

RESOLUTION NO. R 023 99

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 DELAWARE ARMY NATIONAL GUARD, LYING CONTIGUOUS TO THE DFSSD, SITUATE EAST 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 east 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 Delaware Army National Guard to connect the Dagsboro Armory 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 affidavits of Chris Calio, a copy of which affidavits 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 that the Sussex County Council hereby revises the boundary of the Dagsboro-Frankford Sanitary Sewer District to encompass the Delaware Army National Guard, as follows:

BEGINNING at a point, said point being on the southerly right-of-way (ROW) of County Road (CR) 382, 1780± feet southeast of State Route 26, said point also being a corner of Prince George's Acres subdivision (as found in the Sussex County Recorder of Deeds Office in Plot Book 8, Page 802) and a point on the DFSSD boundary; thence proceeding in a northeasterly direction 50± feet to a point, said point being on the northerly ROW of CR 382, said point also being the southwesterly property corner of lands now-or-formerly (N/F) of the State of Delaware; thence proceeding with a curve to the left in a northerly direction with an arc of 38.72 feet to an iron pipe; thence proceeding north 32 degrees 45 minutes 21 seconds east a distance of 477.69 feet to a point; thence proceeding north 35 degrees 37 minutes 18 seconds east a distance of 76.03 feet to an iron pipe; thence proceeding south 54 degrees 22 minutes 42 seconds east a distance of 50.00 feet to an iron pipe; thence proceeding north 35 degrees 37 minutes 18 seconds east a distance of 233.27 feet to a point; thence proceeding south 19 degrees 57 minutes 46 seconds east a distance of 498.20 feet to a point; thence proceeding south 58 degrees 00 minutes 48 seconds east a distance of 264.02 feet to an iron pipe; thence proceeding south 41 degrees 27 minutes 56 seconds west a distance of 500.10 feet to an iron pipe, said iron pipe is also on the northerly ROW of CR 382; thence proceeding by and with said ROW north 59 degrees 53 minutes 35 seconds west a distance of 237.66 feet to an iron pipe; thence continuing by and with said ROW in a northerly direction a

distance of 150± feet to a point, said point being on the northerly ROW of CR 382; thence proceeding in a southerly direction a distance of 50± feet to a point, said point being on the southerly ROW of CR 382, said point also being on the DFSSD boundary; thence proceeding by and with said ROW in a northwesterly direction a distance of 290± feet 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 99 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 10TH DAY OF AUGUST, 1999.


ROBIN A. GRIFFITH
CLERK OF THE COUNTY 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 July 29, 1999 he was a Planning Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On July 29, 1999 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. In the front lobby of Wilmington Trust Company, 9 Main Street, Frankford, Delaware.
 - 7. In the front lobby of Dagsboro Town Hall, 504 Main Street, Dagsboro, Delaware.
 - 8. On the bulletin 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) Delaware Electric Cooperative
Pole 20878;
- (2) Delaware Electric Cooperative
Pole 20877;
- (3) Delaware Electric Cooperative
Pole 20876; and
- (4) Delaware Electric Cooperative
Pole 20850.


CHRIS CALIO

SWORN TO AND SUBSCRIBED before me on this 2nd day of August A.D., 1999.


NOTARY PUBLIC

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

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 July 30, 1999 he was a Planning Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On July 30, 1999 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On the bulletin board in S & J Restaurant, Main Street, Dagsboro, Delaware; and
 - 2. On the bulletin board in Dagsboro Quick Stop, Routes 113 and 26, Dagsboro, Delaware.


CHRIS CALIO

SWORN TO AND SUBSCRIBED before me on this 2nd day of August A.D., 1999.


NOTARY PUBLIC

My Commission Expires Jayne E. Dickerson
Notary Public ⁰³
Commission Expires 3/10/00

NOTICE

PROPOSED EXPANSION TO THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on July 20, 1999 to consider extending the Dagsboro-Frankford Sanitary Sewer District (DFSSD) to include Delaware Army National Guard (DANG), lying contiguous to the DFSSD, situate east of the Town of Dagsboro and being in Dagsboro Hundred, Sussex County, Delaware.

This action is in conformity with 9 Del.C., Section 6502.

A description of the property that is contiguous to and to be added to the DFSSD is described as follows:

Beginning at a point, said point being on the southerly right-of-way (ROW) of County Road (CR) 382, 1780± feet southeast of State Route 26, said point also being a corner of Prince George's Acres subdivision (as found in the Sussex County Recorder of Deeds Office in Plot Book 8, Page 802) and a point on the DFSSD boundary; thence proceeding in a northeasterly direction 50± feet to a point, said point being on the northerly ROW of CR 382, said point also being the southwesterly property corner of lands now-or-formerly (N/F) of the State of Delaware; thence proceeding with a curve to the left in a northerly direction with an arc of 38.72 feet to an iron pipe; thence proceeding North 32° 45' 21" East a distance of 477.69 feet to a point; thence proceeding North 35° 37' 18" East a distance of 76.03 feet to an iron pipe; thence proceeding South 54° 22' 42" East a distance of 50.00 feet to an iron pipe; thence proceeding North 35° 37' 18" East a distance of 233.27 feet to a point; thence proceeding South 19° 57' 46" East a distance of 498.20 feet to a point; thence proceeding South 58° 00' 48" East a distance of 264.02 feet to an iron pipe; thence proceeding South 41° 27' 56" West a distance of 500.10 feet to an iron pipe, said iron pipe is also on the northerly ROW of CR 382; thence proceeding by and with said ROW North 59° 53' 35" West a distance of 237.66 feet to an iron pipe; thence continuing by and with said ROW in a northerly direction a distance of 150± feet to a point, said point being on the northerly ROW of CR 382; thence proceeding in a southerly direction a distance of 50± feet to a point, said point being on the southerly ROW of CR 382 said point also being on the DFSSD boundary; thence proceeding by and with said ROW in a northwesterly direction a distance of 290± feet to the point of beginning.

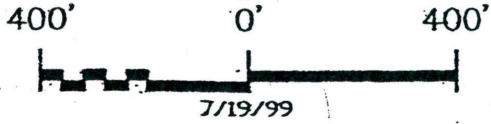
The proposed extension of the DFSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 2-33-11, and a survey prepared by Miller Lewis, Inc., Land Surveyors, Seaford, DE. Dated July 31, 1997

A map outlining and describing the extension 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 Tuesday, August 10, 1999 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.

**PROPOSED DELAWARE ARMY NATIONAL
GUARD EXPANSION OF THE DAGSBORO
FRANKFORD SANITARY SEWER DISTRICT**



AREA INVOLVED IS CROSSHATCHED

