

RESOLUTION NO. R 085 84

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 Subdivision;

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 subdivision to be known as Sea Break, and the lands of Baker, Alfandre and Rocks would be beneficial;

WHEREAS, in accordance with 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 Robert C. Green, a copy of which affidavit and public notice is attached hereto and made a part hereof;

WHEREAS, in accordance with 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 subdivision to be known as Sea Break, and the lands of Baker, Alfandre and Rocks 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 westerly right-of-way of Route 1, said point being located on the centerline of Route 360; thence by and with westerly right-of-way of Route 1 the following eight courses and distances: (1) S 04° 26' 09" E, 300.90' to a point; thence (2) S 05° 13' 44" E, 351.77' to a point; thence (3) S 05° 53' 48" E, 194.54' to a point; thence (4) S 06° 19' 41" E, 158.62' to a point; thence (5) S 07° 10' 07" E, 502.39' to a point; thence (6) S 08° 04' 35" E, 228.53' to a point; thence (7) S 08° 21' 42" E, 282.03' to a point; thence (8) S 08° 19' 35" E, 793.08' to a point, said point being located on the westerly right-of-way of Route 1; thence crossing the right-of-way of Route 1 (9) N 81° 40' 25" E, 150.00' to a point, said point being a corner of this parcel of land and of Sussex Shores and located on easterly right-of-way of Route 1; thence by and with lands of Sussex Shores and easterly right-of-way of Route 1 (10) N 08° 19' 35" W, 793.13' to a point, said point being a corner of this parcel of land, lands of Sussex Shores and lands N/F of Ralph Rocks; thence by and with lands of Sussex Shores, lands N/F of Ralph Rocks and lands N/F of Sea and Pines, Inc. (11) N 81° 34' 55" E, 600.00' to a point, said point being a corner of this parcel of land, lands N/F of Ralph Rocks and being located on line of lands N/F of Sea and Pines, Inc.; thence by and with lands N/F of Ralph Rocks, lands N/F of John E. Baker, lands N/F of Jack Alfandre and lands N/F of Sea and Pines, Inc. (12) N 04° 26' 28" W, 231.16' to an iron pipe, said iron pipe being a corner of lands N/F of Jack Alfandre, Sea and Pines, Inc. and lands N/F of Charles A. Camalier, Jr., et al.; thence by and with lands of Sea and Pines, Inc. and lands N/F of Charles A. Camalier, Jr., et al. the following six courses and distances: (13) N 02° 34' 36" W, 228.76' to an iron pipe; thence (14) N 03° 33' 53" W, 501.54' to an iron pipe; thence (15) N 03° 27' 04" W, 156.87' to an iron pipe; thence (16) N 03° 31' 20" W, 192.82' to an iron pipe; thence (17) N 03° 34' 12", 349.73' to an iron pipe; thence (18) N 03° 31' 21" W, 299.62' to a concrete marker, said concrete marker being a corner

of this parcel of land, Ocean Village and lands N/F of Charles A. Camalier, Jr., et al. and being located on line of lands N/F of Sea and Pines, Inc.; thence by and with Ocean Village (19) S 85° 57' 27" W, 701.92' to a concrete marker, said concrete marker being a corner of Ocean Village and being located on line of this parcel of land and being a corner of lands N/F of Charles A. Camalier, Jr., et al. and being located on the easterly right-of-way of Route 1; thence crossing the right-of-way of Route 1 (20) S 85° 33' 51" W, 150.00' to a point, said point being the place of BEGINNING;

The above described parcel of land contains 39.88 Acres ±, be the same more or less;

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, 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 085 84 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 11TH DAY OF DECEMBER, 1984.


EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL

EXHIBIT A

STATE OF DELAWARE)(: SS.
COUNTY OF SUSSEX)(

BE IT REMEMBERED, That on this 27th day of November, A.D., 1984 personally appeared before me, the subscriber, an Engineering Technician with Sussex County Engineering Department, ROBERT C. GREEN, 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 November 21, 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 a "Public Notice" proposing the extension of the Bethany Beach Sanitary Sewer District to include 4 properties totaling 39.88 acres more or less which includes portions of the Sea Break Subdivision which is currently outside of 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 November 21, 1984 at the following locations:
 1. Bethany West Office, Route 26 and Halfmoon Drive.
 2. Bethany Beach Town Hall.
 3. Pole No. 62399/99250 at the corner of Oakwood Street and Pennsylvania Avenue.
 4. Bethany Beach Post Office.
 5. Pole No. 45 at entrance to Turtlewalk, Route 26.
 6. Pole No. 61756/99631 at entrance to Lake Bethany, Route 26.

(Signed) Robert C. Green
ROBERT C. GREEN

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

(Signed) Jayne E. Dickerson
NOTARY PUBLIC

EXHIBIT B

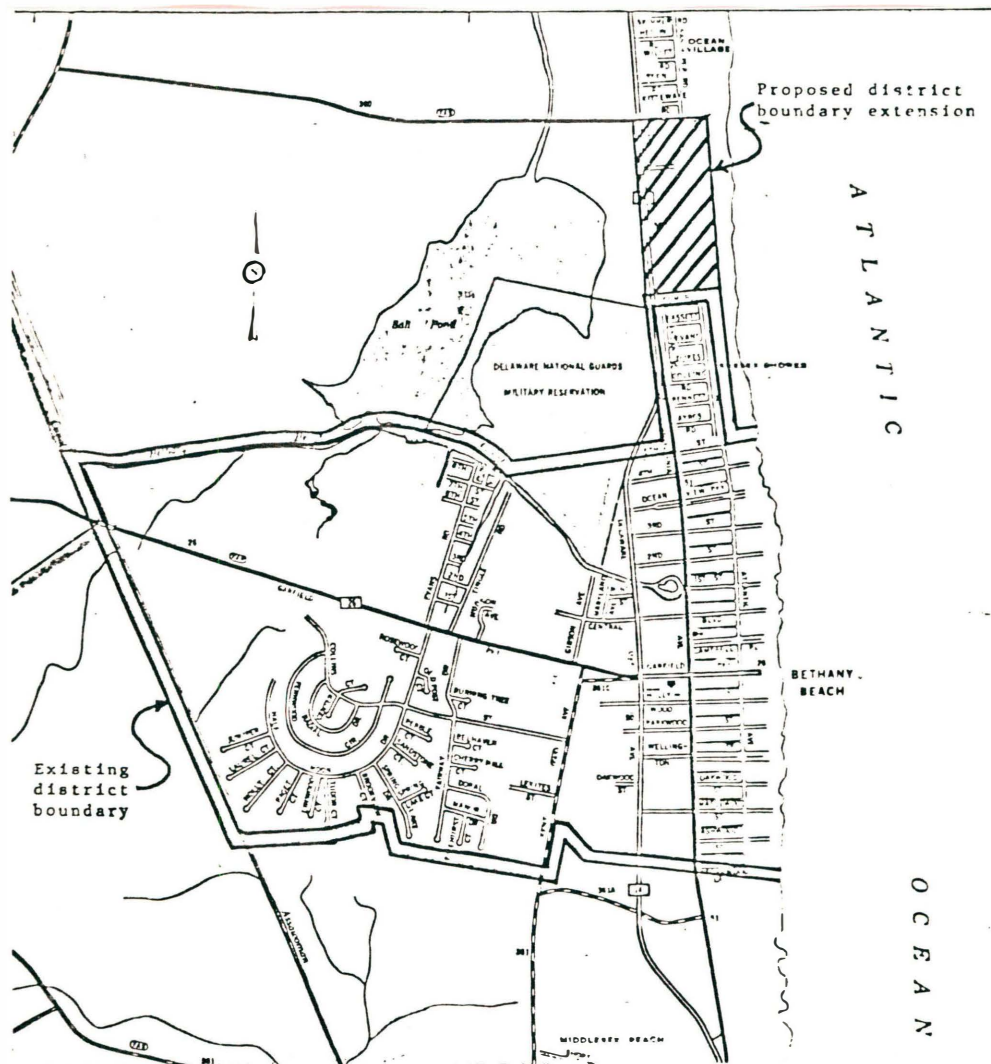
NOTICE

BETHANY BEACH SANITARY SEWER DISTRICT

The Sussex County Council voted on November 20, 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 4 properties totaling 39.88 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 area involved is cross hatched.



For further information, please call (302) 856-7701, Extension 340 or write Sussex County Engineering Department, Post Office Box 589, Georgetown, DE 19947.

A description of the property 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:

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thence (15) N 03° 27' 04" W, 156.87' to an iron pipe; thence (16) N 03° 31' 20" W, 192.82' to an iron pipe; thence (17) N 03° 34' 12", 349.73' to an iron pipe; thence (18) N 03° 31' 21" W, 299.62' to a concrete marker, said concrete marker being a corner of this parcel of land, Ocean Village and lands N/F of Charles A. Camalier, Jr., et al. and being located on line of lands N/F of Sea and Pines, Inc.; thence by and with Ocean Village (19) S 85° 57' 27" W, 701.92' to a concrete marker, said concrete marker being a corner of Ocean Village and being located on line of this parcel of land and being a corner of lands N/F of Charles A. Camalier, Jr., et al. and being located on the easterly right-of-way of Route 1; thence crossing the right-of-way of Route 1 (20) S 85° 33' 51" W, 150.00' to a point, said point being the place of BEGINNING;

The above described parcel of land contains 39.88 Acres ±, be the same more or less;