

RESOLUTION NO. R 009 10

**A RESOLUTION ESTABLISHING
CEDAR CREEK LANDING STREETLIGHTING DISTRICT**

WHEREAS, the attached election results certify that Cedar Creek Landing Streetlighting District was approved by a majority vote in an election held on January 14, 2010; and

WHEREAS, Sussex County Code, Chapter 95, requires the County Council to issue a determination establishing the District in the form of a Resolution.

NOW THEREFORE,

BE IT RESOLVED that the Sussex County Council hereby determines that the eligible voters of the Cedar Creek Landing Streetlighting District have approved the creation of said District; that the properties included in the District are shown on Sussex County Tax Map 3-30-16 Parcels 86-201; that said District is hereby declared to be considered validly constituted under the provisions of Sussex County Code, Chapter 95; and that the Director of Finance is authorized and directed to bill the owners of all assessable structures within the said District in accordance with Sussex County Code, Chapter 95.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 009 10 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 26TH DAY OF JANUARY 2010.


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

**CEDAR CREEK LANDING
PROPOSED STREETLIGHTING DISTRICT
ELECTION RESULTS**

VOTES CAST IN PERSON:

Number voting YES in SUPPORT of the Streetlighting District **21**

Number voting NO in OPPOSITION of the Streetlighting District **05**

VOTES CAST BY ABSENTEE BALLOT:

Number voting YES in SUPPORT of the Streetlighting District **04**

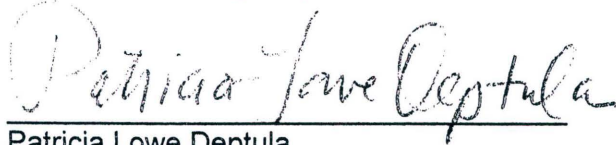
Number voting NO in OPPOSITION of the Streetlighting District **01**

GRAND TOTAL:

Number voting YES in SUPPORT of the Streetlighting District **25**

Number voting NO in OPPOSITION of the Streetlighting District **06**

I hereby certify that the above numbers indicate the results of all ballots cast between the hours of 3:00 p.m. and 8:00 p.m., and all absentee ballots received, at the Cedar Creek Landing Proposed Streetlighting District election held on Thursday, January 14, 2010.



Patricia Lowe Deptula
Assistant Director of Public Works

January 15, 2010
Date

CEDAR CREEK LANDING
PROPOSED STREETLIGHTING DISTRICT

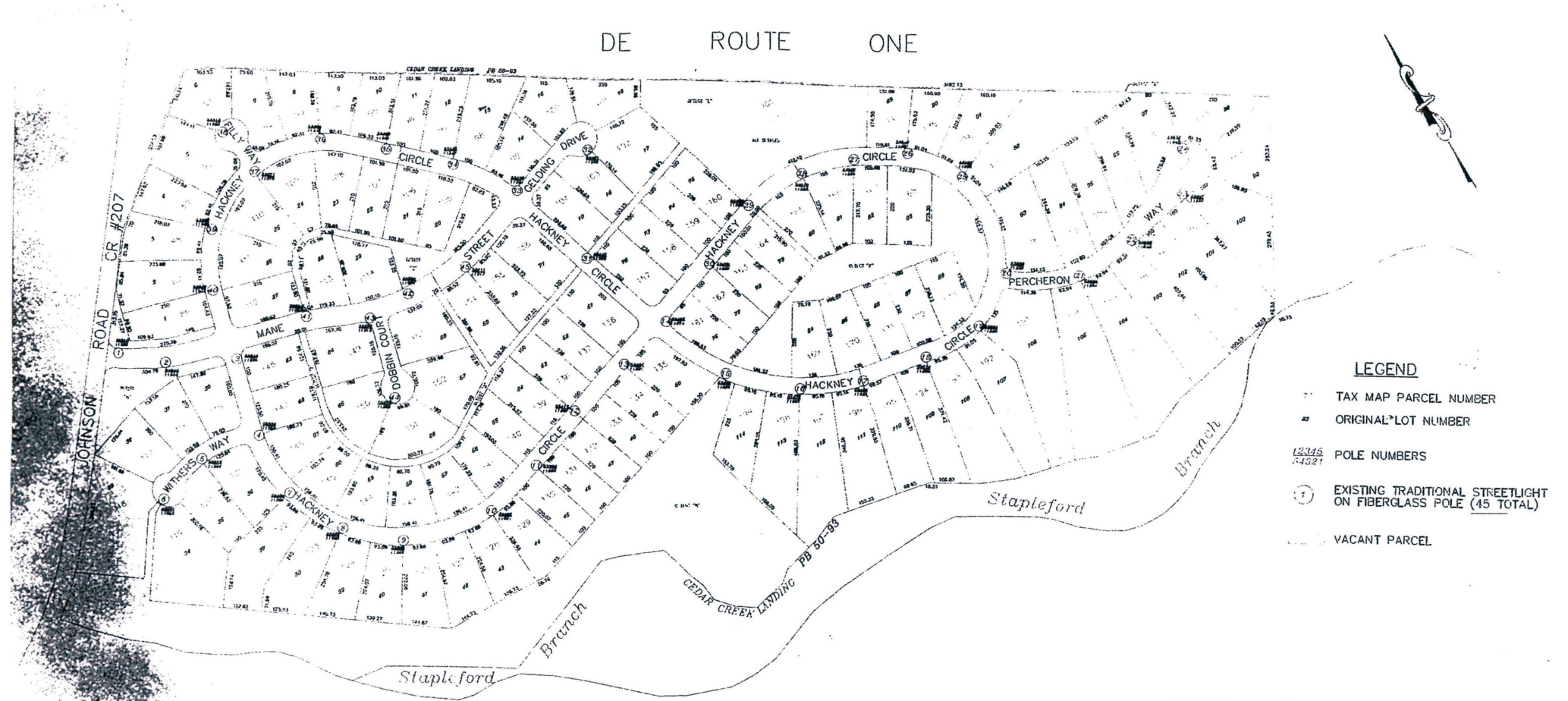
1. Cedar Creek Landing Subdivision is located on Johnson Road, County Road No. 207, northeast of Lincoln, Delaware. The contact person for the Association is: Christopher Buczkowski, President P.O. Box 14, Lincoln, DE 19960.
2. The subdivision was recorded in 1993 in the Recorder of Deeds, on Book 50 Page 93 - 96. The proposed district is located on Sussex County Tax Map Number 3-30-16 and includes Parcels 86- 201.
3. Number of improvements in proposed district: 111
Total number of parcels in proposed district: 114
Total number of lots in proposed district: 114
4. Sussex County Engineering Department received a request from the Cedar Creek Landing Owner's Association requesting the County to initiate the process of forming a Sussex County Streetlighting District for their subdivision, as allowed by Chapter 95 of the Sussex County Code.
5. A petition form was prepared by Sussex County Engineering Department and then sent to Vince Robertson for approval on March 16, 2009. The form was approved by Vincent Robertson, Assistant County Attorney on 4-1-09. County Council approved the circulation of the petition form to owners on 4-28-09. Petitions were mailed out by the Engineering Department to every property owner on 5-1-09. A minimum number of executed petitions (20% of improvements) was reached on July 28, 2009. A total of 24 petitions were received.
6. Delmarva Power provides electric service to the area and provided the streetlights within the subdivision. The Owner's Association has 45 existing 9500L – 100 watt HPS traditional style streetlights in place. On April 17, 2009, a request to disconnect 23 of these streetlights was made to Delmarva Power. The HOA currently pays for 22 streetlights.
7. PLD attended the Owner's Association meeting on September 28, 2009 and discussed the proposed County Streetlighting District program. She provided the cost estimates for all 45 of their existing streetlights (\$ 96.78 per improvement) and also for only the 22 streetlights they have turned on at present (\$ 47.32 per improvement). She asked them to let her know in writing how many streetlights they wanted to proceed to election with. Afterwards, the HOA voted to proceed to an election that included all 45 existing streetlights in the subdivision. A letter was sent to me informing me of their decision.

8. PLD took to Sussex County Council a Resolution, approved as to form, by Vince Robertson, Assistant County Attorney, on December 15, 2009 to set up the election, date, time and place. The election will be held on Thursday, January 14, 2010 from 3-8 pm at the Lincoln United Methodist Church Hall located on 8641 2nd Street in Lincoln, Delaware. County Council approved the Resolution and prior to that a motion was approved for the estimated annual billing rate of \$96.78 per improvement.
9. PLD mailed the Notice of Election, the cost estimate with billing rate details, and a map of the existing streetlight layout to all property owners in the subdivision. She posted 4 notices in the subdivision more than 10 days prior to the election, and advertised the Notice in the News Journal southern edition in the two weeks prior to the election date as required by the County Code.
10. The election was held as scheduled and the proposed District was voted in favor 25-6. PLD will take a Resolution establishing the Streetlighting District to County Council on 1-26-10.

1-26-10 PLD

Delmarva Power contacts: Ms. BL Maddox
Mr. Craig Beebe 398-1221 (Harrington office)

CEDAR CREEK LANDING PROPOSED STREETLIGHTING DISTRICT EXISTING STREETLIGHT LAYOUT



NOT TO SCALE

SUSSEX COUNTY ENGINEERING DEPARTMENT
FROM SC TAX MAP 3-30-16
PARCELS 86 - 201

PREPARED BY: TINA STEINER 12/14/09