

IN THE SUPREME COURT OF THE STATE OF DELAWARE

REHOBOTH MALL LIMITED  
PARTNERSHIP,

Plaintiff-Below,  
Appellant,

v.

SUSSEX COUNTY, a political  
subdivision of the State of Dela-  
ware, by its duly elected and  
appointed officials in their official  
capacity, SUSSEX COUNTY  
COUNCIL, and SUSSEX COUNTY  
ENGINEER,

Defendants-Below,  
Appellees.

No. 363, 1999

Court Below: Superior Court  
of the State of Delaware,  
in and for Sussex County  
C.A. No. 96A-06-002

Submitted: February 14, 2000  
Decided: March 8, 2000

Before **VEASEY**, Chief Justice, **WALSH** and **HARTNETT**, Justices.

**ORDER**

This 8th day of March, 2000, upon consideration of the briefs of the parties, we conclude that this appeal should be affirmed on the basis of, and for the reasons set forth in, the Order of the Superior Court dated July 30, 1999. *See also Gillespie v. Sussex County*, Del. Supr., No. 169, 1999, \_\_\_ A.2d \_\_\_ (Feb. 14, 2000).

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court be, and the same hereby is, **AFFIRMED**.

BY THE COURT:

/s/Maurice A. Hartnett, III

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Justice

