

RESOLUTION NO. R 047 82

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

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

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 The Canal Subdivision would be beneficial;

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;

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;

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 the corporate limits of the Town of Bethany Beach by adding the area annexed in 1981, known as the Canal development 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 and being more fully described as follows, to wit:

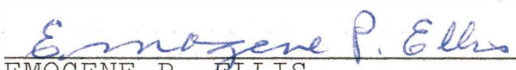
Beginning at a point being a corner of these lands and lands of the Army National Guard Camp; thence by and with line of lands of said Army National Guard Camp (1) S 87°20'10" W, 597.18' to a concrete marker being a point on line; thence continuing with the same bearing,

a distance of 776.21' (in all making a total distance of 1,373.39') to a concrete marker, said concrete marker being situate on the bank of the Bethany Beach Canal and being a corner of these lands and lands of said Army National Guard Camp; thence leaving lands of said Army National Guard Camp and by with said Bethany Beach Canal (2) S 40°23'43" E, 745.20' to a point situate in the centerline of the Extension of Ocean View Parkway, said point being situate on the said Bethany Beach Canal and being a corner of these lands and lands of Sea Side Village, Inc. and Raymond and Sally Hickman; thence leaving said Bethany Beach Canal and by and with the centerline of the Extension of Ocean View Parkway and line of lands of Sea Side Village, Inc. and Raymond and Sally Hickman (3) S 88°00'00" E, 716.51' to a point, said point being situate in the centerline of the Extension of Ocean View Parkway, being a corner of these lands, other lands of John E. Gibson/Victor G. Trapasso Limited Partnership and a point on line of lands of aforementioned Sea Side Village, Inc. and Raymond and Sally Hickman, said point also being a point of the existing Town Limit Line of Bethany Beach; thence leaving the centerline of the Extension of Ocean View Parkway and lands of Sea Side Village, Inc. and Raymond and Sally Hickman and by and with other lands of John E. Gibson/Victor G. Trapasso Limited Partnership and with the existing Town Limit Line of Bethany Beach (4) N 17°05'45" E, 601.76' to a point, said point being a corner of these lands and other lands of John E. Gibson/Victor G. Trapasso Limited Partnership and being situate on the westerly right-of-way of Route 1; thence leaving said westerly right-of-way of Route 1 (5) N 02°49'23" W, 81.3' to the point of beginning.

Being and containing 14.927 acres of land be the same more or less.
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 047 82 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 1ST DAY OF JUNE, 1982.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL

ATTACHMENT 1

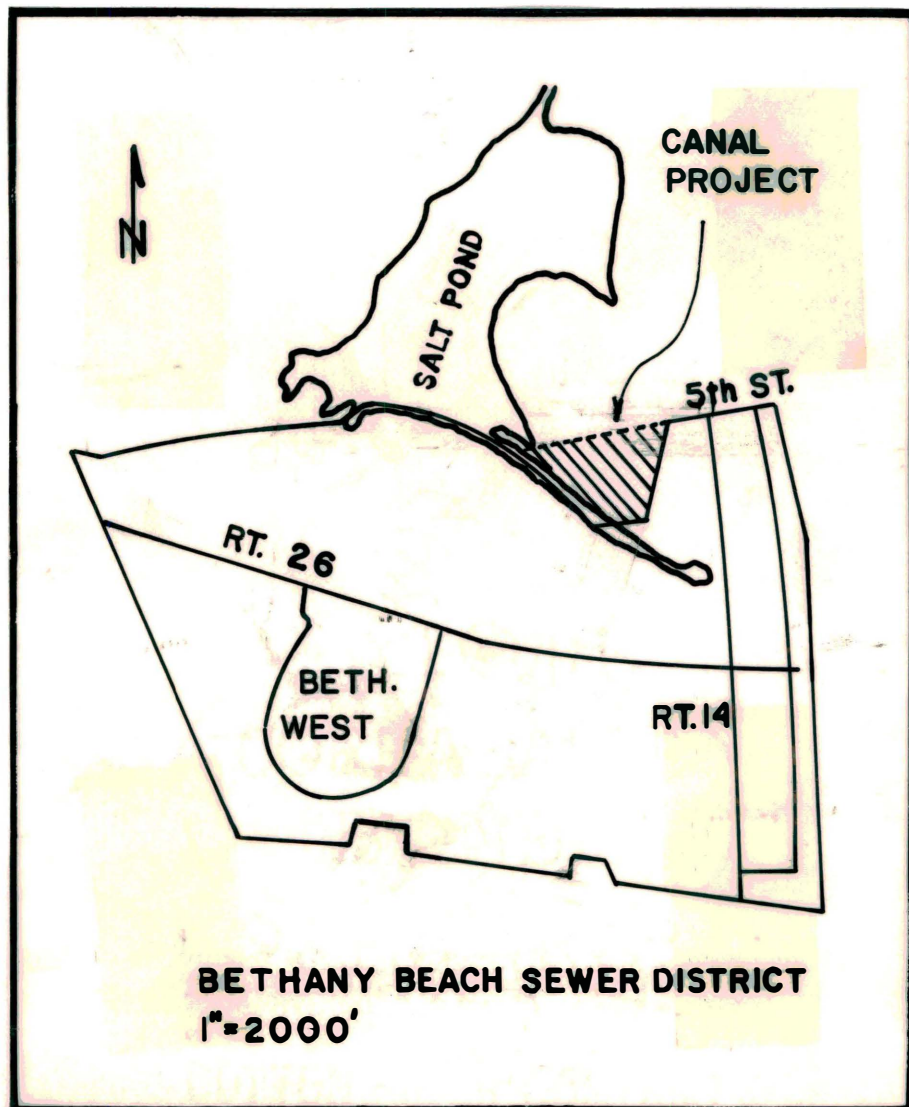
NOTICE

BETHANY BEACH SANITARY SEWER DISTRICT

The Sussex County Council voted on May 4, 1982 to consider extending the Bethany Beach Sanitary Sewer District to include any area known as the proposed canal development contiguous to the Bethany Beach Sanitary Sewer District. The area includes one parcel of 14.93 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, Delaware 19947, 302-856-7701.

A description of the properties is attached.

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 being a corner of these lands and lands of the Army National Guard Camp; thence by and with line of lands of said Army National Guard Camp (1) S 87°20'10" W, 597.18' to a concrete marker being a point on line; thence continuing with the same bearing, a distance of 776.21' (in all making a total distance of 1,373.39') to a concrete marker, said concrete marker being situate on the bank of the Bethany Beach Canal and being a corner of these lands and lands of said Army National Guard Camp; thence leaving lands of said Army National Guard Camp and by and with said Bethany Beach Canal (2) S 40°23'43" E, 745.20' to a point situate in the centerline of the Extension of Ocean View Parkway, said point being situate on the said Bethany Beach Canal and being a corner of these lands and lands of Sea Side Village, Inc. and Raymond and Sally Hickman; thence leaving said Bethany Beach Canal and by and with the centerline of the Extension of Ocean View Parkway and line of lands of Sea Side Village, Inc. and Raymond and Sally Hickman (3) S 88°00'00" E, 716.51' to a point, said point being situate in the centerline of the Extension of Ocean View Parkway, being a corner of these lands, other lands of John E. Gibson/Victor G. Trapasso Limited Partnership and a point on line of lands of aforementioned Sea Side Village, Inc. and Raymond and Sally Hickman, said point also being a point on line of the existing Town Limit Line of Bethany Beach; thence leaving the centerline of the Extension of Ocean View Parkway and lands of Sea Side Village, Inc. and Raymond and Sally Hickman and by and with other lands of John E. Gibson/Victor G. Trapasso Limited Partnership and with the existing Town Limit Line of Bethany Beach (4) N 17°05'45" E, 601.76' to a point, said point being a corner of these lands and other lands of John E. Gibson/Victor G. Trapasso Limited Partnership and being situate on the westerly right-of-way of Route 1; thence leaving said westerly right-of-way of Route 1 (5) N 02°49'23" W, 81.3' to the point of beginning.

Being and containing 14.927 acres of land be the same more or less.

ATTACHMENT 2

STATE OF DELAWARE)
(
COUNTY OF SUSSEX)

BE IT REMEMBERED, that on the seventh day of May A.D., 1982, 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 7 May 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 Bethany Beach Sanitary Sewer District to include those properties of the Canal development 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 7 May 1982 at the following locations:
 1. Pole No. 62315 West Intersection of Route 14 and Fifth
99632 Street
 2. Pole No. 62332 East Intersection of Route 14 and Fifth
99635 Street
 3. Pole No. 62393 Intersection of Central Avenue and Penn.
99452 Avenue
 4. Pole No. 62473 End of Garfield - next to "Holiday House"
99396
 5. Bethany Beach Town Hall
 6. Bethany Beach Library (Sussex County)
 7. Bethany Beach Post Office
 8. Pole No. 62399 Intersection of Ashwood Street and Penn.
99187 Avenue
 9. Bethany West Office - Halfmoon Drive and Route 26
 10. Johnsons Midway Store and Route 26

(Signed) Robert W. Cerklefskie
Robert W. Cerklefskie

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

(Signed) Emogene P. Ellis
Notary Public