

RESOLUTION NO. R 022 05

A RESOLUTION TO EXTEND THE BOUNDARY OF THE LONG NECK SANITARY SEWER DISTRICT (LNSSD) TO INCLUDE PARCELS OF LAND AT THE INTERSECTION OF COUNTY ROADS 298 AND 299, BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

WHEREAS, Sussex County has established the Long Neck Sanitary Sewer District (LNSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County southwest of the LNSSD, 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 LNSSD to include parcels of land at the intersection of County Roads 298 and 299, as follows:

BEGINNING at a concrete monument situate along the northerly right of way of County Road 299 at a point marking a common boundary between the herein described lands and the adjoining Lot 54 of the Elisha A. Steele Subdivision, thence by and with the common boundary of Lot 54 North 18 degrees 01 minutes 45 seconds East by and with the boundary of Lot 79 in the Elisha A. Steele Subdivision a distance of 221.15 feet

to an iron pipe, said iron pipe also being on the boundary of the LNSSD; thence with said boundary South 41 degrees 55 minutes 15 seconds East 217.80 feet to an iron pipe set along the Northwesterly right of way of County Road 298; thence following said right of way and continuing with the boundary of the LNSSD, South 49 degrees 35 minutes 00 seconds West 130.95 feet to an iron pipe situated at the intersection of County Road 299; thence leaving the boundary of the LNSSD and continuing with the right of way of Road 299 North 72 degrees 12 minutes 25 seconds West 120 feet 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; 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 022 05 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 8TH DAY OF NOVEMBER 2005.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

LONG NECK SANITARY SEWER DISTRICT
AFFIDAVIT FOR PUBLIC HEARING
TO INCLUDE THE LANDS OF
HELENE G. AND LOUIS W. BURTON

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 bulletin board next to community mail boxes near the entrance to Pot Nets Seaside, Long Neck Road, (a.k.a. State of Delaware Route 23).
 - 2. On bulletin board next to community mail boxes at the entrance to Pot Nets Dockside, Long Neck Road, (a.k.a. State of Delaware Route 23).
 - 3. On the window next to the entry door of Happy Harry's at Back Bay Shopping Center, Long Neck, Delaware.
 - 4. On the bulletin board at the laundromat at the Back Bay Shopping Center, Long Neck, Delaware.
 - 5. On front window of the entry foyer next to the inner double doors of County Bank located southeast of the intersection of County Road 298 and Long Neck Rd. (a.k.a. State of Delaware Route 23).
 - 6. On front window next to entry door of the Long Neck Dispensary, Palmer Shopping Center, Long Neck Rd., (a.k.a. State of Delaware Route 23).
 - 7. On front window next to entry door, Food Lion at the Long Neck Nanticoke Crossing Plaza.

8. On front glass next to entry door at Rite Aid in the Long Neck Nanticoke Crossing Plaza.
9. On the front window of Perry's One Stop Shop and Citgo Fuel Stop, County Road 22 (a.k.a. State of Delaware Route 23).
10. On the area of land being considered for the proposed extension of the Long Neck Sanitary Sewer District, in five (5) locations as follows:
 - a. On a driven stake near the northeastern corner of land having a tax map reference of 2-34-23.00 Parcel 218;
 - b. On a driven stake near the southeastern corner of land having a tax map reference of 2-34-23.00 Parcel 218;
 - c. On a driven stake near the southwesterly corner of land having a tax map reference of 2-34-23.00 Parcel 218.2;
 - d. On a driven stake along the northerly right of way of County Road 299, approximately 35 feet west of the right of way of County Road 298;
 - e. Along the westerly property line of a parcel of land having a tax map reference of 2-34-23.00 Parcel 218.2, approximately 75 feet south of the parcel's northwestern corner.


ROB DAVIS


PENNY MASSEY

SWORN TO AND SUBSCRIBED before me on this 28th day of Oct, A.D., 2005.


NOTARY PUBLIC

My Commission Expires _____
Jayne E. Dickerson
Notary Public
Commission Expires 4/7/07

NOTICE

PROPOSED EXPANSION TO THE LONG NECK SANITARY SEWER DISTRICT TO INCLUDE THE LANDS OF HELENE G. AND LOUIS W. BURTON

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on August 23, 2005, to consider extending the Long Neck Sanitary Sewer District (LNSSD) to include parcels of land at the intersection of County Roads 298 and 299, being in Indian River Hundred, Sussex County, Delaware. The parcels are comprised of lots 55, 56, and part of lot 80 of the Elisha A. Steele Subdivision.

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 LNSSD is described as follows:

BEGINNING at a concrete monument situate along the northerly right of way of County Road 299 at a point marking a common boundary between the herein described lands and the adjoining Lot 54 of the Elisha A. Steele Subdivision, thence by and with the common boundary of Lot 54 North 18 degrees 01 minutes 45 seconds East by and with the boundary of Lot 79 in the Elisha A. Steele Subdivision a distance of 221.15 feet to an iron pipe, said iron pipe also being on the boundary of the LNSSD; thence with said boundary South 41 degrees 55 minutes 15 seconds East 217.80 feet to an iron pipe set along the Northwesterly right of way of County Road 298; thence following said right of way and continuing with the boundary of the LNSSD, South 49 degrees 35 minutes 00 seconds West 130.95 feet to an iron pipe situated at the intersection of County Road 299; thence leaving the boundary of the LNSSD and continuing with the right of way of Road 299 North 72 degrees 12 minutes 25 seconds West 120 feet to the point of beginning.

The proposed expansion of the LNSSD is within these boundaries and said to contain 0.63 acres, more or less. The boundary description has been prepared using Sussex County Tax Map Number 2-34-23.00, a deed recorded with the Sussex County Recorder of Deeds Office on October 31, 1988 and found in Deed Book 1607 on Page 213, and Sussex County property assessment records.

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

The public hearing will be held on this issue at 7:30 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

LONG NECK SANITARY SEWER DISTRICT

BURTON EXPANSION REQUEST
AREA IS CROSSHATCHED

AUGUST 11, 2005

