

RESOLUTION R 032 02

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SOUTH BETHANY SANITARY SEWER DISTRICT TO ENCOMPASS THE FOREST REACH SUBDIVISION, LYING CONTIGUOUS TO THE SOUTH BETHANY SANITARY SEWER DISTRICT, SITUATE SOUTH OF THE TOWN OF OCEAN VIEW AND WEST OF THE TOWN OF SOUTH BETHANY AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the South Bethany 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 Ocean View and west of the Town of South Bethany and the Assawoman Canal, the inclusion of this property would 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 are 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 South Bethany Sanitary Sewer District to encompass the property south of the Town of Ocean View and west of the Town of South Bethany as follows:

BEGINNING at a point said point being on the SBSSD boundary, said point also being on the South Ocean View Sanitary Sewer District boundary, said point further being 745 feet more or less northwest of the northern Right-of-way (ROW) of County Road (CR) 362, said point also being a property corner of lands Now-

or-formerly (N/F) of Forest Reach L.L.C., said point also being a property corner of lands of Shady Dell Park; thence leaving said SBSSD boundary and proceeding by and with said SOVSSD boundary the following 6 courses, (1) North 56° 51' 34" East a distance of 37.64 feet to an iron pipe, (2) North 74° 03' 29" East a distance of 358.75 feet to a concrete monument, (3) South 59° 44' 30" East a distance of 620.00 feet to an iron pipe, (4) South 49° 49' 14" West a distance of 284.89 feet to an iron pipe, (5) North 46° 27' 44" West a distance of 161.00 feet to an iron pipe, (6) South 50° 19' 19" West a distance of 186.00 feet to an iron pipe, said iron pipe being the westernmost property corner of lands N/F of Helen A. Littleton; thence leaving said SOVSSD boundary and proceeding by and with the SBSSD boundary North 48° 27' 26" West a distance of 580.46 feet to the point and place of BEGINNING.

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 032 02 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 3RD DAY OF DECEMBER 2002.

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ROBIN A. GRIFFITH  
CLERK OF THE COUNTY COUNCIL



**SOUTH BETHANY SANITARY SEWER DISTRICT  
AFFIDAVIT FOR PUBLIC HEARING  
FOREST REACH**

STATE OF DELAWARE

COUNTY OF SUSSEX

BE IT REMEMBERED that the subscriber, PHILLIP C. 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 14, 2002 he was a Planning Technician II for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On November 14, 2002 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. In the lobby of the Delaware National Bank, State Route 26, Ocean View, Delaware.
  - 2. In the lobby of Taylor Bank, State Route 26, Ocean View, Delaware.
  - 3. On the front window of Shore Foods, Route One and Errett Road, South Bethany, Delaware.
  - 4. Community bulletin board, South Bethany Town Hall, Evergreen and Pine St., South Bethany, Delaware.
  - 5. Community bulletin board in lobby, U.S. Post Office, Pennsylvania Ave., Bethany Beach, Delaware.
  - 6. Community bulletin board, South Coastal Library, Kent Ave., Bethany Beach, Delaware.
  - 7. Bulletin Board of Ocean View Post Office, Route 26, Ocean View, Delaware.
  - 8. On site of the proposed expansion area at the following four locations:

1. On a post on the north side of Parker House Road (County Road 362), 279 feet more or less northeast of County Road 368, Ocean View, Delaware.
2. On a post on the north side of Parker House Road (County Road 362), 494 feet more or less northeast of Beaver Dam Road (County Road 368), Ocean View, Delaware.
3. On a Conectiv Pole 61354/98962 on the north side of Parker House Road (County Road 362) 431 feet more or less northeast of Beaver Dam Road (County Road 368), Ocean View, Delaware.
4. On a post on the north side of Parker House Road (County Road 362), 556 feet more or less northeast of Beaver Dam Road (County Road 368), Ocean View, Delaware.
9. On bulletin board in lobby of Sea Colony sales and rentals. Market Place at Sea Colony, Route One, South Bethany, Delaware.
10. On the front window of Dollar General, Route One, South Bethany Delaware.

  
CHRIS CALIO

SWORN TO AND SUBSCRIBED before me on this 18<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 SOUTH BETHANY SANITARY SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on October 29, 2002 to consider extending the South Bethany Sanitary Sewer District (SBSSD) to include a portion of the proposed Forest Reach subdivision, being situate south of the Town of Ocean View in Baltimore 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 SBSSD is described as follows:

**BEGINNING** at a point said point being on the SBSSD boundary, said point also being on the South Ocean View Sanitary Sewer District boundary, said point further being 745 feet more or less northwest of the northern Right-of-way (ROW) of County Road (CR) 362, said point also being a property corner of lands Now-or-formerly (N/F) of Forest Reach L.L.C., said point also being a property corner of lands of Shady Dell Park; thence leaving said SBSSD boundary and proceeding by and with said SOVSSD boundary the following 6 courses, (1) North 56° 51' 34" East a distance of 37.64 feet to an iron pipe, (2) North 74° 03' 29" East a distance of 358.75 feet to a concrete monument, (3) South 59° 44' 30" East a distance of 620.00 feet to an iron pipe, (4) South 49° 49' 14" West a distance of 284.89 feet to an iron pipe, (5) North 46° 27' 44" West a distance of 161.00 feet to an iron pipe, (6) South 50° 19' 19" West a distance of 186.00 feet to an iron pipe, said iron pipe being the westernmost property corner of lands N/F of Helen A. Littleton; thence leaving said SOVSSD boundary and proceeding by and with the SBSSD boundary North 48° 27' 26" West a distance of 580.46 feet to the point and place of BEGINNING.

The proposed expansion of the SBSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map No. 1-34 16.00, and a survey provided by Land Tech L.L.C., dated September 1, 1999.

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

The public hearing will be held on this issue at 11:00 a.m. on December 3, 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 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

