

RESOLUTION R 029 10

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SOUTH BETHANY SANITARY SEWER DISTRICT TO INCLUDE A PARCEL OF LAND ALONG MUDDY NECK ROAD, WEST OF THE ASSAWOMAN CANAL, LYING CONTIGUOUS TO THE SOUTH BETHANY SANITARY SEWER DISTRICT, SITUATE SOUTHEAST OF THE TOWN OF OCEAN VIEW AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE (CHARLES V. RECTOR)

WHEREAS, Sussex County has established the South Bethany 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 southeast of the Town of Ocean View, the inclusion of this parcels 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 Penny Massey, a copy of which affidavit and public notice are 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 South Bethany Sanitary Sewer District to encompass a parcel of land along Muddy Neck Road, southeast of the Town of Ocean View as follows:

BEGINNING at a point situate on the northerly right of way (ROW) of Muddy Neck Road, said point being ± 125.06 southeast of the intersection of the centerlines of Beaver Dam and Muddy Neck Roads, said point also being the westernmost corner of lands, now or formerly (N/F) of Charles V. Rector and a point on the SBSSD boundary; thence by and with said lands of Rector in a northeasterly direction ± 193.82 feet to a point, said point being the northernmost corner of said lands and the easternmost corner of lands N/F of April M. Averill and Dawn L. Watson; thence by and with said lands of Rector in the following directions and distances: southeasterly ± 207.89 feet, southwesterly ± 167.89

feet to a point, said point being on the northerly ROW of Muddy Neck Road; thence by and with said ROW in a northwesterly direction ± 272.51 feet to a point, said point being that of the BEGINNING.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to prepare maps, plans, specifications, and estimates, let 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 029 10 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 30TH DAY OF NOVEMBER 2010.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

**NOTICE
PROPOSED EXPANSION TO THE
SOUTH BETHANY SANITARY SEWER DISTRICT
TO INCLUDE THE LANDS OF CHARLES V. RECTOR**

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on October 26, 2010, to consider extending the boundary of the South Bethany Sanitary Sewer District (SBSSD) to include a parcel of land along Muddy Neck Road, being in Baltimore Hundred, Sussex County, Delaware. The parcel being tax map and parcel 134-17.00-11.01. File number OM-3.13.

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 SBSSD is described as follows:

BEGINNING at a point situate on the northerly right of way (ROW) of Muddy Neck Road, said point being ± 125.06 southeast of the intersection of the centerlines of Beaver Dam and Muddy Neck Roads, said point also being the westernmost corner of lands, now or formerly (N/F) of Charles V. Rector and a point on the SBSSD boundary; thence by and with said lands of Rector in a northeasterly direction ± 193.82 feet to a point, said point being the northernmost corner of said lands and the easternmost corner of lands N/F of April M. Averill and Dawn L. Watson; thence by and with said lands of Rector in the following directions and distances: southeasterly ± 207.89 feet, southwesterly ± 167.89 feet to a point, said point being on the northerly ROW of Muddy Neck Road; thence by and with said ROW in a northwesterly direction ± 272.51 feet to a point, said point being that of the BEGINNING.

The proposed expansion of the SBSSD is within these boundaries and said to contain 1.06 acres, more or less. The boundary description has been prepared using Sussex County Tax Map Number 134-17.00, a deed recorded with the Sussex County Recorder of Deeds Office on January 19, 2005 and found in Deed Book 3829 on Page 096, and Sussex County property assessment records.

A map outlining and describing the extension to the SBSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 11:00 a.m. on Tuesday, November 30, 2010 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 extension are welcome to attend. There will be an opportunity for questions and answers. The Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension.

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 – (302) 855-7718.

Michael A. Izzo, P E.
County Engineer

PROPOSED EXPANSION OF THE
SOUTH BETHANY SANITARY SEWER DISTRICT
CHARLES V. RECTOR
AFFIDAVIT FOR PUBLIC HEARING

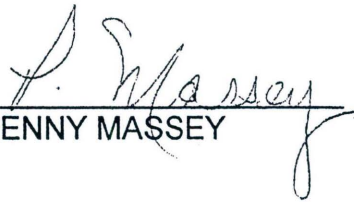
STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED, that the subscriber, PENNY MASSEY 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 November 9, 2009, she was a Planning Technician for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On November 9, 2009 she did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On a wooden stake located near the STOP sign at the entrance to Bethany Meadows subdivision on Foxfire Drive
 - 2. On a wooden stake located near the STOP sign at the intersection of Beaver Dam and Muddy Neck Roads
 - 3. On a wooden stake located near the STOP sign at the entrance of Clearwater subdivision on Oceanside Parkway
 - 4. On a wooden stake located near the STOP sign at the entrance of Bethany Meadows subdivision on Bethany Breeze Drive
 - 5. On a wooden stake located at the southeast corner of property of Charles V. Rector being annexed into sewer district
 - 6. On a Diamond State telephone pole, #DS09-AC18F located near the southeast side of the driveway situated on the property of Charles V. Rector being annexed into sewer district
 - 7. On a wooden stake located near the northwestern side of the driveway situated on the property of Charles V. Rector being annexed into the sewer district

8. On a wooden stake located near the northwestern corner of the property of Charles V. Rector being annexed into the sewer district


PENNY MASSEY

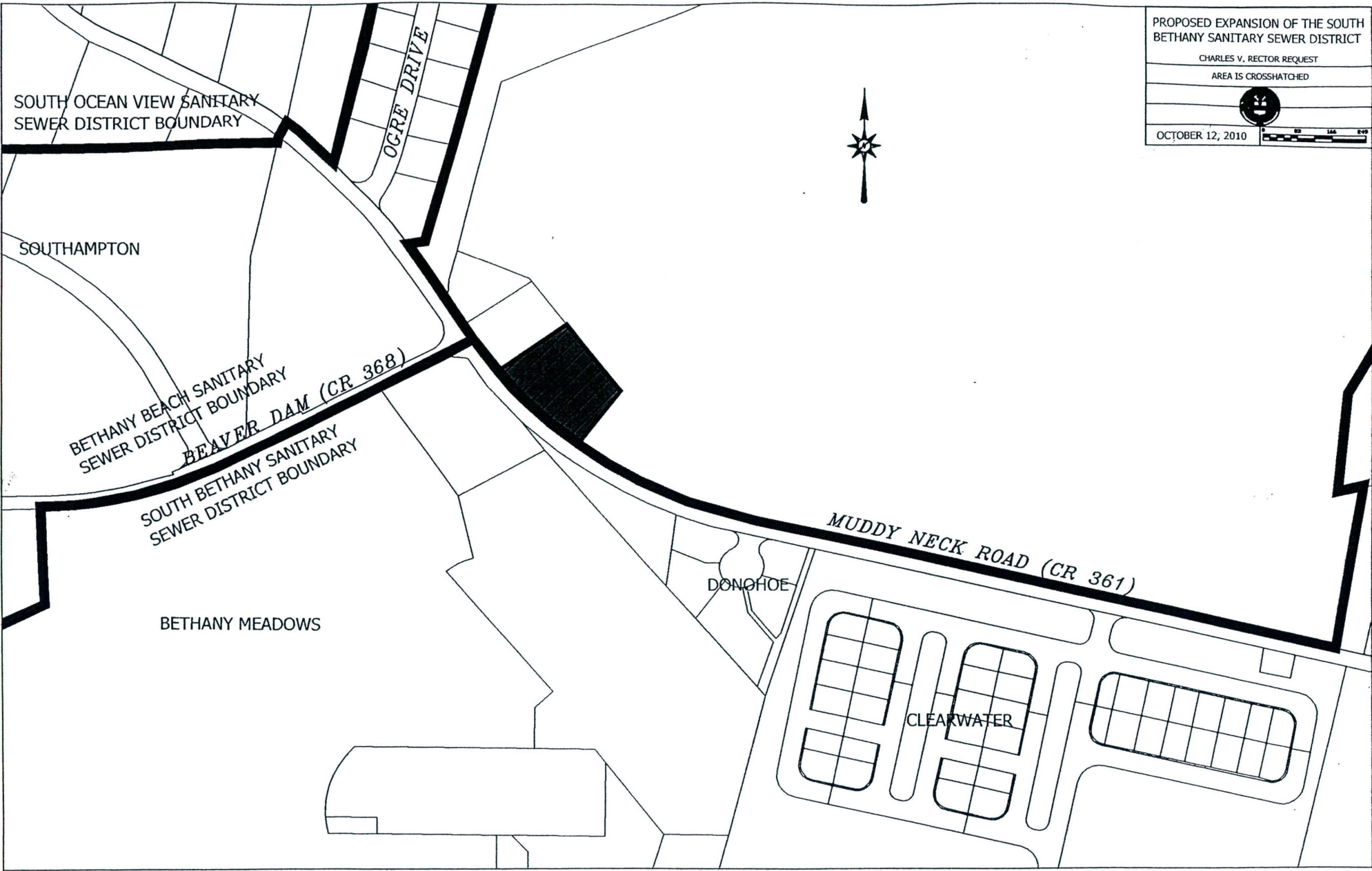
SWORN TO AND SUBSCRIBED before me on this 10th day of Nov A.D., 2010.


NOTARY PUBLIC

Jayne E. Dickerson
Notary Public

Commission Expires 4/7/2011

My Commission Expires _____



PROPOSED EXPANSION OF THE SOUTH
BETHANY SANITARY SEWER DISTRICT

CHARLES V. RECTOR REQUEST

AREA IS CROSSHATCHED

OCTOBER 12, 2010