

RESOLUTION NO. R 021 05

A RESOLUTION TO EXTEND THE BOUNDARY OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (WRE) TO ENCOMPASS PARCELS OF LAND AT THE INTERSECTION OF COUNTY ROADS 275 AND 283, BEING IN LEWES-REHOBOTH HUNDRED, SUSSEX COUNTY DELAWARE

WHEREAS, Sussex County has established the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRE); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County between the Towns of Lewes and Rehoboth Beach, which is contiguous to the WRE, 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 Rob Davis and Penny Massey, 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 WRE to encompass the parcels of land at the intersection of County roads 275 and 283, as follows:

BEGINNING at a point where the centerline of County Road 275 (Plantation Road) intersects with the centerline of County Road 283 (Cedar Grove Road), said point being in the boundary of the WRE; thence proceeding in a Southerly direction 1182 feet ± with the centerline of Road 283 to a point; thence proceeding in a Northwesterly direction 30 feet ± to a point, said point being the southern corner of lands now or formerly (N/F) of Jayne Sayers; thence, proceeding North 52° 16' 50" West 966.75 feet with the boundary line of lands of Jayne Sayers and then lands N/F of Charles Pollard to a round concrete monument; thence, continuing with the boundary line of lands of Charles Pollard North 44° 40' 13" East 1,031.79 feet ± to a point, said point being in the Southerly right-of-way of County Road 275; thence proceeding 30 feet ± in a Northeasterly direction to a point on the centerline of County Road 275, said point also being on the boundary of the WRE; thence proceeding in a Southeasterly direction with the centerline of Road 275 and boundary of the WRE 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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 021 05 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 8TH DAY OF NOVEMBER 2005.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

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WEST REHOBOTH EXPANSION OF THE
DEWEY BEACH SANITARY SEWER DISTRICT
LANDS NOW OR FORMERLY OF
JANE SAYERS AND CHARLES D. POLLARD
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED That the subscribers, ROB DAVIS and PENNY MASSEY, 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 October 19, 2005 they were Planning Technicians for the Sussex County Engineering Department, Sussex County, State of Delaware, and
- B. On October 19, 2005 they did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On front window at entrance to the Dewey Beach Liquors, 1807 Highway One, Dewey Beach, DE.
 - 2. On window in foyer, Happy Harry's, 1549 Savannah Road, Lewes, Delaware.
 - 3. On Conectiv Pole 58180/07094, intersection of Conaway Drive and Minos Conaway Rd., Lewes, Delaware.
 - 4. Bay Road Package Store, 3206 Highway One, Rehoboth Beach, Delaware (with owner to post).
 - 5. On bulletin board at the Dewey Beach Town Hall, 105 Rodney Avenue, Dewey Beach, Delaware.
 - 6. On window next to entry door, Beach Shop/Exxon Service Station, intersection of Route One & Swedes Street, Dewey Beach, Delaware.
 - 7. On glass next to front door of the Delaware National Bank, 4130 Highway One & Church Street, Rehoboth Beach, Delaware.
 - 9. On window next to entry of the Exxon at 4301 Highway One and Shuttle Rd., Rehoboth Beach, DE.
 - 10. On glass wall of foyer next to entry door of the Mercantile Peninsula Bank, 4161 Highway One, Rehoboth Beach,

Delaware.

11. On bulletin board in entry foyer of the Super Giant, 22 Lighthouse Plaza Shopping Center, Highway One, Rehoboth Beach, Delaware.
12. On bulletin board in Wawa Market, Highway One and Wolfe Neck Road (County Road 270), Rehoboth Beach, Delaware.
13. On window next to entry at the Valero Stop and Shop Exxon at 3107 Highway One Rehoboth Beach, Delaware.
14. On the area of land being considered for the proposed extension of the West Rehoboth Expansion Area in four locations:
 - a. On a fence post approximately 10 feet southeast of the northwestern most corner of land having a tax map reference of 3-34-12.00 Parcel 1;
 - b. On a sign post located near the northeastern most corner of land having the tax map reference of 3-34-12.00 Parcel 2;
 - c. On a driven stake approximately 60 feet northeast of the southeastern most corner of land having a tax map reference of 3-34-12.00 Parcel 2;
 - d. On a driven stake along the eastern property line of land having a tax map reference of 3-34-12.00 Parcel 2 near Delaware Electric Cooperative utility pole #23722.



ROB DAVIS



PENNY MASSEY

SWORN TO AND SUBSCRIBED before me on this 27th day of Oct - A.D., 2005.



NOTARY PUBLIC

Jayne E. Dickerson

Notary Public

My Commission Expires

Commission Expires 4/7/07

NOTICE

PROPOSED EXPANSION TO THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT TO INCLUDE LANDS NOW OR FORMERLY OF JANE SAYERS AND CHARLES D. POLLARD

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on September 13, 2005, to consider extending the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRE) to include parcels of land at the intersection of County Roads 275 and 283, being in the Lewes and Rehoboth 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 WRE is described as follows;

BEGINNING at a point where the centerline of County Road (CR) 275 (Plantation Road) intersects with the centerline of CR 283 (Cedar Grove Road), said point being in the boundary of the WRE; thence proceeding in a Southwesterly direction 1182 feet ± with the centerline of CR 283 to a point; thence proceeding with a straight line in a Northwesterly direction 25 feet ± to a point, said point being the southern most corner of lands now or formerly (N/F) of Jane Sayers; thence proceeding North 52° 16' 50" West 966.75 feet with the boundary line of lands N/F of Jane Sayers and then lands N/F of Charles Pollard to a round concrete monument; thence continuing with the boundary line of lands of Charles Pollard North 44° 40' 13" East 1,031.79 feet ± to a point, said point being in the Southerly right-of-way of CR 275; thence proceeding 30 feet ± with a straight line in a Northeasterly direction to a point on the centerline of CR 275, said point also being on the boundary of the WRE; thence proceeding in a Southeasterly direction with the centerline of CR 275 and boundary of the WRE to the point and place of Beginning.

The proposed expansion of the WRE is within these boundaries and said to contain 18.8 acres more or less. The boundary description has been prepared using Sussex County Tax Map No. 3-34-12.00, a description of the parcels to be annexed prepared by Gary T. Cupples, Delaware Registered Professional Land Surveyor and dated September 21, 2005, and Sussex County property assessment records.

A map outlining and describing the extension to the WRE is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 7:15 p.m. on Tuesday, November 8, 2005 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

