

RESOLUTION NO. R 012 10

A RESOLUTION TO EXTEND THE BOUNDARY OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (WRSSD) TO INCLUDE PARCELS OF LAND ALONG THE SOUTHERLY SIDE OF STATE OF DELAWARE ROUTE 24, WEST OF THE TOWN OF REHOBOTH BEACH, BEING SITUATE IN THE LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

WHEREAS, Sussex County has established the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County northwest and southwest of the WRSSD, which is contiguous to the WRSSD, the inclusion of this property will 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 boundary 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 boundary; 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 Anthony Diguseppe, Jr., 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 days after posting the public notices, pass a formal resolution establishing the new boundary of the district;

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Council hereby revises the boundary of the WRSSD to include parcels of land along State of Delaware Route 24, as follows:

BEGINNING at a point situate on the now or former centerline of State Route No. 24 (John J. Williams Highway), said point being ± 1970.00 feet southwest of the intersection of the centerlines of State Route 24 and State Route No. 1 (Coastal Highway), said point also being a point on the WRE Sanitary Sewer District boundary; thence by and with said boundary in the following directions and distances: southwesterly ± 302.75 feet, southeasterly ± 457.62 to a point, said point being on the centerline of an existing connector road (60 feet wide); thence in a northeasterly direction ± 30 feet crossing said connector road to a point, said point being the southwesternmost corner of lands now or formerly (N/F) of Herola Family L.L.C.; thence by and with said lands in a northeasterly direction ± 309.30 feet to a point; said point being on the southerly right-of-way (ROW) of Hood Road; thence crossing said ROW (± 50 feet) in a northwesterly direction ± 50 feet to a point, said point being along the southerly boundary of other lands N/F of Herola Family L.L.C. and a point on the northern ROW of Hood Road; thence by and with said ROW in a southwesterly direction ± 38.10 feet to a point, said point being the southeasternmost corner of lands N/F of Artisans' Bank; thence by and with said lands in a northwesterly direction ± 285.42 feet to a point, said point being along the southerly ROW of State Route No. 24; thence crossing said ROW (± 100 feet) in a northwesterly direction ± 50 feet to a point, said point being that of the 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; 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 012 10 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 23RD DAY OF MARCH 2010.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

**NOTICE
PROPOSED EXPANSION
TO THE WEST REHOBOTH EXPANSION OF THE
DEWEY BEACH SANITARY SEWER DISTRICT
TO INCLUDE THE LANDS NOW OR FORMERLY OF
ARTISANS' BANK & THE HEROLA FAMILY LLC**

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on February 2, 2010 to consider extending the boundary of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRE) to include parcels of land along State Route No. 24 (John J. Williams Hwy), west of the town of Rehoboth Beach, being in the Lewes and Rehoboth Hundred, Sussex County, Delaware. The parcels being tax map 334-12.00 parcels 127.06 & part of 127.10. File number OM 9.14-AE

This action is in conformity with 9 Del.C. §6502.

A description of the area, which is contiguous to and to be added to the WRE is described as follows:

BEGINNING at a point situate on the now or former centerline of State Route No. 24 (John J. Williams Hwy), said point being ± 1970.00 feet southwest of the intersection of the centerlines of State Route No. 24 and State Route No. 1 (Coastal Hwy), said point also being a point on the WRE Sanitary Sewer District boundary; thence by and with said boundary in the following directions and distances: southwesterly ± 302.75 feet, southeasterly ± 457.62 to a point, said point being on the centerline of an existing connector road (60' ft. wide); thence in a northeasterly direction ± 30 feet crossing said connector road to a point, said point being the southwesternmost corner of lands now or formally (N/F) of Herola Family L.L.C; thence by and with said lands in a northeasterly direction ± 309.30 feet to a point, said point being on the southerly right of way (ROW) of Hood Road; thence crossing said ROW ($\pm 50'$) in a northwesterly direction ± 50 feet to a point, said point being along the southerly boundary of other lands N/F of Herola family L.L.C and a point on the northern ROW of Hood Road; thence by and with said ROW in a southwesterly direction ± 38.10 feet to a point, said point being the southeasternmost corner of lands N/F of Artisans' Bank; thence by and with said lands in a northwesterly direction ± 285.42 feet to a point, said point being along the southerly ROW of State Route No. 24; thence crossing said ROW ($\pm 100'$) in a northwesterly direction ± 50 feet to a point, said point being that of the BEGINNING.

The proposed expansion of the WRE is within these boundaries and said to contain ± 2.74 acres, more or less. The boundary description has been prepared using Sussex County Tax Map Number 334-12.00

A map outlining and describing the extension to the WRE is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 11:00 a.m. on March 23, 2010 in the Sussex County Council Chambers, County Administrative Offices, 2 The Circle, Georgetown, Delaware. All interested persons, officials, residents, voters, taxpayers, property owners, or corporations in any way affected by this boundary extension are welcome to attend. There will be an opportunity for questions and answers. The Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension. Schedules

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 - (302) 855-7718.

Michael A. Izzo, P. E.
County Engineer

WEST REHOBOTH EXPANSION OF THE
DEWEY BEACH SANITARY SEWER DISTRICT
ARTISANS BANK & THE HEROLA FAMILY LLC EXPANSION
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)

COUNTY OF SUSSEX)

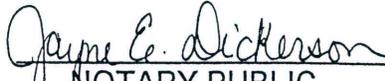
BE IT REMEMBERED That the subscriber, ANTHONY DIGIUSEPPE, JR., personally appeared before me and known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

- A. On March 4, 2010 he was a Planning Technician II for the Sussex County Engineering Department, Sussex County, State of Delaware, and
- B. On March 4, 2010 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On community bulletin board, U.S. Post Office, Five Points Plaza, 1111 Highway One, Nassau, Delaware.
 - 2. On Conectiv pole 59519/07336, intersection of Savannah Road and Ritter Lane/Dove Drive, Lewes, Delaware.
 - 3. On Conectiv pole 58287/07197, intersection of County Road 265 and Edgewater Drive, Lewes, Delaware.
 - 4. On the parcel of land being considered for the proposed extension of the West Rehoboth Expansion Area in four locations as follows:
 - a. On a driven stake near the northwesterly property corner of parcel 3-34-12.00-127.06;
 - b. On a driven stake near the northeasterly property corner of parcel 3-34-12.00-127.06;
 - c. On a driven stake near the southwesterly property corner of parcel 3-34-12.00-127.06;

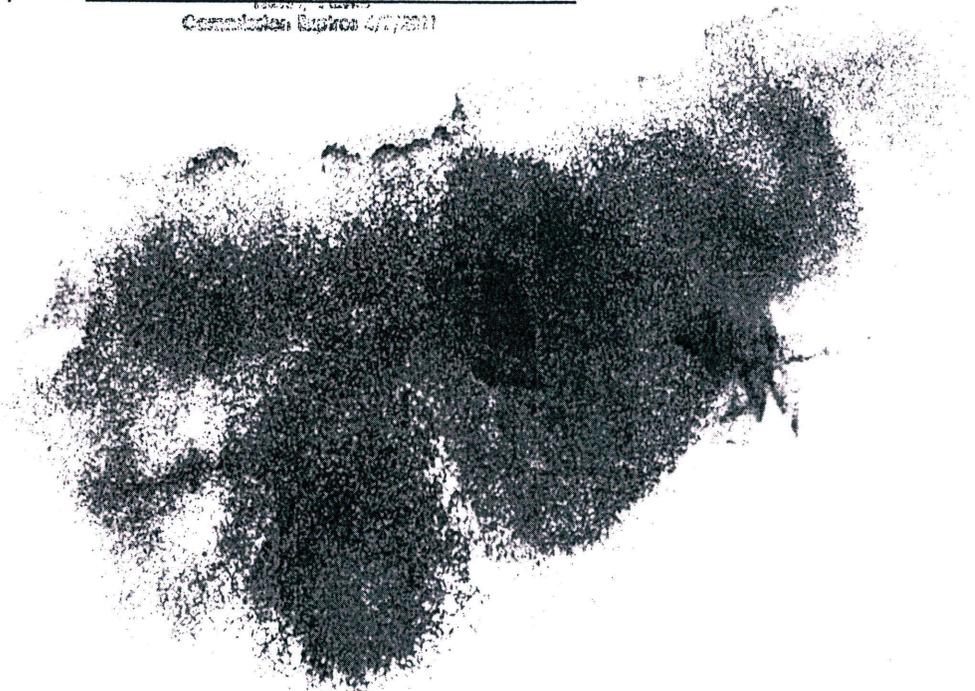
- d. On a driven stake at a point located in a northeasterly direction approximately 150 feet from the southwesterly property corner of parcel 3-34-12.00-127.06.
5. On window near main entrance of PNC Bank, Route One & Sea Air Avenue, Rehoboth Beach, Delaware.
 6. On window next to main entrance of, Bay Road Package Store, 20859 Coastal Highway, Rehoboth Beach, Delaware.
 7. Given to town official for display in community bulletin case next to front entry door, Dewey Beach Town Hall, 105 Rodney Avenue, Dewey Beach, Delaware.
 8. On window next to entry door, Beach Shop/Exxon Service Station, intersection of Route One & Swedes Street, Dewey Beach, Delaware.
 9. On bulletin board in Super Giant, 22 Lighthouse Plaza Shopping Center, Route One, Rehoboth Beach, Delaware.
 10. On bulletin board in Wawa Market, Route One and Wolfe Neck Road (County Road 270), Rehoboth Beach, Delaware.
 11. On bulletin board, Wawa Food Market, Route One and Dartmouth Drive, Lewes, Delaware.

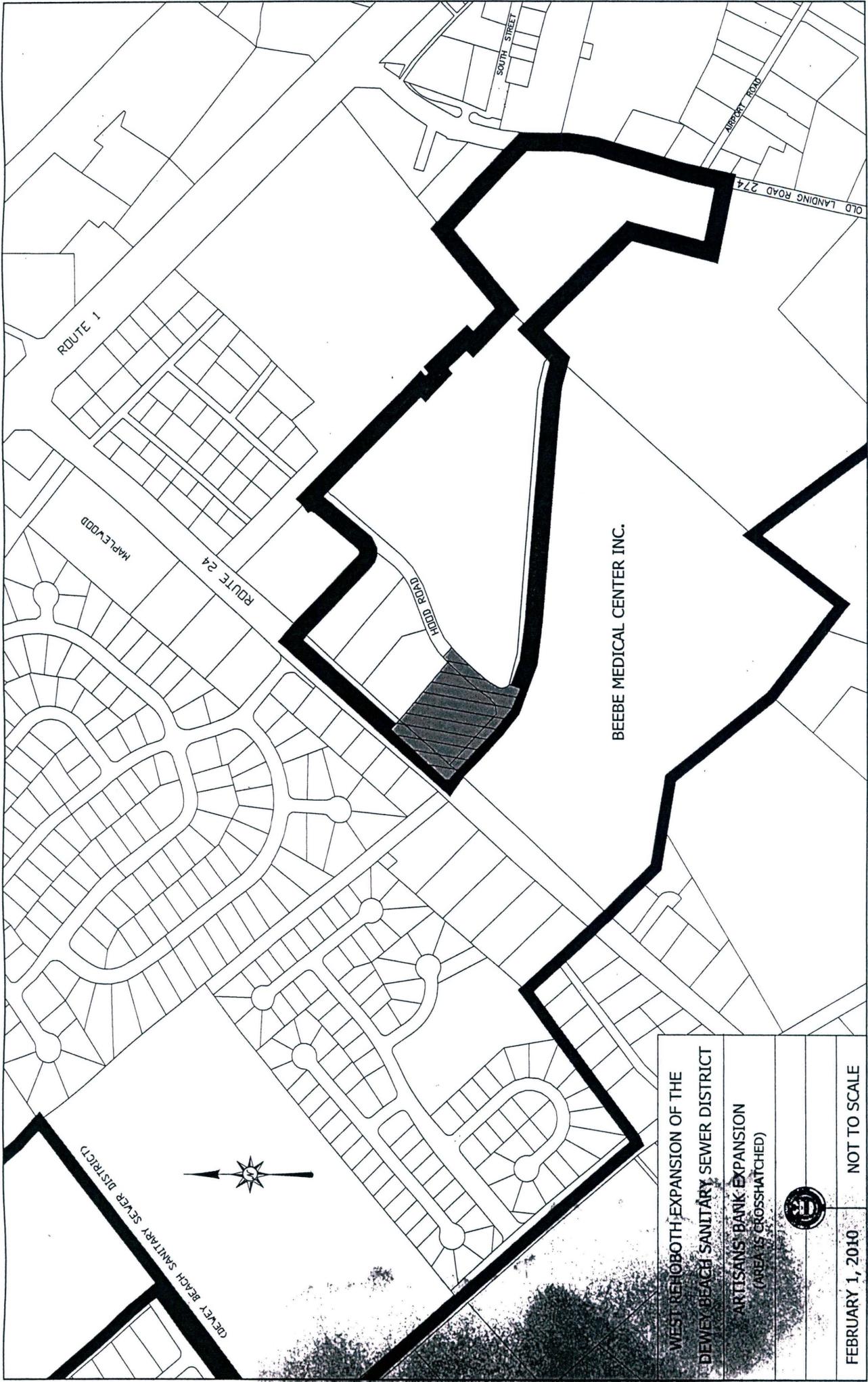

ANTHONY DIGIUSEPPE, JR.

SWORN TO AND SUBSCRIBED before me on this 10th day of March A.D., 2010.


NOTARY PUBLIC

My Commission Expires _____



DEWEY BEACH SANITARY SEWER DISTRICT

BEEBE MEDICAL CENTER INC.

WEST WEROBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT		FEBRUARY 1, 2010	NOT TO SCALE
ARTISANS BANK EXPANSION (AREA IS CROSSHATCHED)			