

RESOLUTION NO. R 009 20

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) ANGOLA NECK AREA, TO INCLUDE THE CHERRY WALK AREA LOCATED IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE (CHERRY WALK)

WHEREAS, Sussex County has established the Sussex County Unified Sanitary Sewer Sanitary Sewer District (SCUSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County in the vicinity of Joy Beach, the inclusion of this area 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 Phillip C. Calio, 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 ninety days after posting the public notices pass a formal resolution establishing the new boundary of the district;

NOW, THEREFORE, BE IT RESOLVED the Sussex County Council hereby revises the boundary of the SCUSSD to encompass the lands mentioned above in the Cherry Walk area and further described as follows:

Part I

Beginning at a point, said point being on the SCUSSD (Angola Neck Area) boundary, said point being the southernmost property corner of lands Now or Formerly (N/F) of Andrew Clements; thence proceeding by and with said SCUSSD boundary and Clements lands in a northerly, easterly and southerly direction respectively a distance of 410'± to a point, said point being the southernmost property corner of lands N/F of Louis M, Jr. & Michelle Octavio; thence continuing with SCUSSD boundary in an easterly and northerly direction respectively a distance of 261'± to a point, said point being the northern property line of Holly Woods subdivision & SCUSSD boundary; thence continuing with said SCUSSD boundary in a northeasterly direction a distance of 947'± to a point, said point being the northernmost property corner of lands N/F of Lawrence A. Curtis TTEE & Karen Hubbard TTEE Revocable Trust; thence continuing with said lands of Curtis in a southeasterly direction and crossing David Drive a distance of 164'± to a point, said point being the northernmost corner of other lands of Curtis; thence continuing with said other lands of Curtis in a southeasterly direction a distance of 100' to a point, said point being the southeasternmost property corner of other lands of Curtis, said point also being on the property line of lands N/F of The State of Delaware; thence by and with said lands of Delaware in a southwesterly and southeasterly direction respectively a distance of 238'± to a point, said point being on the northerly Right-of-Way (ROW) of Cherry Walk Drive; thence continuing by and with said ROW a distance of 1,039'± to a point, said point being the southwesternmost property corner of lands N/F of Harold R. Kreis & Sandra L. Kreis-Schmale and a point on the SCUSSD boundary; thence leaving said ROW and continuing with said SCUSSD in a northwesterly direction a distance of 80'± to a point, said point being on the southerly ROW of David Drive; thence continuing with said SCUSSD and ROW in a southwesterly and a curve to the right cul-de-sac a distance of 163'± to a point, said point being a property corner of lands N/F of Andrew Clements; thence continuing by and with said SCUSSD boundary in a southwesterly direction a distance of 8'± to a point, said point being that of the BEGINNING.

Part II

Beginning at a point, said point being on the SCUSSD boundary, said point being the northwesternmost property corner of lands N/F of Lucy Ann Mullins, said point also being on the southerly ROW of Cherry Walk Drive; thence proceeding by and with said ROW in a northeasterly direction a distance of 1,408'± to a point, said point being the northeasternmost property corner of lands N/F of Daryl Woodall said point also being a property corner of Cherry Walk subdivision; thence leaving said SCUSSD boundary and proceeding by and with said subdivision boundary in a southeasterly and southwesterly direction respectively a distance of 1,479'± to a point, said point being the southwesternmost property corner of lands N/F of Lucy Ann Mullins, said point also being on the SCUSSD boundary, thence continuing with said Mullins lands and SCUSSD boundary in a northeasterly direction a distance of 80'± to a point, said point being that of the BEGINNING.

NOTE: The description has been prepared using Sussex County Tax Map 234-12.00 and Sussex County property assessment records.

A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

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 authorized to prepare maps, plans, specifications, and estimates, let 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 009 20 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 11TH DAY OF AUGUST 2020.

**ROBIN A. GRIFFITH
CLERK OF THE COUNCIL**