

RESOLUTION NO. R 035 97

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SOUTH BETHANY SANITARY SEWER DISTRICT (SBSSD) TO ENCOMPASS THE WATERSIDE SUBDIVISION AND TWO ADJACENT PARCELS, LYING CONTIGUOUS TO THE SBSSD, SITUATE NORTH OF COUNTY ROAD 361 AND WEST OF THE ASSAWOMAN CANAL, AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

WHEREAS, Sussex County has established the SBSSD; and

WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County north of County Road 361 and west of the Assawoman Canal, 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 affidavits of Chris Calio, copies of which affidavits 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 SBSSD to encompass the Waterside subdivision and two adjacent parcels, which lie north of County Road 361 and west of the Assawoman Canal, as follows:

BEGINNING at a point, where the northerly easement boundary of Delmarva Power, also being the South Bethany Sanitary Sewer District Boundary (SBSSD), intersects the southeasterly property line of lands now or formerly (N/F) of Rancel C. and Joy R. Evans,

said point being 100 feet more or less northeast of the centerline of County Road 361; thence from said point of beginning and by and with said SBSSD boundary in a westerly direction 98± feet to a point on the southwesterly property line of lands N/F of Rancel C. and Joy R. Evans, said point also being on the northern right-of-way (ROW) line of County Road 361; thence proceeding by and with said ROW in a northerly direction 115± feet to an iron pipe; thence by and with said ROW line in a northerly direction the following eleven courses: (1) North 43°03'09" East, 10.01 feet; (2) North 45°04'06" West, 212.46 feet; (3) North 45°28'15" West, 51.99 feet; (4) North 46°42'58" West, 53.69 feet; (5) North 49°19'56" West, 52.56 feet; (6) North 52°26'32" West, 53.11 feet; (7) North 56°08'39" West, 54.71 feet; (8) North 59°43'55" West, 50.20 feet; (9) North 63°10'18" West, 51.77 feet; (10) North 65°19'34" West, 40.90 feet (11) North 65°41'30" West, 49.58 feet, to a point on the easternmost property line of lands N/F of George M. and Marian S.G. Parrott; thence proceeding in a southerly direction 10.25 feet to a concrete monument on the southeastern property corner of lands N/F of George M. and Marion S.G. Parrott; thence from said property corner by and with said ROW of County Road 361 in a westerly direction 119± feet to a concrete monument on the southwestern most property corner of land N/F of George M. and Marian S.G. Parrott; thence proceeding in a northerly direction 10.50 feet to a point on the westernmost property line of lands N/F of George M. and Marian S.G. Parrott; thence from said point North 71°58'15" West, 70.70 feet to a point on the southeastern most property line of lands N/F of Raymond Sigurd and Talivaldis Berzins; thence from said point North 16°46'45" East, 388.00 feet to an iron pipe; thence South 87°11'03" West, 59.08 feet to an iron pipe; thence North 09°06'38" East, 256.44 feet to an iron pipe; thence North 64°32'58" East, 569.23 feet to an iron pipe on the western property line of lands N/F State of Delaware; thence from said iron pipe following an imaginary straight line in a northeasterly direction 200 feet more or less to a point on the northeastern property line of lands N/F

of The State of Delaware Department of Parks and Recreation, said point also being on the southeastern property line of lands N/F of Carl M. Freeman Associates, Inc. and the existing boundary of the SBSSD; thence proceeding by and with said boundary line in a southeasterly direction 1,890 feet more or less to a point on the northerly easement boundary of Delmarva Power; thence proceeding by and with said easement line in a westerly direction 656 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 rights-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 035 97 ADOPTED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 28TH DAY OF OCTOBER, 1997.


Robin A. Griffith
Clerk of the County Council

PROPOSED WATERSIDE EXTENSION OF THE
SOUTH BETHANY 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 October 8, 1997 he was a Planning Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On October 8, 1997 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
1. Community bulletin board, South Bethany Town Hall, Russell Road, South Bethany, Delaware;
 2. Front Window of Grotto Pizza, York Beach Mall, South Bethany, Delaware;
 3. Community bulletin board in lobby, U. S. Post Office, Pennsylvania Avenue, Bethany Beach, Delaware;
 4. Community bulletin board, South Coastal Library, Kent Avenue, Bethany Beach, Delaware;
 5. 800 feet northwest of the intersection of County Roads 361 and 363, 35 feet northeast of the centerline of County Road 361;
 6. 1,000 feet northwest of the intersection of County Roads 361 and 363, 35 feet northeast of the centerline of County Road 361;
 7. 1,400 feet northwest of the intersection of County Roads 361 and 363, 35 feet northeast of the centerline of County Road 361;
 8. 1,600 feet northwest of the intersection of County Roads 361 and 363, 35 feet northeast of the centerline of County Road 361;


CHRIS CALIO

SWORN TO AND SUBSCRIBED before me on this 9th day of October A.D., 1997.


NOTARY PUBLIC

My Commission Expires 3/10/99

PROPOSED WATERSIDE EXTENSION OF THE
SOUTH BETHANY 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 October 23, 1997 he was a Planning Technician I for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On October 23, 1997 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
1. Front door of Edgewater House, Sea Colony East, Pennsylvania Avenue, Bethany Beach, Delaware; and
 2. Lobby area of Sea Colony Realty, Market Place at Sea Colony, Route One, Bethany Beach, Delaware.


CHRIS CALIO

SWORN TO AND SUBSCRIBED before me on this 23rd day of October A.D., 1997.


NOTARY PUBLIC

Jayne E. Dickerson

Notary Public

My Commission Expires

Commission Expires 3/10/99

NOTICE

WATERSIDE EXTENSION OF THE SOUTH BETHANY SANITARY SEWER DISTRICT

Notice is hereby given that the Sussex County Council voted on September 16, 1997 to consider extending the boundaries of the South Bethany Sanitary Sewer District (SBSSD) to include the Waterside subdivision and two (2) adjacent parcels. The area being considered is situate in Baltimore Hundred, Sussex County, Delaware. This action is in conformity with 9 Del.C. §6502. A description of the proposed properties to be included within the proposed extension of the SBSSD is described as follows:

Beginning at a point, where the northerly easement boundary of Delmarva Power, also being the South Bethany Sanitary Sewer District Boundary (SBSSD), intersects the southeasterly property line of lands now or formerly (N/F) of Rancel C. and Joy R. Evans, said point being 100 feet more or less northeast of the centerline of County Road 361; thence from said point of beginning and by and with said SBSSD boundary in a westerly direction 98± feet to a point on the southwesterly property line of lands N/F of Rancel C. & Joy R. Evans, said point also being on the northern right-of-way (ROW) line of County Road 361; thence proceeding by and with said ROW in a northerly direction 115± feet to an iron pipe; thence by and with said ROW line in a northerly direction the following eleven courses: (1) North 43° 03' 09" East, 10.01 feet; (2) North 45° 04' 06" West, 212.46 feet (3) North 45° 28' 15 " West, 51.99 feet (4) North 46° 42' 58" West, 53.69 feet (5) North 49° 19' 56" West, 52.56 feet (6) North 52° 26' 32" West, 53.11 feet (7) North 56° 08' 39" West, 54.71 feet (8) North 59° 43' 55" West, 50.20 feet (9) North 63° 10' 18" West, 51.77 feet (10) North 65° 19' 34" West, 40.90 feet (11) North 65° 41' 30" West, 49.58 feet, to a point on the easternmost property line of lands N/F of George M. and Marian S.G. Parrott; thence proceeding in a southerly direction 10.25 feet to a concrete monument on the southeastern property corner of lands N/F of George M. and Marion S. G. Parrott; thence from said property corner by and with said ROW of County Road 361 in a westerly direction 119± feet to a concrete monument on the southwesternmost property corner of lands N/F of George M. and Marian S.G. Parrott; thence proceeding in a northerly direction 10.50 feet to a point on the westernmost property line of lands N/F of George M. and Marian S. G. Parrott; thence from said point North 71° 58' 15" West, 70.70 feet to a point on the southeastern most property line of lands N/F of Raymond Sigurd and Talivaldis Berzins; thence from said point North 16° 46' 45" East, 388.00 feet to an iron pipe; thence South 87° 11' 03" West, 59.08 feet to an iron pipe; thence North 09° 06' 38" East, 256.44 feet to an iron pipe; thence North 64° 32' 58" East, 569.23 feet to an iron pipe on the western property line of lands N/F State of Delaware; thence from said iron pipe following an imaginary straight line in a northeasterly direction 200 feet more or less to a point on the northeastern property line of lands N/F of The State of Delaware Department of Parks and Recreation, said point also being on the southeastern property line of lands N/F of Carl M. Freeman Associates Inc. and the existing boundary of the SBSSD; thence proceeding by and with said boundary line in a southeasterly direction 1,890 feet more or less to a point on the northerly easement boundary of Delmarva Power; thence proceeding by and with said easement line in a westerly direction 656 feet more or less to the point of Beginning.

The proposed extension of the SBSSD is within these boundaries. The boundary description has been prepared using Sussex County Tax Map 1-34-17.00.

A map outlining and describing the Waterside Extension 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 Tuesday, October 28, 1997 in the Sussex County Council Chambers, Sussex County Administrative Offices, Two 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, Two The Circle, Post Office Box 589, Georgetown, DE 19947 - (302) 855-7719.

Michael A. Izzo, P.E.
Sussex County Engineer

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