

RESOLUTION NO. R 013 16

HERRING CREEK 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 Herring Creek Area approved the creation of the sewer district by a vote of 439 to 272 in an election held on July 9, 2016; 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 Herring Creek Area of the Sussex County Unified Sanitary Sewer District have approved the creation of said district, that the description of the Herring Creek 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 County Attorney for the Sussex County Council to procure the necessary lands and rights-of-way by purchase, agreement or condemnation in accordance with the existing statutes; and

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; and

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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 013 16 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 2ND DAY OF AUGUST 2016.

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