

INDEX

Tabs

Delmarsh LLC Map Change Cover Letter And Application dated June 28, 2019 [Exhibit 2. Chronology Combined Exhibits submitted by DNREC to the EAB by email on March 9, 2020].....	1
Delineation Report of James C. McCulley IV, PWS, Watershed Eco LLC, dated June 28, 2019 [Exhibit 3. Chronology Combined Exhibits submitted by DNREC to the EAB by email on March 9, 2020]	2
Topographic Survey for Delmarsh LLC by Miller Lewis, Inc., Land Surveyors, dated April 16, 2019 [Exhibit 1. Chronology Combined Exhibits submitted by DNREC to the EAB by email on March 9, 2020]	3
Letter from Virgil R. Holmes, Section Manager of Wetlands And Subaqueous Lands Section to Jim McCulley re: MC-259/12: Change to DNREC Wetlands Map No. DNR183, with Map attachment, dated April 22, 2013.....	4
Wetlands Delineation & Building Feasibility Plan For Del-Homes, Inc. prepared by Michael F. Green, PWS dated 2/13/2003	5
1950 Subdivision Plan in Bowers Beach for Charles and Margaret Shore prepared by Charles Brown, Surveyor.....	6
Deed dated April 2, 2015 between Del-Homes, Inc. and Delmarsh, LLC for Lot Nos. 20-25 and Parcel D as shown on the 1950 Shore Subdivision Plan in Bowers Beach	7
Deed dated October 23, 2017 between Del-Homes, Inc. and Delmarsh, LLC for Lot No. 32, 1950 Shore Subdivision Plan.....	8
Kent County Tax Parcel information for Lot Nos. 20-25 and Parcel D as shown on the 1950 Shore Subdivision Plan.....	9
Kent County Tax Parcel information for Lot No. 32 as shown on the 1950 Shore Subdivision Plan	10
Bowers Beach Map Changes – Map 2 (DNREC Wetlands Map Amendments).....	11

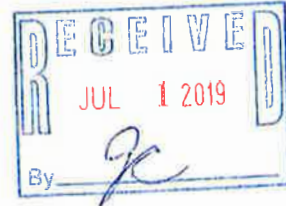
EXHIBIT 1

ABBOTT LAW FIRM LLC

RICHARD L. ABBOTT, ESQ.
302.489.ALAW
RICH@RICHABBOTTLAWFIRM.COM

June 28, 2019

Wetlands and Subaqueous Lands Section
DNREC
89 Kings Highway
Dover DE 19901



Re: *Application for Removal of Wetlands Map Designation
Lots 22-25, 32 & 2 Acre Undesignated Parcel in Bowers Beach*

Ladies & Gentlemen:

Enclosed please find an Application and associated documents for an amendment to the State Wetlands Map regarding the above properties. The primary basis of the Application is that none of the land has any tidal connection. But there are other areas of the lands that are not properly designated "Wetlands" based upon the definition of that term contained in 7 Del. C. § 6603(h) and the Wetlands Regulations.

I understand that there may be a charge involved in advertising the Application and/or any decision or recommendation based thereon. Please advise at your earliest opportunity what amount is needed in order to promptly complete the Map amendment process.

Very truly yours,

Richard L. Abbott

RLA:cth
Enclosures
File No.: 604.01

cc: Mr. Jeffrey Liberto (w/enclosures) – Via Email Only



**WETLANDS AND SUBAQUEOUS LANDS SECTION
JURISDICTIONAL DETERMINATION
AND MAP CHANGE REQUEST FORM**

Phone: (302) 739-9943

Fax: (302) 739-6304

Clear form

Requested Action

Please select the type of determination(s) you would like performed and complete the corresponding section indicated: (check all which apply)

- ☒ Tidal Wetlands (jurisdictional determinations (JD), map changes or both) - Complete Section A
- ☐ Subaqueous Lands (ordinary water lines and stream/ditch JD) - Complete Section B
- ☐ Mean High Water Lines- Complete Section C

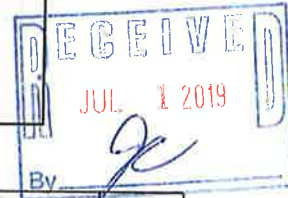
Basic Information

Property Owner/Applicant

Name: Delmarsh, LLC
Address: 74 Caddie Court
City/Town: Magnolia
Zip: 19962
Phone: 302-898-1522

Consultant

Name: Richard L. Abbott, Esquire
Address: 724 Yorklyn Road, Suite 240
City/Town: Hockessin
Zip: 19707
Phone: 302-489-2529



Subject Property

Address: N. Flack Avenue & N. Bayshore Drive

Tax Parcel #: 8-01-11513-01-0300-00001 & 8-01-11513-01-0200-00001

County: New Castle ☐ Kent ☒ Sussex ☐

Detailed Directions to site:

Bowers Beach Road from Route 113 into Town of Bowers, continue on Main Street, left on Flack Avenue to end of street,
property is on right or east side

(Please attach a road map with site boundaries indicated)

I hereby certify that the information on this application form and any supporting documents is true and accurate to the best of my knowledge. I grant permission to authorized Department representative(s) to enter upon the premises during working hours for the purpose of undertaking the requested action.

Owner/Applicant Signature: _____ Date: _____

Applicant (if other than owner): _____ Date: _____

Consultant/Agent Signature: Richard L. Abbott Date: June 27, 2019

RICHARD L. ABBOTT, ESQUIRE
ATTORNEY FOR DELMARSH, LLC

I request to be present during the site inspection ☒ Yes ☐ No

SECTION A: Tidal Wetlands

Please describe the proposed activity on the parcel (s):

Construction of residential homes

The following Information is Required

1. State of Delaware wetland regulatory map # DNR 163 (for map change only)
2. Survey and Deed of subject property enclosed
3. Previous JDs (State or federal) if on record
4. Conceptual plans of intended project n/a
5. Current Wetland designation partial
6. Total area of proposed impact/ wetland designation change 0 sq ft

The following information, if provided, will help expedite the review process

1. USGS topographic map with site boundaries shown Included ☒ Not Included ☐
2. Stake/flag the State Wetland jurisdictional line in the field prior to site visit? Yes ☐ No ☒
3. Site photos? ☒ Included ☐ Not Included
4. For map change requests, explain why you think the mapped area is non-jurisdictional.

See enclosed report from environmental consultant, which confirms the land is not subject to tidal action and much of the land does not meet the elevation criteria to qualify as "Wetlands" under 7 Del. C. § 6603(h) and Section 5.0 of the Wetlands Regulations.



SECTION B: Subaqueous Lands (ordinary water line and stream jurisdictional determinations)

<i>The Following Information is Required</i>				
1.	USGS Topographic map with the site boundaries clearly shown and the subject streams/ditches indicated on it			
2.	Name of the waterbody(s). If unnamed, name of nearest named waterbody. Delaware Bay			
3.	Survey and Deed of subject property			
4.	Previous JDs (state or federal) (If any on record for the property)			
5.	Road Map indicating site location			
<i>The following information, if provided, will help expedite the review process</i>				
1.	Soil survey map of the site	<input type="checkbox"/>	Included	<input checked="" type="checkbox"/> Not Included
2.	Photos of the site (dated)	<input checked="" type="checkbox"/>	Included	<input type="checkbox"/> Not Included
3.	Historic Maps	<input type="checkbox"/>	Included	<input checked="" type="checkbox"/> Not Included
4.	Aerial Photos	<input checked="" type="checkbox"/>	Included	<input type="checkbox"/> Not Included
5.	Proposed conceptual plans for proposed development/construction project	<input type="checkbox"/>	Included	<input checked="" type="checkbox"/> Not Included

SECTION C: Mean High Water Line Determinations (MHWL)

<i>The Following Information is Required</i>				
1.	Road Map indicating site location			
2.	Deed and property survey			
3.	Name of waterbody			
4.	Is this MHWL determination in conjunction with an application for a permit? If yes, provide applicant's name			
Applicant's Name: N/A				
<i>The following information, if provided, will help expedite the review process</i>				
1.	Reason for requesting MHWL determination?			
Correct mapping error				
2.	Photos of shoreline	<input checked="" type="checkbox"/>	Included	<input type="checkbox"/> Not Included
3.	Proposed conceptual plans for proposed development/construction project	<input type="checkbox"/>	Included	<input checked="" type="checkbox"/> Not Included
4.	Tidal range at site	ft.		

NOTE: Once the MHWL is staked in the field by a WSLS scientist, it must be surveyed with a copy provided to the WSLS. A written JD will be provided upon receipt of the survey confirming the MHWL.

Please return this form along with all supporting documents to the:

Wetlands and Subaqueous Lands Section
DNREC 89 Kings Highway
Dover, DE 19901

Phone: (302) 739-9943

Fax: (302) 739-6304





KENT COUNTY, DELAWARE

555 Bay Road, Dover, Delaware 19901-3615
(302) 744-2300 -- FAX (302) 736-2279

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

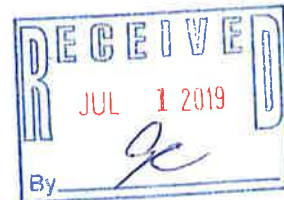
Reference # SM SOUTH MURDERKILL HUNDRED Card # 1 of 1
Location ID 41853 Map Number 8-01-11513-01-0300-00001
Tax ID 41853 Deed BVP D 7579 0106 P 0046 0164
Parcel ID 13636 Deed BVP2
Property Code P - PROPERTY
Current Owner DELMARSH, LLC. Property Location N FLACK AVE
74 CADDIE CT FREDERICA, DE 19946
MAGNOLIA, DE 19962 Zoning NA Acres 3.00
Additional Owner

Sub-Division SHORE SUBDIVISION

Sales History				Liv.Sq.Ft	.0000
Date	Price	Assessment		Total Rooms	
4/07/15	7,700	Land	7,700	Bedrooms	
0/00/00	0	Buildings		Full Bath	
		Total	7,700	Half Bath	

Base Tax Due	158.15	Last Billing Detail	History	Farm Info
Tax Penalty	13.67			
Total Tax Bal.	171.82			
Sewer Balance	37.74	Sewer Account #	3921	
Neighborhood #	00800	Coordinates		0504430 E 0387664 N
Land Use		Lot Dimensions		0000002.83
Living Units		School District	22	LAKE FOREST
Class	Residen	Fire District	40	NORTH BOWERS
Plat Book Pg	002 00026	Sewer District	10	BOWERS
Topography	Level	Ambulance District	40	NORTH BOWERS
Street or Road	Paved	Trash District		
Fronting	Residen	Light District		
Improvement	VACANT	Commissioner Dist	00	
		Tax Ditches	NONE	

IMPROVEMENT KEY	
MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMR	Manufactured Home Retired Title



Accepted for Filing in:
Kent County
Doc# 272672
On: Apr 07, 2015 at 10:29A

TAX PARCEL #:
SM-01-115.13-01-03.00-000
PREPARED BY & RETURN TO:
Young Malmberg, P.A.
30 The Green
Dover, DE 19901

NO NEW TITLE SEARCH OR SURVEY REQUESTED OR PERFORMED.

THIS DEED, made this 2nd day of April, 2015,
- BETWEEN -

DEL-HOMES, INC., a Delaware corporation, Grantor

- AND -

DELMARSH, LLC, a Delaware limited liability company, Grantee



WITNESSETH: That the said Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, Grantor hereby grant and convey unto the Grantee, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Kent County, State of Delaware:

See Attached Exhibit A

BEING the same lands and premises which were conveyed unto Del-Homes, Inc., a Delaware corporation, by deed of Donald Bruce Noble and Rosemarie E. Noble dated May 8, 1989, and recorded in the Office of the Recorder of Deeds in and for Kent County, DELAWARE, in Deed Book P, Volume 46, Page 164.

TOGETHER with all the rights, title and interest of the Grantor in and all street roads and public places, opened or proposed, adjoining the said Land, and all easements and rights of way, public or private, now or hereafter used in connection with said Land.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Kent County, Delaware.

IN WITNESS WHEREOF, Grantor hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

DEL-HOMES, INC.

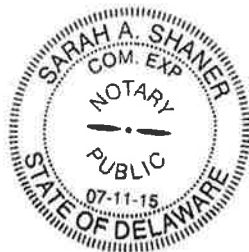
Sarah A. Shaner

John T. Beiser (SEAL)
John T. Beiser, President

STATE OF DELAWARE, COUNTY OF KENT: to-wit

BE IT REMEMBERED, that on April 2nd, 2015, personally came before me, the subscriber, John T. Beiser, Grantor to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.



Constantine F. Malanberg, III
Attorney at Law
Member of the Delaware State Bar



PARCEL NO. 1: ALL those certain lots, pieces and parcels of land situate, lying and being in the Town of Bowers, Kent County, and State of Delaware, lying on the north side of Main Street, but not adjacent thereto, being Lots Nos. 20, 21, 22, 23, 24 and 25, lying on the west side of Bay Road leading from Main Street to St. Jones River, each of said Lots having a frontage on Bay Road of 50 feet and extending back therefrom between parallel lines a distance of 200 feet, and Parcel D containing 2.1 acres lying on the east side of Bay Road leading from Main Street to St. Jones River, being bounded on the West by said Bay Road, on the North by St. Jones River, on the East by the Delaware Bay, and on the South by Lot No. 32, as laid out on a plot of lots in a development of Charles and Margaret Shore, Bowers Beach, Delaware, in accordance with survey made by Charles C. Brown, Surveyor, October, 1950, said plot being of record in the Office of the Recorder of Deeds, in and for Kent County, Delaware, in Plot Book 2, Page 26.

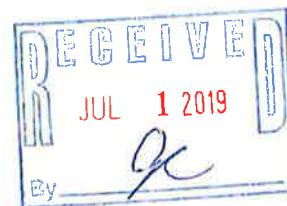


RECEIVED
JUL 1 2019
[Signature]

TAX PARCEL #:
SM-01-115.13-01-02.00-000
PREPARED BY & RETURN TO:
The Malmberg Firm, LLC
One Clubhouse Drive
Wyoming, DE 19934
File No. 17RE8215/CFM

THIS DEED, made this 13rd day of October, 2017,

- BETWEEN -



DEL-HOMES, INC., a Delaware corporation, of P.O. Box 8, Magnolia, DE 19962,
Grantor

- AND -

DELMARSH, LLC, a Delaware limited liability company, of 74 Caddie Court,
Magnolia, DE 19962, Grantee.

WITNESSETH: That the said Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Kent County, State of Delaware:

See Attached Exhibit A

BEING the same lands and premises which were conveyed unto Del-Homes, Inc., a Delaware corporation, by deed of Donald Bruce Noble and Rosemarie E. Noble, his wife, dated May 8, 1989 and recorded in the Office of the Recorder of Deeds in and for Kent County, Delaware, on May 12, 1989 in Deed Book P46, Page 164.

TOGETHER with all the rights, title and interest of the Grantor in and all street roads and public places, opened or proposed, adjoining the said Property, and all easements and rights of way, public or private, now or hereafter used in connection with said Property.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Frederica, Kent County, Delaware.

IN WITNESS WHEREOF, the said Del-Homes, Inc. has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

DEL-HOMES, INC.

Witness

By: John T. Beiser (SEAL)
John T. Beiser, Owner

STATE OF DELAWARE, COUNTY OF KENT: to-wit

BE IT REMEMBERED, that on this 23rd day of October, A.D. 2017, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, John T. Beiser, Owner of Del-Homes, Inc., party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said corporation; that the signature of the Owner is in his own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

GIVEN under my Hand and Seal of Office the day and year aforesaid.



Sarah A. Shaner
Notary Public
My Commission Expires: 6/12/19



ALL that certain lot, piece and parcel of land situate, lying and being in the Town of Bowers, Kent County, State of Delaware, lying on the north side of Main Street, but not adjacent thereto, being Lot No. 32 lying on the east side of Bay Road leading from Main Street to St. Jones River, said lot having a frontage on said Bay Road of 50 feet, the southerly line thereof measuring approximately 437 feet, and the northerly line thereof measuring approximately 445 feet, as the same is more particularly laid out on a plot of lots in a development of Charles and Margaret Shore, Bowers Beach, Delaware, in accordance with a survey made by Charles C. Brown, Surveyor, October, 1950, said plot being of record in the Office of the Recorder of Deeds, in and for Kent County, Delaware, in Plot Book 2, Page 26.



5/14/2019

ArcGIS - My Map

ArcGIS

Details | Basemap |

Print | Measure F

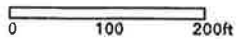


Bowers Beach

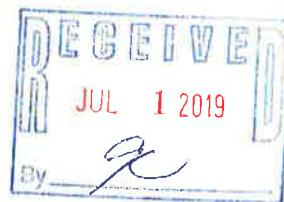
183

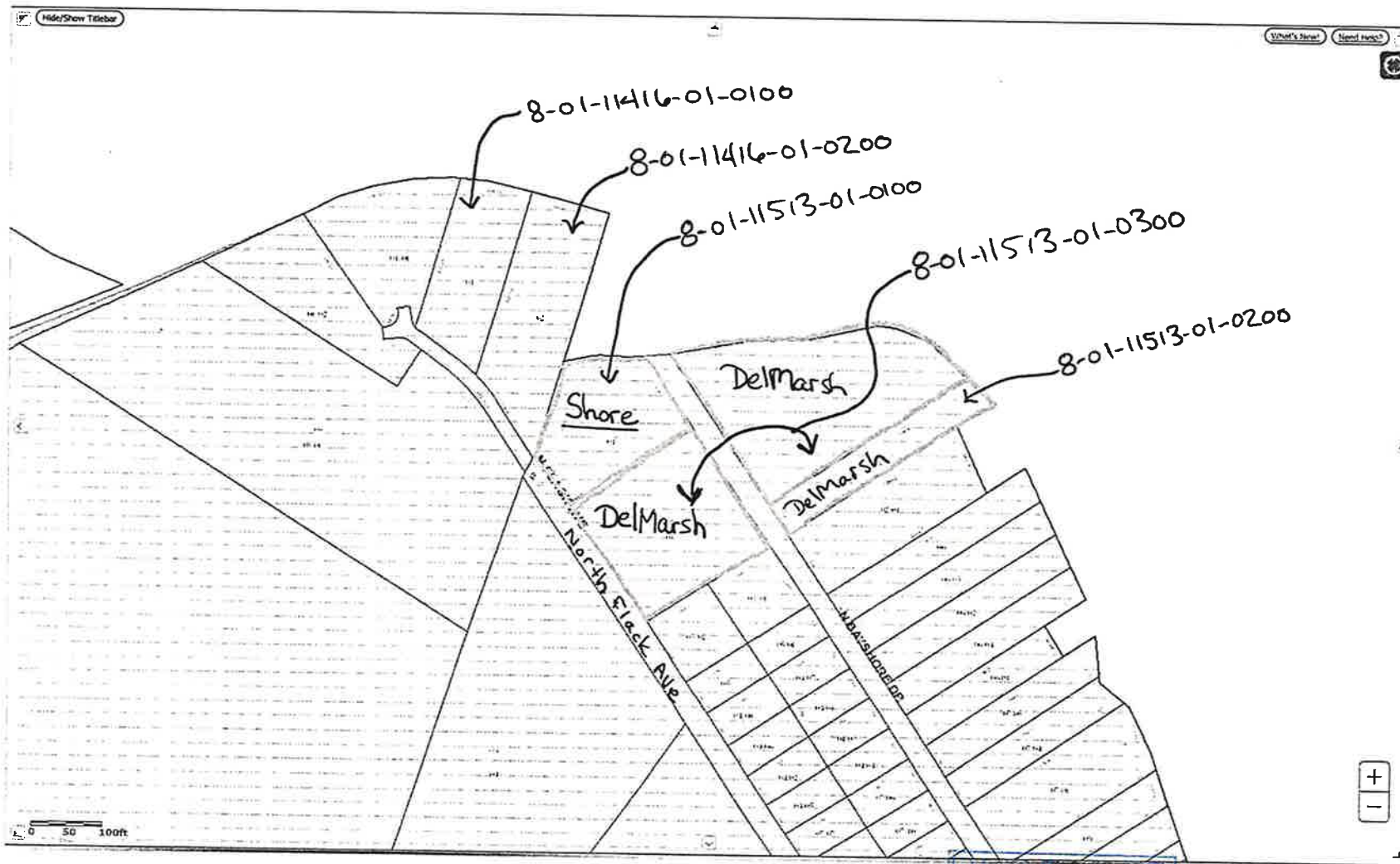
ft

N FLOCK AVE

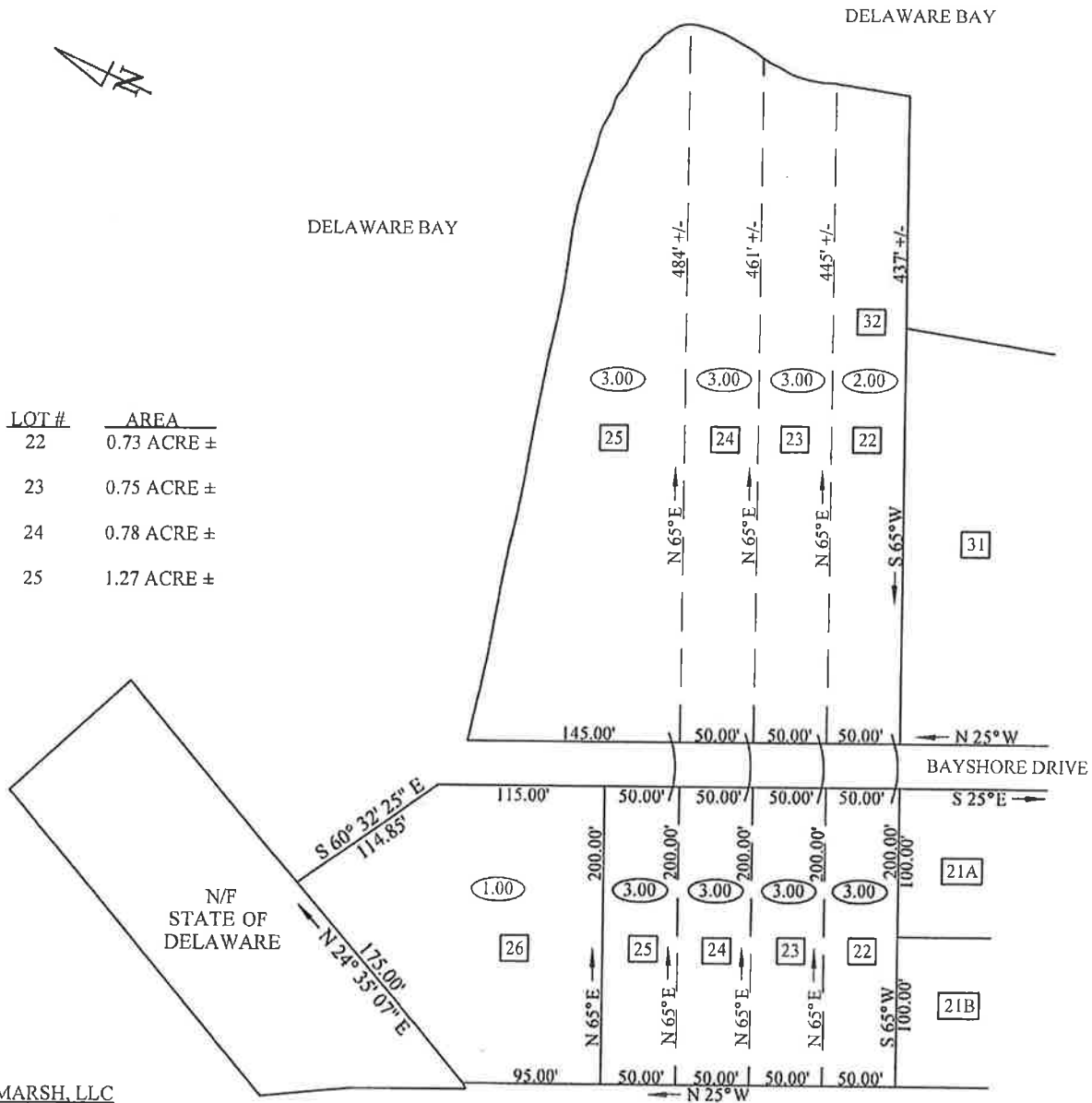


Delaware FirstMap, State of I





LOT #	AREA
22	0.73 ACRE ±
23	0.75 ACRE ±
24	0.78 ACRE ±
25	1.27 ACRE ±



DELMARSH, LLC

LOT #: 22, 23, 24, 25

PARCEL #: 8-01-115.13-01-03.00 AREA = 3.02 ACRES ±

LOT #32

PARCEL #: 8-01-115.13-01-02.00 AREA = 0.51 ACRE ±

CHARLES AND MARGARET SHORE

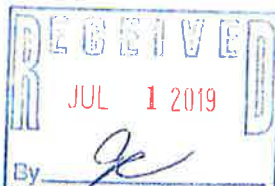
LOT #26

PARCEL #: 8-01-115.13-01-01.00 AREA = 0.71 ACRE ±

I CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE AND THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

RICHARD K. VETTER, P.E.

PLAN BASED ON A PLOT OF "DEVELOPMENT OF CHARLES AND MARGARET SHORE", AS RECORDED IN PLOT BOOK 2, PAGE 26, AND DEEDS D-8749-66 AND D-9302-309.



LEGEND
[22] LOT NUMBER
[3.00] TAX PARCEL #

SUBDIVISION PLAN
LANDS OF DELMARSH, LLC & CHARLES AND MARGARET SHORE
TOWN OF BOWERS KENT COUNTY, DELAWARE
RICHARD K. VETTER, P.E. 125 APPLE BLOSSOM DRIVE CAMDEN, DE 19934
SCALE: 1" = 100'
DECEMBER 3, 2018





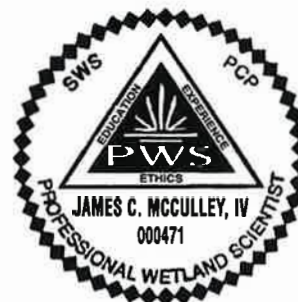
EXHIBIT 2

Wetlands/Waters Delineation for:
**Lewis Shore Subdivision, Lots
22-25,32 and Undesignated Lot**
Bowers Beach, Delaware
Completed: June 28, 2019



Prepared by:
Watershed Eco LLC
James C. McCulley IV, PWS
#000471

114 Merrimac Avenue
Middletown, Delaware
19709
www.WatershedEco.com



A. Site Description, Landscape Setting

This site lies east of Flack Avenue and south of the confluence of the Saint Jones River and the Delaware Bay at approximate Latitude and Longitude: 39-03-52.36, -75-24-02.49.



The site is a part of the Lewis Shore Subdivision (Lots 22-25, 32 and Undesignated Lot) for which previous jurisdictional determinations have been issued. The site consists of a beach, dirt road and disturbed areas previously dominated by Phragmites (periodically mowed). There are roadside swales adjacent to Flack Avenue and Bayshore Road, both of which have adjacent spoils piles that were previously determined to be non-wetlands.

Figure 1: USGS with NWI

B. Site Alterations, Current and Past Land Use

Aerial photographs are available back to 1961 and provide a good history of the site and the surrounding area.



Figure 2: 1961 Aerial

In 1961, a dirt road goes all the way to the beach area to the east and there was some fill visible south of the dirt road.



Figure 3: 1992 Aerial

By 1992, Bayshore Road has been constructed and it appears that there are sidecast materials along the southwest side of Bayshore Avenue. The dirt road portion between Bayshore and the beach appears to have been converted to a driveway and several homes have been constructed on the eastern side of Bayshore Avenue.



Figure 4: 2002 Aerial

By 2002, a series of dirt roads are visible on the subject property. Two new homes are constructed north of the subject property and a few additional homes have been constructed east of Bayshore Avenue. New fill is visible interior to Flack and Bayshore south of the subject property.



Figure 5: 2007 Aerial

By 2007, additional homes have been constructed or are under construction south and southeast of the site, including the parcel directly south of the subject property. The subject property has mowing lines visible and appears to have new sand deposited on the back side of the beach.

Site visits in 2009, 2010, 2011 and 2012 have revealed that several new homes have been constructed or are under construction south of the subject property. Additionally, several storms have washed additional sand over the beach and into the Phragmites area west of the existing beach (see photos below).

Tidal studies, topography, State Tidal Wetland Map changes and additional wetland flagging has been conducted on the site and is described in this report.

B.1 Mapped Soils and Wetlands -

The mapped soils are shown below (see details in attached soil report).



Figure 6: Soils Map

Kent County, Delaware (DE001)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AbC	Acquango-Beaches complex, 0 to 10 percent slopes	0.4	24.1%
SuA	Sunken mucky silt loam, 0 to 2 percent slopes, occasionally flooded, tidal	0.1	4.5%
TP	Transquaking and Mispillion soils, very frequently flooded, tidal	1.2	68.9%
W	Water	0.0	2.6%
Totals for Area of Interest		1.8	100.0%

The majority of the site is underlain by poorly drained soils. Soils found on the site are a variety of disturbed and filled native soils, overlain with sand that has washed in from the adjacent dunes.

The National Wetland Inventory (NWI) Map shows the beach area as an Estuarine Unvegetated Wetland Area and the area west of Flack Avenue (offsite) as an Estuarine Emergent Wetland area. The remainder of the subject site is depicted as non-wetland along with the remainder of the building lots to the south.



Figure 7: National Wetland Inventory Map

The 1992 State of Delaware Wetland Mapping Project (SWWMP) Maps depict wetlands in a similar configuration to the NWI Map, with the majority of the site being mapped as non-wetlands.

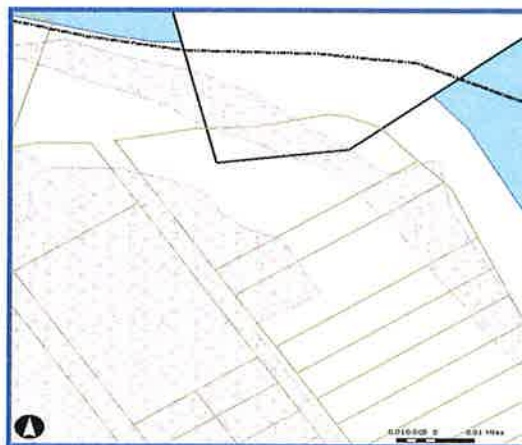


Figure 8: SWMP Map

The State Tidal Wetlands Map (Panel DNR183) depicts Marsh on the site, with the dirt road and the upper beach area excluded. The map also denotes that there has been a map change. Review of correspondence indicates that the map was adjusted several times, once to exclude the area interior to Flack, Bayshore and the dirt road and to exclude a portion of the upper beach as additional sand washed in. Since these map changes, additional sand has washed in and is depicted in the attached survey and photographs.

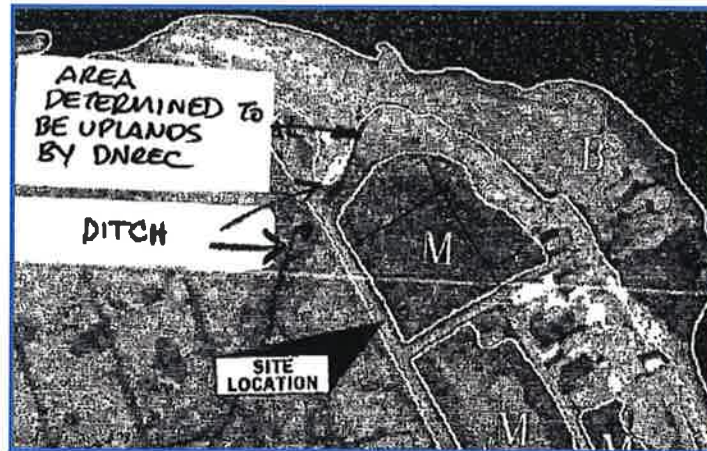


Figure 9: DNR 183

B.2 Hydrology, No Tidal Connection and No MHT Elevation –

The site hydrology as well as the hydrology in the entire area has been significantly modified by the activities of man. The construction of Flack Avenue, Bayshore Road, the dirt road, various filling activities and the placement of beach sand which has washed up onto the old marsh several times, have all modified the hydrology of the subject property and surrounding area.

A drainage study recently conducted by KCI Technologies has identified numerous drainage problems in the area, including: buried pipes, crushed pipes, flat ditches, inadequate storage and lack of outfall to tidal waters in the general area.

Ditches are present on the subject property along the dirt road as well as Flack and Bayshore and side-cast material exists adjacent to these ditches.

Although portions of the area are mapped as tidal wetlands by the State of Delaware, there is no area on the site with a connection to tidal waters and the general elevation of the site is above the mean high tide elevation as detailed in a study by JCM Environmental and recent topographic surveys.

The State of Delaware (2017) has determined that Mean High Tide (MHT) is at elevation 2.3 feet and that the average site elevation is around 3.5 feet (see attached).

Miller and Lewis performed a topographic survey in 2019 and determined the MHT at 2.5 feet and Mean Low Water (MLW) at 0 feet. Numerous spot elevations throughout the site depict that none of the site behind the dunes is below the MHT elevation.

There is no connection of the area behind the dunes to any tidal waters. Vegetation -

The site consisted of the following vegetation communities:

Beach – This area occupies the area between the Delaware Bay and the vegetated herbaceous area of the site. This area extends from the low tide elevation along the bay and the Phragmites dominated area. The portion of the beach that would be regulated as Waters of the U.S. occupies the area to the mean high tide line and this area is mostly devoid of vegetation. Above the high tide line, the beach is dominated by Yucca, Prickly Pear Cactus, Xanthium and Sand Bur.

Herbaceous – The remainder of the site was previously dominated by Phragmites, with the exception of the old filled areas and the spoils piles.



Figure 10: Beach Area in Tidal Zone



Figure 11: New Sand that has Washed In



Figure 12: New Sand that has Washed In



Figure 13: Sand Washed In



Figure 14: Erosion After Storm



Figure 15: Phragmites



Figure 16: Dirt Road



Figure 17: Spoils Adjacent to Roadside Ditch

C. Results and Conclusions

The upper beach area, dirt road and sidecast and old filled areas were delineated as upland areas and the remaining portion of the site was mapped as non-tidal wetlands per this study.

Although mapped as tidal wetlands, the majority of the wetlands on the site are above the high tide elevation and isolated from a direct connection to tidal waters. There is no connection to tidal waters as evidenced by numerous site visits by Watershed Eco as well as drainage studies completed by McCrone Engineering and recent topographic surveys.

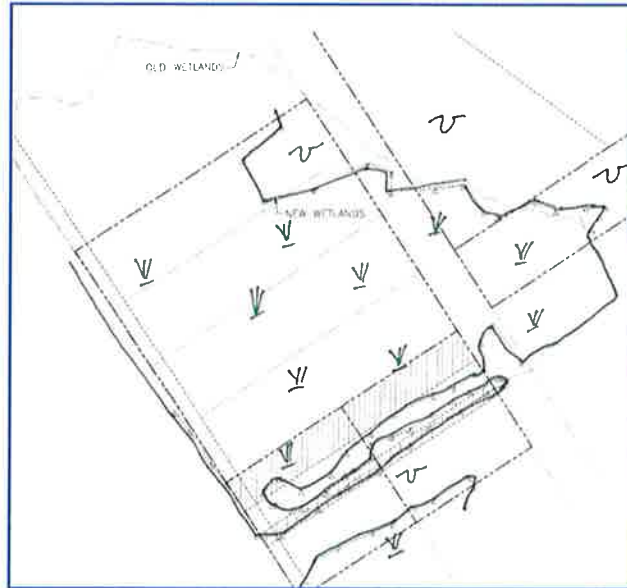


Figure 18: 2012 Wetlands Survey by PELSA

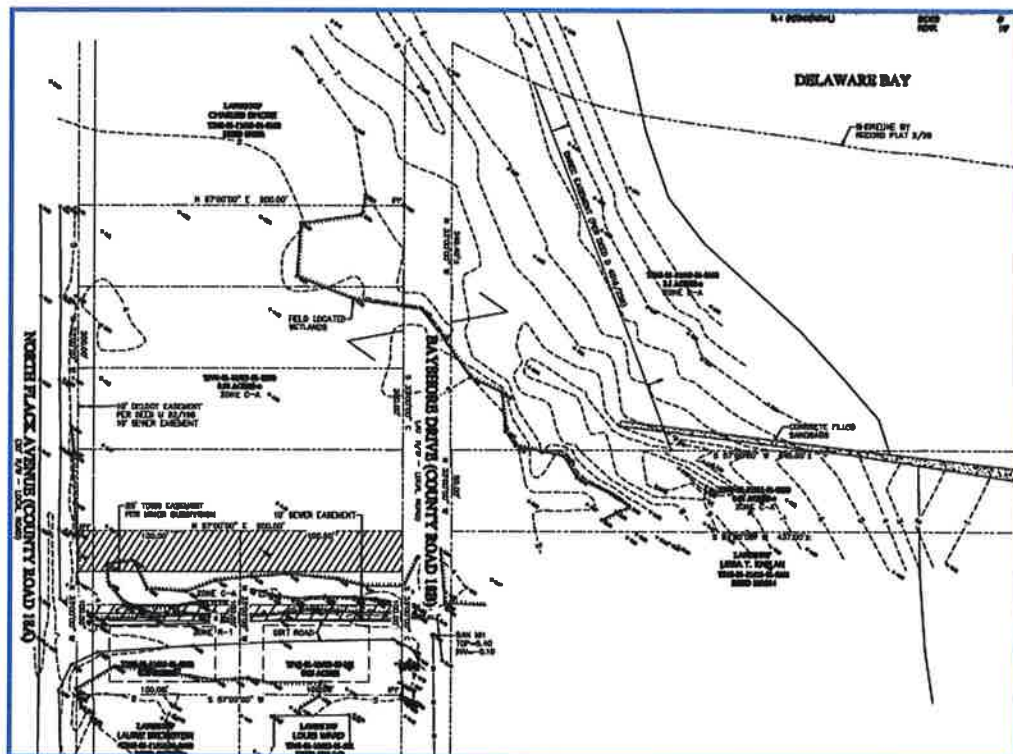


Figure 19: Previous Topographic Survey

Based on the above, it is the opinion of Watershed Eco, LLC and James C. McCulley IV, PWS #000471 that the attached plans accurately depict the wetlands or other Waters of the United States exist on the site. With the exception of the area in front of the dunes, there are no tidal wetlands on the site and all of the wetlands mapped are non-tidal.

This report was prepared to provide background information necessary to secure a Jurisdictional Determination from the U.S. Army Corps of Engineers and/or the State of Delaware.

D. Disclaimer Statement

This report documents the investigation, best professional judgment, and conclusions of the investigators. It should be used at your own risk until it has been approved in writing by the U.S. Army Corps of Engineers and the State of Delaware.



U.S. Fish and Wildlife Service

National Wetlands Inventory

Bowers 20-25

Aug 6, 2012

Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

Riparian

- Herbaceous
- Forested/Shrub



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:



U.S. Fish and Wildlife Service

National Wetlands Inventory

Bowers Beach
20-25

Aug 6, 2012

Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Rivoline
- Other

Riparian

- Herbaceous
- Forested/Shrub



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:



A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Kent County, Delaware



August 6, 2012

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://soils.usda.gov/sqi/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://soils.usda.gov/contact/state_offices/).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Soil Data Mart Web site or the NRCS Web Soil Survey. The Soil Data Mart is the data storage site for the official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means

for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface.....	2
How Soil Surveys Are Made.....	5
Soil Map.....	7
Soil Map.....	8
Legend.....	9
Map Unit Legend.....	10
Map Unit Descriptions	10
Kent County, Delaware	12
AbC—Acquango-Beaches complex, 0 to 10 percent slopes.....	12
SuA—Sunken mucky silt loam, 0 to 2 percent slopes, occasionally flooded, tidal	13
TP—Transquaking and Mispillion soils, very frequently flooded, tidal	14
W—Water.....	16
References.....	17

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil scientists classified and named the soils in the survey area, they compared the

Custom Soil Resource Report

individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

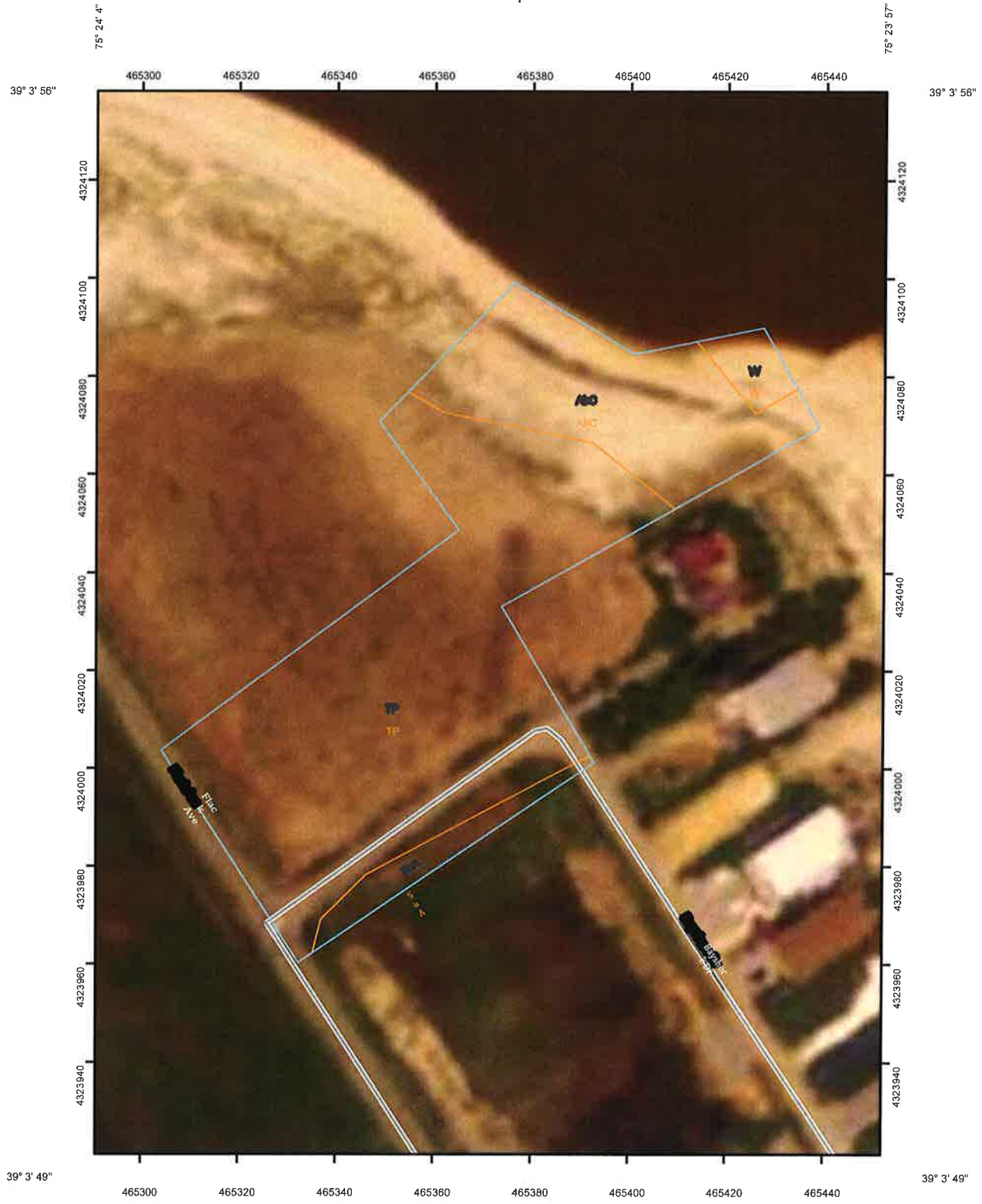
Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

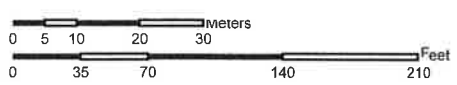
Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.






































Custom Soil Resource Report
Soil Map



Map Scale: 1:1,040 if printed on A size (8.5" x 11") sheet.



MAP LEGEND

	Area of Interest (AOI)		Very Stony Spot
	Soils		Wet Spot
	Soil Map Units		Other
Special Point Features			
	Blowout	Special Line Features	
	Borrow Pit		Gully
	Clay Spot		Short Steep Slope
	Closed Depression		Other
	Gravel Pit	Political Features	
	Gravelly Spot		Cities
	Landfill	Water Features	
	Lava Flow		Streams and Canals
	Marsh or swamp	Transportation	
	Mine or Quarry		Rails
	Miscellaneous Water		Interstate Highways
	Perennial Water		US Routes
	Rock Outcrop		Major Roads
	Saline Spot		Local Roads
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		
	Spoil Area		
	Stony Spot		

MAP INFORMATION

Map Scale: 1:1,040 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: UTM Zone 18N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Kent County, Delaware
Survey Area Data: Version 6, Oct 17, 2006

Date(s) aerial images were photographed: 7/17/2006

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Kent County, Delaware (DE001)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AbC	Acquango-Beaches complex, 0 to 10 percent slopes	0.4	24.1%
SuA	Sunken mucky silt loam, 0 to 2 percent slopes, occasionally flooded, tidal	0.1	4.5%
TP	Transquaking and Mispillion soils, very frequently flooded, tidal	1.2	68.9%
W	Water	0.0	2.6%
Totals for Area of Interest		1.8	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that

Custom Soil Resource Report

have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Kent County, Delaware

AbC—Acquango-Beaches complex, 0 to 10 percent slopes

Map Unit Setting

Elevation: 0 to 80 feet

Mean annual precipitation: 42 to 48 inches

Mean annual air temperature: 52 to 58 degrees F

Frost-free period: 180 to 220 days

Map Unit Composition

Acquango and similar soils: 50 percent

Beaches: 45 percent

Minor components: 5 percent

Description of Acquango

Setting

Landform: Backshores, dunes

Landform position (three-dimensional): Talf, rise

Down-slope shape: Concave, convex

Across-slope shape: Linear

Parent material: Sandy eolian deposits and/or sandy marine deposits

Properties and qualities

Slope: 0 to 10 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Very high (19.98 to 99.90 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: Occasional

Frequency of ponding: None

Maximum salinity: Nonsaline to slightly saline (0.0 to 8.0 mmhos/cm)

Sodium adsorption ratio, maximum: 3.0

Available water capacity: Very low (about 3.0 inches)

Interpretive groups

Land capability (nonirrigated): 7s

Typical profile

0 to 3 inches: Sand

3 to 20 inches: Sand

20 to 26 inches: Fine sand

26 to 72 inches: Sand

Description of Beaches

Setting

Landform: Beaches

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Beach sand

Custom Soil Resource Report

Properties and qualities

Slope: 0 to 5 percent

Drainage class: Very poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very high (19.98 to 99.90 in/hr)

Depth to water table: About 0 to 10 inches

Frequency of flooding: Very frequent

Maximum salinity: Very slightly saline to strongly saline (4.0 to 22.0 mmhos/cm)

Available water capacity: Very low (about 3.0 inches)

Interpretive groups

Land capability (nonirrigated): 8

Typical profile

0 to 80 inches: Sand

Minor Components

Brockatonorton

Percent of map unit: 3 percent

Landform: Back-barrier beaches

Transquaking

Percent of map unit: 2 percent

Landform: Tidal marshes

SuA—Sunken mucky silt loam, 0 to 2 percent slopes, occasionally flooded, tidal

Map Unit Setting

Elevation: 0 feet

Mean annual precipitation: 42 to 48 inches

Mean annual air temperature: 52 to 58 degrees F

Frost-free period: 180 to 220 days

Map Unit Composition

Sunken and similar soils: 80 percent

Minor components: 20 percent

Description of Sunken

Setting

Landform: Flats, submerged upland tidal marshes

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Silty eolian deposits over fluviomarine sediments

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Custom Soil Resource Report

Drainage class: Very poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.57 in/hr)

Depth to water table: About 0 to 10 inches

Frequency of flooding: Occasional

Frequency of ponding: Occasional

Maximum salinity: Very slightly saline to moderately saline (4.0 to 16.0 mmhos/cm)

Sodium adsorption ratio, maximum: 25.0

Available water capacity: High (about 11.8 inches)

Interpretive groups

Land capability (nonirrigated): 5w

Typical profile

0 to 4 inches: Slightly decomposed plant material

4 to 6 inches: Silt loam

6 to 18 inches: Silt loam

18 to 38 inches: Silty clay loam

38 to 65 inches: Very fine sandy loam

65 to 80 inches: Fine sand

Minor Components

Othello

Percent of map unit: 10 percent

Landform: Flats

Honga

Percent of map unit: 5 percent

Landform: Submerged upland tidal marshes

Crosiadore

Percent of map unit: 5 percent

Landform: Flats

Landform position (three-dimensional): Rise

TP—Transquaking and Mispillion soils, very frequently flooded, tidal

Map Unit Setting

Elevation: 0 feet

Mean annual precipitation: 42 to 48 inches

Mean annual air temperature: 52 to 58 degrees F

Frost-free period: 180 to 220 days

Map Unit Composition

Mispillion and similar soils: 40 percent

Transquaking and similar soils: 40 percent

Minor components: 20 percent

Description of Transquaking

Setting

Landform: Tidal marshes
Down-slope shape: Linear
Across-slope shape: Linear

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Very poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high
(0.06 to 5.95 in/hr)
Depth to water table: About 0 to 5 inches
Frequency of flooding: Very frequent
Frequency of ponding: None
Maximum salinity: Strongly saline (25.0 to 40.0 mmhos/cm)
Sodium adsorption ratio, maximum: 32.0
Available water capacity: Very high (about 26.2 inches)

Interpretive groups

Land capability (nonirrigated): 8

Typical profile

0 to 46 inches: Mucky peat
46 to 65 inches: Muck
65 to 80 inches: Silty clay loam

Description of Mispillion

Setting

Landform: Tidal marshes
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Herbaceous organic material over silty estuarine sediments

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Very poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high
(0.06 to 1.98 in/hr)
Depth to water table: About 0 to 5 inches
Frequency of flooding: Very frequent
Frequency of ponding: None
Maximum salinity: Moderately saline to strongly saline (15.0 to 50.0 mmhos/cm)
Sodium adsorption ratio, maximum: 35.0
Available water capacity: Very high (about 21.6 inches)

Interpretive groups

Land capability (nonirrigated): 8

Typical profile

0 to 24 inches: Mucky peat
24 to 40 inches: Muck
40 to 54 inches: Mucky silt loam
54 to 80 inches: Silt loam

Custom Soil Resource Report

Minor Components

Sunken

Percent of map unit: 10 percent

Landform: Flats, submerged upland tidal marshes

Othello

Percent of map unit: 5 percent

Landform: Flats

Landform position (three-dimensional): Rise

Honga

Percent of map unit: 5 percent

Landform: Submerged upland tidal marshes

W—Water

Map Unit Setting

Mean annual precipitation: 42 to 48 inches

Mean annual air temperature: 52 to 58 degrees F

Frost-free period: 180 to 220 days

Map Unit Composition

Water: 100 percent

Description of Water

Interpretive groups

Land capability (nonirrigated): 8

References

- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States.
- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. <http://soils.usda.gov/>
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. <http://soils.usda.gov/>
- Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. <http://soils.usda.gov/>
- Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. <http://soils.usda.gov/>
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.glti.nrcs.usda.gov/>
- United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. <http://soils.usda.gov/>
- United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. <http://soils.usda.gov/>

Custom Soil Resource Report

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210.



State of Delaware



75°24'0"W



Scale 1:1,870

00.0005.01 0.02

0 50 100 200
Feet

Data on map are based on Delaware framework

the Delaware Geological Survey (DGS) and served via
the Delaware Department of Technology and
Information (DTI) internet.

DataMIL Mini Map

Magnetic Declination
Approx. 11 mils

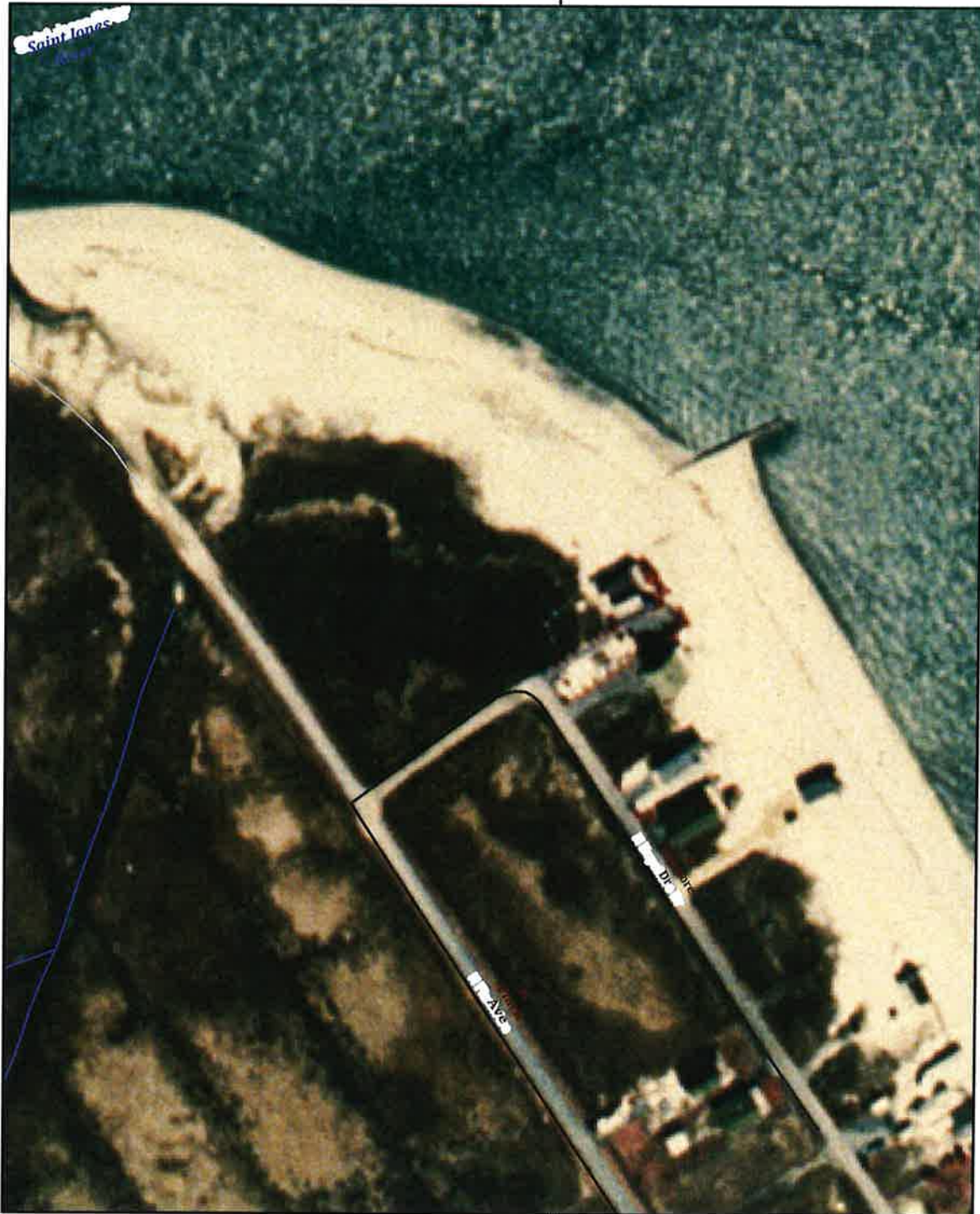




State of Delaware



75°24'0"W



75°24'0"W

Scale 1:1,870

00.0005.01 0.02
Kilometers

0 50 100 200
Feet

Data on map are based on Delaware framework data layers. The Delaware DataMIL is maintained by the Delaware Geological Survey (DGS) and served via the Delaware Department of Technology and Information (DTI) internet.

1

DataMIL Mini Map

Magnetic Declination
Approx. 11 mils





State of Delaware



75°24'0"W



75°24'0"W

Scale 1:1,870

00.0005 01 0.02
Kilometers

0 50 100 200
Feet

1

DataMIL Mini Map



Data on map are based on Delaware framework data layers. The Delaware DataMIL is maintained by the Delaware Geological Survey (DGS) and served via the Delaware Department of Technology and Information (DTI) internet.

Magnetic Declination
Approx. 11 mils



State of Delaware



75°24'0"W



Scale 1:1,870

00.0005.01 0.02

0 50 100 200
Feet

Data on map are based on Delaware framework

the Delaware Geological Survey (DGS) and served via the Delaware Department of Technology and Information (DTI) internet.

DataMIL Mini Map

Magnetic Declination
Approx. 11 mils



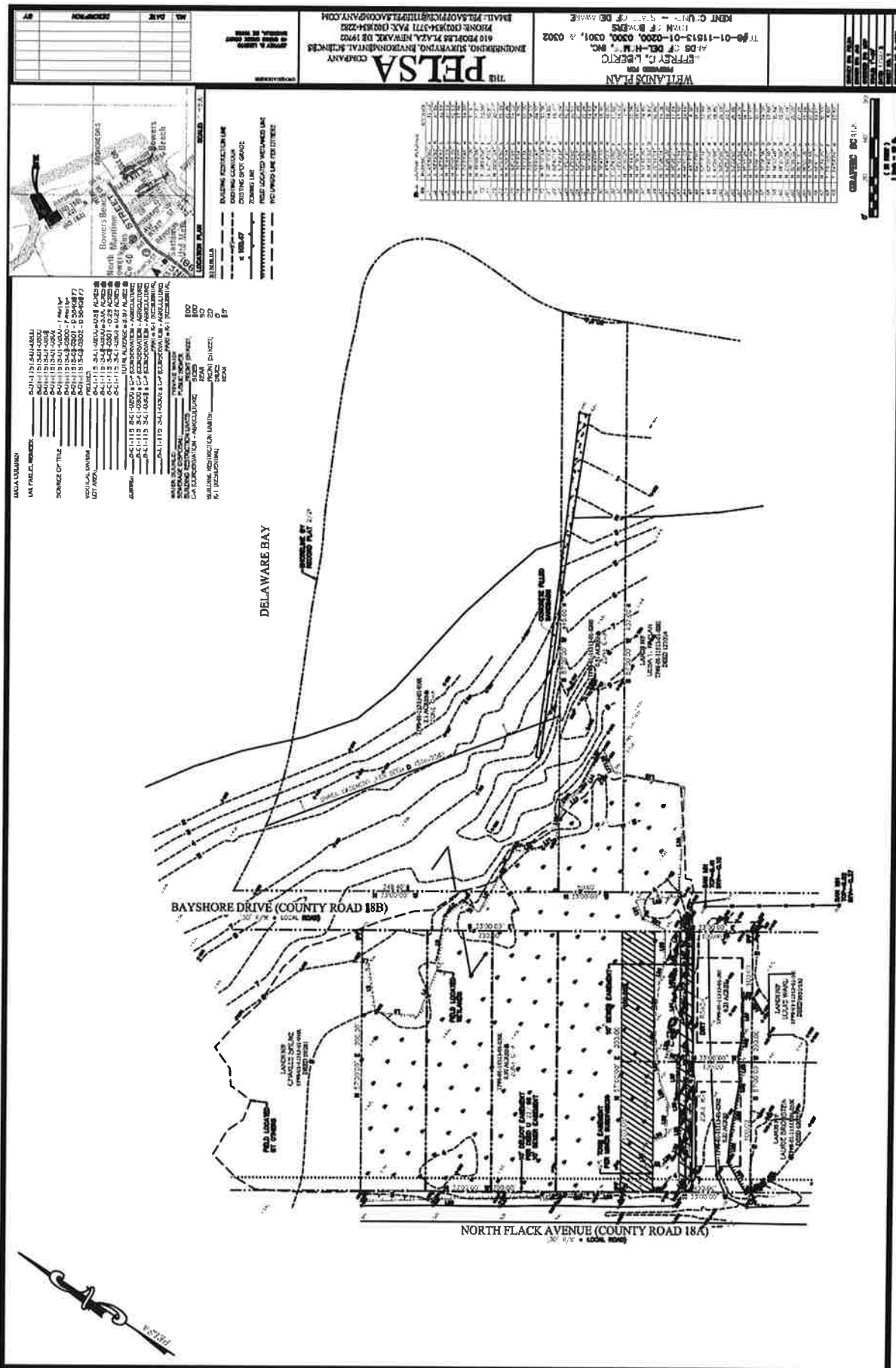
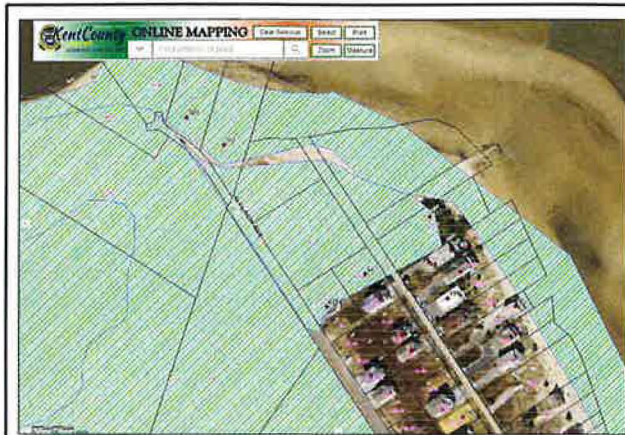
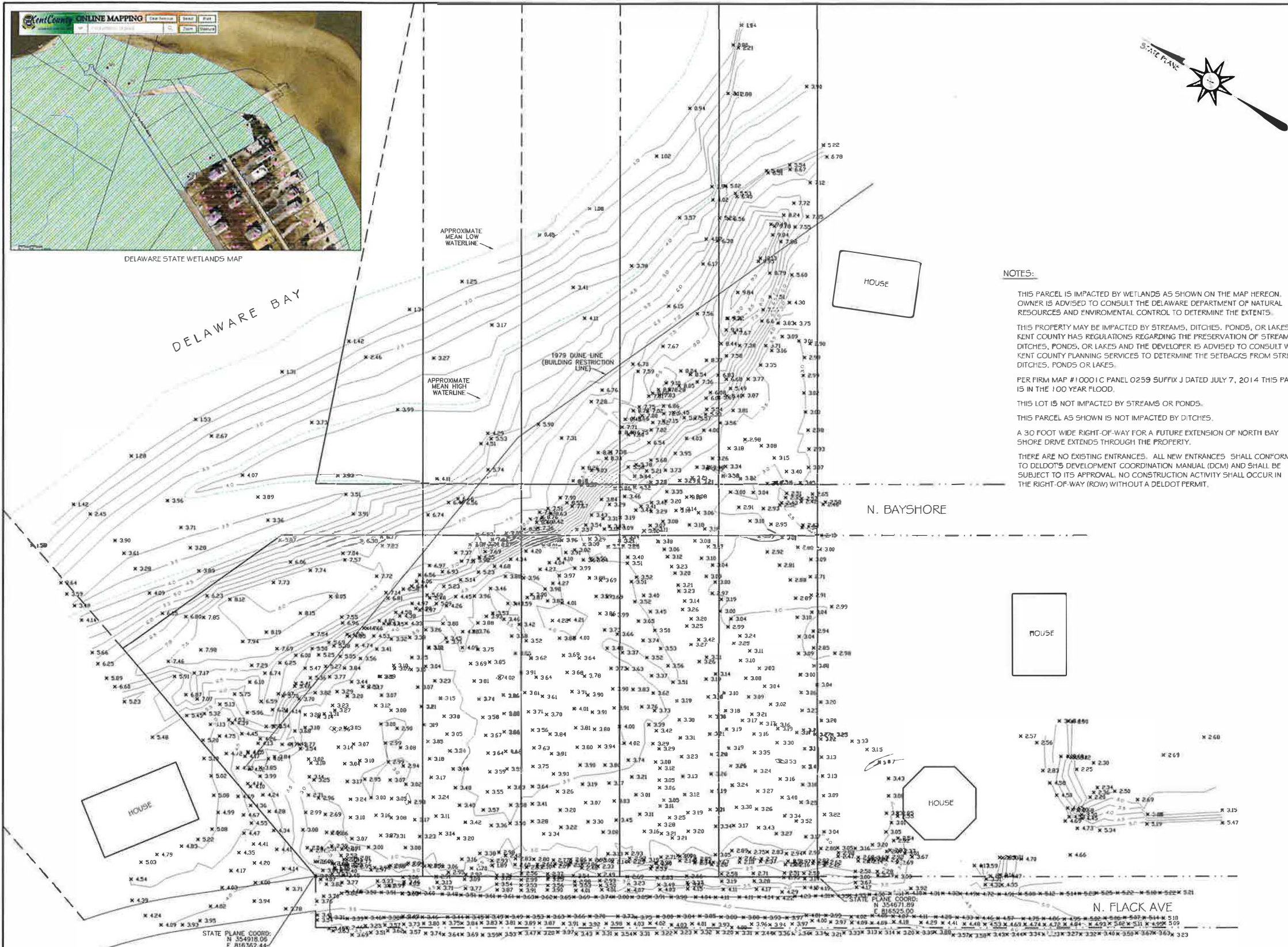


EXHIBIT 3



DELAWARE STATE WETLANDS MAP

DELAWARE BAY



T.M. #8-01-115.13-01-0100, 0200 # 0300



VICINITY MAP
SCALE 1"=1 MILE

NOTES:

THIS PARCEL IS IMPACTED BY WETLANDS AS SHOWN ON THE MAP HEREON. OWNER IS ADVISED TO CONSULT THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DETERMINE THE EXTENTS.

THIS PROPERTY MAY BE IMPACTED BY STREAMS, DITCHES, PONDS, OR LAKES. KENT COUNTY HAS REGULATIONS REGARDING THE PRESERVATION OF STREAMS, DITCHES, PONDS, OR LAKES AND THE DEVELOPER IS ADVISED TO CONSULT WITH KENT COUNTY PLANNING SERVICES TO DETERMINE THE SETBACKS FROM STREAMS, DITCHES, PONDS OR LAKES.

PER FIRM MAP #1001C PANEL 0259 SUFFIX J DATED JULY 7, 2014 THIS PARCEL IS IN THE 100 YEAR FLOOD.

THIS LOT IS NOT IMPACTED BY STREAMS OR PONDS.

THIS PARCEL AS SHOWN IS NOT IMPACTED BY DITCHES.

A 30 FOOT WIDE RIGHT-OF-WAY FOR A FUTURE EXTENSION OF NORTH BAY SHORE DRIVE EXTENDS THROUGH THE PROPERTY.

THERE ARE NO EXISTING ENTRANCES. ALL NEW ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL. NO CONSTRUCTION ACTIVITY SHALL OCCUR IN THE RIGHT-OF-WAY (ROW) WITHOUT A DELDOT PERMIT.

PLAN DATA:

TAX PARCEL NUMBER:	SM-01-115.13-01-0300 OWNER: DELMARSH, LLC LOT #: 22, 23, 24, 25
	SM-01-115.13-01-0200 OWNER: DELMARSH, LLC LOT #: 32
	SM-01-115.13-01-0100 OWNER: CHARLES & MARGARET SHORE LOT #: 26
AGENT & ADDRESS:	JEFFERY UBERTO 74 CADDIE COURT MAGNOLIA, DE 19962
SOURCE OF TITLE:	DEED BOOKS 7579-106, 8850-210
BEARING REFERENCE SYSTEM:	DELAWARE STATE PLANE SYSTEM
ZONING:	RESIDENTIAL
SETBACK REQUIREMENTS:	FRONT: 20' SIDE: 10' REAR: 20'
TOTAL LOTS AFFECTED:	5 LOTS
ACREAGE PRIOR TO ADJUSTMENT:	4.24 ACRES
ACREAGE WITHIN AREA AFFECTED:	4.24 ACRES
ACREAGE AFTER ADJUSTMENT:	4.24 ACRES
STREET AREA:	0.19 ACRE
IMPERVIOUS COVERAGE:	0% COVERAGE
DENSITY:	0.85 LOTS PER ACRE
MONUMENTS FOUND:	0 MON FD
MONUMENTS SET:	0 MON SET
WATER SUPPLY:	TOWN OF BOWERS
SEWERAGE:	TOWN OF BOWERS
CURRENT USE:	RESIDENTIAL
PROPOSED USE:	RESIDENTIAL

TOPOGRAPHIC SURVEY FOR
DELMARSH LLC

N. FLACK AVE
"SHORE" SUBDIV.
BOWERS BEACH KENT COUNTY
STATE OF DELAWARE

OWNERS CERTIFICATION:

I, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

OWNER NAME _____ DATE _____

I, DONALD K. MILLER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY COORDINATES, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL REQUIRE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

DONALD K. MILLER, P.S. 4097 _____ DATE _____

KENT COUNTY PLANNING DEPARTMENT APPROVAL

TOWN OF BOWERS APPROVAL

- MONUMENTATION
- IRON PIPE (SET)
 - ▲ IRON ROD (FOUND)
 - △ POINT

THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM AWARE OF THE CONSEQUENCES OF THIS SURVEY. NO TITLE SEARCH PROVIDED OR STRAINED.
SURVEY CLASS: SUBURBAN



SCALE 1" = 30'

DATE	REVISION

**MILLER
LEWIS, INC.**
LAND SURVEYING

1560 MIDDLEFORD RD.
SEAFORD, DELAWARE 19973
PH: 302-629-9695 FAX: 302-629-2391

HUNDRED	COUNTY
SOUTH MURDERKILL	KENT
STATE	DESIGNED BY
DELAWARE	D.K. MILLER
REP.	FILE NO.
PB 2-26	UBERTO 6-01- 115.13-0300

APRIL 16, 2019

EXHIBIT 4



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &
ENVIRONMENTAL CONTROL
DIVISION OF WATER
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

WETLANDS & SUBAQUEOUS
LANDS SECTION

TELEPHONE (302) 739-9943
FACSIMILE (302) 739-6304

April 22, 2013

Watershed Eco, LLC.
Attn: Jim McCulley
158 Coopers Drive
Newark, DE 19702

RE: MC-259/12: Change to DNREC Wetlands Map No. DNR 183

Dear Mr. Liberto and Mr. McCulley,

The Wetlands and Subaqueous Lands Section (WSLS) has reviewed your request to reclassify a sand over wash area consisting of approximately 3,340 square feet and a side cast soil disposal area consisting of approximately 1,600 square feet currently mapped as tidal marsh wetlands designated as "M" on State Tidal Wetland Map No. DNR 183 to a classification of "O" uplands. And, to reclassify an area labeled as "O" uplands consisting of approximately 250 square feet to "M" tidal marsh. Land found to be at an elevation of at or below two feet above the local mean high water elevation and capable of supporting a list of wetland plant species found in the Wetlands Regulations is designated as State-regulated wetlands. According to the field report and plan submitted as part of the map change request application, the areas requested to be reclassified to "O" uplands are at an elevation higher than two feet above local mean high water elevation. The area to be reclassified as "M" tidal marsh was found to be at an elevation below 2 feet above the local mean high water elevation.

The areas to be modified on State Wetland Map No. DNR 183 are delineated and depicted on the attached wetlands delineation plan of the property prepared by The Pelsa Company dated June 22, 2012, which was submitted to this office on August 30, 2012. The original State-regulated wetland line is depicted with red highlighter and the new line depicting the map changes is depicted with green highlighter. The areas to be modified are described more precisely on the above cited plan by the designation "Field Located Wetlands" and include labels L-1 through L-45.

Delaware's good nature depends on you!

Del-Homes, Inc. -- Jeff Liberto
MC-259/12
Page 2 of 2

The WSLS does approve the map change request as described in this letter and depicted on the approved plans. All other State-regulated wetlands on the site, as depicted on State Wetland Map No. DNR 183, remain jurisdictional.

The Department will make the appropriate notations in its mapping files to indicate this change in designation.

If you have any questions concerning this map change, please do not hesitate to call Scott Figurski of my staff for further assistance.

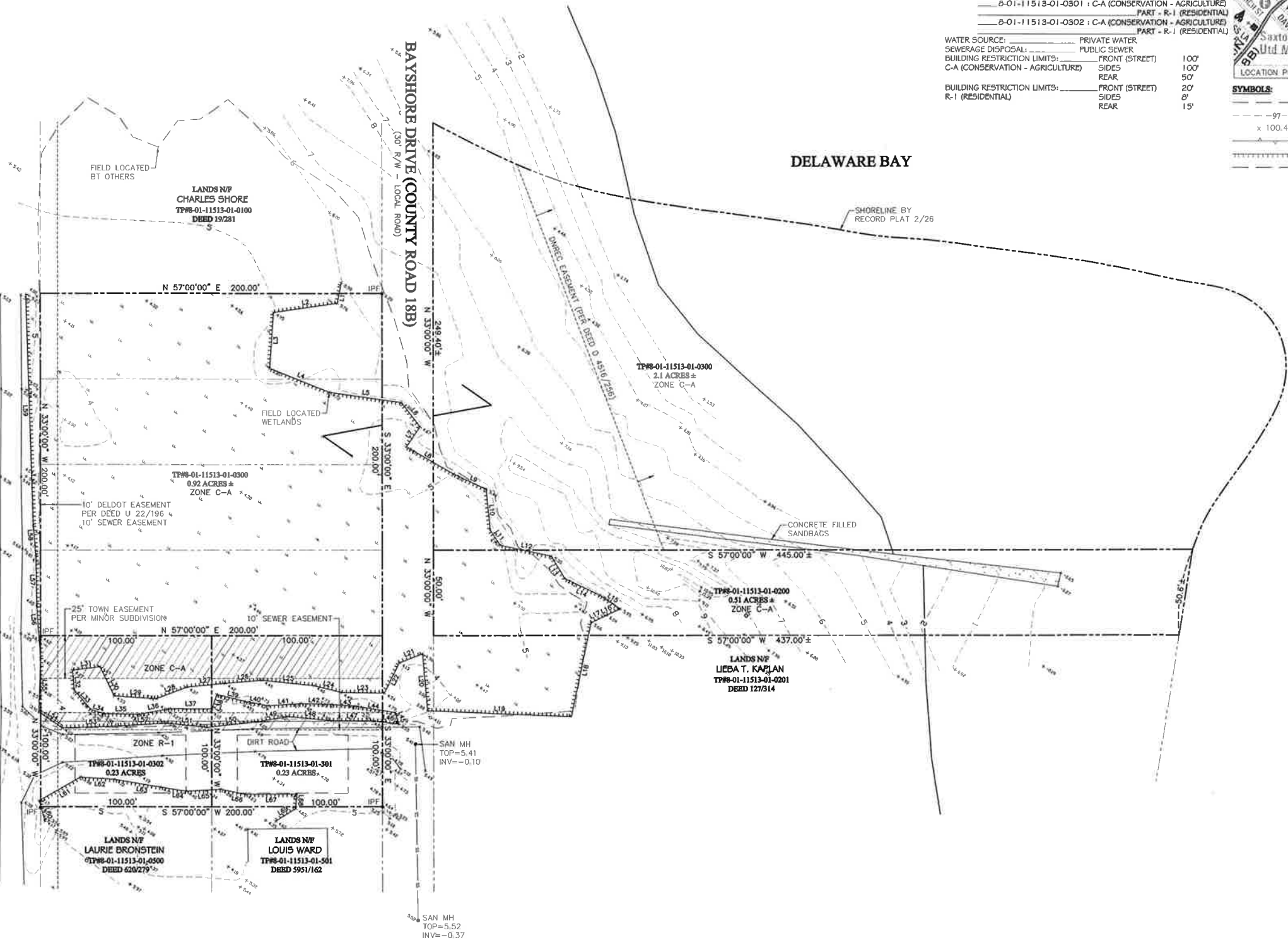
Sincerely,

A handwritten signature in blue ink, appearing to read "Virgil R. Holmes", is written over a horizontal line.

Virgil R. Holmes
Section Manager
Wetlands and Subaqueous Lands Section



NORTH FLACK AVENUE (COUNTY ROAD 18A)
(30' R/W - LOCAL ROAD)

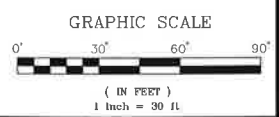


DATA COLUMN:
TAX PARCEL NUMBER: 8-01-11513-01-0200
8-01-11513-01-0300
8-01-11513-01-0301
8-01-11513-01-0302
SOURCE OF TITLE: 8-01-11513-01-0200 - P 461/64
8-01-11513-01-0300 - P 461/64
8-01-11513-01-0301 - D 584Q/177
8-01-11513-01-0302 - D 584Q/177
VERTICAL DATUM: PROJECT
LOT AREA: 8-01-11513-01-0200 - 0.51 ACRES ±
8-01-11513-01-0300 - 3.00 ACRES ±
8-01-11513-01-0301 - 0.23 ACRES ±
8-01-11513-01-0302 - 0.23 ACRES ±
TOTAL ACRES - 3.97 ACRES ±
ZONING: 8-01-11513-01-0200 : C-A (CONSERVATION - AGRICULTURE)
8-01-11513-01-0300 : C-A (CONSERVATION - AGRICULTURE)
8-01-11513-01-0301 : C-A (CONSERVATION - AGRICULTURE)
8-01-11513-01-0302 : C-A (CONSERVATION - AGRICULTURE)
PART - R-1 (RESIDENTIAL)
8-01-11513-01-0302 : C-A (CONSERVATION - AGRICULTURE)
PART - R-1 (RESIDENTIAL)
WATER SOURCE: PRIVATE WATER
SEWERAGE DISPOSAL: PUBLIC SEWER
BUILDING RESTRICTION LIMITS: FRONT (STREET) 100'
SIDES 100'
REAR 50'
BUILDING RESTRICTION LIMITS: FRONT (STREET) 20'
SIDES 8'
REAR 15'



SYMBOLS:
--- BUILDING RESTRICTION LINE
--- EXISTING CONTOUR
--- EXISTING SPOT GRADE
--- ZONING LINE
--- FIELD LOCATED WETLANDS LINE
--- WETLANDS LINE PER OTHERS

FIELD LOCATED WETLANDS		
LINE	BEARING	DISTANCE
L1	S 21°40'00" E	12.03
L2	S 48°45'53" W	37.40
L3	S 26°59'43" E	32.69
L4	N 76°54'55" E	37.53
L5	N 69°09'55" E	42.63
L6	S 70°39'05" E	17.86
L7	S 01°29'46" W	14.40
L8	N 86°57'05" E	31.91
L9	N 82°02'48" E	21.31
L10	S 58°24'56" E	23.90
L11	S 67°18'16" E	10.81
L12	N 69°01'00" E	52.41
L13	S 64°05'50" E	15.39
L14	N 87°08'54" E	22.96
L15	S 86°24'03" E	14.03
L16	S 11°53'59" W	8.15
L17	S 31°22'31" W	10.05
L18	S 20°57'55" E	56.03
L19	S 55°20'47" W	84.37
L20	N 31°57'14" W	33.94
L21	S 36°10'23" W	14.65
L22	S 06°47'19" E	19.71
L23	S 57°21'28" W	23.34
L24	S 71°07'34" W	16.27
L25	S 62°55'02" W	30.67
L26	S 52°24'25" W	21.95
L27	S 51°12'55" W	22.16
L28	S 39°16'07" W	19.15
L29	S 60°49'08" W	24.74
L30	N 56°47'33" W	18.95
L31	S 49°40'29" W	16.25
L32	S 37°45'02" E	11.62
L33	S 77°23'02" E	14.75
L34	N 73°50'20" E	7.82
L35	N 58°19'13" E	20.76
L36	N 46°36'41" E	18.45
L37	N 57°10'36" E	24.65
L38	N 1°52'33" W	8.87
L39	N 70°49'04" E	18.88
L40	N 67°28'44" E	14.08
L41	N 53°20'30" E	19.20
L42	N 58°26'21" E	17.84
L43	N 61°12'54" E	13.50
L44	N 66°10'03" E	24.16
L45	S 49°13'21" E	6.99
L46	S 44°07'00" W	15.48
L47	S 57°13'53" W	23.80
L48	S 62°36'52" W	25.58
L49	S 47°20'08" W	18.85
L50	S 50°50'08" W	29.59
L51	S 67°32'28" W	23.61
L52	S 53°32'03" W	26.88
L53	S 50°03'02" W	34.09
L54	S 68°40'20" W	16.31
L55	N 31°18'49" W	31.57
L56	N 37°06'01" W	30.72
L57	N 33°56'36" W	29.00
L58	N 37°45'10" W	17.80
L59	N 34°51'40" W	135.94
L60	N 46°37'50" W	12.29
L61	N 27°03'28" E	27.24
L62	N 40°26'02" E	20.09
L63	N 68°41'11" E	27.24
L64	N 68°00'08" E	15.18
L65	N 53°38'18" E	20.22
L66	N 68°41'11" E	14.62
L67	N 58°59'25" E	33.33
L68	S 29°10'50" E	8.60
L69	S 2°58'01" W	13.93



NO.	DATE	DESCRIPTION	BY

OWEN ADDRESS
JEFFREY D. LIBERTO
46 CROSS CREEK COURT
MAGNOLIA, DE 19962

THE PELSA COMPANY
ENGINEERING, SURVEYING, ENVIRONMENTAL SCIENCES
610 PEOPLES PLAZA, NEWARK, DE 19702
PHONE: (302)834-3771 FAX: (302)834-2282
EMAIL: PLSA@THEPELSA.COM

WETLANDS PLAN
PREPARED FOR
JEFFREY D. LIBERTO
LANDS OF DEL-HOMES, INC.
TP#8-01-11513-01-0200, 0300, 0301, & 0302
TOWN OF BOWERS
KENT COUNTY - STATE OF DELAWARE

SURVEY BY: PELSA
DRAWN BY: JAC
CHECKED BY: MRP
SCALE: 1"=30'
DATE: 6/22/12
SHEET NO. 1
DRAWING NO. P-2574

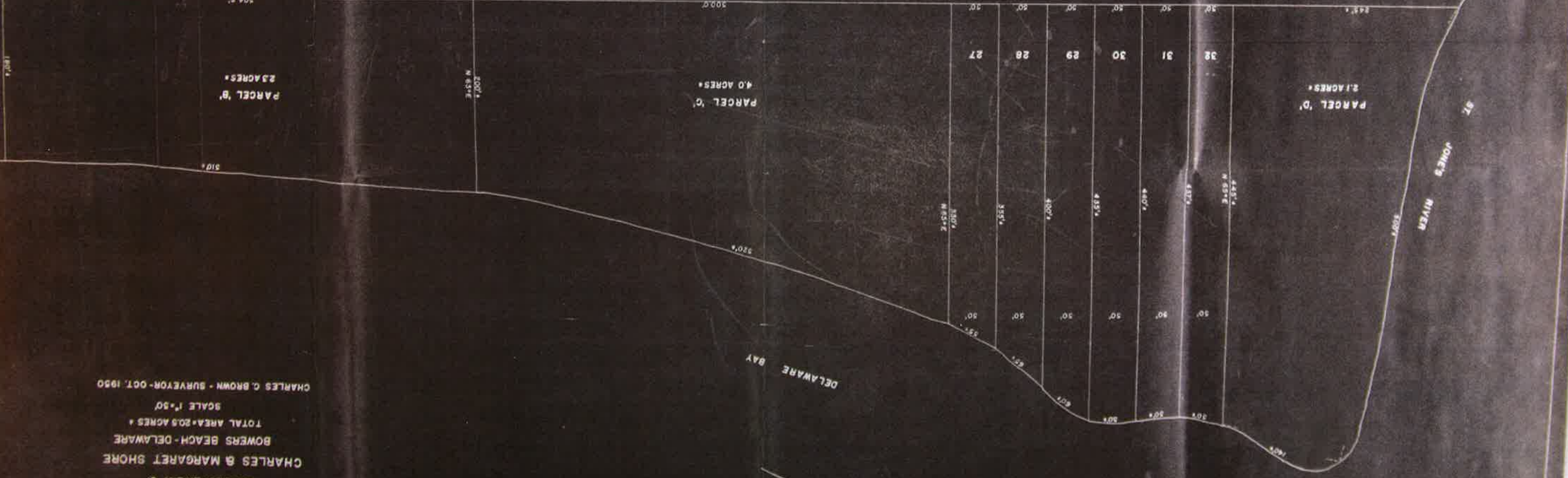
EXHIBIT 5

EXHIBIT 6

MAIN ST. N 89° 10' E



BAY ROAD



DEVELOPMENT OF
CHARLES & MARGARET SHORE
BOWERS BEACH-DELAWARE
TOTAL AREA-20.5 ACRES +
SCALE 1"=50'
CHARLES C. BROWN - SURVEYOR - OCT. 1950

CHARLES & MARGARET SHORE
BOWERS BEACH
DELAWARE

CHARLES C. BROWN - SURVEYOR - OCT. 1950

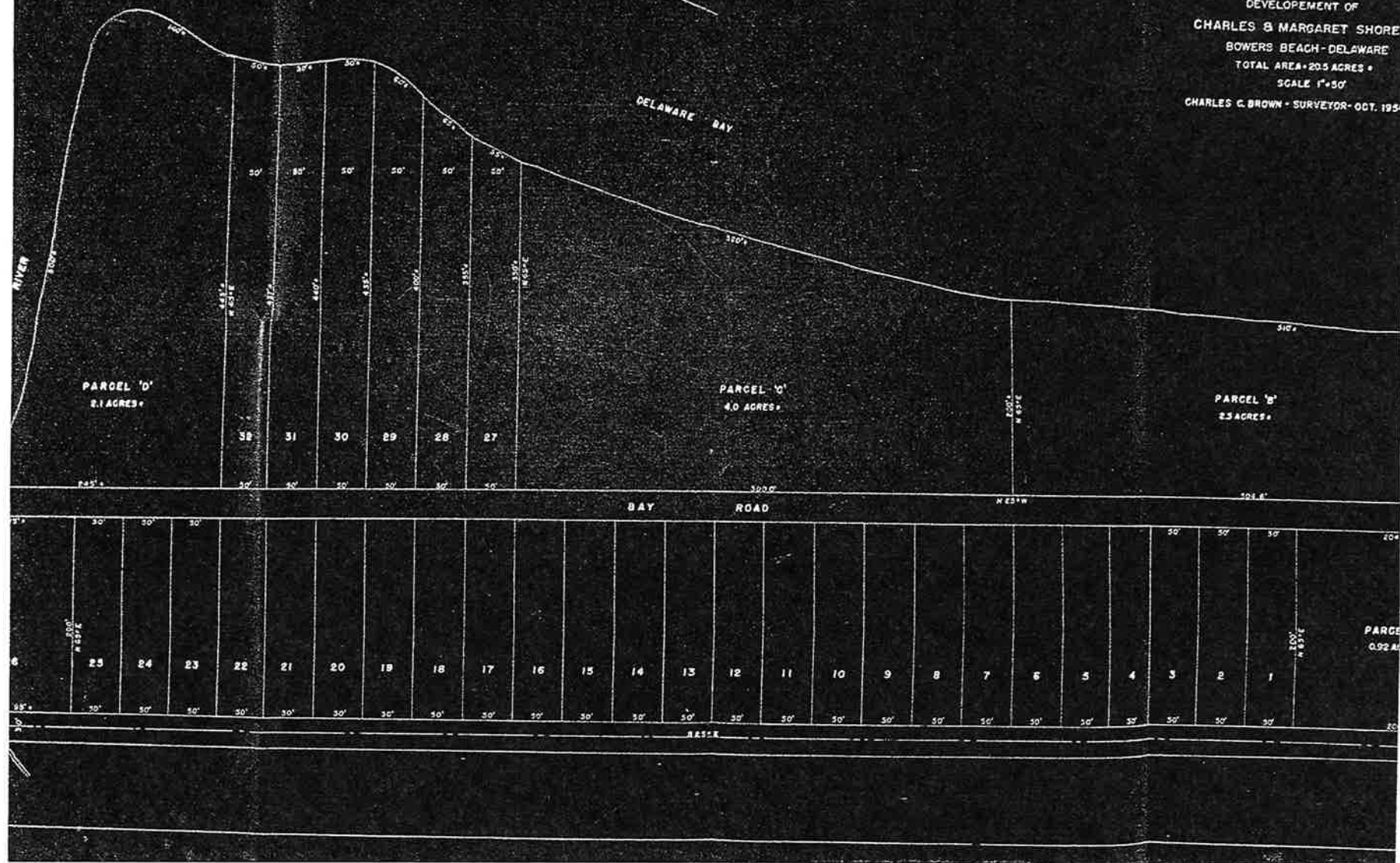


EXHIBIT 7

Accepted for Filing in:
Kent County
Doc# 272672
On: Apr 07, 2015 at 10:29A

TAX PARCEL #:
SM-01-115.13-01-03.00-000
PREPARED BY & RETURN TO:
Young Malmberg, P.A.
30 The Green
Dover, DE 19901

NO NEW TITLE SEARCH OR SURVEY REQUESTED OR PERFORMED.

THIS DEED, made this 2nd day of April, 2015,
- BETWEEN -

DEL-HOMES, INC., a Delaware corporation, Grantor

- AND -

DELMARSH, LLC, a Delaware limited liability company, Grantee.

WITNESSETH: That the said Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, Grantor hereby grant and convey unto the Grantee, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Kent County, State of Delaware:

See Attached Exhibit A

BEING the same lands and premises which were conveyed unto Del-Homes, Inc., a Delaware corporation, by deed of Donald Bruce Noble and Rosemarie E. Noble dated May 8, 1989, and recorded in the Office of the Recorder of Deeds in and for Kent County, DELAWARE, in Deed Book P, Volume 46, Page 164.

TOGETHER with all the rights, title and interest of the Grantor in and all street roads and public places, opened or proposed, adjoining the said Land, and all easements and rights of way, public or private, now or hereafter used in connection with said Land.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Kent County, Delaware.

IN WITNESS WHEREOF, Grantor hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

DEL-HOMES, INC.

Sarah A. Shaner

John T. Beiser (SEAL)
John T. Beiser, President

STATE OF DELAWARE, COUNTY OF KENT: to-wit

BE IT REMEMBERED, that on April 2nd, 2015, personally came before me, the subscriber, John T. Beiser, Grantor to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.



Constantine F. Malanberg, III
Constantine F. Malanberg, III
Attorney at Law
Member of the Delaware State Bar

PARCEL NO. 1: ALL those certain lots, pieces and parcels of land situate, lying and being in the Town of Bowers, Kent County, and State of Delaware, lying on the north side of Main Street, but not adjacent thereto, being Lots Nos. 20, 21, 22, 23, 24 and 25, lying on the west side of Bay Road leading from Main Street to St. Jones River, each of said Lots having a frontage on Bay Road of 50 feet and extending back therefrom between parallel lines a distance of 200 feet, and Parcel D containing 2.1 acres lying on the east side of Bay Road leading from Main Street to St. Jones River, being bounded on the West by said Bay Road, on the North by St. Jones River, on the East by the Delaware Bay, and on the South by Lot No. 32, as laid out on a plot of lots in a development of Charles and Margaret Shore, Bowers Beach, Delaware, in accordance with survey made by Charles C. Brown, Surveyor, October, 1950, said plot being of record in the Office of the Recorder of Deeds, in and for Kent County, Delaware, in Plot Book 2, Page 26.

EXHIBIT 8

TAX PARCEL #:
SM-01-115.13-01-02.00-000
PREPARED BY & RETURN TO:
The Malmberg Firm, LLC
One Clubhouse Drive
Wyoming, DE 19934
File No. 17RE8215/CFM

THIS DEED, made this 23rd day of October, 2017,

- BETWEEN -

DEL-HOMES, INC., a Delaware corporation, of P.O. Box 8, Magnolia, DE 19962,
Grantor

- AND -

DELMARSH, LLC, a Delaware limited liability company, of 74 Caddie Court,
Magnolia, DE 19962, Grantee.

WITNESSETH: That the said Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Kent County, State of Delaware:

See Attached Exhibit A

BEING the same lands and premises which were conveyed unto Del-Homes, Inc., a Delaware corporation, by deed of Donald Bruce Noble and Rosemarie E. Noble, his wife, dated May 8, 1989 and recorded in the Office of the Recorder of Deeds in and for Kent County, Delaware, on May 12, 1989 in Deed Book P46, Page 164.

TOGETHER with all the rights, title and interest of the Grantor in and all street roads and public places, opened or proposed, adjoining the said Property, and all easements and rights of way, public or private, now or hereafter used in connection with said Property.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Frederica, Kent County, Delaware.

IN WITNESS WHEREOF, the said Del-Homes, Inc. has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

DEL-HOMES, INC.

Witness

By: John T. Beiser (SEAL)
John T. Beiser, Owner

STATE OF DELAWARE, COUNTY OF KENT: to-wit

BE IT REMEMBERED, that on this 23rd day of October, A.D. 2017, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, John T. Beiser, Owner of Del-Homes, Inc., party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said corporation; that the signature of the Owner is in his own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

GIVEN under my Hand and Seal of Office the day and year aforesaid.



Sarah A. Shaner
Notary Public
My Commission Expires: 6/12/19

ALL that certain lot, piece and parcel of land situate, lying and being in the Town of Bowers, Kent County, State of Delaware, lying on the north side of Main Street, but not adjacent thereto, being Lot No. 32 lying on the east side of Bay Road leading from Main Street to St. Jones River, said lot having a frontage on said Bay Road of 50 feet, the southerly line thereof measuring approximately 437 feet, and the northerly line thereof measuring approximately 445 feet, as the same is more particularly laid out on a plot of lots in a development of Charles and Margaret Shore, Bowers Beach, Delaware, in accordance with a survey made by Charles C. Brown, Surveyor, October, 1950, said plot being of record in the Office of the Recorder of Deeds, in and for Kent County, Delaware, in Plot Book 2, Page 26.

EXHIBIT 9

MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMR	Manufactured Home Retired Title

Property Description
 #1-N. SD. MAIN ST.,
 BOWERS, LOTS #
 22-23-24-25

Year Built Type NO DATA Energy Adj.
 Style Fire Places Design

	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History

Dimensions 0 X 0

Skirting Type

Skirting Lin Ft 0

Tip Out Sq Ft 0

Serial Number

Manufacturer

Model

Color

OUTBUILDINGS			
Type/Dimn	Description	Type/Dimn	Description

EXHIBIT 10



KENT COUNTY, DELAWARE

555 Bay Road, Dover, Delaware 19901-3615
(302) 744-2300 -- FAX (302) 736-2279

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference # SM SOUTH MURDERKILL HUNDRED Card # 1 of 1
Location ID 41854 Map Number 8-01-11513-01-0200-00001
Tax ID 41854 Deed BVP D 8850 0210 P 0046 0164
Parcel ID 2044 Deed BVP2
Property Code P - PROPERTY
Current Owner DELMARSH, LLC, Property Location N BAYSHORE DR
74 CADDIE CT FREDERICA, DE 19946
MAGNOLIA, DE 19962 Zoning NA Acres .47
Additional Owner

Sub-Division SHORE SUBDIVISION

Sales History				Liv.Sq.Ft	.0000
Date	Price	Assessment		Total Rooms	
10/24/17	4,100	Land	7,600	Bedrooms	
0/00/00	0	Buildings		Full Bath	
		Total	7,600	Half Bath	

Base Tax Due	156.09	Last Billing Detail	History	Farm Info
Tax Penalty	13.51			
Total Tax Bal.	169.60			
Sewer Balance	.00	Sewer Account #		
Neighborhood #	00800	Coordinates		0504730 E 0387820 N
Land Use		Lot Dimensions		0000050.00 0000420.00
Living Units		School District	22	LAKE FOREST
Class	Residen	Fire District	40	NORTH BOWERS
Plat Book Pg	002 00037	Sewer District	10	BOWERS
Topography	Level	Ambulance District	40	NORTH BOWERS
Street or Road	Paved	Trash District		
Fronting	Residen	Light District		
Improvement	VACANT	Commissioner Dist	4TH	
		Tax Ditches	NONE	

IMPROVEMENT KEY

MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMRT	Manufactured Home Retired Title

Property Description
N SD MAIN ST BUT NOT ADJ
BOWERS, LOT 32
N BAYSHORE DRIVE

Year Built Type NO DATA Energy Adj.
Style Fire Places Design

	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History

Dimensions 0 X 0

Skirting Type

Skirting Lin Ft 0

Tip Out Sq Ft 0

Serial Number

Manufacturer

Model

Color

OUTBUILDINGS			
Type/Dimn	Description	Type/Dimn	Description

EXHIBIT 11

Bowers Beach Map Changes-Map 2

