

RESOLUTION NO. R 023 97

REVISION OF THE BOUNDARIES OF THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT TO EXCLUDE THREE (3) PARCELS OF LAND LOCATED WEST OF THE ASSAWOMAN CANAL AND THE TOWN OF BETHANY BEACH AND BEING SITUATE IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the Bethany Beach Sanitary Sewer District;
and

WHEREAS, the Bethany Beach Sanitary Sewer District was extended on March 11, 1997 to include the Ocean View Expansion of the Bethany Beach Sanitary Sewer District, west of the Town of Bethany Beach; and

WHEREAS, the Sussex County Council has received a letter from Michael F. Lynn dated March 21, 1997 requesting that portion of Savannah's Landing be excluded from the recently approved Ocean View Expansion of the Bethany Beach Sanitary Sewer District and incorporate it into the existing Savannah's Landing extension of the Bethany Beach Sanitary Sewer District, a copy of which letter is attached hereto and made a part hereof; and

WHEREAS, the sanitary sewer collection mains serving the parcels were installed as part of the Savannah's Landing Extension of the Bethany Beach Sanitary Sewer District ; and

WHEREAS, in accordance with 9 Del.C. §6502(a), the Sussex County Council may, upon request of the County Engineer, revise the boundaries of an established sewer district when fifty (50) or more houses have been connected by posting a public notice at four (4) public places in the district describing the new or revised boundaries; and

WHEREAS, the Sussex County Council has caused to be posted a public notice in at least four (4) public places in the district, as verified by the affidavit of Philip C. 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. §6502(b), the Sussex County Council shall, within thirty (30) days after posting the public notices, pass a formal resolution establishing the new boundaries of the district;

NOW, THEREFORE,

BE IT RESOLVED that the County Council of Sussex County, Delaware hereby revises the boundaries of the Ocean View Expansion of the Bethany Beach Sanitary Sewer District

to exclude three (3) parcels of land located west of the Assawoman Canal and the Town of Bethany Beach, as follows:

ALL that certain piece, parcel or lot of land lying and being situate in Baltimore Hundred, Sussex County, State of Delaware, being more particularly described as follows, to wit:

BEGINNING at a point being a 1/2-inch iron pipe set on the southwestern right-of-way (ROW) of State of Delaware Route 26, said pipe also being the northeastern property corner of land now or formerly (N/F) of O.K. Land, Ltd.; thence proceeding from said pipe of ROW the following eleven (11) courses and distances: (1) S 78° 46' 09" East, 74.70 feet to a 3/4-inch iron pipe; thence (2) S 08° 46' 56" West, 358.97 feet to a 1/2-inch iron pipe; thence (3) S 86° 13' 08" East, 181.35 feet to a 1/2-inch iron pipe, said pipe also being the centerline of a ditch; thence (4) S 01° 04' 34" West, 64.97 feet to a point; thence (5) S 86° 13' 08" East, 4.50 feet to a point; thence (6) S 03° 55' 42" West, 163.99 feet to a point; thence (7) S 88° 40' 23" East, 434.09 feet to a point; thence (8) N 73° 26' 31" East, 29.58 feet to a point; thence (9) N 62° 24' 19" East, 47.54 feet a point; thence (10) N 85° 47' 28" East, 123.06 feet to a point; thence (11) S 76° 28' 06" East, 55 feet more or less to a point, said point also being the old Ocean View town line proceeding with said town line in a southwesterly direction 1,350 feet more or less to a 4" x 7" concrete marker, said marker also being a property corner of lands N/F of Keen-Wilgus Partnership; thence proceeding the following two (2) courses and distances: (1) N 13° 20' 00" East, 899.54 feet to a 1/2-inch iron pipe; thence (2) N 15° 20' 19" East, 374.63 feet to the point of BEGINNING.

The above described parcel of land contains 10± acres.

BE IT FURTHER RESOLVED that Resolution No. R 016 97, except as revised herein, shall remain in full force and effect as heretofore.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to prepare maps, plans, specifications and estimates, let contracts for and supervise the construction and maintenance of, or enlarging and remodeling of, any 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 97 ADOPTED BY THE COUNTY COUNCIL OF SUSSEX
COUNTY ON THE 8TH DAY OF JULY, 1997.**



Robin A. Griffith
Clerk of the County Council