

RESOLUTION NO. R 006 22

INDIAN RIVER ACRES AREA OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT DECLARED UNDER THE PROVISIONS OF TITLE 9, CHAPTER 65 OF THE DELAWARE CODE

WHEREAS, the eligible voters of the proposed Indian River Acres Area approved the creation of the sewer area by a vote of 51 to 2 in an election held on March 26, 2022; and

WHEREAS, Title 9, Delaware Code, Section 6507 requires the County Council to issue a determination of the sewer district within thirty days of its approval by the eligible voters.

NOW, THEREFORE, BE IT RESOLVED that the County Council of Sussex County, Delaware hereby determines that the eligible voters of the Indian River Acres Area of the Sussex County Unified Sanitary Sewer District have approved the creation of said area, that the description of the Indian River Acres Area is described in Exhibit "A"; and that the said district is hereby declared to be validly constituted under the provisions of Title 9, Chapter 65 of the Delaware Code.

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, let 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.

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Finance Director and County Engineer to apply for, accept, and receive grants, loans, and other funding necessary to provide adequate financing for the planning, design, construction, and all other phases of the sanitary sewer district.

Exhibit "A"

Description of the Indian River Acres Area of the Sussex County Unified Sanitary Sewer District

Beginning at a point, said point being the northwesternmost property corner of lands now or formerly (N/F) of Paul D. & Frances E. Esposito Charitable Trust and the southwesternmost property corner of lands N/F Indian River Acres subdivision, thence following the subdivision boundary northwest, generally southeast (following the highwater line of Indian River Bay), thence southeasterly and then southwesterly to a point, said point being that of the Beginning.

NOTE: The above description has been prepared using Sussex County Tax Map Nos. 134-7.00

The Indian River Acres Area of the Sussex County Unified Sanitary Sewer District is within these boundaries. A map drawn to scale indicating the boundaries of the area is attached.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 006 22 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 10TH DAY OF MAY 2022.



TRACY N. TORBERT
CLERK OF THE COUNCIL

SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
PROPOSED INDIAN RIVER ACRES AREA
AFFIDAVIT FOR REFERENCE

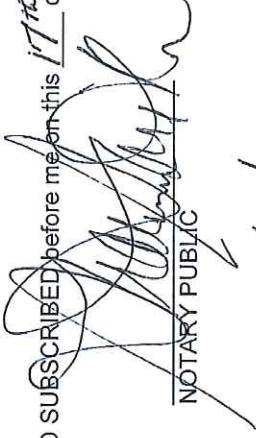
± STATE OF DELAWARE) (:
COUNTY OF SUSSEX) (

BE IT REMEMBERED That the subscriber, PHILLIP C. CALIO, 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 February 16, 2022, he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On February 16, 2022, he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
1. On a post in front of a Stop sign in the easterly Right-of-Way (ROW) of Sussex Road at the intersection with New Castle Road,
 2. On a post in front a Stop sign in the westerly ROW of Sussex Road at the intersection with Kent Road,
 3. On a post in front of a SPEED LIMIT 15 sign in the southerly ROW of New Castle Road,
 4. On a post in front of DEC pole 4598 in the southerly ROW of Kent Road,
 5. On a post in front of BEGIN STATE MAINT. Sign in the northerly ROW of Sussex Road 900' northeast of Sandy Landing Road,
 6. On a post in front of a END OF STATE MAINT. Sign in the southerly ROW of Sussex Road 900' northeast of Sandy Landing Road,
 7. On a post in front of a stop sign in the northerly ROW of Sussex Road at the intersection with Sandy Landing Road,
 8. On a post in front of a stop sign in the westerly ROW of Sandy Landing Road at the intersection with Vines Creek Road.


Phillip C. Calio

SWORN TO AND SUBSCRIBED before me on this 17th day of Feb. A.D., 2022

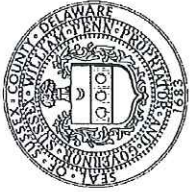

NOTARY PUBLIC

SHARON E. SMITH
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires on 6/14/22

My Commission Expires 6/14/22

ENGINEERING DEPARTMENT

ADMINISTRATION (302) 855-7718
AIRPORT & INDUSTRIAL PARK (302) 855-7774
ENVIRONMENTAL SERVICES (302) 855-7730
PUBLIC WORKS (302) 855-7703
RECORDS MANAGEMENT (302) 854-5033
UTILITY ENGINEERING (302) 855-7717
UTILITY PERMITS (302) 855-7719
UTILITY PLANNING (302) 855-1299
FAX (302) 855-7799



Sussex County
DELAWARE
sussexcountyde.gov
HANS M. MEDLARZ, P.E.
COUNTY ENGINEER
JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING

NOTICE OF REFERENDUM
PROPOSED INDIAN RIVER ACRES AREA OF THE SUSSEX COUNTY UNIFIED
SANITARY SEWER DISTRICT

Notice is hereby given that the Sussex County Council will hold a referendum on Saturday, March 26, 2022, between the hours of 9:00 a.m. and 12:00 p.m., at Community Lutheran Church, 30897 Omar Road, Frankford, Delaware. The referendum will be for eligible voters whose property and/or residence is located within the shaded area of the map on the reverse side.

The question to be voted on at the referendum will be, "Do you support the creation of the Indian River Acres Area of the Sussex County Unified Sanitary Sewer District?"

Those unable to vote in person at the referendum can vote by absentee ballot. The absentee process can be completed in person at the County office building below, please contact Sharon Smith to arrange a date and time, or an affidavit to vote by absentee ballot can be obtained by mail or by telephone. This is a multiple step process so please request early, all ballots must be received by 12:00pm March 25, 2022.

Sharon Smith
Sussex County Engineering Department
Utility Planning Division
2 The Circle, P. O. Box 589
Georgetown, DE 19947
(302) 855-7718

The cost of the project is expected to be funded through the State of Delaware Water Pollution Control Revolving Fund, Rural Development USDA and any other available resources for which this project is eligible.

The estimated charges are as follows:

Charge	Costs
Annual Service Charge	\$296.00 per EDU
Annual Assessment Fee	\$954.00 per EDU
Estimated Total Annual User Charges	\$1,250.00
One-time System Connection Charge (SCC)	\$0.00 per EDU*

* For existing homes, the SCC is paid through the financing. Future connections will pay the SCC rate at that time. New construction will pay current SCC.

For further information, please call the Sussex County Utility Planning Department at (302) 855-7370 during the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Hans Medlarz, P.E.
County Engineer



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 589
GEORGETOWN, DELAWARE 19947

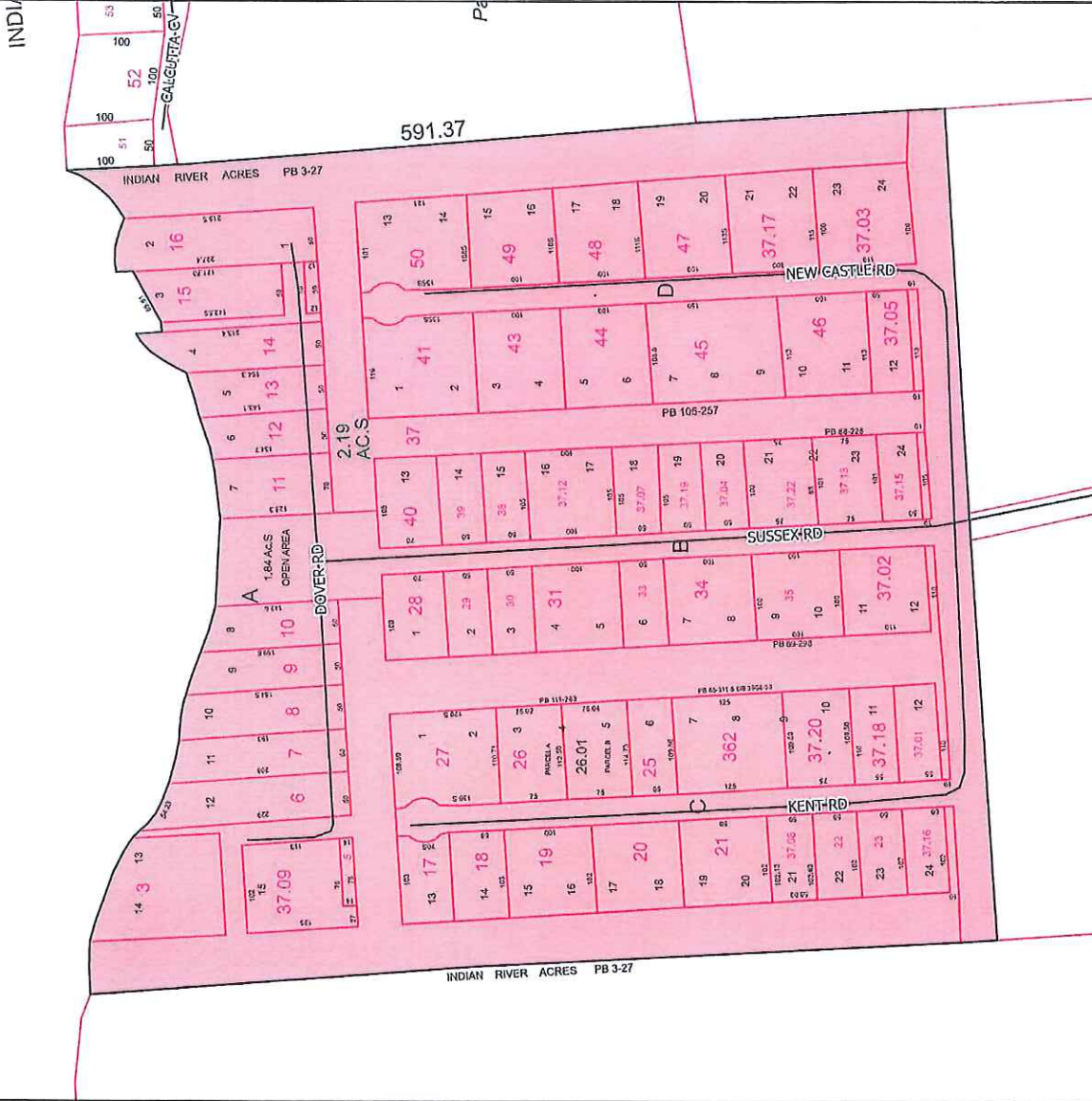
Indian River Acres Referendum

Proposed SSD Boundary



0 50 100 200 Feet

2/9/2022



The referendum is scheduled for Saturday, March 26, 2022 between the hours of 9:00 AM and 12:00 PM

at the Community Lutheran Church, 30897 Omar Road, Frankford, DE 19945

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 – (302) 855-7370

<https://www.sussexcountyde.gov/legal-notices/sewer-water>