

RESOLUTION NO. R .

R48-86

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

WHEREAS, the sanitary sewer district as established include only the corporate limits of the Town of Bethany Beach and those properties between the Delaware Seashore State Park and the Town of Bethany Beach boundaries;

WHEREAS, in the best interests of the present district, and to enhance the general health and welfare of that portion of Sussex County south of Beach Cove and east of Sloughs Gut and west of the ditch connecting Salt Pond and Beach Cove;

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 Beach Cove and east of Sloughs Gut and west of the ditch connecting Salt Pond and Beach Cove 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 easternmost property corner of the parcel of land now or formerly of (N/F) William P. Short, Jr. Trustee meets the western boundary of the Bethany Beach Sanitary Sewer District (being also the ditch which connects Beach Cove and Salt Pond), thence leaving such boundary and running with the easternmost boundaries of said parcel the three following courses and distances, viz: (1) South 34 degrees 31 minutes 18 seconds West 1,737.48 feet; (2) South 54 degrees 18 minutes 18 seconds West 562.00 feet; and (3) South 26 degrees 32 minutes 18 seconds West 382.00 feet to a concrete monument at the southeasternmost corner of said parcel thence with the southernmost outline of said parcel North 63 degrees 08 minutes 12 seconds West 2,117.63 feet to a concrete monument at the Sluice Gut or otherwise known as Sloughs Gut, being the southwesternmost corner of said parcel, thence with said gut and the westernmost outlines of said parcel the six (6) following courses and distances, viz: (1) North 18 degrees 42 minutes 48 seconds East 325.00 feet; (2) North 27 degrees 17 minutes 06 seconds East 539.12 feet; (3) North 28 degrees 22 minutes 00 seconds East 500.00 feet; (4) North 20 degrees 15 minutes 13 seconds East 481.88 feet; (5) North 13 degrees 30 minutes 00 seconds West 150.00 feet; and (6) North 13 degrees 30 minutes 00 seconds West 300.00 feet to the east side of a creek thence with said east side of said creek the four (4) following courses and distances, viz: (1) North 09 degrees 49 minutes 00 seconds East 70.00 feet; (2) North 51 degrees 57 minutes 00 seconds East 110.00 feet; (3) North 00 degrees 53 minutes 00 seconds West 140.00 feet; and (4) North 33 degrees 35 minutes 00 seconds West 95.00 feet to the water of Beach Cove (sometimes called Wharton's Cove) thence with the meanders of said Cove the thirteen (13) following courses and distances, viz: (1) North 45 degrees 30 minutes 58 seconds East 93.78 feet (2) South 62 degrees 35 minutes 00 seconds East 240.00 feet (3) South 49 degrees 23 minutes 00 seconds East 140.00 feet; (4) South 71 degrees 40 minutes 00 seconds East 440.00 feet; (5) North 55 degrees 38 minutes 00 seconds East

215.00 feet; (6) North 79 degrees 51 minutes : 00 seconds East 400.00 feet; (7) North 17 degrees 37 minutes 00 seconds West 270.00 feet; (8) North 30 degrees 34 minutes 00 seconds East 295.00 feet; (9) North 50 degrees 59 minutes 00 seconds East 565.00 feet; (10) North 05 degrees 52 minutes 00 seconds East 100.00 feet; (11) North 57 degrees 47 minutes 00 seconds East 355.00 feet; (12) South 33 degrees 58 minutes 00 seconds East 150.00 feet; and (13) North 61 degrees 47 minutes 00 seconds East 181.96 feet to the northwest corner of the parcel of land N/F Sea and Pines, Inc. thence proceeding in a northeasterly direction along the northernmost boundary of said parcel to a point where it meets the ditch which connects Beach Cove and Salt Pond (being also the western boundary of the Bethany Beach Sanitary Sewer District), thence proceed in a southerly direction along the 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 right-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, specification 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 048 86 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 18TH DAY OF NOVEMBER, 1986.

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

STATE OF DELAWARE :
 : SS.
County of Sussex :

1. On October 28, 1986 he was an Engineering Technician for the Sussex County Engineering Department, Sussex County, State of Delaware.

3. He did post this "Public Notice" on October 28, 1986 at the following locations:

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

(Signed) Emogene P. Ellis
NOTARY PUBLIC

ATTACHMENT

NOTICE

BETHANY BEACH SANITARY SEWER DISTRICT

The Sussex County Council voted on October 21, 1986 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 2 properties totaling 210.65 acres more or less.

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

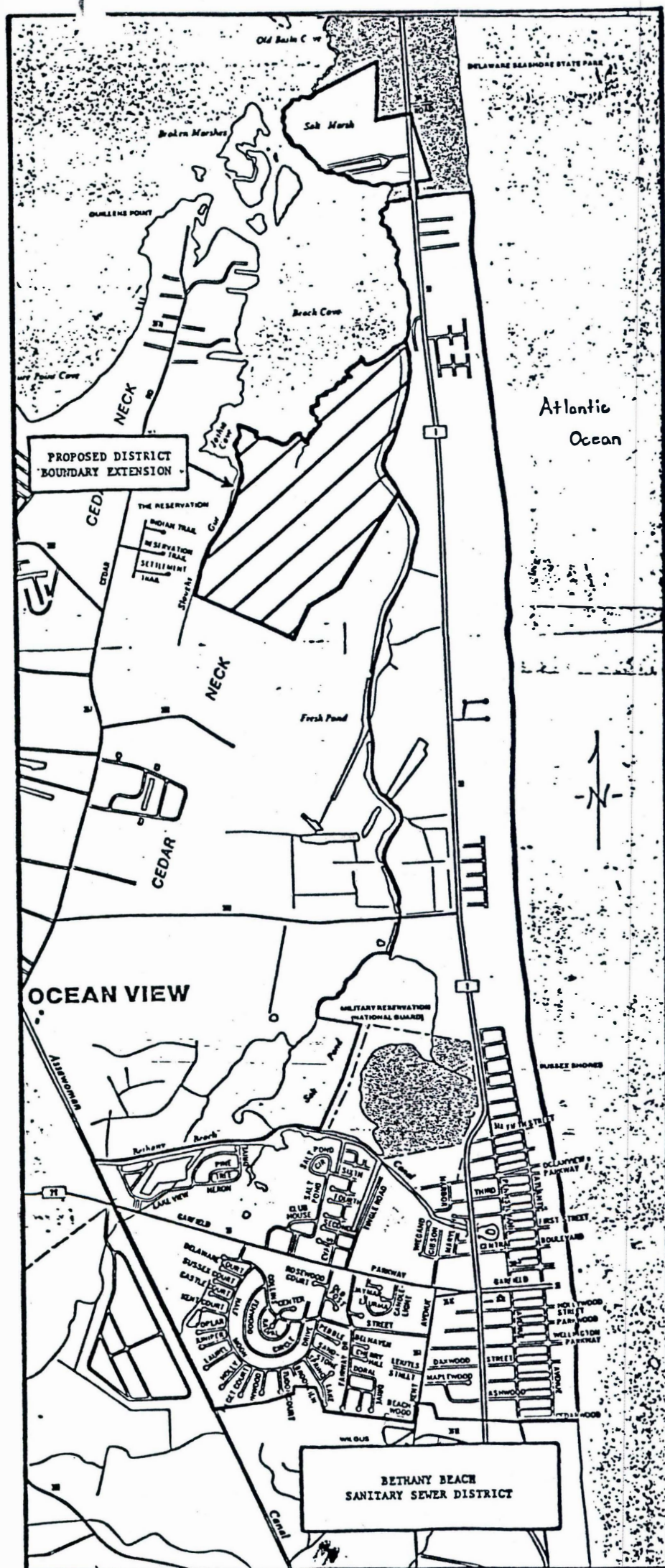
A description of the property which is contiguous to and to be added to the Bethany Beach Sanitary Sewer District is described as follows:

BEGINNING at a beginning point where the easternmost property corner of the parcel of land now or formerly of (N/F) William P. Short, Jr. Trustee meets the western boundary of the Bethany Beach Sanitary Sewer District (being also the ditch which connects Beach Cove and Salt Pond), thence leaving such boundary and running with the easternmost boundaries of said parcel the three following courses and distances, viz: (1) South 34 degrees 31 minutes 18 seconds West 1,737.48 feet; (2) South 54 degrees 18 minutes 18 seconds West 562.00 feet; and (3) South 26 degrees 32 minutes 18 seconds West 382.00 feet to a concrete monument at the southeasternmost corner of said parcel thence with the southernmost outline of said parcel North 63 degrees 08 minutes 12 seconds West 2,117.63 feet to a concrete monument at the Sluice Gut or otherwise known as Sloughs Gut, being the southwesternmost corner of said parcel, thence with said gut and the westernmost outlines of said parcel the six (6) following courses and distances, viz: (1) North 18 degrees 42 minutes 48 seconds East 325.00 feet; (2) North 27 degrees 17 minutes 06 seconds East 539.12 feet; (3) North 28 degrees 22 minutes 00 seconds East 500.00 feet; (4) North 20 degrees 15 minutes 13 seconds East 481.88 feet; (5) North 13 degrees 30 minutes 00 seconds West 150.00 feet; and (6) North 13 degrees 30 minutes 00 seconds West 300.00 feet to the east side of a creek thence with said east side of said creek the four (4) following courses and distances, viz: (1) North 09 degrees 49 minutes 00 seconds East 70.00 feet; (2) North 51 degrees 57 minutes 00 seconds East 110.00 feet; (3) North 00 degrees 53 minutes 00 seconds West 140.00 feet; and (4) North 33 degrees 35 minutes 00 seconds West 95.00 feet to the water of Beach Cove (sometimes called Wharton's Cove) thence with the meanders of said Cove the thirteen (13) following courses and distances, viz: (1) North 45 degrees 30 minutes 58 seconds East 93.78 feet (2) South 62 degrees 35 minutes 00 seconds East 240.00 feet (3) South 49 degrees 23 minutes 00 seconds East 140.00 feet; (4) South 71 degrees 40 minutes 00 seconds East 440.00 feet; (5) North 55 degrees 38 minutes 00 seconds East 215.00 feet; (6) North 79 degrees 51 minutes 00 seconds East 430.00 feet; (7) North 17 degrees 37 minutes 00 seconds West 270.00 feet; (8) North 30 degrees 34 minutes 00 seconds East 295.00 feet; (9) North 50 degrees 59 minutes 00 seconds East 565.00 feet; (10) North 05 degrees 52 minutes 00 seconds East 100.00 feet; (11) North 57 degrees 47 minutes 00 seconds East 355.00 feet; (12) South 33 degrees 58 minutes 00 seconds East 150.00 feet; and (13) North 61 degrees 47 minutes 00 seconds East 181.96 feet to the northwest corner of the parcel of land N/F Sea and Pines, Inc. thence proceeding in a northeasterly direction along the northernmost boundary of said parcel to a point where it meets the ditch which connects Beach Cove and Salt Pond (being also the western boundary of the Bethany Beach Sanitary Sewer District), thence proceed in a southerly direction along the boundary of the Bethany Beach Sanitary Sewer District to the point of BEGINNING.

The above described parcel of land contains 210.65 acres ±, be the same more or less.

NOTE: The above description has been prepared using a survey recorded in the Sussex County Recorder of Deeds Office in Deed Book 1075, Pages 263-268 and Sussex County Delaware Property Tax Map No. 1-34-5 and 1-34-9.

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.

EXHIBIT B

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