

RESOLUTION R 028 01

A RESOLUTION TO EXTEND THE BOUNDARY OF THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT (OVX) TO ENCOMPASS THE WEDGEFIELD SUBDIVISION AND TWO ADJACENT PARCELS, LYING CONTIGUOUS TO THE OVX, SITUATE SOUTH OF THE TOWN OF OCEAN VIEW, AND WEST OF COUNTY ROAD 84, 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, 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 Wedgefield subdivision and two adjacent parcels, situate south of the Town of Ocean View, as follows:

BEGINNING at a point, said point being on the northeasterly right-of-way (ROW) of County Road (CR) 352, said point also being a property corner of lands now or formerly (N/F) of Sylvester E. Quillen, et ux; thence proceeding by and with said Quillen lands the following fourteen courses, (1) North 34° 02" 19' East a distance of 51.42 feet to a point, (2) North 32° 13" 20' East a distance of 96.98 feet to a point, (3) North 29° 57" 28' East a distance of 102.68

feet to a point, (4) North $31^{\circ} 04' 59''$ East a distance of 189.98 feet to a point, (5) North $34^{\circ} 23' 44''$ East a distance of 20.53 feet to a point, (6) North $62^{\circ} 10' 33''$ East a distance of 28.64 feet to a point, (7) North $74^{\circ} 49' 35''$ East a distance of 90.08 feet to a point, (8) North $56^{\circ} 41' 31''$ East a distance of 30.33 feet to a point, (9) North $51^{\circ} 03' 03''$ East a distance of 161.20 feet to a point, (10) North $55^{\circ} 42' 31''$ East a distance of 38.93 feet to a point, (11) North $67^{\circ} 30' 48''$ East a distance of 69.85 feet to a point, (12) North $61^{\circ} 16' 33''$ East a distance of 68.25 feet to a point, (13) North $55^{\circ} 31' 35''$ East a distance of 94.11 feet to a point, (14) North $64^{\circ} 33' 35''$ East a distance of 54.57 feet to a point, said point being a property corner of lands N/F of Cindy Sue Brewington, et al.; thence proceeding by and with said Brewington lands the following four courses, (1) South $63^{\circ} 41' 56''$ East a distance of 87.63 feet to a point, (2) South $65^{\circ} 07' 28''$ East a distance of 247.71 feet to a point, (3) South $66^{\circ} 21' 46''$ East a distance of 196.44 feet to a point, (4) South $70^{\circ} 24' 51''$ East a distance of 66.15 feet to a point, said point being a property corner of "Country Village", a subdivision, found in Plot Book 8 page 681 in the Sussex County Recorder of Deeds Office, said point also being on the southernmost boundary of the Ocean View Expansion of the Bethany Beach Sanitary Sewer District (OVX); thence proceeding by and with said subdivision and the OVX boundary South $68^{\circ} 03' 50''$ East a distance of 862.11 feet to an iron pipe, said iron pipe being on the northerly ROW of CR 84; thence leaving said subdivision and OVX Boundary and proceeding in a straight line in a southeasterly direction a distance of 60 feet more or less to a point, said point being on the southerly ROW of CR 84, said point also being on the South Bethany Sanitary Sewer District (SBSSD) boundary; thence proceeding by and with said ROW and SBSSD boundary in a southwesterly direction a distance of 1543 feet more or less to a point; thence leaving said ROW and SBSSD boundary and proceeding in a straight line in a northwesterly direction a distance of 60 feet more or less to a point, said point being a property corner of lands N/F of Joseph R. Irwin, said point also being on the northerly ROW of CR 84; thence leaving said ROW line and proceeding by and with said Irwin lands the following two courses, (1) North $58^{\circ} 00' 01''$ West a distance of 330.95 feet to a concrete marker, (2) South $33^{\circ} 14' 26''$ West a distance of 114.80 feet to a point, said point being on the northeasterly ROW of CR 352; thence proceeding by and with said ROW line in a southeasterly direction a distance of 348

feet more or less to a point; thence proceeding in a straight line in a southwesterly direction a distance of 50 feet more or less to a point, said point being on the southwesterly ROW of CR 352, said point also being a property corner of lands N/F of Robert R. Charney, et ux., said point also being on the westerly ROW of CR 84; thence proceeding by and with said Charney lands and said ROW in a southwesterly direction a distance of 138 feet more or less to a point, said point being a property corner of lands N/F of Louis G. and Belva J. Townsend; thence proceeding by and with said Townsend lands the following three courses, (1) a Northwesterly direction a distance of 159.02 feet, (2) South 45° 52" 56' West a distance of 269.92 feet to a concrete marker, (3) South 56° 58" 35' East a distance of 187.87 feet to a concrete marker, said marker being on the northerly ROW of CR 84; thence proceeding by and with said ROW line the following six courses, (1) South 44° 19" 23' West a distance of 55.42 feet to a point, (2) South 46° 33" 25' West a distance of 72.72 feet to a point, (3) South 47° 49" 34' West a distance of 67.68 feet to a point, (4) South 48° 20" 15' West a distance of 68.57 feet to a point, (5) South 47° 02" 48' West a distance of 70.43 feet to a point, (6) South 43° 53" 57' West a distance of 39.98 feet to a concrete marker, said concrete marker being a property corner of lands N/F of Garland A. and/or Elizabeth E. Chandler; thence leaving said ROW and proceeding by and with said Chandler lands North 26° 04" 13' West a distance of 842.33 feet to a point, said point being a property corner of lands N/F of Sylvester E. Quillen, et ux.; thence leaving said Chandler lands and proceeding by and with said Quillen lands the following five courses, (1) North 40° 48" 24' East a distance of 66.53 feet to a point, (2) North 34° 56" 48' East a distance of 185.51 feet to a point, (3) North 53° 11" 14' East a distance of 42.95 feet to a point, (4) North 62° 29" 46' East a distance of 54.34 feet to a point, (5) North 68° 05" 13' East a distance of 42.28 feet to a point, said point being on the southwesterly ROW of CR 352; thence proceeding in a straight line in a northeasterly direction a distance of 50 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 028 01 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 16TH DAY OF OCTOBER, 2001.

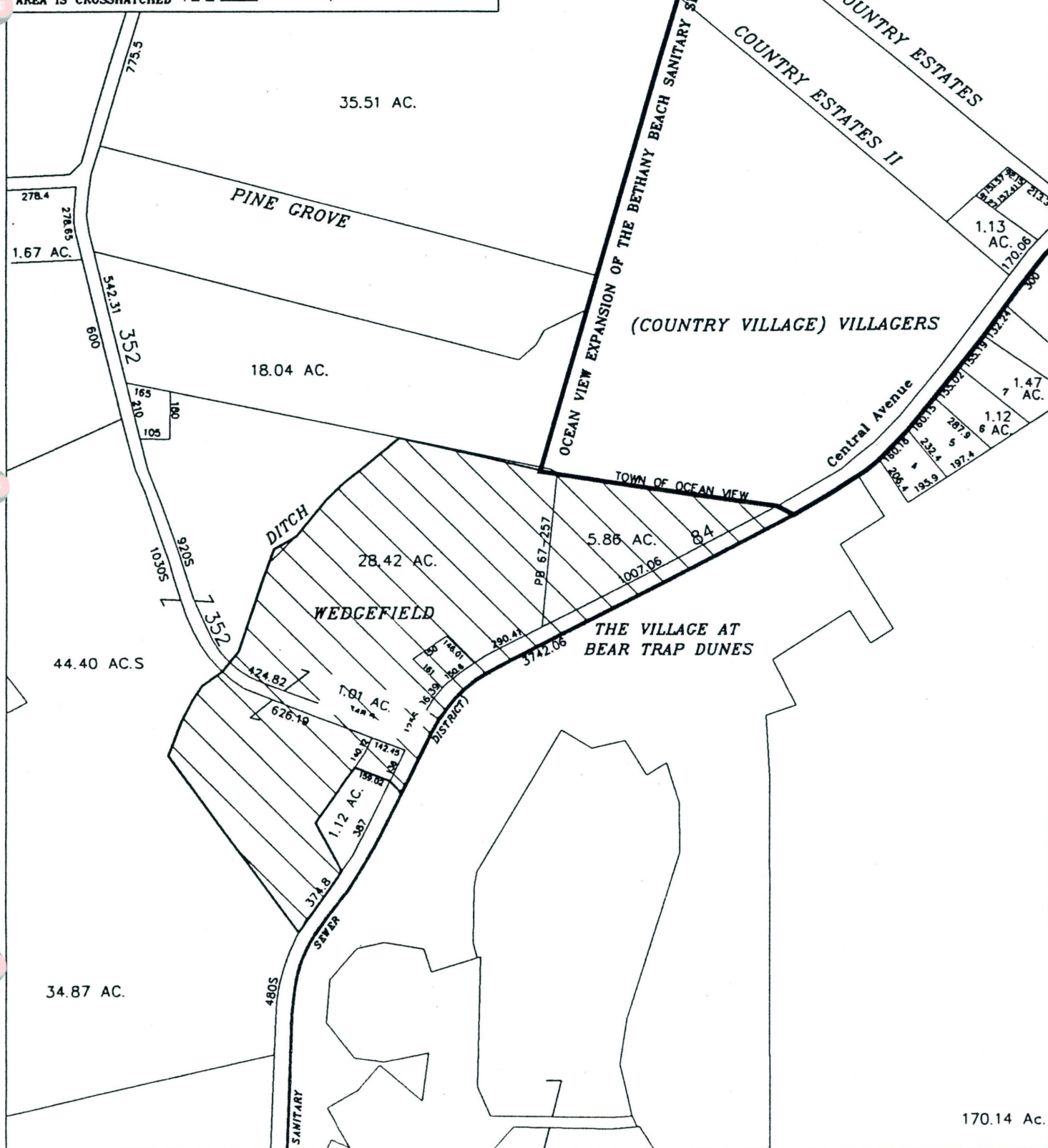


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

280' 0' 280'

9/4/01

AREA IS CROSSHATCHED



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

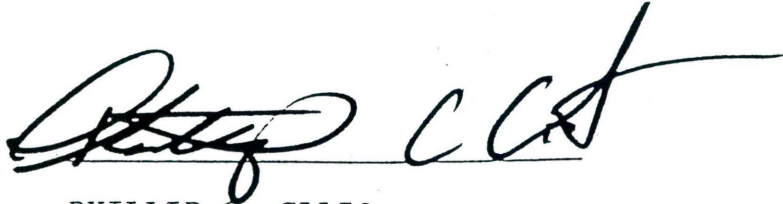
STATE OF DELAWARE) (
:
COUNTY OF SUSSEX) (

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,

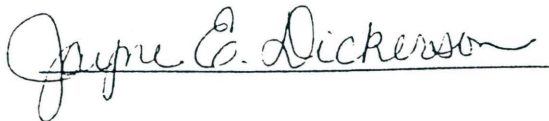
Bethany Beach, Delaware;

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 northern ROW of CR 84, 950 feet more or less northeast of the intersection of CR 84 & CR 352;
 - (2) on a post, located on the northern ROW of CR 352, 400 feet more or less west of the intersection of CR 84 & CR 352;
 - (3) on a post, located on the southern ROW of CR 352, 400 feet more or less west of the intersection of CR 84 & CR 352;
 - (4) on a post, located on the northern ROW of CR 84, 740 feet more or less southwest of the intersection of CR 84 & CR 352.



PHILLIP C. CALIO

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



NOTARY PUBLIC

Jayne E. Dickerson

My Commission Expires 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 the Wedgefield subdivision, Robert A. Charney et al. and Ruth Q. Davidson et al., situate, lying south of the town of Ocean View, and west of County Road 84 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 northeasterly right-of-way (ROW) of County Road (CR) 352, said point also being a property corner of lands now or formerly (N/F) Sylvester E. Quillen, et ux; thence proceeding by and with said Quillen lands the following fourteen courses, (1) North 34° 02' 19" East a distance of 51.42 feet to a point, (2) North 32° 13' 20" East a distance of 96.98 feet to a point, (3) North 29° 57' 28" East a distance of 102.68 feet to a point, (4) North 31° 04' 59" East a distance of 189.98 feet to a point, (5) North 34° 23' 44" East a distance of 20.53 feet to a point, (6) North 62° 10' 33" East a distance of 28.64 feet to a point, (7) North 74° 49' 35" East a distance of 90.08 feet to a point, (8) North 56° 41' 31" East a distance of 30.33 feet to a point, (9) North 51° 03' 03" East a distance of 161.20 feet to a point, (10) North 55° 42' 31" East a distance of 38.93 feet to a point, (11) North 67° 30' 48" East a distance of 69.85 feet to a point, (12) North 61° 16' 33" East a distance of 68.25 feet to a point, (13) North 55° 31' 35" East a distance of 94.11 feet to a point, (14) North 64° 33' 35" East a distance of 54.57 feet to a point, said point being a property corner of lands N/F of Cindy Sue Brewington, et al.; thence proceeding by and with said Brewington lands the following four courses, (1) South 63° 41' 56" East a distance of 87.63 feet to a point, (2) South 65° 07' 28" East a distance of 247.41 feet to a point, (3) South 66° 21' 46" East a distance of 196.44 feet to a point, (4) South 70° 24' 51" East a distance of 66.15 feet to a point, said point being a property corner of "Country Village", a subdivision, found in Plot Book 8 page 681 in the Sussex County Recorder of Deeds Office, said point also being on the southernmost boundary of the Ocean View Expansion of the Bethany Beach Sanitary Sewer District (OVX); thence proceeding by and with said subdivision and the OVX boundary South 68° 03' 50" East a distance of 862.11 feet to an iron pipe, said iron pipe being on the northerly ROW of CR 84; thence leaving said subdivision and OVX Boundary and proceeding in a straight line in a southeasterly direction a distance of 60 feet more or less to a point, said point being on the southerly ROW of CR 84, said point also being on the South Bethany Sanitary Sewer District (SBSSD) boundary; thence proceeding by and with said ROW and SBSSD boundary in a southwesterly direction a distance of 1543 feet more or less to a point; thence leaving said ROW and SBSSD boundary and proceeding in a northwesterly direction a distance of 60 feet more or less to a point, said point being a property corner of N/F Joseph R. Irwin, said point also being on the northerly ROW of CR 84; thence leaving said ROW line and proceeding by and with said Irwin lands the following two courses, (1) North 58° 00' 01" West a distance of 330.95 feet to a concrete marker, (2) South 33° 14' 26" West a distance of 114.80 feet to a point, said point being on the northeasterly ROW of CR 352; thence proceeding by and with said ROW line in a southeasterly direction a distance of 348 feet more or less to a point; thence proceeding in a straight line in a southwesterly direction a distance of 50 feet more or less to a point, said point being on the southwesterly ROW of CR 352, said point also being a property corner of lands N/F Robert R. Charney, et ux., said point also being on the westerly ROW of CR 84; thence proceeding by and with said Charney lands and said ROW in a southwesterly direction a distance of 138 feet more or less to a point, said point being a property corner of lands N/F Louis G. and Belva J. Townsend; thence proceeding by and with said Townsend lands the following three courses, (1) a Northwesterly direction a distance of 159.02 feet, (2) South 45° 52' 56" West a distance of 269.92 feet to a concrete marker, (3) South 56° 58' 35" East a distance of 187.87 feet to a concrete marker, said marker being on the northerly ROW of CR 84; thence proceeding by and with said ROW line the following six

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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 & 17.00, and two Parcel Surveys provided by Land Tech Inc. found in Plot Book 61, page 277 and Plot Book 67 Page 257 in the Sussex County Recorder of Deeds Office.

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 11:15 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

WEDGEFIELD EXPANSION OF THE OCEAN
VIEW EXPANSION OF THE BETHANY BEACH
SANITARY SEWER DISTRICT



280' 0' 280'

9/4/01

AREA IS CROSSHATCHED

