

RESOLUTION NO. R 012 18

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) HERRING CREEK AREA, TO INCLUDE SEVERAL PARCELS IN THE BURTON POND HOLLYMOUNT ROAD AREA LOCATED IN THE INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE (BURTON POND EXPANSION OF THE HERRING CREEK AREA)

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 Burton Pond / Hollymount Road, 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 the Sussex County Council hereby revises the boundary of the SCUSSD to encompass the lands mentioned above in the Burton Pond / Hollymount Road area and further described as follows:

BEGINNING at a point, said point being on the SCUSSD boundary, said point also being on the easterly ROW of John J. Williams Highway, said point also being on the westerly property line of lands N/F of Herring Creek Estates Owners Association, LLC; thence proceeding in a westerly direction crossing John J. Williams Highway a distance of 50'± to a point, said point being on the westerly ROW of John J. Williams Highway, said point also being the southernmost property corner of lands N/F Burton Bray Properties, LLC; thence proceeding with said Burton Bray Properties in a generally northwesterly and northeasterly direction respectively a distance of 5,387'± to a point, said point being on the southerly ROW of Hollymount Road; thence proceeding in a northeasterly direction crossing Hollymount Road a distance of 50'± to a point, said point being on the northerly ROW of Hollymount Road; thence proceeding with said ROW in an easterly direction a distance of 1,063'± to a point, said point being on the southwesternmost property corner of other lands of Burton Bray Properties, LLC; thence proceeding with said other lands of Bray a distance of 407'± to a point, said point being on the southern property line of further lands of Burton Bray Properties, LLC (Burton's Pond); thence proceeding with said further lands of Burton Bray Properties (Burton's Pond shoreline) a distance of 10,268'± to a point, said point being on the westerly ROW of John J. Williams Highway; thence proceeding in an easterly direction crossing John J. Williams Highway a distance of 50'± to a point, said point being on the easterly ROW of John J. Williams Highway, said point also being on the SCUSSD boundary; thence proceeding with said ROW and SCUSSD boundary in a generally southerly direction a distance of 4,844'± to a point, said point being that of the BEGINNING.

NOTE: The above description has been prepared using Sussex County Tax Map 234-11.00 & 234-17.00 and Sussex County property assessment records.

A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

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 012 18 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 14TH DAY OF AUGUST 2018.

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