

RESOLUTION R 021 99

A RESOLUTION TO EXTEND THE BOUNDARY OF THE BETHANY BEACH SANITARY SEWER DISTRICT (BBSSD) TO ENCOMPASS A CERTAIN PIECE, PARCEL, OR TRACT OF LAND KNOWN AS SOUTHAMPTON AND GREEN ACRES SUBDIVISIONS AND ADJACENT LANDS, LYING CONTIGUOUS TO THE BBSSD, SITUATE SOUTH OF THE TOWN OF OCEAN VIEW AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY DELAWARE.

WHEREAS, Sussex County has established the Bethany Beach 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 west of the Town of Bethany Beach, which is contiguous to the BBSSD, 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 Bethany Beach Sanitary Sewer District to encompass Southampton and Green Acres subdivisions and adjacent lands, situate south of the Town of Ocean View, as follows:

BEGINNING at a point, said point being the southeasterly property corner of lands now or formerly (N/F) Charles A. Henneman, et ux., said point also being on the westerly right-of-way (ROW) of County Road 361; thence proceeding by and with said ROW the following three courses: (1) South 12° 51' 10" East a distance of 80.98 feet to a point, (2) South 17° 11' 18" East a distance of 52.76 feet to a point, (3) South 23° 04' 13" East a distance of 81.48 feet to a concrete marker, said

marker also being the northernmost property corner of lands N/F Hayward R. Daisey; thence proceeding South 81° 04' 37" West a distance of 144.67 feet to an iron pipe; thence proceeding South 05° 25' 58" East a distance of 85.12 feet to an iron pipe; thence proceeding South 84° 19' 37" West a distance of 492.00 feet to an iron pipe; thence proceeding South 40° 40' 56" West a distance of 258.88 feet to an iron pipe; thence proceeding South 82° 40' 38" East a distance of 1389.71 feet to an iron pipe, said iron pipe also being the southeasterly property corner of lands N/F Randall S. Foskey, et ux.; thence proceeding North 22° 17' 45" East a distance of 9.78 feet to a concrete monument, said iron pipe being on the westerly ROW of County Road 361; thence proceeding in an imaginary line in a northeasterly direction 60 feet \pm to a point on the easterly ROW of County Road 361, said point also being the southwesterly property corner of lands N/F of Gerard N. and Mary Finiello; thence proceeding by and with said ROW in a southeasterly direction a distance of 150 feet to a point, said point being on the Bethany Beach Sanitary Sewer District boundary, said point also being the southeasterly property corner of lands N/F of Gerard N. & Mary Finiello; thence proceeding by and with the said Bethany Beach Sanitary Sewer District boundary in a southeasterly direction 300 feet \pm to a point, said point being on the easterly ROW of County Road 361; thence proceeding by and with said ROW in a southeasterly direction 225 feet \pm to a point, said point being the southeasterly property corner of lands N/F of Raymond, Sigurd and Talivaldis Berzins, said point also being on the easterly ROW of County Road 361; thence proceeding with an imaginary straight line in a southerly direction 50 feet \pm to a point, said point being on the intersection of the southerly ROW of County Road 368 and the westerly ROW of County Road 361, said point also lying on the South Bethany Sanitary Sewer District Boundary; thence proceeding by and with said South Bethany Sanitary Sewer District Boundary in a westerly direction 1003 feet \pm to a point, said point being the northeasterly property corner of lands N/F William O. Shook; thence proceeding by and with said Sewer District boundary 240 feet \pm to a point, said point being the southeasterly property corner of lands N/F William O. Shook; thence continuing with said sewer district boundary in a southwesterly direction 400 feet \pm to a point, said point being the southwesterly property corner of lands N/F Thomas C. Riebel, Sr.; thence continuing with said sewer district boundary in a southerly, westerly, and northerly direction, respectively, 1720 feet \pm to a point, said point being the northwesterly

property corner of Green Acres Subdivision, said point also being on the southerly ROW of County Road 368, said point also being on the South Bethany Sanitary Sewer District Boundary, thence proceeding with said boundary in a westerly direction 886.31 feet to a point, said point being the northwesterly property corner of lands N/F of Sussex County; thence leaving the South Bethany Sanitary Sewer District boundary and proceeding by and with the southerly ROW of County Road 368 in a westerly direction 160 feet \pm to a point, said point being the northwesterly property of lands N/F of Mabel E. Layton; thence proceeding in an imaginary straight line in a northerly direction 50 feet \pm to a point, said point being the southeasterly property corner of lands N/F of Garrett Allan Layton, said point also being on the northerly ROW of County Road 368; thence proceeding by and with said lands in a northerly and westerly direction a distance of 440 feet \pm to a point, said point being on the easterly ROW of County Road 362; thence proceeding by and with said ROW in a northerly direction 1217.30 feet to a point, said point being the southwesterly property corner of lands N/F Vernon P. & Teresa M. Ciekot; thence proceeding by and with said lands a distance of 880 feet \pm to a point, said point being the southwesterly property corner of lands N/F of Charles Allan & Suzanne E. Henneman; thence proceeding by and with said lands in an easterly direction 440 feet \pm to the point 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 99 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 27TH DAY OF JULY, 1999.


ROBIN A. GRIFFITH
CLERK OF THE COUNTY COUNCIL