

RESOLUTION NO. R 020 20

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD), TO INCLUDE THE BRIARWOOD ESTATES SUBDIVISION ON THE NORTH SIDE OF JOHN J. WILLIAMS HIGHWAY LOCATED IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE

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 known as the Briarwood Estates subdivision, 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 situated on the northerly side of John J. Williams Hwy (Rt. 24), as follows:

BEGINNING at a point, said point being on the SCUSSD boundary, said point also being on the northwestern property line of Briarwood Estates, a subdivision, said point further being the southernmost property corner of lands Now-or-Formerly (N/F) of K. Hovnanian's Four Seasons At Belle Terre, LLC; thence proceeding by and with said Hovnanian lands and subdivision boundary in a northeasterly and southeasterly direction respectively a distance of 3,327'± to a point, said point being a common property corner for Hovnanian lands, Briarwood Estates boundary and Saddle Ridge subdivision; thence leaving said Hovnanian lands and proceeding by and with said Briarwood Estates and Saddle Ridge boundaries in a southwesterly and southeasterly direction respectively a distance of 2,500'± to a point said point being on the northwesterly ROW of John J. Williams Hwy.; thence leaving said Saddle Ridge lands and proceeding with said Briarwood lands and ROW in a southwesterly direction a distance of 140'± to a point, said point being the easternmost property corner of Hart's Landing subdivision; thence leaving said ROW

and proceeding with said Briarwood Estates lands and Hart's Landing lands in a northwesterly and southwesterly direction respectively a distance of 4,100'± to a point, said point being the southernmost property corner of lands N/F AKR Family LLC; thence leaving said Hart's Landing lands and proceeding with said Briarwood Estates lands and following the meanderings of Love Creek and Heady Fisher Glade in a generally northwesterly and northeasterly direction respectively a distance of 1,520'± to a point, said point being that of the BEGINNING; and

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 020 20 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 15TH DAY OF DECEMBER 2020.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL