

RESOLUTION NO. R 030 10

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (WRSSD) TO INCLUDE PARCELS OF LAND ALONG THE SOUTHERLY SIDE OF STATE OF DELAWARE ROUTE 24, WEST OF THE TOWN OF REHOBOTH BEACH, BEING SITUATE IN THE LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE (HEROLA FAMILY LLC)**

**WHEREAS, Sussex County has established the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRSSD); and**

**WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County surrounded by and contiguous to the WRSSD, 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 Rob Davis, 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 WRSSD to include parcels of land along State of Delaware Route 24, as follows:**

**BEGINNING at a point situate on the westerly boundary of lands now or formerly (N/F) of the Hood family LLC, said point being  $\pm 550.00$  feet southeast from the centerline of John J Williams Hwy and a point along the WRSSD boundary; thence by and with said boundary in the following distances and directions: northwesterly  $\pm 139.64$  feet, southwesterly  $\pm 299.94$  feet, northwesterly 507.18 feet, southwesterly 534.38 feet, southeasterly  $\pm 335.42$  feet, northeasterly  $\pm 38.10$  feet and southeasterly  $\pm 50.00$  feet to a point, said point being along the southerly right of way (ROW) of a private road (Hood**

Rd); thence by and with said ROW in a easterly direction  $\pm 556.49$  to a point, said point being that of the 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; 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 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 030 10 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 30TH DAY OF NOVEMBER 2010.

  
ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

WEST REHOBOTH EXPANSION OF THE  
DEWEY BEACH SANITARY SEWER DISTRICT  
THE HEROLA FAMILY LLC PHASE II EXPANSION  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE )(


COUNTY OF SUSSEX )(

BE IT REMEMBERED That the subscriber, ROB DAVIS, 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 8, 2010 he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware, and
- B. On November 8, 2010 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  1. On community bulletin board, U.S. Post Office, Five Points Plaza, 1111 Highway One, Nassau, Delaware.
  2. On Conectiv pole 59519/07336, intersection of Savannah Road and Ritter Lane/Dove Drive, Lewes, Delaware.
  3. On Conectiv pole 58287/07197, intersection of County Road 265 and Edgewater Drive, Lewes, Delaware.
  4. On window in foyer, Happy Harry's, 1549 Savannah Road, Lewes, Delaware.
  5. On parcels of land being considered for the proposed extension of the West Rehoboth Expansion Area in four locations as follows:
    - a. On a driven stake near the northern property corner of parcel 3-34-12.00-127.09;
    - b. On a driven stake near the easterly property corner of parcel 3-34-12.00-127.09;
    - c. On a driven stake near the southerly property corner of parcel 3-34-12.00-127.07;



- d. On a wooden sign post at a point located in a northeasterly direction approximately 75 feet from the westerly property corner of parcel 3-34-12.00-127.07.
6. On window near main entrance of PNC Bank, Route One & Sea Air Avenue, Rehoboth Beach, Delaware.
  7. On ice machine near the check out counter, next to main entrance of, Bay Road Package Store, 20859 Coastal Highway, Rehoboth Beach, Delaware.
  8. Given to town official for display in community bulletin case next to front entry door, Dewey Beach Town Hall, 105 Rodney Avenue, Dewey Beach, Delaware.
  9. On window next to entry door, Beach Shop/Exxon Service Station, intersection of Route One & Swedes Street, Dewey Beach, Delaware.
  10. In vestibule of the Delaware National Bank, Route One & Church Street, Rehoboth Beach, Delaware.
  11. On bulletin board in Wawa Market, Route One and Wolfe Neck Road (County Road 270), Rehoboth Beach, Delaware.
  12. On bulletin board, Wawa Food Market, Route One and Dartmouth Drive, Lewes, Delaware.

  
ROB DAVIS

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

  
NOTARY PUBLIC

Jayne E. Dickerson  
Notary Public  
Commission Expires 4/7/2011

My Commission Expires \_\_\_\_\_.

**NOTICE  
PROPOSED EXPANSION  
OF THE WEST REHOBOTH EXPANSION OF THE  
DEWEY BEACH SANITARY SEWER DISTRICT  
TO INCLUDE LANDS NOW OR FORMERLY OF  
THE HEROLA FAMILY LLC**

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on October 26, 2010 to consider extending the boundary of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRSSD) to include parcels of land along State Route No. 24 (John J. Williams Hwy), west of the town of Rehoboth Beach, being in the Lewes and Rehoboth Hundred, Sussex County, Delaware. The parcels being tax map 334-12.00 parcels 127.07, 127.08, 127.09 & part of 127.10. File number OM 9.13-AF

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 WRSSD is described as follows:

BEGINNING at a point situate on the westerly boundary of lands now or formerly (N/F) of the Hood family LLC, said point being  $\pm 550.00$  feet southeast from the centerline of John J Williams Hwy and a point along the WRSSD boundary; thence by and with said boundary in the following distances and directions: northwesterly  $\pm 139.64$  feet, southwesterly  $\pm 299.94$  feet, northwesterly 507.18 feet, southwesterly 534.38 feet, southeasterly  $\pm 335.42$  feet, northeasterly  $\pm 38.10$  feet and southeasterly  $\pm 50.00$  feet to a point, said point being along the southerly right of way (ROW) of a private road (Hood Rd); thence by and with said ROW in a easterly direction  $\pm 556.49$  to a point, said point being that of the BEGINNING.

The proposed expansion of the WRSSD is within these boundaries and said to contain  $\pm 5.94$  acres, more or less. The boundary description has been prepared using Sussex County Tax Map Number 334-12.00

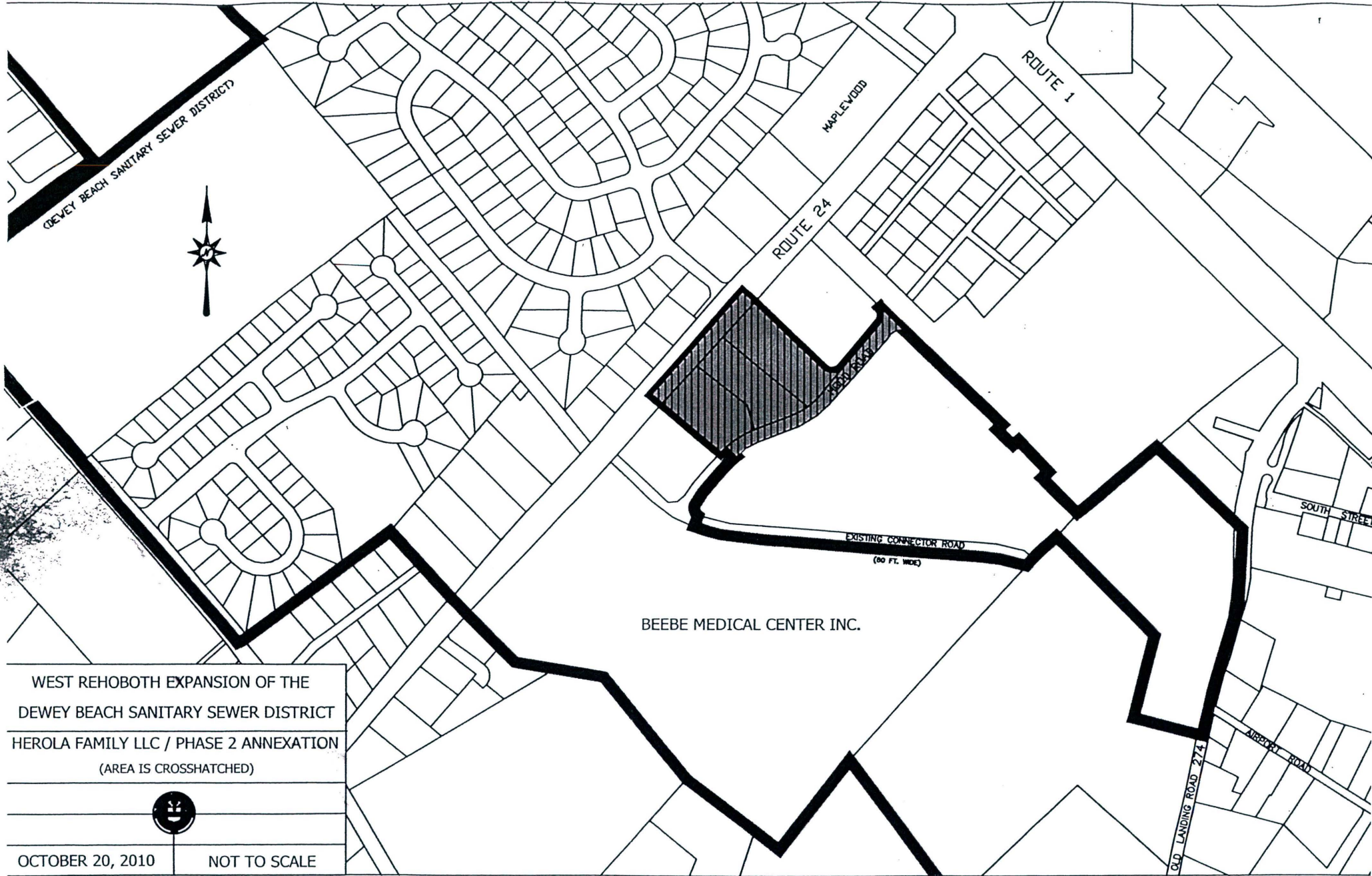
A map outlining and describing the extension to the WRSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 11:15 a.m. on 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





WEST REHOBOTH EXPANSION OF THE  
DEWEY BEACH SANITARY SEWER DISTRICT  
HEROLA FAMILY LLC / PHASE 2 ANNEXATION  
(AREA IS CROSSHATCHED)



OCTOBER 20, 2010      NOT TO SCALE