

RESOLUTION NO. R 028 17

WINDING CREEK VILAGE WATER DISTRICT DECLARED UNDER THE PROVISIONS OF TITLE 9, CHAPTER 65 OF THE DELAWARE CODE

WHEREAS, the eligible voters of the proposed Winding Creek Village Optimized Water District approved the creation of the water district by a vote of 103 to 23 in an election held on September 14, 2017; and

WHEREAS, Title 9, Delaware Code, Section 6507 requires the County Council to issue a determination of the water district within 12 months 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 Winding Creek Village Water District have approved the creation of said district, that the description of the Winding Creek Village Water District is described below; 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 Attorney for the County Council to procure the necessary lands and rights-of-way by purchase, agreement or condemnation in accordance with the existing statutes;

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 distribution of drinking water to all parcels in the water district;

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 water district.

Description of the Winding Creek Village Water District

BEGINNING at a point, said point being the southwesternmost corner of lands now or formerly of (N/F) of John Jacob & Barbara Kathleen Hand, the southeasternmost corner of lands N/F of Winding Creek Village Property Owners Association and said point further described as being on the northern shoreline of Guinea Creek; thence proceeding by and with said lands of Hand in a northwesterly direction a distance of 174± feet to a point said point being the northwesternmost corner of lands of Hand, said point also being a point on the southerly ROW of Creek Drive; thence leaving said ROW and proceeding in a northwesterly direction a distance of 62± feet to a point, said point being on the northerly ROW of Creek Drive; thence proceeding by and with said ROW in a generally easterly direction a distance of 1245± feet to a point; said point being the northeasternmost corner of lands N/F of Carol M & Donald L. McElwee, said point also being the southeasternmost corner of lands N/F of Dodd K. & Wendy T. Watson; thence proceeding by and with said lands of Watson in a westerly direction a distance of 219± feet to a point; said point being the southwesternmost corner of said lands; thence proceeding by and with the rear property line of lands facing Creek Drive a distance of 890± feet to a point, said point being the northeasternmost corner of lands N/F of Richard J & Valery J. Cordrey Trustee, said point also being on the rear property line of lands N/F of Alan B. & Mary Elizabeth R. Campbell; thence proceeding by and with said lands of Campbell in a northwesterly direction 64± feet and northeasterly 200± feet to a point, said point being the northeasternmost corner of said lands of Campbell, said point also being the southeasternmost corner of lands N/F of Charles H. & Lois S. Wood; thence proceeding by and with said lands of Wood in a generally northwesterly direction a distance of 165± feet to a point, said point being on the southerly ROW of Pond Road; thence leaving said ROW and proceeding in a northwesterly direction a distance of 50± feet to a point, said point being on the northerly ROW of Pond Road; thence proceeding by and with said ROW in a northeasterly direction a distance of 250± feet to a point, said point being the southeasternmost corner of lands N/F of Friedrich G. & Elsbeth Hoefflin Wahl; thence leaving said ROW and proceeding by and with said lands of Wahl in the following distances and directions northwesterly 200±, northeasterly 150± and southeasterly 175± feet to a point, said point being on the northerly ROW of Pond Road; thence proceeding by and with said ROW in a northeasterly direction a distance of 1373± feet to a point, said point being the northwesternmost corner of lands N/F of Patricia Rivituso, thence by and with said lands of Rivituso 63.8± feet to a point, said point being the northeasternmost corner of said lands and a point on the westernmost property line of lands N/F of Winding Creek Village Home Owners Association (WCVHOA); thence proceeding by and with said WCVHOA lands in a northwesterly and northeasterly directions respectively a distance of 1146± feet to a point, said point being the northeasternmost corner of said lands of WCVHOA and a point on the southerly property line of lands N/F of Baywood, LLC; thence proceeding by and with said lands of Baywood in a northeasterly direction a distance of 1,013± feet to a point, said point being on the northerly ROW of Creek Drive, said point also being on the northern shoreline of Guinea Creek, thence by and with said shoreline in a southerly then southwesterly direction to a point, said point being that of the BEGINNING.

NOTE: The above description has been prepared using Sussex County Tax Map Nos. 234-18.00, 234-23.00, & 234-24.00.

The Winding Creek Village Water District is within these boundaries. A map drawn to scale indicating the boundaries of the area is attached.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 028 17 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 3RD DAY OF OCTOBER 2017.

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