

RESOLUTION NO. R 006 14

A RESOLUTION ESTABLISHING A DATE, TIME, PLACE AND JUDGE FOR AN ELECTION TO BE HELD TO CONSIDER THE SUSSEX SHORES PROPOSED CHAPTER 96 SUSSEX COMMUNITY IMPROVEMENT PROJECT

WHEREAS, Chapter 96 of the Sussex County Code, Sussex Community Improvements, provides for a Sussex County Program to facilitate the improvements of streets, roadways, and other construction designated by the County Engineer that will, upon completion, benefit or serve the entire community and which are controlled by a private subdivision Property Owners Association, to be implemented by the Sussex County Engineering Department; and

WHEREAS, the subdivision known as Sussex Shores, as represented on Sussex County Tax Map 1-34-13.11- Parcels 1-25, Sussex County Tax Map 1-34-13.12- Parcels 1-38, Sussex County Tax Map 1-34-13.15- Parcels 156-161, and Sussex County Tax Map 1-34-13.16- Parcels 1-28; located off of DE Rt. 1 Coastal Highway and Pennsylvania Avenue, in Baltimore Hundred, Sussex County, Delaware, requested petition forms be provided from Sussex County Engineering Department to determine if there was enough interest in their community to obtain an estimate of costs and charges for proposed improvements, and if so, to submit the question of establishing a Sussex Community Improvement project for the suburban community of Sussex Shores to an election in accordance with the provisions of Sussex County Code, Chapter 96, Sussex Community Improvements; and

WHEREAS, it was determined by the Sussex County Engineering Department that Sussex Shores meets all criteria as defined by Sussex County Code Chapter 96, §96-1(5) and thereby provided by direct mail the requested petition form to each property owner of record within the proposed Sussex Shores project, on March 10, 2014, in accordance with §96-3(b)(c) of the Sussex County Code; and

WHEREAS, 71 valid petition forms were returned to Sussex County Engineering Department and verified to represent approximately 60% of the 118 assessable properties in the proposed project, thereby exceeding the fifty percent (50%) or more representation requirement in § 96-5(a) of the Sussex County Code; and

WHEREAS, on May 2, 2014, Sussex County Engineering Department mailed to all Sussex Shores property owners of record within the proposed project area: a tax map layout of the proposed project boundaries; a detailed project cost estimate; the estimated charges to be assessed to each property owner; and a Notice of a Public Meeting to be held on May 24, 2014; as required by §96-5 of the Sussex County Code; and

WHEREAS, Sussex County Engineering Department held a Public Meeting to discuss the community improvements proposal on Saturday, May 24, 2014, at the Mariner's Bethel United Methodist Church, with the Sussex Shores property owners, in accordance with §96-5 (b) of the Sussex County Code;

NOW, THEREFORE, BE IT RESOLVED, Sussex County Council hereby formally accepts the community of Sussex Shores into the Sussex County Chapter 96 Sussex Community Improvement Program; and

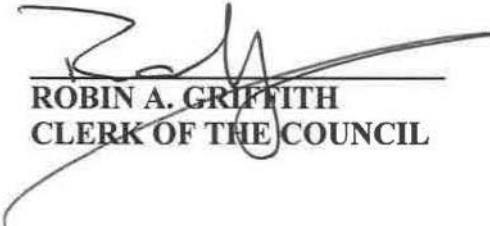
BE IT FURTHER RESOLVED, that Sussex County Council approves for the proposed Sussex Shores Chapter 96 Sussex Community Improvement project an estimated annual billing rate of \$ 1,614.00 for a twenty (20) year time period, for each assessable property, as determined by the Sussex County Engineering Department, located within the boundaries of the proposed Sussex Shores project; and

BE IT FURTHER RESOLVED, that the Sussex County Council does establish Saturday, July 12, 2014, during the hours of 10:00 a.m. – 2:00 p.m., at the Sussex County South Coastal Library located at 43 Kent Avenue, Bethany Beach, Delaware, as the date, time, and place for the Election to determine if the property owners of the proposed Sussex Shores project are in favor of proceeding with the project improvements, as presented at the May 24, 2014 Public Meeting; and a provision for Absentee Ballots will be provided; and

BE IT FURTHER RESOLVED, Sussex County Council appoints Patricia Lowe Deptula, of the Sussex County Engineering Department, or her designee, to be the judge of the July 12, 2014 Election; and

BE IT FURTHER RESOLVED, that Sussex County Council directs the Sussex County Engineering Department to provide notice to all assessable property owners of record in the Sussex Shores proposed project, of the date, time, and place of the Election, including estimated costs and charges, as required by §96-5(c)(4) of the Sussex County Code.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 006 14 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 10TH DAY OF JUNE 2014.


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