

RESOLUTION NO. R 030 17

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) ANGOLA NECK AREA, TO INCLUDE THE JOY BEACH AREA, SEVERAL PARCELS OF LAND ALONG THE EAST SIDE OF CAMP ARROWHEAD ROAD, HAPPY GO LUCKY AND BOTH SIDES OF BOOKHAMMER LANDING ROAD LOCATED IN THE INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE

WHEREAS, Sussex County has established the Sussex County Unified Sanitary Sewer Sanitary Sewer District (SCUSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County in the vicinity of Joy Beach, the inclusion of this area 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 Phillip C. 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 ninety 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 SCUSSD to encompass the lands mentioned above in the Joy Beach area and further described as follows:

BEGINNING at a point, said point being on the SCUSSD boundary, said point also being the southeasternmost property corner of lands N/F Roger P. Edwards, said point further being the northeasternmost property corner of lands N/F of Jay R. & Carol L. Bachman; thence proceeding by and with said SCUSSD boundary the following courses and distances: 1) northwesterly 650' +/-, 2) southwesterly 790' +/-, 3) westerly 400' +/-, 4) northwesterly 160' +/-, 5) northeasterly 550' +/- to a point, said point being the northeasternmost property corner of lands N/F of Brian L. & Lisa D. White, said point also being the southeasternmost property corner of lands N/F of Virginia Carolyn Quigley, said point further being on the westerly ROW of Camp Arrowhead Road; thence leaving said SCUSSD and proceeding by and with said ROW in a northerly direction a distance of 1,775' +/- to a point, said point being on the easternmost property line of lands N/F of Clyde Eric Quigley; thence leaving said ROW and Quigley lands and proceeding in an easterly direction a distance of 50' +/- to a point, said point being on the easterly ROW of Camp Arrowhead Road, said point also being the northwesternmost property corner of lands N/F of Audrey R. Lord & J. Phillip Simmons, said point also being the southwesternmost property corner of lands N/F of Beonica L. Duffy; thence leaving said ROW and proceeding by and with said Simmons lands in a northeasterly direction a distance of 1,200' +/- to a point, said point being

the northeasternmost property corner of lands N/F of Audrey R. Lord & J. Phillip Simmons, said point also being on the westerly property line of Lands N/F of State of Delaware; thence leaving said Simmons lands and proceeding by and with said State lands the following courses and distances; 1) southeasterly 1,400' +/-, 2) southeasterly – 360' +/- to a point; said point being on the northerly ROW of Waterview Road; thence leaving said State lands and ROW and proceeding in an easterly direction across Waterview Road a distance of 75' +/- to a point, said point being on the easterly ROW of Waterview Road, said point also being the westernmost property corner of other lands N/F of State of Delaware; thence proceeding by and with said State lands the following courses and distances: 1) northeasterly 2,477' +/-, 2) southeasterly 246' +/-, 3) northeasterly 1,600' +/-, 4) southeasterly 1,200' +/- to a point, said point being the southeasternmost property corner of lands N/F of State of Delaware, said point also being on the northerly ROW of Hunt Club Road; thence leaving said State of Delaware lands and proceeding in a southerly direction a distance of 75 feet to a point, said point being on the southerly ROW of Hunt Club Road, said point also being the northeasternmost property corner of lands N/F of Brain M Attallian & Nicole A. Flora, said point also being the northeasternmost property corner of Joy Beach, a subdivision, said point further being on the Indian River Bay; thence proceeding by and with said subdivision boundary in a southerly, easterly and southerly directions respectively a total distance of 1,308 feet +/- to a point, said point being the southeasternmost property corner of lands N/F of Anthony J. Massetti, said point also being on the northerly ROW of Bookhammer Landing Road; thence proceeding across said road in a southerly direction a distance of 50' +/- to a point, said point being on the southerly ROW of Bookhammer Landing Road, said point also being the northeasternmost property corner of Eugene Bookhammer subdivision, found in Plot Book 39 page 285; thence proceeding by and with said subdivision boundary in a southerly, westerly, northerly direction respectively a total distance of 1,060' +/- to a point, said point being the northwesternmost property corner of said subdivision, said point also being a property corner of lands N/F John S. & Samuel J. Burton Farm Preserve LLC, said point further being on the southerly ROW of Bookhammer Landing Road; thence proceeding by and with said Burton lands in a westerly, southerly, westerly, northerly, westerly, southerly and westerly direction respectively a total distance of 5,930' +/-, to a point, said point being the southwesternmost property corner of lands N/F of Shelia K & Roger A. Galbraith, said point also being a property corner of Bay Woods, a subdivision found in Plot Book 52 page 82; thence leaving said Burton lands and proceeding by and with said Bay Woods boundary in a westerly direction a distance of 750' +/-, said point being on the southwesternmost property corner of lands N/F of Rachel Bullock Brockway & Jeremy R. Brockway, said point also being the southeasternmost property corner of an open area parcel of Bay Oaks Homeowners Association; thence leaving said subdivision boundary and proceeding by and with said HOA parcel in a westerly and northerly direction respectively a distance of 124' +/- to a point, said point being on the easterly ROW of Bay Oak Drive; thence proceeding across Bay Oak Drive in a westerly direction a distance of 50' +/- to a point, said point being on the westerly ROW of Bay Oak Drive, said point also being on the southeasternmost property corner of another Open Area lot of Bay Oaks Homeowners Association; thence proceeding in a westerly direction a distance of 50.34' to a point, said

point being on the southerly boundary of Bay Woods; thence proceeding by and with said Bay Woods boundary in a westerly direction a distance of 200' +/- to a point, said point being the northeasternmost property corner of lands N/F of Adele H. Fluharty, said point also being on the westerly boundary of Bay Oaks subdivision, found in Plot Book 68 page 131; thence proceeding by and with said subdivision boundary in a southerly direction a distance of 865' +/- to a point, said point being that of the BEGINNING.

NOTE: The above description has been prepared using Sussex County Tax Map 234-12.00 and Sussex County property assessment records.

A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

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 authorized 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 030 17 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 7TH DAY OF NOVEMBER 2017.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL