

**RESOLUTION NO. R 016 05**

**A RESOLUTION ESTABLISHING THE LOCHWOOD STREETLIGHTING DISTRICT**

**WHEREAS, the attached election results certify that the Lochwood Streetlighting District was approved by a majority vote in an election held on May 6, 2005; and**

**WHEREAS, Sussex County Code, Chapter 95, requires the County Council to issue a determination establishing the District in the form of a Resolution;**

**NOW, THEREFORE, BE IT RESOLVED, that the Sussex County Council hereby determines that the eligible voters of the Lochwood Streetlighting District have approved the creation of said District; that the properties that are included in the District are shown on Sussex County Tax Map 2-34-11, Parcels 155-278, 310-336, and 338 – 412, and located in the Indian River Hundred; that said District is hereby declared to be considered validly constituted under the provisions of Sussex County Code, Chapter 95; and that the Director of Finance is authorized and directed to bill the owners of all assessable structures within the said District in accordance with Sussex County Code, Chapter 95.**

**I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 016 05 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 24TH DAY OF MAY 2005.**

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

**LOCHWOOD  
PROPOSED STREETLIGHTING DISTRICT  
ELECTION RESULTS**

**VOTES CAST IN PERSON:**

Number voting YES in SUPPORT of the Streetlighting District     22

Number voting NO in OPPOSITION of the Streetlighting District     02

**VOTES CAST BY ABSENTEE BALLOT:**

Number voting YES in SUPPORT of the Streetlighting District     04

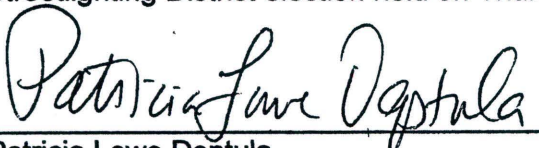
Number voting NO in OPPOSITION of the Streetlighting District     02

**GRAND TOTAL:**

Number voting YES in SUPPORT of the Streetlighting District     26

Number voting NO in OPPOSITION of the Streetlighting District     04

I hereby certify that the above numbers indicate the results of all ballots cast between the hours of 3:00 p.m. and 7:00 p.m., and all absentee ballots received, at the Lochwood Proposed Streetlighting District election held on Thursday, May 6, 2005.

  
\_\_\_\_\_  
Patricia Lowe Deptula  
Assistant Director of Public Works

May 6, 2005  
Date



**LOCHWOOD**  
**PROPOSED STREETLIGHTING DISTRICT**

1. Lochwood Subdivision is located on Dorman Road, County Road No. 288-A, northwest of Angola, Delaware. The streets are approximately 2.5 miles in length, are privately owned and maintained by the Lochwood Property Owner's Association, Inc. The contact person for the Association is: William Slawter, Secretary 945-6239, P.O. Box 212, Nassau, DE 19969.
2. The subdivision was recorded in 1973, in the Recorder of Deeds, on Book 8, Pages 773- 777, and on Book 58, Page 135. The proposed district is located on Sussex County Tax Map Number 2-34-11- and includes Parcels 155 - 278, 310 - 336 and 338 - 412. The remainder of the Parcels 118 - 151, 283 - 309, 279 - 282, and 337 are under construction and not included as part of the proposed District at this time. They will be included at a later date.
3. Number of improvements in proposed district: 161  
Total number of parcels in proposed district: 225
4. Delaware Electric Cooperative (DEC) provides electric service to the area. The Association currently pays for 15 existing colonial streetlights, within the subdivision, one area streetlight at the intersection of Dorman Road and Route 24 and a metered lighting service at their entrance way.
5. Sussex County Engineering Department received a request from the Lochwood Association to initiate the process of forming a streetlighting district in their subdivision, as allowed by Chapter 95 of the Sussex County Code. They requested Patricia Deptula (PLD) to attend their annual the Property Owners' Association (POA) meeting. She attended this meeting, held on Saturday, July 24, 2004, and discussed the County's streetlighting program with the residents. Some different options were discussed and those in attendance asked several questions. PLD requested that a letter from the Association be sent to her, to inform her how they would like to proceed with the request.
6. On November 9, 2004, the Engineering Department received a letter from the Lochwood Property Owner's Association, Inc. asking that the proposed Streetlighting district boundaries include all but the final section of the development, currently under construction.
7. A petition form was prepared by Sussex County Engineering Department and then approved by Vincent Robertson, Assistant County Attorney. Sussex County Council approved the petition form, and the attachment included with the Proposed District boundaries, for circulation on November 30, 2004.
8. PLD scheduled an informal "public meeting", as a courtesy, for the residents of the Lochwood Proposed Streetlighting District, for January 22, 2005 in conjunction with their already schedule POA meeting. However, the meeting had to be cancelled due to inclement weather. The POA will be notifying PLD of the re-schedule date for their meeting. PLD will hold the Streetlighting "public meeting" on the same date.
9. On January 28, 2005, 30 executed petitions were hand-delivered from Bill Slawter, of Lochwood Association.
10. PLD held an informal public meeting with the Lochwood POA on Saturday, March 19, 2005 to discuss the proposed Streetlighting layout. It was voted on at the meeting, by the POA, to accept the proposal,



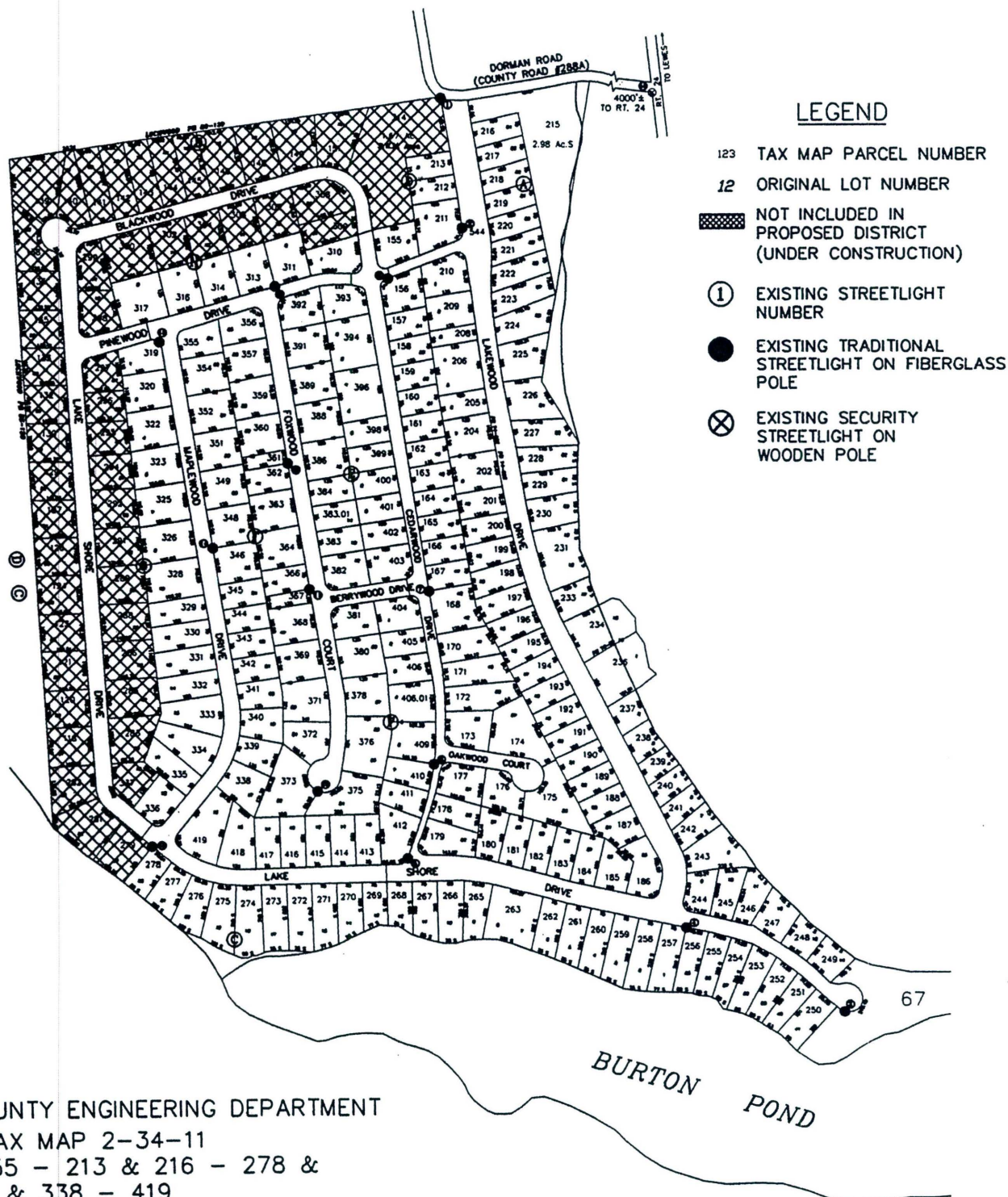
with the exception that the streetlight located on Route 24 & Dorman Road intersection be included in the proposed layout. This streetlight was requested to not be included in the original layout of the district. A new cost estimate including this light was devised. The annual amount per improvement for the 16 streetlights is estimated to be \$11.57.

11. Sussex County Council approved a motion on April 12, 2004, accepting the cost estimate. They also approved a Resolution establishing a date, time, place, and judge for an election to make a final determination as to whether or not the Lochwood Streetlighting District will be formed. This also included a provision for absentee ballots. Vincent Robertson, Assistant County Attorney, approved the Resolution form prior to submittal to Council.
12. A Notice with all election details was mailed to each property owner within the Lochwood subdivision; Notices were advertised in the Delaware Coast Press in each of the two weeks preceding the election and four (4) notices were posted within the subdivision of Lochwood, to alert all potential voters of the election, as required by Sussex County Code.
13. The election was held on Friday, May 6, 2005, from 3- 7 p.m., at the home of Lochwood POA Board member, William Slawter, at 2 Lakeshore Drive, Lochwood Subdivision, Lewes, Delaware. The judge of the election was Patricia L. Deptula, Assistant Director of Public Works. The results of the election were favorable. The number of votes cast was twenty-six (26) yes votes and four (4) no votes.
14. A Resolution establishing the Streetlighting District will be presented for approval to Sussex County Council at their meeting on Tuesday, May 24, 2005. Vincent Robertson, Assistant County Attorney, has reviewed and approved the Resolution form.

5-24-05 PLD

# LOCHWOOD

## PROPOSED STREETLIGHTING DISTRICT EXISTING STREETLIGHT LAYOUT 4-12-05



SUSSEX COUNTY ENGINEERING DEPARTMENT  
FROM SC TAX MAP 2-34-11  
PARCELS 155 - 213 & 216 - 278 &  
310 - 336 & 338 - 419  
4/12/05 DRAWN BY: TINA STEINER

NOT TO SCALE

ENG/PW/STREETLIGHTING/PROPOSED DISTRICTS/LOCHWOOD/  
DRAWINGS/ELECTION DRAWING