

**RESOLUTION NO. R 016 16**

**A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD), TO INCLUDE THE PROPERTIES SITUATED ON THE WEST SIDE OF STATE ROUTE 113 & NORTH AND SOUTH OF COUNTY ROAD 26 (NINE FOOT ROAD). 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**

**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 the intersection of Nine Foot Road and Route 113, 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 Aref Etemadi, 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 situated on the north and south side of Nine Foot Road, as follows:**

**BEGINNING at a point, situate at the intersection of the westerly right of way (ROW) of State Route 113 (Dupont Blvd) and the southerly ROW of Nine Foot Rd and the northeasternmost property corner of lands now or formerly of (N/F) of PGS Properties; thence following said lands of PGS the following directions and distances: southeasterly 585± feet, northwesterly 110± feet, southwesterly 993± feet to a point, said point being the easternmost corner of lands N/F of High Tide Church; thence following said lands of High Tide Church the following directions and distances: southwesterly 252± feet, southwesterly 595± feet, northwesterly 1226± feet to a point, said point being located on the southerly ROW**

of Nine Foot Rd; thence following said ROW southwesterly 2295± feet to a point, said point being a point located on the northerly boundary line of lands N/F of Lillian Gray, Trustee; thence leaving said lands of Gray and crossing Nine Foot Rd in a northerly direction 50± feet to a point, said point being the southwesterly corner of lands N/F of Allen Harim Farms, LLC; thence following said lands of Allen Harim the following directions and distances: 1145± feet, northeasterly 283± feet, easterly 210± feet, southeasterly 157± feet, easterly 200± feet, southerly 340± feet to a point, said point being the northwesternmost corner of lands N/F of Benjamin McCabe; thence following said lands of McCabe in a northeasterly direction 865± feet to a point, said point being the northeasternmost corner of said lands of McCabe; thence continuing in a northeasterly direction 30± feet crossing the lands N/F of Layton Atkins Heirs, to a point, said point being a point on the westerly boundary of lands N/F of Doris Cahall, Heirs; thence following said lands of Cahall in a northerly direction 62± feet to a point, said point being the intersection of said lands of Cahall and lands N/F of Roman Morales; thence following said lands of Morales the following directions and distances: northerly 351±, southeasterly 1030± feet to a point, said point being the northwesterly ROW of Nine Food Rd; thence following said ROW in a northeasterly direction 805± feet to a point, said point being the southwesternmost corner of lands N/F of Paul & Dolly O'Neal; thence following said lands of O'Neal in a northwesterly direction 180± feet to a point, said point being the southwesternmost corner of lands N/F of Mary A Littleton; thence following said lands of Littleton in a northwesterly direction 170± feet to a point, said point being a point on the existing SCUSSD boundary; thence following said SCUSSD boundary the following directions and distances: northeasterly 182± feet, southeasterly 63± feet, northeasterly crossing Hickman St 145± feet, northwesterly 105± feet, northeasterly 74± feet, northwesterly 250± feet, northeasterly 265± feet, northwesterly 37± feet, northeasterly 368± feet, southeasterly 480± feet, southwesterly 168± feet, northwesterly 195± feet, southwesterly 185± feet, southeasterly 485± feet, southeasterly 50± feet crossing Nine Foot Rd, northwesterly 341± feet to a point, said point being that of the 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 016 16 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 4TH DAY OF OCTOBER 2016.**

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