

RESOLUTION R 023 01

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO ENCOMPASS A CERTAIN PIECE, PARCEL, OR TRACT OF LAND KNOWN AS THE NEW INDIAN RIVER HIGH SCHOOL, LYING CONTIGUOUS TO THE DFSSD, SITUATE SOUTH OF THE TOWN OF DAGSBORO 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 south of the Town of Dagsboro, which includes the Delaware Army National Guard, which is 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, a Memorandum of Understanding has been executed between the Sussex County Council and the Indian River School District to connect the new Indian River High School to the County sewer system; 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 new Indian River High School, as follows:**

**Beginning at a point said point being on the Dagsboro - Frankford Sanitary Sewer District boundary line, said point also being on the Dagsboro Town boundary line, said point being on the boundary line of the Prince Georges Acres subdivision, found in plot book 10 page 31 in the Sussex County Recorder of Deeds Office; thence proceeding by and with said subdivision boundary South 72°26'56" East a distance of 800 feet more or less to a point; thence proceeding South 72°21'54" East a distance of 173.11 feet to a point; thence proceeding North 17°29'29" East a distance of 175.19 feet to a point; thence proceeding North 23°15'06" East a distance of 738.32 feet to a point; thence proceeding South 54°44'24" East a distance of 83.51 feet to a point; thence proceeding North 35°14'23" East a distance of 50.00 feet to a point; thence proceeding South 55°34'36" East a distance of 58.57 feet to a point; thence proceeding North 33°53'20" East a distance of 120.00 feet to a point, said point being on the southerly ROW of CR 382; thence leaving said subdivision boundary and proceeding by and with said ROW South 59°50'37" East a distance of 259.23 feet to a point; thence proceeding South 62°24'32" East a distance of 171.52 feet to a point, said point being a property corner of lands Now or Formerly (N/F) Albert Henry & Edna Mas Steele; thence leaving said ROW and proceeding by and with said Steele lands the following three courses (1) South 23°15'06" West a distance of 424.26 feet to a point, (2) South 65°21'34" East a distance of 100.00 feet to a point, (3) North 23°14'05" East a distance of 419.11 feet to a point, said point being on the southerly ROW of CR 382; thence proceeding by and with said ROW the following two courses (1) South 62°24'32" East a distance of 78.47 feet to a point, (2) South 58°49'31" East a distance of 235.17 feet to a**



point; thence leaving said ROW and proceeding South 23°09'40" West a distance of 1784.66 feet to a point; thence proceeding South 71°55'10" East a distance of 46.20 feet to a point; thence proceeding South 32°29'57" East a distance of 323.59 feet to a point; thence proceeding South 25°18'09" East a distance of 247.47 feet to a point; thence proceeding South 45°52'52" East a distance of 411.50 feet to a point; thence proceeding South 68°09'26" East a distance of 726.21 feet to a point; thence proceeding South 20°16'42" West a distance of 157.58 feet to a point; thence proceeding South 33°01'57" West a distance of 166.54 feet to a point; thence proceeding South 45°10'10" West a distance of 55.04 feet to a point; thence proceeding South 54°54'02" West a distance of 139.43 feet to a point; thence proceeding South 42°32'11" West a distance of 30.52 feet to a point; thence proceeding South 33°14'46" West a distance of 37.41 feet to a point; thence proceeding South 13°31'30" West a distance of 116.98 feet to a point; thence proceeding South 20°32'06" West a distance of 199.32 feet to a point; thence proceeding South 43°37'02" West a distance of 73.76 feet to a point; thence proceeding South 60°08'15" West a distance of 278.63 feet; thence proceeding South 58°39'47" West a distance of 147.66 feet to a point; thence proceeding North 36°16'30" West a distance of 198.52 feet to a point; thence proceeding North 52°33'45" West a distance of 82.53 feet to a point; thence proceeding North 65°18'50" West a distance of 257.63 feet to a point; thence proceeding North 55°30'05" West a distance of 56.67 feet to a point; thence proceeding North 45°32'59" West a distance of 114.92 feet to a point; thence proceeding North 48°01'53" West a distance of 209.66 feet to a point; thence proceeding North 39°16'27" West a distance of 41.87 feet to a point; thence proceeding North 32°09'11" West a distance of 160.29 feet to a point; thence proceeding North 39°12'40" West a distance of 17.42 feet to a point; thence proceeding North 50°49'36" West a distance of 84.19 feet to a point; thence proceeding North 56°34'19" West a distance of 199.77 feet to a point; thence proceeding North 51°50'37" West a distance of 138.34 feet to a point; thence proceeding North 63°57'33" West a distance of 67.66 feet to a point; thence proceeding North 81°18" West a distance of 907.08 feet to a point; thence proceeding North 18°34'10" East a distance of 298.99 feet to a point; thence proceeding North 27°13'06" East a distance of 533.72 feet to a point; thence proceeding North 87°11'44" West a distance of 380 feet more or less to a point, said point being on the Dagsboro - Frankford Sanitary Sewer District boundary line, said point also being on the Town of Dagsboro boundary line; thence proceeding by and with said boundary line in a northerly direction a distance of 1645 feet more or less to the point of BEGINNING; and

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 023 01 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 11TH DAY OF SEPTEMBER, 2001.

  
ROBIN A. GRIFFIN  
CLERK OF THE COUNCIL

DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE )(

COUNTY OF SUSSEX )(

BE IT REMEMBERED, That the subscriber, CHRIS CALIO, 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 August 21, 2001 he was a Planning Technician II for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On August 21, 2001 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Dagsboro, Delaware.
  - 2. In the lobby of Bank of Delmar, Main and Clayton Streets, Dagsboro, Delaware.
  - 3. On the bulletin board of Frankford Library, Main Street, Frankford, Delaware.
  - 4. On the bulletin board in lobby of Frankford Town Hall, 5 Main Street, Frankford, Delaware.
  - 5. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Frankford, Delaware.
  - 6. On bulletin board inside front door of Jay's Market, Route 113 & Hickory Street, Frankford, Delaware.
  - 7. In the front lobby of Dagsboro Town Hall, 504 Main Street, Dagsboro, Delaware.
  - 8. On the bullentin board of Bodies Dairy Market, 912 Clayton Avenue, Dagsboro, Delaware.
  - 9. On the parcel of land being considered for the proposed extension of the Dagsboro-Frankford Sanitary Sewer



District, in four locations as follows:

- (1) On a post, south of County Route 382, 2396 feet +/- southwest of the intersection of State Route 26 and CR 382;
  - (2) On a post, south of CR 382, 2505 feet +/- southwest of the intersection of SR 26 and CR 382;
  - (3) On a post, south of CR 382, 2867 feet +/- southwest of the intersection of SR 26 and CR 382; and
  - (4) On a post, south of CR 382, 2983 feet +/- southwest of the intersection of SR 26 and CR 382.
10. On the bulletin board in S & J Restaurant, Main Street, Dagsboro, Delaware; and
  11. On the bulletin board in the Dagsboro Quick Stop, Routes 113 & 26, Dagsboro, Delaware.

  
CHRIS CALIO

SWORN TO AND SUBSCRIBED before me on this 21<sup>st</sup> day of August A.D., 2001.

  
NOTARY PUBLIC

My Commission Expires \_\_\_\_\_ Jayne E. Dickerson  
Notary Public  
Commission Expires 3/10/03

NOTICE

PROPOSED EXPANSION TO THE  
DAGSBORO-FRANKFORD  
SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on July 31, 2001 to consider extending the Dagsboro-Frankford Sanitary Sewer District (DFSSD) to include the lands of the Indian River School District situate, lying west of County Road 401 and south of County Road 382 and being in Dagsboro 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 DFSSD is described as follows:

Beginning at a point said point being on the DFSSD boundary line, said point also being on the Town of Dagsboro boundary line, and on the boundary line of the Prince Georges Acres subdivision, found in plot book 10 page 31 in the Sussex County Recorder of Deeds Office; thence proceeding by and with said subdivision boundary South 72°26'56" East a distance of 800 feet more or less to a point; thence proceeding South 72°21'54" East a distance of 173.11 feet to a point; thence proceeding North 17°29'29" East a distance of 175.19 feet to a point; thence proceeding North 23°15'06" East a distance of 738.32 feet to a point; thence proceeding South 54°44'24" East a distance of 83.51 feet to a point; thence proceeding North 35°14'23" East a distance of 50.00 feet to a point; thence proceeding with a chord bearing of South 55°34'36" East a distance of 58.57 feet to a point; thence proceeding North 33°53'20" East a distance of 120.00 feet to a point, said point being on the southerly ROW of CR 382; thence leaving said subdivision boundary and proceeding by and with said ROW with a chord bearing of South 59°50'37" East a distance of 259.23 feet to a point; thence proceeding South 62°24'32" East a distance of 171.52 feet to a point, said point being a property corner of lands Now or Formerly (N/F) Albert Henry & Edna Mas Steele; thence leaving said ROW and proceeding by and with said Steele lands the following three courses: (1) South 23°15'06" West a distance of 424.26 feet to a point, (2) South 65°21'34" East a distance of 100.00 feet to a point, (3) North 23°14'05" East a distance of 419.11 feet to a point, said point being on the southerly ROW of CR 382; thence proceeding by and with said ROW the following two courses: (1) South 62°24'32" East a distance of 78.47 feet to a point, (2) with a chord bearing of South 58°49'31" East a distance of 235.17 feet to a point; thence leaving said ROW and proceeding South 23°09'40" West a distance of 1784.66 feet to a point; thence proceeding South 71°55'10" East a distance of 46.20 feet to a point; thence proceeding South 32°29'57" East a distance of 323.59 feet to a point; thence proceeding South 25°09'44" East a distance of 247.47 feet to a point; thence proceeding South 45°58'18" East a distance of 411.50 feet to an iron pipe; thence proceeding South 68°31'45" East a distance of 1137.79 feet to a concrete monument, said monument being on the westerly ROW of County Road 355; thence proceeding by and with said ROW South 31°27'09" West a distance of 60.92 feet to a concrete monument; thence leaving said ROW and proceeding North 68°31'45" West a distance of 1125.98 feet to a concrete monument; thence proceeding South 20°16'42" West a distance of 97.57 feet to a point; thence proceeding South 33°01'57" West a distance of 166.54 feet to a point; thence proceeding South 45°10'10" West a distance of 55.04 feet to a point; thence proceeding South 54°54'02" West a distance of 139.43 feet to a point; thence proceeding South 42°32'11" West a distance of 30.52 feet to a point; thence proceeding South 33°14'46" West a distance of 37.41 feet to a point; thence proceeding South 13°31'30" West a distance of 116.98 feet to a point; thence proceeding South 20°32'06" West a distance of 199.32 feet to a point; thence proceeding South 43°37'02" West a distance of 73.76 feet to a point; thence proceeding South 60°08'15" West a distance of 278.63 feet; thence proceeding South 58°39'47" West a distance of 147.66 feet to a point; thence proceeding North 36°16'30" West a distance of 198.52 feet to a point; thence proceeding North 52°33'45" West a distance of 82.53 feet to a point; thence proceeding North 65°18'50" West a distance of 257.63 feet to a point; thence proceeding North 55°30'05" West a distance of 56.67 feet to a point; thence proceeding North 45°32'59" West a distance of 114.92 feet to a point; thence proceeding North 48°01'53" West a distance of 209.66 feet to a point; thence proceeding North 39°16'27" West a distance of 41.87 feet to a point; thence proceeding North 32°09'11" West a distance of 160.29 feet to a point; thence proceeding



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The proposed expansion of the DFSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Maps 2-33 11.00, 2-33 16.00 and 4-33 6.00, a Boundary Survey provided by Becker Morgan Group dated 3/16/01, and a subdivision plot of Prince Georges Acres found in the Recorder of Deeds Office in Plot Book 10 page 31.

A map outlining and describing the expansion of the DFSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 11:00 a.m. on **September 11, 2001** 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 expansion are welcome to attend. There will be an opportunity for questions and answers. The final decision on the boundary expansion 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

