

**RESOLUTION R 022 21**

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) MULBERRY KNOLL AREA, TO INCLUDE THE PROPOSED SCENIC MANOR SUBDIVISION PROJECT LOCATED IN THE 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 in the vicinity of the proposed Scenic Manor subdivision project, 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 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 Scenic Manor project and further described as follows:**

**BEGINNING at a point, situate at the intersection of the easterly right of way (ROW) of Mulberry Knoll Road (SCR 284), said point also being on the SCUSSD boundary; thence leaving said ROW and proceeding by and with said SCUSSD boundary in a generally southeasterly direction a distance of 2102'± to a point, said point being the southernmost property corner of lands Now Or Formerly (N/F) of J. G. Townsend Jr., Co., said point also being on the bank of Arnell Creek; thence leaving said SCUSSD boundary and proceeding by and with said Arnell Creek in a southeasterly direction a distance of 4,819'± to a point, said point being the northernmost property corner of lands N/F of State of Delaware; thence leaving said Arnell Creek and proceeding by and with said State lands in a southwesterly direction a distance of 373'±, said point being a corner of Mulberry Knoll PB 8-707, Revised PB 74-92, said point also being on the SCUSSD boundary; thence leaving said State lands and proceeding by and with said Mulberry Knoll lands and SCUSSD boundary in a northwesterly and southwesterly direction respectively a total distance of 2,515'± to a point, said point being on the easterly ROW of Mulberry Knoll Road; thence continuing in a northwesterly direction 300'± to a point; thence leaving said ROW and continuing with said SCUSSD boundary in a southwesterly direction across Mulberry Knoll Road a distance of 50'± to a point, said point being on the westerly ROW of Mulberry Knoll Road, said point also being on the northerly ROW of Stardust Drive; thence continuing with said SCUSSD boundary in a southwesterly direction a distance of 1,332'± to a point, said point being the southwesternmost property corner of lands N/F of Thomas Best & Sons, Inc.; thence leaving said SCUSSD boundary and continuing with said Best lands in a generally northerly direction a distance of 2,181'± to a point, said point being on the westerly ROW of Mulberry Knoll Road; thence leaving said Best lands and ROW and proceeding across Mulberry Knoll Road a distance of 50'± to a point, said point being on the easterly ROW of Mulberry Knoll Road; thence proceeding by and with said ROW in a northerly direction a distance of 2,059'± to a point, said point being that of the BEGINNING.**

**NOTE: The above description has been prepared using Sussex County Tax Map 334-18.00 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 022 21 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 14TH DAY OF SEPTEMBER 2021.**

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

# PUBLIC NOTICE

EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT  
SCENIC MANOR EXPANSION – MULBERRY KNOLL AREA  
FILE NUMBER: MK-6.01

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **July 27, 2021**, to consider expanding the boundary of the Mulberry Knoll Area of the Sussex County Unified Sanitary Sewer District (SCUSSD) to include a property situated on both sides of Mulberry Knoll Road. The parcel is located in the Lewes and Rehoboth Hundred, Sussex County, Delaware and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

**BEGINNING** at a point, situate at the intersection of the easterly right of way (ROW) of Mulberry Knoll Road (SCR 284), said point also being on the SCUSSD boundary; thence leaving said ROW and proceeding by and with said SCUSSD boundary in a generally southeasterly direction a distance of 2102'± to a point, said point being the southernmost property corner of lands Now Or Formerly (N/F) of J. G. Townsend Jr., Co., said point also being on the bank of Arnell Creek; thence leaving said SCUSSD boundary and proceeding by and with said Arnell Creek in a southeasterly direction a distance of 4,819'± to a point, said point being the northernmost property corner of lands N/F of State of Delaware; thence leaving said Arnell Creek and proceeding by and with said State lands in a southwesterly direction a distance of 373'±, said point being a corner of Mulberry Knoll PB 8-707, Revised PB 74-92, said point also being on the SCUSSD boundary; thence leaving said State lands and proceeding by and with said Mulberry Knoll lands and SCUSSD boundary in a northwesterly and southwesterly direction respectively a total distance of 2,515'± to a point, said point being on the easterly ROW of Mulberry Knoll Road; thence continuing in a northwesterly direction 300'± to a point; thence leaving said ROW and continuing with said SCUSSD boundary in a southwesterly direction across Mulberry Knoll Road a distance of 50'± to a point, said point being on the westerly ROW of Mulberry Knoll Road, said point also being on the northerly ROW of Stardust Drive; thence continuing with said SCUSSD boundary in a southwesterly direction a distance of 1,332'± to a point, said point being the southwesternmost property corner of lands N/F of Thomas Best & Sons, Inc.; thence leaving said SCUSSD boundary and continuing with said Best lands in a generally northerly direction a distance of 2,181'± to a point, said point being on the westerly ROW of Mulberry Knoll Road; thence leaving said Best lands and ROW and proceeding across Mulberry Knoll Road a distance of 50'± to a point, said point being on the easterly ROW of Mulberry Knoll Road; thence proceeding by and with said ROW in a northerly direction a distance of 2,059'± to a point, said point being that of the **BEGINNING**.

The proposed expansion of the SCUSSD is within these boundaries and said to contain 170.00 acres more or less. The boundary description has been prepared using Sussex County tax map numbers 334-18.00.

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

The public hearing will be held on this issue at **10:30 am on September 14, 2021** in the Sussex County Council Chambers. 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.

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.

Hans M. Medlarz, P.E.  
County Engineer

SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT  
SCENIC MANOR EXPANSION  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE )(

COUNTY OF SUSSEX )(

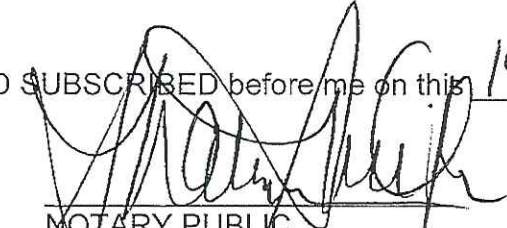
BE IT REMEMBERED, That the subscriber, PHILLIP C. CALIO, personally appeared before me and known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

- A. On August 16, 2021 he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On August 16, 2021 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 stop sign in the southerly Right-of-Way (ROW) of Stardust Drive at the intersection with Mulberry Knoll Road;
  - 2. On a post in front of stop sign in the westerly ROW of Mulberry Knoll Road at the intersection with Stardust Drive;
  - 3. On a post in the northerly ROW of East Lane, 395'± southeast of Mulberry Knoll Road;
  - 4. On a post in front of SPEED LIMIT 25 sign in the southeasterly ROW of Mulberry Knoll Road 577'± northwest of Stardust Drive;
  - 5. On a post in front of stop sign in the northrly ROW of West Lane at the intersection with Mulberry Knoll Road;
  - 6. On a post in the northwesterly ROW of Mulberry Knoll Road 90'± northwest of Rivera Drive;
  - 7. On a post in front of stop sign in the northwesterly ROW of Mulberry Lane across from Stardust Drive;
  - 8. On a post in front of a End 25 MPH sign in the northeasterly ROW of Mulberry Knoll Road 577'± northwest of Stardust Drive



PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 19<sup>th</sup> day of Aug, A.D., 2021

  
NOTARY PUBLIC

My Commission Expires 6/14/22

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

Proposed Annexation  
Scenic Manor 334-18.00-43.00

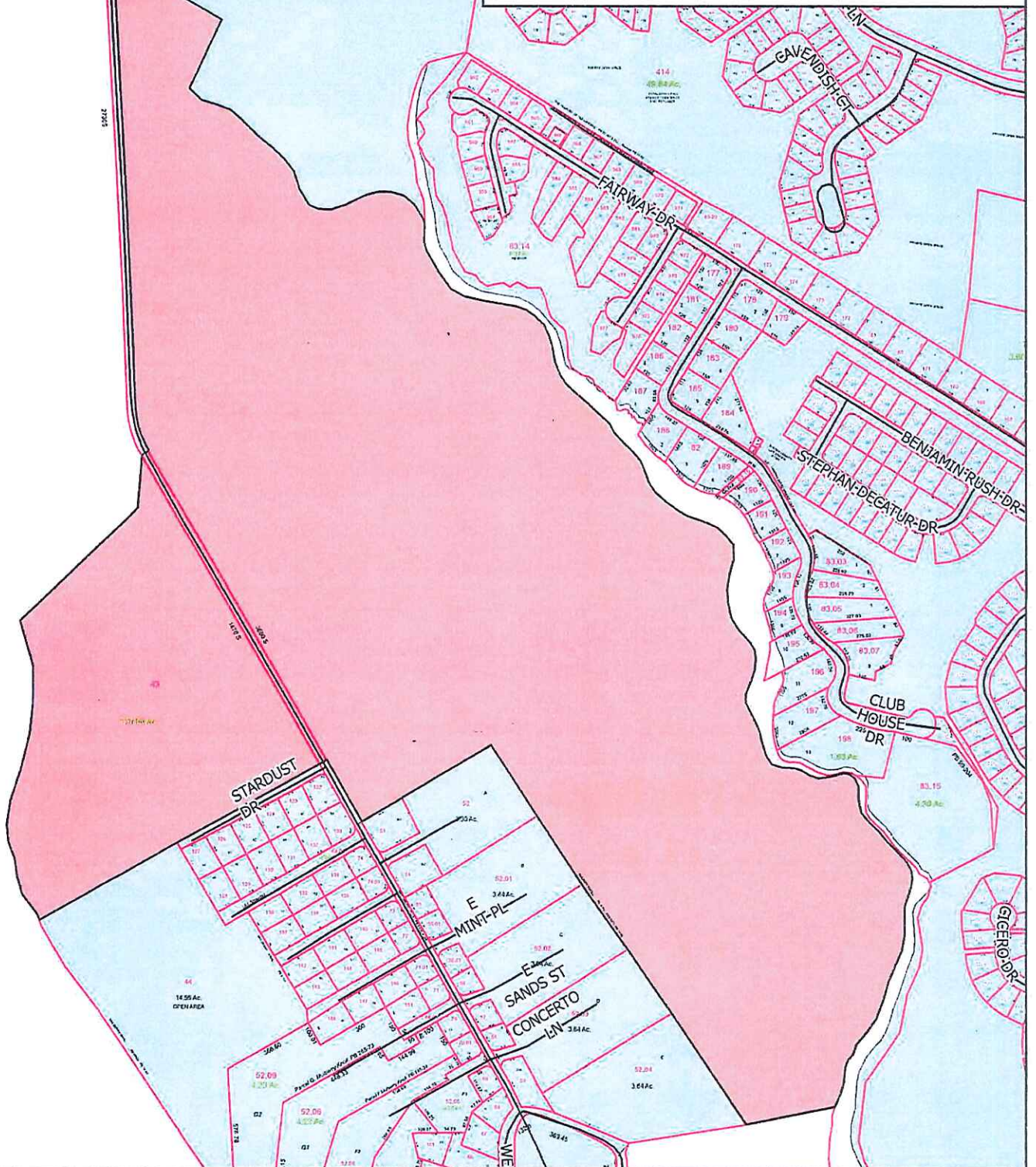
Area of Interest Existing SSD



0 185 370 740 Feet



6/28/2021



The proposed annexation is scheduled to be discussed 10:30 AM on September 14, 2021 at the  
Sussex County Council Chambers, 2 The Circle, Georgetown, DE 19947  
For more information please visit: <https://www.sussexcountyde.gov/legal-notice/notice-sewer-water>  
Or call Sussex County Utility Planning at 302-855-8384