

RESOLUTION NO. R 015 19

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) CHAPEL BRANCH AREA, TO INCLUDE A PARCEL 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 (CHAPEL BRANCH AREA – SMITH ANNEXATION)

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 Wil-King 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 Chapel Branch area and further described as follows:

BEGINNING at a point, said point being the westerly Right-of-Way (ROW) of Wil-King Road said point also being 537 feet southeast of the entrance to Conley's Chapel Village; thence proceeding in an easterly direction, across Wil-King Road, a distance of 50' ± to a point, said point being on the easterly ROW of Wil-King Road, said point also being the northwesternmost property corner of lands Now-or-Formerly (N/F) of Charles W. & Gladys G. Smith; thence proceeding by and with said Smith property lines in an easterly, southerly and westerly directions respectively a total distance of 742' ± to a point, said point being the southwesternmost property corner of lands N/F of Charles W & Gladys G. Smith, said point also being on the easterly ROW of Wil-King Road; thence proceeding in a westerly

direction, across Wil-King Road, a distance of 50' ± to a point, said point being on the westerly ROW of Wil-King Road, said point also being on the easterly property line of lands N/F of Nationstar Mortgage LLC; thence proceeding by and with said ROW in a northerly direction a distance of 150' ± to a point, said point being that of the BEGINNING. (NOTE: The above description has been prepared using Sussex County Tax Map 234-6.00 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 015 19 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 16TH DAY OF JULY 2019.

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