

RESOLUTION R 022 09

A RESOLUTION TO EXTEND THE BOUNDARY OF THE ELLENDALE SANITARY SEWER DISTRICT (ELSSD) TO INCLUDE A PORTION OF A PARCEL OF LAND ALONG THE PENN CENTRAL RAILROAD RIGHT-OF-WAY (ROW), NORTH OF THE TOWN OF ELLENDALE, AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, DELAWARE (INGRAM VILLAGE - LANDS OF E. DALE WHEATLEY AND DOUGLAS R. SIMPSON)

WHEREAS, Sussex County has established the Ellendale Sanitary Sewer District;
and

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 the Town of Ellendale, which includes an area of land along the Penn Central Railroad ROW, which is contiguous to the ELSSD, 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 DiGiuseppe, 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 the Sussex County Council hereby revises the boundary of the Ellendale Sanitary Sewer District to encompass a certain parcel of land situated along State Road 213, Old State Road, north of the Town of Ellendale:

BEGINNING at a common corner of lands now or formerly (N/F) of Delmarva Woodlands Alliance II, LLC. and the lands N/F of E. Dale Wheatley and Douglas R. Simpson and along the westerly ROW of the Penn Central Railroad; thence by and with said ROW in a southerly direction \pm 15.00 feet to a concrete monument, said monument also being a point on the existing ELSSD boundary; thence by and with said sewer district

boundary in the following directions and distances: Southwesterly \pm 668 feet and northwesterly \pm 439.00 feet to a point, said point being a point on the boundary line of lands N/F of Delmarva Woodlands Alliance, II, LLC; thence by and with said boundary in a easterly direction \pm 906.00 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 a County Attorney or Assistant County 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; and

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 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 022 09 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 28TH DAY OF JULY 2009.



ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

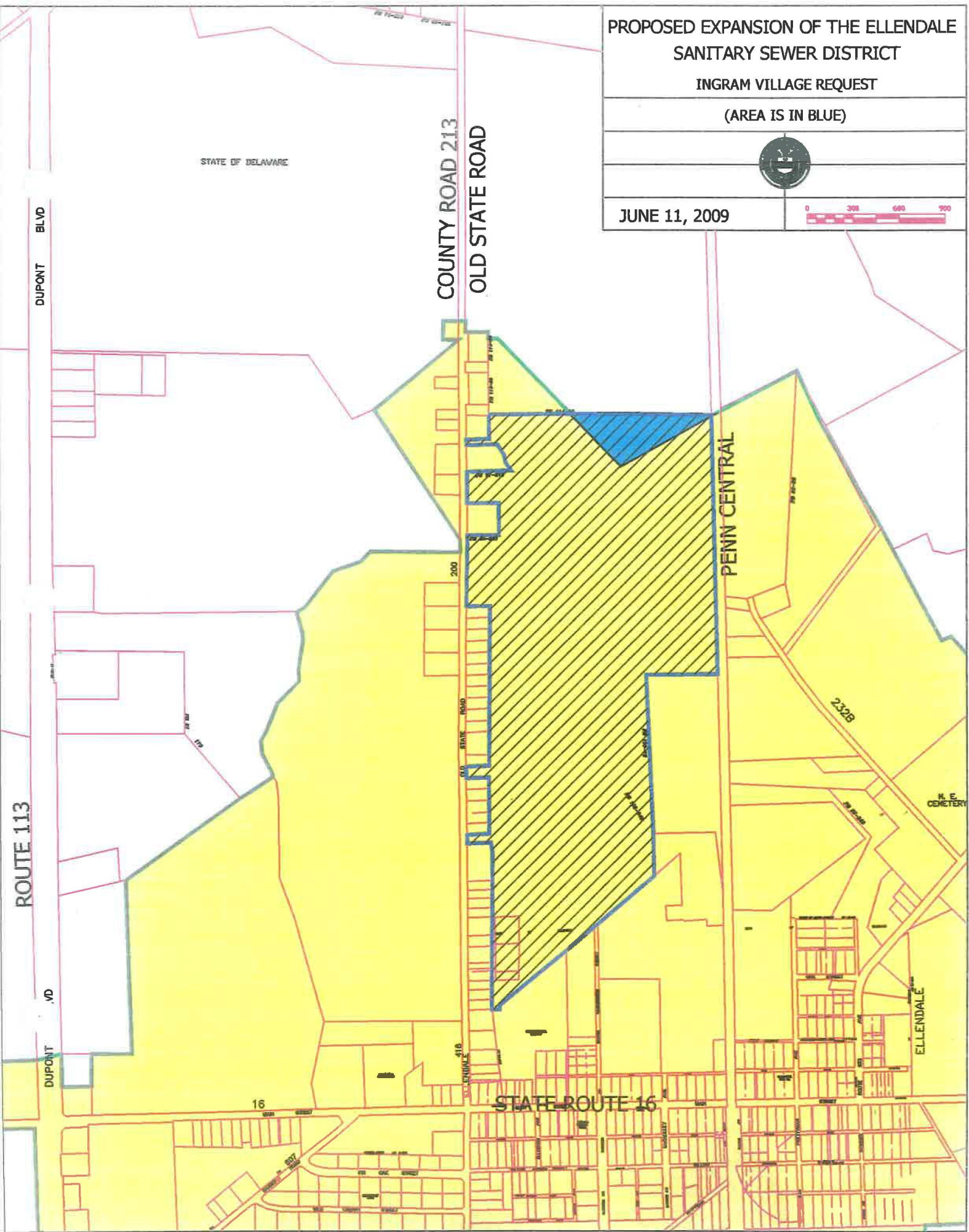
PROPOSED EXPANSION OF THE ELLENDALE
SANITARY SEWER DISTRICT

INGRAM VILLAGE REQUEST

(AREA IS IN BLUE)



JUNE 11, 2009



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