

RESOLUTION NO. R 011 17

MULBERRY KNOLL AREA OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT DECLARED UNDER THE PROVISIONS OF TITLE 9, CHAPTER 65 OF THE DELAWARE CODE

WHEREAS, the eligible voters of the proposed Mulberry Knoll Area approved the creation of the sewer district by a vote of 49 to 17 in an election held on May 13, 2017; and

WHEREAS, Title 9, Delaware Code, Section 6507 requires the County Council to issue a determination of the sewer district within thirty days of its approval by the eligible voters;

NOW, THEREFORE, BE IT RESOLVED that the County Council of Sussex County, Delaware hereby determines that the eligible voters of the Mulberry Knoll Area of the Sussex County Unified Sanitary Sewer District have approved the creation of said district, that the description of the Mulberry Knoll Area is described in Exhibit "A"; and that the said district is hereby declared to be validly constituted under the provisions of Title 9, Chapter 65 of the Delaware Code.

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 rights-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, let contracts for and supervise the construction and maintenance of, or enlarging and remodeling of, any structures required to provide for the safe disposal of sewage in the sanitary sewer district.

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Finance Director and County Engineer to apply for, accept, and receive grants, loans, and other funding necessary to provide adequate financing for the planning, design, construction, and all other phases of the sanitary sewer district.

Exhibit "A"

Description of the Mulberry Knoll Area of the Sussex County Unified Sanitary Sewer District:

BEGINNING at a point, point being the intersection of the westerly Right-of-way (ROW) of Mulberry Knoll Road and the southeasternmost corner of land now or formerly of (N/F) Thomas Best & Sons, Inc, thence by and with said lands of Best in a southwesterly direction 1284 feet± to a point, said point being the southwesternmost corner of said lands of Best and the northwesternmost corner of lands N/F of NO 1 Mulberry LLC, thence by and with said lands of Mulberry LLC in a southeasterly direction 1408 feet± to a point said point being the southwesternmost corner of said lands of Mulberry LLC and a point on the shoreline of Rehoboth Bay, thence by and with said shoreline in the following distances and directions, southeasterly 3670 feet±, northeasterly 184 feet±, southwesterly 290 feet±, northeasterly 75 feet± to a point, said point being the southwesternmost corner of lands N/F of State of Delaware, thence by and with said lands of State of Delaware in the following directions and distances, northwesterly 1869 feet ±, northeasterly 44 feet±, easterly 468 feet± to a point, said point being a point on the boundary of said lands of State of Delaware and the southwesternmost corner of lands N/F of Thomas Best & Sons Inc., thence by and with said lands of Best & Sons Inc. in the following directions and distances northwesterly 1811 feet±, southwesterly 596 feet± to a point, said point being the intersection of said lands of Best & Sons Inc. and the eastern ROW of Mulberry Knoll Road, thence by and with said ROW in a northwesterly direction 282 feet± to a point, said point being a point on the said ROW, thence crossing said ROW in a Southwesterly direction 30 feet± to a point, said point being that of the BEGINNING.

NOTE: The above description has been prepared using Sussex County Tax Map Nos. 334-18.00.

The Mulberry Knoll Area of the Sussex County Unified Sanitary Sewer District is within these boundaries. A map drawn to scale indicating the boundaries of the area is attached.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 011 17 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 6TH DAY OF JUNE 2017.

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