

**RESOLUTION NO. R 007 16**

**A RESOLUTION ESTABLISHING A DATE, TIME, PLACE AND JUDGE FOR AN ELECTION  
TO BE HELD TO CONSIDER THE ESTATES OF SEA CHASE 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 The Estates of Sea Chase, as represented on Sussex County Tax Map 3-34-12 Parcel 124, Unit Numbers 1-45, and on Recorder of Deeds Plot Book 76-Page 84; located on the northeast corner of Warrington Road (CR 275) and Old Landing Road (CR 274), Rehoboth Beach, DE, and in Lewes & Rehoboth Hundred, 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 Chapter 96 Sussex Community Improvement project for the community of The Estates of Sea Chase 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 The Estates of Sea Chase 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 Estates of Sea Chase proposed project, on December 11, 2015, in accordance with §96-3(b) (c) of the Sussex County Code; and

**WHEREAS**, 28 valid petition forms were returned to Sussex County Engineering Department and verified to represent approximately 62 % of the 45 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 March 10, 2016, Sussex County Engineering Department mailed to all Sussex Shores property owners of record within the proposed project area: a layout of the proposed Chapter 96 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 April 2, 2016; as required by §96-5 of the Sussex County Code; and

**WHEREAS**, Sussex County Engineering Department held the Public Meeting to discuss the Chapter 96 community improvements proposal on Saturday, April 2, 2016, at the Sterling Crossing community building, with The Estates of Sea Chase 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 The Estates of Sea Chase into the Sussex County Chapter 96 Sussex Community Improvement Program; and

**BE IT FURTHER RESOLVED**, that Sussex County Council approves for The Estates of Sea Chase Proposed Chapter 96 Sussex Community Improvement project, an estimated annual billing rate of \$ 234.10 for a ten (10) year time period, or an estimated lump sum payment cost of \$ 1,898.73 for each assessable property located within the boundaries of The Estates of Sea Chase Proposed Chapter 96 project, as determined by the Sussex County Engineering and Finance Departments; and

**BE IT FURTHER RESOLVED**, that the Sussex County Council does establish Friday, May 20, 2016, during the hours of 2:00 p.m. – 7:00 p.m., at the Right Property Management Offices located at 20245 Bay Vista Road, Suite 205, Rehoboth Beach, Delaware, as the date, time, and place for the Election to determine if the property owners of The Estates of Seas Chase Proposed Chapter 96 Project are in favor of proceeding with the project improvements, as presented at the April 2, 2016 Public Meeting. 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 May 20, 2016 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 Estates of Sea Chase Proposed Chapter 96 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 007 16 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 19TH DAY OF APRIL 2016.**

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