

Wetlands and Subaqueous Lands Section Basic Application Form

Section 1: Applicant Identification

1. Applicant's Name: Neil & Nicole Graham
 Mailing Address: 33598 Green Road
Millsboro DE 19966

Telephone #: (914) 356-3998
 Fax #: _____
 E-mail: neilgraham4@hotmail.com

2. Consultant's Name: Evelyn Maurmeyer
 Mailing Address: PO Box 674
Lewes, DE 19958

Company Name: CER, Inc.
 Telephone #: (302) 645-9610
 Fax #: (302) 645-4332
 E-mail: maurmeye@udel.edu

3. Contractor's Name: Troy Messick
 Mailing Address: 25245 Banks Road
Millsboro, DE 19966

Company Name: J.T. Rogers Marine Const.
 Telephone #: (302) 841-4955
 Fax #: _____
 E-mail: Troymessick71@gmail.com

Section 2: Project Description

4. Check those that apply:
 New Project/addition to existing project? Repair/Replace existing structure? (If checked, must answer #16)

5. Project Purpose (attach additional sheets as necessary):
Applicants propose to construct a 100' long x 4' wide pier; a 6' wide x 24' long dock, and a 4-piling boat lift to moor a pontoon boat.

6. Check each Appendix that is enclosed with this application:

<input checked="" type="checkbox"/> A. Boat Docking Facilities	<input type="checkbox"/> G. Bulkheads	<input type="checkbox"/> N. Preliminary Marina Checklist
<input type="checkbox"/> B. Boat Ramps	<input type="checkbox"/> H. Fill	<input type="checkbox"/> O. Marinas
<input type="checkbox"/> C. Road Crossings	<input checked="" type="checkbox"/> I. Rip-Rap Sills and Revetments	<input type="checkbox"/> P. Stormwater Management
<input type="checkbox"/> D. Channel Modifications/Dams	<input type="checkbox"/> J. Vegetative Stabilization	<input type="checkbox"/> Q. Ponds and Impoundments
<input type="checkbox"/> E. Utility Crossings	<input type="checkbox"/> K. Jetties, Groins, Breakwaters	<input type="checkbox"/> R. Maintenance Dredging
<input type="checkbox"/> F. Intake or Outfall Structures	<input type="checkbox"/> M. Activities in State Wetlands	<input type="checkbox"/> S. New Dredging

Section 3: Project Location

7. Project Site Address: 33598 Green Road
Millsboro DE 19966

County: N.C. Kent Sussex
 Site owner name (if different from applicant): same
 Address of site owner: "

8. Driving Directions: See Figures 1, 2, and 3 for maps and directions

(Attach a vicinity map identifying road names and the project location)

9. Tax Parcel ID Number: #234-18.00-56.04 Subdivision Name: Indian River Hundred

WSLS Use Only:		Permit #s: _____	
Type	SP <input type="checkbox"/>	SL <input type="checkbox"/>	SU <input type="checkbox"/>
	WE <input type="checkbox"/>	WQ <input type="checkbox"/>	LA <input type="checkbox"/>
	SA <input type="checkbox"/>	MP <input type="checkbox"/>	WA <input type="checkbox"/>
Corps Permit:	SPGP 18 <input type="checkbox"/>	20 <input type="checkbox"/>	Nationwide Permit #: _____
Received Date:	Project Scientist: _____		Individual Permit # _____
Fee Received?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Amt: \$ _____
Public Notice #:	Public Notice Dates: ON _____		OFF _____

Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: Herring Creek waterbody is a tributary to: Rehoboth Bay

11. Is the waterbody: Tidal Non-tidal Waterbody width at mean low or ordinary high water 1,150' ±

12. Is the project: On public subaqueous lands? On private subaqueous lands?*

In State-regulated wetlands? In Federally-regulated wetlands? **

** Elevated walkway on pilings in Federal 404 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 Other

Section 4: Miscellaneous

14. A. List the names and complete mailing addresses of the immediately adjoining property owners on all sides of the project (attach additional sheets as necessary):
See Figure 3

B. For wetlands and marina projects, list the names and complete mailing addresses of property owners within a 1,000 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 the project with:
None

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?

Yes No
 Yes No

16. Are there existing structures or fill at the project site in subaqueous lands?

*If yes, provide the permit and/or lease number(s):

Yes No

*If no, were structures and/or fill in place prior to 1969?

Yes No

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 #: _____

18. Have you applied for permits from other Sections within DNREC?

No Pending Issued Denied Date: _____ Permit or ID #: _____

Type of permit (circle all that apply): Septic Well NPDES Storm Water

Other: _____

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.)

Applicants propose to construct a 100' long x 4' wide pier; a 6' wide x 24' lonh dock; and a 4-piling boat lift to moor a pontoon.

2. Please provide numbers and dimensions as follows:

Structure Type	Number of Support Pilings	Dimensions (Channelward of MHW or OHW)		Dimensions (Channelward of MLW- n/a for non-tidal water)		New, repair or maintain
		Width ____ ft.	Length ____ ft.	Width ____ ft.	Length ____ ft.	
Dock, Pier, Lift, gangway						
Pier	34±	4'	100'	4'	80'	new
Dock	10±	6'	24'	6'	24'	new
Boat lift	4	13'+	13'+	13'+	13'+	new
Freestanding Pilings	Number 0					

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? 1,150 ft. (measured from MLW to MLW)

4. What will be the mean low water depth at the most channelward end of the mooring facility? 1.8 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.

Salt-treated wood, galvanized hardware; alum./steel lift

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? 400 ft.±

8. Describe the vessels that will be berthed at the docking facility. Please draw proposed vessel locations on plans and drawings.

Pure Watercraft

Make/model	<u>Pontoon</u>	length	<u>25'9"</u>	width	<u>8'±</u>	draft	<u>1.5'±</u>
Make/model	_____	length	_____	width	_____	draft	_____
Make/model	_____	length	_____	width	_____	draft	_____
Make/model	_____	length	_____	width	_____	draft	_____

9. Please provide a copy of the current state registration or Coast Guard Certificate of Documentation for each motorized vessel listed above.

Not yet available

10. Give the number and type of each Marine Sanitation Device (e.g. MSD III, Portable toilet) that will be used on vessels to be docked at the facility.

None

11. Is there currently a residence on the property? Yes No

12. Do you plan to reach the boat docking facility from your own upland property? 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. 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 No.

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? 192 ft.

Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line?

Yes No

If yes, a letter of no objection from the adjacent property owner must be included with this application.

PROPOSED 100' L x 4' W PIER; 6' W x 24' L DOCK; AND A 4-PIILING BOAT LIFT
 IN: Herring Creek
 AT: 33598 Green Road, Millsboro
 Sussex County, DE 19966
 Tax Map Parcel #234-18.00-56.04
 APPLICANT: Neil & Nicole Graham
 DATE: March 18, 2024

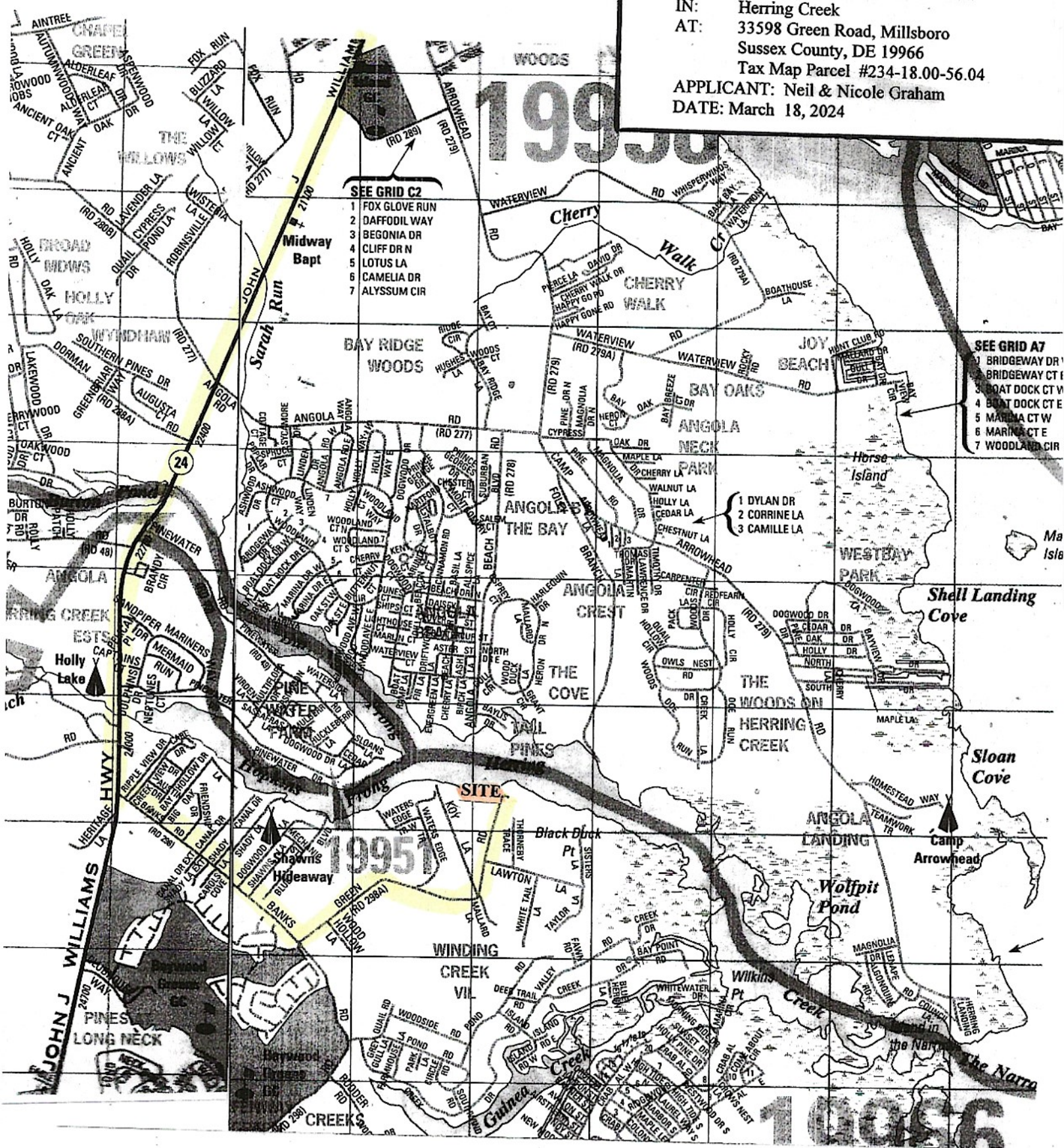


Figure 2. Map showing site location, 33598 Green Road, Millsboro, Sussex County, Delaware. Directions to site (from Dover, DE): SR-1 southbound to beaches; right onto Route 24 (John J. Williams Highway) westbound; left onto Banks Road; left onto Green Road; follow to end where road turns left; site is at end of road, house at 33598 Green Road. Also see Figure 3.

PROPOSED 100' L x 4' W PIER; 6' W x 24' L DOCK; AND A 4-PILING BOAT LIFT

IN: Herring Creek
 AT: 33598 Green Road, Millsboro
 Sussex County, DE 19966
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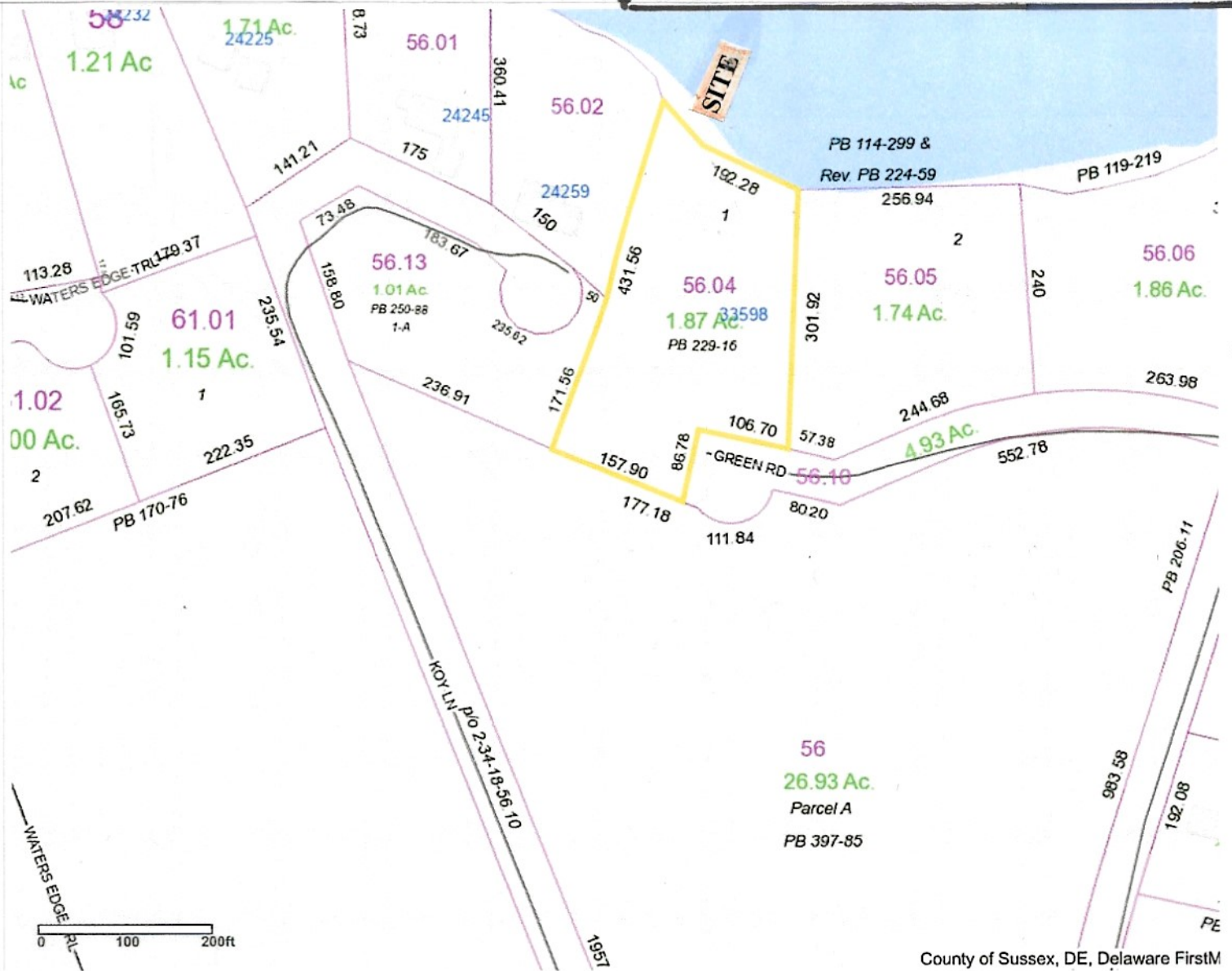


Figure 3. Site location, Tax Map Parcel #234-18.00-56.04 (33598 Green Road, Millsboro, Sussex County, Delaware). Names and addresses of adjacent property owners:

<u>Tax Map Parcel #</u>	<u>Name, address of owner</u>
#234-18.00-56.02	Brandon & Regan Kslazek, 680 Port Penn Road, Middletown DE 19709
#234-18.00-56.13	Connor & Ashley Lynn Bragg, 20487 Beaver Dam Road, Harbeson, DE 19951
#234-18.00-56.00	Barry & Diane Koch, 106 Creekside Drive, Dagsboro DE 19939
#234-18.00-56.10 (road)	Barry & Diane Koch, 106 Creekside Drive, Dagsboro DE 19939
#234-18.00-56.05	Barry & Diane Koch, 106 Creekside Drive, Dagsboro DE 19939

PROPOSED 100' L x 4' W PIER; 6' W x 24' L DOCK; AND A 4-PILING BOAT LIFT

IN: Herring Creek
AT: 33598 Green Road, Millsboro
Sussex County, DE 19966
Tax Map Parcel #234-18.00-56.04

APPLICANT: Neil & Nicole Graham
DATE: March 18, 2024

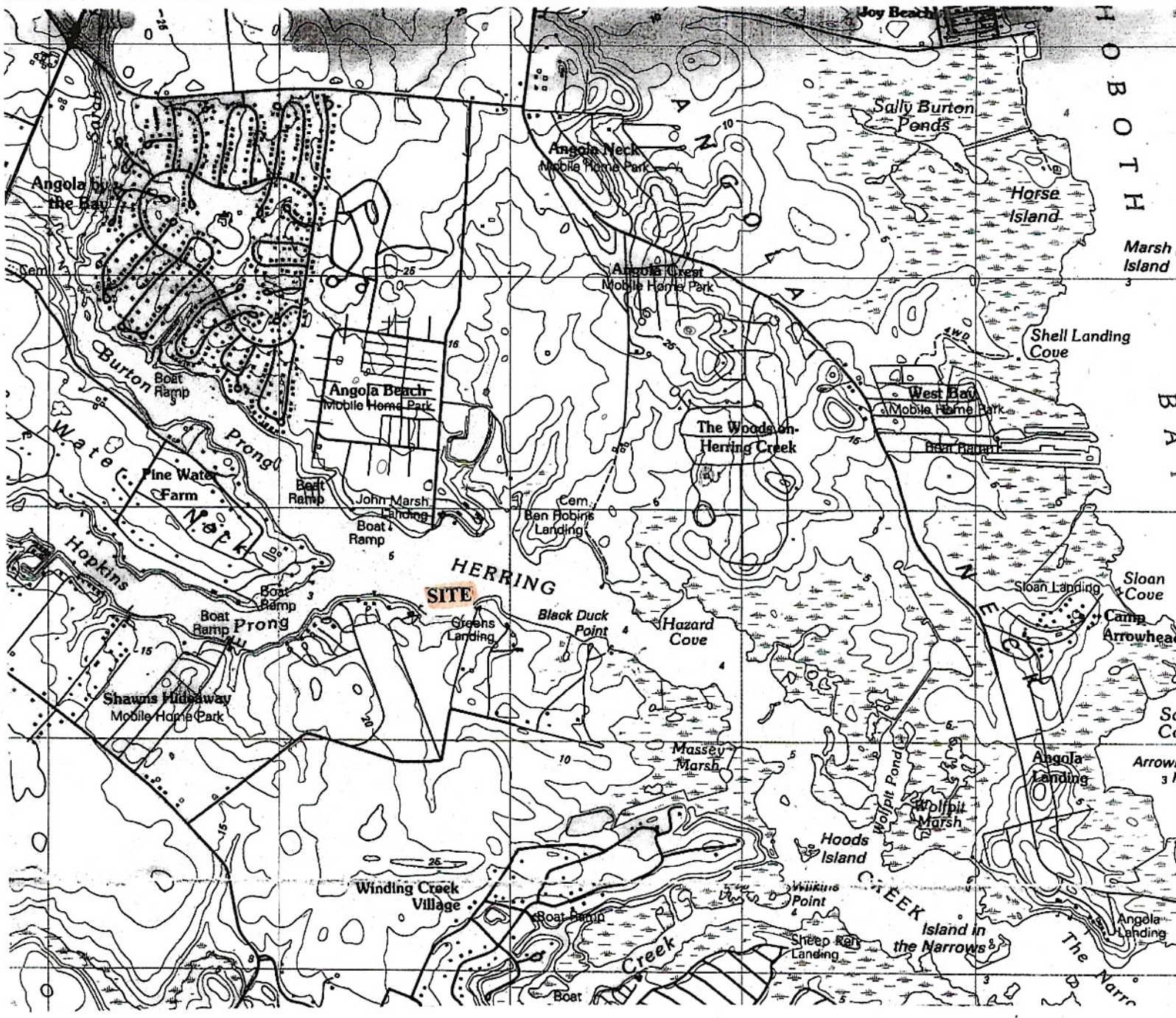


Figure 4. Site location on USGS topographic map, Fairmount, Delaware quadrangle. Site is adjacent to Herring Creek (tributary of Rehoboth Bay). Scale: 1" = 2,000'.

PROPOSED 100' L x 4' W PIER; 6' W x 24' L DOCK; AND A 4-PILING BOAT LIFT

IN: Herring Creek
AT: 33598 Green Road, Millsboro
Sussex County, DE 19966
Tax Map Parcel #234-18.00-56.04

APPLICANT: Neil & Nicole Graham

DATE: March 18, 2024



Figure 5. Site location on State of Delaware DNREC Wetland Map #082 (1988 photobase). Project site is mapped O (uplands or non-tidal wetlands less than 400 acres), B (Beach), and W (Water). No part of structure to be located in marsh (M).

PROPOSED 100' L x 4' W PIER; 6' W x 24' L DOCK; AND A 4-PILING BOAT LIFT

IN: Herring Creek
 AT: 33598 Green Road, Millsboro
 Sussex County, DE 19966
 Tax Map Parcel #234-18.00-56.04
 APPLICANT: Neil & Nicole Graham
 DATE: March 18, 2024

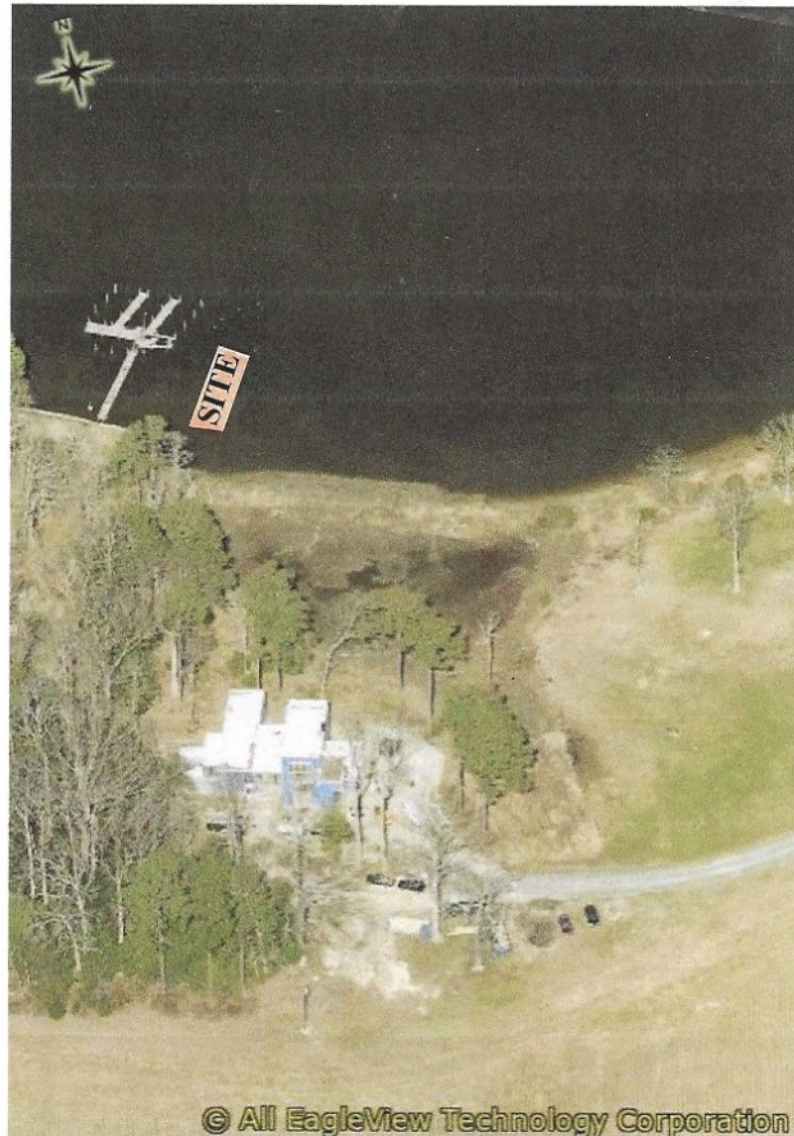


Figure 6. Aerial photograph of site, 33598 Green Road, Millsboro, Sussex County, Delaware (Tax Map Parcel #234-18.00-56.04), adjacent to Herring Creek. Width of waterway at project site = 1,150'±. Applicant proposes to construct a 100' long x 4' wide pier, a 6' wide x 24' long dock, and a 4-piling boat lift. (Access from uplands to pier will be via an elevated walkway over Federal 404 wetlands; no structures in DNREC-regulated wetlands.) See Figure 8 for plan view and cross-section sketches. Note that adjacent structure (to left) encroaches past applicants' extended property line (see Figure 9).

PROPOSED 100' L x 4' W PIER; 6' W x 24' L DOCK; AND A 4-PILING BOAT LIFT

IN: Herring Creek

AT: 33598 Green Road, Millsboro

Sussex County, DE 19966

Tax Map Parcel #234-18.00-56.04

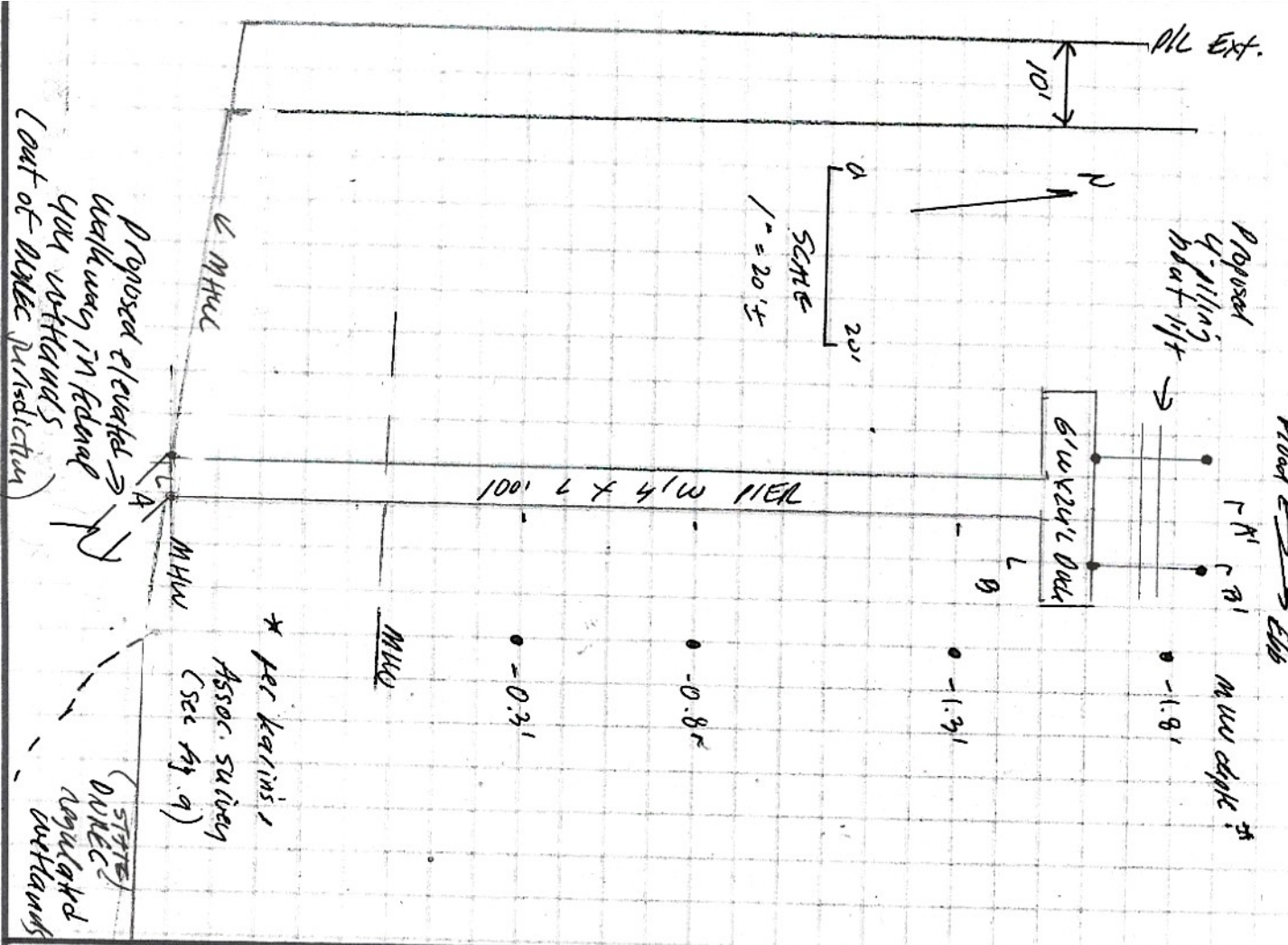
APPLICANT: Neil & Nicole Graham

DATE: March 18, 2024



Figure 7. Photograph of project site, 33598 Green Road, Millsboro, Sussex County, Delaware (Tax Map Parcel #234-18.00-56.04), adjacent to Herring Creek. Applicant proposes to construct a 100' long x 4' wide pier, a 6' wide x 24' long dock, and a 4-piling boat lift. (Access from uplands to pier will be via an elevated walkway over Federal 404 wetlands; no structures in DNREC-regulated wetlands.) See Figure 8 for plan view and cross-section sketches.

(a) PLAN VIEW SKETCH (1" = 20')



HEARINGS CREEK
Flood → ← Ebb

PROPOSED 100' L x 4' W PIER; 6' W x 24' L DOCK; AND A 4-PILING BOAT LIFT
 IN: Herring Creek
 AT: 33598 Green Road, Millsboro Sussex County, DE 19966
 Tax Map Parcel #234-18-00-56-04
 APPLICANT: Neil & Nicole Graham
 DATE: March 18, 2024

(b) CROSS-SECTION SKETCH (1" = 30')



(c) CROSS-SECTION SKETCH (1" = 5')

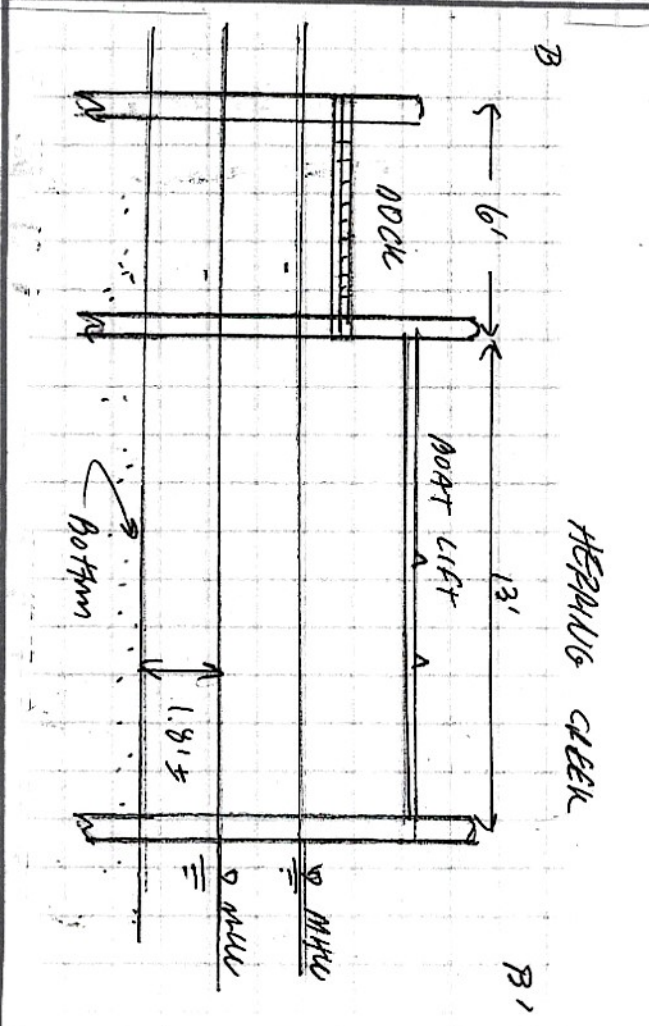
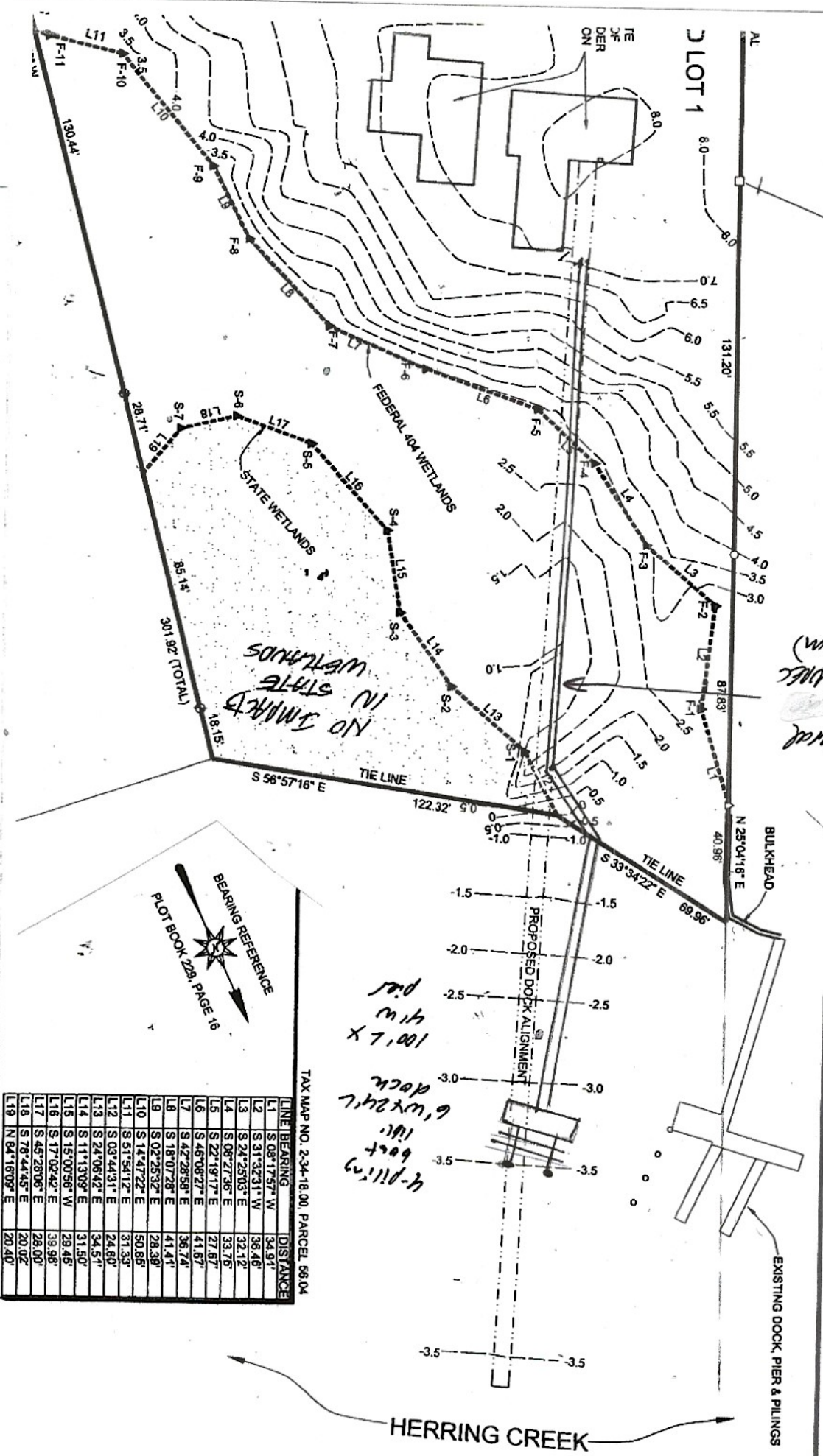


Figure 8.

Plan view and cross-section sketches of proposed project. Sketches for permit application purposes only.

PROPOSED 100' L x 4' W PIER; 6' W x 24' L DOCK; AND A 4-PILING BOAT LIFT
 IN: Herring Creek
 AT: 33598 Green Road, Millsboro
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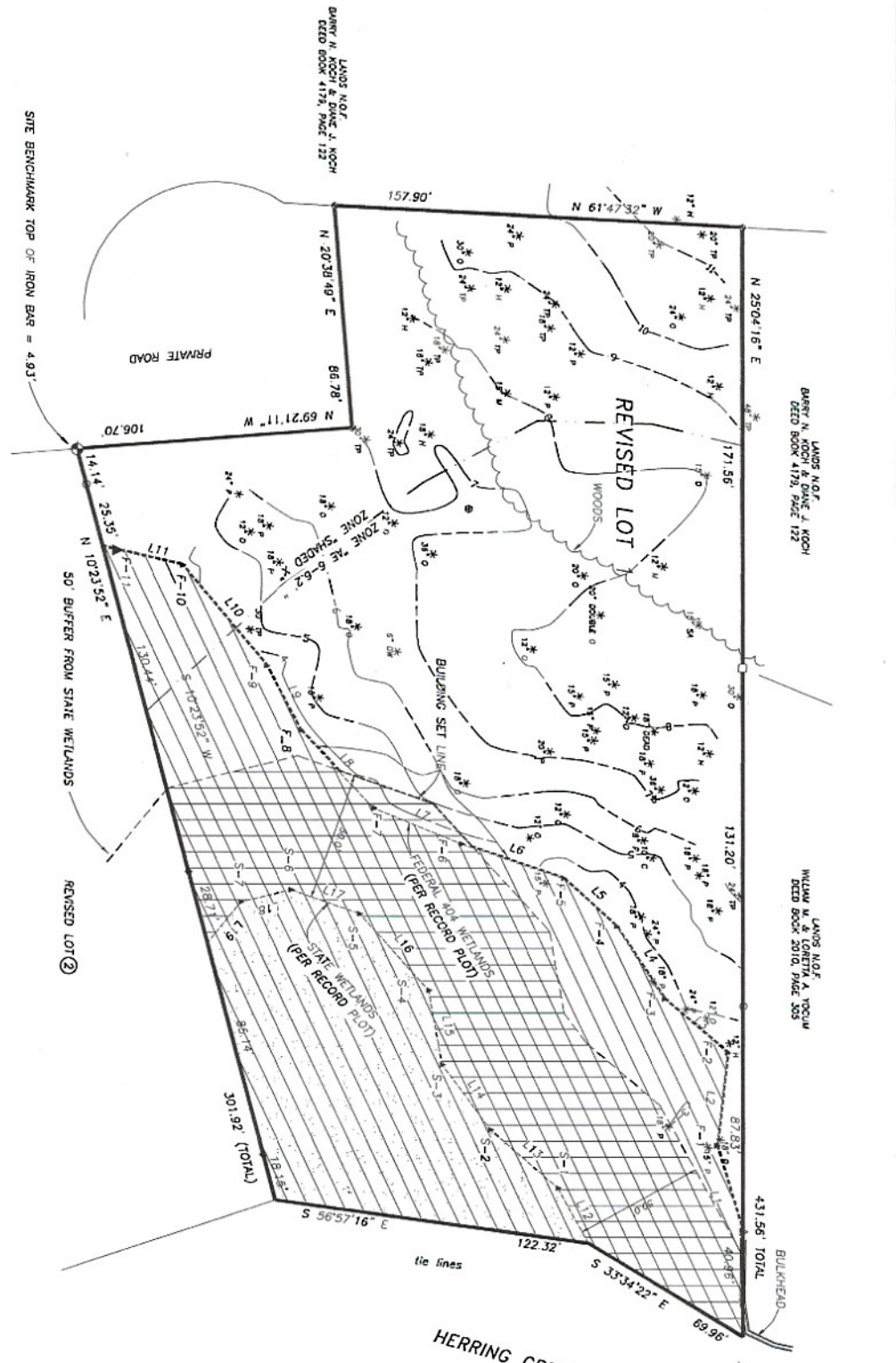
TAX MAP NO. 2-34-18.00, PARCEL 56.04

LINE	BEARING	DISTANCE
L1	S 08°17'57" W	34.91'
L2	S 31°52'31" W	36.48'
L3	S 24°25'03" E	32.12'
L4	S 08°27'36" E	33.76'
L5	S 22°19'17" E	27.87'
L6	S 46°08'27" E	41.67'
L7	S 42°28'58" E	36.74'
L8	S 18°07'28" E	41.41'
L9	S 02°28'32" E	28.39'
L10	S 14°47'22" E	50.86'
L11	S 51°54'12" E	31.33'
L12	S 03°44'31" E	24.80'
L13	S 24°06'42" E	34.57'
L14	S 11°13'09" E	31.50'
L15	S 15°00'56" W	28.46'
L16	S 17°02'42" E	39.98'
L17	S 45°28'06" E	28.00'
L18	S 78°44'45" E	20.02'
L19	N 84°16'09" E	20.40'

Figure 9.

Proposed structure superimposed on survey prepared by Karins and Associates. Vertical datum = NAVD 1988. Add 1.7' for MLW depths (per RB Kemp, Karins and Associates). Note that adjacent structure encroaches past extended property line.

LINE	BEARING	DISTANCE
1	S 06°17'32" W	84.81
2	S 31°35'01" W	18.46
3	S 08°27'05" E	11.75
4	S 28°17'17" E	12.73
5	S 16°03'22" E	11.41
6	S 07°25'32" E	12.83
7	S 14°54'47" E	10.53
8	S 02°25'32" E	12.83
9	S 14°54'47" E	10.53
10	S 07°25'32" E	12.83
11	S 02°25'32" E	12.83
12	S 07°25'32" E	12.83
13	S 14°54'47" E	10.53
14	S 07°25'32" E	12.83
15	S 14°54'47" E	10.53
16	S 07°25'32" E	12.83
17	S 14°54'47" E	10.53
18	S 07°25'32" E	12.83
19	S 14°54'47" E	10.53
20	S 07°25'32" E	12.83



WETLAND CERTIFICATION STATEMENT

I, Kelly James Peterson, as hereby state to the best of my professional judgment that the wetland delineation shown on this map was prepared in accordance with the U.S. Army Corps of Engineers Wetland Delineation Manual (1987), as amended, and the Regulations governing the use and disposal of lands in accordance with the provisions of 7 Fed. C. 2212.

Kelly James Peterson
Professional Engineer
Berkshire Environmental

- NOTES:**
- 1) CLASS "B", SUBURBAN SURVEY
 - 2) SOURCE OF TITLE, DEED BOOK 9233, PAGE 19
 - 3) A TITLE SEARCH WAS NEITHER REQUESTED.
 - 4) BY OBTAINING, SCALING AND PLOTTING, THIS PROPERTY FROM THE SURVEY, THE NATIONAL STODOLSKY INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP NUMBER 1000500343-K, EFFECTIVE DATE 3/15/2015

- LEGEND:**
- SET IRON BAR
 - FOUND IRON PIPE
 - FOUND CONCRETE MONUMENT
 - SET IRON NAIL IN BULKHEAD
 - SOIL BORING
 - CONTOUR & ELEVATION

- C - CHERRY
- DW - DOGWOOD
- H - HOLLY
- M - MAPLE
- O - OAK
- SA - SASSAPARA
- TP - POPLAR

FEDERAL 404 AREA

STATE WETLAND AREA

50' STATE WETLAND BUFFER

Charles E. Adams, Jr., P.L.S. 506 am

Prepared By:
ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
AND PLANNERS
217 SOUTH PACE STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6899
WWW.ADAMSKEMP.COM

BOUNDARY SURVEY PLAN

PREPARED FOR
NEIL MURRAY HAMILTON GRAHAM
NICOLE HELEN GRAHAM

FOR PROPERTY KNOWN AS
REVISED LOT 1, LANDS OF BARRY N. KOCH &
SULLIVAN, DEED BOOK 229 18
INDIAN RIVER NUMBERED
STATE OF DELAWARE
DATE: MAY 23, 2020

Trustees for Graham property at 33598 Green Rd Millsboro.

Neil Graham <neilgraham4@hotmail.com>

Thu 7/11/2024 10:34 AM

To: Molina, Julie (DNREC) <Julie.Molina@delaware.gov>

Cc: Evelyn Maurmeyer <maurmeye@udel.edu>; Nicole Graham <nicolehelengraham@gmail.com>

Hi Julie,

I believe you are in charge of our dock permit application at DNREC.

I can confirm that there are only two trustees for this property- myself (Neil MH Graham) and my wife (Nicole H Graham)

Evelyn has the latest copy of the deed which confirms the joint ownership.

Best regards

Neil Graham

914-356-3988 (c)

PARID: 234-18.00-56.04

GRAHAM NEIL M H TTEE REV TR

33598 GREEN RD

Property Information

Property Location: 33598 GREEN RD
 Unit:
 City: MILLSBORO
 State: DE
 Zip: 19966

Class: RES-Residential
 Use Code (LUC): RS-RESIDENTIAL SINGLE FAMILY
 Town: 00-None
 Tax District: 234 – INDIAN RIVER
 School District: 1 - INDIAN RIVER
 Fire District: 80-Indian River
 Deeded Acres: 1.8700
 Frontage: 0
 Depth: .000
 Irr Lot:
 Plot Book Page: 229 16/PB

100% Land Value: \$18,700
 100% Improvement Value: \$139,700
 100% Total Value: \$158,400

Legal

Legal Description: NE/UNNAMED RD APP
 566' W/GREEN RD
 LOT 1

Owners

Owner	Co-owner	Address	City	State	Zip
GRAHAM NEIL M H TTEE REV TR	NICOLE H GRAHAM TTEE REV TR	33598 GREEN RD	MILLSBORO	DE	19966

Sussex County Official Records Search

Back to Search/Results

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Page: 1 of 3 Go to Page: (1-3) Go

Full Screen Download/View Print

Height Width Zoom In Out 90 -90

Result Row

What's This?

Electronically Recorded Document# 202400004776 BK: 6053 PG: 71 Recorder of Deeds, Alexandra Reed Baker On 2/12/2024 at 1:51:29 PM Sussex County, DE Consideration: \$0.00 County/Town: \$0.00 State: \$0.00 Total: \$0.00 Doc Surcharge Paid Town: SUSSEX COUNTY

Result Row from 1 - 150

Go

Document Information

Add To List Remove From List

Instrument #	202400004776
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Record Date	02/12/2024 01:51:29 PM
Book Type	D
Doc Type	DEEDS-D
Number of Pages	3
Non-Conforming	False
1 Direct	GRAHAM NEIL MURRAY HAMILTON
2 Indirect	GRAHAM NICOLE HELEN GRAHAM NEIL M H TR NEIL M H GRAHAM REVOCABLE TRUST THE GRAHAM NICOLE H TR NICOLE H GRAHAM REVOCABLE TRUST THE
Tax Map	234-18.00-56.04
County / Town	SUSSEX COUNTY
Consideration / Assessed Value	\$0.00
Doc. Legals	IRH L-1

Parcel ID: 234-18.00-56.04 PREPARED BY & RETURN TO: Baird Mandalas Brockstedt & Federico, LLC 1413 Savannah Road Suite 1 Lewes, DE 19958 File No.: RE24-1396

NO NEW TITLE SEARCH OR SURVEY REQUESTED OR PERFORMED

THIS DEED, made this 1st day of February, 2024, - BETWEEN -

NEIL MURRAY HAMILTON GRAHAM and NICOLE HELEN GRAHAM, of 33598 Green Road, Millsboro, DE 19966, parties of the first part,

- AND -

NEIL M.H. GRAHAM, TRUSTEE OF THE NEIL M.H. GRAHAM REVOCABLE TRUST DATED FEBRUARY 1, 2024, as Grantor or his successor in trust, as to an undivided 50% interest and NICOLE H. GRAHAM, TRUSTEE OF THE NICOLE H. GRAHAM REVOCABLE TRUST DATED FEBRUARY 1, 2024, as Grantor or her successor in trust, as to an undivided 50% interest, of 33598 Green Road, Millsboro, DE 19966, 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 successors and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, Delaware:

ALL THAT CERTAIN lot, piece, and parcel of land situate, lying and being in Indian River Hundred, Sussex County, State of Delaware, described as Lot No. 1 on a survey plot prepared by Adams Kemp Associates, Inc., a copy of which was filed for record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, on February 4, 2020 in Plot Book 229, Page 16, Said lot contains 1.871 acres of land more or less.

SUBJECT to access as shown on the aforesaid plot filed of record in Plot Book 114, Page 299.

ALSO SUBJECT TO the following restrictions which shall be binding on the parties of the second part and on all future owners of this lot:

Sussex County Official Records Search



Back to Search/Results

My List

Page: 2 of 3 Go to Page: (1-3) Go

Full Screen Download/View Print

Height Width Zoom In Out 90 -90

Result Row

What's This?

Document# 202400004776 BK: 6053 PG: 72 Recorder of Deeds, Alexandra Reed Baker On 2/12/2024 at 1:51:29 PM Sussex County, DE Doc Surcharge Paid

Result Row from 1 - 150

Go

Document Information

+ Add To List

x Remove From List

Instrument #	202400004776
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Record Date	02/12/2024 01:51:29 PM
Book Type	D
Doc Type	DEEDS-D
Number of Pages	3
Non-Conforming	False
1 Direct	GRAHAM NEIL MURRAY HAMILTON GRAHAM NICOLE HELEN
2 Indirect	GRAHAM NEIL M H TR NEIL M H GRAHAM REVOCABLE TRUST THE GRAHAM NICOLE H TR NICOLE H GRAHAM REVOCABLE TRUST THE
Tax Map	234-18.00-56.04
County / Town	SUSSEX COUNTY
Consideration / Assessed Value	\$0.00
Doc. Legals	IRH L-1

- All houses must be custom stick built. No single wide, double wide, triple wide mobile homes, manufactured, modular or sectional homes are allowed.
- Minimum square footage of living space is to be 2400 square feet.
- Homeowner may only have one (1) boat in the yard, which must be located in a screened in area, or totally enclosed area.
- Waterfront Lots must be bulkheaded within one (1) year of purchase of Lot or at least in process of approval with DNREC, followed immediately by installation and completion of bulkheading.
- Lot may have one shed, with exterior of said shed to be of like color of house and complimenting design of the house.
- Sale or gifting of this Lot is hereby forbidden and prohibited to be sold or gifted to ROBERT W. TUNNELL, JR., any of his heirs, or any entities in which he has an interest, or any of his business associates, companies, limited liability corporations (LLC), or any person with ties or connection to ROBERT W. TUNNELL, JR., or his heirs, or business associates, or to any national home builders.
- Lot cannot be subdivided.
- Lot cannot be used, leased, or sold as a marina or landing for boats, jet skis, or any other water craft launching, or boat ramp for the public, or as an amenity for any development. Must be kept for residential single family use.
- Lot owner must share in the expense of the upkeep for the right-of-way(s) with the other Lot owners who have access to the same road(s).
- No RV's, campers, or motor homes shall be parked in the yard overnight or stored on the property.
- No junk cars are allowed to be parked or stored on the Lot.
- Lot is to be used to build a single family primary or second home. Rental properties are not allowed. Townhouses, duplexes, or condos are not allowed.
- No pop-up, inflatable, or portable or above ground swimming pools are allowed. However, in-ground swimming pools are acceptable.
- No duck blinds are allowed.

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Non-Conforming False

1 | Direct GRAHAM NEIL MURRAY HAMILTON GRAHAM NICOLE HELEN

2 | Indirect GRAHAM NEIL M H TR NEIL M H GRAHAM REVOCABLE TRUST THE GRAHAM NICOLE H TR NICOLE H GRAHAM REVOCABLE TRUST THE

Tax Map 234-18.00-56.04

County / Town SUSSEX COUNTY

Consideration / Assessed Value \$0.00

Doc. Legals IRH L-1

BEING the same lands conveyed to Neil Murray Hamilton Graham and Nicole Helen Graham by deed from Diane J. Koch, (as to 1.53 acres) and Barry N. Koch and Diane J. Koch (as to 0.541 acres) dated April 23, 2020 and recorded April 30, 2020 in the Office of the Recorder of Deeds, in and for Sussex County, and State of Delaware, in Deed Book 5233, Page 19.

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

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:

Witness signature: Anne J. Barnett

Witness signature: Neil Murray Hamilton Graham (SEAL)

Witness signature: Nicole Helen Graham

Witness signature: Nicole Helen Graham (SEAL)

STATE OF DELAWARE COUNTY OF SUSSEX, to-wit

BE IT REMEMBERED, that on February 1, 2024, personally came before me, the subscriber, Neil Murray Hamilton Graham and Nicole Helen Graham, 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 signature: Anne J. Barnett