

RESOLUTION NO. R 043 86

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

WHEREAS, the sanitary sewer district as established includes only the corporate limits of the Town of Bethany Beach and those properties in the Sussex Shores and Seabreak subdivisions;

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 Bethany Beach, the inclusion of the private lands South of Delaware Seashore State Park and North of Bethany Beach would be beneficial;

WHEREAS, in accordance with Title 9, Delaware Code, 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;

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 William A. Siegmund, a copy of which affidavit and public notice is attached hereto and made a part hereof;

WHEREAS, in accordance with Title 9, Delaware Code, 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 the Bethany Beach Sanitary Sewer District to encompass the private lands south of the Delaware Seashore State Park and north of Bethany Beach and bounded on the east by the Atlantic Ocean and the west by the ditch which connects Beach Cove with Salt Pond 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 beginning point where the northern boundary of the Bethany Beach Sanitary Sewer District meets the Atlantic Ocean Coastline proceed in a northerly direction along the Atlantic Ocean Coastline to the northeastern property corner of the parcel of land now or formerly of (N/F) Tower Shores Beach Association, thence along the northern boundary of this parcel to the point where it meets the northeastern property corner of the subdivision of Tower Shores (found in Plot Book No. 2, Page 99 and Plot Book No. 3, Page 14 of the Sussex County Recorder of Deeds Office), thence along the northern boundary of the subdivision of Tower Shores to a point where it meets the eastern right-of-way (R/W) of State of Delaware Route One, thence proceed in a northerly direction along the eastern boundary of the right-of-way of State of Delaware Route One to a point where it meets the southwestern property corner of the parcel of land N/F Indian Harbor, Inc., thence along the southern and eastern boundaries of this property respectively, to a point where it meets the southeastern property corner of the parcel of land N/F William P. Short, Jr., thence along the eastern and northern boundaries of this same parcel to a point where it meets the eastern R/W of State of Delaware Route One, thence in a southwesterly direction in an extended straight line to the northernmost property corner of the parcel of land N/F of Sea and Pines, Inc., thence proceed along the northern boundary of this same parcel until it meets the southeastern property corner of the parcel of land N/F of Mary A. S. Lighthipe, thence proceed in a northerly direction along the easternmost boundary of this same parcel to the southeastern property corner of the parcel of land N/F State of Delaware, thence proceed northward on the eastern property boundary, and westward on the northern property boundary, respectively, to a point where it meets the western property boundary of the parcel of land N/F

William P. Short, Jr., thence proceed in a northward direction along the eastern boundary, westward on the northern boundary, and southward on the western boundary, respectively, until it meets the northern boundary of the parcel of land N/F Susan Z. Calloway, thence proceed in an easterly direction along the western and southern boundaries and northward on the eastern boundary, respectively, of this same parcel to a point where it meets the southernmost boundary of the parcel of land N/F Harbor View Motel, Inc., thence along this southernmost boundary of this parcel to a point where it meets the western R/W of State of Delaware Route One, thence proceed southward along the western boundary of the R/W of State of Delaware Route One to a point where it meets the northeastern property corner of the parcel of land N/F Sea and Pines, Inc., thence proceed in a westerly direction along the northern boundary and southerly direction along the western boundary, respectively, of this same parcel to a point where it meets the northwestern property corner of the parcel of land N/F Sussex Shores Realty Company, thence proceed southward along the western boundary of this same parcel to a point where it meets the western boundary of the subdivision of Cotton Patch Hills (found in Plot Book No. 8, Page 607 of the Sussex County Recorder of Deeds Office), thence proceed southward along the western boundary of this same subdivision to a point where it meets the northernmost property corner of the parcel of land N/F Sussex Shores Realty Company, thence proceed southward along the western boundary of this same parcel to the point where it meets the ditch that connects Beach Cove with Salt Pond, thence follow the ditch in a southward direction to a point where it meets the northernmost property corner of the parcel of land N/F William P. Short, Jr., thence along the western boundaries of this same parcel to a point where it meets the northern boundary of the Bethany Beach Sanitary Sewer District, thence proceed in an easterly direction along this boundary of the Bethany Beach Sanitary Sewer District 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 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 043 86 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 21ST DAY OF OCTOBER, 1986.

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



EXHIBIT A

STATE OF DELAWARE :  
 : SS.  
COUNTY OF SUSSEX :

BE IT REMEMBERED, That on this 6th day of October, A.D., 1986, personally appeared before me, the subscriber, an Engineering Technician with Sussex County Engineering Department, WILLIAM A. SIEGMUND, JR., known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

1. On October 2, 1986 he was an Engineering Technician for the Sussex County Engineering Department, Sussex County, State of Delaware.
2. The Sussex County Engineering Department prepared a "Public Notice" proposing the extension of the Bethany Beach Sanitary Sewer District to include the North Bethany Planning Area. Attached hereto is a copy of the Notice containing the described area to be included.
3. He did post this "Public Notice" on October 2, 1986 at the following locations:
  1. Shore Stop Store - Route 26, Bethany Beach, DE
  2. Bethany Beach Town Hall (Bulletin Board) - Garfield Parkway, Bethany Beach, DE
  3. Holiday House - DPL Pole No. 62473/99396 Garfield Parkway, Bethany Beach, DE
  4. Bethany Beach Post Office - Pennsylvania Avenue, Bethany Beach, DE
  5. Entrance to Sussex Shores - DPL Pole No. 62363/99721
  6. Entrance to Ocean Village - DPL Pole No. 62320/00052
  7. Entrance to Sea Del Estates (110 feet South of the Entrance) - DPL Pole No. 62312/00330
  8. Sussex Shores Water Co. (Bulletin Board)
  9. Entrance to Bayberry Dunes (40 feet ± North of Entrance) - DPL Pole No. 62310/00509
  10. Entrance to Gull's Nest (Gull's Nest Sign)
  11. Cotton Patch Hills East (130 feet North of Entrance) - DPL Pole No. 62293/00986
  12. Entrance to Tower Shores Restaurant - Route 1
  13. Nomad Village Liquors
  14. Entrance to Atlantic Watergate - DPL Pole No. 62273/01190
  15. Entrance to Harbor Lights Restaurant - Route 1 South of Indian River Inlet

(Signed) William A. Siegmund, Jr.  
WILLIAM A. SIEGMUND, JR.

SWORN TO AND SUBSCRIBED before me on the day and year aforesaid.

(Signed) Norma L. Talley  
NOTARY PUBLIC

EXHIBIT B

NOTICE

BETHANY BEACH SANITARY SEWER DISTRICT

The Sussex County Council voted on September 30, 1986 to consider extending the Bethany Beach Sanitary Sewer District to include a parcel of land contiguous to the Bethany Beach Sanitary Sewer District.

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

A description of the property which is contiguous to and to be added to the Bethany Beach Sanitary Sewer District is described as follows:

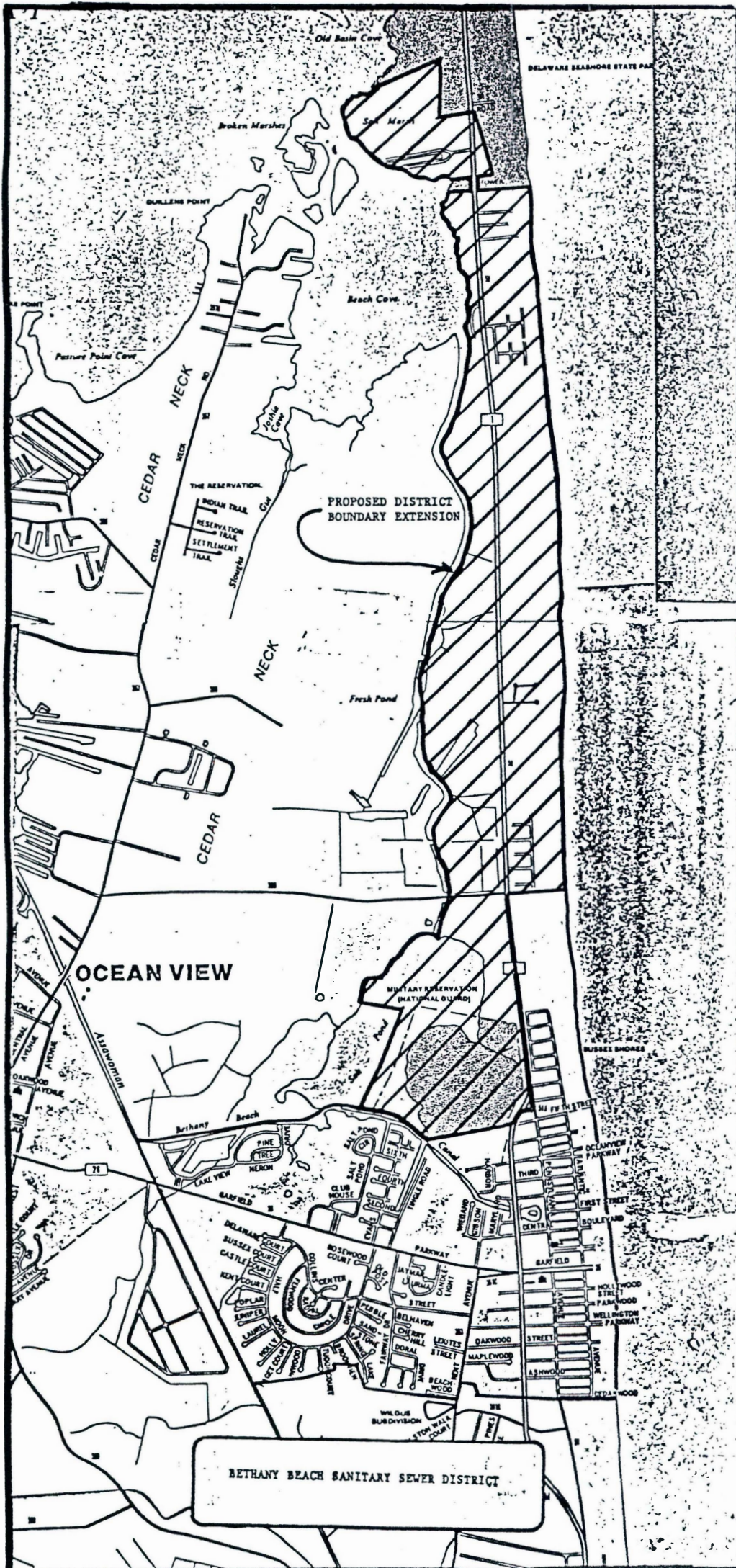
BEGINNING at a beginning point where the northern boundary of the Bethany Beach Sanitary Sewer District meets the Atlantic Ocean Coastline proceed in a northerly direction along the Atlantic Ocean Coastline to the northeastern property corner of the parcel of land now or formerly of (N/F) Tower Shores Beach Association, thence along the northern boundary of this parcel to the point where it meets the northeastern property corner of the subdivision of Tower Shores (found in Plot Book No. 2, Page 99 and Plot Book No. 3, Page 14 of the Sussex County Recorder of Deeds Office), thence along the northern boundary of the subdivision of Tower Shores to a point where it meets the eastern right-of-way (R/W) of State of Delaware Route One, thence proceed in a northerly direction along the eastern boundary of the right-of-way of State of Delaware Route One to a point where it meets the southwestern property corner of the parcel of land N/F Indian Harbor, Inc., thence along the southern and eastern boundaries of this property respectively, to a point where it meets the southeastern property corner of the parcel of land N/F William P. Short, Jr., thence along the eastern and northern boundaries of this same parcel to a point where it meets the eastern R/W of State of Delaware Route One, thence in a southwesterly direction in an extended straight line to the northernmost property corner of the parcel of land N/F of Sea and Pines, Inc., thence proceed along the northern boundary of this same parcel until it meets the southeastern property corner of the parcel of land N/F of Mary A. S. Lighthipe, thence proceed in a northerly direction along the easternmost boundary of this same parcel to the southeastern property corner of the parcel of land N/F State of Delaware, thence proceed northward on the eastern property boundary, and westward on the northern property boundary, respectively, to a point where it meets the western property boundary of the parcel of land N/F William P. Short, Jr., thence proceed in a northward direction along the eastern boundary, westward on the northern boundary, and southward on the western boundary, respectively, until it meets the northern boundary of the parcel of land N/F Susan Z. Calloway, thence proceed in an easterly direction along the western and southern boundaries and northward on the eastern boundary, respectively, of this same parcel to a point where it meets the southernmost boundary of the paracel of land N/F Harbor View Motel, Inc., thence along this southernmost boundary of this parcel to a point where it meets the western R/W of State of Delaware Route One, thence proceed southward along the western boundary of the R/W of State of Delaware Route One to a point where it meets the northeastern property corner of the parcel of land N/F Sea and Pines, Inc., thence proceed in a westerly direction along the northern boundary and southerly direction along the western boundary, respectively, of this same parcel to a point where it

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NOTE: The above description has been prepared using Sussex County, Delaware Property Map Nos. 1-34-5, 1-34-9 and 1-34-13.



Below is a map illustrating 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) 836-7701.

COST ESTIMATE FOR EXTENDING BETHANY BEACH  
WASTEWATER SERVICES INTO NORTH BETHANY

ANNUAL ASSESSMENT CHARGES

	Collection	Transmission & Treatment	Total
North Bethany Improvements	\$ 3.65/ff	\$8.24/ff	\$11.89/ff
Sussex Shores Interceptor	N/A	\$0.11/ff	\$ 0.11/ff
Bethany Beach Sanitary Sewer District Transmission and Treatment	<u>N/A</u>	<u>\$0.77/ff</u>	<u>\$ 0.77/ff</u>
Total	\$ 3.65/ff	\$9.12/ff	\$12.77/ff

ff = Front Foot

N/A = Not Applicable

ANNUAL SERVICE CHARGE ESTIMATE

\$105.00/EDU

EDU = Equivalent Dwelling Unit

ONE TIME CHARGES - COST ESTIMATES

Impact Fee	\$ 6.27/ff
System Expansion Fee	\$900.00/EDU

ff = Front Foot

EDU = Equivalent Dwelling Unit