

RESOLUTION NO. R 024 90

REVISION OF THE BOUNDARIES OF THE BETHANY BEACH SANITARY SEWER DISTRICT TO ENCOMPASS THE PRIVATE LANDS REFERRED TO AS THE SALT POND RESIDENTIAL PLANNED COMMUNITY

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

WHEREAS, the sanitary sewer district, as established, includes only the corporate limits of the Town of Bethany Beach, those private properties north of Bethany Beach along State of Delaware Route 1 south of the Indian River inlet, and Section III of Ocean Way Estates subdivision;

WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County to be referred to as the Salt Pond Residential Planned Community;

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 in four public places in the district describing the new or revised boundaries;

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 Joanna B. Johnson, Planning Technician, a copy of which affidavit and public notice are attached hereto and made a part hereof;

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 the Sussex County Council hereby revises the boundaries of the Bethany Beach Sanitary Sewer District to encompass the private lands referred to as the Salt Pond Residential Planned Community, 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 fully described as follows, to wit.

BEGINNING for the same at a point at the intersection of the centerline of Sussex County Route 360 and the centerline of Sussex County Route 357 and running thence with the centerline of said Route 360 the four (4) following courses and distances, viz.: (1) North 89 degrees 49 minutes 23 seconds East 1,951.81 feet to a point, (2) North 83 degrees 24 minutes 25 seconds East 1,304.42 feet to a point (3) South 86 degrees 54 minutes 04 seconds East 225.08 feet to a point, (4) South 81 degrees 32 minutes 34 seconds East 462.48 feet to a point; thereon thence leaving the said centerline of Route 360 and running the five (5) following courses and distances, viz.: (1) South 11 degrees 50 minutes 20 seconds West 1,539.23 feet to a point, (2) South 80 degrees 49 minutes 39 seconds East 1,443.12 feet to a point, (3) South 17 degrees 02 minutes 45 seconds West 736.27 feet to a point, (4) South 25 degrees 02 minutes 45 seconds West 1,035.72 feet to a point, (5) South 25 degrees 55 minutes 45 seconds West 236.63 feet to a point on the North side of the Bethany Beach Improvement Canal; thence running the following eleven (11) courses and distances, viz.: (1) North 82 degrees 01 minutes 48 seconds West 440.80 feet to a point, (2) South 58 degrees 04 minutes 01 seconds West 333.68 feet to a point, (3) South 78 degrees 09 minutes 30 seconds West 132.72 feet to a point, (4) North 88 degrees 01 minutes 43 seconds West 157.16 feet to a point, (5) South 00 degrees 39 minutes 31 seconds East 32.27 feet to a point, (6) North 88 degrees 00 minutes 00 seconds West 381.21 feet to a point, (7) South 88 degrees 00 minutes 00 seconds West 155.00 feet to a point, (8) South 80 degrees 00 minutes 00 seconds West 625.00 feet to a point, (9) South 79 degrees 00 minutes 00 seconds West 400.00 feet to a point,




(10) South 78 degrees 30 minutes 00 seconds West 620.00 feet to a point, (11) North 85 degrees 00 minutes 00 seconds West 375.13 feet to a point located on the East side of the Assawoman Canal; thence, North 24 degrees 53 minutes 46 seconds West 34.86 feet to a point; thence North 24 degrees 53 minutes 46 seconds West 509.13 feet to a point; thence leaving the said East side of the said Canal and running the three (3) following courses and distances, viz.: (1) North 65 degrees 06 minutes 14 seconds East 365.00 feet to a point, (2) North 24 degrees 53 minutes 46 seconds West 660.00 feet to a point, (3) South 65 degrees 06 minutes 14 seconds West 365.00 feet to a point on the East side of the aforementioned Assawoman Canal; thence along the Easterly right-of-way of the said Canal North 24 degrees 53 minutes 46 seconds West 1,826.39 feet to a point; thence, leaving said Canal and running the two following courses and distances, viz.: (1) North 29 degrees 40 minutes 00 seconds East 369.94 feet to a point, (2) North 67 degrees 11 minutes 30 seconds West 151.96 feet to a point on the East side of the aforesaid County Route 357; thence with the East side of the aforesaid County Route 357 North 28 degrees 18 minutes 30 seconds East 84.33 feet to a point; thence, leaving the said East side of said Route 357 and running the seven (7) following courses and distances, viz.: (1) South 66 degrees 48 minutes 00 seconds East 155.11 feet to a point, (2) North 24 degrees 51 minutes 00 seconds East 108.00 feet to a point, (3) South 79 degrees 00 minutes 00 seconds East 426.49 feet to a point, (4) North 19 degrees 09 minutes 00 seconds East 66.67 feet to a point, (5) North 65 degrees 24 minutes 00 seconds West 341.65 feet to a point, (6) North 28 degrees 37 minutes 00 seconds East 144.00 feet to a point, (7) North 65 degrees 28 minutes 00 seconds West 204.68 feet to a point on the East side of the aforesaid Route 357; thence along the East side of the aforesaid Route 357, the

three (3) following courses and distances: (1) North 27 degrees 44 minutes 00 seconds East 260.52 feet to a point, (2) North 26 degrees 02 minutes 00 seconds East 248.59 feet to a point, (3) North 19 degrees 37 minutes 00 seconds East 32.36 feet to a point, and thence running South 89 degrees 38 minutes 40 seconds West 17.04 feet to a point; thence running North 23 degrees 06 minutes 08 seconds East 21.18 feet to a point in the centerline of the said Route 357 being said point of beginning, said to contain a total of 378.7723 acres more or less.

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 existing statutes.

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 024 90 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 17TH DAY OF JULY, 1990.

  
Doris E. Rogers  
Clerk of the County Council



**BETHANY BEACH SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING**

STATE OF DELAWARE )(   
 :S.   
 COUNTY OF SUSSEX )(

BE IT REMEMBERED, That on this 27<sup>th</sup> day of June, A.D., 1990, personally appeared before me, the subscriber, JOANNA B. JOHNSON, known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

1. On June 21, 1990, she was a Planning Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware.
2. She did post the attached "Public Notice", prepared by the Sussex County Engineering Department, on June 21, 1990 at the following locations:
  1. Pole 616251/00002 Cedar Neck Road near intersection of Road 360.
  2. Tree on south side Road 360 approximately .4 mile from intersection at Cedar Neck Road.
  3. Tree on south side Road 360 approximately .7 mile from intersection at Cedar Neck Road.
  4. Pole 9324/07162 south side of Road 360 west of Pond Acres entrance.
  5. Tower Shores Restaurant, Route 1 on inside bulletin board.
  6. Harbor View Motel, Route 1 on office bulletin board.
  7. Beach Plum Antiques, Pennsylvania Avenue on mirror left side of entry.
  8. Bethany Beach, U. S. Post Office, Pennsylvania Avenue on inside bulletin board.
  9. Bethany Beach Town Hall, Garfield Park under bulletin board front entry.
  10. Edgehill Pharmacy, Route 26 on left wall at entry.

  
JOANNA B. JOHNSON

SWORN TO AND SUBSCRIBED before me on the day and year aforesaid.

  
NOTARY PUBLIC



**NOTICE**  
**BETHANY BEACH SANITARY SEWER DISTRICT**

The Sussex County Council voted on June 12, 1990 to consider extending the Bethany Beach Sanitary Sewer District to include the Salt Pond Residential Planned Community, a parcel of land contiguous to the Bethany Beach Sanitary Sewer District.

This action is in conformity with 9 Del.C § 6502.

A description of the property which is contiguous to and to be added to the Bethany Beach Sanitary Sewer District is described as follows:

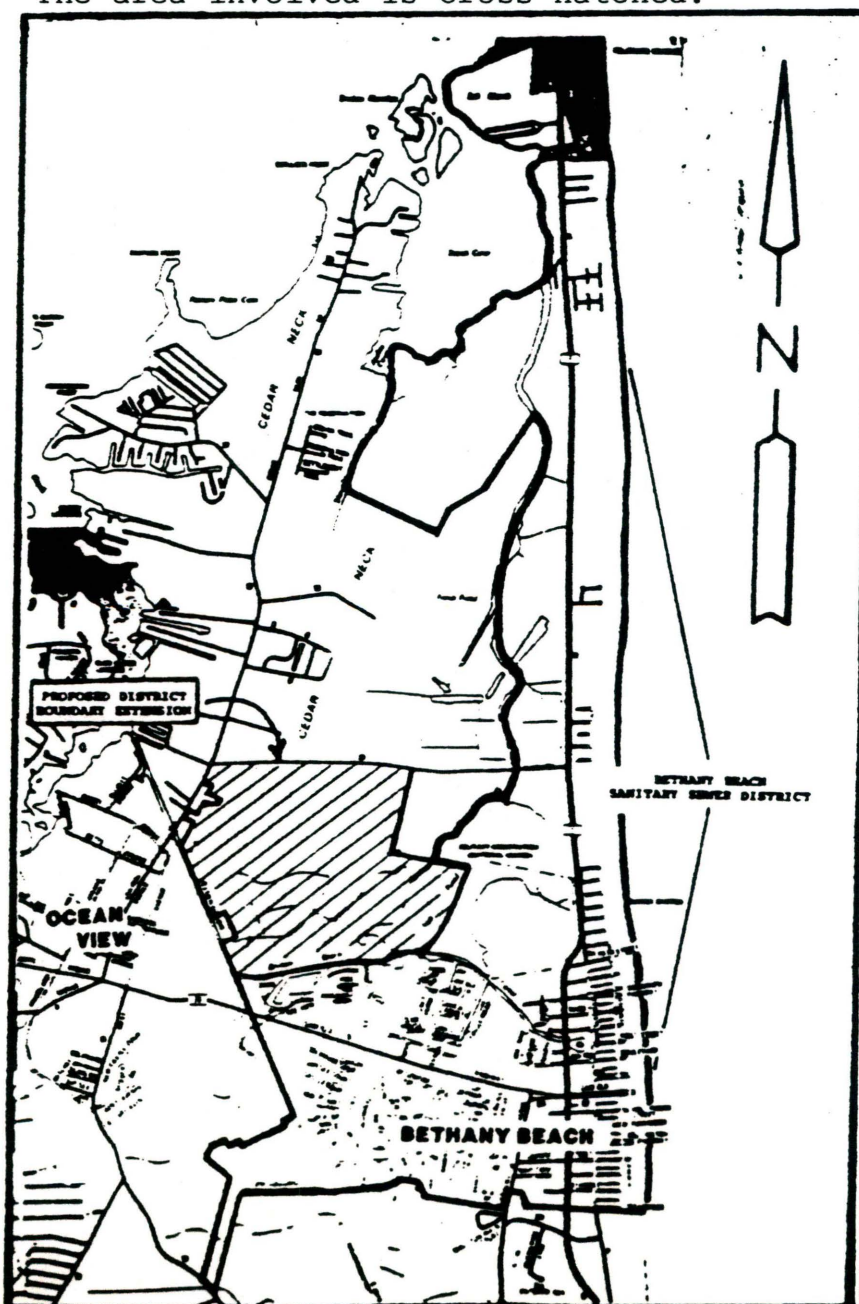
ALL those certain 10 tracts, pieces or parcels of land situate and lying north of the Town of Bethany Beach at the corner of County Road Nos. 357 and 360 in Baltimore Hundred, Sussex County, State of Delaware, and of record in the Office of the Recorder of Deeds of Sussex County in Plot Book 34, Page 256 and which are more particularly described as follows, to wit:

BEGINNING for the same at a point at the intersection of the centerline of Sussex County Route 360 and the centerline of Sussex County Route 357 and running thence with the centerline of said Route 360 the four (4) following courses and distances, viz.: (1) North 89 degrees 49 minutes 23 seconds East 1,951.81 feet to a point, (2) North 83 degrees 24 minutes 25 seconds East 1,304.42 feet to a point (3) South 86 degrees 54 minutes 04 seconds East 225.08 feet to a point, (4) South 81 degrees 32 minutes 34 seconds East 462.48 feet to a point; thereon thence leaving the said centerline of Route 360 and running the five (5) following courses and distances, viz.: (1) South 11 degrees 50 minutes 20 seconds West 1,539.23 feet to a point, (2) South 80 degrees 49 minutes 39 seconds East 1,443.12 feet to a point, (3) South 17 degrees 02 minutes 45 seconds West 736.27 feet to a point, (4) South 25 degrees 02 minutes 45 seconds West 1,035.72 feet to a point, (5) South 25 degrees 55 minutes 45 seconds West 236.63 feet to a point on the North side of the Bethany Beach Improvement Canal; thence running the following eleven (11) courses and distances, viz.: (1) North 82 degrees 01 minutes 48 seconds West 440.80 feet to a point, (2) South 58 degrees 04 minutes 01 seconds West 338.68 feet to a point, (3) South 78 degrees 09 minutes 30 seconds West 132.72 feet to a point, (4) North 88 degrees 01 minutes 43 seconds West 157.16 feet to a point, (5) South 00 degrees 39 minutes 31 seconds East 32.27 feet to a point, (6) North 88 degrees 00 minutes 00 seconds West 381.21 feet to a point, (7) South 88 degrees 00 minutes 00 seconds West 155.00 feet to a point, (8) South 80 degrees 00 minutes 00 seconds West 625.00 feet to a point, (9) South 79 degrees 00 minutes 00 seconds West 400.00 feet to a point, (10) South 78 degrees 30 minutes 00 seconds West 620.00 feet to a point, (11) North 85 degrees 00 minutes 00 seconds West 375.13 feet to a point located on the East side of the Assawoman Canal; thence, North 24 degrees 53 minutes 46 seconds West 34.86 feet to a point; thence North 24 degrees 53 minutes 46 seconds West 509.13 feet to a point; thence leaving the said East side of the said Canal and running the three (3) following courses and distances, viz.: (1) North 65 degrees 06 minutes 14 seconds East 365.00 feet to a point, (2) North 24 degrees 53 minutes 46 seconds West 660.00 feet to a point, (3) South 65 degrees 06 minutes 14 seconds West 365.00 feet to a point on the East side of the aforementioned Assawoman Canal; thence along the Easterly right-of-way of the said Canal North 24 degrees 53 minutes 46 seconds West 1,826.39 feet to a point; thence, leaving



said Canal and running the two following courses and distances, viz.: (1) North 29 degrees 40 minutes 00 seconds East 369.94 feet to a point, (2) North 67 degrees 11 minutes 30 seconds West 151.96 feet to a point on the East side of the aforesaid County Route 357; thence with the East side of the aforesaid County Route 357 North 28 degrees 18 minutes 30 seconds East 84.33 feet to a point; thence, leaving the said East side of said Route 357 and running the seven (7) following courses and distances, viz.: (1) South 66 degrees 48 minutes 00 seconds East 155.11 feet to a point, (2) North 24 degrees 51 minutes 00 seconds East 108.00 feet to a point, (3) South 79 degrees 00 minutes 00 seconds East 426.49 feet to a point, (4) North 19 degrees 09 minutes 00 seconds East 66.67 feet to a point, (5) North 65 degrees 24 minutes 00 seconds West 341.65 feet to a point, (6) North 28 degrees 37 minutes 00 seconds East 144.00 feet to a point, (7) North 65 degrees 28 minutes 00 seconds West 204.68 feet to a point on the East side of the aforesaid Route 357; thence along the East side of the aforesaid Route 357, the three (3) following courses and distances: (1) North 27 degrees 44 minutes 00 seconds East 260.52 feet to a point, (2) North 26 degrees 02 minutes 00 seconds East 248.59 feet to a point, (3) North 19 degrees 37 minutes 00 seconds East 32.36 feet to a point, and thence running South 89 degrees 38 minutes 40 seconds West 17.04 feet to a point; thence running North 23 degrees 06 minutes 08 seconds East 21.18 feet to a point in the centerline of the said Route 357 being said point of beginning, said to contain a total of 378.7723 acres more or less.

A map outlining and describing the extension is shown below. The area involved is cross-hatched.



A public hearing will be held on this issue at 10:30 a.m. on Tuesday, July 10, 1990, in the Sussex County Council Chambers, Room 115, The Courthouse, 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 at one of their regularly scheduled meetings following the hearing.

Robert W. Wood, P.E.  
Sussex County Engineer