

RESOLUTION NO. R 024 94

A RESOLUTION TO EXTEND THE BOUNDARY OF THE FENWICK ISLAND SANITARY SEWER DISTRICT TO ENCOMPASS A CERTAIN PIECE, PARCEL OR TRACT OF LAND OWNED BY CARL PEPPER, RALPH LAWRENCE AND WILMA LEE JONES, CLARENCE G. AND GERALDINE J. MURRAY AND PENINSULA OIL COMPANY, LYING CONTIGUOUS TO THE FENWICK ISLAND SANITARY SEWER DISTRICT, SITUATE NORTH OF PHASES I AND II OF KEENWICK SOUND AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the Fenwick Island Sanitary Sewer District; and

WHEREAS, letters were received by the Sussex County Council from Peninsula Oil Company, Inc. and Carl A. Pepper, dated May 19, 1994, and June 13, 1994, respectively, requesting their properties be included in the 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 west of Fenwick Island, the inclusion of the property north of Phases I and II of Keenwick Sound subdivision would 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 Anthony DiGiuseppe, 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 Fenwick Island Sanitary Sewer District to encompass the property north of Phases I and II of Keenwick Sound subdivision as follows:

BEGINNING at an iron pipe on the western right-of-way (ROW) of County Road 381, said point being a corner of lands now or formerly (N/F) of Peninsula Oil Company and said point also being 205.69 feet north of the centerline of State of Delaware Route 54; thence leaving the said ROW of 381 and continuing with said lands N/F of Peninsula Oil Company in a northwesterly direction a distance of 847.21 feet to an iron pipe where it meets the northern ROW of County Road 382; thence proceeding with said ROW in a southeasterly direction a distance of 798.45 feet to an iron pipe; thence proceeding with said ROW in a southeasterly direction a distance of 87.41 feet to an iron pipe; said point also being located on the northern ROW of State of Delaware Route 54; thence proceeding with aforementioned ROW in a northeasterly direction a distance of 177.84 feet to an iron pipe; said point also being the southeastern property corner of lands N/F of Peninsula Oil Company; thence leaving the said property and continuing with an imaginary straight line in a southerly direction a distance of 60 feet more or less to a point on the southern ROW of State of Delaware Route 54; thence proceeding along and with said ROW in a northeasterly direction a distance of 150 feet more or less to a point where it meets the northwestern property boundary of lands N/F Keenwick Sound Phases I and II, said point also being on the boundary line of the Fenwick Island Sanitary Sewer District; thence continuing in a northeasterly direction with said right-of-way and the Fenwick Island Sanitary Sewer District boundary a distance of 960 feet more or less to a point; thence leaving said boundary line and continuing with an imaginary straight line a distance of 60 feet more or less to a point where it meets the northern ROW of State of Delaware



Route 54, said point also being the southeasternmost property corner of lands N/F of Carl A. Pepper; thence leaving the said ROW and continuing with the lands N/F of Carl A. Pepper in a northwesterly, northeasterly, northwesterly, and southwesterly direction, respectively, to a point where it meets the property corner of lands N/F of Benjamin F. and Minnie B. Singletary, said point also being a property corner of lands N/F of Carl A. Pepper; thence proceeding along and with said lands N/F of Carl A. Pepper in a southeasterly, easterly, southeasterly, and westerly direction, respectively, to a point where it meets the northeastern property corner of lands N/F of Sussex County; thence proceeding along and with said lands N/F of Sussex County in a westerly direction a distance of 195 feet to a point where it meets the eastern ROW of County Road 381; thence proceeding in a westerly direction with an imaginary straight line to a point where it meets the western ROW of County Road 381; thence proceeding along and with said ROW in a southerly direction 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.

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 024 94 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 23RD DAY OF AUGUST, 1994.

  
Robin A. Griffith  
Clerk of the County Council