Section 1: Applicant Identification

 Applicant's Name: <u>Jerry Gr</u> Mailing Address: <u>33706 Pe</u> 	een Telepho acock Point Fax#:	one#: (302) 245-3236
Dagsboro		jerry@jandjpowerwashing.com
Consultant's Name: Evelyn Mailing Address: PO Box Lewes D	674 Telepho E 19958 Fax #:	y Name: CER, Inc. ne#: (302) 645-9610 (302) 645-4332 maurmeye@udel.edu
Dagsboro	Compar Lney Neck Rd • Telepho DE 19939 Fax #:	y Name: Mariner Boat Lifts LLC ne #: (302) 542-0720
Section 2: Project Description		
4. Check those that apply: New Project/addition to existing proj 5. Project Purpose (Attach additional Applicant proposes to existing docking face)	sheets as necessary):	s existing structure? (If checked, must answer #16) s and 2 PWC lifts to
5. Check each Appendix that is enclose	and socials at the state of the	
A. Boat Docking Facilities B. Boat Ramps C. Road Crossings D. Channel Modifications/Dams E. Utility Crossings F. Intake or Outfall Structures	G. Bulkheads H. Fill I. Rip-Rap J. Vegetative Stabilization K. Jetties, Groins, Breakwat M. Projects in Wetlands	N. Preliminary Marina Checklist O. Marinas P. Stormwater Management Q. Ponds and Impoundments R. Maintenance Dredging S. New Dredging
Project Site Address: 33706 Peacock Point Dagsboro DE 19939	County: Site owner Address of	□ N.C. □ Kent □ Sussex or name (if different from applicant: Same of site owner
Driving directions: See Figur	es 1, 2, and 3 for	maps and directions.
Attach a location road map with the site		
. Tax Parcel Number: #1_34_7	•	Name: Blackwater Point
VSLS Use Only: Permit #s:		
	JO WEO WQO	LA O SA O MP O WA O
orps Permit: SPGP 18 20 Natieceived Date:	onwide Permit #:	Individual Permit #
	Notice Dates: ON	OFF

Last Revised on: March 27, 2017

Section 3: Project Location (Continued)	
10. Name of waterbody at Project Location: Indian River waterbody is a tributary to: India	n River Bay/Atlan-
11. Is the waterbody: V Tidal Non-tidal Waterbody width at mean low or ordinary high w	tic 0. vater $5,000'\pm$
12. Is the project: ☐ On public subaqueous lands? ☐ On private subaqueous lands?* ☐ In State-regulated wetlands? ☐ In Federally-regulated wetlands?	
*If the project is on private subaqueous lands, provide the name of the subaqueous lands owner:	
(Written permission from the private subaqueous lands owner must be included with this application)	
13. Present Zoning: Agricultural Residential Commercial Industrial Othe	
Section 4: Miscellaneous	3
14. A. List the names and complete mailing addresses of the immediately adjoining property owners project (attach additional sheets as necessary): See Figure 3.	
B. For wetlands and marina projects, list the names and complete mailing addresses of property own foot radius of the project (attach additional sheets as necessary): n/a 15. Provide the names of DNREC and/or Army Corps of Engineers representatives whom you have discussed to None	3
A. Have you had a State Jurisdictional Determination performed on the property? B. Has the project been reviewed in a monthly Joint Permit Processing Meeting? *If yes, what was the date of the meeting?	UNO
16. Are there existing structures or fill at the project site in subaqueous lands? *If yes, provide the permit and/or lease number(s): SL-090/04 (t1), first page attached	,
*If no, were structures and/or fill in place prior to 1969?	
17. Have you applied for or obtained a Federal permit from the Army Corps of Engineers? No Pending Issued Denied Date:	
Type of Permit: SPGP-20 eligibility Federal Permit or ID #:	norman dang a atau ka da pangahan panga
18/ Have you applied for permits from other Sections within DNREC? 18/ No	÷
Type of permit (circle all that apply): Septic Well NPDES Storm Water	
Other:	

Section 5: Signature Page

* "			
19.	Agent	Authoriz	zation

If you choose to complete this section, all future correspondence to the Department may be signed by the duly authorized agent. In addition, the agent will become the primary point of contact for all correspondence from the Department.

agent. In addition, the agent will become the primary pos	int of contact for all correspondence from the Department.
I do not wish to authorize an agent to act on my behalf	3
I wish to authorize an agent as indicated below	•
I, Jerry Green , hereby de (Name of Applicant)	esignate and authorize Evelyn Maurmeyer, CER, Inc. (Name of Agent)
	and to furnish any additional information requested by the
Department.	
Authorized Agent's Name: Evelyn Maurmeye	
Mailing Address: CER, Inc.	Fax #: (302) 645-4332
PO Box 674	E-mail: maurmeye@udel.edu
Lewes_DE 19958	
20. Agent's Signature:	
I hereby certify that the information on this form and on I further understand that the Department may request infappropriately consider this application.	the attached plans are true and accurate to the best of my knowledge. Formation in addition to that set forth herein if deemed necessary to
Agent's Signature	
21. Applicant's Signature:	**
and that I am required to inform the Department of any of further understand that the Department may request infor appropriately consider this application. I grant permissi premises for inspection purposes during working hours.	the attached plans are true and accurate to the best of my knowledge changes or updates to the information provided in this application. I rmation in addition to that set forth herein if deemed necessary to ion to authorized Department representatives to enter upon the
Applicant's Signature	Date
Jerry Green	
Print Name	
22. Contractor's Signature:	
and that I am required to inform the Department of any	the attached plans are true and accurate to the best of my knowledge, changes or updates to the information provided in this application. I brmation in addition to that set forth herein if deemed necessary to
Ed Walls, Mariner Boat Lifts	
Contractor's Name	Date
Print Name	

Last Revised on: March 28, 2017 °

BOAT DOCKING FACILITIES

Any boat docking facility for more than four (4) vessels is considered a marina facility (see definitions and explanations section) and requires the applicant to complete Appendices N and O, and make application to the U. S. Army Corps of Engineers for approval.

Please make sure answers to all of the questions in this appendix correspond with information on the application drawings.

1. Briefly describe the project. (Attach additional sheets as necessary.)
Applicant proposes to add 2 boat lifts and 2 PWC lifts to existing docking facilities.

2. Please provide numbers and dimensions as follows:

	2. Please provide	numbers and d					
	Structure Type	Number of	Dimensions (C	hannelward of			New, repair
		Support	MHW or OHW)	MLW- n/a	for non-tidal	or maintain
	v	Pilings			water)		
	Dock, Pier, Lift,	ñ .	Width	Length	Width	Length	
	gangway		ft.	ft.	ft.	ft.	
2	Boat lifts	@4	13'±	13 ' ±	13'±	13'±	new
2	PWC lifts	@1	5 ' ±	5'±	5 ' ±	5'±	11
					х ====================================		
				4			
		-	-				
				9			
	Freestanding	Number	11,				
	Pilings						
	<u> </u>						

Mooring Buoy:	How many moorings will be installed?
	What will be used for the anchor(s)?
	Anchor/Mooring Block Weight
	Anchor Line Scope (Length or Ratio)
	Water Depth at Mooring Location

- 3. Approximately how wide is the waterway at this project site? 5000 ± 1000 ft. (measured from MLW to MLW)
- 4. What will be the mean low water depth at the most channelward end of the mooring facility? $2 \pm ft$.
- 5. What type of material(s) will be used for construction of the mooring facility (e.g. salt treated wood, aluminum, fiberglass floats, etc.) Use of creosote-treated wood is prohibited.

 Aluminum/steel lifts; wooden support pilings.
- 6. Circle any of the following items that are proposed over subaqueous lands:
 Fish Cleaning Stations/Benches/Ladders/Water Lines/ Satellite/Electric Lines/ Handrails/Other (Describe)

If any of the items are circled above, include their dimensions and location on the application drawings.

7.	What will be the distance from the most channelward end of the docking facility to the edge of any natural or man-made channel? $\underline{3000}$ ft. $\underline{+}$		
8.	Describe the vessels that will be berthed at the docking facility. Please draw proposed vessel locations on plans and drawings.		
	Make/model Pontoon length 24'± width 8'6"± draft 1'± Make/model 2 PWCs length @10'± width 4'± draft 1'± Make/model length width draft width draft draft		
	Second boat (4th vessel) to be purchased in 2021. Please provide a copy of the current state registration or Coast Guard Certificate of Documentation for each motorized vessel listed above. PWC registrations attached; pontoon registration in boat, sealed for Give the number and type of each Marine Sanitation Device (e.g. MSD III, Portable toilet) that will be used winter. on vessels to be docked at the facility. None		
	Is there currently a residence on the property? X Yes No		
12.	12. Do you plan to reach the boat docking facility from your own upland property? X Yes No If "No", explain your proposed means of access and provide documentation of easement or documentation authorizing access if you intend to cross someone else's property.		
13.	13. Will any portion of the structure be located in privately owned underwater land (such as a pond or lagoon) owned by someone other than the applicant?Yes _xNo. If yes, written permission of the underwater land owner must be provided with this application.		
14.	What is the width of the waterfront property frontage adjacent to subaqueous lands? <u>452±ft</u> . Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line? Yes _X No		
	If yes, a letter of no objection from the adjacent property owner must be included with this application.		

Boat Registration Office 89 Kings Hwy Dover, DE 19901 (302) 739-9916



\$67.30

JERRY GREEN PO BOX 114 MILLSBORO, DE 19966 current signed certificate of registration on board. Anyone using a vessel on the waters of this State shall present the certificate to any Federal, State, or Local Law Enforcement Officer for inspection at the Officer's request. No other numbers, letters, or pictures may be displayed on the forward half of the hull, or in the area of the registration numbers.



NOTE: The illustration shows the proper placement of decals.

REPORT BOATING ACCIDENTS

Stop and render assistance if you are involved in a boating accident. You are required to reput all accidents to the Delaware Natural Resources Police, Fish & Wildlife upon the following circumstances: (1) a person dies; (2) a person is injured and requires medical treatment beyond first aid; (3) damage to the vessel and other property totals more than \$500; or (4) a person disappears from the vessel under circumstances that indicate death or injury.

STATE OF DELAWARE

BOAT REGISTRATION CERTIFICATE DA.2555AB BOMMAKE 96A% HUY-DIPARPHOEZOZ WELL MATERIAL PROPELSION PROBLEMINON шмдти EXP2BATION SHANGARPE Gas BAB VESSEL DESAvatarcraft OWNERRY GREEN PO BOX 114 MILLSBORO, DE 19966

RCDG 0711

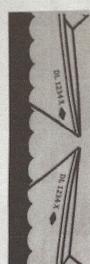
89 Kings Hwy Dover, DE 19901 (302) 739-9916 Boat Registration Office



current signed certificate of registration on board. Anyone using a vessel on the waters of this State shall present the certificate to any Federal, State, or Local Law Enforcement Officer for inspection at the Officer's request. No other numbers, letters, or pictures may be displayed on the forward half of the hull, or in the area of the registration numbers.

\$65.00

MILLSBORO, DE 19966 JERRY GREEN PO BOX 114



NOTE: The illustration shows the proper placement of decals.

REPORT BOATING ACCIDENTS

Stop and render assistance if you are involved in a boating accident. You are required to report all accidents to the Delaware Natural Resources Police, Fish & Wildlife upon the following circumstances: (1) a person dies; (2) a person is injured and requires medical treatment beyond first aid; (3) damage to the vessel and other property totals more than \$500; or (4) a person disappears from the vessel under circumstances that indicate death or injury.

STATE OF DELAWARE BOAT REGISTRATION CERTIFICATE

POBOX 114	DIVERSION OFFICE	necessary MPSHka	HARM.	ниффияд _{астот}
•	BOAF NAME	Carding.	matth R	84584710
		SACTOR DEP	MOSTRACIBA	BOMMAN
		settivitas	No. Printer	3000

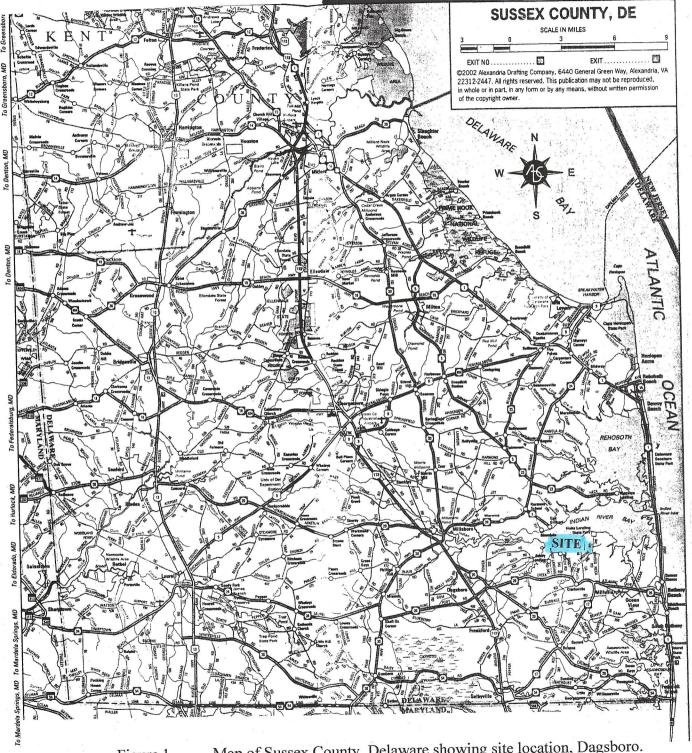
BCDG C

Indian River IN:

33706 Peacock Point, Dagsboro DE 19945 AT:

Tax Map Parcel #1-34-7.00-95.00

APPLICANT: Jerry Green DATE: January 14, 2021



Map of Sussex County, Delaware showing site location, Dagsboro. Figure 1.

IN: Indian River

AT: 33706 Peacock Point, Dagsboro DE 19945

Tax Map Parcel #1-34-7.00-95.00

APPLICANT: Jerry Green DATE: January 14, 2021

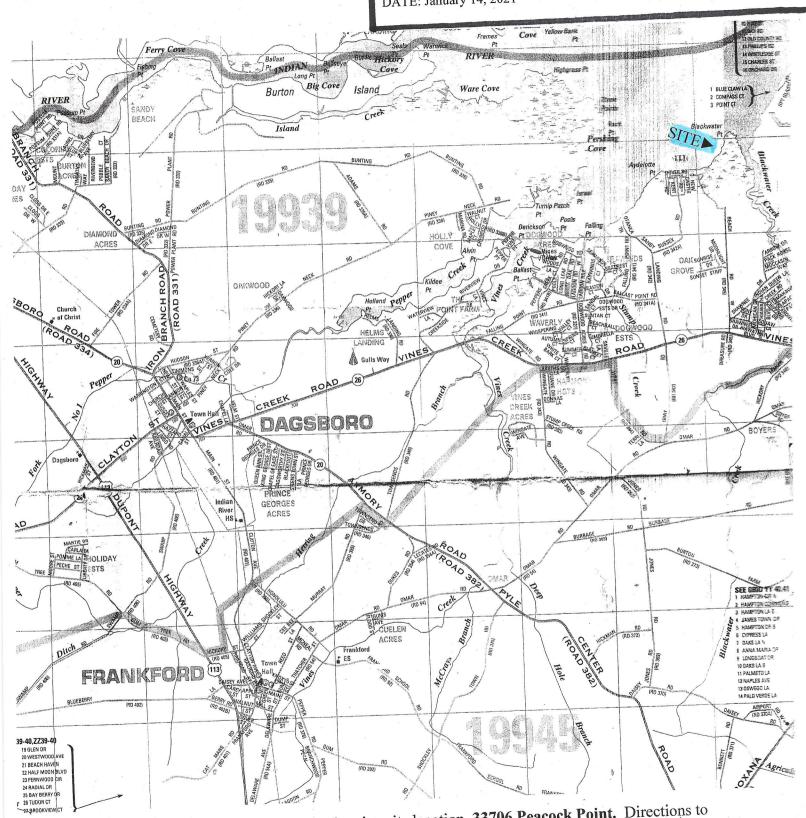


Figure 2. Map of Dagsboro area showing site location, **33706 Peacock Point.** Directions to site (from Dover): Route 113 southbound to Dagsboro; Route 26 (Vines Creek Road) eastbound to West Beach Road; bear right onto Peacock Point and follow to site, **33706 Peacock Point.** Also see Figure 3.

IN: Indian River

AT: 33706 Peacock Point, Dagsboro DE 19945

Tax Map Parcel #1-34-7.00-95.00

APPLICANT: Jerry Green DATE: January 14, 2021

SUSSEX COUNT Basemaps Select Area Layers Q Search Sandy Landing

Figure 3. Site location, Tax Map Parcel #1-34-7.00-95.00 (33706 Peacock Point, Dagsboro, Sussex County, Delaware). Applicant also owns parcel 95.01. Names and Addresses of adjacent property owners:

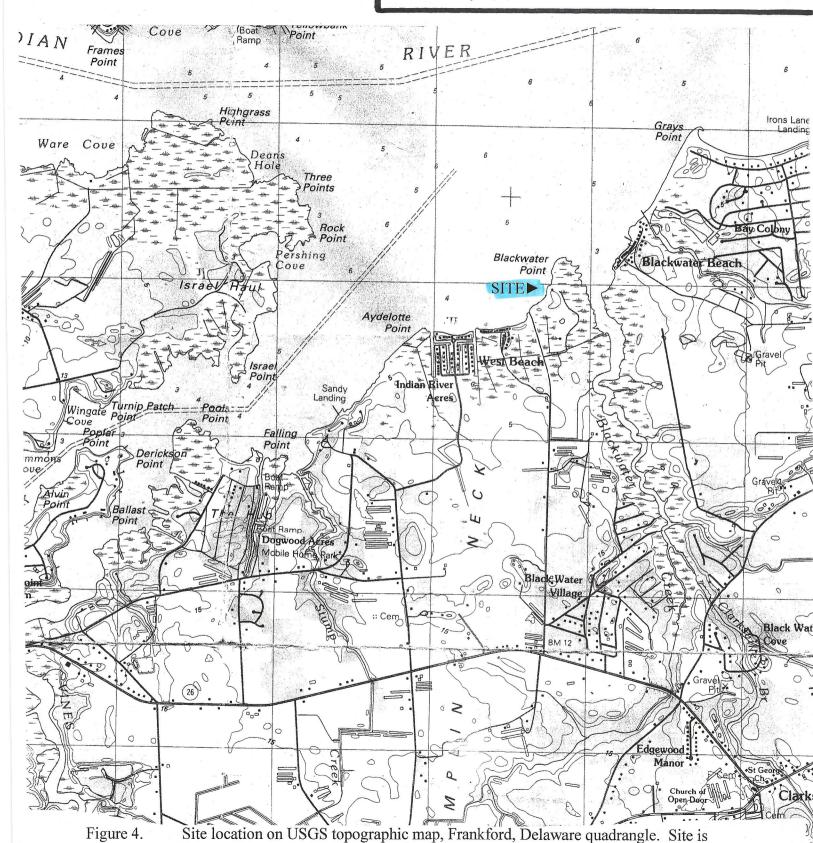
TM#1-34-7.00-95.02: Indian Summer Village, LLC, 30045 Eagles Crest Road, Milton, DE 19968

IN: Indian River

AT: 33706 Peacock Point, Dagsboro DE 19945

Tax Map Parcel #1-34-7.00-95.00

APPLICANT: Jerry Green DATE: January 14, 2021



adjacent to Indian River. Scale: 1'' = 2,000'.

IN: Indian River

AT: 33706 Peacock Point, Dagsboro DE 19945

Tax Map Parcel #1-34-7.00-95.00

APPLICANT: Jerry Green DATE: January 14, 2021

SUSSEX COUNTY



Figure 5. Aerial photograph of project site, 33706 Peacock Point, Dagsboro, Sussex County, Delaware (Tax Map Parcel #1-34-7.00-95.00), adjacent to Indian River. Width of waterway at project site = 5,000'±. Existing 250' x 4' pier and 8' x 24' dock present (authorized by SL-090/04 T1). Applicant proposes to install two boat lifts and two PWC lifts. See Figure 6 for plan view and cross-section sketches of proposed project.

IN: Indian River

AT: 33706 Peacock Point, Dagsboro DE 19945

Tax Map Parcel #1-34-7.00-95.00

APPLICANT: Jerry Green DATE: January 14, 2021

INDIAN RIVER flood 6 2 5 lbb Mounty pilings 31 Al EXISTING-14241 DOCK Proposed Ski boot Lift Asposes Porton BootLift Ex: 54 .- 9 Jet ski Lift Jetsk Lift B CXISTAG CROSS- SECTION PWC 4FT3 (1=10:4) 2055 SECTIONO BUAT CIPTS INDIAN RIVER INDIAN RIVER projused Exshing A bout EXISTAS 8'424' 8'424' ducu docu MHW > MHW 7 MUW nuv Spothing.

Plan view (prepared by applicant) and cross-section sketches of proposed project. Sketches for permit application purposes only.

16948

BK: 4885 PG: 85

TAX MAP AND PARCEL #: 1-34 7.00 95.01 PREPARED BY & RETURN TO: Morris James LLP 9 North Front Street Georgetown, DE 19947 File No. 2018-13

THIS DEED, made this 10th day of May, 2018,

- BETWEEN -

SEPEHR MOSTAGHIM AND NANCY E. MOSTAGHIM, of P.O. Box 1258, Ocean View, DE 19970, parties of the first part,

- AND -

JERRY L. GREEN AND JILL C. GREEN, of 23213 Racoon Ditch Road, Georgetown, DE 19947, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, parties of the second part;

WITNESSETH: That the said parties of the first part, 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, hereby grant and convey unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain tract, piece and parcel of land lying and being in Baltimore Hundred, Sussex County and State of Delaware, comprising all of LOT NO. 3 of the Subdivision BLACKWATER POINT, the plot plan of which is recorded in Plot Book 18, Page 21 at the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, fronting on the Westerly side of Blackwater Creek and on the Easterly side of the Indian River, adjoining Lot Nos. 2 and 4 and more particularly described as follows, to wit:

BEGINNING at a set iron pipe on aforementioned Easterly side of the Indian River and at the Southwest corner of Lot No. 4; thence proceeding with the Southwesterly line of said Lot No. 4 South 37 degrees 03 minutes 51 seconds East 329.22 feet to a set iron pipe; thence continuing with Lot No. 4 North 38 degrees 07 minutes East 714.00 feet to a set iron pipe on the Westerly side of Blackwater Creek; thence running with the Southwesterly side of Blackwater Creek the following three courses and distances: (1) South 25 degrees 16 minutes 01 second East 200.99 feet; (2) South 25 degrees 50 minutes 09 seconds East 201.22 feet; and (3) South 09 degrees 38 minutes 02 seconds East 50.00 feet to a corner for Lot No. 2; thence following line of

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BK: 4885 PG: 86

said Lot No. 2 North 53 degrees 40 minutes 41 seconds East 653.82 feet, passing over a set iron pipe at 52.26 feet, to a set iron pipe; thence continuing with Lot No. 2 North 45 degrees 37 minutes 53 seconds West 495.98 feet, passing over a set iron pipe at 473.51 feet to aforementioned Easterly side of the Indian River; thence finally running with said Easterly side of the Indian River North 21 degrees 26 minutes 53 seconds East 165.00 feet to the place of beginning, containing 6.2970 acres of land, more or less.

SUBJECT, however, to a 50 foot wide easement, comprising Blackwater Drive as depicted on the Plot for Blackwater Point as filed for record in the Office of the Recorder Deeds, in and for Sussex County, at Georgetown, Delaware, in Plot Book 40, Page 275.

TOGETHER WITH an access easement filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 458, Page 384.

BEING a part of the same lands conveyed unto Sepehr Mostaghim and Nancy E. Mostaghim, by a Deed of Joseph R. Hudson, Stanley L. Thompson t/a Hudson & Thompson, a Delaware Partnership, dated April 17, 1987 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 1486, Page 99.

BK: 4885 PG: 87

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered	_	
n the presence of:		
		_
		(SEAL)
	Sepelir Mostaghim	
	SA CM +/	
	1/ancy (Mostaghi	(SEAL)
	Nancy E. Mystaghim	Recorder of Deeds
	•	Scott Dailes
		May 11,2018 10:40A Sussex County

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on May 10, 2018, personally came before me, the subscriber, Sepehr Mostaghim and Nancy E. Mostaghim, parties of the first part 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.

Notary Public

My Commission Chirely L. Szabo
Attorney at Law and

Notary Public pursuant to 29 Del. C. § 4323(a)(3)

Consideration:

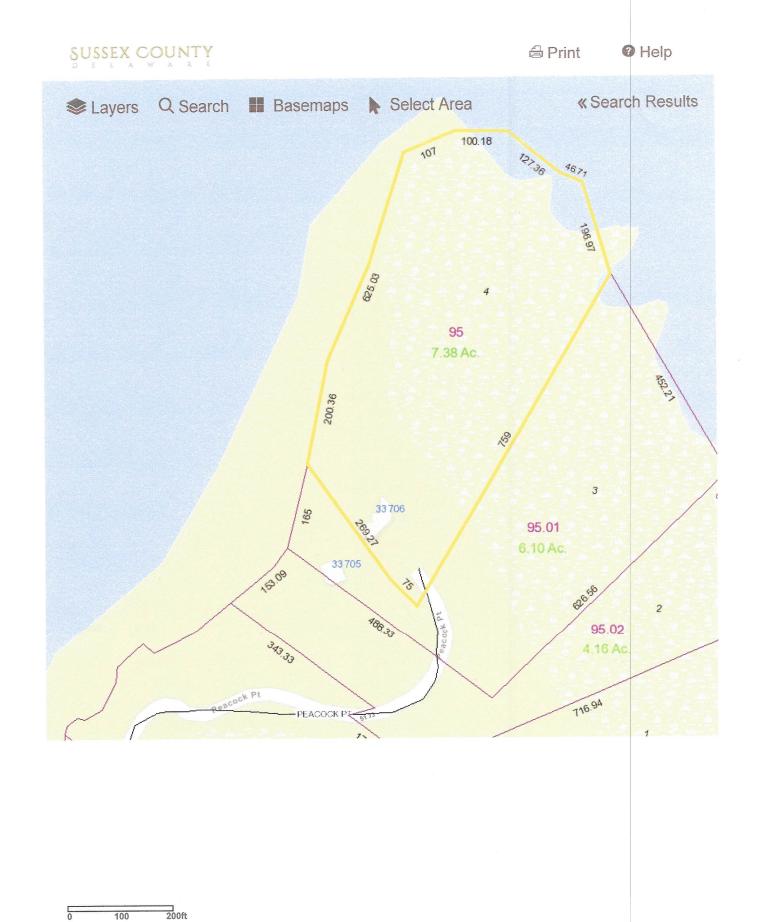
649,000.00

Doc. Surcharse Paid

Counts 9,735.00 State 16,225.00 Town Total 25,760.00 Received: Brittans B Mas 11,2018

RECEIVED May 11,2018 ASSESSMENT DIVISION OF SUSSEX COUNTY

3



Morris James LLP



July 17, 2020

DNREC-Wetlands Section 89 Kings Highway Dover, DE 19901

Re: Lot No. 4, Blackwater Point, Dagsboro, DE 19939

Dear Sir/Madam:

Enclosed herewith please find a copy of the current Deed, Plot and Subaqueous Lands Lease in order to transfer the current Lease to the new owner. The contact number for Jerry L. Green and Jill C. Green is 302-245-3236 and their address is P.O. Box 114, Millsboro, DE 19966.

If you need anything further in this regard, please do not hesitate to contact our office.

Sincerely yours,

MORRIS JAMES LLP

L. W. lil

Trisha L. Webb

Real Estate Coordinator

tlw Enclosures JUL 2 2 2020

19122

36

TAX MAP AND PARCEL#:

1-34 7.00 95.00

PREPARED BY & RETURN TO:

Morris James LLP 9 North Front Street Georgetown, DE 19947 File No. 2018-16 Consideration:

601,000.00

County 9,015.00 State 15,025.00 Town Total 24,040.00 Received: Mary W May 29,2018

THIS DEED, made this 24th day of May, 2018,

- BETWEEN -

4894

<u>SEPEHR MOSTAGHIM AND NANCY E. MOSTAGHIM</u>, of P.O. Box 1258, Ocean View, DE 19970, parties of the first part,

- AND -

JERRY L. GREEN, TRUSTEE OF THE JERRY L. GREEN REVOCABLE TRUST DATED FEBRUARY 15, 2008, AS AMENDED, as to an undivided 50% interest, AND JILL C. GREEN, TRUSTEE OF THE JILL C. GREEN REVOCABLE TRUST DATED FEBRUARY 15, 2008, AS AMENDED, as to an undivided 50% interest, of 23213 Raccoon Ditch Road, Georgetown, DE 19947, parties of the second part;

WITNESSETH: That the said parties of the first part, 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, hereby grant and convey unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain tract, piece and parcel of land lying and being in Baltimore Hundred, Sussex County and State of Delaware, comprising all of LOT NO. 4 of the subdivision BLACKWATER POINT; the Plot Plan of which is recorded in Plot Book 18, Page 1 at the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, fronting on the Westerly side of Blackwater Creek and on the Easterly side of The Indian River, adjoining Lot No. 3, The Indian River and Blackwater Creek and more particularly described as follows, to wit:

BEGINNING at a set iron pipe on aforementioned Westerly side of The Indian River and at the Northwest corner of Lot No. 3; thence proceeding along the shoreline of The Indian River and of Blackwater Creek the following nine (9) courses and distances: (1) North 21 degrees 26 minutes 53 seconds East 35.02 feet; (2) North 18 degrees 52 minutes 34 seconds East 200.36 feet; (3) North 31 degrees 07 minutes 07 seconds East 202.39 feet; (4) North 25 degrees 08 minutes 45 seconds East 222.28 feet; (5) North 75 degrees 21 minutes 21 seconds East 107.00 feet; (6) South 81 degrees 47 minutes 35 seconds East 100.18 feet; (7) South 43 degrees 59 minutes 17 seconds East 127.36 feet; (8) South 58 degrees 39 minutes 04 seconds East 46.71 feet and; (9) South 09 degrees 11 minutes 26 seconds East 196.97 feet to a set iron pipe at a corner for Lot No. 3; thence following line of said Lot

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No. 3 the following two (2) courses and distances: (1) South 38 degrees 07 minutes West 714.00 feet to a set iron pipe and finally; (2) North 37 degrees 03 minutes 51 seconds West 329.22 feet to the place of beginning, containing 7.17 acres of land, more or less.

SUBJECT, however, to an easement comprising a portion of a 50 foot radius cul-de-sac as depicted on aforementioned subdivision plat.

SUBJECT, however, to a 50 foot wide easement, comprising Blackwater Drive as depicted on the Plot for Blackwater Point as filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Plot Book 40, Page 275.

TOGETHER WITH an access easement filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 458, Page 384.

BEING a part of the same lands conveyed unto Sepehr Mostaghim and Nancy E. Mostaghim by a Deed of Joseph R. Hudson and Stanley L. Thompson t/a Hudson & Thompson, dated April 17, 1987 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 1486, Page 100.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

SUSSEX

Sepehr Mostar

(SEAL)

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on May 24, 2018, personally came before me, the subscriber, Sepehr Mostaghim and Nancy E. Mostaghim, parties of the first part 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.

Cindy L. Szabo

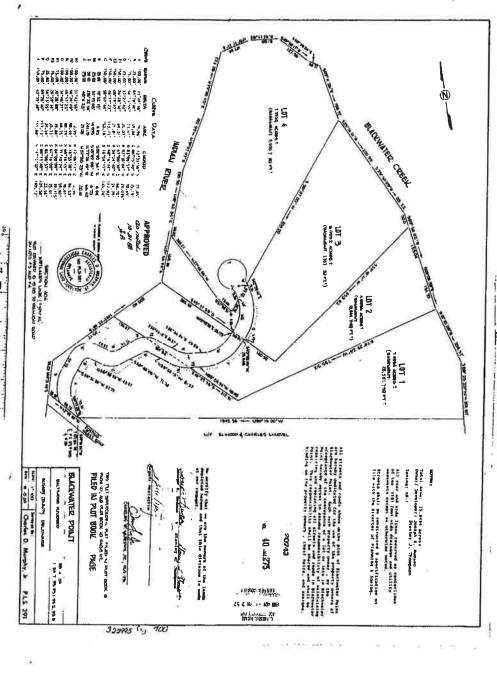
Attorney at Law and Notary Public pursuant to

29 Del. C. § 4323(a)(3)

My Commission Expires:

Recorder of Deeds Scott Dailes May 29,2018 10:39A Sussex County Doc. Surcharse Paid

2





Pepared

WETLANDS & SUBAQUEOUS LANDS SECTION

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &

ENVIRONMENTAL CONTROL

TELEPHONE (302) 739-4691 FACSIMILE (302) 739-6304

DIVISION OF WATER RESOURCES

89 KINGS HIGHWAY

DOVER, DELAWARE 19901

JUL **2 2** 20**20**

Subaqueous Lands Lease No.: SL-090/04 Renewal of Lease No.: SL-2803/94 Lease Expiration Date: May 18, 2024 Date of Issuance: しっこうつ

Amended Date:

Tax Parcel No: 1-34-07.00-95.00

SUBAQUEOUS LANDS LEASE
GRANTED TO SEPEHR MOSTAGHIM TO RENEW A LEASE TO
MAINTAIN A 4 FOOT WIDE BY 250 FOOT LONG PIER, AN 8 FOOT
WIDE BY 24 FOOT LONG DOCK AND A SEASONAL
FISHNET/WIREMESH BOATSLIP COVERING IN INDIAN RIVER
ADJACENT TO LOT 4 BLACKWATER POINT OFF COUNTY ROAD 345,
DAGSBORO, SUSSEX COUNTY, DELAWARE

Mr. Sepehr Mostaghim P.O. Box 1258 Ocean View, DE 19970

Pursuant to the provisions of 7 Del. C. 7203, and the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this 300 day of 1000 A.D. 2004, to maintain the above-referenced project in accordance with the approved plans for this lease (4 sheets) as approved on May 26, 2004, and received by this Division on 3/11/04; and application dated 3/8/04, and received by this Division on 3/11/04.

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

WHEREAS, Sepehr Mostaghim, owner of certain adjoining lands to Indian River, has applied for permission to maintain a pier and dock and boat slip covering; 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.

18/1)

Delaware's good nature depends on you!

Sepehr Mostaghirn SL-090/04 Page 2 of 5

This approval is in accordance with plans and application submitted to Department of Natural Resources and Environmental Control, a copy of which is attached hereto and made a part hereof.

This Lease shall be continued for a period of twenty (20) 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 twenty-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.

THIS Lease is issued subject to the following conditions:

SPECIAL CONDITIONS

- The conditions contained herein shall be incorporated into any and all construction contracts
 and other ancillary documents associated with earth disturbance and any other activities
 directly or indirectly associated with maintenance which may impact subaqueous lands
 associated with this project.
- 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.
- 3. A minor violation was detected during the review and processing of your Lease renewal application. The approved dimensions of the structures authorized by your existing Lease are as follows: A 4 foot by 250 foot pier, an 8 foot by 24 foot dock and a fishnet/wire mesh boat slip cover. However, based upon our site inspection, the asbuilt dimensions of your structures are as follows: A 4 foot by 250 foot pier, an 8 foot by 25 foot dock and a fishnet/ wire mesh boat slip cover. Because of the minimal nature of this violation, the Department does not intend to take enforcement action. However, this Lease shall not be construed as authorizing the illegal portions of the overbuilt structure. Should any additional modifications or additions to the existing structures be made without prior written authorization from this office, enforcement action may be taken at that time, including fines and/or a requirement that you remove the illegal structures from subaqueous lands.
- 4. The current leased area of structure over public subaqueous lands is 1005 square feet represented by the 4 foot by 200 foot section of pier, an 8 foot by 25 foot dock and 5 pilings for a seasonal fishnet/wire mesh boat slip cover constructed channelward of the mean low water line.



Sepehr Mostaghim SL-090/04 Page 3 of 5

- This Lease authorizes the lessee to maintain the approved structures on public subaqueous land from May 19, 2004 through May 18, 2024.
- This lease represents a renewal to Subaqueous Lands Lease No. SL-2803/94 granted to Sepehr Mostaghim. All special and general conditions contained in this Lease renewal shall supersede conditions set forth in Subaqueous Lands Lease No. SL-2803/94, which shall become null and void.
- Maintenance shall be conducted so as not to violate the State of Delaware Department of Natural Resources and Environmental Control, "Surface Water Quality Standards" dated August 11, 1999.
- This Lease does not authorize additions, or modifications to the existing structures authorized herein. Such activities require separate written authorization from the Department of Natural Resources and Environmental Control.
- All debris, excavated material, brush, rocks, and refuse incidental to maintenance of the leased structure shall be placed above the influence of surface waters.
- 10. The structure on/or adjacent to subaqueous lands shall be for the explicit purpose of mooring one (1) vessel as stated in the application.

GENERAL CONDITIONS

- The project is to be undertaken in accordance with the plans submitted and attached hereto.
 Any activities not specifically authorized herein may require a supplemental approval from this office prior to the initiation of construction. A determination on the need for a supplemental approval will be made by this office pursuant to the lessee submitting written notification and revised plans indicating project changes to this office.
- Representatives of the Department of Natural Resources and Environmental Control may inspect the leased structure and may collect any samples or conduct any tests that are deemed necessary.
- 3. This Lease does not cover the structural stability of the project units.
- Prior to the expiration of this Lease, the lessee shall remove all structures covered under this
 Lease unless the Lease has been renewed in accordance with its terms.



Sepehr Mostaghim SL-090/04 Page 4 of 5

- Any actions, operations or installations which are considered by the Department to be contrary to the best interests of the public shall constitute reason for the discontinuance and/or removal of said action, operation or installation.
- The lessee shall maintain any structure on public subaqueous lands in good and safe condition
 and will protect and save the State of Delaware harmless from any loss, cost or damage by
 reason of said structures.
- The issuance of this Lease does not imply approval of any other part, phase, or portion of any overall project the lessee may be contemplating.
- This Lease shall not be construed to grant or confer any right, title, easement, or interest in, to, or over any land belonging to the State of Delaware other than that of a tenant.
- 9. This Lease is subject to the terms and conditions contained in any easement, license or lease that may have been granted by the State or any political subdivision, board, commission or agency of the State in the vicinity of the leased premises.
- 10. This Lease and authorization are granted for the purposes as stated herein. Any other use without prior approval shall constitute reason for this Lease being revoked.
- 11. This Lease is personal and may not be transferred without the prior written consent of the Department. Prior to the transfer of the adjacent upland property, the lessee shall obtain the written consent of the Department to transfer this Lease to the new upland property owner. Failure to obtain such written consent may result in the revocation of this Lease and the removal of all structures authorized by this Lease at the expense of the lessee.
- 12. The lessee shall at all times comply with all applicable laws and regulations of the Department of Natural Resources and Environmental Control.
- 13. The issuance of this Lease does not constitute approval for any of the activities as may be required by any other local, state or federal governmental agency.
- Application for renewal must be submitted six (6) months prior to the expiration date of this Lease.
- 15. This Lease may be revoked upon violation of any of the above conditions.



Sepehr Mostaghim SL-090/04 Page 5 of 5

> My commission expires: July 2007

(Notary Seal)

By the authority invested in me under 7 Del. C. §7203(a), I hereby grant this Lease for the use of the State owned subaqueous lands to the Lessee(s) by setting my hand on this 3300 day of 5000, 2004.

John A. Hughes
Secretary, Department of Natural Resources
and Environmental Control

RECORDER OF DEEDS JOHN F. BRADY

04 JUL 20 AH 9: 17

SUSSES COUNTY OOC. SURCHARGE PAID

Received

JUL 2 1 2004

ASSESSMENT DO GOOD OF SUSSEX GOOD



16948

BK: 4885 PG: 85

TAX MAP AND PARCEL #: 1-34 7.00 95.01 PREPARED BY & RETURN TO: Morris James LLP 9 North Front Street Georgetown, DE 19947 File No. 2018-13

THIS DEED, made this 10th day of May, 2018,

- BETWEEN -

SEPEHR MOSTAGHIM AND NANCY E. MOSTAGHIM, of P.O. Box 1258, Ocean View, DE 19970, parties of the first part,

- AND -

JERRY L. GREEN AND JILL C. GREEN, of 23213 Racoon Ditch Road, Georgetown, DE 19947, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, parties of the second part;

WITNESSETH: That the said parties of the first part, 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, hereby grant and convey unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain tract, piece and parcel of land lying and being in Baltimore Hundred, Sussex County and State of Delaware, comprising all of LOT NO. 3 of the Subdivision BLACKWATER POINT, the plot plan of which is recorded in Plot Book 18, Page 21 at the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, fronting on the Westerly side of Blackwater Creek and on the Easterly side of the Indian River, adjoining Lot Nos. 2 and 4 and more particularly described as follows, to wit:

BEGINNING at a set iron pipe on aforementioned Easterly side of the Indian River and at the Southwest corner of Lot No. 4; thence proceeding with the Southwesterly line of said Lot No. 4 South 37 degrees 03 minutes 51 seconds East 329.22 feet to a set iron pipe; thence continuing with Lot No. 4 North 38 degrees 07 minutes East 714.00 feet to a set iron pipe on the Westerly side of Blackwater Creek; thence running with the Southwesterly side of Blackwater Creek the following three courses and distances: (1) South 25 degrees 16 minutes 01 second East 200.99 feet; (2) South 25 degrees 50 minutes 09 seconds East 201.22 feet; and (3) South 09 degrees 38 minutes 02 seconds East 50.00 feet to a corner for Lot No. 2; thence following line of



34

said Lot No. 2 North 53 degrees 40 minutes 41 seconds East 653.82 feet, passing over a set iron pipe at 52.26 feet, to a set iron pipe; thence continuing with Lot No. 2 North 45 degrees 37 minutes 53 seconds West 495.98 feet, passing over a set iron pipe at 473.51 feet to aforementioned Easterly side of the Indian River; thence finally running with said Easterly side of the Indian River North 21 degrees 26 minutes 53 seconds East 165.00 feet to the place of beginning, containing 6.2970 acres of land, more or less.

SUBJECT, however, to a 50 foot wide easement, comprising Blackwater Drive as depicted on the Plot for Blackwater Point as filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Plot Book 40, Page 275.

TOGETHER WITH an access easement filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 458, Page 384.

BEING a part of the same lands conveyed unto Sepehr Mostaghim and Nancy E. Mostaghim, by a Deed of Joseph R. Hudson, Stanley L. Thompson t/a Hudson & Thompson, a Delaware Partnership, dated April 17, 1987 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 1486, Page 99.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:	001
	Sepchr Mostaghim (SEAL)
	Nancy E. Mostagh (SEAL)
	Recorder of Deeds Scott Dailey

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on May 10, 2018, personally came before me, the subscriber, Sepehr Mostaghim and Nancy E. Mostaghim, parties of the first part 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.

My Commission Cirrely L. Szabo

Attorney at Law and Notary Public pursuant to 29 Del. C. § 4323(a)(3)

Consideration:

649,000.00

Sussex County Doc. Surcharse Paid

County 9,735.00 State 16,225.00 Town Total 25,960.00 Received: Brittany B May 11,2018

RECEIVED MOS 11,2018 ASSESSMENT DIVISION OF SUSSEX COUNTY PARID: 134-7.00-95.01 GREEN JERRY L

33705 PEACOCK PT

Property Information

Property Location:

33705 PEACOCK PT

Unit:

City:

DAGSBORO

State:

DE

Zip:

19939

Class:

RES-Residential

Use Code (LUC):

RS-RESIDENTIAL SINGLE FAMILY

Town

00-None

Tax District:

134 - BALTIMORE

School District:

1 - INDIAN RIVER

Fire District:

84-Millville

Deeded Acres:

6.0900

Frontage:

0.090

rromage

0

Depth:

.000

Irr Lot:

Plot Book Page:

/PB

100% Land Value:

\$10,400

100% Improvement Value

\$62,400

100% Total Value

\$72,800

Legal

Legal Description

BLACKWATER POINT

LOT 3

Owners

Owner

Co-owner

Address

City

State

GREEN JERRY L

JILL C GREEN

P.O. BOX 114

MILLSBORO

DE

19966

Zip

4865/85

19122

BK: 4894 PG: 36

TAX MAP AND PARCEL #: 1-34 7.00 95.00 PREPARED BY & RETURN TO: Morris James LLP 9 North Front Street Georgetown, DE 19947 File No. 2018-16

Consideration:

601,000.00

County State Town

9,015.00 15,025.00 Total 24,040.00 Received: Mary W May 29,2018

THIS DEED, made this 24th day of May, 2018,

- BETWEEN -

SEPEHR MOSTAGHIM AND NANCY E. MOSTAGHIM, of P.O. Box 1258, Ocean View, DE 19970, parties of the first part,

- AND -

JERRY L. GREEN, TRUSTEE OF THE JERRY L. GREEN REVOCABLE TRUST DATED FEBRUARY 15, 2008, AS AMENDED, as to an undivided 50% interest, AND JILL C. GREEN, TRUSTEE OF THE JILL C. GREEN REVOCABLE TRUST DATED FEBRUARY 15, 2008, AS AMENDED, as to an undivided 50% interest, of 23213 Raccoon Ditch Road, Georgetown, DE 19947, parties of the second part;

WITNESSETH: That the said parties of the first part, 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, hereby grant and convey unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain tract, piece and parcel of land lying and being in Baltimore Hundred, Sussex County and State of Delaware, comprising all of LOT NO. 4 of the subdivision BLACKWATER POINT; the Plot Plan of which is recorded in Plot Book 18, Page 1 at the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, fronting on the Westerly side of Blackwater Creek and on the Easterly side of The Indian River, adjoining Lot No. 3, The Indian River and Blackwater Creek and more particularly described as follows, to wit:

BEGINNING at a set iron pipe on aforementioned Westerly side of The Indian River and at the Northwest corner of Lot No. 3; thence proceeding along the shoreline of The Indian River and of Blackwater Creek the following nine (9) courses and distances: (1) North 21 degrees 26 minutes 53 seconds East 35.02 feet; (2) North 18 degrees 52 minutes 34 seconds East 200.36 feet; (3) North 31 degrees 07 minutes 07 seconds East 202.39 feet; (4) North 25 degrees 08 minutes 45 seconds East 222.28 feet; (5) North 75 degrees 21 minutes 21 seconds East 107.00 feet; (6) South 81 degrees 47 minutes 35 seconds East 100.18 feet; (7) South 43 degrees 59 minutes 17 seconds East 127.36 feet; (8) South 58 degrees 39 minutes 04 seconds East 46.71 feet and; (9) South 09 degrees 11 minutes 26 seconds East 196.97 feet to a set iron pipe at a corner for Lot No. 3; thence following line of said Lot

37

No. 3 the following two (2) courses and distances: (1) South 38 degrees 07 minutes West 714.00 feet to a set iron pipe and finally; (2) North 37 degrees 03 minutes 51 seconds West 329.22 feet to the place of beginning, containing 7.17 acres of land, more or less.

SUBJECT, however, to an easement comprising a portion of a 50 foot radius cul-de-sac as depicted on aforementioned subdivision plat.

SUBJECT, however, to a 50 foot wide easement, comprising Blackwater Drive as depicted on the Plot for Blackwater Point as filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Plot Book 40, Page 275.

TOGETHER WITH an access easement filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 458, Page 384.

BEING a part of the same lands conveyed unto Sepehr Mostaghim and Nancy E. Mostaghim by a Deed of Joseph R. Hudson and Stanley L. Thompson t/a Hudson & Thompson, dated April 17, 1987 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 1486, Page 100.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written. RECETUED

Signed, Sealed and Delivered in the presence of:	May 29,2018 ASSESSMENT DIVISION OF SUSSEX COUNTY
	(SEAL)
	Sepehr Mostaghim
	Nancy E. Mostaghim (SEAL)

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on May 24, 2018, personally came before me, the subscriber, Sepehr Mostaghim and Nancy E. Mostaghim, parties of the first part 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.

Cindy L. Szabo Attorney at Law and Notary Public pursuant to 29 Del. C. § 4323(a)(3)

andy of My Commission Expires: _

> Recorder of Deeds Scott Dailey May 29,2018 10:39A Sussex County Doc. Surcharse Paid

PARID: 134-7.00-95.00

GREEN JERRY L TTEE OF JLG REV TR

33706 PEACOCK PT

Property Information

Property Location:

33706 PEACOCK PT

Unit:

City:

DAGSBORO

State:

DE

Zip:

19939

Class:

RES-Residential

Use Code (LUC):

RS-RESIDENTIAL SINGLE FAMILY

Town

00-None

Tax District:

134 - BALTIMORE

School District:

1 - INDIAN RIVER

Fire District:

84-Millville

Deeded Acres:

7.3700

Frontage:

0

r romago.

.000

Depth: Irr Lot:

Plot Book Page:

/PB

100% Land Value:

\$15,400

100% Improvement Value

\$151,200

100% Total Value

\$166,600

Legal

Legal Description

BLACKWATER POINT

LOT 4

Owners

Owner

Co-owner

Address

City

State Zip

GREEN JERRY L TTEE OF JLG REV

JILL C GREEN TTEE OF JCG REV

5.5

PO BOX 114 MILLSBORO DE 19966

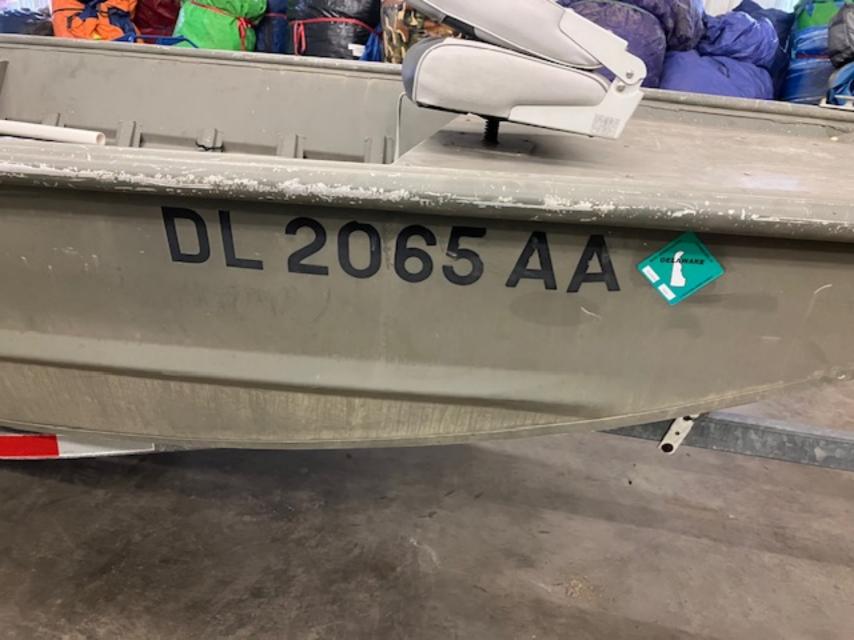
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TR

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