

RESOLUTION NO. R 011 16

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) TO INCLUDE PARCELS SITUATED ON THE EAST AND WEST SIDE OF STATE ROUTE 13, SUSSEX HIGHWAY, AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

WHEREAS, Sussex County has established the Sussex County Unified 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 area of Sussex Highway and Concord Road, the inclusion of these properties 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 Robert Lynch, 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 that the Sussex County Council hereby revises the boundary of the SCUSSD to encompass the lands mentioned above situated on the east and west side of Route 13 (Sussex Highway), as follows:

BEGINNING at a point, situate on the southerly right of way (ROW) of County Road 20 (Concord Rd), said point being the intersection of southerly ROW of Concord Rd and the westerly ROW of US Route 13 (Sussex Hwy), thence following said ROW of Concord Rd in a northeasterly direction 295± feet crossing Sussex Hwy to a point, said point being intersection of southerly ROW of Concord Rd and the easterly ROW of Sussex Hwy; thence following said ROW of Concord Rd in a northeasterly direction 430± feet to a point, said point being the northeasternmost corner of lands now or formerly (N/F) of Colonial East, LP; thence following said lands of Colonial East in a southerly direction 135± feet to a point, said point being the located on the boundary line of other lands N/F

of Colonial East; thence following said lands of Colonial East the following directions and distances: northeasterly 156± feet, southeasterly 271± feet, northeasterly 610± feet, southeasterly 1015± feet, southwesterly 1930± feet to a point, said point being located on the northerly ROW of County Road 481 (Brickyard Rd); thence crossing Brickyard Rd diagonally in a southerly direction 60± feet to a point, said point being the northeasternmost corner of lands N/F of Mobile Gardens, LLC; thence following said lands of Mobile Gardens in a southwesterly direction 650± feet to a point, said point being the northeasternmost corner of lands N/F of Jack & Angela Mullins; thence following said lands of Mullins the following directions and distances southwesterly 265± feet, westerly 102± feet to a point, said point being located on the easterly ROW of Sussex Hwy; thence crossing Sussex Hwy in a westerly direction 170± feet to a point, said point being a point on the boundary of lands N/F of RO/AX, LLC and a point on the westerly ROW of Sussex Hwy; thence following said lands of RO/AX in a northerly direction 145± feet to a point, said point being the intersection of said lands of RO/AX and lands N/F of SNL Farms, LLC; thence following said lands of SNL Farms the following directions and distances southwesterly 750± feet, westerly 310± feet, northerly 620± feet to a point, said point being the intersection of said lands of SNL Farms and the existing boundary of the SCUSSD formerly known as a point on the Blades Sanitary Sewer District; thence following said SCUSSD boundary the following directions and distances: northwesterly 530± feet, northerly 370± feet, northeasterly 650± feet, northerly 230± feet, northwesterly 196± feet, southwesterly 915± feet, northwesterly 330± feet, northeasterly 1180± feet, northerly 495± feet to a point, said point 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; and

BE IT FURTHER RESOLVED in accordance with the existing statutes; and that the County Engineer is hereby directed 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 011 16 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 19TH DAY OF JULY 2016.

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