

RESOLUTION R 031 02

A RESOLUTION TO EXTEND THE BOUNDARY OF THE LONG NECK SANITARY SEWER DISTRICT (LNSSD) TO ENCOMPASS A CERTAIN PIECE, PARCEL, OR TRACT OF LAND KNOWN AS LANDS OF GREG BIENER, LYING CONTIGUOUS TO THE LNSSD, SITUATE ON THE NORTHWEST SIDE OF SUSSEX COUNTY ROAD 298 AND NORTHEAST OF THE INTERSECTION OF SUSSEX COUNTY ROADS 298 AND 299, BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY DELAWARE.

WHEREAS, Sussex County has established the Long Neck Sanitary Sewer District (LNSSD); 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 LNSSD, 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 LNSSD to encompass the lands of Greg Biener, situate on the northwest side of Sussex County Road 298 and northeast of the intersection of the intersection of Sussex County Roads 298 and 299, as follows:

BEGINNING at a point, said point being an iron pipe found on the northwest side of the right of way (ROW) of County Road 298 1031 ± feet north east of the intersection of the northwesterly ROW of County Road 298 with the northerly ROW of County Road 299, said point being a common corner of lands now or

formerly (N/F) of Gregory and Theresa E. Biener and lands N/F of Robert E. and Betty J. Radabaugh, said point also being in the boundary line of the (LNSSD); thence proceeding with the northwesterly ROW of County Road 298 and the boundary line of the LNSSD South 49 degrees, 35 minutes, 00 seconds West 73.87  $\pm$  feet to a concrete monument, said monument being a common corner of lands N/F of Gregory and Theresa E. Biener and lands N/F of Barbara J. Moyer, and said corner also being on the boundary line of the LNSSD; thence turning and proceeding North 41 degrees, 11 minutes, 43 seconds West 150.01  $\pm$  feet to an iron bar, said iron bar being a common corner of lands N/F of Gregory and Theresa E. Biener and lands N/F of Barbara J. Boyer; thence turning and proceeding North 49 degrees, 35 minutes, 00 seconds East 74.60  $\pm$  feet to an iron bar, said iron bar being a common corner of lands N/F of Gregory and Theresa E. Biener and lands N/F of Robert E. and Betty J. Radabaugh; thence turning and proceeding South 40 degrees, 55 minutes, 00 seconds East 150.00  $\pm$  feet to the pipe in the boundary of the LNSSD and the point and place 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; 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 031 02 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 19TH DAY OF NOVEMBER 2002.

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ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL



LONG NECK SANITARY SEWER DISTRICT  
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 October 31, 2002 he was a Planning Technician for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On October 31, 2002 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
1. On a wall next to the community bulletin board located inside of Subway/Dash-in-Foods/Exxon store, located northeast of the intersection of Routes 5 and 24 and County Road 22 (a.k.a. State of Delaware Route 23).
  2. On the Community Bulletin Board near the pharmacy area of the Rite Aid Pharmacy in the Long Neck Nanticoke Crossing Plaza.
  3. On the side of the front doors at the entrance of Food Lion in the Long Neck Nanticoke Crossing Plaza.
  4. Inside on entry door of the Community Offices and Information Center of Pot-Nets Communities, County Road 22 (a.k.a. State of Delaware Route 23).
  5. Inside on the front window near the entrance to Uncle Willie's Store, County Road 22 (a.k.a. State of Delaware Route 23).
  6. On front window of the entry foyer next to the inner double doors of County Bank located southeast of the intersection of County Road 298 and County Road 22 (a.k.a. State of Delaware Route 23).

7. On the front window of Perry's Shoppes and Citgo Fuel Stop, County Road 22 (a.k.a. State of Delaware Route 23).
8. On the parcel of land being considered for the proposed extension of the Long Neck Sanitary Sewer District, in four locations as follows: (a) along the southern property line approximately 42 feet from a concrete monument at the southeast property corner; (b) proceeding with the aforementioned point in an easterly direction approximately 28 feet; (c) proceeding with the aforementioned point in a northeasterly direction approximately 28 feet; and (d) proceeding with the aforementioned point in a northerly direction approximately 18 feet.



ROB DAVIS

SWORN TO AND SUBSCRIBED before me on this 12<sup>th</sup> day of Nov. A.D., 2002.

  
NOTARY PUBLIC

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



## NOTICE

### PROPOSED EXPANSION TO THE LONG NECK SANITARY SEWER DISTRICT TO INCLUDE LANDS OF GREG BIENER

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on October 15, 2002, to consider extending the Long Neck Sanitary Sewer District (LNSSD) to include a parcel of land on the northwest side of Sussex County Road 298 and northeast of the intersection of Sussex County Roads 298 and 299, being in Indian River 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 LNSSD is described as follows:

Beginning at a point, said point being an iron pipe found on the northwest side of the right of way (ROW) of County Road 298 1031  $\pm$  feet north east of the intersection of the northwesterly ROW of County Road 298 with the northerly ROW of County Road 299, said point being a common corner of lands now or formerly (N/F) of Gregory and Theresa E. Biener and lands N/F of Robert E. and Betty J. Radabaugh, said point also being in the boundary line of the (LNSSD); thence proceeding with the northwesterly ROW of County Road 298 and the boundary line of the LNSSD South 49 degrees, 35 minutes, 00 seconds West 73.87  $\pm$  feet to a concrete monument, said monument being a common corner of lands N/F of Gregory and Theresa E. Biener and lands N/F of Barbara J. Moyer, and said corner also being on the boundary line of the LNSSD; thence turning and proceeding North 41 degrees, 11 minutes, 43 seconds West 150.01  $\pm$  feet to an iron bar, said iron bar being a common corner of lands N/F of Gregory and Theresa E. Biener and lands N/F of Barbara J. Boyer; thence turning and proceeding North 49 degrees, 35 minutes, 00 seconds East 74.60  $\pm$  feet to an iron bar, said iron bar being a common corner of lands N/F of Gregory and Theresa E. Biener and lands N/F of Robert E. and Betty J. Radabaugh; thence turning and proceeding South 40 degrees, 55 minutes, 00 seconds East 150.00  $\pm$  feet to the pipe in the boundary of the LNSSD and the point and place of Beginning.

The proposed expansion of the LNSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 2-34-23.00, a deed recorded with the Sussex County Recorder of Deeds Office on July 31, 2002 and found in Deed Book 2734 on Page 85, and Sussex County property assessment records.

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

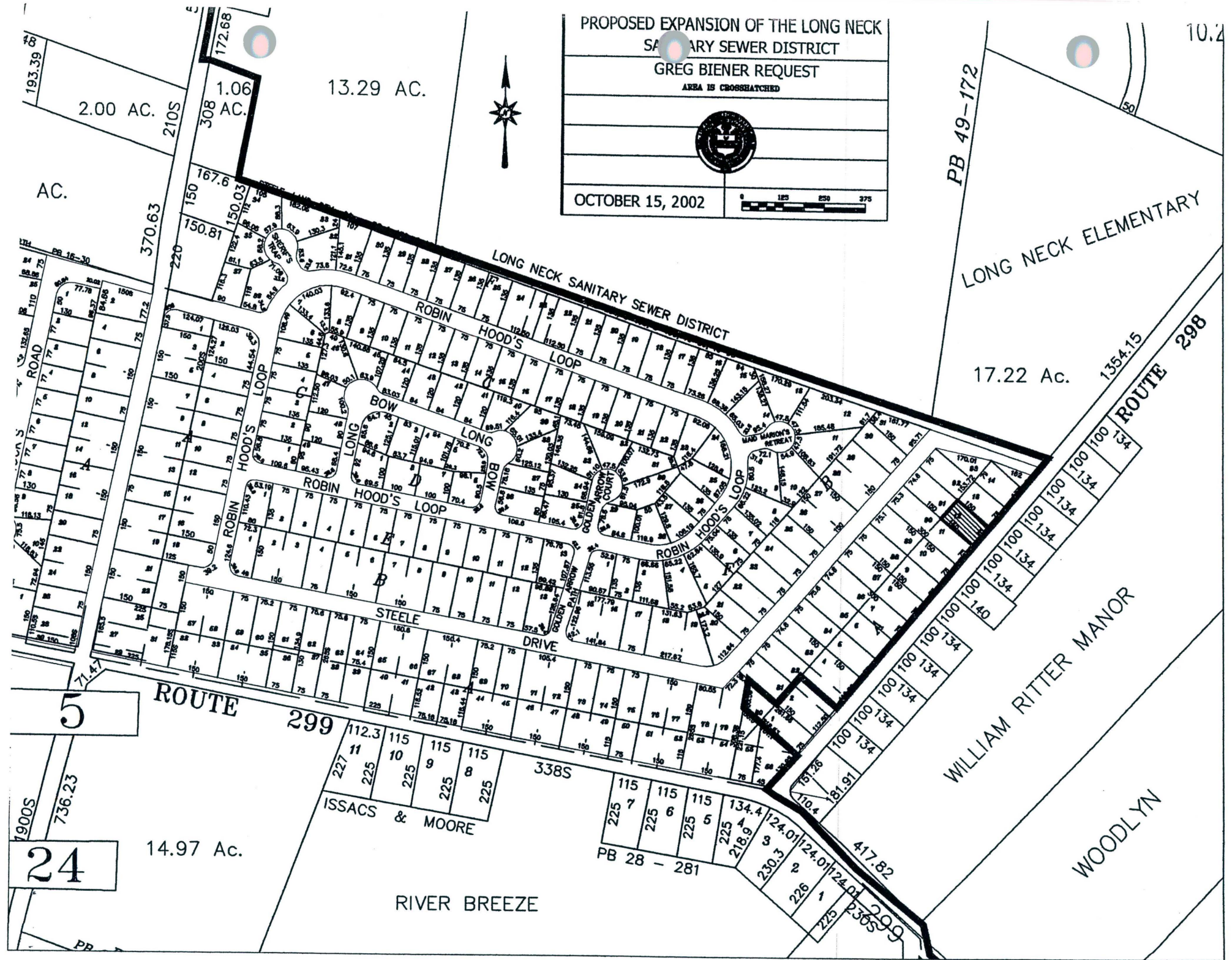
The public hearing will be held on this issue at 11:00 a.m. on Tuesday, November 19, 2002 in the Sussex County Council Chambers, County Administrative Offices, 2 The Circle, Georgetown, Delaware. All interested persons, officials, residents, voters, taxpayers, property owners, or corporations in any way affected by this boundary extension are welcome to attend. There will be an opportunity for questions and answers. The final decision on the boundary extension 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.

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Michael A. Izzo, P.E.  
County Engineer





PROPOSED EXPANSION OF THE LONG NECK  
SANITARY SEWER DISTRICT  
GREG BIENER REQUEST  
AREA IS CROSSHATCHED

OCTOBER 15, 2002

0 125 250 375

