

RESOLUTION NO. R 025 02

SOUTH OCEAN VIEW SANITARY SEWER DISTRICT DECLARED UNDER THE PROVISIONS OF TITLE 9, CHAPTER 65, OF THE DELAWARE CODE

WHEREAS, the eligible voters of the proposed South Ocean View Sanitary Sewer District approved the creation of the sewer district by a vote of 137 to 45 in an election held on July 20, 2002; and

WHEREAS, Title 9, Delaware Code, Section 6507, requires the County Council to issue a determination of the sewer district within thirty days of its approval by the eligible voters;

NOW, THEREFORE, BE IT RESOLVED that the County Council of Sussex County, Delaware, hereby determines that the eligible voters of the South Ocean View Sanitary Sewer District have approved the creation of said district, that the description of the South Ocean View Sanitary Sewer District is described in Exhibit "A"; and that the said district is hereby declared to be validly constituted under the provisions of Title 9, Chapter 65, of the Delaware Code; 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 rights-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 structures required to provide for the safe disposal of sewage in the sanitary sewer district; and

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Finance Director and County Engineer to apply for, accept, and receive grants, loans, and other funding necessary to provide adequate financing for the planning, design, construction, and all other phases of the sanitary sewer district.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 025 02 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 6TH DAY OF AUGUST, 2002.



ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

Exhibit "A"

Description of the South Ocean View Sanitary Sewer District

BEGINNING at a point, said point being the southernmost property corner of lands Now or formerly (N/F) of Helen A., Tracy L., & Angela M. Littleton, said point also being on the South Bethany Sanitary Sewer District (SBSSD) boundary line, said point also being on the westerly ROW line of County Road (CR) 362, said point further being 177 feet more or less southwest of the intersection of CR 362 & CR 368; thence proceeding by and with said Boundary and ROW line, North $49^{\circ} 49' 53''$ East a distance of 122.49 feet to a point; thence leaving said ROW line of CR 362 and crossing County Road 362, South $40^{\circ} 05' 14''$ East a distance of 50.00 feet to a point formed by the intersection of the easterly ROW line of County Road 362 with the southerly ROW line of County Road 368; thence proceeding by and with said ROW line of County Road 368 South $67^{\circ} 27' 48''$ East a distance of 334.34 feet to a point, said point being the northeasterly property corner of lands N/F of Mabel L. Layton; thence leaving said County Road 368 ROW line and said SBSSD boundary line and proceeding in a straight line across County Road 368 a distance of 50.00 feet more or less to a point, said point being on the northerly ROW line of County Road 368, said point also being the southwesterly property corner of lands N/F of P.M. Higgins Family L.P., being also known as the subdivision of Southampton RPC, and being also a point on the boundary of the Bethany Beach Sanitary Sewer District (BBSSD); thence proceeding by and with said lands of Southampton RPC and the BBSSD boundary the following six courses: (1) North $23^{\circ} 33' 03''$ East a distance of 236.88 feet to a concrete marker, (2) North $73^{\circ} 28' 22''$ West a distance of 260.93 feet to a concrete marker, said concrete marker being on the easterly ROW line of County Road 362; (3) North $35^{\circ} 29' 57''$ East a distance of 266.92 feet, (4) North $34^{\circ} 54' 28''$ East a distance of 375.06 feet, (5) North $35^{\circ} 03' 10''$ East a distance of 335.16 feet, (6) North $34^{\circ} 43' 05''$ East a distance of 240.16 feet to an iron pipe; thence leaving said ROW line and continuing by and with said lands of Southampton RPC the following five courses: (1) South $82^{\circ} 08' 12''$ East a distance of 261.59 feet to an iron pipe set, (2) South $84^{\circ} 52' 19''$ East a distance of 352.53 feet to an iron pipe set, (3) North $89^{\circ} 41' 25''$ East a distance of 297.21 feet to an iron pipe, (4) South $89^{\circ} 04' 56''$ East a distance of 210.70 feet to an iron pipe, (5) North $83^{\circ} 20' 25''$ East a distance of 205.95 feet to an iron pipe, said iron pipe being on the westerly ROW line of CR 361; thence proceeding by and with said ROW line of County Road 361 and the lands of Southampton RPC the following three courses: (1) South $12^{\circ} 51' 10''$ East a distance of 80.98 feet to a point, (2) South $17^{\circ} 11' 18''$ East a distance of 52.76 feet, (3) South $23^{\circ} 04' 13''$ East a distance of 81.48 feet to an iron pipe, said pipe being on the westerly ROW line of CR 361, said point also being a property corner of lands N/F of Southampton R.P.C.; thence leaving said ROW line and continuing by and with said Southampton R.P.C. lands the following six courses: (1) South $81^{\circ} 04' 37''$ West a distance of 144.67 feet to an iron pipe, (2) South $05^{\circ} 25' 58''$ East a distance of 85.12 feet to an iron pipe, (3) South $84^{\circ} 19' 37''$ West a distance of 492.00 feet to an iron pipe, (4) South $40^{\circ} 40' 56''$ West a distance of 258.88 feet to an iron pipe, (5) South $82^{\circ} 40' 38''$ East a distance of 1389.71 feet to an iron pipe, (6) North $20^{\circ} 31' 42''$ East a distance of 9.78 feet to a concrete monument, said concrete monument being on the westerly ROW line of CR 361; thence proceeding in a straight line in a northeasterly direction a distance of 70.00 feet +/- to a point, said point being the southwesternmost property corner of lands N/F of Gerard N. & Mary Finiello, said point also being on the easterly ROW line of CR 361; thence proceeding by and with said ROW line a distance of 150 feet +/- to a point, said point being the southeasternmost property corner of lands N/F Gerard N & Mary Finiello; thence leaving said ROW line and proceeding by and with said Finiello lands in a northeasterly and northwesterly direction respectively a distance of 867 feet +/- to a point, said point being the southwesternmost property corner of lands N/F of Peter & Marybeth Fowler; thence proceeding by and with said Fowler lands in a northeasterly direction a distance of 223.7 feet +/- to a "T" bar, said "T" bar being the northeasternmost property corner of lands N/F of Timothy S. Elder, said point also being on the Hunter's Run subdivision boundary; thence proceeding by and with said subdivision boundary the following nine (9) courses: (1) North $53^{\circ} 19' 23''$ West a distance of 225.65 feet to a point, (2) North $74^{\circ} 37' 50''$ West a distance of 147.58 feet to a point, (3) South $16^{\circ} 29' 58''$ East a distance of 95.11 feet to a point, (4) South $05^{\circ} 47' 14''$ West a distance of 92.29 feet to a point, (5) South $70^{\circ} 07' 47''$ West a distance of 74.96 feet to a point, (6) North $82^{\circ} 02' 13''$ West a distance of 149.31 feet to an

iron pipe, (7) North 28° 58' 42" West a distance of 82.77 feet to an iron pipe, (8) South 79° 52' 21" West a distance of 413.96 feet to a point, (9) a curve to the right having a radius of 25 feet, a central angle of 61° 32' 47", an arc length of 26.85 feet, and a chord which bears North 69° 21' 15" West to an iron pipe, said iron pipe being on the easterly ROW line of CR 361; thence proceeding by and with said ROW line and subdivision boundary, a distance of 1019 feet more or less to an iron pipe located on the easterly ROW line of CR 361 and being a corner of said Hunter's Run subdivision boundary; thence proceeding in a straight line in a westerly direction a distance of 50 feet more or less to a point, said point being on the westerly ROW of CR 361; thence proceeding with said ROW in a northerly direction a distance of 434 feet more or less to a point, said point being the southeastern most property corner of lands of Providence subdivision (as found in Plot Book 65, page 329 in the Sussex County Recorder of Deeds Office), said point also being on the Ocean View Expansion of the Bethany Beach Sanitary Sewer District (OVX) boundary; thence proceeding by and with said OVX and said subdivision boundary in a westerly and northerly direction, respectively, a distance of 1429 feet more or less to a point, said point being a property corner for Quaint Acres subdivision (as found in Plot Book 11, page 90, in the Sussex County Recorder of Deeds Office), thence continuing by and with said OVX and said subdivision boundary in a northerly direction a distance of 1313 feet more or less to a point, said point being the southernmost property corner of lands N/F Georgie H. Shaw; thence leaving said subdivision boundary and continuing by and with said OVX boundary in a westerly and easterly direction respectively a distance of 370 feet more or less to a point, said point being on the Town of Ocean View boundary; thence proceeding by and with said Town boundary and continuing by and with said OVX boundary in a westerly direction a distance of 1593 feet more or less to a point, said point being on the western property line of lands N/F Mark J & Adrienne M. Bennett, said point also being on the eastern property line of lands of The Reserves, a subdivision (as found in Plot Book 62, page 18, in the Sussex County Recorder of Deeds Office); thence leaving said Town boundary and continuing by and with said OVX and The Reserves subdivision boundary in a southerly direction a distance of 2219 feet more or less to a point, said point being the southwesternmost property corner of lands N/F Quaint Acres subdivision; thence continuing by and with said OVX boundary in an easterly direction a distance of 520 feet more or less to a point, said point being on the westerly ROW of Hemlock Street; thence leaving said OVX boundary and continuing by and with The Reserves subdivision boundary and the westerly ROW line of Hemlock Street in a southerly direction a distance of 895 feet more or less to a point, said point being the northeasternmost property corner of Lot 1 Block R of Shady Dell Park subdivision (as found in Plot Book 9 Page 72, in the Sussex County Recorder of Deeds Office); thence continuing by and with The Reserves subdivision boundary and proceeding by and with said lot 1 boundary in a westerly and southerly direction, respectively, a distance of 215 feet more or less to a point, said point being the southwesternmost property corner of said lot, said point also being on the northerly ROW of Birch Street Extended and the The Reserves subdivision boundary; thence leaving said lot 1 boundary and continuing by and with said subdivision boundary and proceeding by and with said ROW of Birch Street Extended in a westerly direction a distance of 900 feet more or less to a point, said point being on the western ROW of Ginkgo Street; thence continuing by and with said subdivision boundary and proceeding by and with said ROW in a southerly direction a distance of 578 feet to a point, said point being a property corner of said Shady Dell Park subdivision, said point also being on the South Bethany Sanitary Sewer District (SBSSD) boundary line; thence leaving said The Reserves subdivision boundary and ROW of Ginkgo Street and continuing by and with said Shady Dell Park subdivision boundary and proceeding by and with said SBSSD boundary in an easterly, southeasterly, southwesterly and southeasterly directions, respectively, a distance of 2490 feet more or less to a point, said point being a property corner of lands N/F of Forest Reach L.L.C.; thence leaving said SBSSD boundary and continuing by and with said Shady Dell Park subdivision boundary, and proceeding by and with said lands N/F of Forest Reach L.L.C. in a northeasterly and easterly directions respectively a distance of 1015 feet more or less to a point, said point being the northeasternmost property corner of lands N/F of Forest Reach L.L.C., said point also being the southeastern most property corner of Shady Dell Park subdivision, said point further being on the western ROW line of CR 362; thence leaving said Shady Dell Park subdivision boundary and proceeding by and with said Forest Reach lands and said ROW line in a southerly direction a distance of 285 feet more or less to a point, said point being a property corner of lands N/F Helen A, Tracy L. & Angela M. Littleton; thence leaving said ROW and

proceeding by and with said Littleton lands in a westerly, southerly and easterly direction, respectively a distance of 511 feet more or less to the point of BEGINNING.

The South Ocean View Sanitary Sewer District is within these boundaries. A map drawn to scale indicating the boundaries of the proposed sanitary sewer district is available in the Sussex County Planning and Permits Division.