

RESOLUTION NO. R 011 19

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD), TO INCLUDE PARCELS 433-11.00-21.00, 21.01, 21.02, 22.00, 23.00 AND 19.00 ON THE EAST SIDE OF DUPONT BOULEVARD THE PARCELS ARE LOCATED IN THE DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE (FRANKFORD BUSINESS PARK EXPANSION)

WHEREAS, Sussex County has established the Sussex County Unified Sanitary Sewer 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 vicinity of duPont Boulevard, the inclusion of this area 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 Phillip C. Calio, 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 north side of Warrington Road, as follows: Beginning at a point, said point being on the Sussex County Unified Sanitary Sewer District (SCUSSD) boundary, said point also being on the easterly ROW of DuPont Boulevard (US 113); thence proceeding by and with said SCUSSD boundary in a southeasterly direction a distance of 73' ± to a point, said point being the westernmost property corner of lands N/F of East Side Developers, Inc., thence leaving said SCUSSD boundary and proceeding in a southeasterly direction a distance of 824' ± to a point, said point being the westernmost property corner of lands N/F of Hilton Spence Heirs, said point also being the southernmost property corner of other lands N/F of East Side Developers, Inc., said point further being on the SCUSSD boundary; thence proceeding by and with said SCUSSD boundary in a southeasterly, southerly and southeasterly direction respectively a distance of 433' ± to a point, said point being on the westerly

ROW of Delaware Avenue Extended, said point also being the southeasterly property corner of lands N/F of Fentrell L. & Barbara Church; thence leaving said SCUSSD boundary and continuing by and with said ROW in a southwesterly direction a distance of 1,154' ± to a point, said point being the southernmost property corner of lands N/F of Martin Property Development, LLC, said point also being the northeasternmost property corner of lands N/F Robert H. Davis, Trustee Revocable Trust; thence leaving said ROW and proceeding in a northwesterly direction a distance of 477' ± to a point, said point being on the westerly ROW of DuPont Boulevard (US 113), said point also being a shared property corner of lands N/F of Martin Property Development, LLC and lands N/F of Robert H. Davis, Trustee Revocable Trust; thence proceeding by and with said ROW in a northerly direction a distance of 1,802' ± to a point, said point being the Point of 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 that the County Engineer is hereby authorized 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 19 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 14TH DAY OF MAY 2019.

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