Syphengpheth, which are 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 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 Dagsboro-Frankford Sanitary Sewer District to encompass the lands of Grace Shaw and Sylva Syphengpheth, as follows:

BEGINNING at a point, said point being on the DFSSD boundary, said point also being on the Town of Frankford boundary, said point also being on the centerline of County Road 356 Honolulu Road, said point further being 560 feet more or less northwest of County Road 355; thence leaving said centerline of Honolulu Road and Town and DFSSD boundaries and proceeding in a northeastern direction a distance of 25 feet more or less to a concrete monument, said concrete monument being the westernmost property corner of lands N/F of Sylva Syphengpheth; thence proceeding by and with said Syphengpheth lands the following two courses and distances, (1) North 56°08'52"East a

distance of 305.70 feet to an iron pipe, (2) South 35°04'00"East a distance of 150 feet to an iron pipe, said iron pipe being the northeasternmost property corner of lands N/F Syla Syphengpheth, said iron pipe being the northwesternmost property corner of land N/F Grace Shaw; thence leaving said Syphengpheth lands and proceeding by and with said Shaw lands the following two courses and distances, (1) South 35°04'00" East 150 feet to an iron pipe (2) South 56°08'35"West a distance of 307.02 feet to a concrete monument, said monument being the southernmost property corner of lands N/F of Grace Shaw, said monument also being the westernmost property corner of lands N/F of Sophia Middleton, said monument further being on the DFSSD boundary; thence leaving said Shaw lands and proceeding by and with said DFSSD boundary in a southwesterly direction a distance of 25 feet more or less to a point, said point being on the DFSSD boundary, said point also being on the Town of Dagsboro boundary, said point further being on the centerline of CR 356 (Honolulu Road); thence proceeding by and with said Town and DFSSD boundaries and centerline of CR 356 in a northwestern direction a distance of 300 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;

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 021 04 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 3RD DAY OF AUGUST 2004.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

