

RESOLUTION NO. R 032 17

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) HOLT'S LANDING AREA, TO INCLUDE THE SUBDIVISION KNOWN AS MALLARD CREEK LOCATED IN THE BALTIMORE 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 Holt's Landing, 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 Holt's Landing area and further described as follows:

BEGINNING at a point, said point being the northwesternmost property corner of Mallard Creek, a subdivision, and a point on the SCUSSD (Holts Landing Area) boundary; thence proceeding by and with said SCUSSD boundary and Mallard Creek boundary, the following courses and distances: 1) Northeast – 2,044' +/-, 2) Southeast – 1,358' +/-, 3) Southeast – 429' +/- to a point, said point being on the northerly ROW of Manor Drive; thence leaving said point and proceeding by and with said SCUSSD boundary in a southwesterly direction across Manor Drive a distance of 65.39 feet to a point, said point being the southerly ROW of Mallard Drive, said point also being on the southerly boundary of Mallard Creek; thence proceeding by and with said SCUSSD boundary and Mallard Creek boundary in a generally northwesterly direction a distance of 3,288' +/- to the point and place of BEGINNING.

NOTE: The above description has been prepared using Sussex County Tax Map 134-7.00 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 032 17 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 7TH DAY OF NOVEMBER 2017.

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