TOWN OF BRIDGEVILLE

A RESOLUTION OF THE COMMISSIONERS OF BRIDGEVILLE TO APPROVE THE RPC FINAL DEVELOPMENT PLAN AND SUBDIVISION PLATS FOR THE SECOND PHASE OF DEVELOPMENT OF THE BRIDGEVILLE SOUTH RPC DISTRICT AND TO AUTHORIZE THE PRESIDENT OF THE COMMISSIONERS OF BRIDGEVILLE TO EXECUTE, SIGN AND APPROVE CERTAIN DOCUMENTS RELATED THERETO

WHEREAS, the Commissioners of Bridgeville established the Residential Planned Community ("RPC") zoning district to provide the Town of Bridgeville with the flexibility to permit mixed-use developments, and to provide for the application of design ingenuity while protecting existing and future developments and achieving the goals of the Comprehensive Plan;

WHEREAS, the Town annexed approximately 833 acres of land in October, 2002;

WHEREAS, the Commissioners of Bridgeville zoned a majority of the annexed land RPC and approved a concept plan for the RPC District ("Bridgeville South RPC District") on October 21, 2002;

WHEREAS, the Commissioners of Bridgeville approved a Revised RPC Concept Plan for the Bridgeville South RPC District on June 9, 2003;

WHEREAS, the Commissioners of Bridgeville approved the RPC Preliminary Site Plan for the Bridgeville South RPC District on July 14, 2003;

WHEREAS, the developer of the Bridgeville South RPC District has prepared final site plan and subdivision plats for the second phase of development of the Bridgeville South RPC District, which development is named "Heritage Shores";

WHEREAS, the developer of the Bridgeville South RPC District submitted the following plans and plats for approval by the Commissioners of Bridgeville:

1. Phase II RPC Final Development Plan, Bridgeville South "Heritage Shores"; and
2. Subdivision Plats, Phase Two, Heritage Shores.

NOW THEREFORE, BE IT RESOLVED, the development and subdivision of Phase II of Heritage Shores shall be approved, as more particularly set forth below:

Section 1. RPC Final Site Plan, Phase II. The Commissioners of Bridgeville hereby find that the plan titled "Bridgeville South, 'Heritage Shores', Phase II RPC Final Site
Plan,” prepared by Robert D. Rauch & Associates, Inc. and dated November 9, 2005, and plans and documents incorporated therein by reference (collectively, the “Phase II RPC Final Development Plan”), are consistent with the Town’s Comprehensive Plan and the approved Revised RPC Concept Plan and RPC Preliminary Site Plan. The Commissioners of Bridgeville hereby make the following additional findings of fact:

A. The Phase II RPC Final Development Plan complies with all zoning requirements contained within Chapter 234, Article 8 of the Bridgeville Code of Ordinances and all existing laws, regulations and ordinances governing the approval of RPC Final Development Plans;

B. The Phase II RPC Final Development Plan, Contract Drawings for Site and Infrastructure Improvements Phase 2 Heritage Shores, and/or the Heritage Shores, a.k.a. Bridgeville South, Phase 1 and 2 Residential Development Plan and Golf Course, Clubhouse and Maintenance Area Plan provide the requisite engineer’s seal and sufficiently accurate dimensions and excavation, utility infrastructure and construction specifications to provide the data necessary for the issuance of construction permits.

C. Based upon the plans presented to the Commissioners, no state or federal wetlands are located within the residential lots approved hereby for subdivision and development.

D. Upon approval by the Commissioners, the Phase II RPC Final Development Plan shall be placed on record in the Bridgeville Town Office.

E. Upon approval by the Commissioners, the Final Subdivision Plats for Phase II shall be recorded among the land and plat records of Sussex County, Delaware.

The Commissioners of Bridgeville hereby approve the Phase II RPC Final Development Plan.

Section 2. Ratification of Approval of Phase II Subdivision Plat. On May 9, 2005, the Commissioners voted to approve and authorize the President of the Commissioners to sign the subdivision plats for Phase II. On August 19, 2005, President Conaway signed the “Subdivision Plat, Phase Two, Heritage Shores”, prepared by McCrone, Inc. dated August 2005, consisting of Sheets 1 through 7. The Commissioners hereby ratify the approval of the Phase II subdivision plats and the President’s signature thereof.

Section 3. President of Commissioners Authorized to Approve Final Plans and Modifications. In light of the President’s decision to recuse himself and abstain from voting on this Resolution, the Commissioners of Bridgeville hereby authorize and direct the President of the Commissioners to approve and sign such plats and plans as approved by this Resolution and such further documents, plats and plans that are consistent with this Resolution and the approvals granted hereby. The Commissioners of Bridgeville hereby further authorize the President of the Commissioners to approve such revisions and
modifications of the plats, plans and construction plans as deemed appropriate by the Town’s consulting engineer.

Approved this 12th day of December, 2005.

President Conaway    Abstain
Commissioner Correll   Yes
Commissioner Greason    Yes
Commissioner Jefferson    Yes
Commissioner Sipple    Yes

THE TOWN OF BRIDGEVILLE