



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

DIVISION OF WATER
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

**WETLANDS &
WATERWAYS
SECTION**

PHONE
(302) 739-9943

Matthew D. Eisenmann and Colleen K. Eisenmann
34477 Skyler Drive
Lewes, DE 19958
Tax Parcel: 2-34-18.00-381.00

Subaqueous Lands Lease: SL-165/20
Associated Permits: SL-144/07, SU-223/10
Date of Issuance:
Construction Expiration Date:

SUBAQUEOUS LANDS LEASE

GRANTED TO:

Matthew D. Eisenmann and Colleen K. Eisenmann

TO UTILIZE AND MAINTAIN:

**A 3 foot wide by 80 foot long wetland walkway over federal wetlands and
A 4 foot wide by 70 foot long pier**

TO CONSTRUCT AND UTILIZE:

**A 4 foot wide by 45 foot long pier extension
Two (2) ladders
A 6 foot wide by 12 foot long floating dock
A boatlift with four (4) associated pilings**

OCCUPYING PUBLIC SUBAQUEOUS LANDS TOTALING:

456 square feet

LOCATED CHANNELWARD OF MEAN LOW WATER:

**In Herring Creek
at 34477 Skyler Drive,
Villages of Herring Creek,
Lewes, Sussex County, Delaware**

Pursuant to the provisions of 7 Del. C. §7205, and the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this _____ day of _____ A.D. 2023, to construct the above-referenced project in accordance with the approved plans for this Lease (2 sheets) as approved on September 11, 2023, and the application dated April 23, 2020, and received by this Department on April 24, 2020, and subsequent documentation received March 30, 2021.

WHEREAS, the State of Delaware is the owner of ungranted subaqueous lands lying beneath the waters of Herring Creek; and

WHEREAS, Matthew D. Eisenmann and Colleen K. Eisenmann , owner(s) of certain lands adjoining to Herring Creek have applied for permission to occupy 456 square feet of those public lands to install the indicated structures for private use; and

WHEREAS, pursuant to the provisions of 7 Del. C. §7203, the Secretary of the Department of Natural Resources and Environmental Control through his duly authorized representative finds that it is not contrary to the public interest if this project is approved subject to the terms and conditions herein set forth.

This Lease shall be continued for a period of ten (10) years or so long as the conditions attached to the Lease are adhered to, whichever is the shorter in time. Upon the expiration of the ten-year term, this Lease shall expire and become null and void, unless prior thereto the lessee shall have applied for and received a renewal of this Lease. A renewal may be denied if the State determines that the Lease is no longer in the public interest.

NOW THEREFORE, this Lease is issued subject to the attached Subaqueous Lands Lease General Conditions and the following special conditions:

SPECIAL CONDITIONS

1. This Lease replaces all previously-issued subaqueous lands leases associated with this tax parcel (SL-144/07, SU-223/10, SL0144/07(T1)) which are hereby voided. Existing structures shall be removed prior to the construction of authorized structures granted by this lease, if not incorporated within the approved plans.
2. This Lease maintains the Agreement of Easement authorized within SU-223/10 for the portions of structure originally authorized by SL-144/07.
3. This Lease shall not be considered valid until it has been duly recorded in the office for the Recorder of Deeds in and for the appropriate County, and a copy of the recorded Lease is returned to, and has been received by, the Department.
4. This approval is in accordance with the plans and application submitted to the Department of Natural Resources and Environmental Control, a copy of which is attached hereto and made a part hereof.
5. To protect diadromous fish species during their migration and spawning seasons, a time of year restriction from **March 1st** to **June 30th** is required.
6. The work authorized by this Lease is subject to the terms and conditions of the attached Department of the Army Permit Number CENAP-OP-R SPGP-20.
7. This Lease is granted for the purpose of berthing no more than four vessels, as indicated on the approved plans. Any other use without prior approval shall constitute reason for this Lease being revoked.
8. The authorized area of structure over public subaqueous lands is 456 square feet, represented by the 4 by 50 foot long portion of pier, 4 by 45 foot long pier extension, a 6 by 12 floating platform, and 4 pilings associated with a boatlift, channelward of mean low water.

IN WITNESS WHEREOF, We, Matthew D. Eisenmann and Colleen K. Eisenmann , have caused this instrument to be executed on this _____ day of _____, 2023.

By: _____
Matthew D. Eisenmann (Lessee)

By: _____
Colleen K. Eisenmann (Lessee)

Sworn and Subscribed before me on
this ____ day of _____, 2023

(Notary Seal)

Notary

IN WITNESS WHEREOF, I, Shawn M. Garvin, Secretary of the Department of Natural Resources and Environmental Control, have hereunto set my hand this _____ day of _____, 2023.

Shawn M. Garvin, Secretary
Department of Natural Resources and Environmental Control



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**SUBAQUEOUS LANDS LEASE
CONTRACTOR'S COMPLETION REPORT
POST-CONSTRUCTION**

Subaqueous Lands Lease Number: SL-165/20

Name: Matthew D. Eisenmann and Colleen K. Eisenmann **Address:** 34477 Skyler Drive
Lewes, DE 19958
Parcel #: 2-34-18.00-381.00

*I hereby certify that I have constructed the project authorized by the above-referenced
Subaqueous Lands Lease in accordance with the approved plans for the project.*

Printed Name of Contractor

Name of Company

Contractor's Signature

Date

Telephone Number

Upon completion of construction, this form shall be completed, signed by the contractor, and
mailed to the Wetlands and Waterways Section at:

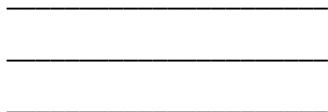
**DNREC
Wetlands and Waterways Section
89 Kings Highway
Dover, Delaware 19901**

***This form must be received by the Department within ten days of the date that construction is
completed.***

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For official use only

Compliance inspection date _____ *Built in accordance with plans* *Yes* *No*

Scientist: Rebecca Bobola



Affix
Proper
Postage
Here

Mail to:

DNREC – Wetlands and Waterways Section
89 Kings Highway
Dover, DE 19901

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WETLANDS AND WATERWAYS SECTION

LEASE NO.: SL-165/20

CONSTRUCTION EXPIRATION DATE: _____

TO CONDUCT THE FOLLOWING ACTIVITIES:

TO UTILIZE AND MAINTAIN:

**A 3 foot wide by 80 foot long wetland walkway over federal wetlands and
A 4 foot wide by 70 foot long pier**

TO CONSTRUCT AND UTILIZE:

**A 4 foot wide by 45 foot long pier extension
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A 6 foot wide by 12 foot long floating dock

A boatlift with four (4) associated pilings

LOCATED ON PUBLIC SUBAQUEOUS LANDS:

**In Herring Creek
at 34477 Skyler Drive, Villages of Herring Creek
Lewes, Sussex County, Delaware**

ISSUED TO: Matthew D. Eisenmann And Colleen K. Eisenmann

**DISPLAY THIS CERTIFICATE IN A HIGHLY
VISIBLE LOCATION ON THE JOB SITE.**

Authorized by: _____