

RESOLUTION R 031 01

A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO INCLUDE DELAWARE AVENUE EXTENDED, LYING EAST OF STATE OF DELAWARE ROUTE 113 AND SOUTH OF THE TOWN OF FRANKFORD, AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE

WHEREAS, Sussex County has established the Dagsboro-Frankford 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 south of the Town of Frankford, which includes Delaware Avenue Extended, which is contiguous to the DFSSD, 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 affidavits 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 Dagsboro-Frankford Sanitary Sewer District to encompass Delaware Avenue Extended, as follows:


Beginning at a point, said point being on the DFSSD boundary, said point also being on the property line of lands Now or Formerly (N/F) of Timothy W. & Stacey L. Purnell; thence proceeding by and with said Purnell lands in a southerly direction a distance of 302

feet more or less to a point, said point being a property corner of lands N/F of Timothy W. & Stacey L. Purnell; thence proceeding by and with said Purnell lands in an easterly direction a distance of 603 feet more or less to a point, said point being a property corner of lands N/F Harvey L. & Joann E. Jenkins; thence continuing by and with said Jenkins lands in a southwesterly direction a distance of 92 feet more or less to a point, said point being a property corner of lands N/F Wesley H. Hayes Sr.; thence proceeding by and with said Hayes lands in a southwesterly direction a distance of 876 feet more or less to a point, said point being the northwesterly property corner of lands N/F of Alice Godwin-Smith; thence proceeding by and with said Godwin-Smith lands in a southwesterly direction a distance of 100 feet more or less to a point, said point being the northwesterly property corner of lands N/F of Hilton Spence, thence proceeding by and with said Spence lands in a southerly direction a distance of 238 feet more or less to a point, said point being a property corner of lands N/F Fentrel L. & Barbara Church; thence proceeding by and with said Church lands in an easterly direction a distance of 251 feet more or less to a point, said point being on the westerly Right-of-way ROW of State Road 54A; thence proceeding in a straight line in an easterly direction a distance of 50 feet more or less to a point, said point being on the easterly ROW of State of Delaware Route 54A; thence proceeding by and with said ROW in a northerly direction a distance of 1287 feet more or less to a point, said point being on the easterly ROW of Penn Central Railroad, thence proceeding by and with said Penn Central ROW in a southerly direction a distance of 211 feet more or less to a point, said point being on the westerly ROW of Penn Central Railroad; thence proceeding in a straight line in an easterly direction a distance of 70 feet more or less to a point, said point being on the easterly ROW of Penn Central Railroad, said point also being the southernmost property corner of lands N/F of Dora Bell; thence proceeding by and with said Bell lands in an easterly and northerly direction respectively a distance of 472 feet to a point, said point being on the Dagsboro-Frankford Sanitary Sewer District Boundary; thence proceeding by and with said Boundary in a westerly direction a distance of 1312 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 031 01 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 4TH DAY OF DECEMBER, 2001.

  
ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL



DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE )(

COUNTY OF SUSSEX )(

BE IT REMEMBERED, That the subscriber, CHRIS 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 November 7, 2001 he was a Planning Technician II for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On November 7, 2001 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Dagsboro, Delaware.
  - 2. In the lobby of Bank of Delmarva, Main and Clayton Streets, Dagsboro, Delaware.
  - 3. On the bulletin board of Frankford Library, Main Street, Frankford, Delaware.
  - 4. On the bulletin board in lobby of Frankford Town Hall, 5 Main Street, Frankford, Delaware.
  - 5. On the bulletin board in lobby of U. S. Post Office, Clayton Street, Frankford, Delaware.
  - 6. On bulletin board inside front door of Jay's Market, Route 113 & Hickory Street, Frankford, Delaware.
  - 7. In the front lobby of Dagsboro Town Hall, 504 Main Street, Dagsboro, Delaware.
  - 8. On the bulletin board of Bodies Dairy Market, 912 Clayton Avenue, Dagsboro, Delaware.
  - 9. On the area of land being considered for the proposed extension of the Dagsboro-Frankford Sanitary Sewer

District, in four locations as follows:

- (1) On a post, east of Delaware Ave.  
Extended, 840 feet +/- south of Mill Street;
  - (2) On a post, east of Delaware Ave.  
Extended, 1313 feet +/- south of Mill Street;
  - (3) On a post, east of Delaware Ave.  
Extended, 1607 feet +/- south of Mill Street; and
  - (4) On a post, east of Delaware Ave.  
Extended, 2207 feet +/- south of Mill Street.
10. On the bulletin board in S & J Restaurant, Main Street, Dagsboro, Delaware; and
11. Inside front door of Bodies Dairy Market, 912 Main Street, Dagsboro, Delaware

  
CHRIS CALIO

SWORN TO AND SUBSCRIBED before me on this 7<sup>th</sup> day of Nov A.D., 2001.

  
NOTARY PUBLIC

My Commission Expires \_\_\_\_\_ Jayne E. Dickerson  
Notary Public  
Commission Expires 3/10/03



## NOTICE

### PROPOSED EXPANSION TO THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **November 6, 2001** to consider extending the Dagsboro-Frankford Sanitary Sewer District (DFSSD) to include an area along Delaware Avenue Extended, situate, lying east of State of Delaware Route 113 and south of the Town of Frankford, and being in Dagsboro 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 DFSSD is described as follows:

BEGINNING at a point, said point being on the DFSSD boundary, said point also being on the property line of lands Now or Formerly (N/F) of Timothy W. & Stacey L. Purnell; thence proceeding by and with said Purnell lands in a southerly direction a distance of 302 feet more or less to a point, said point being a property corner of lands N/F of Timothy W. & Stacey L. Purnell; thence proceeding by and with said Purnell lands in an easterly direction a distance of 603 feet more or less to a point, said point being a property corner of lands N/F Harvey L. & Joann E. Jenkins; thence continuing by and with said Jenkins lands in a southwesterly direction a distance of 92 feet more or less to a point, said point being a property corner of lands N/F Wesley H. Hayes Sr.; thence proceeding by and with said Hayes lands in a southwesterly direction a distance of 876 feet more or less to a point, said point being the northwesterly property corner of lands N/F of Alice Godwin-Smith; thence proceeding by and with said Godwin-Smith lands in a southwesterly direction a distance of 100 feet more or less to a point, said point being the northwesterly property corner of lands N/F of Hilton Spence, thence proceeding by and with said Spence lands in a southerly direction a distance of 238 feet more or less to a point, said point being a property corner of lands N/F Fentrel L. & Barbara Church; thence proceeding by and with said Church lands in an easterly direction a distance of 251 feet more or less to a point, said point being on the westerly Right-of-way ROW of State Road 54A; thence proceeding in a straight line in an easterly direction a distance of 50 feet more or less to a point, said point being on the easterly ROW of State of Delaware Route 54A; thence proceeding by and with said ROW in a northerly direction a distance of 1287 feet more or less to a point, said point being on the easterly ROW of Penn Central Railroad, thence proceeding by and with said Penn Central ROW in a southerly direction a distance of 211 feet more or less to a point, said point being on the westerly ROW of Penn Central Railroad; thence proceeding in a straight line in an easterly direction a distance of 70 feet more or less to a point, said point being on the easterly ROW of Penn Central Railroad, said point also being the southernmost property corner of lands N/F of Dora Bell; thence proceeding by and with said Bell lands in an easterly and northerly direction respectively a distance of 472 feet to a point, said point being on the Dagsboro-Frankford Sanitary Sewer District Boundary; thence proceeding by and with said Boundary in a westerly direction a distance of 1312 feet more or less to the point of BEGINNING.

The proposed expansion of the DFSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 4-33 11.00.

A map outlining and describing the expansion of the DFSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at **11:00 a.m. on December 4, 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

