

RESOLUTION R 024 09

A RESOLUTION TO EXTEND THE BOUNDARY OF THE ELLENDALE SANITARY SEWER DISTRICT (ELSSD) TO ENCOMPASS A CERTAIN PIECE, PARCEL, OR TRACT OF LAND BEING ON THE WESTERLY SIDE OF COUNTY ROAD 213, SOUTHWEST OF THE TOWN OF ELLENDALE, SITUATE SOUTHWEST OF THE TOWN OF ELLENDALE AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY DELAWARE (NEWDALE ACRES – LANDS OF SHIPBUILDERS, LLC)

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 southwest of the Town of Ellendale, 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 that the Sussex County Council hereby revises the boundary of the Ellendale Sanitary Sewer District to encompass lands of Shipbuilders, LLC, situate southwest of the Town of Ellendale, as follows:

BEGINNING at an iron rod situate on the southwesternmost corner of lands now or formerly (N/F) of Daniel P. Lynch, said iron rod also being the southeasternmost corner of lands N/F of Shipbuilders, LLC and a point on the existing ELSSD sewer district boundary; thence by and with said sewer district boundary in the following directions and distances: northerly \pm 1071.00 feet and northwesterly \pm 1228.10 feet to a point, said point being a point on the boundary of the lands N/F of Robert P. Jr. & Virginia L. Short and the northwesternmost corner of lands N/F of Shipbuilders, LLC; thence by and with said lands of Shipbuilders in a southerly direction \pm 1065.00 feet to a point, said point being the northeasternmost corner of lands N/F of Robert J & O'Linda Davidson; thence by and with said lands of Davidson in the

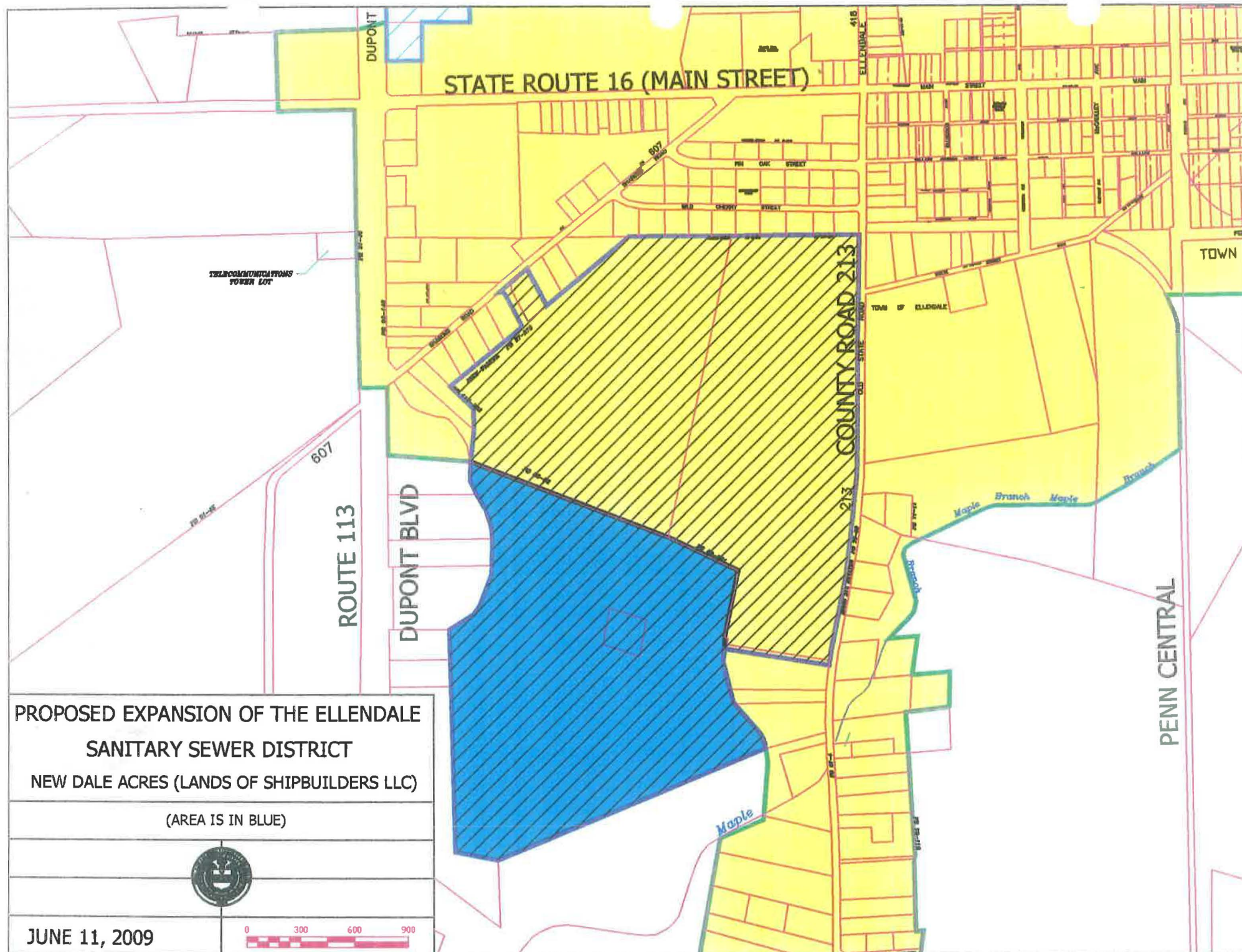
following distances and directions: southerly \pm 1248.00 feet, southeasterly \pm 244 feet to a point, said point being the southwesternmost corner of lands N/F of Shipbuilders, LLC; thence by and with said lands of Shipbuilders in a northeasterly direction \pm 1627 feet to a iron rod, said iron rod being that of the BEGINNING.

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;

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to prepare maps, plans, specifications, and estimates, elect 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 024 09 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 28TH DAY OF JULY 2009.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL



(AREA IS IN BLUE)

