

RESOLUTION NO. R 028 88

REVISING THE BOUNDARIES OF SOUTH BETHANY SANITARY SEWER DISTRICT  
TO ENCOMPASS PROPERTIES OF MURRAY'S ENTERPRISES

**WHEREAS,** Sussex County has established the South Bethany Sanitary Sewer District; and

**WHEREAS,** the sanitary sewer district as established includes the Town of South Bethany, Sea Colony, Middlesex Beach, Bay View Park and Foxfire Meadows; and

**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 property of Murray's Enterprises; and

**WHEREAS,** in accordance with Title 9, Delaware Code, Section 6502 (a), the Sussex County Council may, upon request of the County Engineer, revise the boundaries 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 boundaries; 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 William A. Siegmund, Jr., a copy of which affidavit and public notice is attached hereto and made a part hereof; and

**WHEREAS,** in accordance with Title 9, Delaware Code, Section 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 boundary of the South Bethany Sanitary Sewer District to encompass the private lands referred to as the property of Murray's Enterprises as follows:

All that certain lot, tract, piece and parcel of land situate and lying on the corner of County Road Nos. 388 and 361 in Baltimore Hundred, Sussex County and State of Delaware, more particularly described as follows, to wit:

**BEGINNING** at an axle located at the intersection of the Southerly right-of-way line of County Road No. 368, said County Road No. 368 being 50 feet in width, with the Westerly right-of-way line of County Road No. 361, said County Road No. 361 being 70 feet in width; thence by and with the Westerly right-of-way line of County Road No. 361 along the arc of a curve to the left having a radius of 1076.74 feet for an arc distance of 158.39 feet to a point; thence continuing along the Westerly right-of-way line of County Road No. 361 and the division line of lands now or formerly of Cooper South 29 degrees 42 minutes 00 seconds East for a distance of 132.26 feet to an axle placed on the dividing line of the lands herein being conveyed and lands now or formerly of Foxfire Meadow; thence by and with the dividing line of the lands herein being conveyed and lands now or formerly of Foxfire Meadow the two (2) following courses and distances; (1) South 70 degrees 18 minutes 35 seconds West for a distance of 205.50 feet to an axle; and (2) North 29 degrees 32 minutes 40 seconds West for a distance of 320.00 feet to an axle placed on the Southerly right-of-way line of County Road No. 368; thence by and with the southerly right-of-way line of County Road No. 368 North 69 degrees 57 minutes 00 seconds East for a distance of 162.70 feet to an axle; thence continuing South 72 degrees 16 minutes 50 seconds East for a distance of 51.68 feet to the axle placed on the Westerly right-of-way line of County Road No. 361, the point and place of beginning, said to contain 1.45 acres of land, 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 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 structures required to provide for the safe disposal of sewage in the sanitary sewer district, as amended.

I DO HEREBY CERTIFY THAT THE FOREGING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 028 88 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 1ST DAY OF NOVEMBER 1988.

  
DORIS E. ROGERS  
CLERK OF THE COUNTY COUNCIL



## NOTICE

## SOUTH BETHANY SANITARY SEWER DISTRICT

The Sussex County Council voted on September 27, 1988 to consider extending the South Bethany Sanitary Sewer District to include a parcel of land contiguous to the South Bethany Sanitary Sewer District.

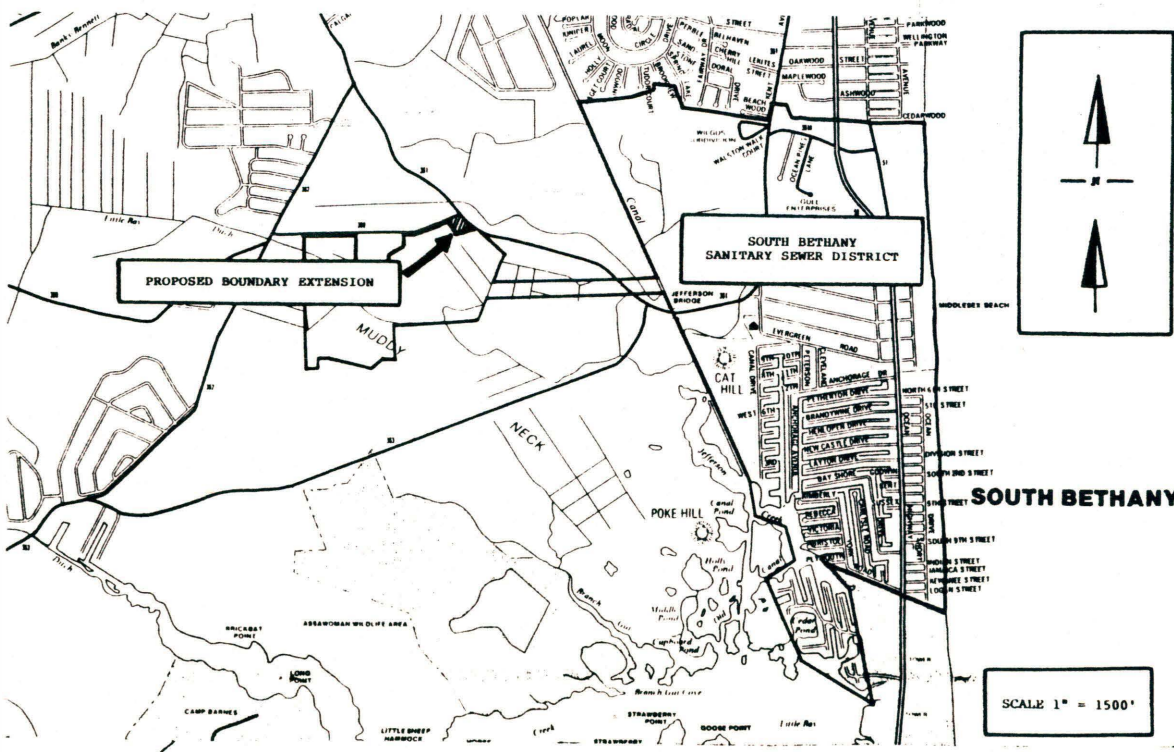
This action is in conformity with Delaware Code, Title 9, Chapter 65, Section 6502.

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

All that certain lot, tract, piece and parcel of land situate and lying on the corner of County Road Nos. 368 and 361 in Baltimore Hundred, Sussex County and State of Delaware, more particularly described as follows, to wit:

BEGINNING at an axle located at the intersection of the Southerly right-of-way line of County Road No. 368, said County Road No. 368 being 50 feet in width, with the Westerly right-of-way line of County Road No. 361, said County Road No. 361 being 70 feet in width; thence by and with the Westerly right-of-way line of County Road No. 361 along the arc of a curve to the left having a radius of 1076.74 feet for an arc distance of 158.39 feet to a point; thence continuing along the Westerly right-of-way line of County Road No. 361 and the division line of lands now or formerly of Cooper South 29 degrees 42 minutes 00 seconds East for a distance of 132.26 feet to an axle placed on the dividing line of the lands herein being conveyed and lands now or formerly of Foxfire Meadow; thence by and with the dividing line of the lands herein being conveyed and lands now or formerly of Foxfire Meadow the two (2) following courses and distances; (1) South 70 degrees 18 minutes 35 seconds West for a distance of 205.50 feet to an axle; and (2) North 29 degrees 32 minutes 40 seconds West for a distance of 320.00 feet to an axle placed on the Southerly right-of-way line of County Road No. 368; thence by and with the southerly right-of-way line of County Road No. 368 North 69 degrees 57 minutes 00 seconds East for a distance of 162.70 feet to an axle; thence continuing South 72 degrees 16 minutes 50 seconds East for a distance of 51.68 feet to the axle placed on the Westerly right-of-way line of County Road No. 361, the point and place of beginning, said to contain 1.45 acres of land, more or less.

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



For further information, please call or write Sussex County Engineering Department, 8 North Race Street, Georgetown, Delaware 19947 - (302) 855-7718.

COST ESTIMATES FOR EXTENDING SOUTH BETHANY  
WASTEWATER SERVICES TO PROPERTIES WEST OF THE  
ASSAWOMAN CANAL

ANNUAL ASSESSMENT CHARGES

	<u>Collection</u>	<u>Transmission &amp; Treatment</u>	<u>Total</u>
South Bethany Sanitary Sewer District Transmission & Treatment	N/A	\$0.58/ff	\$0.58/ff
Total	N/A	\$0.58/ff	\$0.58/ff

ff = front foot  
N/A = not applicable

ANNUAL SERVICE CHARGE ESTIMATE

\$ 125.00/EDU

EDU = Equivalent Dwelling Unit

ONE TIME CHARGES - COST ESTIMATES

Impact Fee	5.69/ff
System Expansion Fee	\$1400.00/EDU

ff = front foot  
EDU = Equivalent Dwelling Unit

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

BE IT REMEMBERED, That on this 1st day of November, A.D., 1988, personally appeared before me, the subscriber, an Engineering Technician I, with the Sussex County Engineering Department, WILLIAM A. SIEGMUND, JR., known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

1. On October 10, 1988 he was an Engineering Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware.
2. The Sussex County Engineering Department prepared a "Public Notice" proposing the extension of the South Bethany Sanitary Sewer District to include a parcel of land contiguous to the South Bethany Sanitary Sewer District to be known as the Murrays Enterprises property. Attached hereto is a copy of the Notice containing the described area to be included.
3. He did post this "Public Notice" on October 10, 1988 at the following locations:
  - (1) Intersection of 368 and 361, in a southeasterly direction 60 feet more or less.
  - (2) Intersection of 368 and 361, in a southeasterly direction 125 feet more or less.
  - (3) Intersection of 368 and 361, in a westerly direction 110 feet more or less.
  - (4) Intersection of 368 and 361, in a westerly direction 190 feet more or less.
  - (5) South Bethany Town Hall Bulletin Board.
  - (6) B & R Bait and Tackle front door, York Beach Mall.
  - (7) Shore Foods Convenience Store, Route 1.
  - (8) Shore Stop Convenience Store, Route 26.

William A. Siegmund Jr.  
WILLIAM A. SIEGMUND JR.

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

Jayne E. Dickerson  
NOTARY PUBLIC