

RESOLUTION NO. R 020 04

A RESOLUTION ESTABLISHING THE DATE, TIME, PLACE, ABSENTEE BALLOT PROVISION, AND JUDGE FOR AN ELECTION TO BE HELD TO CONSIDER THE QUESTION OF ESTABLISHING THE PROPOSED HERITAGE VILLAGE STREETLIGHTING DISTRICT

WHEREAS, Chapter 95 of the Sussex County Code provides for the establishment, maintenance, and modification of a streetlighting district; and

WHEREAS, on September 9, 2003, the Sussex County Council approved the circulation of petitions to the property owners of Heritage Village, which seek to obtain estimates of costs and charges for the purpose of establishing a District; and

WHEREAS, 17 valid petitions were received from improvement owners on September 23, 2003, which request that the formation of a streetlighting district be put to an election vote;

NOW, THEREFORE, BE IT RESOLVED that the estimated annual billing rate for the proposed streetlighting district is \$31.35 for each property having a residential or commercial improvement located within the boundaries of the Heritage Village Proposed Streetlighting District; and

BE IT FURTHER RESOLVED that the Sussex County Council does establish Wednesday, September 1, 2004 from 3 p.m. - 7 p.m., at the Seaford Public Library, 402 Porter Street, Seaford, Delaware 19973, as the date, time and place for the election to consider the formation of Heritage Village Streetlighting District. Eligible voters, who are unable to attend the election in person, may obtain an absentee ballot from the Sussex County Engineering Department by contacting Mrs. Heather Jackson at (302) 855-7703. All absentee ballots must be executed, notarized, and delivered to the Sussex County Engineering Department before 12:00 Noon on Tuesday, August 31, 2004, to be counted; and

BE IT FUTHER RESOLVED that the judge of the election shall be Mrs. Patricia L. Deptula, Assistant Director of Public Works, or her designee; and

BE IT FURTHER RESOLVED that the Sussex County Engineering Department be directed to provide appropriate notice to the voters of the date, time, and place of the election, including estimated costs and charges, as required by Chapter 95 of the Sussex County Code.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 020 04 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 27TH DAY OF JULY 2004.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

HERITAGE VILLAGE
PROPOSED STREETLIGHTING DISTRICT

1. Heritage Village is located on Atlanta Road, County Road No. 30, just south of Atlanta Estates subdivision, near Seaford, Delaware. The streets are approximately one mile in length, are dedicated to the Public, and maintained by the State of Delaware.
2. The subdivision was recorded in November 1967 in Recorder of Deeds on Book 7, Page 36 (Section 1); in October 1969 on Book 8 Page 136 (Section 2); and in June 1974 on Book 8 Page 892 (Section 3). The subdivision is located on Sussex County Tax Map Number 5-31-10- Insert 3, Parcels 144 - 194 & 237 - 262. Parcels 158.01, 158.02 and 160 are not included in the proposed district.
3. Number of improvements in proposed district: 58
Number of unimproved parcels in district: 6
4. On April 30, 2003, Sussex County Engineering Department received a written request from Heritage Village Home Owners Association requesting Sussex County to initiate the process to form a streetlighting district in this subdivision as allowed by Chapter 95 of the Sussex County Code.
5. Delaware Electric Cooperative (DEC) provides electric service to the area. The subdivision currently has two existing streetlights, one at each entrance that are paid for by the Association.
6. A petition form was prepared by Sussex County Engineering Department and then approved by Vincent Robertson, Assistant County Attorney, on August 15, 2003. Sussex County Council rescheduled Heritage Village petitions from their meeting agenda on September 2, 2003 to the meeting agenda of September 9, 2003 due to an overload. Council approved the petition form for circulation on September 9, 2003. Thirty blank petitions were delivered to Mrs. Bridget Wheatley, President of the Association, on September 9, 2003.
7. Patricia Deptula attended the Heritage Village Homeowners Association meeting on Sunday, September 23, 2003 to discuss the Streetlighting program with the residents. After the meeting, the Homeowners presented her with 17 fully executed petitions requesting that the Sussex County Engineering Department obtain cost estimates to install streetlights, in order to administer an election on the question of forming the Heritage Village Proposed Streetlighting District.
8. The petitions were presented and approved by Sussex County Council on October 7, 2003.
9. A request letter for a preliminary streetlighting layout and cost estimate was sent to Ms. Aileen Cartwright of Delaware Electric Cooperative on 10-15-03. Sussex County and DEC met on site to review the layout. The preliminary layout calls for the keeping of the two (2) existing entrance streetlights and the installation of 13 new colonial style streetlights. This would provide a total of 15 streetlights, located uniformly throughout the subdivision. The estimated annual cost per improvement for the preliminary layout is \$ 29.33 per improvement.
10. A public meeting with the Heritage Village residents was held at 6 p.m. on Wednesday, July 14, 2004, at the Seaford Public Library, 402 Porter Street, Seaford, Delaware. Patricia Deptula of Sussex County answered questions pertaining to the proposed Streetlighting District. Some changes were requested at the meeting, or in writing prior to the meeting. The changes requested were: the addition of one streetlight on Wythe Court between Parcels 158.02 and Parcel 158; the addition of a shield on the rear side of Streetlight No.5; the

verification of the location of Streetlight #13 and transformer #52355 (found to be incorrectly located on Preliminary layout; is actually located between Parcels 165 and 166; location was corrected on Final layout); and the inclusion of Parcel 158.02 in the proposed district (this parcel was not included in the process, therefore it was decided that a certified letter would be sent to the residents to see if they have an interest in being included).

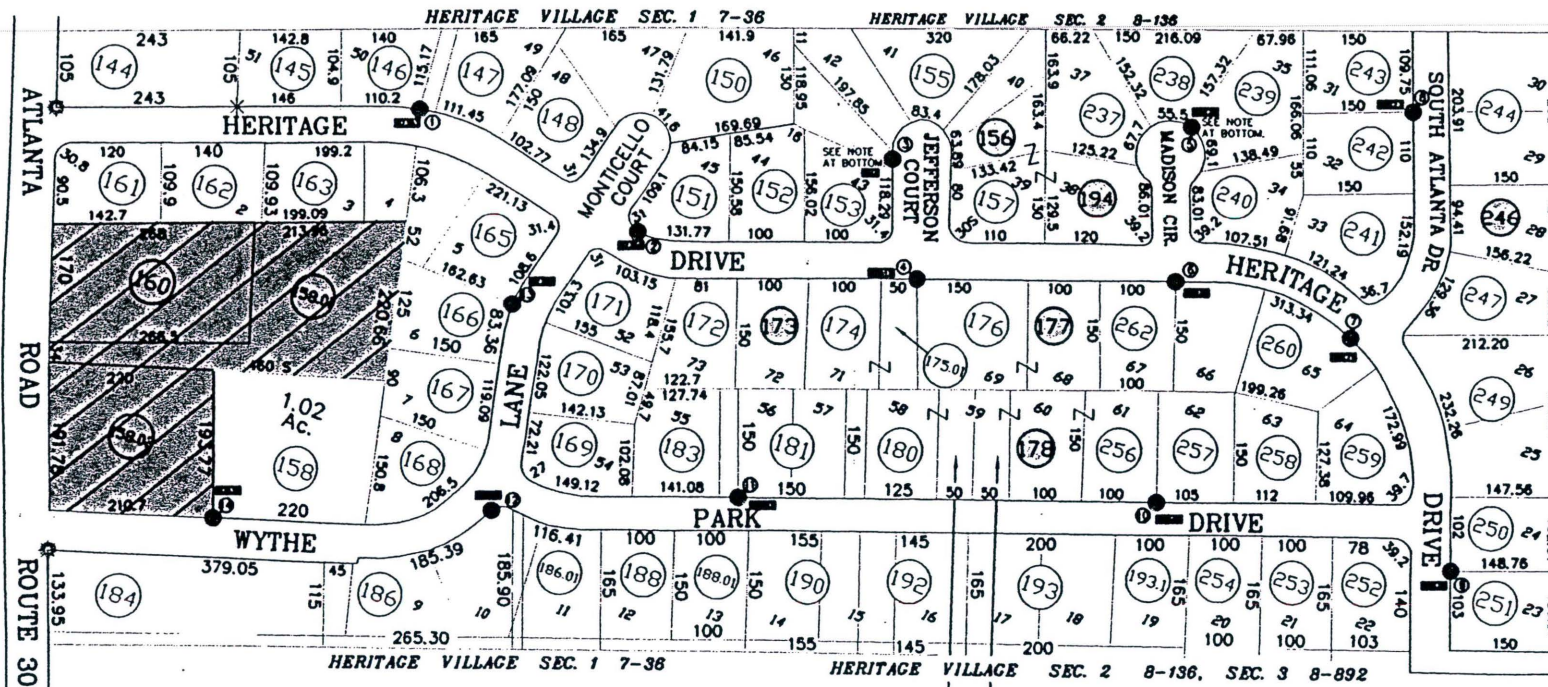
11. A final cost estimate was prepared for 14 new streetlights and 2 existing streetlights with 58 improvements existing in the proposed Streetlighting District. The annual rate per improvement was established at \$31.35. This will be taken to Sussex County Council for approval on July 27, 2004.
12. A Resolution establishing the date, time, and place of the election to be held on Wednesday, September 1, 2004 from 3:00 p.m. – 7:00 p.m. at the Seaford Public Library, 402 Porter Street, Seaford, Delaware 19973, and establishing Patricia L. Deptula or her appointee, as Judge of the election, was approved by Vincent Robertson, Assistant Sussex County Attorney, on July 22, 2004 and will also be presented for approval to Sussex County Council on July 27, 2004.

7-27-04 PLD



HERITAGE VILLAGE

PROPOSED STREETLIGHTING DISTRICT FINAL STREETLIGHT LAYOUT 7-27-04



LEGEND

- | | |
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| (123) TAX MAP PARCEL NUMBER | ● PROPOSED NEW TRADITIONAL STREETLIGHT ON FIBERGLASS POLE |
| 12 ORIGINAL LOT NUMBER | ① PROPOSED STREETLIGHT NUMBER |
| ▨ NOT IN DISTRICT | DELAWARE ELECTRIC COOPERATIVE TRANSFORMER NUMBER |
| ⑤ UNIMPROVED LOT | ○ EXISTING PRIVATE LIGHT |
| ⊙ EXISTING SUBDIVISION SHOEBOX STREETLIGHT ON WOODEN POLE | |

NOTE:
MUST RUN ELECTRIC FROM HOUSE #902
METER PAN TO SERVE STREETLIGHT #3.
INSTALL SHIELD ON BACKSIDE OF SL #5.

SUSSEX COUNTY ENGINEERING DEPARTMENT
FROM SC TAX MAP 5-31-10 INSERT 3
PARCELS 144-194 + 237-262

NOT TO SCALE