

RESOLUTION NO. 031 89

RESOLUTION ISSUING A DETERMINATION THAT THE MAJORITY OF VOTERS ARE IN FAVOR OF ESTABLISHING THE FENWICK ISLAND WATER DISTRICT AND AUTHORIZING THE COUNTY ENGINEER AND COUNTY ATTORNEY TO PROCEED IN ACCORDANCE WITH DELAWARE CODE ANNOTATED, CHAPTER 65, SECTION 6507(b).

WHEREAS, the eligible voters of the proposed Fenwick Island Water District approved the creation of the water district by a vote of 428 to 307 in an election held on October 21, 1989; and

WHEREAS, Title 9, Delaware Code, Section 6507 requires the County Council to issue a determination of the water district within thirty days of its approval by the eligible voters;

NOW THEREFORE,

BE IT RESOLVED that the County Council of Sussex County, Delaware hereby determines that the eligible voters of the Fenwick Island Water District have approved the creation of said district; that the description of the Fenwick Island Water District is described in Exhibit "A"; and that the said district is hereby declared to be validly constituted under the provisions of Title 9, Chapter 65 of the Delaware Code.

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 structures required to furnish water for drinking and fire protection purposes in the water district and to carry on such other activities as may be required by Title 9, Delaware Code, Chapter 65 or considered to be necessary to perform the duties prescribed in the Chapter.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 031 89 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 24TH DAY OF OCTOBER, 1989.

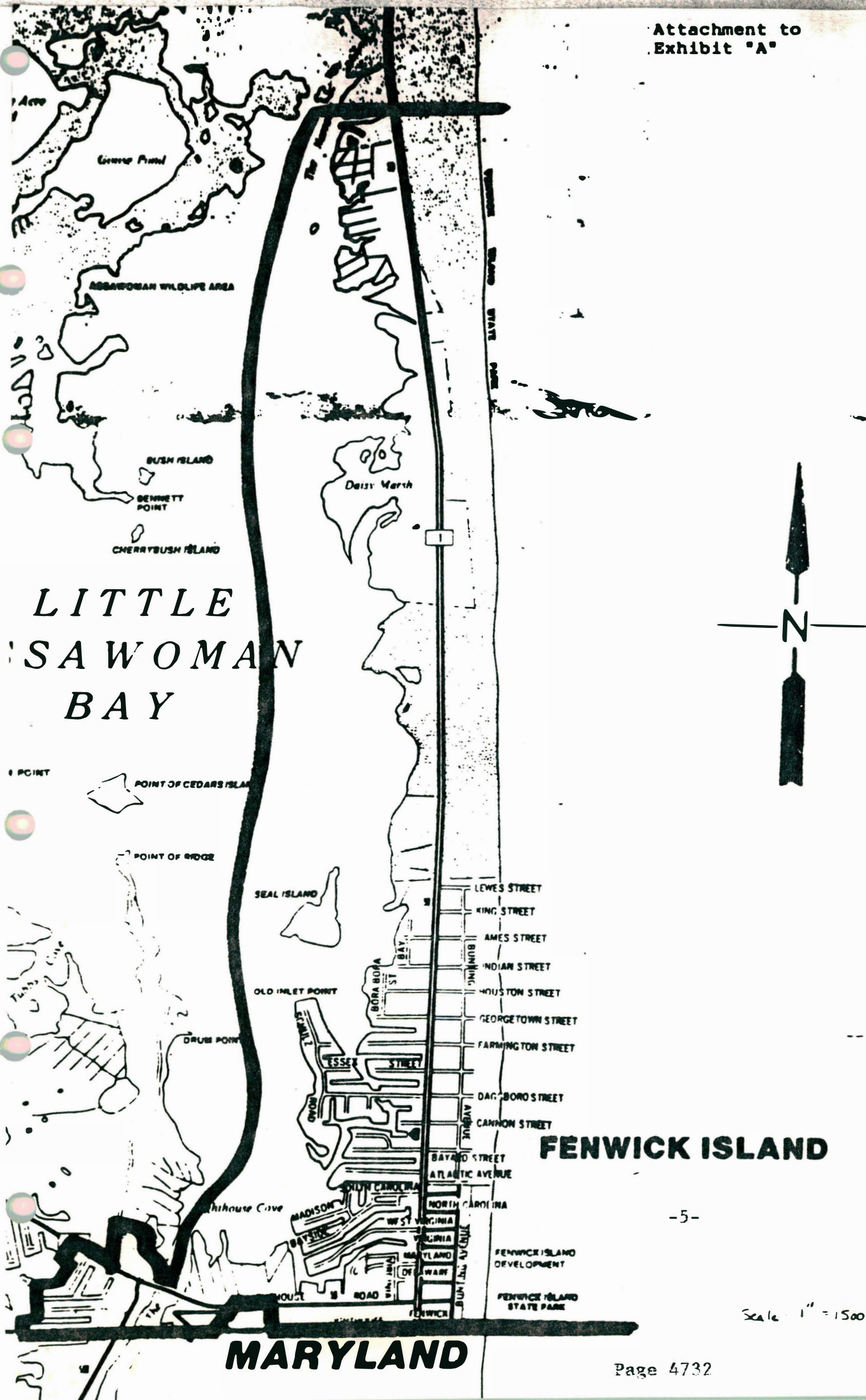
  
DORIS E. ROGERS  
CLERK OF THE COUNTY COUNCIL

BEGINNING at a point where the common boundary line of the State of Delaware and State of Maryland meets the mean-low water line of the Atlantic Ocean, thence proceeding in a northerly direction with said mean-low water line a distance of 16,000 feet more or less to a point, thence proceeding in a westerly direction with an imaginary straight line to a point where it meets the center line of the body of water that connects Little Bay to the northern portion of the Little Assawoman Bay, thence proceeding in a southerly direction with an imaginary line through the Little Assawoman Bay to a point where it meets the centerline of the body of water connecting the Little Assawoman Bay to the Assawoman Bay, commonly referred to as "The Ditch", thence proceeding in southerly direction with said centerline, to a point where it meets the northerly right-of-way of State of Delaware Route 54, which crosses said water body by means of a bridge, thence proceeding with said right-of-way, to a point where it meets the easternmost property corner of the Glen Acres Subdivision (recorded in the office of the Sussex County Recorder of Deeds, Georgetown, Delaware in Plot Book No. 1, Page 155), then proceeding in a northerly direction with said boundary, to a point where it meets the easterly right-of-way of Bennett Avenue, thence proceeding in a southerly direction with said right-of-way to a point where it meets the northerly right-of-way of State of Delaware Route 54, thence proceeding in a southerly direction with an imaginary straight line to a point where it meets the southerly right-of-way of State of Delaware Route 54, thence proceeding in a westerly direction with said right-of-way to a point where it meets the northwestern property corner of the property now or formerly of Roger L. Hammond, being also Lot 22, Block 4, of Edgewater Acres Subdivision (recorded in the office of the Sussex County Recorder of Deeds, Georgetown, Delaware, in

Plot Book 5, Page 31), being also the northwestern most property corner of said subdivision, thence proceeding in a southerly direction with the western boundary of said subdivision to a point where it meets common boundary line of the State of Delaware and the State of Maryland, thence proceeding in an easterly direction with said boundary line to a point where it meets its western property line of the East-Of-The-Sun Condominium Subdivision, thence proceeding in a northerly, easterly, and the southerly direction, respectively, with said property line to a point where it meets the common boundary of the State of Delaware and the State of Maryland, thence proceeding in an easterly direction with said boundary line to the point of BEGINNING.

The Fenwick Island Water District is within these approximate boundaries. The boundary description has been prepared using Sussex County Property Tax Map Nos. 5-33-20.18, 5-33-20.19, 1-34-20, 1-34-22 and 1-34-23.





MARYLAND