

RESOLUTION R 027 01

A RESOLUTION TO EXTEND THE BOUNDARY OF THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT (OVX) TO ENCOMPASS THE PROVIDENCE SUBDIVISION, LANDS OF GEORGIE H. SHAW, ET VIR., AND LANDS OF JOHN W. HALL, ET UX., CONTIGUOUS TO THE OVX, SITUATE SOUTH OF THE TOWN OF OCEAN VIEW, AND WEST OF COUNTY ROAD 361, AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY DELAWARE.

WHEREAS, Sussex County has established the Ocean View Expansion of the Bethany Beach Sanitary Sewer District (OVX); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County south of the Town of Ocean View, which is contiguous to the OVX, 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, 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 Chris Calio, a copy of which affidavit and public notice is attached hereto and made a part hereof; and

WHEREAS, a letter was received from Mrs. Georgie H. Shaw requesting that her property be included in the proposal; 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 OVX to encompass the Providence subdivision and lands of John W. Hall et ux., situate south of the Town of Ocean View, as follows:

BEGINNING at a point, said point being on the westerly Right-of-way (ROW) of County Road (CR) 361, said pipe being a corner for lands now-or-formerly (N/F) of William C. Shaw, said point also being on the OVX boundary; thence proceeding by and with said

ROW and OVX boundary in an southeasterly direction a distance of 260 feet more or less to a point; thence leaving the OVX boundary and continuing by and with said ROW in a southeasterly direction a distance of 932 feet more or less to an iron pipe, said pipe being a property corner for lands N/F of C.F.L. Enterprises; thence proceeding by and with said C.F.L. Enterprises lands South $79^{\circ} 03' 32''$ West a distance of 839.30 feet to a concrete monument, said monument being a corner for Shady Dell Park subdivision, found in the Sussex County Recorder of Deeds Office in Plot Book 8 pages 610, 171, 848 and Plot Book 9 page 72; thence proceeding by and with said subdivision boundary North $15^{\circ} 44' 55''$ West a distance of 587.83 feet to an iron pipe, said iron pipe being a property corner for Shady Dell Park subdivision, found in the Sussex County Recorder of Deeds Office in Plot Book 11 page 90, said iron pipe also being a property corner of Quaint Acres subdivision; thence proceeding by and with said subdivision boundary the following eight courses, (1) North $15^{\circ} 44' 58''$ West a distance of 47.41 feet to an iron pipe, (2) North $74^{\circ} 15' 02''$ East a distance of 200.00 feet to an iron pipe; (3) with a curve to the left having a delta angle of $300^{\circ} 00' 00''$, a radius of 50.00 feet, a length of 261.80 feet and a chord bearing of North $74^{\circ} 15' 02''$ East to an iron pipe, (4) North $15^{\circ} 44' 58''$ West a distance of 75.08 feet to an iron pipe, (5) North $27^{\circ} 24' 05''$ West a distance of 31.56 feet to an iron pipe, (6) North $62^{\circ} 35' 55''$ East a distance of 199.50 feet to an iron pipe, (7) North $27^{\circ} 24' 05''$ West a distance of 257.92 feet to an iron pipe, (8) North $60^{\circ} 44' 38''$ East a distance of 120.18 feet to a point, said point being the easternmost corner of lot 38 in said subdivision; thence proceeding in a northwesterly direction a distance of 166.42 feet more or less to a point on the southerly ROW of Balsa Street, said point also being the westernmost property corner of lands N/F of William C. and Georgie H. Shaw; thence proceeding with said lands in a northeasterly direction a distance of 195 feet more or less to a point, said point being on the existing OVX boundary; thence proceeding with said boundary in a southeasterly direction a distance of 200 feet more or less 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 027 01 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 16TH DAY OF OCTOBER, 2001.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

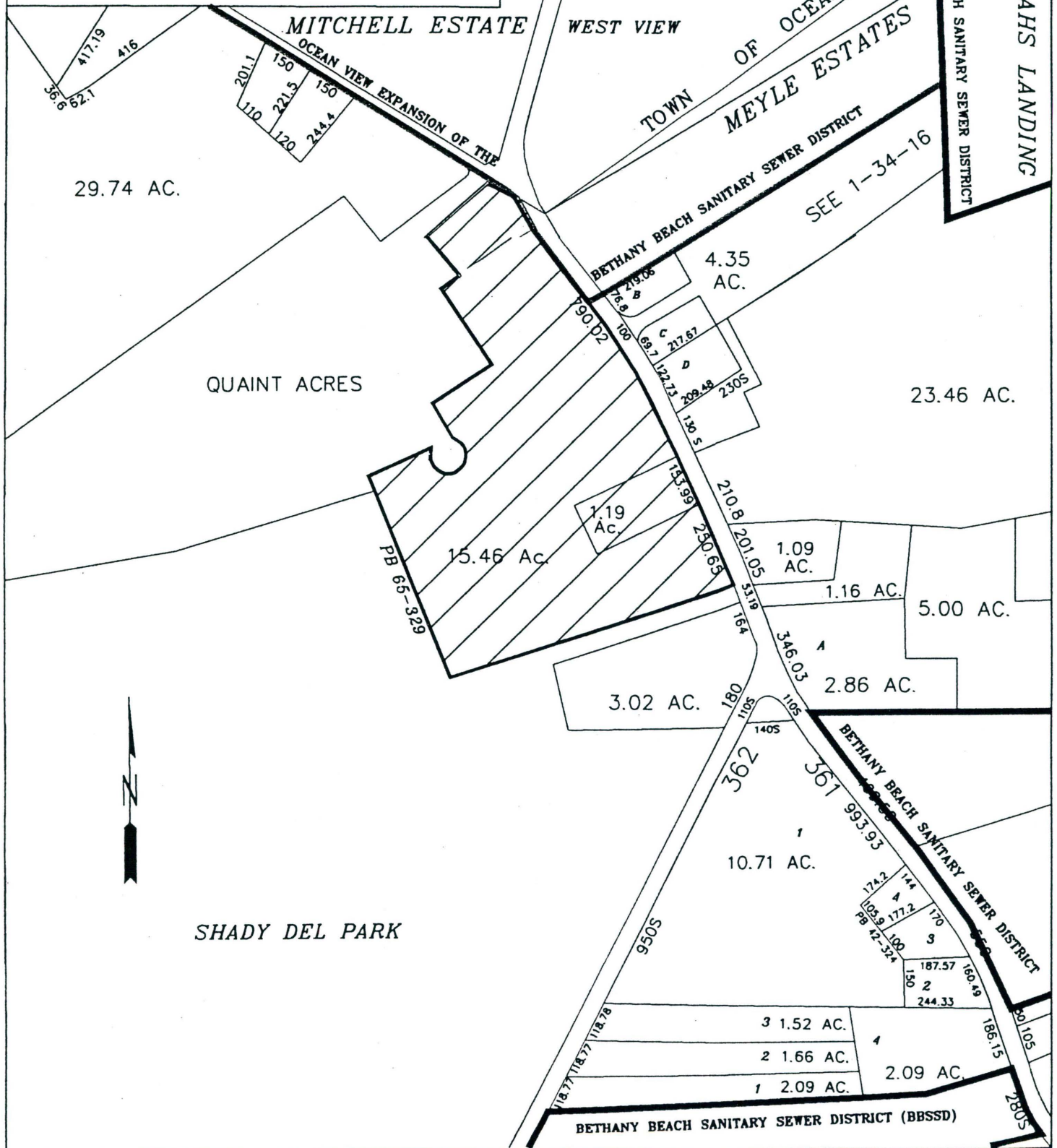
PROVIDENCE EXPANSION TO THE OCEAN
VIEW EXPANSION OF THE BETHANY
BEACH SANITARY SEWER DISTRICT



208' 0' 208'

AREA IS CROSSHATCHED

9/7/01



OCEAN VIEW EXPANSION OF THE
BETHANY BEACH SANITARY SEWER DISTRICT
AFFIDAVIT FOR PUBLIC HEARING

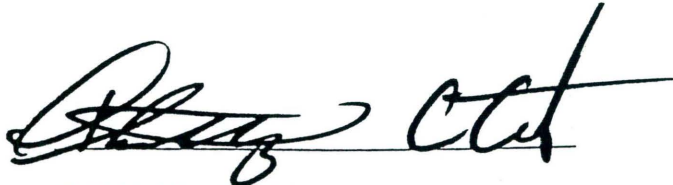
STATE OF DELAWARE)(
:
COUNTY OF SUSSEX) (

BE IT REMEMBERED, That the subscriber, PHILLIP C. 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 October 1, 2001 he was a Planning Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On October 1, 2001 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On bulletin board of Ocean View Town Hall, Oakwood Avenue, Ocean View, Delaware;
 - 2. On bulletin board of Ocean View Post Office, Route 26, Ocean View, Delaware;
 - 3. On counter of Videoworm, Route 26, Ocean View, Delaware;
 - 4. On front window of Paul Morin's carpet store, Route 26, Ocean View, Delaware;
 - 5. On bulletin board of Bethany Beach Town Hall, Garfield Parkway, Bethany Beach, Delaware;
 - 6. On bulletin board above the service counter, Baltimore Trust Company, Garfield Parkway, Bethany Beach, Delaware;
 - 7. On bulletin board of the U. S. Post Office, Pennsylvania Ave., Bethany Beach, Delaware;
 - 8. On bulletin board of Bethany Beach Wash & Fold Laundry, Route 26, Bethany Beach, Delaware;
 - 9. On bulletin board in the South Coastal Library Cultural Center, Kent Avenue,

Bethany Beach, Delaware;

10. On bulletin board in the vestibule of Delaware National Bank, Route 26, Ocean View Delaware;
11. On bulletin board in the lobby of Taylor Bank, Route 26, Ocean View, Delaware;
12. On the site of the expansion area in the following four locations:
 - (1) on a post located on the western ROW of CR 361, 500 feet more or less northwest of the intersection of CR 361 & CR 362,
 - (2) on a post located on the western ROW of CR 361, 700 feet more or less northwest of the intersection of CR 361 & CR 362,
 - (3) on a post located on the western ROW of CR 361, 950 feet more or less northwest of the intersection of CR 361 & CR 362,
 - (4) on a post located on the western ROW of CR 361, 1200 feet more or less northwest of the intersection of CR 361 & CR 362.



PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 2nd day of October
A.D., 2001.



NOTARY PUBLIC

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

NOTICE

PROPOSED EXPANSION TO THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **September 25, 2001** to consider extending the Ocean View Expansion of the Bethany Beach Sanitary Sewer District (OVX) to include the lands of **John W. Hall et ux., and the Providence subdivision**, situate, lying south of the town of Ocean View, and west of County Road 361 and being in Baltimore Hundred, Sussex County, Delaware

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

A description of the area, which is contiguous to and to be added to the OVX is described as follows:

Beginning at a point, said point being on the westerly Right-of-way (ROW) of County Road (CR) 361, said pipe being a corner for lands now-or-formerly (N/F) of William C. Shaw, said point also being on the OVX boundary; thence proceeding by and with said ROW and OVX boundary in an southeasterly direction a distance of 260 feet more or less to a point; thence leaving the OVX boundary and continuing by and with said ROW in a southeasterly direction a distance of 932 feet more or less to an iron pipe, said pipe being a property corner for lands N/F of C.F.L. Enterprises; thence proceeding by and with said C.F.L. Enterprises lands South 79° 03' 32" West a distance of 839.30 feet to a concrete monument, said monument being a corner for Shady Dell Park subdivision, found in the Sussex County Recorder of Deeds Office in Plot Book 8 pages 610, 171, 848 and Plot Book 9 page 72; thence proceeding by and with said subdivision boundary North 15° 44' 55" West a distance of 587.83 feet to an iron pipe, said iron pipe being a property corner for Shady Dell Park subdivision, found in the Sussex County Recorder of Deeds Office in Plot Book 11 page 90, said iron pipe also being a property corner of Quaint Acres subdivision; thence proceeding by and with said subdivision boundary the following eight courses, (1) North 15° 44' 58" West a distance of 47.41 feet to an iron pipe, (2) North 74° 15' 02" East a distance of 200.00 feet to an iron pipe; (3) with a curve to the left having a delta angle of 300° 00' 00", a radius of 50.00 feet, a length of 261.80 feet and a chord bearing of North 74° 15' 02" East to an iron pipe, (4) North 15° 44' 58" West a distance of 75.08 feet to an iron pipe, (5) North 27° 24' 05" West a distance of 31.56 feet to an iron pipe, (6) North 62° 35' 55" East a distance of 199.50 feet to an iron pipe, (7) North 27° 24' 05" West a distance of 257.92 feet to an iron pipe, (8) North 60° 44' 38" East a distance of 345.56 feet to the point of BEGINNING.

The proposed expansion of the OVX is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 1-34 16.00 and a Parcel Survey provided by Land Tech Inc.

A map outlining and describing the expansion of the OVX is attached. The area involved is crosshatched.

The public hearing will be held on this issue at **11:00 a.m. on October 16, 2001** 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 expansion are welcome to attend. There will be an opportunity for questions and answers. The final decision on the boundary expansion 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.

Michael A. Izzo, P.E.
County Engineer

PROVIDENCE EXPANSION TO THE OCEAN
VIEW EXPANSION OF THE BETHANY
BEACH SANITARY SEWER DISTRICT



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