

RESOLUTION NO. R 036 84

WHEREAS, Sussex County has established the Bethany Beach Sanitary Sewer District; and

WHEREAS, the sewer district as established includes only the corporate limits of the Town of Bethany Beach and those properties lying along the north side of Fifth Street; and

WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County in Bethany Beach, the inclusion of Lots 2 and 3 of Block A and Lots 1 and 2 of Block 1 in Sussex Shores Subdivision 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 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; 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 Robert W. Cerklefskie, 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 (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 Bethany Beach Sanitary Sewer District to encompass Lots 2 and 3 of Block A and Lots 1 and 2 of Block 1 in Sussex Shores Subdivision and bounded as follows:

ALL that certain piece, parcel or lot of land lying and being situate in Baltimore Hundred, Sussex County, State of Delaware, being more fully described as follows, to wit:

BEGINNING at a point situate on the easterly right-of-way of Pennsylvania Avenue, said point being 150' ± northwesterly from the centerline of Fifth Street, said point being a corner of this parcel of land and being a point on line of Lot No. 1 of the Sussex Shores Subdivision; thence crossing Pennsylvania Avenue (1) S 80° 06' 25" W, 50.0' to a point located on the westerly right-of-way of Pennsylvania Avenue; thence by and with the westerly right-of-way of Pennsylvania Avenue (2) N 08° 25' 05" W, 200.75' to a point; thence by and with said right-of-way (3) S 81° 34' 55" W, 10.0' to a point; thence by and with said right-of-way (4) N 08° 25' 05", 125.71' to a point; thence crossing Pennsylvania Avenue (5) N 81° 34' 55" E, 60.0' to a point, said point being located on the easterly right-of-way of Pennsylvania Avenue, said point also being a corner of this parcel of land and Lot No. 3, Block 1 of the Sussex Shores Subdivision; thence by and with Lot No. 3, Block 1 of the Sussex Shores Subdivision and crossing a 10' Alley (6) N 81° 34' 55" E, 120.0' to a point, said point being a corner of this parcel of land and a point on line of Lot No. 5, Block 1 of the Sussex Shores Subdivision and being situate on the easterly right-of-way of said 10' Alley; thence by and with said easterly right-of-way of a 10' Alley, Lot No. 5 and lot No. 4, Block 1 crossing Ayres Road and Lot No. 5, Block A of the Sussex Shores Subdivision and crossing a 10' Alley (7) S 0° 25' 05" E, 322.08' to a point, said point being situate on the southerly right-of-way of a 10' Alley, said point being a corner of this parcel of land and a point on line of Lot No. 4 of the Sussex Shores Subdivision; thence by and with a 10' Alley, Lot No. 4 and Lot No. 1 of said Sussex Shores Subdivision (8) S 80° 06' 25" W, 120.04' to the point of BEGINNING

The above described parcel of land contains 1.29 acres, be the same more or less; and

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 036 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 27TH DAY OF MARCH, 1984.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL

EXHIBIT A:

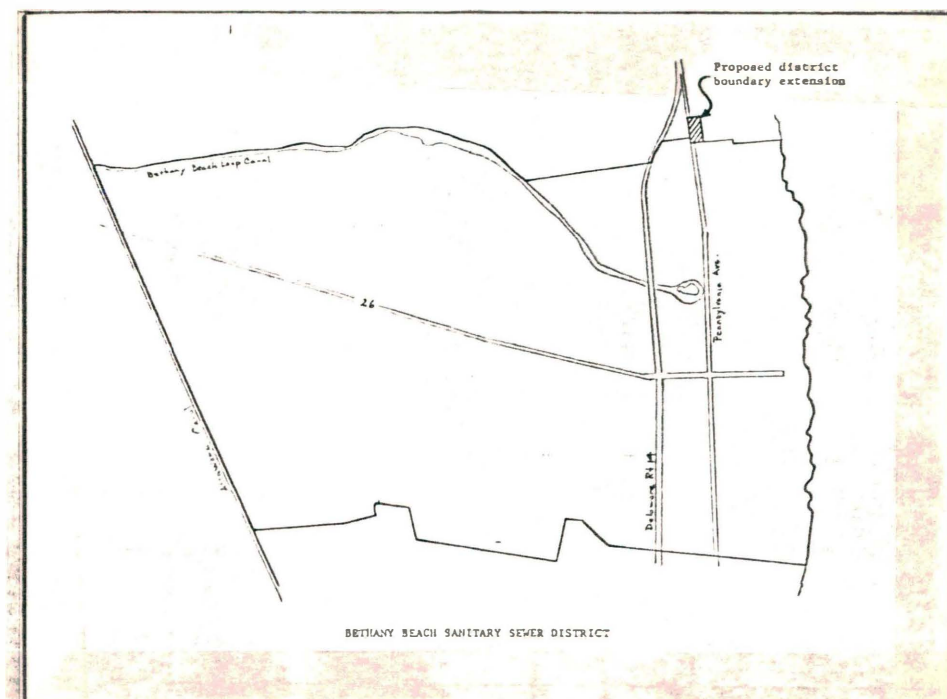
NOTICE

BETHANY BEACH SANITARY SEWER DISTRICT

The Sussex County Council voted on March 6, 1984 to consider extending the Bethany Beach Sanitary Sewer District to include a parcel of land contiguous to the Bethany Beach Sanitary Sewer District. The area includes two parcels totaling 1.29 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.



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

A description of the properties is attached.

ATTACHMENT:

ALL that certain piece, parcel or lot of land lying and being situate in Baltimore Hundred, Sussex County, State of Delaware being more fully described as follows, to wit:

BEGINNING at a point situate on the easterly right-of-way of Pennsylvania Avenue, said point being 150' ± northwesterly from the centerline of Fifth Street, said point being a corner of this parcel of land and being a point on line of Lot No. 1 of the Sussex Shores Subdivision; thence crossing Pennsylvania Avenue (1) S 80° 06' 25" W, 50.0' to a point located on the westerly right-of-way of Pennsylvania Avenue; thence by and with the westerly right-of-way of Pennsylvania Avenue (2) N 08° 25' 05" W, 200.75' to a point; thence by and with said right-of-way (3) S 81° 34' 55" W, 10.0' to a point; thence by and with said right-of-way (4) N 08° 25' 05", 125.71' to a point; thence crossing Pennsylvania Avenue (5) N 81° 34' 55" E, 60.0' to a point, said point being located on the easterly right-of-way of Pennsylvania Avenue, said point also being a corner of this parcel of land and Lot No. 3, Block 1 of the Sussex Shores Subdivision; thence by and with Lot No. 3, Block 1 of the Sussex Shores Subdivision and crossing a 10' Alley (6) N 81° 34' 55" E, 120.0' to a point, said point being a corner of this parcel of land and a point on line of Lot No. 5, Block 1 of the Sussex Shores Subdivision and being situate on the easterly right-of-way of said 10' Alley; thence by and with said easterly right-of-way of a 10' Alley, Lot No. 5 and Lot No. 4, Block 1 crossing Ayres Road and Lot No. 5, Block A of the Sussex Shores Subdivision and crossing a 10' Alley (7) S 08° 25' 05" E, 322.08' to a point, said point being situate on the southerly right-of-way of a 10' Alley, said point being a corner of this parcel of land and a point on line of Lot No. 4 of the Sussex Shores Subdivision; thence by and with a 10' Alley, Lot No. 4 and Lot No. 1 of said Sussex Shores Subdivision (8) S 80° 06' 25" W, 120.04' to the point of BEGINNING.

The above described parcel of land contains 1.29 acres, be
the same more or less.

EXHIBIT B:

STATE OF DELAWARE)
 (
COUNTY OF SUSSEX)

BE IT REMEMBERED, that on this 15th day of March A. M., 1984, personally appeared before me, the subscriber, an Engineering Technician with Sussex County Engineering Department, ROBERT W. CERKLEFSKIE, 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 6 March 1984, 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 Bethany Beach Sanitary Sewer District to include Lots 2 and 3 of Block A, and Lots 1 and 2 of Block 1 of the Sussex Shores Subdivision 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 6 March 1984 at the following locations:
 1. Bethany West Office Route 26 and Halfmoon Drive
 2. Sussex County Library
 3. Bethany Beach Town Hall
 4. Pole No. $\frac{62399}{99250}$ Corner of Oakwood and Pennsylvania Avenue
 5. Bethany Beach Post Office
 6. Pole No. $\frac{AD}{20}$ Corner of Ayres and Pennsylvania Avenue
 7. Pole No. 45 Entrance to Turtlewalk, Route 26
 8. Pole No. $\frac{61756}{99531}$ Entrance Lake Bethany, Route 26

(Signed) Robert W. Cerklefskie
Robert W. Cerklefskie

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

(Signed) Sarah B. Long
Notary Public