

RESOLUTION NO. R 032 82

WHEREAS, Sussex County has established The South Bethany Sanitary Sewer District;

WHEREAS, the sewer district as established includes only the corporate limits of the Town of South Bethany;

WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County west of South Bethany, the inclusion of Parcel A and Parcel B of Foxfire Meadow Subdivision would be beneficial;

WHEREAS, in accordance with 9 Del. C., Section 5402(a), the Sussex County Council may, upon request of the County Engineer, revise the boundaries 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 boundaries;

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 Robert C. Green, a copy of which affidavit and public notice is attached hereto and made a part hereof;

WHEREAS, in accordance with 9 Del. C., Section 6502(b) the Sussex County Council shall, within thirty (30) days after posting the public notices pass a formal resolution establishing the new boundaries of the district,

NOW, THEREFORE,

BE IT RESOLVED the Sussex County Council hereby revises the boundary of South Bethany Sanitary Sewer District beyond the municipal boundaries of South Bethany by adding the following areas to be included bounded as follows:

Description of Parcel A of Foxfire Meadow subdivision, lands to be incorporated into the Sanitary Sewer District of the South Coastal Regional Wastewater Treatment System of Sussex County located in Baltimore Hundred, Sussex County, Delaware:

Beginning at a point of the southerly side of County Road 368, at 50' wide, said point being the easterly corner for lands now or formerly of Ann E. Landis. Thence from said point and place of beginning along said southerly side of County Road 368 the three following described courses and distances, (1) $S87^{\circ}-42'-05''E$ 140.11' to the point of curvature of a curve having a radius of 803.42'; (2) by said curve, to the left, an arc distance of 293.46' to the point of tangency of said curve, and (3) $N71^{\circ}-22'-15''E$ 405.09' to a point. Thence leaving said County Road 368, by line of lands now or formerly of Gladys Wooter the two following described courses and distances, (1) $S29^{\circ}-32'-40''E$ 320.00' to a point; and (2) $N70^{\circ}-18'-35''E$ 205.50' to a point in line of lands now or formerly of Donald J. Cooper. Thence thereby in part and by line of lands now or formerly of James Cooper $S33^{\circ}-38'-25''E$ 796.68' to a point in line of lands, now or formerly of Loretta Hassel. Thence thereby $S24^{\circ}-55'-40''W$ 331.65' to the northerly side of a 160' wide right-of-way through lands of Murray's Enterprises, said Right-of-Way is in the South Coastal Sanitary Sewer District and contains transmission lines of Delmarva Power and Light Company and the Ocean Outfall line of the South Coastal Regional Wastewater Treatment Plant. Thence thereby $N81^{\circ}-39'-40''W$ 1,987.02' to a point in line of lands of Sussex County, thence thereby $N24^{\circ}-26'-35''W$ 28.66' to a corner for lands of "Green Acres" subdivision; thence thereby $N11^{\circ}-57'-40''E$ 358.93' to a corner for lands now or formerly of Thomas C. Riebel; thence thereby in part and by line of lands of Anne E. Landis $N74^{\circ}-38'-00''E$ 421.52' to a point; thence still be line of Anne E. Landis $N74^{\circ}-38'-00''E$ 421.52' to a point; thence still be line of Anne E. Landis $N7^{\circ}-45'-45''E$ 232.96' to the said southerly side of County Road 368, the point and place of beginning containing within said described metes and bounds 35.147 acres of land be the same more or less;

Description of Parcel B, of Foxfire Meadow subdivision land to be incorporated into the Sanitary Sewer District of the South Coastal Regional Wastewater Treatment System of Sussex County, located in Baltimore Hundred, Sussex County, Delaware:

Beginning at a point in the southerly side of a 160' wide right-of-way through lands of Murray's Enterprises, said right-of-way is in the South Coastal Sanitary Sewer District and contains transmission lines of Delmarva Power and Light Company and the Ocean Outfall of the South Coastal Regional Wastewater Treatment Plant, said point is also in line of lands now or formerly of Loretta Hassel. Thence from said point and place of beginning, by line of said Loretta Hassel S24°-55'-40"W 569.38' to a point in line of lands now or formerly of Del. Com. Corp. of Delaware, thence thereby N89°-39'-05"W 589.19' to a point; thence still by line of said Del. Com. Corp. of Delaware in part and by line of land now or formerly of Allen C. Layton N88°-17'-05"W 879.02' to a corner of lands of Sussex County; thence by line of lands of said Sussex County the six (6) following described courses and distances: (1) N81°-08'-30"W 165.09' to a point; (2) N14°-53'-15"E 115.65' to a point; (3) N64°-45'-45"W 89.92' to a point; (4) N18°-10'-15"E 327.31' to a point; (5) N9°-42'-35"E 216.57'; and (6) N24°-26'-35"W 57.91' to the western extremity of said southerly side of first mentioned 160' wide right-of-way; thence thereby S81°-39'-40"E 1,836.31' to said line of lands of Loretta Hassel the point and place of beginning. Containing within said metes and bounds 25.825 acres of land be the same more or less;

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Engineer and the attorney for County Council to procure the necessary land and rights-of-way by purchase, agreement, or condemnation in accordance with existing statutes and authorizes the County Engineer to prepare maps, plans, specifications, and estimates, let contracts for and supervise the construction and maintenance of, or enlarging and remodeling of, any or all structures required to provide for the safe disposal of the sewage in the Sanitary District.

ATTACHMENTS:

1. Copy of The Public Notice
2. The necessary affidavit regarding Posting of Notice

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 032 82 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 13TH DAY OF APRIL, 1982.

Emogene P. Ellis
EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL

ATTACHMENT 1

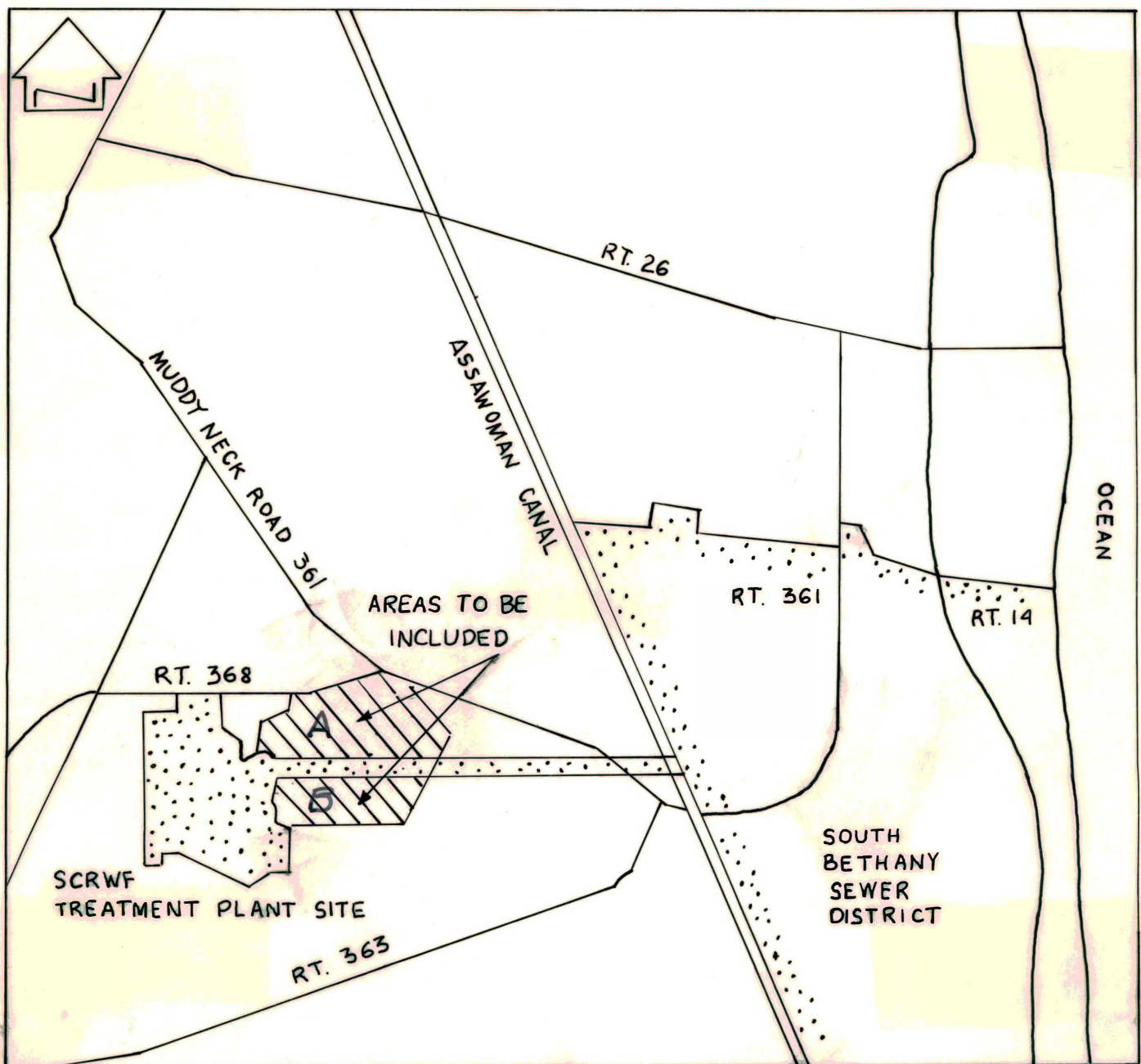
NOTICE

SOUTH BETHANY SANITARY SEWER DISTRICT

The Sussex County Council voted on March 23, 1982 to consider extending the South Bethany Sanitary Sewer District to include any area known as the proposed Foxfire development contiguous to the South Bethany Sanitary Sewer District. The area includes two parcels, one of 35.147 acres more or less and one of 25.825 acres more or less.

This action is in conformity with Delaware Code, Title 9, Chapter 65, Section 6502.

Below is a map outlining and describing the extension. The areas involved are cross hatched.



LOCATION MAP
1" = 2000'

For further information please call or write Sussex County Engineering Department, 8 North Race Street, Georgetown, Delaware 19947, 302-856-7701.

A description of the properties is attached.

Description of Parcel A of Foxfire Meadow subdivision, lands to be incorporated into the Sanitary Sewer District of the South Coastal Regional Wastewater Treatment System of Sussex County located in Baltimore Hundred, Sussex County, Delaware:

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ATTACHMENT 2

STATE OF DELAWARE)
 (
COUNTY OF SUSSEX)

BE IT REMEMBERED, that on this twenty-ninth day of March A.D., 1982, personally appeared before me, the subscriber, an Engineering Technician with Sussex County Engineering Department, ROBERT C. GREEN, known to me personally to be such, who being by me duly sworn according to law did depose and say as follows:

1. That on 29 March 1982, he was an Engineering Technician for the Sussex County Engineering Department, Sussex County, State of Delaware.

2. That the Sussex County Engineering Department prepared "Public Notice" proposing the extension of the South Bethany Sanitary Sewer District to include those properties of Foxfire which are currently outside the limits of the existing district. Attached hereto is a copy of the notice containing the described area to be included.

3. That he did post this "Public Notice" on 29 March 1982 at the following locations:

1. South Bethany Town Hall
2. Logan Street and Route 14 Pole No. $\frac{62480}{98318}$
3. Intersection of Division and Ocean Drive
Bulletin Board
4. North Sixth and Route 1 Pole No. AE 52
5. York Beach Mall - ASCO Appliance Store -
Front Window
6. Bayshore Drive Pole No. $\frac{62459}{98389}$
7. Bayview Park Bulletin Board Entrance
8. Petherton Drive Entrance Pole No. AE-51
9. Across from Sea Colony East Pole No. $\frac{62444}{98978}$

(Signed) Robert C. Green
Robert C. Green

SWORN TO AND SUBSCRIBED before me this day and year aforesaid.

(Signed) Emogene P. Ellis
Notary Public