



## Lease Renewal Application

for Structures/Fill in Public Subaqueous Lands

In order to ensure that your lease renewal application is processed in a timely manner, please be sure to provide complete, accurate, and current information for each of the questions below. Incomplete applications may be returned for additional information which will delay the renewal process. This application will be placed on public notice with a 20 day public comment period following publication. Remember that a valid lease is required to continue to maintain your structures/fill on public land. If you need assistance or have any questions about this application or the renewal process, please don't hesitate to contact the Wetlands and Subaqueous Lands Section at 302/739-9943.

### 1. Applicant Information (mailing address and contact information)

Name The Peninsula Community Association	Telephone 302-947-2036
Address 27525 Sterling Boulevard	
City/Zip Millsboro, DE 19966	E:mail Veronica.Radalin@legumnorman.com

### 2. Existing Authorized Structures/Fill

Please fill in the dimensions for all of your leased structures/fill (i.e. docks, piers, boatlifts, boat ramps, etc.). The dimensions identified below should describe the structures/fill as they exist today. If the list below does not include your authorized structure, please identify the structure(s) in the blank space provided or on a separate page. SEE ATTACHED

Object	Length	Width	Linear Object	Linear Feet	Diameter
Wetland Walkway			Bulkhead		NA
Pier			Rip-Rap		NA
Dock			Transmission Line		
Dock			Pipe Line		
Boat Ramp					
Freestanding Piles	Quantity:		Boat/PWC Lifts	Quantity:	

3. Please provide the distance between the point on your structure which is the farthest channelward and the nearest navigation channel, whether the channel is marked or not:

approx 50' feet.

4. Project Location/Address (so that we can find the property)

Street Address 27698 Sterling Boulevard	
<i>(Please do not use a PO Box or Lot # unless that number is visible somewhere on the property.)</i>	
City/Zip Millsboro, DE 19966	Subdivision Peninsula
Waterbody Lingo Creek and Indian River Bay	Tributary to Atlantic Ocean

5. Please provide directions from the nearest State or county roads (for example, 1.3 miles north of State Route 99 on county road 999). List a permanent landmark if one is nearby.

Take Route 1 South to Rd 258 (Hudson Road) follow Hudson Road, Cool Spring Road and DE5S to Bay Farm Road and proceed to guard station.

6. Please list the name and complete mailing address of the adjacent property owners contiguous to your parcel on all sides (attach extra sheets if necessary).

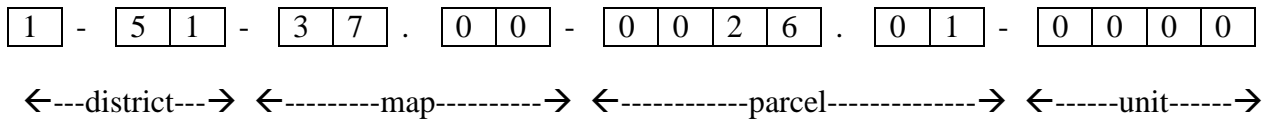
Name Applicant	Name
Street Address	Street Address
City/Zip	City/Zip

7. Please describe the purpose/use of the structure. If it is a dock and/or pier, identify the number of vessels typically berthed there.

Serve the residents of the community for enjoyment of nature, walking, fishing and wildlife viewing.

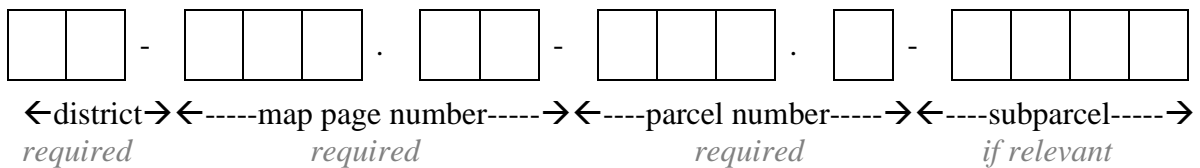
8. Please fill in your County Tax Parcel Number. If you do not know the number contact your County's Recorder of Deeds at the phone numbers provided or find the information online from your counties website. See the example, below.

Example based on the fictitious tax parcel identification number "1-51-37-26.1" from Sussex County:



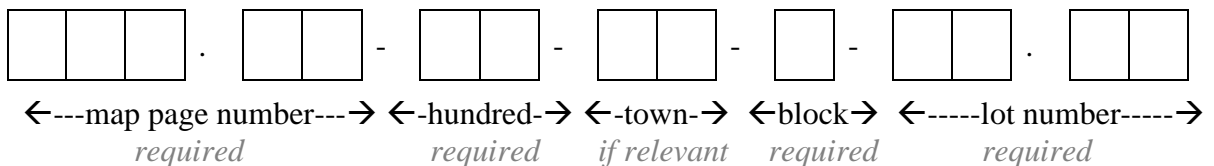
**New Castle County:** (302) 395-7700

<http://www.nccde.org/parcelview/>



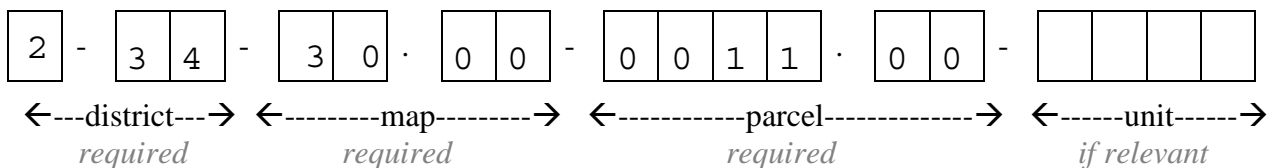
**Kent County:** (302) 744-2300

<http://400.co.kent.de.us/PropInfo/PIMap.HTM>



**Sussex County:** (302) 855-7600

<http://www.sussexcountyde.gov/e-service/propertytaxes/>



9. Applicant Signature and Certification

I hereby certify that the information on this form and the attached plans are true and accurate to the best of my knowledge. I understand that DNREC may request additional information as necessary to consider this application. I grant permission for the authorized DNREC representative(s) to enter upon the premises for the purpose of inspecting the leased structures during working hours. I will abide by all conditions of the reauthorized lease.

Thomas J Tipton 2-5-24  
Applicant Signature Date

The Peninsula Community Association  
Applicant Name (Printed or Typed)

\_\_\_\_\_  
Co-Applicant Signature Date

\_\_\_\_\_  
Co-Applicant Name (Printed or Typed)

10. Agent Authorization

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

I, Peninsula Community Association, hereby designate and authorize James McCulley/Watershed Eco LLC  
Applicant Name of Agent

to act on my behalf in the processing of the application and to furnish any information that is requested.

James McCulley 2/2/24  
Applicant Signature Date

\_\_\_\_\_  
Agent Signature Date

## **FINAL CHECKLIST**

Please include 2 copies of the following items to complete your application:

1. A copy of your property deed and property survey showing all legal boundaries that abut the leased structure(s)/fill.
2. A scaled drawing of the existing structure(s)/fill location. Include the current configuration with all dimensions, piling, and other significant features. Indicate the approximate location of the mean high tide line and the mean low tide line on your drawing.
3. All pages of this renewal form, after completing and signing (be sure to include the original form with original signatures and a copy).
4. The application fee of \$225.00. Checks should be made payable to the State of Delaware.

Return this application with the above information and fee to the following address:

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

## **TO ACCOMPANY LEASE RENEWAL FOR THE PENINSULA COMMUNITY ASSOCIATION**

### **2. Existing Authorized Structures/Fill**

#### *Piers and Docks:*

- 5' x 155' pier with 35' x 40' viewing platform
- 8' x 74' Pier with 30.8' x 40.5' platform with 5' x 16' gangway and 6.5' x 24' floating dock
- 5' x 63' pier with 701 sf landing with 4' x 3' gangway and 12' x 24' floating dock
- 8' x 14.4' pier with 8' x 24' dock

#### *Walkways:*

- 5' x 192' elevated walkway
- 5' x 111' elevated walkway
- 993 sf elevated walkway

#### *Beach Creation/Breakwaters:*

- 41,088 sf of beach
- 10,978 sf of breakwaters



January 31, 2024

Re: Subaqueous Lands Lease and Wetlands Permit Nos. SL-097/13 and WE-383/14

To Whom it May Concern;

I am writing today to confirm that I am the President of The Peninsula Community Association ("PCA"). As such, I am authorized, at the direction of and on behalf of the Board of Directors, to enter into the lease and permit agreement(s) between the PCA and the Delaware Department of Natural Resources and Environmental Controls for the Subaqueous Lands referenced in the Subaqueous Lands Lease and Wetlands Permit Nos. SL-097/13 and WE-383/14.

We look forward to working with you to renew our lease. Please send all communications through our managing agent, Veronica A. Radalin, Community Manager for the PCA at [vradalin@legumnorman.com](mailto:vradalin@legumnorman.com) or 302-947-2036 and she will ensure that information is relayed to the Board of Directors.

If you have any questions or need additional information, please reach out to Ms. Radalin, who will be happy to assist you.

Sincerely,

A handwritten signature in black ink that reads "Thomas J. Tipton". The signature is written in a cursive, flowing style.

Tom Tipton, President  
The Peninsula Community Association



WETLANDS & SUBAQUEOUS  
LANDS SECTION

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

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

The Peninsula Community Association, Inc.  
Attn.: Tabitha Golt  
26984 Gentle Waters Lane  
Millsboro, DE 19966

JAN 7 2015

RE: Subaqueous Lands Lease and Wetlands Permit Nos. SL-097/13 and WE-383/14 transferring the documents from the Peninsula at Longneck, LLC to The Peninsula Community Association, Inc.

Dear Ms. Golt:

Enclosed is the Subaqueous Lands Lease and Wetlands Permit granted by the State of Delaware transferring Subaqueous Lands Lease No. SL-099/03, Supplemental Approval No. 420/04 and Wetlands Permit No. WE-100/03 from the Peninsula at Longneck, LLC to The Peninsula Community Association. Please read carefully all Special and General Lease and Permit Conditions. The Lessee is responsible to ensure that all conditions are strictly adhered to. Please note that the Subaqueous Lands Lease and Wetlands Permit must be duly recorded in the office of the Recorder of Deeds for Sussex County, Delaware, and evidence of the recordation must be received by this office. The document is not considered valid until it has been properly recorded.

As detailed under the Beach Creation/Breakwaters Heading of the Permit and as specified in Special Condition No. 8, during the term of this Lease, the lessee shall agree to pay the State of Delaware the sum of \$ 13,555.50 per annum for the public subaqueous lands utilized for the Beach Creation – Breakwater structures authorized by the Lease. The lessee shall be billed annually in September.

If you have any questions, please feel free to contact Jim Chaconas.

Sincerely,

A handwritten signature in cursive script that reads "J. Scott Figurski".

J. Scott Figurski  
Acting Section Manager  
Wetlands & Subaqueous Lands Section

c: Kelly Cohee – The Peninsula on the Indian River Bay

*Delaware's good nature depends on you!*





WETLANDS & SUBAQUEOUS  
LAND SECTION

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

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

Subaqueous Lands Lease No.: SL-097/13  
Wetlands Permit: WE-383/14  
Associated Authorizations: SL-099/03,  
SU-420/04, SU-098/06, WE-100/03 &  
WQC-099/03  
Date of Issuance: 11/7/2015  
Tax Parcel Nos.: 2-34-30.00-1.03&1.08

**SUBAQUEOUS LANDS LEASE AND WETLANDS PERMIT  
GRANTED TO THE PENINSULA COMMUNITY ASSOCIATION, INC. TO  
CONTINUE TO UTILIZE THE FOLLOWING STRUCTURES (INCLUDING  
APPURTENANT STRUCTURES) IN THE INDIAN RIVER BAY, LINGO CREEK, AN  
UNNAMED TRIBUTARY TO EMILY GUT AND ADJACENT STATE-REGULATED  
WETLANDS AT THE PENINSULA RESIDENTIAL COMMUNITY IN MILLSBORO,  
SUSSEX COUNTY, DELAWARE**

**PIERS AND DOCKS**

- **COMMUNITY FISHING PIER IN INDIAN RIVER BAY – COMPRISED OF A 5 FOOT WIDE BY 112 FOOT LONG PIER AND A 16 FOOT WIDE BY 30 FOOT LONG DOCK (RE: IMPACT #34 ON SHEET 16.1 OF 62, REV. 3/23/05);**
- **COMMUNITY PIER AT THE EAST END OF STERLING BLVD. – A 225 FOOT LONG PIER WITH 8 FOOT WIDE BY 31 FOOT LONG AND 16 FOOT WIDE BY 30 FOOT LONG SECTIONS OVER TIDAL WETLANDS AND AN 8 FOOT WIDE BY 76 FOOT LONG SECTION OF THE PIER OVER WATER INCLUDING A 16 FOOT LONG BY 30 FOOT LONG SITTING AREA CONNECTED TO A 30 FOOT WIDE BY 37 FOOT LONG PLATFORM AND AN 8 FOOT WIDE BY 20 FOOT LONG GANGWAY CONNECTED TO A 10 FOOT WIDE BY 20 FOOT LONG FLOATING DOCK IN INDIAN RIVER (RE: IMPACT #35 ON SHEET 16.2 OF 62, REV. 3/14/06);**
- **A 3.5 FOOT WIDE BY 20 FOOT LONG GANGWAY CONNECTED TO A 12 FOOT WIDE BY 24 FOOT LONG FLOATING DOCK, BOTH CONNECTED TO A 5 FOOT WIDE BY 100 FOOT LONG WALKWAY AND 24 FOOT BY 25 FOOT HEXAGONAL PLATFORM OVER STATE-REGULATED WETLANDS**

*Delaware's good nature depends on you!*

**(INCLUDING VEGETATED TIDAL MUDFLAT WETLANDS) IN AND ALONG LINGO CREEK (RE: IMPACT #36 ON SHEET 16.3, REV. 10/15/03);**

- **AN 8 FOOT WIDE BY 28 FOOT LONG PIER CONNECTED TO AN 8 FOOT WIDE BY 24 FOOT LONG DOCK IN A POND CONNECTED TO AN UNNAMED TRIBUTARY TO EMILY GUT (RE: IMPACT #37 ON SHEET 16.4 OF 62, DATED 3/14/03).**

**WALKWAYS**

- **A 5 FOOT WIDE BY 405 FOOT LONG ELEVATED COMMUNITY WALKWAY WITH 5 FOOT BY 50 FOOT AND 5 FOOT BY 255 FOOT SECTIONS OVER STATE REGULATED WETLANDS TO ACCESS A DYKE AND NATURE WALK (RE: IMPACT #50, SHEET 17.4, REV. 9/3/03,**
- **A 5 FOOT WIDE BY 311 FOOT LONG ELEVATED WALKWAY WITH A 5 FOOT BY 50 FOOT SECTION AND A 5 FOOT BY 35 FOOT SECTION OVER STATE REGULATED WETLANDS CONNECTED TO A 411 SQUARE FOOT PLATFORM OVER STATE REGULATED WETLANDS (RE: IMPACT #52, SHEET 17.6, REV. 3/21/05);**
- **A 5 FOOT WIDE BY 197 FOOT LONG ELEVATED WALKWAY WITH A 5 FOOT BY 35 FOOT SECTION OVER STATE REGULATED WETLANDS CONNECTED TO A 993 SQUARE FOOT PLATFORM (LANDING) OVER STATE REGULATED WETLANDS (RE: IMPACTS #53 & 53a, SHEET 17.6, REV. 3/21/05);**

**EXCAVATION/FILL**

- **A STORMWATER OUTFALL EXCAVATED FROM 1001 SQUARE FEET OF STATE REGULATED WETLANDS FOR A STORMWATER OUTFALL (RE: IMPACT #23, DETAIL SHEET 13, 13.5);**
- **A BEACH FILL CREATED BY FILLING 1,751 SQUARE FEET OF STATE REGULATED WETLANDS, (RE: IMPACT #55, DETAIL SHEETS 18.1 AND SHEET 18.2, REV. 3/2/06).**

The Peninsula Community Association, Inc.  
SL-097/13 and WE-383/14  
Transfer of Subaqueous Lands Leases SL-099/03, SU-420/04  
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**WETLAND CREATION/ENHANCEMENT**

- **INCREASE THE SIZE OF 6 WETLAND CREATION (WC) AREAS FROM 3.85 ACRES TO 5.26 ACRES, AN INCREASE OF 1.41 ACRES, SHEETS 15.3, 15.4, 15.6 & 15.7, REV. 3/21/05.**

**BEACH CREATION/BREAKWATERS - SUBJECT TO AN ANNUAL LEASE FEE**  
**(RE: IMPACT #55, SHEET 18.1, REVISED 3/2/2006 AND APPROVED ON 11/15/2007**  
**AND CONSTRUCTION PLANS PREPARED BY COASTAL DESIGN AND**  
**CONSTRUCTION, ENTITLED "THE PENINSULA SHORELINE", 3 SHEETS,**  
**APPROVED ON 10/26/2004)**

- **TO MAINTAIN 24,736 SQUARE FEET OF BEACH FILL ON PUBLIC SUBAQUEOUS LANDS AT \$0.10 PER SQUARE FOOT/YEAR OR \$2,473.60 PER ANNUM;**
- **TO MAINTAIN 5,195 SQUARE FEET OF VEGETATED BEACH FILL ON PUBLIC SUBAQUEOUS LANDS AT \$0.02 PER SQUARE FOOT/YEAR OR \$103.90 PER ANNUM;**
- **TO MAINTAIN THREE (3) STONE BREAKWATERS ON 10,978 SQUARE FEET OF PUBLIC SUBAQUEOUS LANDS AT \$1.00 PER SQUARE FOOT/YEAR OR \$10,978.00 PER ANNUM.**

The Peninsula Community Association, Inc.  
Attn.: Tabitha Golt  
26984 Gentle Waters Lane  
Millsboro, DE 19966

Pursuant to the provisions of 7 Del. C. §7205, and the Department's Regulations Governing the Use of Subaqueous Lands and pursuant to the provisions of 7 Del. C. §6604, and the Department's Wetlands Regulations, permission is hereby granted on this 17<sup>th</sup> day of January A.D. 2014<sup>W</sup> to maintain the above-referenced project in accordance with the request dated October 13, 2014 and received by this Division on October 15, 2014 requesting the transfer of Subaqueous Lands Lease No. SL-099/03 and Supplemental Approval No. SU-420/04 from The Peninsula at Longneck, LLC to The Peninsula Community Association, Inc.; including pier and boardwalk construction modifications, received, on March 21, 2006 to reduce impacts to State Wetlands and Subaqueous Lands, and the approved revised plans (19 sheets), approved on January 20, 2004, October 26, 2004 and November 15, 2007.

The Peninsula Community Association, Inc.  
SL-097/13 and WE-383/14  
Transfer of Subaqueous Lands Leases SL-099/03, SU-420/04  
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WHEREAS, the State of Delaware is the owner of ungranted subaqueous lands lying beneath the waters of the Indian River, Lingo Creek and an unnamed tributary to Emily Gut;

WHEREAS, The Peninsula Community Association, Inc., custodian of certain adjoining lands to the Indian River Bay, Lingo Creek and an unnamed tributary to Emily Gut, has requested a Lease transfer in order to maintain the authorized piers, docks, walkways, filled beach area and stone breakwaters in the Indian River;

WHEREAS, pursuant to the provisions of 7 Del. C. §7203 and 7 Del. C. §6604, the Secretary of the Department of Natural Resources and Environmental Control through his duly authorized representative finds that it is not contrary to the public interest if this project is approved subject to the terms and conditions herein set forth.

THIS Wetlands Permit and Subaqueous Lands Lease (Lease) is in accordance with the plans and application submitted to the Department of Natural Resources and Environmental Control, a copies of which are attached hereto and made a part hereof.

THIS Lease shall be valid until January 28, 2024 or so long as the conditions attached to the Lease are adhered to, whichever is the shorter in time. Upon the expiration of this Lease, the Lease shall 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**

- 1. 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.**
2. This Lease represents a transfer of Subaqueous Lands Lease SL-099/03 issued January 29, 2004 and Supplemental Approval SU-420/04 issued November 30, 2004 (with revisions received on March 21, 2006 and approved on November 15, 2007) and Wetlands Permit WE-100/03 from the Peninsula at Long Neck to The Peninsula Community Association, Inc. All special and general conditions contained in this Lease shall supersede conditions set forth in Subaqueous Lands Lease No. SL- 099/03 and SU-420/04 and Wetlands Permit-100/03 which have become null and void.

The Peninsula Community Association, Inc.

SL-097/13 and WE-383/14

Transfer of Subaqueous Lands Leases SL-099/03, SU-420/04

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3. The Peninsula Community Association, Inc. assumes responsibility as "Declarant" recognized in the Declaration of Conservation Easement (Conservation Easement) (see Section 19.B of the Conservation Easement), dated April 27, 2004, between Peninsula at Longneck, L.L.C. and the Sussex County Land Foundation. The Conservation Easement places 239.193 acres of land (aka Easement Area) located at the Peninsula on Indian River Bay into a permanent conservation easement. The Easement Area is depicted on plans entitled the "Conservation Easement Plat, Sussex County, Delaware, The Peninsula on the Indian River Bay" prepared by McCrone Consulting Engineers, and is recorded with the Recorder of Deeds in and for Sussex County, Delaware.
4. No portion of the piers, docks and walkways authorized by this Lease shall exceed the width and length dimensions for that structures identified on Page One of this Lease.
5. In addition to the Beach Creation fill and Breakwaters, the leased area of structures over public subaqueous lands represented by the Community Fishing Pier and the Community Pier at the end of Sterling Blvd. is 3,444 square feet, consisting of the sections of these structures constructed channelward of the mean low water line.
6. The structures shall be maintained so as not to violate the State of Delaware Department of Natural Resources and Environmental Control, "Surface Water Quality Standards" dated June 11, 2011.
7. The leased structures shall be utilized in a way so as not to impair water access to adjoining properties.
8. **During the twenty-year term of this lease the lessee shall agree to pay the State of Delaware the sum of \$13,555.50 per annum for the public subaqueous lands utilized for the Beach Creation – Breakwater structures authorized above. The lessee shall be billed annually in September.**
9. **All lease fees are subject to change pending legislative action.**
10. **During the Lease transfer site inspection an un-authorized personal watercraft berthing platform was observed adjacent to authorized structures. Once this Lease transfer is complete the berthing platform will need to be authorized with a supplemental approval or removed. Please contact the Wetlands and Subaqueous Lands Section to discuss your intention regarding the berthing platform.**

### **GENERAL CONDITIONS**

1. The structures and beach fill on subaqueous lands shall be for the explicit purpose of providing berthing for a water taxi, launching of non-motorized watercraft, community access to Indian River Bay, Lingo Creek and Emily Gut, and community recreation.
2. The work authorized herein shall be completed and maintained in accordance with the terms and conditions of the Department of the Army Permit CENAP-OP-R-200300534-23.
3. The lessee shall at all times comply with all applicable laws and regulations of the Department of Natural Resources and Environmental Control.
4. The structures authorized herein shall be maintained in accordance with the Lease conditions, the final stamped and approved plans, and with the information provided in the Lease application.
5. The conditions contained herein shall be incorporated into any and all construction contracts associated with above-water maintenance of the structures authorized herein. The lessee and/or contractor are responsible to ensure that the workers executing maintenance have full knowledge of, and abide by, the terms and conditions of this Lease.
6. The lessee shall protect and save the State of Delaware harmless from any loss, cost or damage resulting from the structures or activities authorized herein.
7. The issuance of this Lease does not constitute approval for the authorized structures that may be required by any other local, state or federal governmental agency.
8. 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.
9. This Lease does not authorize any repairs additions, or modifications to the existing structures authorized herein. Such activities require separate written authorization from the Department of Natural Resources and Environmental Control.
10. Representatives of the Department of Natural Resources and Environmental Control shall be allowed to access the property to inspect the leased structures, collect any samples or conduct any tests that are deemed necessary.
11. All construction materials, waste or debris associated with maintenance of the authorized structures shall be properly disposed of and contained at all times to prevent its entry into waters or wetlands.

12. The lessee and contractor shall employ measures to prevent spills of fuels, lubricants or other hazardous substances associated with the use or above water maintenance of the pier or dock. In the event of a spill, the lessee and contractor shall make every effort to stop the leak and contain the spill, and shall immediately contact the Hazardous Spill Response Team (HAZMAT) at 1-800-662-8802 and this office at (302) 739-9943. The lessee and contractor are responsible to comply with all directives to contain and clean up the spilled material(s) as stipulated by the HAZMAT team, and to restore the site as may be required by this office.
13. Disturbance of subaqueous lands or wetlands adjacent to the leased structures or activities is prohibited.
14. 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.
15. The lessee shall maintain all authorized structures in a good and safe condition.
16. 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.
17. Any actions, operations or installations which are found by the Department to be contrary to the public interest may constitute reason for the discontinuance and/or removal of said action, operation or installation. Removal and restoration shall be at the expense of the lessee and/or upland property owner within thirty (30) days of receipt of written notice of revocation and demand for removal.
18. 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.
19. Application for renewal must be submitted prior to the expiration date of this Lease.
20. Failure to comply with any of the terms or conditions of this Lease may result in enforcement action, which could include the revocation of this Lease and subsequent restoration of the site to pre-construction conditions.

The Peninsula Community Association, Inc.  
SL-097/13 and WE-383/14  
Transfer of Subaqueous Lands Leases SL-099/03, SU-420/04  
Page 8 of 8

IN WITNESS WHEREOF, I, Tabitha Golt, representing The Peninsula Community Association, Inc., have caused this instrument to be executed on this 26<sup>th</sup> day of November, 2014.

KELLY COHEE  
NOTARY PUBLIC  
STATE OF DELAWARE  
My commission expires Dec. 30, 2015

By: Tabitha L. Golt  
Tabitha Golt representing The Peninsula Community Association, Inc.,

Kelly Cohee  
Notary Public  
Kelly Cohee

(Notary Seal)

IN WITNESS WHEREOF, I, David S. Small, Secretary, Department of Natural Resources and Environmental Control, have hereunto set my hand this 7 day of January, 2014. 2015 SNS

David S. Small  
David S. Small, Secretary  
Department of Natural Resources  
and Environmental Control





THE PENINSULA  
MR RPC SUBDIVISION



REMOVED  
2 3 2003  
STONE OUTLET  
PROTECTION  
(36" DEPTH)

IMPACTS: 23  
RIP-RAP = 17.3 C.Y. (0.0073 AC.) (NTW)  
EXCAVATION = 455.0 C.Y. (0.040 AC.) (NTW)  
EXCAVATION = 12.6 C.Y. (0.023 AC.) (TIDAL)  
INCLUDES EXCAVATION FOR RIP-RAP.

REVISED 10/13/03  
REVISED 9/3/03

**McCRONE**  
ENGINEERING • ENVIRONMENTAL SCIENCES  
LAND PLANNING & SURVEYING  
CONSTRUCTION SERVICES

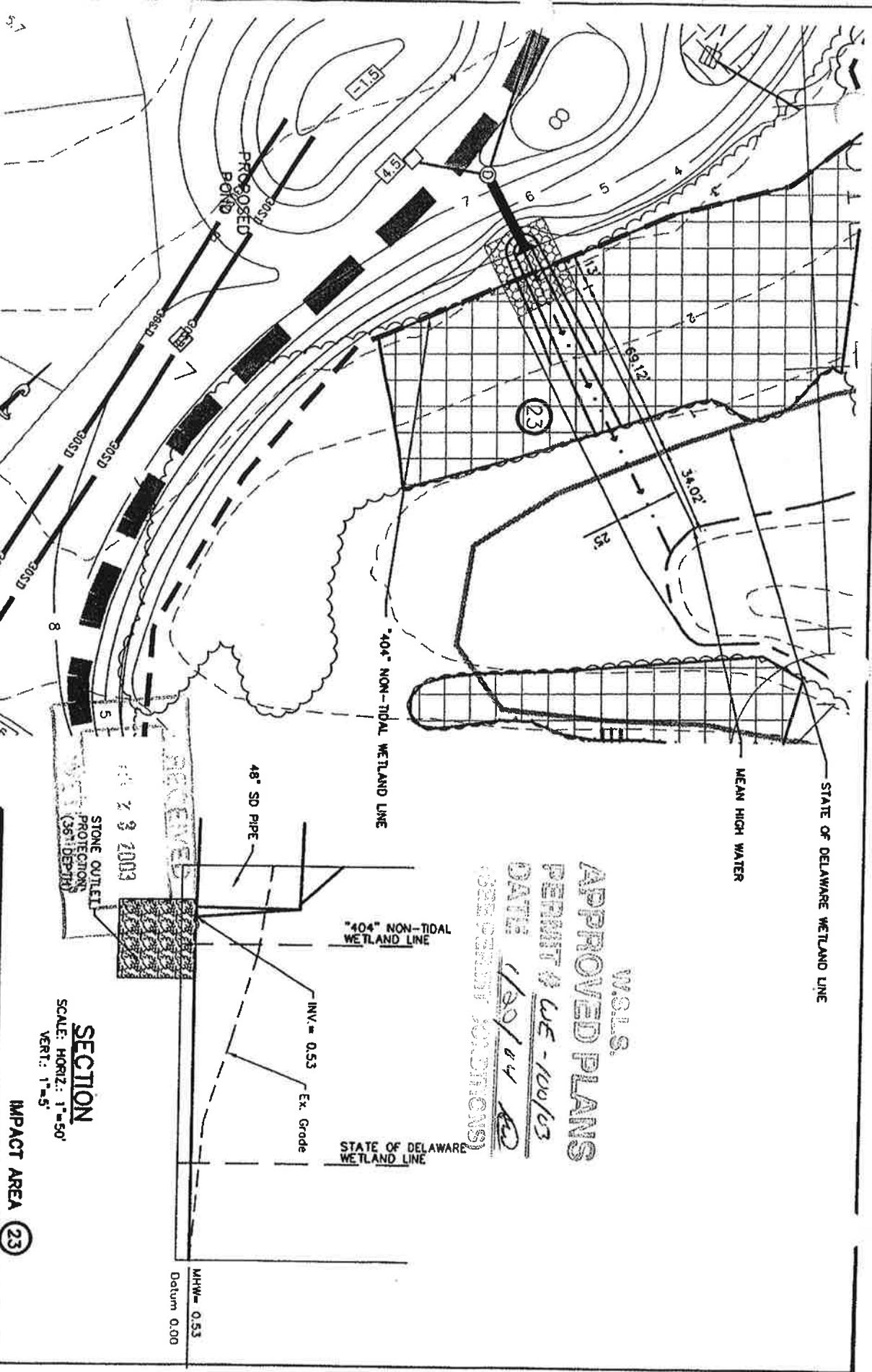
119 NANTOR MILL ROAD  
BLDG 1, SUITE 6  
SAUSURRY, MARYLAND  
(410) 548-1492  
mccrone@dmv.com

Copyright 2002

DRAWN BY	ML
SCALE	1"=50'
DATE	3/14/03
JOB NO.	D2020072
SHEET No.	13.5 of 62

SECTION  
SCALE: HORIZ.: 1"=50'  
VERT.: 1"=5'

IMPACT AREA 23



W.S.L.S.  
**APPROVED PLANS**  
PERMIT # CE-100/03  
DATE 1/20/04  
(SEE PERMIT CONDITIONS)

MHW = 0.53  
Datum 0.00

INV. = 0.53

Ex. Grade

48" SD PIPE

MEAN HIGH WATER

STATE OF DELAWARE WETLAND LINE

STATE OF DELAWARE WETLAND LINE

"404" NON-TIDAL WETLAND LINE

"404" NON-TIDAL WETLAND LINE

23

-1.9

4.5

7

9

5

4

4

2

13

23

23

8

5

5

8

8

5

5

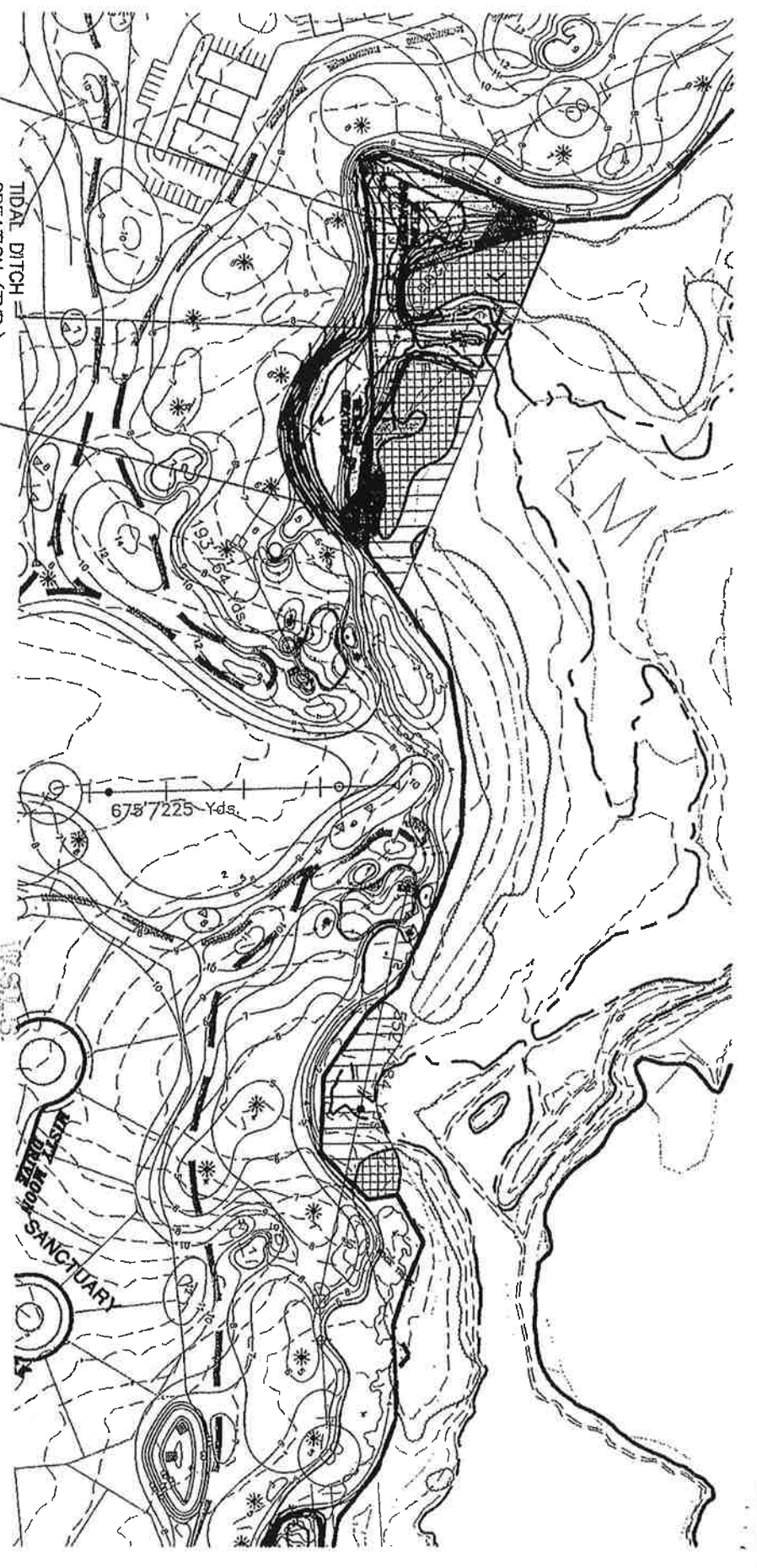
5

5

5

5

5



PROPOSED WETLAND  
ENHANCEMENT = ~~39491 S.F.~~ 38,333 S.F.±  
(0.8765 AC.±)

**32B**

PROPOSED TIDAL WETLAND  
CREATION = ~~4792 S.F.~~ 17,860 S.F.±  
(0.41 AC.±)

**32A**

RECEIVED  
MAR 21 2006  
WETLANDS



APPROVED PLANS  
NOV 15 2007  
DATE



THE PENINSULA  
MR RPC SUBDIVISION  
WETLAND CREATION/ENHANCEMENT PLAN

REVISED 12/2/03  
REVISED 10/15/03  
REVISED 5/1/03

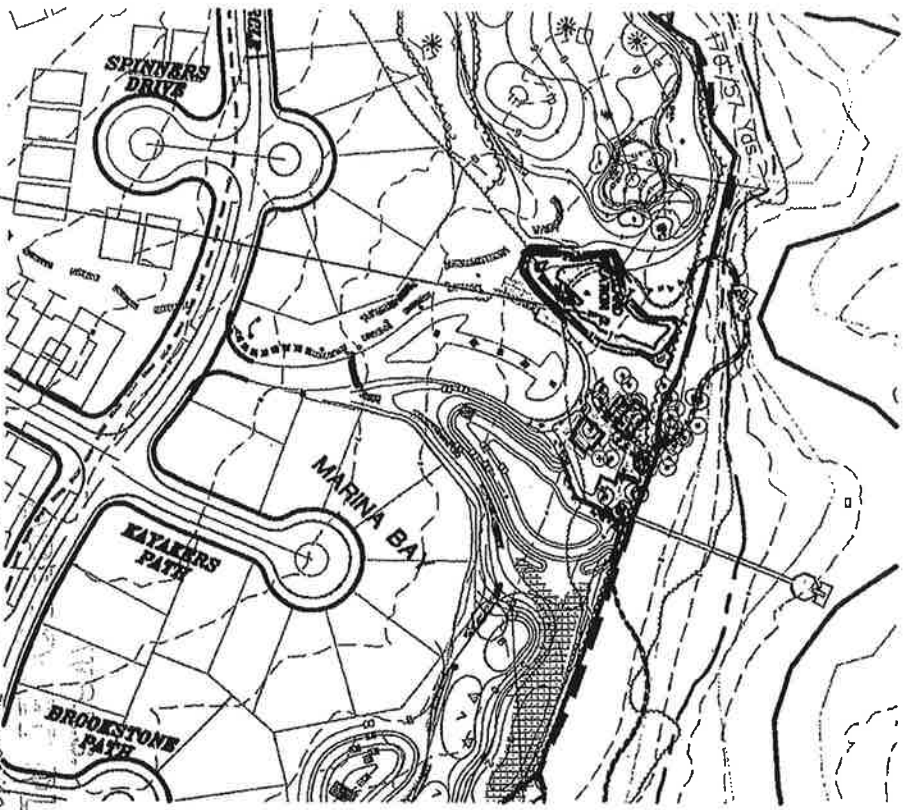
**MICCRONE**  
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CONSTRUCTION SERVICES

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BLOD 1, SUITE 6  
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(410) 548-1492  
miccral@driv.com

DRAWN BY ML  
SCALE 1"=200'  
DATE 3/14/03  
JOB NO. D2020072  
SHEET No. 15.3 of 62

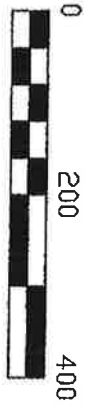
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PROPOSED WETLAND  
CREATION  
= 10,432 S.F. ± (0.24 AC. ±)  
10,432 S.F. ± (0.24 AC. ±)

29



RECEIVED  
MAR 21 2006  
WETLANDS

NOV 15 2007

33

PROPOSED FORESTED  
WETLAND CREATION  
= 92,471 S.F. ± (118,483 S.F. ±)  
(2.12 AC. ±) (2.72 AC. ±)



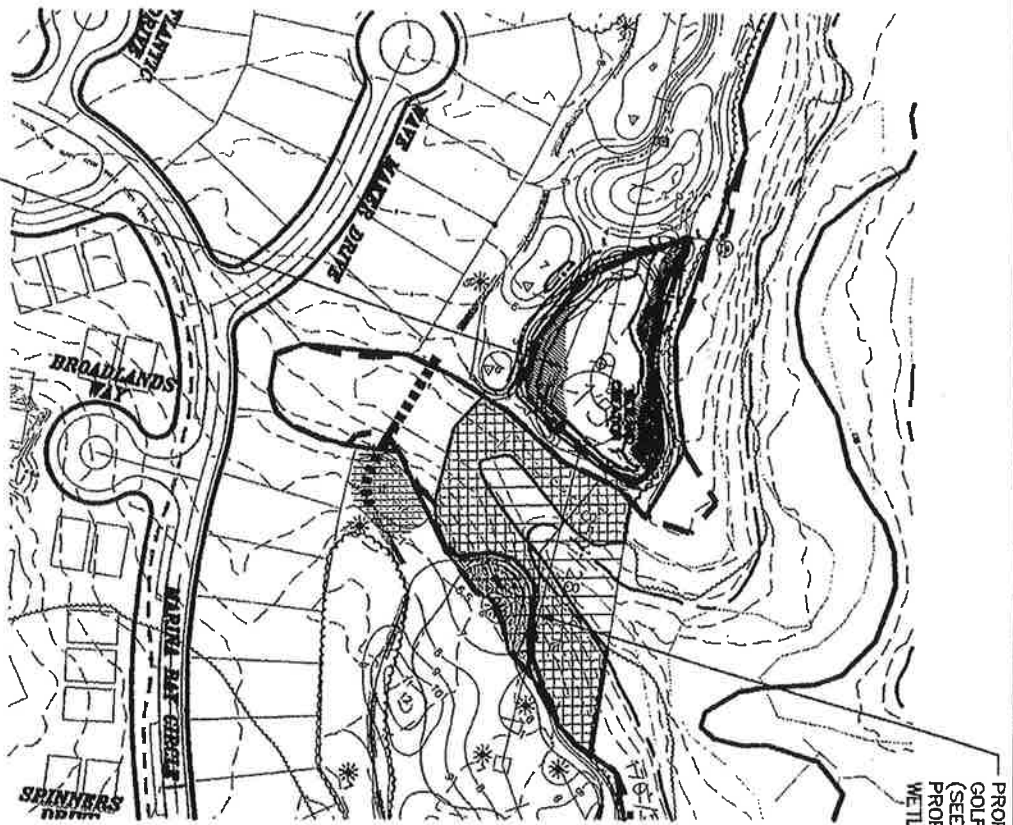
THE PENINSULA  
MR RPC SUBDIVISION  
WETLAND CREATION/ENHANCEMENT PLAN  
REVISED 12/2/03  
REVISED 10/15/03  
REVISED 9/3/03  
REVISED 5/1/03

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DATE 3/14/03  
JOB NO. D2020072  
SHEET No. 15.4 of 62



PROPOSED  
GOLF BULKHEAD  
(SEE SHEET 14,  
PROPOSED NON-TIDAL  
WETLAND FILL)

PROPOSED  
WETLAND CREATION  
= ~~23958 S.F.F.~~ 27,219 S.F.F.  
(~~0.55 AC.F.~~) (0.62 AC.F.)

71

PROPOSED PLANS  
3/10/05, 5/4/05/04  
SUSSEX, WETLANDS

NOV 15 2007 & 3:00 AM



PROPOSED  
WETLAND CREATION  
= ~~22976 S.F.F.~~ 39,255 S.F.F.  
(~~0.52 AC.F.~~) (0.90 AC.F.)

70

THE PENINSULA  
MR RPC SUBDIVISION  
WETLAND CREATION/ENHANCEMENT PLAN

REMOVED 12/2/03  
REMOVED 10/15/03  
REMOVED 5/1/03  
REVISED 3/21/05



RECEIVED  
MAR 21 2006

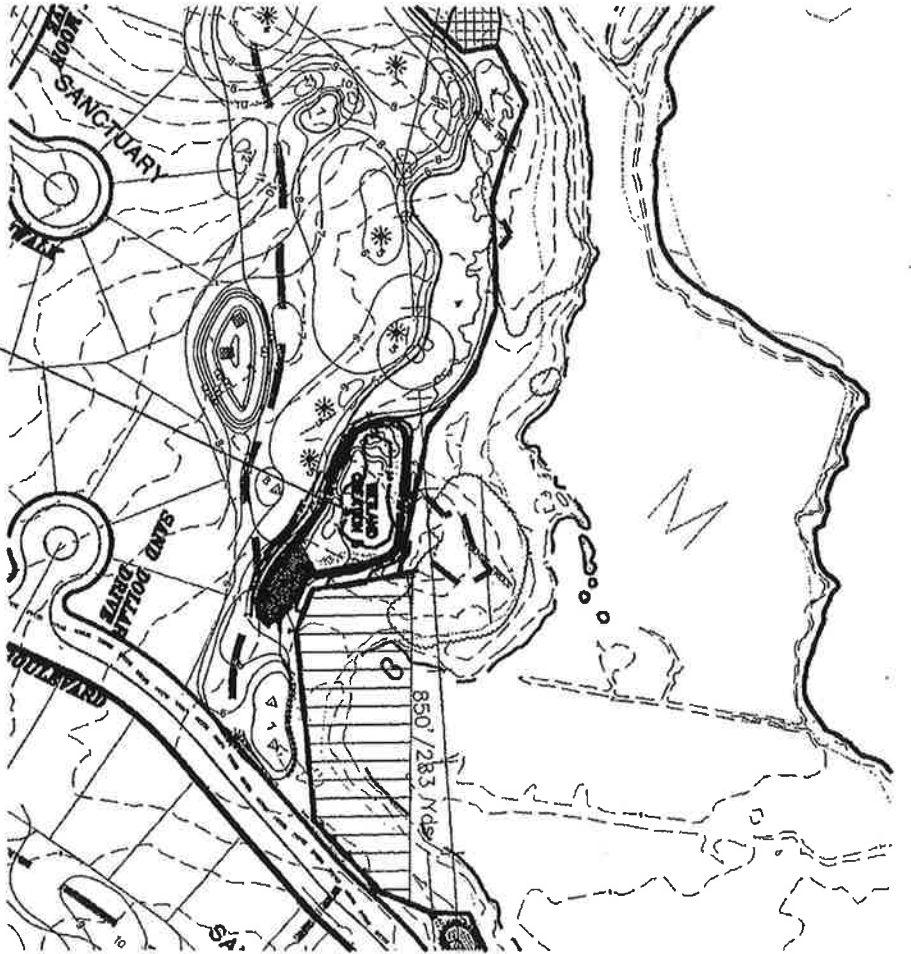
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DATE 3/14/03  
JOB NO. D2020072  
SHEET No. 15.6 of 62

WETLANDS  
 MAR 21 2008  
 RECEIVED



PROPOSED WETLAND  
 CREATION  
 = ~~41764 S.F.~~ 16,171 S.F.  
 (0.27 AC.) (0.37 AC.F.)

31

APPRD  
 SLO 99.03, 50420/04  
 PERMITS 50098/06 WET 100/03  
 DATE Nov 15 2007 J for AN



THE PENINSULA  
 MR RPC SUBDIVISION  
 WETLAND CREATION/ENHANCEMENT PLAN  
 REVISED 12/2/03  
 REVISED 10/15/03  
 REVISED 5/1/03

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 mcsal@mcrr.com

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DRAWN BY	ML
SCALE	1"=200'
DATE	3/14/03
JOB NO.	D2020072
SHEET No.	15.7 of 62

Restoration of the low marsh wetland (mapped M) has eroded away at this shoreline 5/6/2013 see

STATE OF DELAWARE WETLAND LINE  
 MEAN HIGH WATER  
 MEAN LOW WATER

PROPOSED COMMUNITY PIER  
 (IMPACT: ~~0.0555~~ AC. (TIDAL) 0.0237 AC.  
 (STATE: 150 S.F. (0.0034 AC.)  
 (SUBAQUEOUS: ~~2475~~ S.F. (~~0.0499~~ AC.)  
 885 S.F. (0.0203 AC.)



APPROVED PLANS  
 PERMIT NO. 2008/03 50426/04  
 DATE: Nov 15 2007 JC for AM  
 (OPERATING CONDITIONS) INDIAN RIVER BAY

APPROVED  
 MAR 21 2008  
 404' NON-TIDAL WETLAND LINE



THE PENINSULA  
 MR RPC SUBDIVISION

REVISED 3/23/05  
 REVISED 10/15/03  
 REVISED 9/3/03

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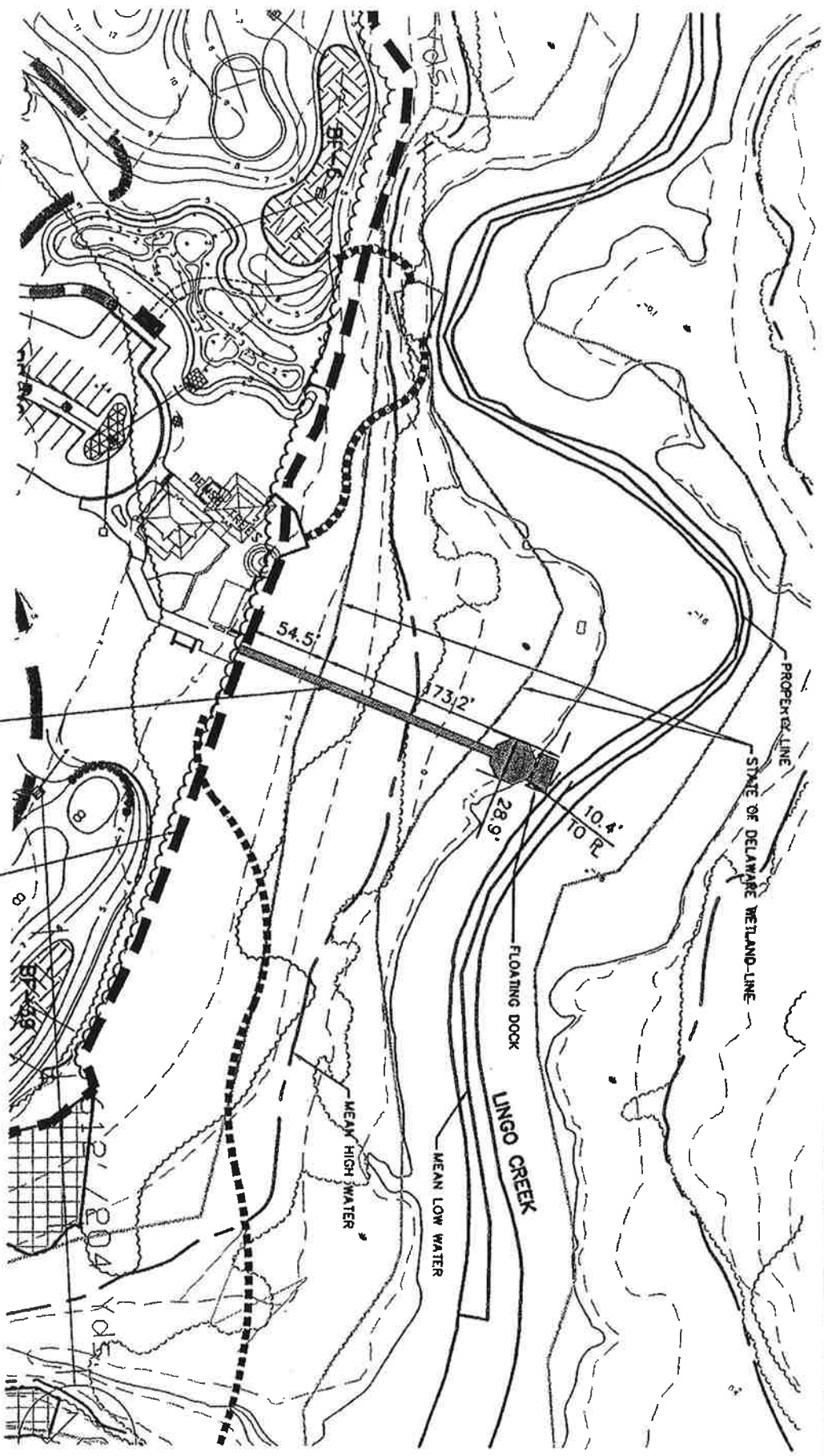
DRAWN BY	ML
SCALE	1"=50'
DATE	11/19/03
JOB NO.	D2020072
SHEET No.	16.1 of 62





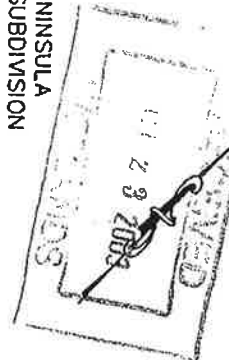






THE PENINSULA  
MR RPC SUBDIVISION

0 100' 200'



PROPOSED COMMUNITY PIER —  
(IMPACTS: 0.0062 AC. (NTW)  
0.0376 AC. (TIDAL)  
{STATE: 335 S.F. (0.0077 AC.)  
{SUBAQUEOUS: 30201 SF (0.0299 AC.)

APPROVED PLANS

ST. 099/03

1/29/04

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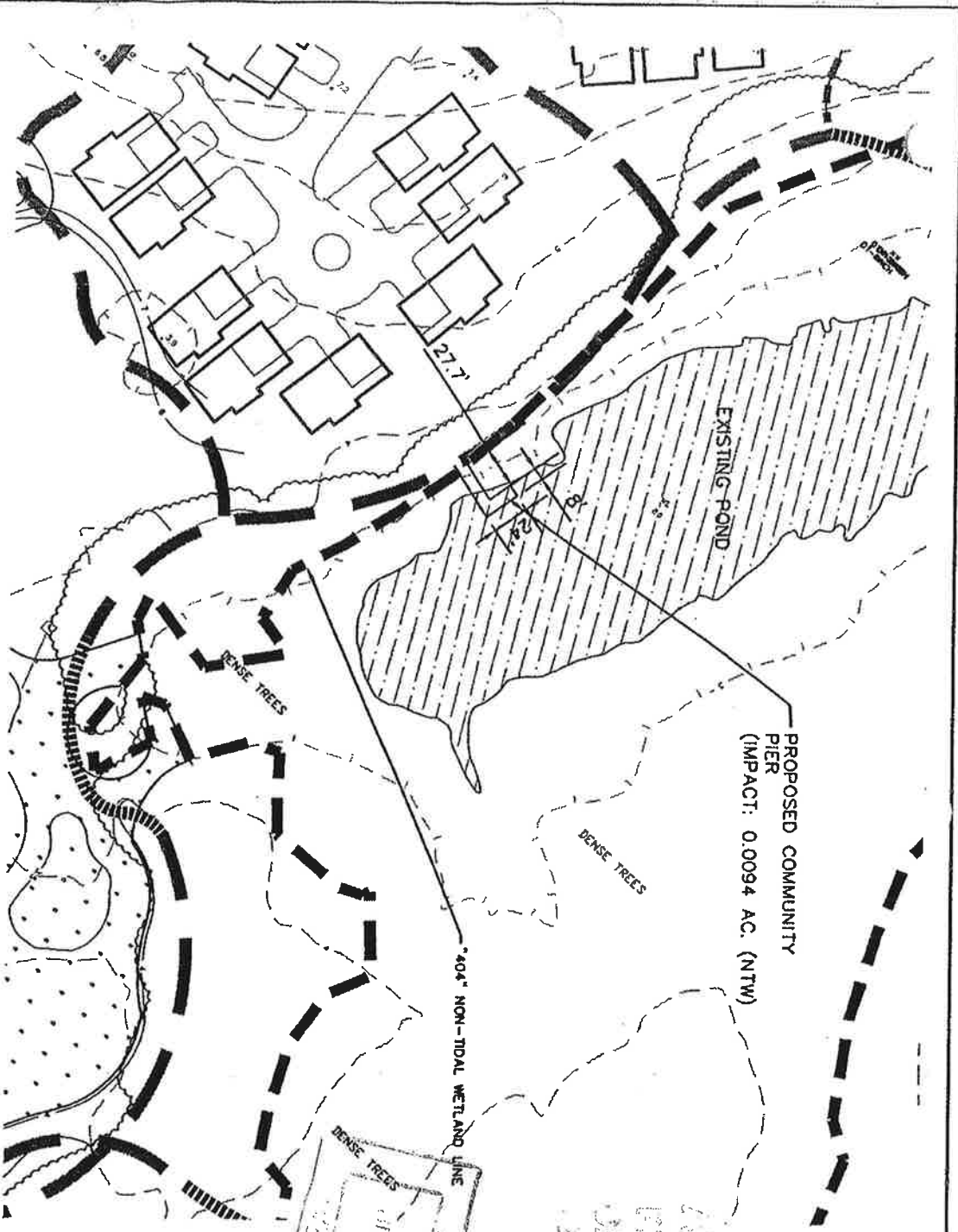
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REVISIONS:  
REVISED 10/15/03  
REVISED 9/3/03  
REVISED 5/1/03

PIER 56

DRAWN BY ML  
SCALE 1"=100'  
DATE 3/14/03  
JOB NO. 02020072  
SHEET No. 16.3 of 62



PROPOSED COMMUNITY PIER  
(IMPACT: 0.0094 AC. (NTW))

W.C.S.  
**APPROVED PLAN**  
DATE: 3/14/03  
BY: [Signature]  
(SEE NOTES FOR CONDITIONS)

WETLANDS  
DATE: 3/14/03  
BY: [Signature]

THE PENINSULA  
MR RPC SUBDIVISION

0 100' 200'

PLANSHEET: 01/20/03 2:10 PM (w:\projects\peninsula\mr\_rpc\plansheet-31.dwg), 10/16/2003 12:50:26 PM, (HPROSS\Cannon\_R2200-3300\_PCS5\_Letter\_11:00

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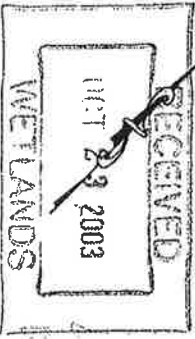
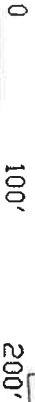
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PIER **5A**

DRAWN BY	ML
SCALE	1"=100'
DATE	3/14/03
JOB NO.	D2020072
SHEET No.	16.4 of 62

THE PENINSULA  
MR RPC SUBDIVISION



STATE OF DELAWARE  
WETLAND LINE

404' NON-TIDAL  
WETLAND LINE

5' WIDE COMMUNITY WALKWAY  
IMPACT:  
LENGTH = 252' L.F. (NTW)  
0.0289 AC. (NTW)  
LENGTH = 350' L.F. (TIDAL)  
0.0402 AC. (TIDAL)

PROPOSED NATURAL  
SURFACE TRAIL

W.O.S.

VIEWING PLATFORM  
IMPACT: 0.0018 AC. (NTW)  
IMPACT: 0.0017 AC. (TIDAL)  
SEE DETAIL, SHEET 17.9

IMPACT AREA - BOARDWALKS [50] & [500]

REVISED 9/3/03

APPROVED PLANS  
1/30/04  
1/30/03

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SCALE 1"=100'

DATE 3/14/03

JOB NO. D2020072

SHEET NO. 17.4 of 62

40'± NON-TIDAL WETLAND LINE

LANDING  
 IMPACT: 0.0228 AC. (TIDAL)  
 (SUBAQUEOUS: 993 S.F. (0.0228 AC.))

53d

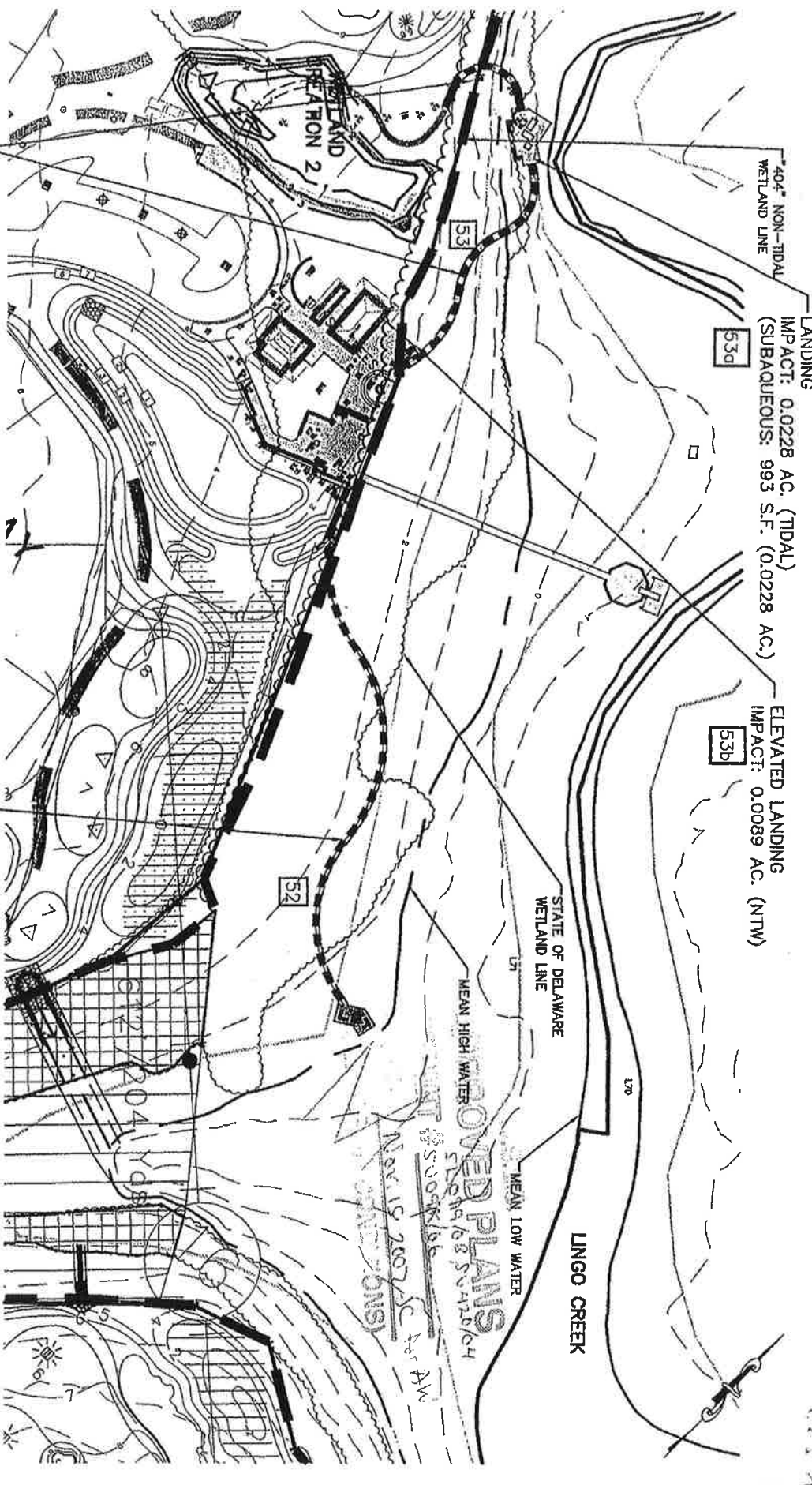
ELEVATED LANDING  
 IMPACT: 0.0089 AC. (NTW)

53b

STATE OF DELAWARE WETLAND LINE

MEAN HIGH WATER  
 MEAN LOW WATER

LINGO CREEK



5' WIDE COMMUNITY WALKWAY

53

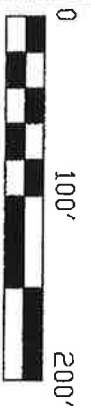
IMPACT: 61 L.F. (NTW)  
 LENGTH= 0.0070 AC. (NTW)  
 LENGTH= 138 L.F. (TIDAL)  
 0.0156 AC. (TIDAL)  
 (STATE: 125 S.F. (0.0029 AC.))  
 (SUBAQUEOUS: 555 S.F. (0.0127 AC.))

5' WIDE COMMUNITY WALKWAY

52

IMPACT: 242 L.F. (NTW)  
 LENGTH= 60278 AC. (NTW)  
 LENGTH= 327 L.F. (TIDAL)  
 0.0375 AC. (TIDAL)  
 (STATE: 675 S.F. (0.0155 AC.))  
 (SUBAQUEOUS: 960 S.F. (0.0220 AC.))

THE PENINSULA  
 MR RPC SUBDIVISION



NOV 15 2003  
 11:50 AM

COVERED PLANS  
 NOV 15 2003  
 11:50 AM

REVISED 10/15/03  
 REVISED 9/3/03  
 REVISED 5/1/03  
 IMPACT AREA - BOARDWALK 52 & 53

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 SCALE 1"=100'  
 DATE 3/14/03  
 JOB NO. D2020072  
 SHEET No. 17.6 of 62

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**LEGEND**

-  - SUBAQUEOUS (COE SECTION 10 WATERS) - BETWEEN MLW AND MHW
-  - DE STATE WETLAND (PORTION OF 404 WETLAND)
-  - 404 NON-TIDAL WETLAND
-  - VEGETATIVE BEACH

**COMMUNITY BEACH EXPANSION [55A]**

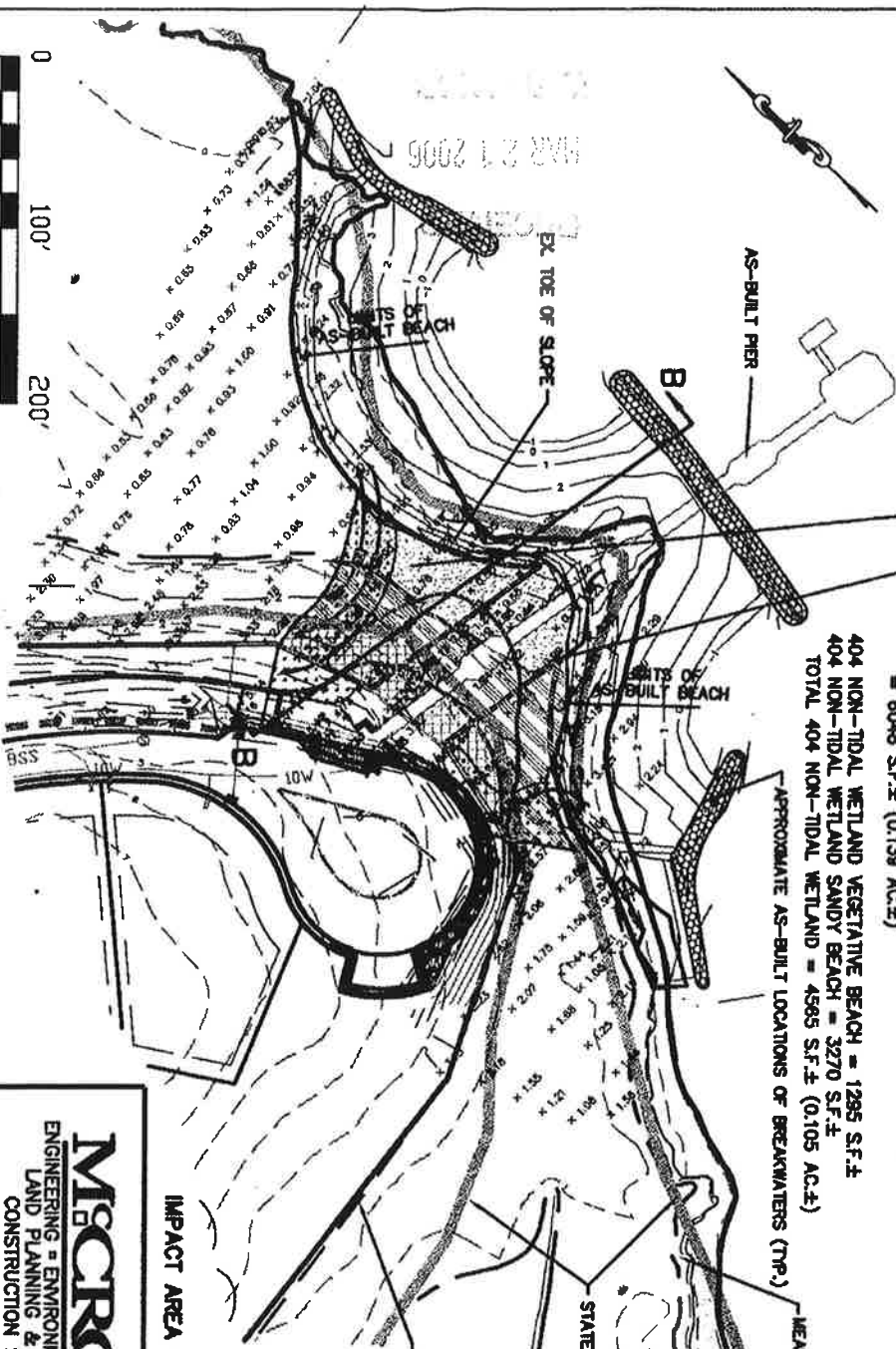
- IMPACTS: 16082 S.F. TOTAL (0.37 AC.)
- 0.139 AC.± (8048 S.F. STATE (PORTION OF 404 WETLAND))
- 0.128 AC.± (5489 S.F. SUBAQUEOUS (COE SECTION 10 WATERS))
- 0.105 AC.± (4565 S.F. 404 NON-TIDAL)
- SUBAQUEOUS (COE SECTION 10 WATERS)
- VEGETATIVE BEACH = 886 S.F.±
- SUBAQUEOUS (COE SECTION 10 WATERS)
- SANDY BEACH = 4583 S.F.±
- TOTAL SUBAQUEOUS (COE SECTION 10 WATERS) = 5489 S.F.± (0.126 AC.±)
- DE STATE WETLAND (PORTION OF 404 WETLAND)
- VEGETATIVE BEACH = 1914 S.F.±
- DE STATE WETLAND (PORTION OF 404 WETLAND)
- SANDY BEACH = 4134 S.F.±
- TOTAL DE STATE WETLAND (PORTION OF 404 WETLAND) = 8048 S.F.± (0.139 AC.±)
- 404 NON-TIDAL WETLAND VEGETATIVE BEACH = 1285 S.F.±
- 404 NON-TIDAL WETLAND SANDY BEACH = 3270 S.F.±
- TOTAL 404 NON-TIDAL WETLAND = 4565 S.F.± (0.105 AC.±)

**THE PENINSULA  
MR RPC SUBDIVISION**

**EXISTING COMMUNITY BEACH [55]**

- IMPACTS: 42,839 S.F. TOTAL 0.98 AC
- 0.04 AC.± (1,751 S.F. STATE)
- 0.94 AC.± (41,088 S.F. SUBAQUEOUS WATERS)
- SANDY BEACH BELOW MLW: 3054 S.F.
- SANDY BEACH BETWEEN MLW & MHW: 20,074 S.F.
- VEGETATIVE BEACH BELOW MLW: 346 S.F.
- VEGETATIVE BEACH BETWEEN MLW & MHW: 17,614 S.F.
- STONE BREAKWATERS
- IMPACTS: 10,978 S.F. TOTAL 0.25 AC
- 0.25 AC.± (10,978 S.F. SUBAQUEOUS WATERS)

**REVISED PLANS**  
NOV 11 2007  
SIGNED  
FOR ALL



VERTICAL DATUM IS BASED ON NAVD 88.  
MLW=0.00 DATUM EQUALS NAVD 88 PLUS 1.80

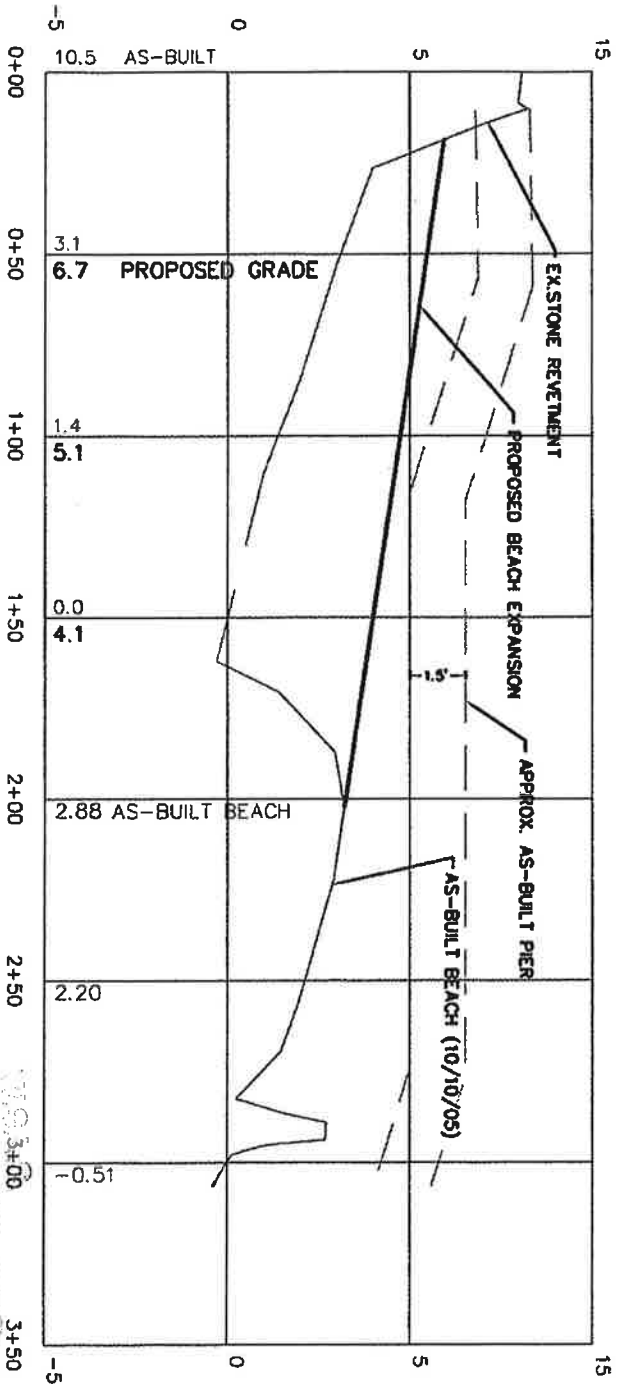
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IMPACT AREA - COMMUNITY BEACH EXPANSION [55A]

REVISED 3/2/06  
REVISED 12/19/03  
REVISED 10/15/03

DRAWN BY: ML  
SCALE: 1"=100'  
DATE: 3/14/03  
JOB NO.: D2020072  
SHEET No.: 18.1 of 62



**SECTION B-B**

SCALE: HORIZ: 1"=50'  
VERT: 1"=5'

*APPROVED PLANS*  
*ST 099/03, SA 128/04*  
*REVISION 5/08/06*  
*DATE Nov. 15, 2007 JC For AW*  
*FOR PERMIT CONDITIONS*

REVISED 3/2/06  
REVISED 12/19/03  
REVISED 10/15/03

RECEIVED  
MAR 21 2006  
COMMUNITY

**IMPACT AREA - COMMUNITY BEACH EXPANSION 55**

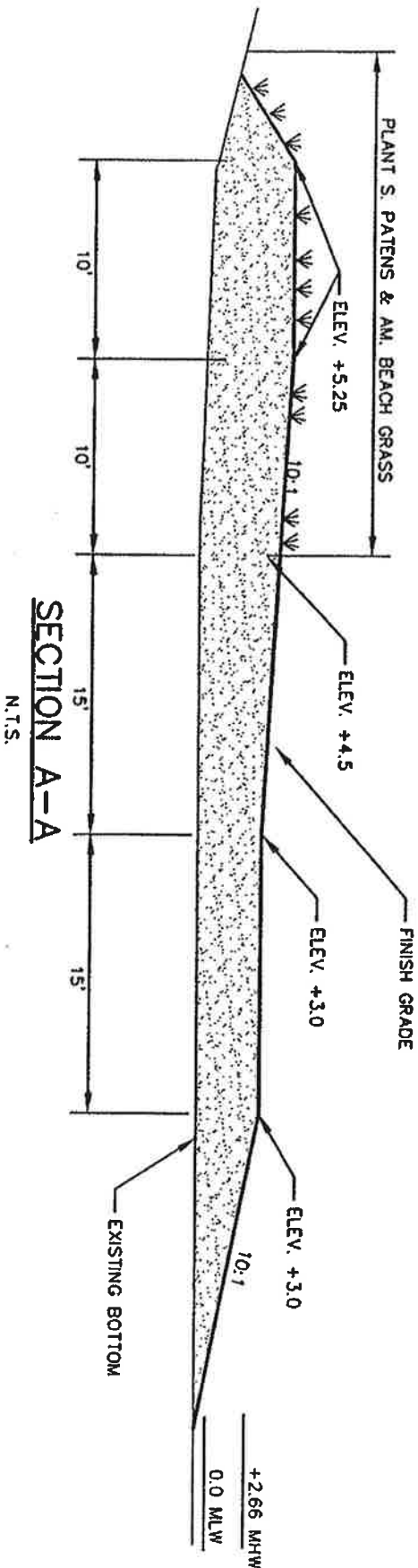
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DATE 3/14/03  
JOB NO. D2020072  
SHEET No. 182 of 62

W.C.S.  
**APPROVED PLANS**  
 PERMIT # SL-089163  
 DATE 1/30/04  
 (SEE EXHIBIT SOLUTIONS)



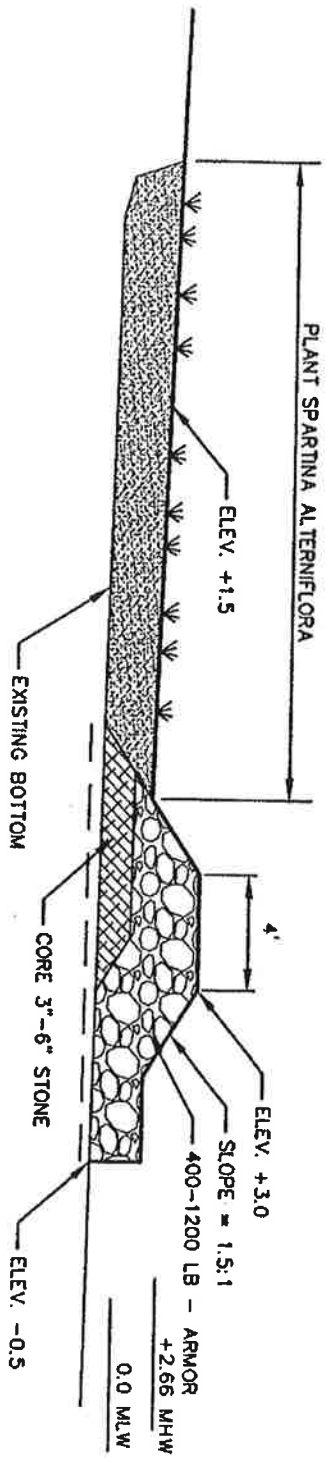
THE PENINSULA  
 MR RPC SUBDIVISION  
 SECTION A-A

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 mccc30@dmy.com

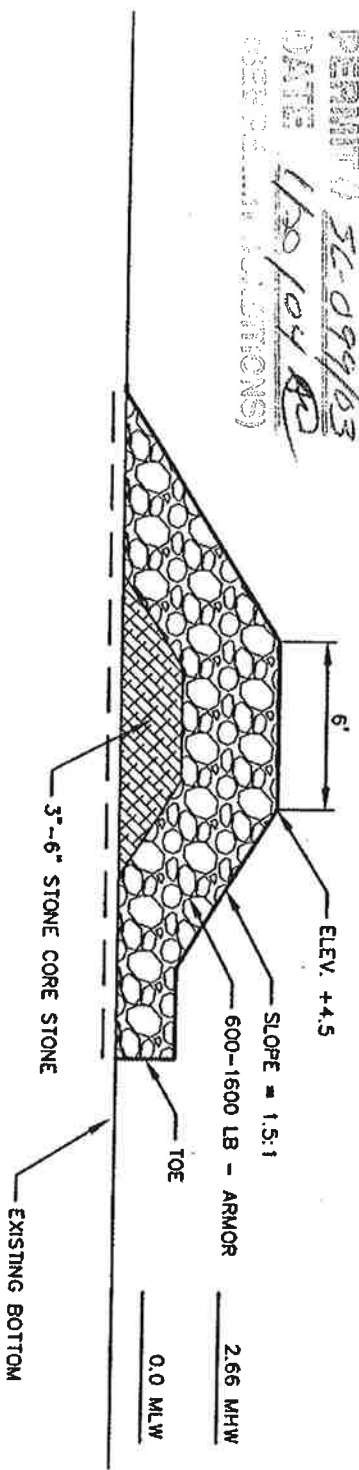
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 SCALE N.T.S.  
 DATE 10/15/03  
 JOB NO. D2020072  
 SHEET No. 18.3 of 62



**SECTION C-C TYPICAL SILL**  
N.T.S.

W.O.I.S.  
**APPROVED PLANS**  
 PERMIT SC-099/03  
 DATE 1/30/04 RD  
 (SEE PLANS FOR CONDITIONS)



**TYPICAL BREAKWATER / SPUR HEAD**

OCT 23 2003  
 MCGCRONE

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 mcsoled@mcc.com

THE PENINSULA  
 MR RPC SUBDIVISION  
**SECTION C-C TYPICAL SILL**  
**TYPICAL BREAKWATER / SPUR HEAD**

DRAWN BY TH  
 SCALE N.T.S.  
 DATE 10/15/03  
 JOB NO. D2020072  
 SHEET No. 18.4 of 62

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The State of Delaware Department of Natural Resources & Environmental Control, Division of Water Resources, issued The Peninsula at Longneck, LLC Subaqueous Lands Lease No.:SL-099/03. The date of issuance was January 29, 2004 and the Lease was recorded in Sussex County on January 30, 2004. Lease Supplemental Approval No. SU-420/04 was issued on November 30, 2004 and was recorded in Sussex County on December 16, 2004.

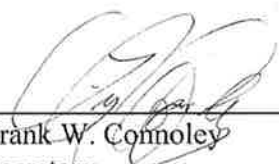
In accordance with Subaqueous Lands Lease Special Condition #6 The Peninsula at Longneck, LLC is transferring the Subaqueous Lands Lease to The Peninsula Community Association, Inc. The Peninsula Community Association agrees to accept the Subaqueous Lands Lease including the rights, privileges and obligations set forth in the Lease and its Supplemental Approval.

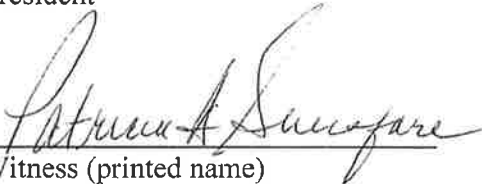
Signed this 24<sup>th</sup> day of April, 2008

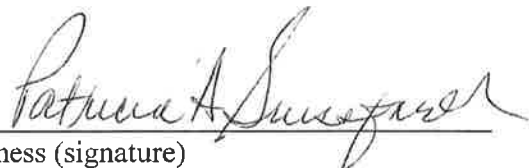
The Peninsula at Longneck, LLC  
By Odyssey Development, Inc.,  
Authorized Agent

The Peninsula Community Association, Inc.

  
\_\_\_\_\_  
Larry A. Goldstein      4/24/08  
President                      Date

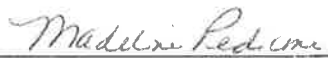
  
\_\_\_\_\_  
Frank W. Connoley      Date  
Secretary

  
\_\_\_\_\_  
Witness (printed name)

  
\_\_\_\_\_  
Witness (signature)

Subscribed and sworn to before me, a Notary Public for the State of Delaware, Sussex County, this 24<sup>th</sup> day of April, 2008

(SEAL)

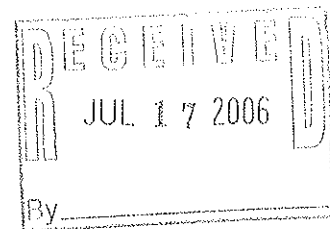
  
\_\_\_\_\_  
Notary Public

My Commission Expires 5/25/2011.



Prep  
By:

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



WETLANDS & SUBAQUEOUS  
LAND SECTION

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

Prep: The Peninsula at Longneck LLC  
468 Bay Farm Rd  
Millsboro Del. 19966

Subaqueous Lands Lease No.: SL-099/03  
Water Quality Certification No.: WQC-099/03  
Associated Wetland Permit No.: WE-100/03  
Date of Issuance: 1/29/04  
Construction Expiration Date: 1/29/09  
Amended Date:  
Tax Parcel No.: 2-34-30-11.00

**SUBAQUEOUS LANDS LEASE**

**GRANTED TO THE PENINSULA AT LONGNECK, LLC., TO CONSTRUCT THE FOLLOWING STRUCTURES IN LINGO'S CREEK AND THE INDIAN RIVER BAY ADJACENT TO THE PENINSULA AT LONGNECK SUBDIVISION AT THE TERMINAL END OF BAY FARM ROAD, MILLSBORO, SUSSEX COUNTY, DELAWARE:**

**PIERS AND DOCKS:**

- A 5 FOOT WIDE BY 155 FOOT LONG PIER AND A 35 FOOT WIDE BY 40 FOOT LONG VIEWING PLATFORM, IMPACT #34, DETAIL SHEET 16.1;
- AN 8 FOOT WIDE BY 74 FOOT LONG PIER WITH A 16 FOOT BY 16 FOOT VIEWING PLATFORM AND A 30.8 FOOT WIDE BY 40.5 FOOT LONG PLATFORM, A 5 FOOT BY 16 FOOT GANGWAY AND A 6.5 FOOT BY 24 FOOT FLOATING DOCK, IMPACT #35, DETAIL SHEET 16.3;
- A 5 FOOT WIDE BY 63 FOOT LONG PIER WITH A 701 SQUARE FOOT LANDING, A 4 FOOT WIDE BY 3 FOOT LONG GANGWAY AND A 12 FOOT WIDE BY 24 FOOT LONG FLOATING DOCK, IMPACT #36, DETAIL SHEET 16.3;
- AN 8 FOOT WIDE BY 14.14 FOOT LONG PIER AND AN 8 FOOT WIDE BY 24 FOOT LONG DOCK, IMPACT #37, DETAIL SHEET 16.4.

**WALKWAYS:**

- A 5 FOOT WIDE BY 192 FOOT LONG ELEVATED WALKWAY, IMPACT #52, DETAIL SHEETS 17.6;
- A 5 FOOT WIDE BY 111 FOOT LONG ELEVATED WALKWAY, IMPACT #53, DETAIL SHEET 17.6;
- A 993 SQUARE FOOT ELEVATED WALKWAY LANDING, IMPACT #53a, DETAIL SHEET 17.6.

*Delaware's good nature depends on you!*

The Peninsula at Longneck, LLC.,  
SL-099/03

Associated Wetland Permit #: WE-100/03  
Associated Water Quality Certification #: WQC-099/03

Page 2 of 7

**BEACH CREATION/BREAKWATERS:**

- TO FILL 41,088 SQUARE FEET OF PUBLIC AND PRIVATE SUBAQUEOUS LANDS FOR THE CREATION OF 0.98 ACRES OF BEACH AREA, IMPACT #55, DETAIL SHEETS 18.1, 18.2, 18.3, 18.4
- TO CONSTRUCT THREE (3) STONE BREAKWATERS CONSISTING OF 10,978 SQUARE FEET OF PUBLIC SUBAQUEOUS LANDS, IMPACT #55, DETAIL SHEETS 18.1, 18.2, 18.3, 18.4.

The Peninsula at Longneck, LLC.,  
c/o Mr. Larry Goldstein  
1495 Chain Bridge Road, Suite 300  
McLean, VA 22101

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 29<sup>th</sup> day of January A.D. 2004, to construct the above-referenced structure in accordance with the revised approved plans, (10 sheets), as approved on November 21, 2003; and application dated 12/31/02 and received by this Division on 4/15/03, with subsequent revisions dated 10/23/03 and received by this Division on 10/23/03.

WHEREAS, the State of Delaware is the owner of ungranted subaqueous lands lying beneath the waters of Lingo's Creek and Indian River Bay;

WHEREAS, The Peninsula at Longneck, LLC. (the Lessee), owner of certain adjoining lands to Lingo's Creek and Indian River Bay, has applied for permission to construct the above referenced structures in Lingo's Creek and Indian River Bay; and

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

THIS approval is in accordance with the plan and application submitted to the Department of Natural Resources and Environmental Control (Department), 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.

The Peninsula at Longneck, LLC,  
SL-099/03

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Page 3 of 7

THIS Lease is issued subject to the following conditions:

**SPECIAL CONDITIONS**

1. 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 construction which may impact subaqueous lands associated with this project. The Lessee and all contractors are responsible to ensure that the workers executing the activities authorized by this Lease have full knowledge of, and abide by, the terms and conditions of this Lease.
2. This Lease shall become valid when it has been duly recorded in the office for the Recorder of Deeds in and for Sussex County, and a copy of the recorded Lease is returned to, and received by, the Department.
3. The Department and the Lessee shall establish a mutually agreeable location of the mean low water line in order to determine an annual lease fee for the total amount of sandy beach fill, vegetated fill, and stone breakwaters constructed on public subaqueous lands (channelward of the mean low water line). The mean low water line and the annual lease fee shall be established prior to the annual billing period beginning in September, 2004 and shall be incorporated into this Lease through the issuance of a Supplemental Approval.
4. The beach creation and breakwater construction authorized under this Lease shall occur between the dates September 1 and December 31 in order to minimize the impacts to summer and winter flounder.
5. No portion of the decking on any dock or pier authorized by this Lease shall exceed the width dimensions for that structure identified on Page One of this Lease. See General Condition No. 1. Modifications may be sought upon application to the Department.
6. Within 3 months of completion of construction of the structures authorized under this Lease, the Lessee shall provide to the Department a schedule for the transfer of this Lease to The Peninsula Community Association, Inc. If the Lessee intends to transfer this Lease to an entity other than the Peninsula Community Association, Inc., prior written approval must be obtained from the Department. Future transfer of this Lease from the Peninsula community Association, Inc., to a new upland property owner requires the prior written consent of the Department. 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 current Lessee.

7. The walkway which connects the upland trail to the upland island and the boardwalk which connects the upland island to the dyke in the tidal marsh are not authorized under this Lease and shall be eliminated from the plans to reduce the impacts to tidal wetlands.
8. The Lessee shall submit final plans for the beach construction for approval by the Department. The beach construction shall not begin until the Lessee has received approval of the final plans from the Department.
9. The current leased area of structure over public subaqueous lands shall not exceed 11,642 square feet, represented by two (2) community piers and two (2) sections of boardwalk constructed channelward of the mean low water line. The leased area of sandy beach fill, vegetated fill, and breakwaters shall be established in accordance with Special Condition No. 1 of this lease, and shall not exceed 41,088 square feet in both public and private subaqueous lands.
10. There shall be no stockpiling of construction material in State-regulated wetlands or subaqueous lands unless otherwise specified on project plans and approved by the Department.
11. There shall be no movement of equipment in subaqueous lands for purposes other than those authorized herein. Any areas of subaqueous lands that are disturbed outside the footprint of construction shall be returned to their preconstruction elevations.
12. The structures leased herein shall be constructed and maintained in such a manner so as not to violate the State of Delaware Department of Natural Resources and Environmental Control "Surface Water Quality Standards," as amended August 11, 1999.
13. This Lease does not authorize any repairs, additions, or modifications to the in-water portions of the structures authorized herein. Such activities require separate written authorization from the Department. Repair or replacement of stringers, decking or other portions of the authorized structures that are above the water do not require prior authorization from the Department.

14. Agreements to place approximately 245 acres of forest and tidal marsh habitat into a permanent conservation easement or other binding mechanism shall be approved by the Sussex County Land Trust Executive Board (or the approval of another non-profit conservation organization acceptable to the Department). Upon receipt of such notification by the Department, the Lessee may proceed with the activities authorized in this Lease. Upon recordation in the land records of Sussex County, a copy of the conservation easement or other binding mechanism shall be provided to the Department. Work on the stormwater outfall, Impact #23, may proceed prior to approval of the conservation easement.
15. All construction debris, excavated material, brush, rocks, and refuse incidental to construction of the leased structure shall be placed above the influence of surface waters.
16. Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the Delaware Erosion and Sediment Control Handbook (1989), so as to minimize entry and dispersal of sediment and other contaminants in surface waters.
17. The work authorized by this permit is subject to the terms and conditions of the attached Department of the Army Permit CENAP-OP-R- 200300534-23.
18. The structures and beach fill on subaqueous lands shall be for the explicit purpose of providing berthing for a water taxi, launching of non-motorized watercraft, community access to Indian River Bay, community recreation, and horseshoe crab habitat, as stated in the application.

#### GENERAL CONDITIONS

1. 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 the Department prior to the initiation of construction. A determination on the need for a supplemental approval will be made by the Department pursuant to the Lessee submitting written notification and revised plans indicating project changes.
2. Representatives of the Department may inspect all work subject to this Lease during any phases of the construction and may collect any samples or conduct any tests that are deemed necessary.
3. This Lease does not certify the structural stability of any of the project units authorized by this Lease.
4. 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.

The Peninsula at Longneck, LLC.,  
SL-099/03

Associated Wetland Permit #: WE-100/03  
Associated Water Quality Certification #: WQC-099/03

Page 6 of 7

5. Any actions, operations or installations which the Department determines adversely impact navigational safety or public safety may constitute a reason for the discontinuance, modification and/or removal, upon prior written notice to the Permittee, of said action, operation or installation authorized by this Lease
6. The Lessee shall maintain any structure on public subaqueous lands in good and safe condition and will defend and hold the State of Delaware harmless from any loss, cost or damage by reason of said structures.
7. The issuance of this Lease does not imply approval of any other part, phase, or portion of any overall project that is not authorized herein.
8. 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 the rights granted herein.
9. This Lease is subject to any applicable 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 which affects the leased premises.
10. This Lease shall expire if the work authorized herein has not been completed within five (5) years from the date of issuance.
11. This Lease is granted to allow the construction and operation of the piers, docks, walkways and beach/breakwaters for use by the residents and guests of the adjacent upland development. Any other use without prior approval of the Department shall constitute reason for this Lease being revoked.
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.
14. Application for the renewal of this Lease 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.

The Peninsula at Longneck, LLC.,  
SL-099/03

Associated Wetland Permit #: WE-100/03  
Associated Water Quality Certification #: WQC-099/03

Page 7 of 7

IN WITNESS WHEREOF, I, Larry Goldstein, Legal representative of the Peninsula at Longneck, LLC., has caused this instrument to be executed on this 28th day of January, 2004.

(Notary Seal)

By: \_\_\_\_\_  
Lessee  
Angela D Boteler  
Notary Public

IN WITNESS WHEREOF, I, John A. Hughes, Secretary, Department of Natural Resources and Environmental Control, have hereunto set my hand this 20th day of January, 2004.

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

RECORDER OF DEEDS  
JOHN F. BRADY  
04 JAN 30 AM 11:20  
SUSSEX COUNTY  
DOC. SURCHARGE PAID





STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES &  
ENVIRONMENTAL CONTROL  
DIVISION OF WATER RESOURCES

WETLANDS & SUBAQUEOUS  
LANDS SECTION

89 KINGS HIGHWAY  
DOVER, DELAWARE 19901

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

JAN 29 2004

The Peninsula at Longneck, LLC.,  
c/o Mr. Larry Goldstein  
1495 Chain Bridge Road, Suite 300  
McLean, VA 22101

**Re: Subaqueous Lands Lease granted to The Peninsula at Longneck, LLC., to construct community piers, docks, elevated walkways, breakwaters and beach creation in Lingo Creek and Indian River Bay adjacent to The Peninsula at Longneck, end of Bay Farm Road, Millsboro, Sussex County, Delaware.**

Dear Mr. Goldstein:

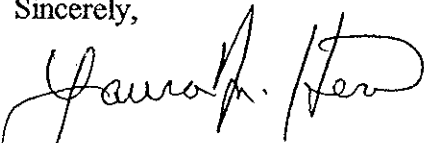
Enclosed is the Subaqueous Lands Lease Approval granted by the State of Delaware. Please read carefully all Special and General Permit Conditions. The Lessee and Contractors are responsible to ensure that all conditions are strictly adhered to. Please pay special attention to Special Condition #1, which requires that the lease be 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 received by, the Department. Secondly, the beach creation and breakwater construction authorized under this Lease shall occur between the dates September 1 and December 31 in order to minimize the impacts to summer and winter flounder. Special Condition #3 requires the Lessee and the Department to establish a mutually agreeable location of the mean low water line to determine annual lease fees for the beach creation project on Public Subaqueous Lands. The mean low water line shall be established prior to the beginning of September, 2004. Special Condition #14 of the Lease requires agreements to place approximately 245 acres of forest and tidal marsh habitat into a permanent conservation easement or other binding mechanism and shall be approved by the Sussex County Land Trust Executive Board (or the approval of another non-profit conservation organization acceptable to the Department). Upon receipt of such notification by the Department, the Lessee may proceed with the activities authorized in this Lease. Upon recordation in the land records of Sussex County, a copy of the conservation easement or other binding mechanism shall be provided to the Department.

*Delaware's good nature depends on you!*

Lastly, the Contractor is required to submit the Contractor's Authorization Form prior to construction and to submit the Contractor's Completion Report within ten (10) days from completion of the approved project.

If you have any questions, please feel free to contact this office at (302) 739-4691.

Sincerely,

A handwritten signature in cursive script, appearing to read "Laura M. Herr".

Laura M. Herr  
Program Manager  
Wetlands & Subaqueous  
Lands Section  
LMH/aww



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES &  
ENVIRONMENTAL CONTROL

DIVISION OF WATER RESOURCES  
89 KINGS HIGHWAY  
DOVER, DELAWARE 19901

WETLANDS & SUBAQUEOUS  
LANDS SECTION

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

**SUBAQUEOUS LANDS LEASE**

**CONTRACTOR'S AUTHORIZATION FORM**

**PRE-CONSTRUCTION**

Name of Lessee: The Peninsula at Longneck, LLC

Subaqueous Lands Lease No: SL-099/03

Approval Date of Approved Plans: 1/20/04

I hereby certify, that I have read and understood all of the special and general conditions of the above-referenced Subaqueous Lands Lease, and that I will construct the project authorized by that Lease in accordance with the approved plans for the project, as referenced on page one of the Lease. I further certify, that a copy of the approved plans shall be available at the project site at all times during construction of the project.

_____	_____
Printed Name of Contractor	Name of Company
_____	_____
Contractor's Signature	Date
_____	
Daytime Telephone Number	

*Prior to construction, this form shall be completed, signed by the contractor, and mailed to the Wetlands and Subaqueous Lands Section at:*

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

*Or faxed to the Wetlands and Subaqueous Lands Section at: 302/739-6304*

*This form must be received by the Department prior to the start of construction. Once the form has been received, the Department will call the contractor's telephone number listed above to confirm receipt.*

*Delaware's good nature depends on you!*



WETLANDS & SUBAQUEOUS  
LANDS SECTION

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

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

## SUBAQUEOUS LANDS LEASE

### CONTRACTOR'S COMPLETION REPORT

#### POST-CONSTRUCTION

Name of Lessee: The Peninsula at Longneck, LLC

Subaqueous Lands Lease No: SL-099/03

Approval Date of Approved Plans: 1/20/04

I hereby certify that I have constructed the project authorized by the above-referenced Subaqueous Lands Lease in accordance with the approved plans for the project, as referenced on page one of the Lease.

\_\_\_\_\_  
Printed Name of Contractor

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Contractor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Daytime Telephone Number

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

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

*Or faxed to the Wetlands and Subaqueous Lands Section at: 302/739-6304*

*This form must be received by the Department within ten days of the date that construction is completed. Once the form has been received, the Department will call the contractor's telephone number listed above to confirm receipt.*

*Delaware's good nature depends on you!*



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

Wetlands and Subaqueous  
Lands Section

Telephone: (302) 739-4691  
Facsimile: (302) 739-6304

**IMPORTANT INSTRUCTIONS FOR LESSEE**

**In order for your lease to become valid, the following steps must be completed.**

**Upon receipt of the lease documents:**

1. **READ** through the lease documents and pay special attention to all special and general conditions. If a lease fee is due, payment must be submitted to this office prior to construction.
2. **SIGN AND NOTARIZE** all three (3) original lease documents on the lines indicated on the last page of each Lease. Please make sure the notary has applied their seal to each copy of the document.
3. **RETURN** all three signed and notarized original lease documents to the Wetlands and Subaqueous Lands Section (WSLS).

Please be advised that unless this office is notified, leases not returned to this office within thirty (30) days will be invalidated and the application returned to the applicant. After the Wetlands and Subaqueous Lands receives the signed and notarized lease documents, the lease is forwarded to the Secretary of the Department of Natural Resources and Environmental Control for signature. After the Secretary has signed the documents, one copy of the fully executed lease will be returned to you to complete the following:

1. **RECORD THE LEASE WITH THE COUNTY** - Take the lease document to the county office of the recorder of deeds and record the lease. The county recorder of deeds requires that you bring the lease which contain the original signatures, not a copy.
2. **RETURN** a copy of the recorded document to the Wetlands and Subaqueous Lands Section for proof of recordation.

*Delaware's good nature depends on you!*

## **CONTRACTOR INSTRUCTIONS:**

**The contractor you select to construct your project must complete the following PRIOR to construction:**

The Contractor must **SIGN AND RETURN** to the WSLs, the Contractor's Pre-Construction Authorization Form confirming that they have read and understood the special and general conditions of your lease. Once the WSLs is in receipt of the pre-construction authorization form, the contractor will be contacted to confirm receipt and construction can begin.

**If you are acting as the Contractor to construct your leased structure:**

Prior to construction, the Lessee must **SIGN AND RETURN** to the WSLs, the Contractor's Pre-Construction Authorization Form confirming that they have read and understood the special and general conditions of your lease. Once the WSLs is in receipt of the pre-construction authorization form, the lessee will be contacted to confirm receipt and construction can begin.

**Once you or your contractor have completed construction of the leased structure, the following must be completed:**

The contractor must **SUBMIT THE CONTRACTOR'S COMPLETION REPORT** to the WSLs within ten (10) days from completion of construction. If the construction was performed by the lessee, the lessee is responsible for submitting the completion report.

**NOTE:** If you indicated the name of the Contractor who will be constructing your project on your permit application form, the Pre and Post Construction Forms have been mailed directly to the contractor. If not, these forms have been included with these instructions.

If you have any questions, please feel free to contact this office at (302) 739-4691.

RECEIVED  
 APR 23 2003  
 THE PENINSULA  
 MR RPC SUBDIVISION

W.S.L.S.  
**APPROVED PLANS**  
 PERMIT # SL-099/03  
 DATE 1/29/04  
 (SEE PERMIT CONDITIONS)

REVISIONS  
 REVISED 10/15/03  
 REVISED 9/3/03

**MICRONTE**  
 ENGINEERING • ENVIRONMENTAL SCIENCES  
 LAND PLANNING & SURVEYING  
 CONSTRUCTION SERVICES

119 HAYDON MILL ROAD  
 SUITE 1, SUITE 6  
 SUDBURY, MARYLAND  
 (410) 548-1492  
 mcsai@dmv.com

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DRAWN BY ML  
 SCALE 1"=100'  
 DATE 3/14/03  
 JOB NO. 02020072  
 SHEET No. 16.1 of 62

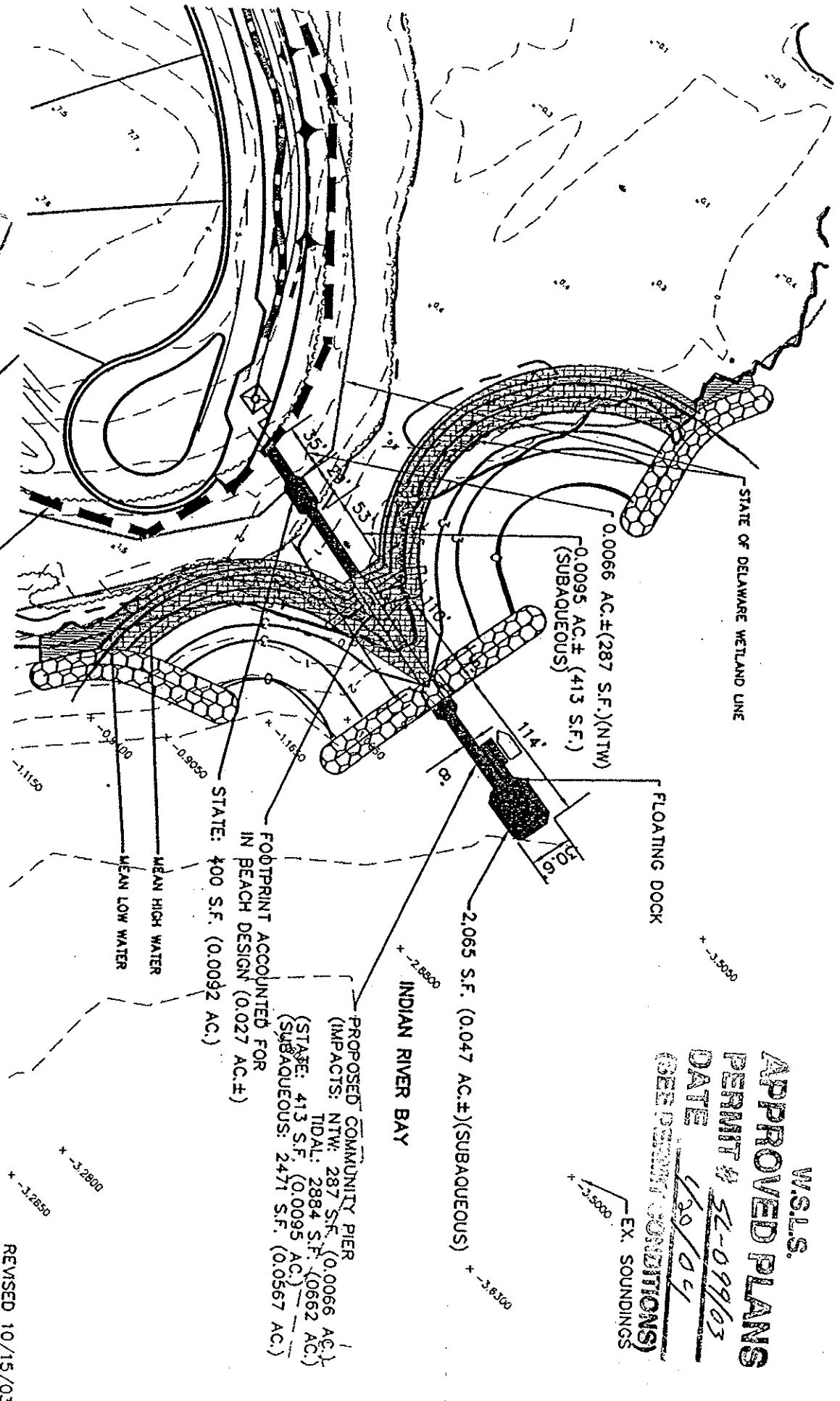


PIER 34

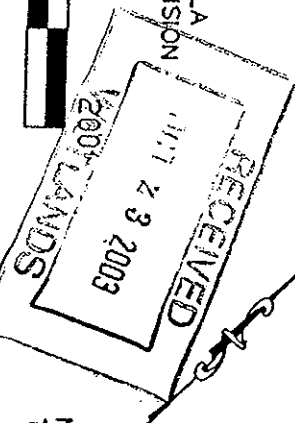
**W.S.L.S.**  
**APPROVED PLANS**

PERMIT # SE-099/03  
 DATE 4/30/04  
 (PERMIT CONDITIONS)

EX. SOUNDINGS



THE PENINSULA  
 MR RPC SUBDIVISION



NOTE: SOUNDINGS BASED ON MLW=0.0  
 THIS SHEET ONLY

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 BLDG. 1, SUITE 6  
 SAUSPORT, MARYLAND  
 (410) 348-1492  
 mcrone@dmv.com

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 DATE 3/14/03  
 JOB NO. 02020072  
 SHEET No. 16.2 of 62

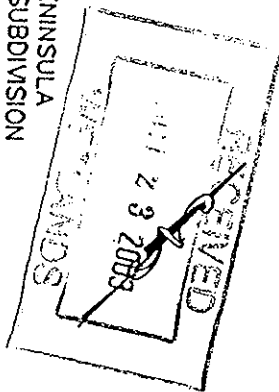
REVISED 10/15/03  
 REVISED 9/3/03  
 REVISED 5/1/03

PIER **55**



THE PENINSULA  
MR RPC SUBDIVISION

100' 200'



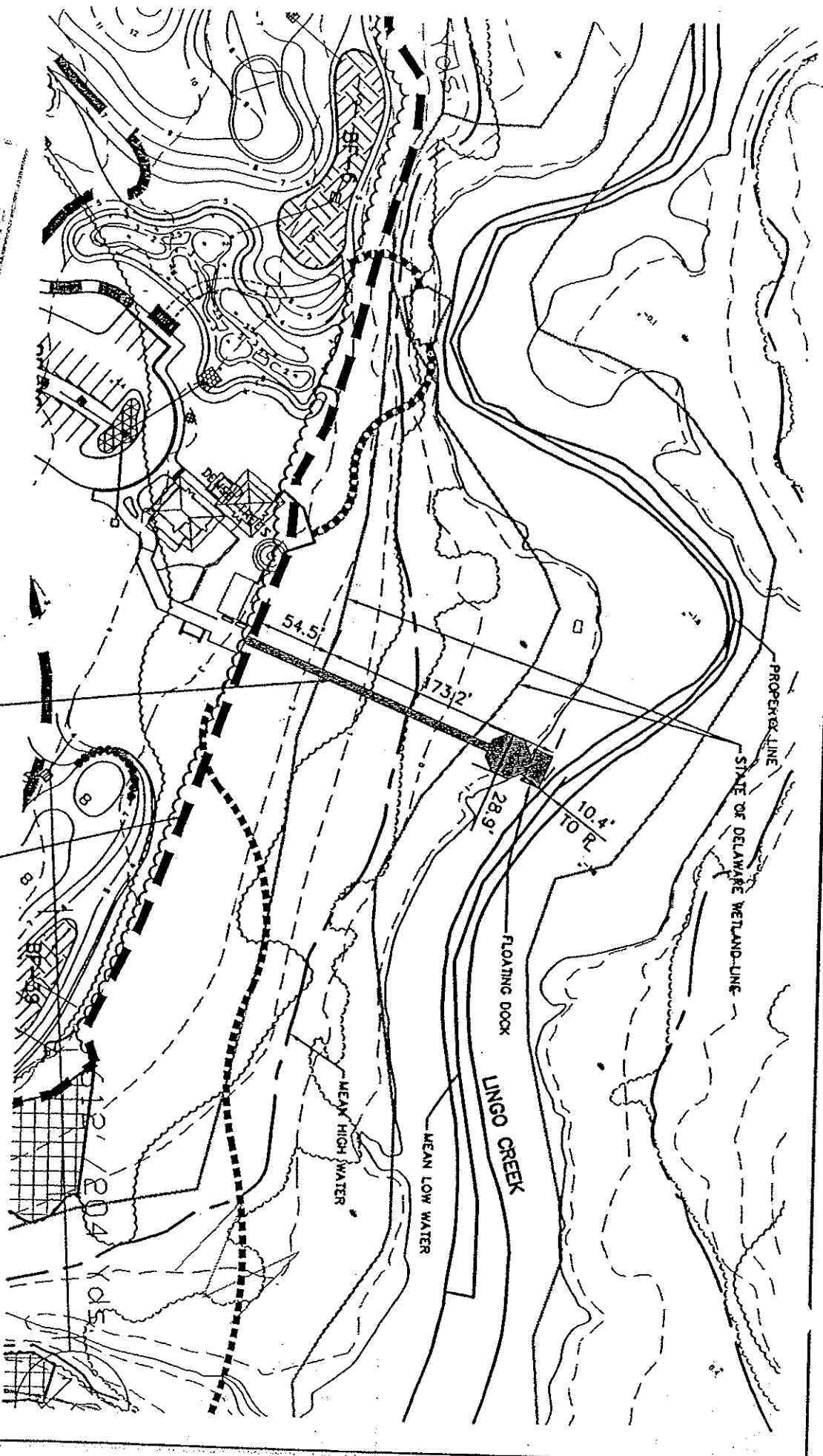
PROPOSED COMMUNITY PIER  
(IMPACTS: 0.0062 AC. (NTW)  
0.0376 AC. (TIDAL))  
(STATE: 335 SF. (9,0077 AC.)  
SUBSEQUENT: 10501 SF. (0.0299 AC.)

APPROVED PLANS

PERMIT # SC-09963

DATE 1/29/04

CONDITIONS



PIER 36

REVISED 10/15/03  
REVISED 9/3/03  
REVISED 5/1/03

**McCRONE**

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LAND PLANNING & SURVEYING  
CONSTRUCTION SERVICES

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SAUSSEUR, MARYLAND  
(410) 548-1492  
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SCALE 1"=100'

DATE 3/14/03

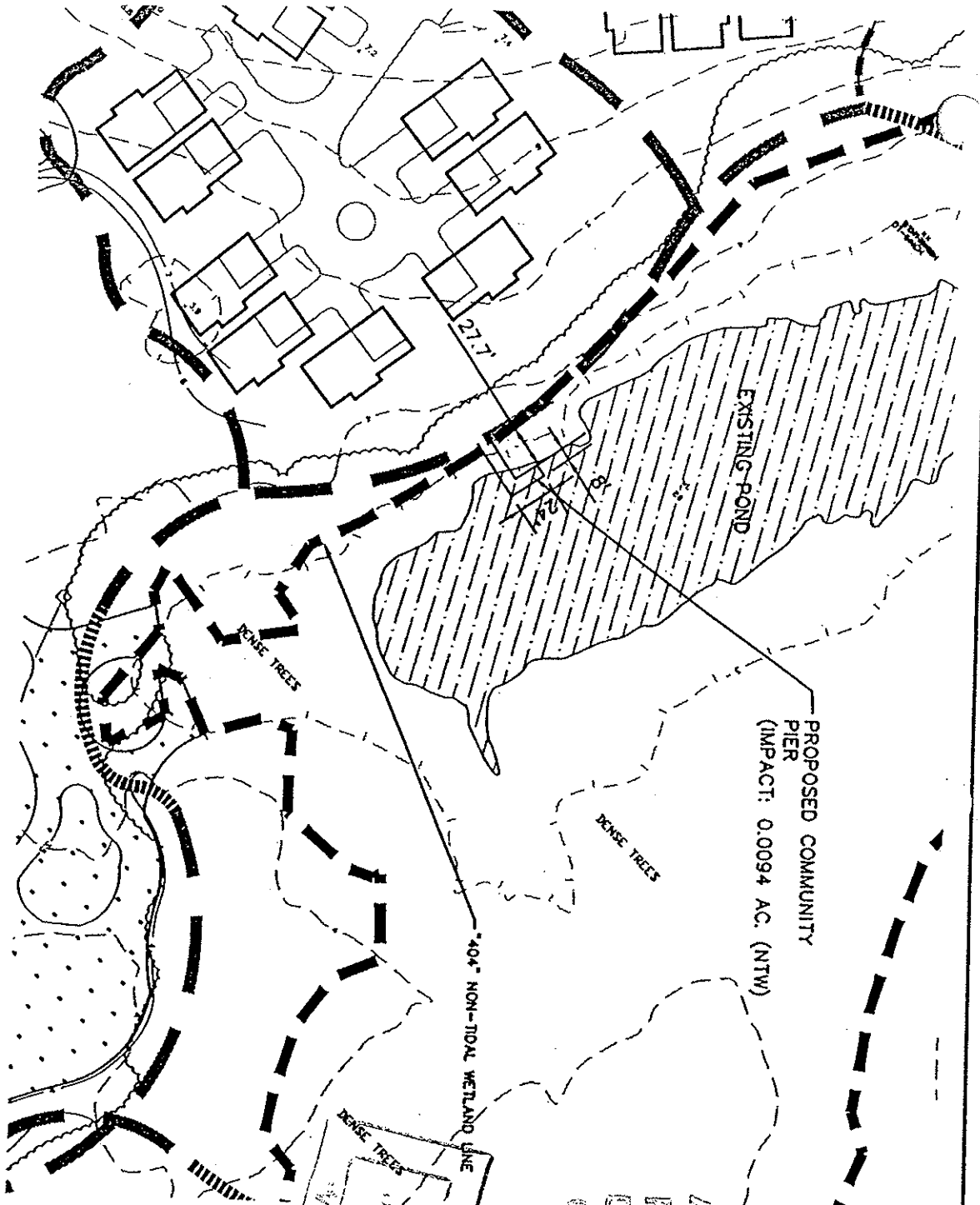
JOB NO. D2020072

SHEET NO. 16.3 of 62

THE PENINSULA  
MR. RPC SUBDIVISION

100' 200'

10202007 2101016 Wed 04:00 pm 15:15:10 N:\PROJECTS\Garden\RPC\2002\1016\7003 12:30:26 PM \\THOROSST\Garden\RPC\2002\1016\7003 PCL&L.dwg, 1:100



PROPOSED COMMUNITY PIER  
(IMPACT: 0.0094 AC. (NTW))

W.S.L.S.  
**APPROVED PLANS**  
PERMIT # 52-097103  
DATE 1/20/04  
(SEE PERMIT CONDITIONS)

RECEIVED  
JUL 23 2003  
WETLANDS

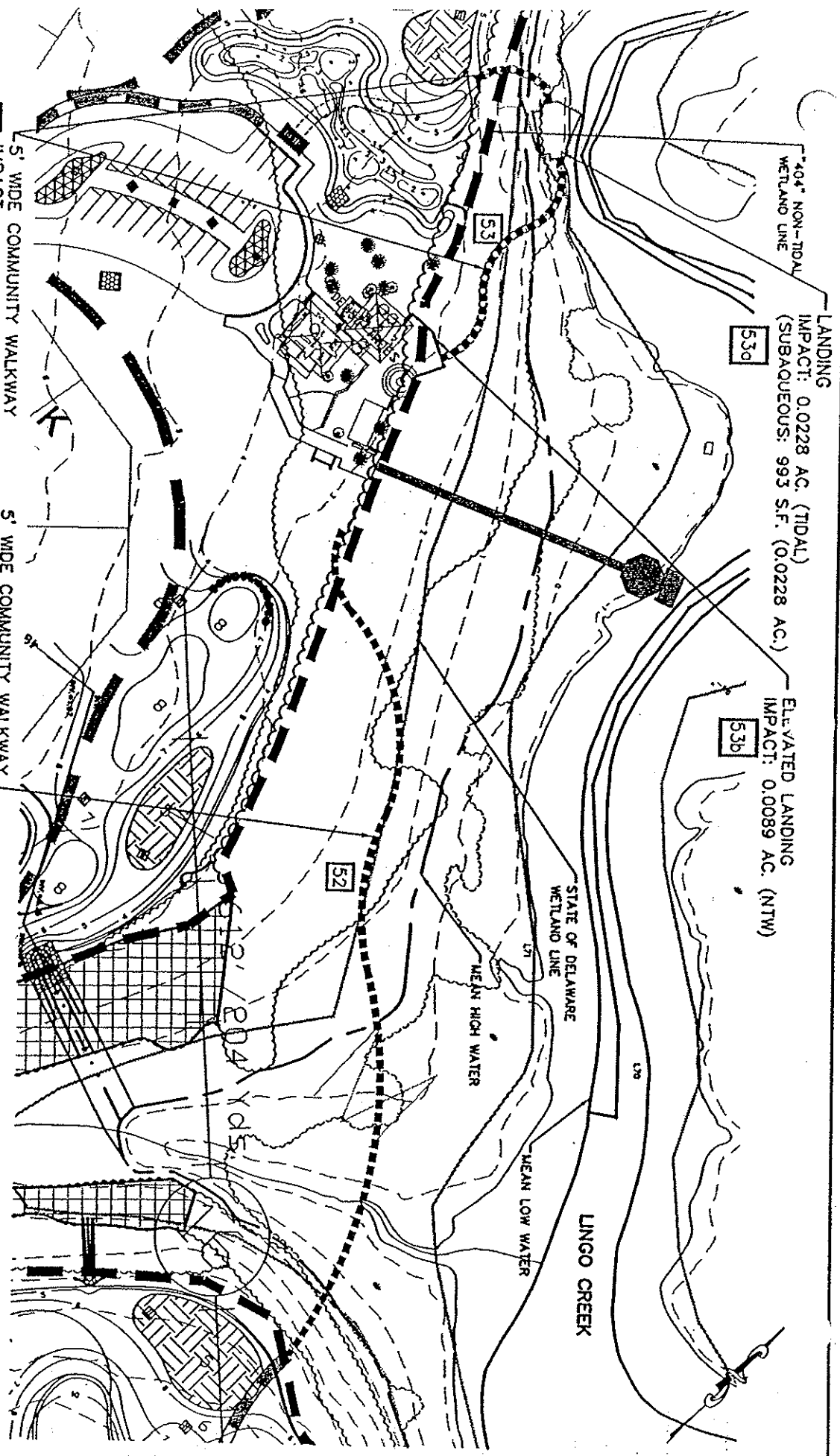
PIER 57

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LAND PLANNING & SURVEYING  
CONSTRUCTION SERVICES

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BLDG. 7, SUITE 6  
SALISBURY, MARYLAND  
(410) 548-1492  
mccrone@dmv.com

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DRAWN BY	ML
SCALE	1"=100'
DATE	3/14/03
JOB NO.	D2020072
SHEET NO.	164 of 62



LANDING  
 IMPACT: 0.0228 AC. (TIDAL)  
 (SUBAQUEOUS: 993 S.F. (0.0228 AC.))

ELEVATED LANDING  
 IMPACT: 0.0089 AC. (NTW)

53  
 5' WIDE COMMUNITY WALKWAY  
 IMPACT:  
 LENGTH = 61 L.F. (NTW)  
 0.0070 AC. (NTW)  
 LENGTH = 136 L.F. (TIDAL)  
 0.0156 AC. (TIDAL)  
 (STATE: 125 S.F. (0.0029 AC.))  
 (SUBAQUEOUS: 555 S.F. (0.0127 AC.))

52  
 5' WIDE COMMUNITY WALKWAY  
 IMPACT:  
 LENGTH = 242 L.F. (NTW)  
 0.0278 AC. (NTW)  
 LENGTH = 327 L.F. (TIDAL)  
 0.0375 AC. (TIDAL)  
 (STATE: 675 S.F. (0.0155 AC.))  
 (SUBAQUEOUS: 980 S.F. (0.0226 AC.))

REVISED 10/15/03  
 REVISED 9/3/03  
 REVISED 5/1/03

THE PENINSULA  
 MR RPC SUBDIVISION

100'  
 200'

APPROVED PLANS  
 PERMIT # 56-099103  
 WETLANDS DATE 1/30/04  
 JUL 23 2003

**McCRONE**  
 ENGINEERING • ENVIRONMENTAL SCIENCES  
 LAND PLANNING & SURVEYING  
 CONSTRUCTION SERVICES

119 NAVTOR MILL ROAD  
 BLDG 1, SUITE 6  
 SAUSBURY, MARYLAND  
 (410) 544-1492  
 mccrone@nrv.com

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 SCALE 1"=100'  
 DATE 3/14/03  
 JOB NO. 02020072  
 SHEET No. 17.6 of 62

W.S.L.S.

# APPROVED PLANS

PERMIT # SL-034603

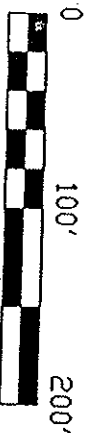
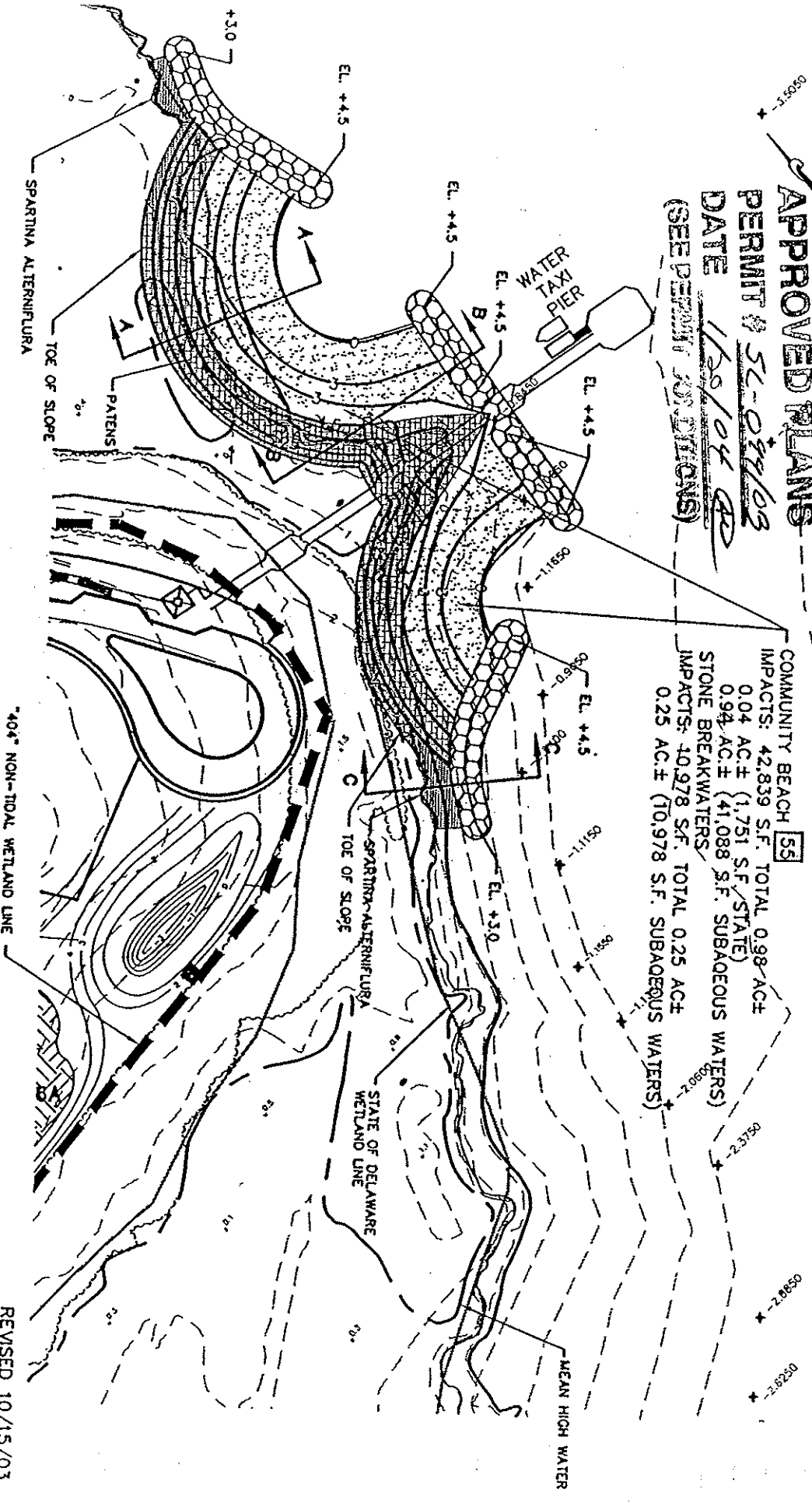
DATE 1/30/04

(SEE PERMIT CONDITIONS)

THE PENINSULA  
MR RPC SUBDIVISION

COMMUNITY BEACH [55]

IMPACTS: 42,839 S.F. TOTAL 0.98-AC±  
 0.04 AC± (1,751 S.F./STATE)  
 0.94 AC± (41,088 S.F. SUBAQUEOUS WATERS)  
 STONE BREAKWATERS  
 IMPACTS: 40,978 S.F. TOTAL 0.25 AC±  
 0.25 AC± (10,978 S.F. SUBAQUEOUS WATERS)



RECEIVED  
 MAR 23 2003  
 NOTE: SOUNDINGS REFER TO  
 MLW O.O. THIS SHEET ONLY.

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**MICRONTE**  
 ENGINEERING • ENVIRONMENTAL SCIENCES  
 LAND PLANNING & SURVEYING  
 CONSTRUCTION SERVICES

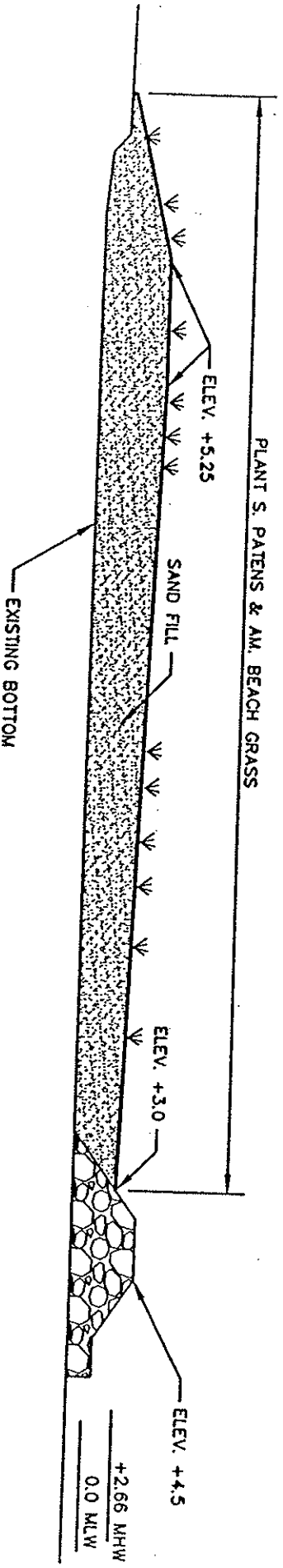
119 MAYOR MILL ROAD  
 BLOCK 1 SUITE 6  
 SALESBURY, MARYLAND  
 (410) 346-1432  
 micr@dmv.com

REVISED 10/15/03

IMPACT AREA - COMMUNITY BEACH [55]

DRAWN BY	ML
SCALE	1"=100'
DATE	3/14/03
JOB NO.	D2020072
SHEET NO.	18.1 of 65

W.S.L.S.  
**APPROVED PLANS**  
 PERMIT # SL-099/03  
 DATE 1/28/04 *RD*  
 (SEE PERMIT CONDITIONS)



**SECTION B-B**  
 N.T.S.

RECEIVED  
 OCT 23 2003  
 WETLANDS

THE PENINSULA  
 MR RPC SUBDIVISION  
 SECTION B-B

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 ENGINEERING • ENVIRONMENTAL SCIENCES  
 LAND PLANNING & SURVEYING  
 CONSTRUCTION SERVICES

119 MAYOR HILL ROAD  
 BLDG. 1, SUITE 4  
 SALESBURY, MARYLAND  
 (410) 548-1492  
 mcsa@tdm.com

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SCALE	N.T.S.
DATE	10/15/03
JOB NO.	D2020072
SHEET No.	18.2 of 62

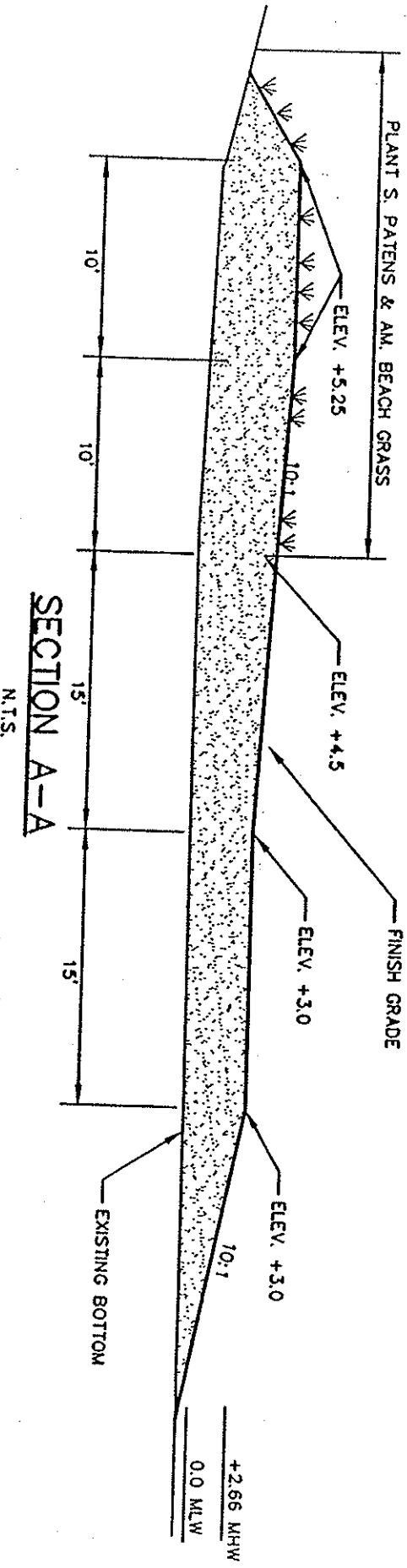
W.S.I.S.

# APPROVED PLANS

PERMIT # SE-099163

DATE 1/20/04

(SEE PERMIT CONDITIONS)



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01:1 23 2003  
WETLANDS

THE PENINSULA  
MR RPC SUBDIVISION  
SECTION A-A

**McCORMICK**  
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LAND PLANNING & SURVEYING  
CONSTRUCTION SERVICES

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SAUSBURY, MARYLAND  
(410) 548-1492  
mccor@aol.com

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SCALE N.T.S.  
DATE 10/15/03  
JOB NO. 02020072  
SHEET No. 18.3 of 62

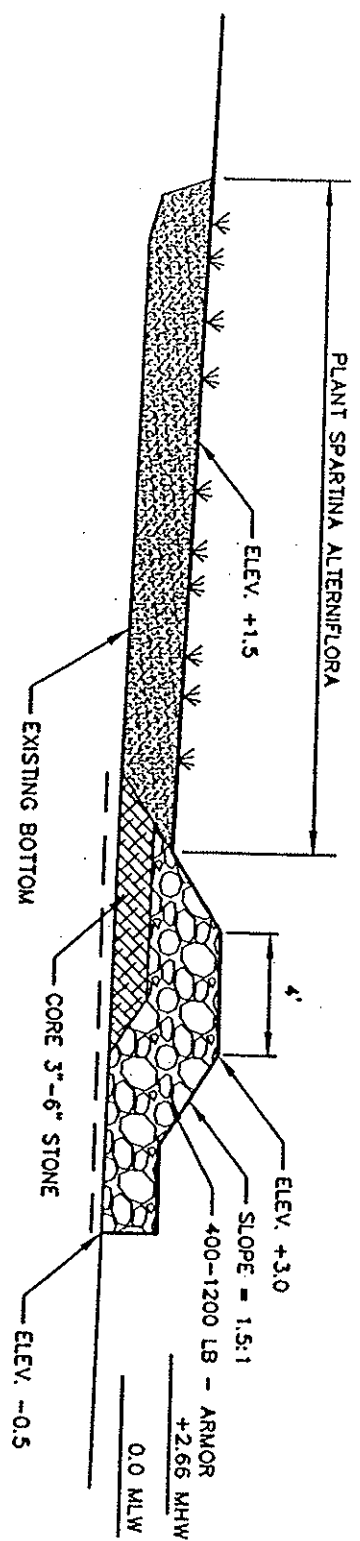
W.S.L.S.

# APPROVED PLANS

PERMIT # SE-09963

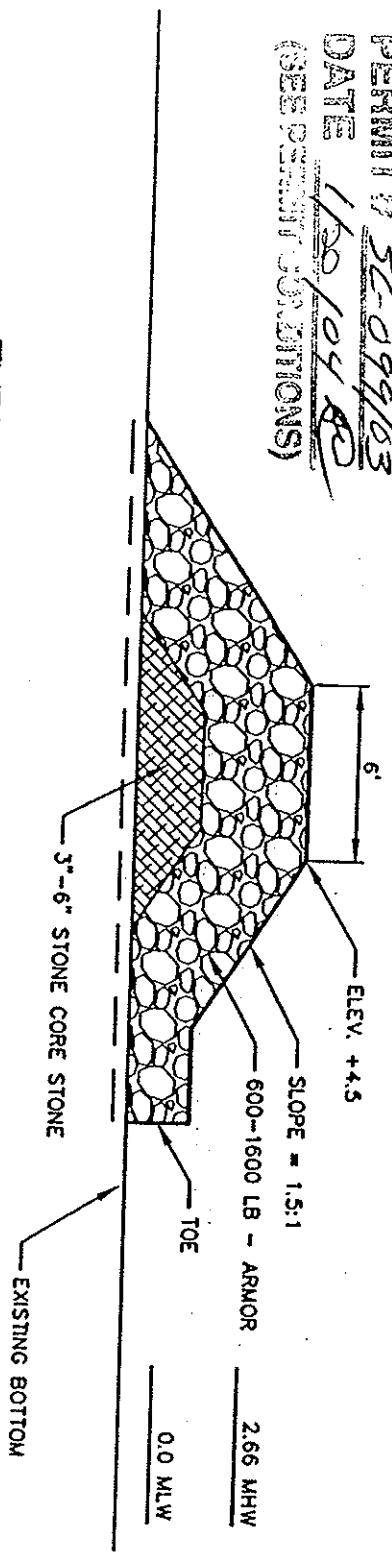
DATE 1/20/04

(SEE PERMIT CONDITIONS)



## SECTION C-C TYPICAL SILL

N.T.S.



## TYPICAL BREAKWATER / SPUR HEAD

THE PENINSULA  
MR RPC SUBDIVISION  
SECTION C-C TYPICAL SILL  
TYPICAL BREAKWATER / SPUR HEAD

REVISIONS  
OCT 23 2003  
W.S.L.S.

**McCRONE**  
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LAND PLANNING & SURVEYING  
CONSTRUCTION SERVICES

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SAUSBURY, MARYLAND  
(410) 548-1492  
mccr@ddmv.com

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SCALE	N.T.S.
DATE	10/15/03
JOB NO.	D2020072
SHEET No.	18.4 of 62

0505 C - +

W.S.L.S. +

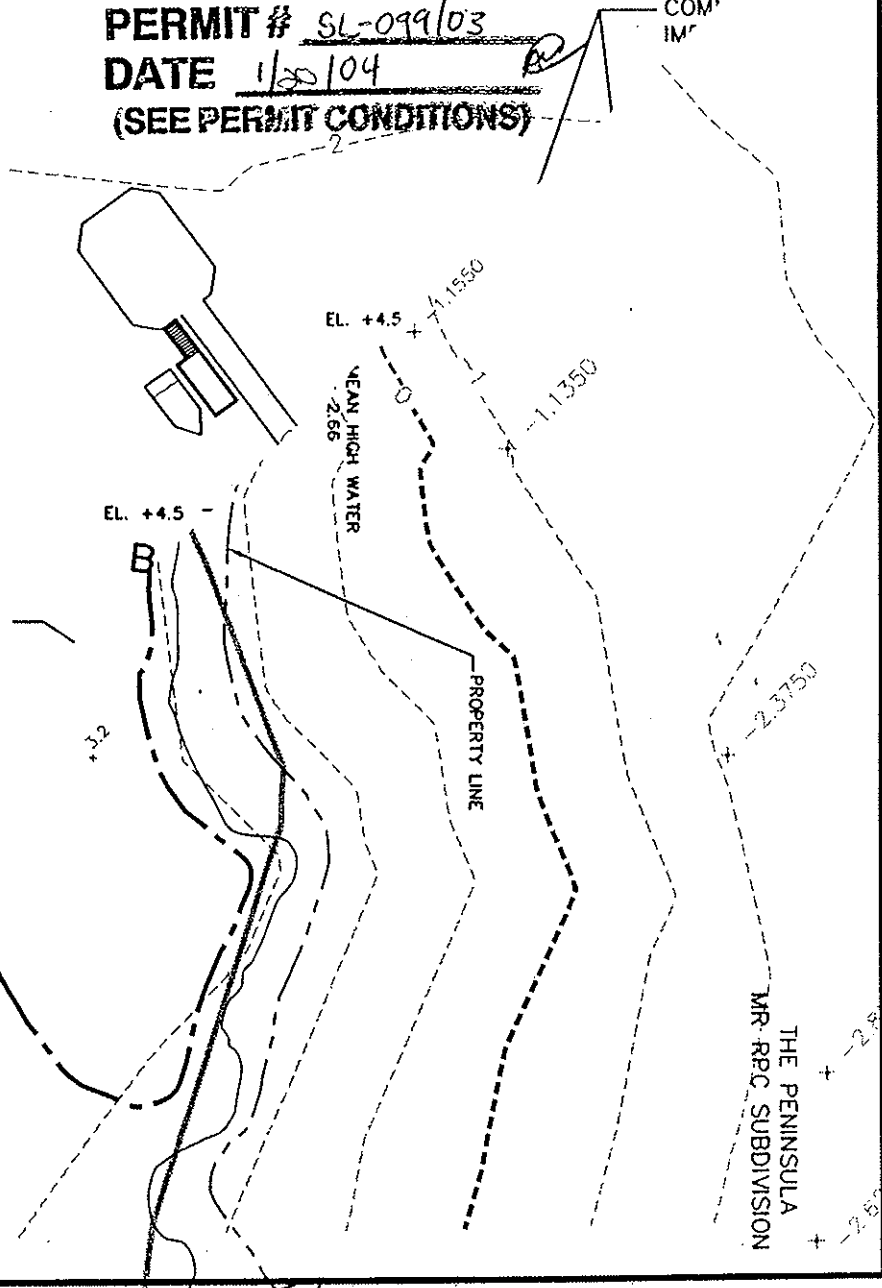
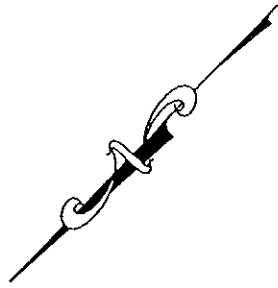
# APPROVED PLANS

PERMIT # SL-099/03

DATE 1/20/04

(SEE PERMIT CONDITIONS)

COM' IMP

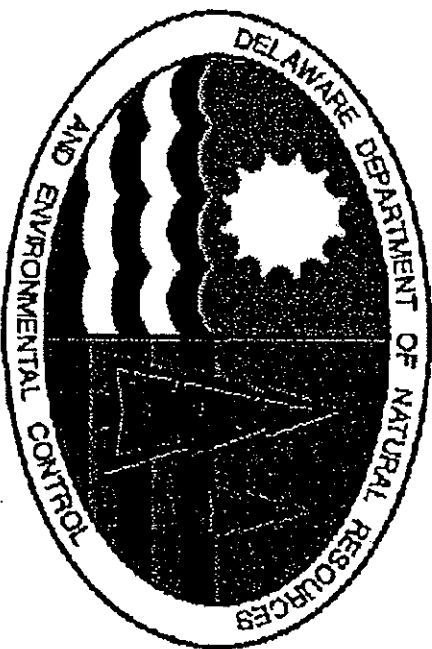


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THE PENINSULA  
MR. RPC SUBDIVISION





DEPARTMENT OF NATURAL RESOURCES  
AND  
ENVIRONMENTAL CONTROL

## NOTICE OF AUTHORIZATION

**Permit/Lease No. and Description:** SL-099/03 To construct the following structures in Lingo's Creek and the Indian River Bay adjacent to the Peninsula at Longneck subdivision at the terminal end of Bay Farm Road, Millsboro, Sussex County, Delaware:

PIERS AND DOCKS:

1 5 foot wide by 155 foot long pier and a 35 foot wide by 40 foot long viewing platform, impact #34, detail sheet 16.1; (over)

**Location of Work:** Same as above

**Date of Expiration:**

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

William F. Moyer, Section Manager  
Wetlands & Subaqueous Lands Section

An 8 foot wide by 74 foot long pier with a 16 foot by 16 foot viewing platform, and a 30.8 foot wide by 40.5 foot long platform, a 5 foot by 16 foot gangway and a 6.5 foot by 24 foot floating dock, impact #35, detail sheet 16.3;  
a 5 foot wide by 63 foot long pier with a 701 square foot landing, a 4 foot wide by 3 foot long gangway and a 12 foot wide by 24 foot long floating dock, impact #36, detail sheet 16.3;  
An 18 foot wide by 14.14 foot long pier and an 8 foot wide by 24 foot long dock, impact #37, detail sheet 16.4.

WALKWAYS

A 5 foot wide by 192 foot long elevated walkway, impact #52, detail sheet 17.6;  
A 5 foot wide by 111 foot long elevated walkway, impact #53, detail sheet 17.6;  
A 993 square foot elevated walkway landing, impact #53a, detail sheet 17.6.

BEACH CREATION/BREAKWATERS

To fill 41,088 square feet of public and private subaqueous lands for the creation of 0.98 acres of beach area, impact #55, detail sheets 18.1, 18.2, 18.3, 18.4  
To construct three (3) stone breakwaters consisting of 10,978 square feet of public subaqueous lands, impact #55, detail sheets 18.1, 18.2, 18.3, 18.4

# CONSERVATION EASEMENT PLAT

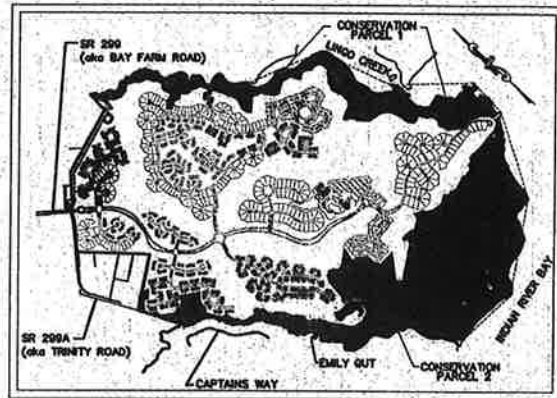
## SUSSEX COUNTY, DELAWARE

### THE PENINSULA ON THE INDIAN RIVER BAY

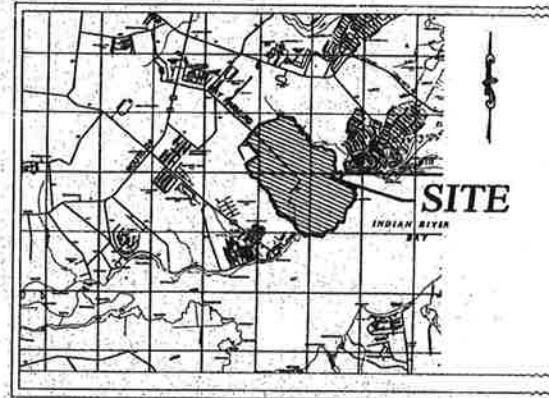
#### SITE DATA:

- SITE AREA = 787,787 sq. CONSERVATION EASEMENT AREA = 230,163 AC.
- TOTAL DEVELOPMENT STATE AND FEDERAL WETLANDS = 224,396 ACRES (STATE WETLANDS = 176,077 ACRES)
- OWNER OF RECORD: PENINSULA AT LONGNECK, LLC BY ODYSSEY DEVELOPMENT, INC. 119 NAYLOR MILL ROAD, SUITE 8 SALISBURY, MD. 21801 LARRY GOLDSTEIN, PRESIDENT PHONE: (703) 748-3708 FAX: (703) 748-3710  
ENGINEER/SURVEYOR: MCCORNE, INC. 119 NAYLOR MILL ROAD, SUITE 8 SALISBURY, MD. 21801 ATTN: E. SCOTT AJA, PE PHONE: (410) 548-1922 FAX: (410) 548-2055
- TAX MAP: 2-54-30, PARCEL 1 DEED REFERENCE: 2004/155
- CURRENT ZONING: MH-SPC (MEDIUM DENSITY RESIDENTIAL DISTRICT - RESIDENTIAL PLANNED COMMUNITY) PER ORDINANCE NO. 157A
- PROPERTY IS LOCATED IN FLOOD ZONE AE (BASE FLOOD ELEVATIONS DETERMINED), AND ZONE X (AREAS DETERMINED TO BE OUTSIDE) AREA OF 500-YEAR FLOOD PLAIN AS PER FIRM COMMUNITY PANEL 1000000083 F, DATED 8/16/95.
- DATA: VERTICAL DATUM IS BASED ON MVD 88. HORIZONTAL DATUM DELAWARE STATE PLANE COORDINATE SYSTEM MAD 83.
- SANITARY SEWER SERVICE: PUBLIC SANITARY SEWER - LONG NECK SANITARY SEWER DISTRICT
- WATER: TO BE SUPPLIED BY A PRIVATE UTILITY COMPANY.
- HEIGHT, BULK, AND AREA REQUIREMENTS:

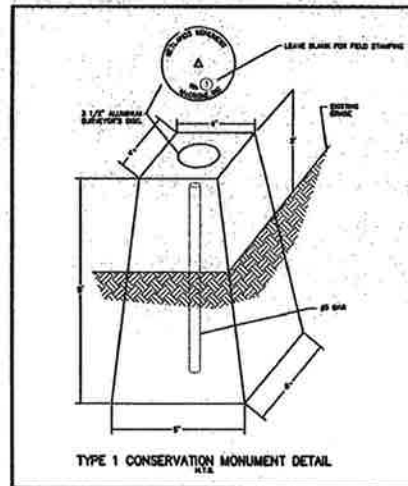
- SINGLE FAMILY LOT:**  
SETBACKS (MINIMUM):  
FRONT: 20 FT. MIN. / O.U.-DE-SAC LOTS 40 FT. MIN.  
SIDE: 8 FT.  
REAR: 10 FT.  
LOT WIDTH: 60 FT. MIN.  
LOT DEPTH: 100 FT. MIN.  
AREA: 7500 S.F.  
BUILDING HEIGHT: 42' MAX.
- SINGLE FAMILY ATTACHED CONDOMINIUMS (TOWNHOUSE):**  
SETBACKS:  
FRONT: 20 FT. (40' AGG. FRONT AND REAR)  
SIDE: 8 FT.  
REAR: 20 FT.  
SETBACK BETWEEN BUILDINGS: 40 FT.  
AVERAGE LOT AREA PER DWELLING UNIT: 3630 S.F.  
MIN. LOT AREA: 1800 S.F.  
PARKING REQUIRED: 3 SPACES PER UNIT
- SINGLE FAMILY DETACHED CONDOMINIUMS (TYPE 1 & TYPE 1):**  
SETBACKS:  
FRONT: 20 FT.  
SIDE: 20 FT.  
REAR: 20 FT.  
SETBACK BETWEEN BUILDINGS: 40 FT.  
PARKING REQUIRED: 3 SPACES PER UNIT  
HEIGHT: 42'



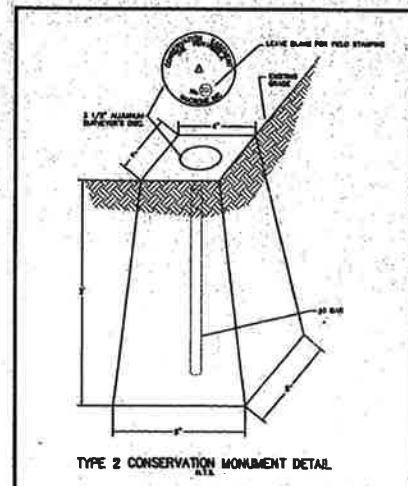
SITE MAP  
N.T.S.



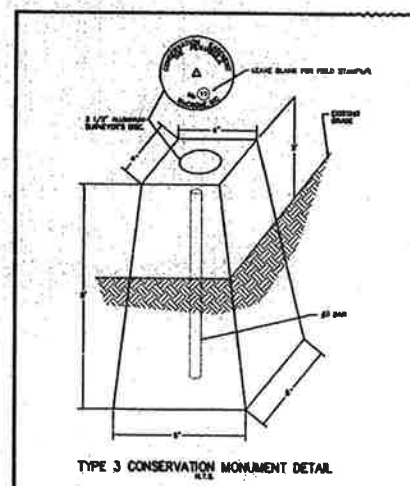
VICINITY MAP  
N.T.S.



TYPE 1 CONSERVATION MONUMENT DETAIL  
N.T.S.



TYPE 2 CONSERVATION MONUMENT DETAIL  
N.T.S.



TYPE 3 CONSERVATION MONUMENT DETAIL  
N.T.S.



#### DRAWING INDEX:

SHEET	SHEET
COVER SHEET	1
CONSERVATION EASEMENT PLAT	2
CONSERVATION EASEMENT PLAT	3
CONSERVATION EASEMENT PLAT	4
CONSERVATION EASEMENT PLAT	5
CONSERVATION EASEMENT PLAT	6
CONSERVATION EASEMENT PLAT	7
CONSERVATION EASEMENT PLAT	8
VIEWSCAPE DETAILS	9

#### LEGEND

DESCRIPTION	EXISTING	PROPOSED
40A WETLANDS LINE	N/A	---
RIP RAP	N/A	▨
BO-FILTRATION AREA	N/A	▨
WETLANDS CREATION AREA	N/A	▨
OUTFALL EDUCATION	N/A	▨
PATHS/BOARDWALKS	N/A	▨
GOLF FLYOVERS	N/A	▨
WETLANDS CLEARING AREAS	N/A	▨
SHALLOW WETLAND EXTENDED DETENTION BASH	N/A	▨
CONSERVATION EASEMENT	N/A	▨
TYPE 1 CONSERVATION MONUMENTATION EXPOSED 2 FT. ABOVE GRADE	N/A	▲
TYPE 2 CONSERVATION MONUMENTATION FLUSH WITH GRADE (TO BE SET UPON COMPLETION OF GRADING)	N/A	■
TYPE 3 CONSERVATION MONUMENTATION EXPOSED 2 FT. ABOVE GRADE	N/A	●
COMPUTED POINT	N/A	○

#### GENERAL NOTES

- THE OWNER SHALL CAUSE TO BE FORMED A HOMEOWNERS' ASSOCIATION TO BE RESPONSIBLE FOR THE MAINTENANCE OF THE STREETS, ROADS, BUFFERS, STORMWATER MANAGEMENT FACILITIES, AND OTHER COMMON AREAS. IN ADDITION, THE ASSOCIATION SHALL MAINTAIN THE COMMONS LOCATED WITHIN THE PROJECT. ACCESS TO THE COMMONS SHALL NOT BE DENIED TO FAMILY MEMBERS OF THE PERSONS INTERESTED IN THE COMMONS.
- THE BOUNDARY HEREON IS BASED ON A FIELD SURVEY BY MCCORNE, INC., IN FEBRUARY, 2002.
- THE AERIAL DEPICTING THE PHYSICAL FEATURES SHOWN HEREON WAS BASED ON AN AERIAL SURVEY ON JANUARY 22, 2002.
- THE OVERALL BOUNDARY AND WETLAND DELINEATION PLAT CAN BE FOUND ON SHEET 2 & 3 OF A PLAT ENTITLED "FINAL SUBDIVISION PLAT, PHASE 1, THE PENINSULA ON INDIAN RIVER BAY" AS RECORDED IN THE SUSSEX COUNTY COURTHOUSE, GEORGETOWN, DELAWARE.

#### CERTIFICATION OF ACCURACY

I, ROBERT E. RIGDON JR., CERTIFY THAT THIS FINAL PLAT IS A CORRECT REPRESENTATION OF THE SURVEY MADE, THAT ALL MONUMENTS INDICATED HEREON EXIST OR WILL BE SET AND ARE CORRECTLY SHOWN AND THAT THE PLAT COMPLIES WITH ALL REQUIREMENTS OF THE SUSSEX COUNTY SUBDIVISION OF LAND REQUIREMENTS AND OTHER APPLICABLE LAWS AND REQUIREMENTS.

*Robert E. Rigdon Jr.*  
ROBERT E. RIGDON JR.  
PROFESSIONAL LAND SURVEYOR, DE. NO. 676

#### CERTIFICATION OF PLAN APPROVAL

APPROVED DATE 1/23/04 BY [Signature]  
CHIEF/CORPORATE SECRETARY OF THE SUSSEX COUNTY PLANNING COMMISSION

APPROVED DATE 1/23/04 BY [Signature]  
PRESIDENT OF THE SUSSEX COUNTY COUNCIL

#### OWNERS STATEMENT

I, LARRY GOLDSTEIN, PRESIDENT, HEREBY CERTIFY THAT PENINSULA AT LONGNECK, LLC, BY ODYSSEY DEVELOPMENT, INC., IS THE OWNER OF THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAT; THAT THIS SUBDIVISION PLAT THEREOF WAS MADE AT THEIR DIRECTION; THAT ALL STREETS SHOWN HEREON ARE TO BE PRIVATE RIGHT-OF-WAYS AND ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION; THAT ALL PROPOSED STREET CONTROL MONUMENTS WILL BE SET AT THE LOCATIONS SHOWN; AND, THAT THEY ACKNOWLEDGE THE SAME TO BE THEIR ACT AND DEEDS THIS PLAT BE RECORDED ACCORDING TO LAW.

*Larry A. Goldstein*  
LARRY A. GOLDSTEIN, PRESIDENT

#### WETLAND DELINEATION STATEMENT

THE WETLANDS DELINEATION PERFORMED ON THIS WAS CONDUCTED IN ACCORDANCE WITH THE U.S. ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1). THE DELINEATION WAS PERFORMED BY JAMES C. MODULLEY IV, ENVIRONMENTAL CONSULTANTS, INC. (JCMC) AND WAS VERIFIED AND APPROVED BY THE U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA DISTRICT.

*James C. Modulley IV*  
JAMES C. MODULLEY IV

APPROVED  
*[Signature]*  
SUSSEX COUNTY  
PLANNING & ZONING COMMISSION

**The PENINSULA**  
*On The Indian River Bay*

COVER SHEET FOR **THE PENINSULA** SUSSEX COUNTY, DELAWARE Prepared for: PENINSULA AT LONGNECK, LLC

SHEET NO. 1 OF 9  
CADD FILE - COVER-COVER

DATE: 10/13/03  
SCALE: AS SHOWN  
JOB NO.: D2020072  
DRAWN BY: TH/DW  
DESIGN BY: DP  
APPROVED BY: RER

REVISION  
DATE  
DESCRIPTION  
BY

119 NAYLOR MILL ROAD  
SALISBURY, MD 21801  
PHONE: (410) 548-1922  
FAX: (410) 548-2055  
ANNAPOLIS - CENTREVILLE - ELKTON - MILTON - PRINCE FREDERICK - SALISBURY  
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**MCCORNE**  
ENGINEERING & ENVIRONMENTAL SCIENCES  
LAND PLANNING & SURVEYING & CONSTRUCTION SERVICES







**CONSERVATION LINE TABLE**

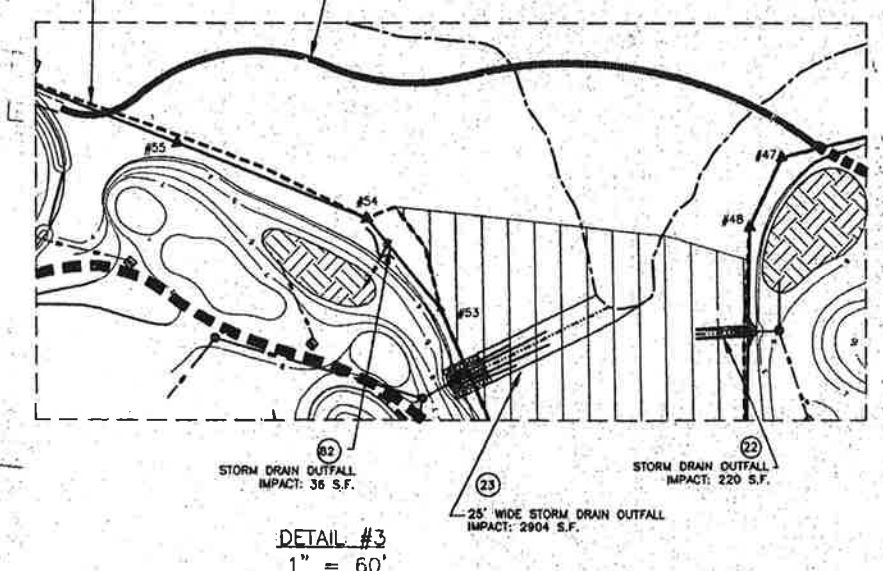
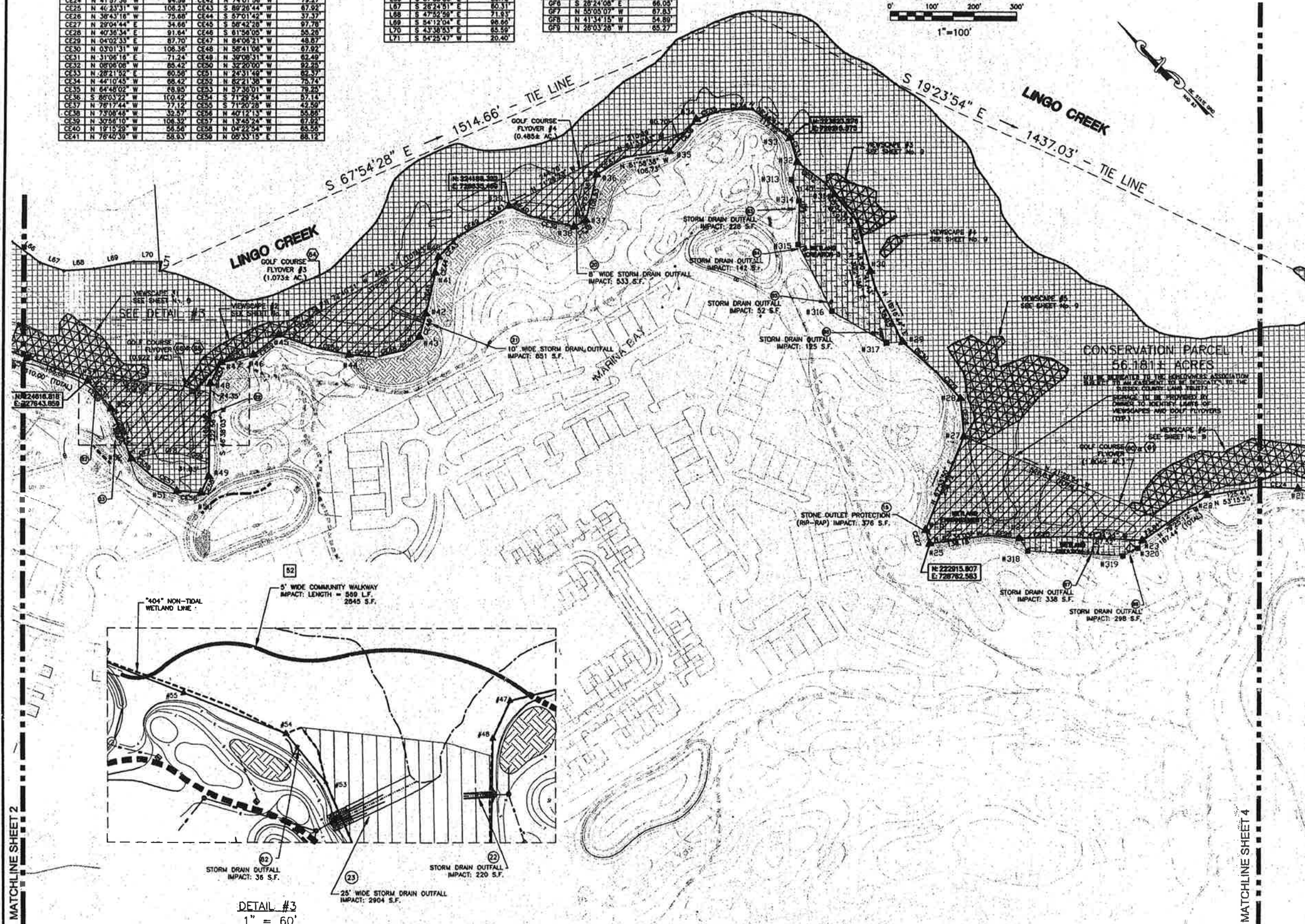
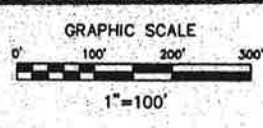
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
CE24	N 41°57'38" W	84.50	CE42	N 74°01'58" W	78.27
CE25	N 46°23'31" W	105.23	CE43	S 89°26'44" W	67.92
CE26	N 38°43'18" W	75.88	CE44	S 67°01'42" W	37.37
CE27	N 28°04'44" E	34.66	CE45	S 58°42'28" W	97.78
CE28	N 40°38'34" E	91.64	CE46	S 61°56'05" W	58.28
CE29	N 04°02'33" E	87.70	CE47	N 84°06'21" W	48.87
CE30	N 03°01'31" W	106.36	CE48	N 58°41'06" W	67.82
CE31	N 31°06'16" E	71.24	CE49	N 39°08'31" W	62.49
CE32	N 08°06'08" W	85.42	CE50	N 32°20'00" W	92.28
CE33	N 28°21'52" E	60.58	CE51	N 24°31'49" W	85.37
CE34	N 44°10'43" W	58.42	CE52	N 82°21'38" W	75.74
CE35	N 64°48'02" W	63.85	CE53	N 57°35'01" W	78.28
CE36	S 86°03'22" W	100.42	CE54	S 71°28'54" W	57.14
CE37	N 78°17'44" W	77.12	CE55	S 71°20'28" W	42.59
CE38	N 73°08'48" W	32.57	CE56	N 40°12'13" W	55.88
CE39	N 30°58'10" W	108.32	CE57	N 13°45'24" W	67.82
CE40	N 19°15'29" W	56.56	CE58	N 04°22'54" W	65.58
CE41	N 78°40'39" W	58.93	CE59	N 08°33'15" E	88.12

**BOUNDARY LINE TABLE**

LINE	BEARING	DISTANCE
L56	S 07°35'04" E	83.73
L67	S 28°24'51" E	60.31
L68	S 47°52'56" E	71.83
L69	S 84°12'04" E	98.60
L70	S 43°38'53" E	63.59
L71	S 84°25'47" W	20.40

**GOLF COURSE FLYOVER LINE TABLE**

LINE	BEARING	DISTANCE
GF3	S 65°50'52" E	23.49
GF6	S 28°24'08" E	66.00
GF7	N 50°05'07" W	87.63
GF8	N 41°34'15" W	54.89
GF9	N 28°03'28" W	65.27



**MCCRONE**  
ENGINEERING & SURVEYING & CONSTRUCTION SERVICES  
LAND PLANNING & SURVEYING & CONSTRUCTION SERVICES

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BLDG. 1, SUITE 6  
COLUMBIANA, OHIO 43084-1422  
mccrone@mcne.com  
Tel: (614) 546-2056  
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DATE	REVISION
10/13/03	REVISION PER SUSSEX COUNTY LAND TRUST COMMENTS
1/20/04	ADDED CONSERVATION EASEMENT PARCEL BOUNDARY

DATE: 10/13/03  
SCALE: 1"=100'  
JOB NO.: D2020072  
DRAWN BY: TH/DW  
DESIGN BY: DP  
APPROVED BY: RER

CONSERVATION EASEMENT PLAT  
FOR  
**PENINSULA**  
SUSSEX COUNTY, DELAWARE  
Prepared for: PENINSULA AT LONGNECK, LLC

SHEET NO. 3 OF 9  
CADD FILE: CONSER-2

MATCHLINE SHEET 2

MATCHLINE SHEET 4



MATCHLINE SHEET 3

**CONSERVATION LINE TABLE**

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
CE1	N 80°29'02" W	118.35	CE20	N 42°09'58" W	88.27
CE2	N 05°14'05" W	5.35	CE21	N 09°45'21" W	99.41
CE3	N 19°48'05" W	55.84	CE22	N 05°27'59" E	52.92
CE4	N 23°33'08" E	37.54	CE23	N 24°37'20" W	74.37
CE5	N 70°08'49" W	51.08	CE24	N 41°37'53" W	64.59
CE6	S 47°53'42" W	41.30	CE117	N 38°37'44" E	30.11
CE7	S 88°25'44" W	57.68	CE118	N 47°08'33" E	70.85
CE8	N 85°24'53" W	104.62	CE119	N 24°09'15" E	42.13
CE9	N 23°37'54" W	50.68	CE120	S 22°23'35" W	24.58
CE10	N 35°58'05" E	04.18	CE121	N 47°27'16" W	7.78
CE11	N 05°50'22" W	78.02	CE117	N 18°52'55" E	52.60
CE12	N 24°18'48" W	71.49	CE118	N 84°58'19" E	78.91
CE13	N 45°16'47" W	60.98	CE119	N 24°31'10" E	15.54
CE14	N 47°35'33" W	68.84	CE220	N 34°15'33" E	69.83
CE15	N 26°25'15" W	54.14	CE221	N 81°44'25" E	66.18
CE16	N 22°20'17" W	58.89	CE222	N 12°52'36" E	74.19
CE17	N 73°14'26" W	70.40	CE223	N 06°14'05" W	6.02
CE18	S 38°59'58" W	38.76	CE224	S 60°20'02" E	62.69
CE19	N 89°48'16" W	65.52			

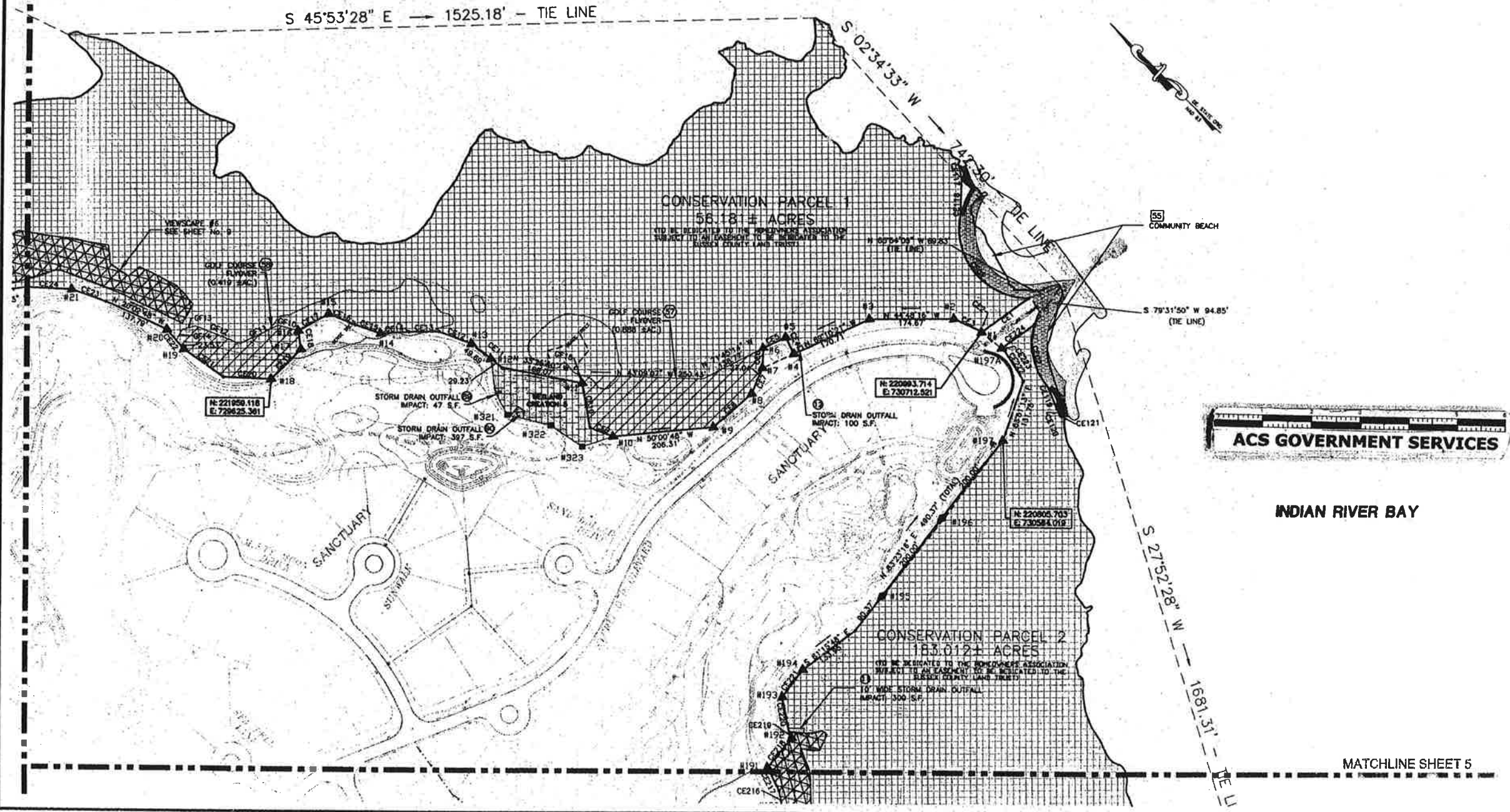
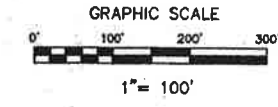
**GOLF FLYOVER LINE TABLE**

LINE	BEARING	DISTANCE
GF10	N 27°58'53" W	42.08
GF11	N 70°10'18" W	83.97
GF12	N 23°17'43" W	98.78
GF13	N 89°50'37" W	28.08
GF14	S 74°00'42" W	25.14
GF15	N 33°10'49" E	15.84

**CONSERVATION CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
CEC1	141.87	248.40	219.81	S 08°02'09" W	100°18'00"
CEC2	135.78	135.59	130.03	S 33°02'57" W	57°12'48"

**INDIAN RIVER BAY**



**MICROCRONE**  
ENGINEERING & SURVEYING & ENVIRONMENTAL SCIENCES  
LAND PLANNING & CONSTRUCTION SERVICES

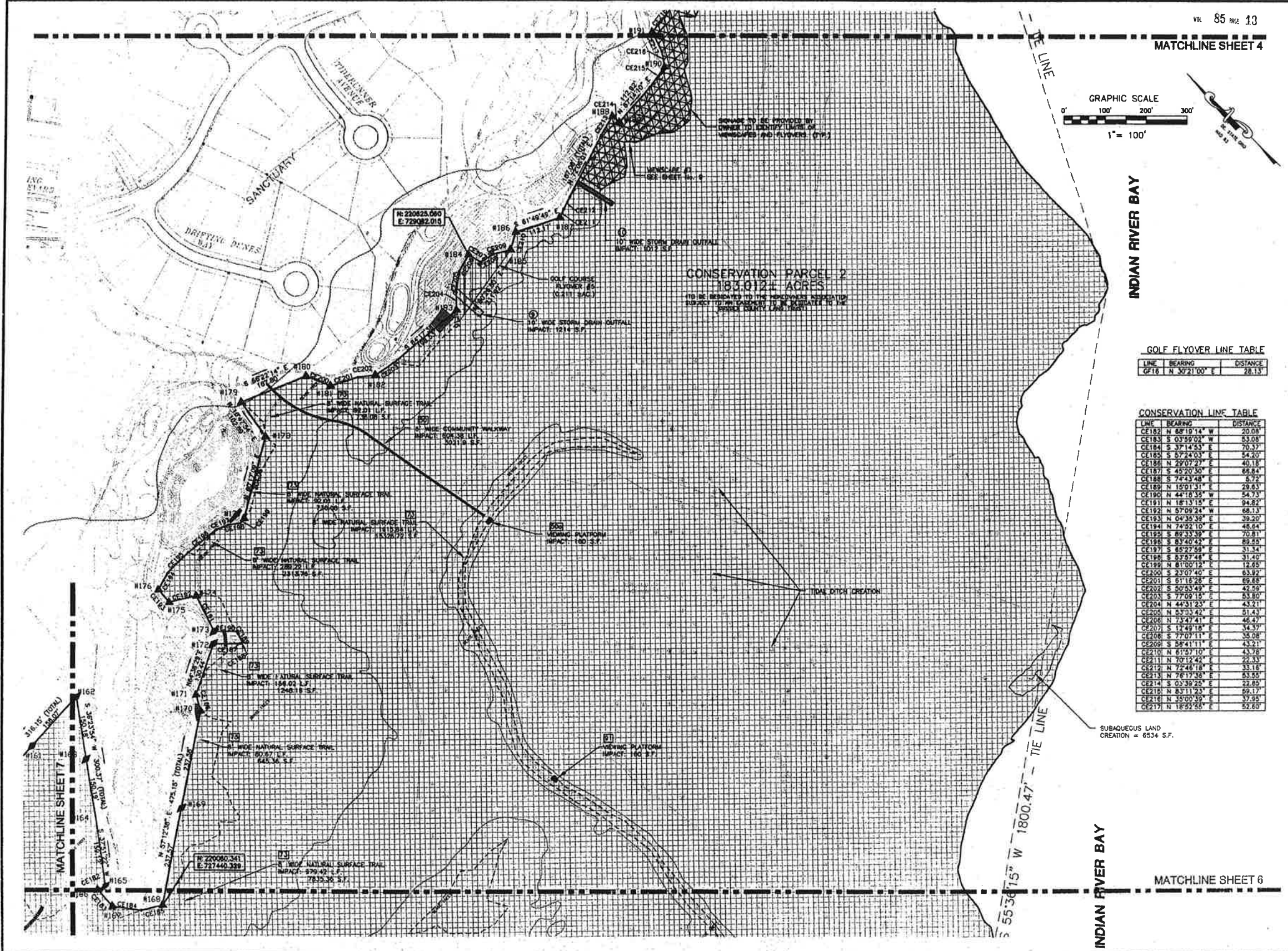
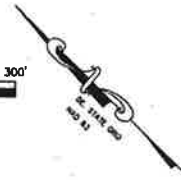
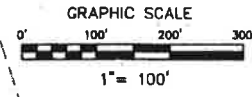
DATE	REVISION
10/13/03	LAND TRUST COMMENTS
1/29/04	ADJUSTED CONSERVATION BOUNDARY
	PARCEL BOUNDARY

DATE :	10/13/03
SCALE :	1" = 100'
JOB NO. :	02020072
DRAWN BY :	TH/DW
DESIGN BY :	DP
APPROVED BY :	REB

**ACS GOVERNMENT SERVICES**

CONSERVATION EASEMENT PLAT  
FOR  
**PENNSULA**  
SUSSEX COUNTY, DELAWARE  
Prepared for: PENNSULA AT LONGNECK, LLC





CONSERVATION PARCEL 2  
183,012+ ACRES  
TO BE BENCHMARKED TO THE HIGHWAY CENTERLINE  
SUBJECT TO ANY GASOLINE AND PETROLEUM  
PERMITS OBTAINED FROM THE  
PENNSYLVANIA DEPARTMENT OF  
TRANSPORTATION

GOLF FLYOVER LINE TABLE

LINE	BEARING	DISTANCE
GF16	N 30°21'00" E	28.13

CONSERVATION LINE TABLE

LINE	BEARING	DISTANCE
CE162	N 68°19'14" W	20.08
CE163	S 03°59'02" W	53.08
CE164	S 37°14'53" E	70.37
CE165	S 57°24'03" E	54.20
CE166	N 29°07'27" E	40.18
CE167	S 45°20'50" E	66.84
CE168	S 74°43'48" E	5.72
CE169	N 15°01'31" E	29.63
CE190	N 44°18'35" W	54.73
CE191	N 18°13'15" E	94.62
CE192	N 57°09'24" W	68.13
CE193	N 04°35'38" E	39.20
CE194	N 74°02'10" E	46.64
CE195	S 69°33'39" E	70.81
CE196	S 63°40'42" E	69.25
CE197	S 65°27'59" E	31.34
CE198	S 82°57'44" E	31.40
CE199	N 81°00'12" E	12.85
CE200	S 23°07'40" E	63.92
CE201	S 61°18'26" E	69.68
CE202	S 50°53'49" E	42.99
CE203	S 77°09'15" E	53.60
CE204	N 44°31'23" E	43.21
CE205	N 53°03'42" E	51.43
CE206	N 73°47'41" E	46.47
CE207	S 12°49'18" E	34.37
CE208	S 77°07'11" E	35.08
CE209	S 58°41'11" E	43.21
CE210	N 61°57'10" E	45.78
CE211	N 70°12'42" E	22.33
CE212	N 72°46'18" E	33.18
CE213	N 76°17'36" E	53.55
CE214	S 03°39'25" E	22.85
CE215	N 83°11'23" E	69.17
CE216	N 35°05'59" E	37.95
CE217	N 18°52'55" E	52.60

SUBAQUEOUS LAND CREATION = 6534 S.F.

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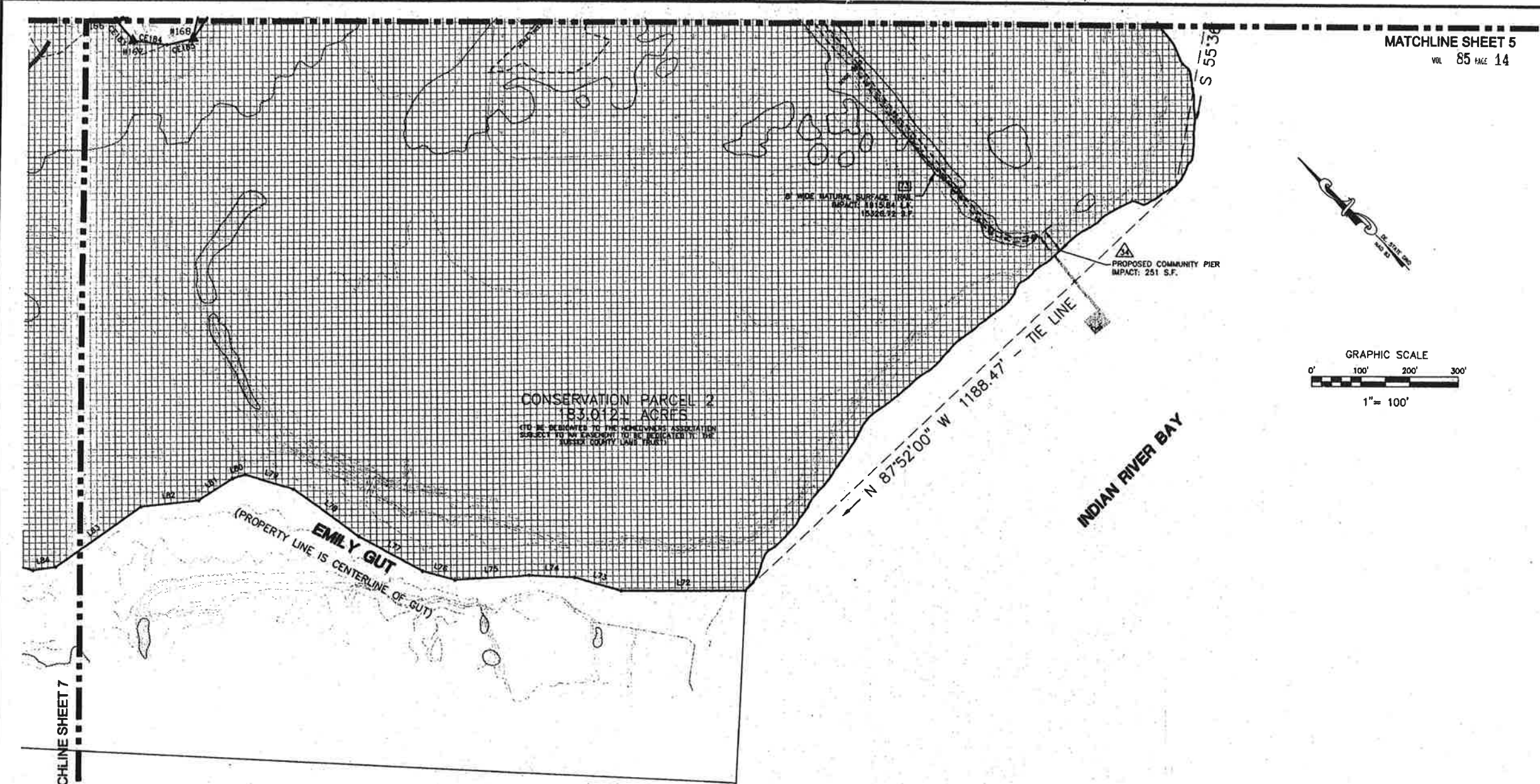
119 WYOMING AVE. SUITE 100  
ANNAPOLIS, MD 21403  
(410) 548-1482  
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DATE: 10/13/03  
SCALE: 1"=100'  
JOB NO.: D2020072  
DRAWN BY: TH/DW  
DESIGN BY: DP  
APPROVED BY: RER

CONSERVATION EASEMENT PLAT FOR PENINSULA

PENNSYLVANIA COUNTY, DELAWARE  
Prepared for: PENNSYLVANIA AT LONGNECK, LLC

SHEET NO 5 OF 3



**BOUNDARY LINE TABLE**

LINE	BEARING	DISTANCE
L72	N 44°41'01" W	250.51'
L73	N 28°13'01" W	88.40'
L74	N 42°01'43" W	89.85'
L75	N 47°58'25" W	149.55'
L76	N 29°17'32" W	87.85'
L77	N 16°34'59" W	146.03'
L78	N 08°23'24" W	181.52'
L79	N 27°27'26" W	100.26'
L80	N 61°26'58" W	27.24'
L81	N 77°23'37" W	82.48'
L82	N 50°48'43" W	117.84'
L83	N 79°32'14" W	210.14'
L84	N 52°28'32" W	48.04'

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DESIGN BY: DP  
APPROVED BY: RER

REVISION  
DATE  
DESCRIPTION  
1/20/04  
LAND TRUST COMMENTS  
1/20/04  
UNADJUSTED CONSERVATION EASEMENT  
PARCEL BOUNDARY.

CONSERVATION EASEMENT PLAT  
FOR  
**PENINSULA**  
SUSSEX COUNTY, DELAWARE  
Prepared for: PENINSULA AT LONGNECK, LLC

SHEET NO. 6 OF 9  
CADD FILE: CON03-5

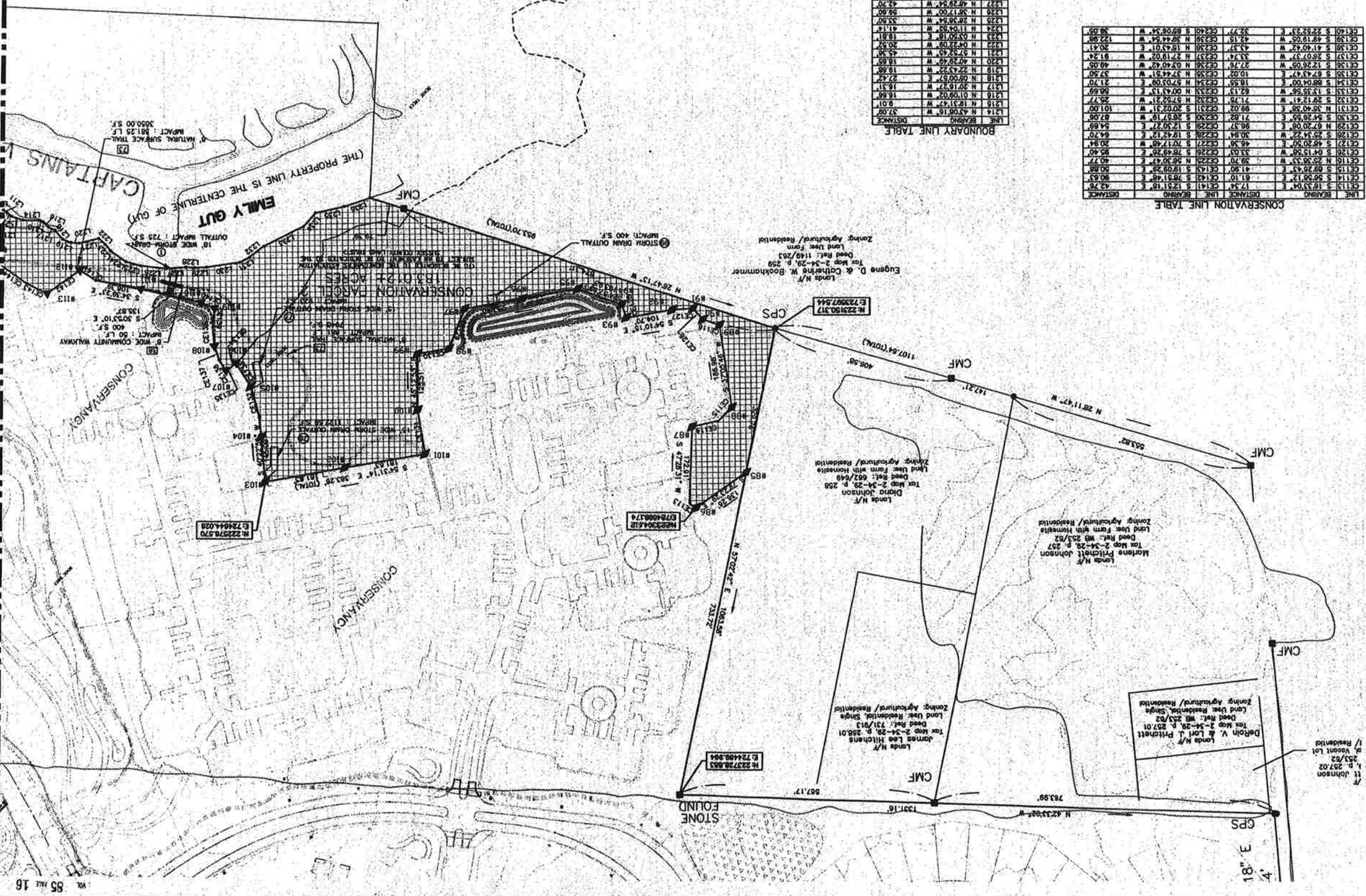
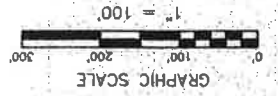








**ACS GOVERNMENT SERVICES**



**CONSERVATION LINE TABLE**

LINE	BEARING	DISTANCE
CE140	S 22°22'23" E	32.77
CE139	S 49°19'05" W	42.15
CE138	S 41°40'42" W	43.37
CE137	S 26°07'37" W	33.74
CE136	S 12°26'05" W	27.76
CE135	S 67°43'47" E	10.02
CE134	S 88°04'00" E	18.55
CE133	S 13°35'56" W	62.13
CE132	S 29°12'41" W	71.75
CE131	S 35°40'58" E	99.02
CE130	S 54°28'53" E	71.82
CE129	N 07°20'08" E	86.37
CE128	S 25°24'22" W	30.84
CE127	S 48°20'50" E	46.35
CE126	S 04°15'08" W	33.03
CE125	S 45°20'50" E	39.70
CE124	S 69°20'43" E	41.90
CE123	S 56°58'12" E	61.10
CE122	S 16°33'04" E	17.94
CE121	S 12°21'18" E	42.76
CE120	S 22°22'23" E	32.77
CE119	S 49°19'05" W	42.15
CE118	S 41°40'42" W	43.37
CE117	S 26°07'37" W	33.74
CE116	S 12°26'05" W	27.76
CE115	S 67°43'47" E	10.02
CE114	S 88°04'00" E	18.55
CE113	S 13°35'56" W	62.13
CE112	S 29°12'41" W	71.75
CE111	S 35°40'58" E	99.02
CE110	S 54°28'53" E	71.82
CE109	N 07°20'08" E	86.37
CE108	S 25°24'22" W	30.84
CE107	S 48°20'50" E	46.35
CE106	S 04°15'08" W	33.03
CE105	S 45°20'50" E	39.70
CE104	S 69°20'43" E	41.90
CE103	S 56°58'12" E	61.10
CE102	S 16°33'04" E	17.94
CE101	S 12°21'18" E	42.76
CE100	S 22°22'23" E	32.77

**BOUNDARY LINE TABLE**

LINE	BEARING	DISTANCE
B136	N 62°53'37" W	61.13
B135	N 57°05'07" W	66.48
B134	N 57°05'07" W	40.04
B133	N 71°01'29" W	89.32
B132	N 61°11'01" W	42.48
B131	N 70°54'15" W	22.33
B130	N 52°31'58" W	75.30
B129	N 47°03'15" W	26.21
B128	N 42°25'15" W	18.77
B127	N 48°28'54" W	42.70
B126	N 38°17'00" W	88.69
B125	N 28°58'54" W	33.00
B124	N 11°04'52" W	41.14
B123	N 03°50'18" E	19.81
B122	N 04°22'08" W	20.32
B121	N 52°25'42" W	43.99
B120	N 42°25'42" W	18.65
B119	N 22°43'22" W	19.68
B118	N 05°00'57" E	27.42
B117	N 30°16'27" W	16.31
B116	N 01°08'02" W	18.68
B115	N 18°31'47" W	9.01
B114	N 43°06'16" W	37.09

**CONSERVATION EASEMENT PLAN**

FOR **PENINSULA**

SUSSEX COUNTY, DELAWARE  
Prepared for: PENINSULA AT LONGNECK, LLC

DATE: 10/13/03  
SCALE: 1"=100'  
JOB NO.: 000200072  
DRAWN BY: TH/TW  
DESIGN BY: DP  
APPROVED BY: REC

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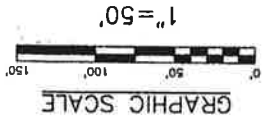
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MATCHLINE SHEET 7

NO. 85 MAY 16



**ACS GOVERNMENT SERVICES**



CONSERVATION EASEMENT LINE TABLE (CE)

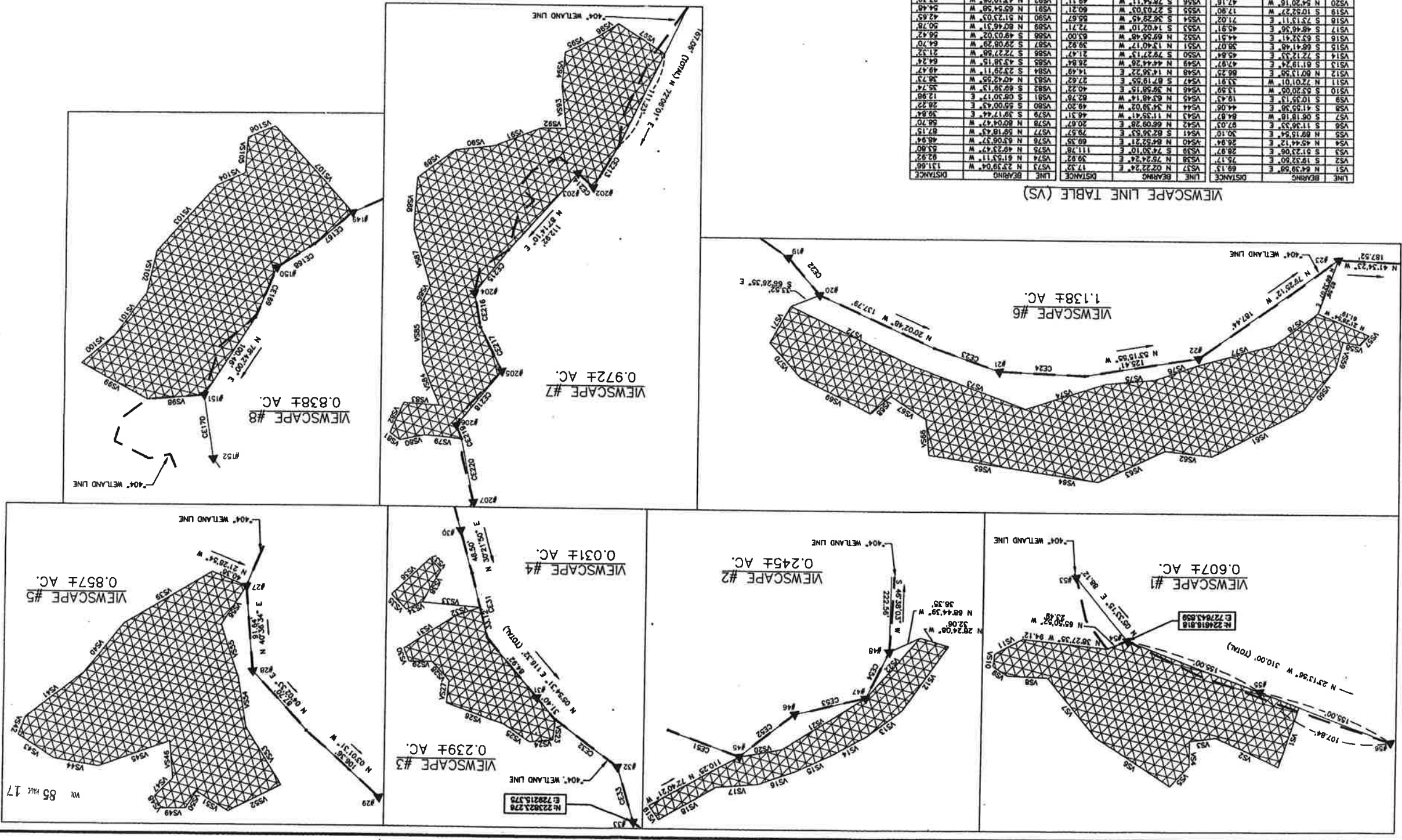
CE22	N 05°27'59" E	52.92	CE188	S 77°04'44" E	46.13
CE23	N 24°52'29" W	74.37	CE189	N 67°49'02" E	59.03
CE24	N 41°57'36" W	94.59	CE190	N 56°43'04" E	69.57
CE31	N 31°06'16" E	71.24	CE213	N 76°17'35" E	53.55
CE32	N 08°06'06" W	65.43	CE214	S 03°39'25" E	22.65
CE33	N 26°21'52" E	60.56	CE215	N 83°11'23" E	59.17
CE34	N 07°35'01" W	79.25	CE216	N 35°00'59" E	37.93
CE35	S 71°29'54" W	67.14	CE217	N 18°52'55" E	52.60
CE36	S 84°13'27" E	53.76	CE220	N 34°15'33" E	69.83

VIEWSCAPE LINE TABLE (VS)

VS1	N 64°39'58" E	66.13	VS101	S 35°44'40" E	119.66
VS2	S 19°22'50" E	75.17	VS102	S 35°59'32" E	67.60
VS3	S 19°22'50" E	75.17	VS103	S 69°16'00" E	79.98
VS4	S 19°22'50" E	75.17	VS104	S 15°54'00" E	67.60
VS5	S 19°22'50" E	75.17	VS105	S 48°52'54" E	62.08
VS6	S 19°22'50" E	75.17	VS106	N 12°19'59" W	60.22
VS7	S 19°22'50" E	75.17	VS107	N 76°50'50" W	30.50
VS8	S 19°22'50" E	75.17	VS108	N 69°45'06" E	28.81
VS9	S 19°22'50" E	75.17	VS109	S 50°43'56" W	36.02
VS10	S 19°22'50" E	75.17	VS110	S 39°18'16" W	47.13
VS11	S 19°22'50" E	75.17	VS111	N 43°19'05" W	27.50
VS12	S 19°22'50" E	75.17	VS112	N 65°54'58" W	54.45
VS13	S 19°22'50" E	75.17	VS113	N 51°23'03" W	60.21
VS14	S 19°22'50" E	75.17	VS114	N 12°23'03" W	42.65
VS15	S 19°22'50" E	75.17	VS115	S 27°03'49" W	45.67
VS16	S 19°22'50" E	75.17	VS116	S 14°02'10" W	72.21
VS17	S 19°22'50" E	75.17	VS117	N 69°56'48" W	63.00
VS18	S 19°22'50" E	75.17	VS118	S 49°03'02" W	50.78
VS19	S 19°22'50" E	75.17	VS119	S 29°08'29" W	64.70
VS20	S 19°22'50" E	75.17	VS120	S 72°27'58" W	21.32
VS21	S 19°22'50" E	75.17	VS121	S 43°38'15" W	64.24
VS22	S 19°22'50" E	75.17	VS122	N 14°36'22" E	14.49
VS23	S 19°22'50" E	75.17	VS123	N 40°42'55" W	36.73
VS24	S 19°22'50" E	75.17	VS124	S 67°58'19" E	40.22
VS25	S 19°22'50" E	75.17	VS125	S 08°50'17" E	12.98
VS26	S 19°22'50" E	75.17	VS126	S 55°05'43" E	28.32
VS27	S 19°22'50" E	75.17	VS127	S 39°17'44" E	59.64
VS28	S 19°22'50" E	75.17	VS128	N 82°54'47" W	66.75
VS29	S 19°22'50" E	75.17	VS129	N 59°18'43" W	67.15
VS30	S 19°22'50" E	75.17	VS130	N 63°05'37" W	48.94
VS31	S 19°22'50" E	75.17	VS131	S 27°50'10" E	26.97
VS32	S 19°22'50" E	75.17	VS132	N 75°24'24" E	92.92
VS33	S 19°22'50" E	75.17	VS133	N 61°53'11" W	82.92
VS34	S 19°22'50" E	75.17	VS134	N 23°30'04" W	131.66
VS35	S 19°22'50" E	75.17	VS135	N 02°22'24" E	17.32
VS36	S 19°22'50" E	75.17	VS136	N 18°02'00" W	148.84
VS37	S 19°22'50" E	75.17	VS137	S 74°42'51" W	44.97
VS38	S 19°22'50" E	75.17	VS138	S 04°12'02" W	50.22
VS39	S 19°22'50" E	75.17	VS139	S 17°44'59" E	65.92
VS40	S 19°22'50" E	75.17	VS140	N 68°19'23" E	29.10
VS41	S 19°22'50" E	75.17	VS141	S 87°50'08" W	67.24
VS42	S 19°22'50" E	75.17	VS142	S 40°37'32" W	38.84
VS43	S 19°22'50" E	75.17	VS143	S 11°18'42" E	45.70
VS44	S 19°22'50" E	75.17	VS144	S 58°07'55" W	48.69
VS45	S 19°22'50" E	75.17	VS145	S 35°44'40" E	119.66
VS46	S 19°22'50" E	75.17	VS146	S 35°59'32" E	67.60
VS47	S 19°22'50" E	75.17	VS147	S 69°16'00" E	79.98
VS48	S 19°22'50" E	75.17	VS148	S 15°54'00" E	67.60
VS49	S 19°22'50" E	75.17	VS149	S 48°52'54" E	62.08
VS50	S 19°22'50" E	75.17	VS150	N 12°19'59" W	60.22
VS51	S 19°22'50" E	75.17	VS151	N 76°50'50" W	30.50
VS52	S 19°22'50" E	75.17	VS152	N 69°45'06" E	28.81
VS53	S 19°22'50" E	75.17	VS153	S 50°43'56" W	36.02
VS54	S 19°22'50" E	75.17	VS154	S 39°18'16" W	47.13
VS55	S 19°22'50" E	75.17	VS155	N 43°19'05" W	27.50
VS56	S 19°22'50" E	75.17	VS156	N 65°54'58" W	54.45
VS57	S 19°22'50" E	75.17	VS157	N 51°23'03" W	60.21
VS58	S 19°22'50" E	75.17	VS158	N 12°23'03" W	42.65
VS59	S 19°22'50" E	75.17	VS159	S 27°03'49" W	45.67
VS60	S 19°22'50" E	75.17	VS160	S 14°02'10" W	72.21
VS61	S 19°22'50" E	75.17	VS161	N 69°56'48" W	63.00
VS62	S 19°22'50" E	75.17	VS162	S 49°03'02" W	50.78
VS63	S 19°22'50" E	75.17	VS163	S 29°08'29" W	64.70
VS64	S 19°22'50" E	75.17	VS164	S 72°27'58" W	21.32
VS65	S 19°22'50" E	75.17	VS165	S 43°38'15" W	64.24
VS66	S 19°22'50" E	75.17	VS166	N 14°36'22" E	14.49
VS67	S 19°22'50" E	75.17	VS167	N 40°42'55" W	36.73
VS68	S 19°22'50" E	75.17	VS168	S 67°58'19" E	40.22
VS69	S 19°22'50" E	75.17	VS169	S 08°50'17" E	12.98
VS70	S 19°22'50" E	75.17	VS170	S 55°05'43" E	28.32
VS71	S 19°22'50" E	75.17	VS171	S 39°17'44" E	59.64
VS72	S 19°22'50" E	75.17	VS172	N 82°54'47" W	66.75
VS73	S 19°22'50" E	75.17	VS173	N 59°18'43" W	67.15
VS74	S 19°22'50" E	75.17	VS174	N 63°05'37" W	48.94
VS75	S 19°22'50" E	75.17	VS175	S 27°50'10" E	26.97
VS76	S 19°22'50" E	75.17	VS176	N 75°24'24" E	92.92
VS77	S 19°22'50" E	75.17	VS177	N 61°53'11" W	82.92
VS78	S 19°22'50" E	75.17	VS178	N 23°30'04" W	131.66
VS79	S 19°22'50" E	75.17	VS179	N 02°22'24" E	17.32
VS80	S 19°22'50" E	75.17	VS180	N 18°02'00" W	148.84
VS81	S 19°22'50" E	75.17	VS181	S 74°42'51" W	44.97
VS82	S 19°22'50" E	75.17	VS182	S 04°12'02" W	50.22
VS83	S 19°22'50" E	75.17	VS183	S 17°44'59" E	65.92
VS84	S 19°22'50" E	75.17	VS184	N 68°19'23" E	29.10
VS85	S 19°22'50" E	75.17	VS185	S 87°50'08" W	67.24
VS86	S 19°22'50" E	75.17	VS186	S 40°37'32" W	38.84
VS87	S 19°22'50" E	75.17	VS187	S 11°18'42" E	45.70
VS88	S 19°22'50" E	75.17	VS188	S 58°07'55" W	48.69
VS89	S 19°22'50" E	75.17	VS189	S 35°44'40" E	119.66
VS90	S 19°22'50" E	75.17	VS190	S 35°59'32" E	67.60
VS91	S 19°22'50" E	75.17	VS191	S 69°16'00" E	79.98
VS92	S 19°22'50" E	75.17	VS192	S 15°54'00" E	67.60
VS93	S 19°22'50" E	75.17	VS193	S 48°52'54" E	62.08
VS94	S 19°22'50" E	75.17	VS194	N 12°19'59" W	60.22
VS95	S 19°22'50" E	75.17	VS195	N 76°50'50" W	30.50
VS96	S 19°22'50" E	75.17	VS196	N 69°45'06" E	28.81
VS97	S 19°22'50" E	75.17	VS197	S 50°43'56" W	36.02
VS98	S 19°22'50" E	75.17	VS198	S 39°18'16" W	47.13
VS99	S 19°22'50" E	75.17	VS199	N 43°19'05" W	27.50
VS100	S 19°22'50" E	75.17	VS200	N 65°54'58" W	54.45

CONSERVATION EASEMENT LINE TABLE (CE)

VIEWSCAPE LINE TABLE (VS)



**NEWSCAPE DETAILS**

DATE: 10/13/03  
SCALE: 1" = 50'

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APPROVED BY: DP

DESIGN BY: DP

DRAWN BY: TH/DW

JOB NO.: 02020072

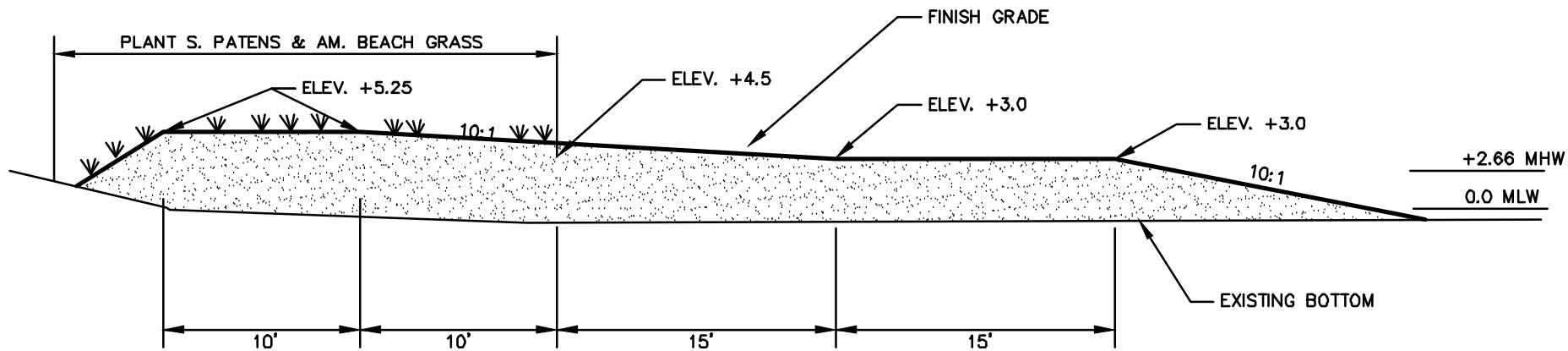
DATE: 10/13/03

FOR PENNSYLVANIA

SUSSEX COUNTY, DELAWARE

Approved for: PENNSYLVANIA AT CONARCK, LLC

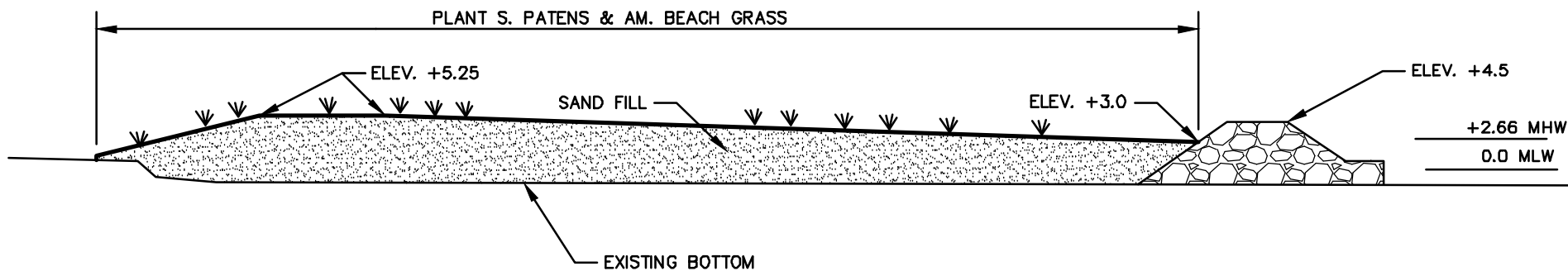
SHEET NO. 9 OF 9



**SECTION A-A**  
N.T.S.

THE PENINSULA  
MR RPC SUBDIVISION  
**SECTION A-A**

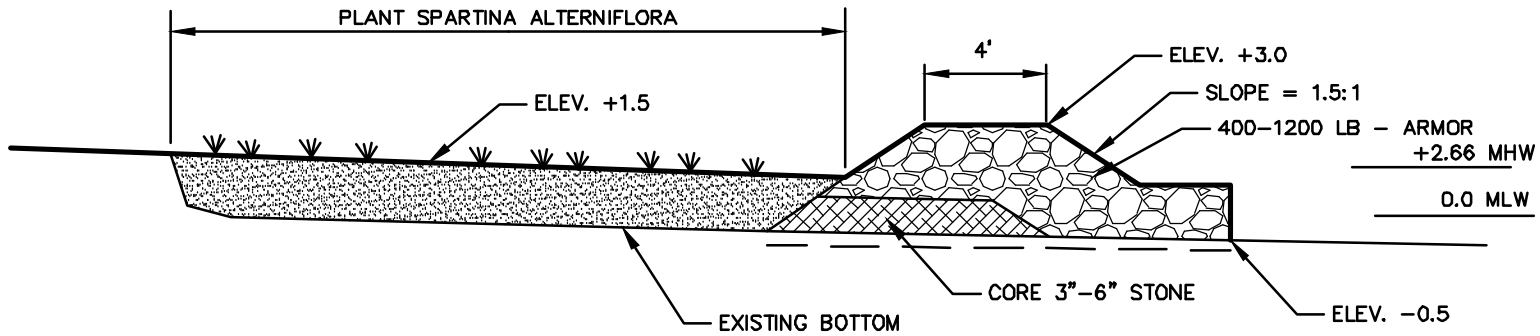
<p><b>M<sub>C</sub>CRONE</b> ENGINEERING • ENVIRONMENTAL SCIENCES LAND PLANNING &amp; SURVEYING CONSTRUCTION SERVICES 119 NAYLOR MILL ROAD BLDG 1, SUITE 6 SALISBURY, MARYLAND (410) 548-1492 mccal@dmv.com</p> <p>Copyright 2002</p>	DRAWN BY <u>TH</u>
	SCALE <u>N.T.S.</u>
	DATE <u>10/15/03</u>
	JOB NO. <u>D2020072</u>
	SHEET No. <u>18.3 of 62</u>



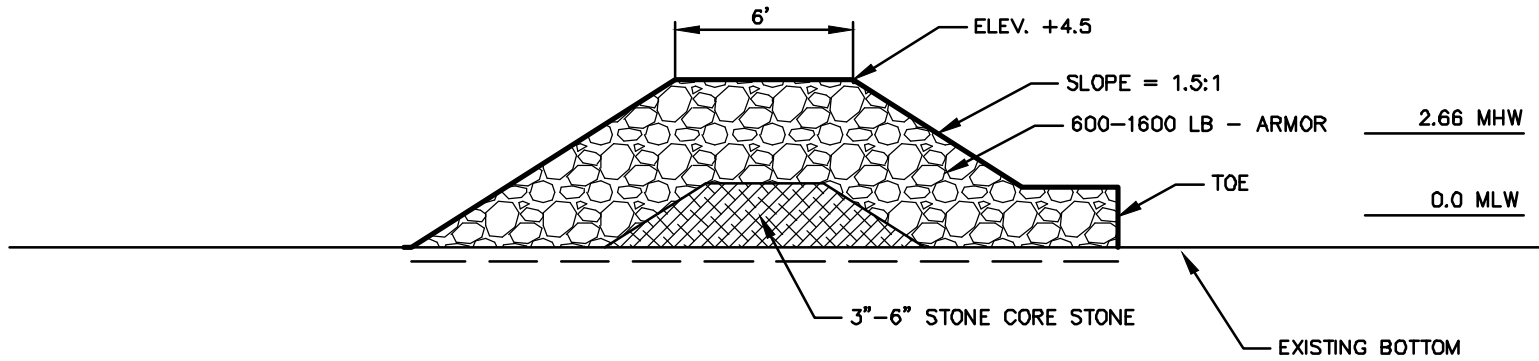
**SECTION B-B**  
N.T.S.

THE PENINSULA  
MR RPC SUBDIVISION  
**SECTION B-B**

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	SCALE	N.T.S. _____
	DATE	10/15/03 _____
	JOB NO.	D2020072 _____
	SHEET No.	18.2 of 62 _____



**SECTION C-C TYPICAL SILL**  
N.T.S.

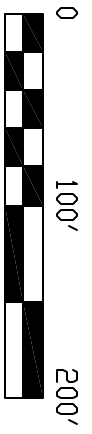
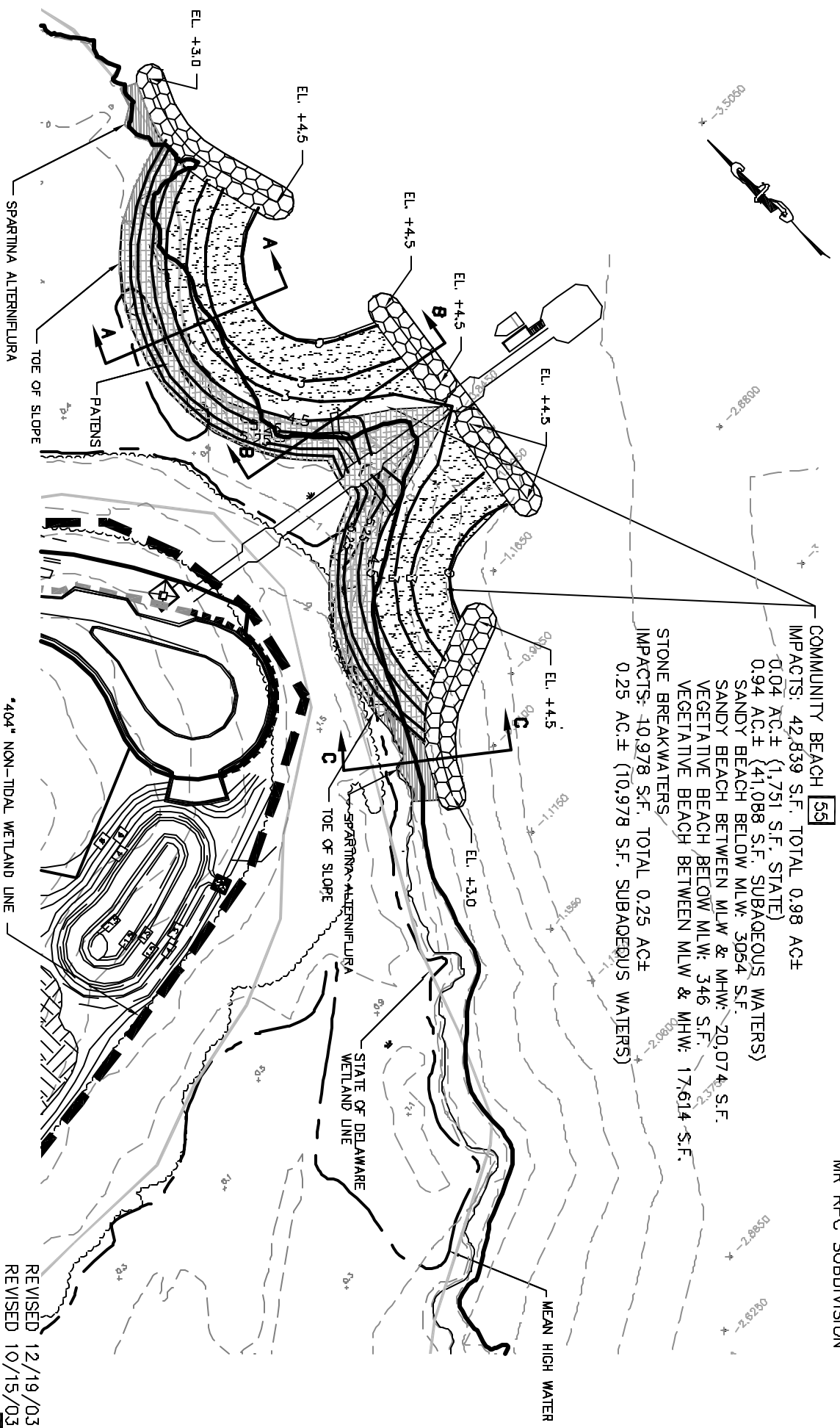


**TYPICAL BREAKWATER / SPUR HEAD**  
N.T.S.

THE PENINSULA  
MR RPC SUBDIVISION  
SECTION C-C TYPICAL SILL  
TYPICAL BREAKWATER / SPUR HEAD

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	SCALE <u>N.T.S</u>
	DATE <u>10/15/03</u>
	JOB NO. <u>D2020072</u>
	SHEET No. <u>18.4 of 62</u>

**COMMUNITY BEACH 55**  
 IMPACTS: 42,839 S.F. TOTAL 0.98 AC±  
 0.04 AC± (1,751 S.F. STATE)  
 0.94 AC± (41,088 S.F. SUBAQUEOUS WATERS)  
 SANDY BEACH BELOW MLW: 3054 S.F.  
 SANDY BEACH BETWEEN MLW & MHW: 20,074 S.F.  
 VEGETATIVE BEACH BELOW MLW: 346 S.F.  
 VEGETATIVE BEACH BETWEEN MLW & MHW: 17,614 S.F.  
**STONE BREAKWATERS**  
 IMPACTS: 10,978 S.F. TOTAL 0.25 AC±  
 0.25 AC± (10,978 S.F. SUBAQUEOUS WATERS)



NOTE: SOUNDINGS REFER TO  
MLW=0.0, THIS SHEET ONLY.

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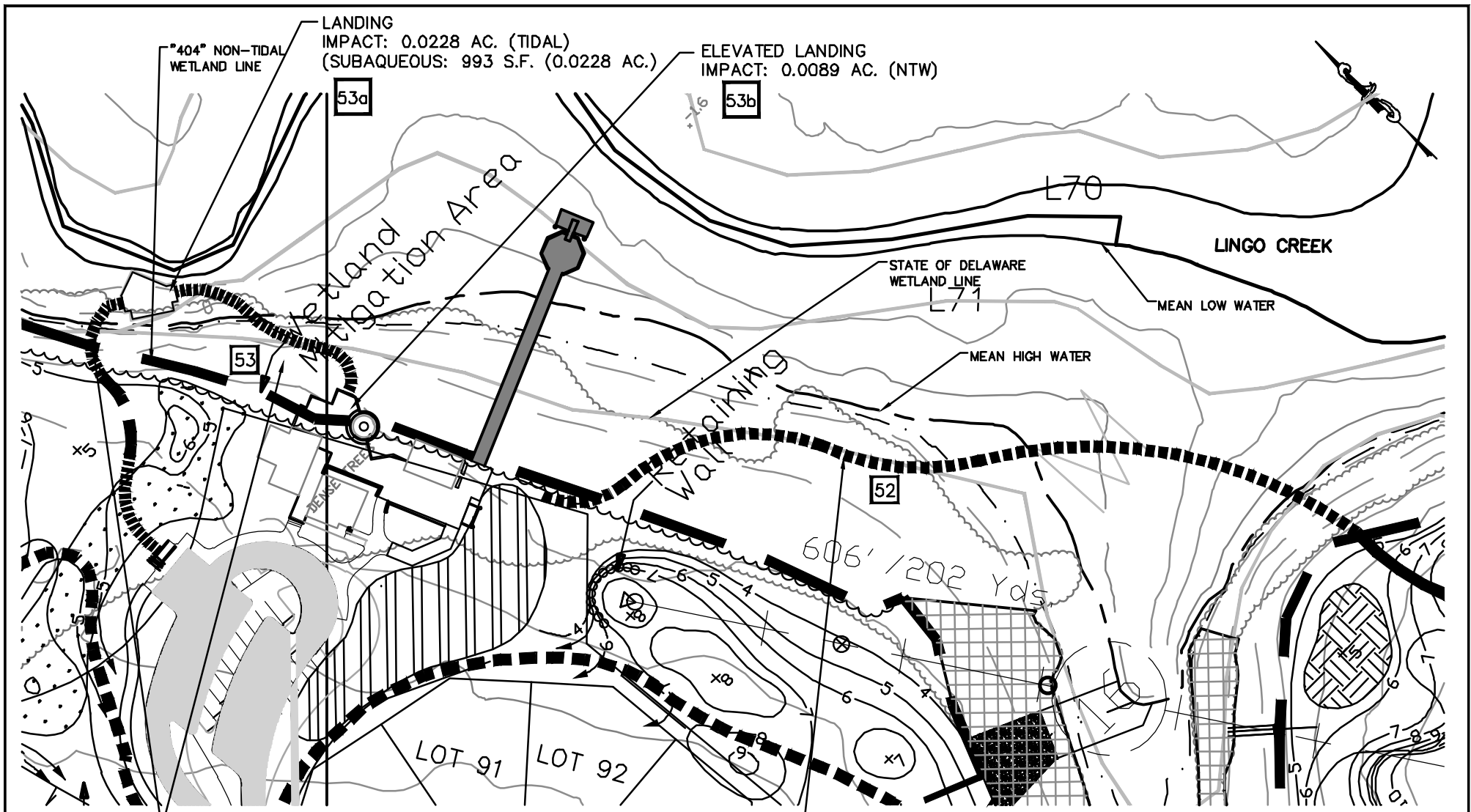
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 SCALE 1"=100'  
 DATE 3/14/03  
 JOB NO. D2020072  
 SHEET No. 18.1 of 65

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REVISED 12/19/03  
 REVISED 10/15/03

**IMPACT AREA - COMMUNITY BEACH 55**



404° NON-TIDAL WETLAND LINE

LANDING  
IMPACT: 0.0228 AC. (TIDAL)  
(SUBAQUEOUS: 993 S.F. (0.0228 AC.))

ELEVATED LANDING  
IMPACT: 0.0089 AC. (NTW)

53a

53b

53

52

53

52

5' WIDE COMMUNITY WALKWAY

IMPACT:  
LENGTH= 61 L.F. (NTW)  
0.0070 AC. (NTW)  
LENGTH= 136 L.F. (TIDAL)  
0.0156 AC. (TIDAL)  
(STATE: 125 S.F. (0.0029 AC.)  
(SUBAQUEOUS: 555 S.F. (0.0127 AC.))

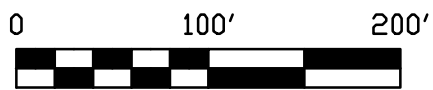
5' WIDE COMMUNITY WALKWAY

IMPACT:  
LENGTH= 242 L.F. (NTW)  
0.0278 AC. (NTW)  
LENGTH= 327 L.F. (TIDAL)  
0.0375 AC. (TIDAL)  
(STATE: 675 S.F. (0.0155 AC.)  
(SUBAQUEOUS: 960 S.F. (0.0220 AC.))

REVISED 10/15/03  
REVISED 9/3/03  
REVISED 5/1/03

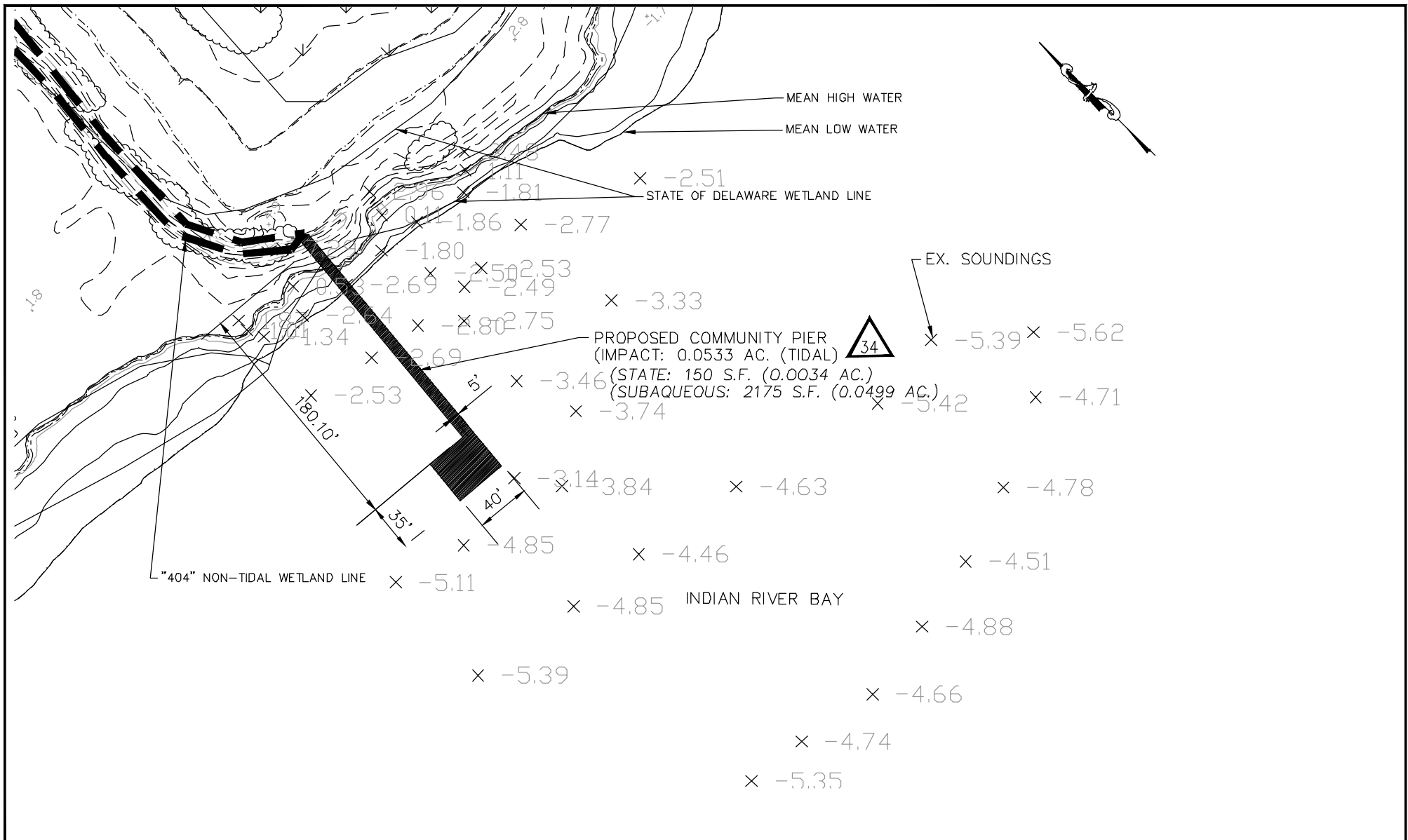
IMPACT AREA - BOARDWALK 52 & 53

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	<p>DATE 3/14/03</p>
	<p>JOB NO. D2020072</p>
	<p>SHEET No. 17.6 of 62</p>
	<p> </p>



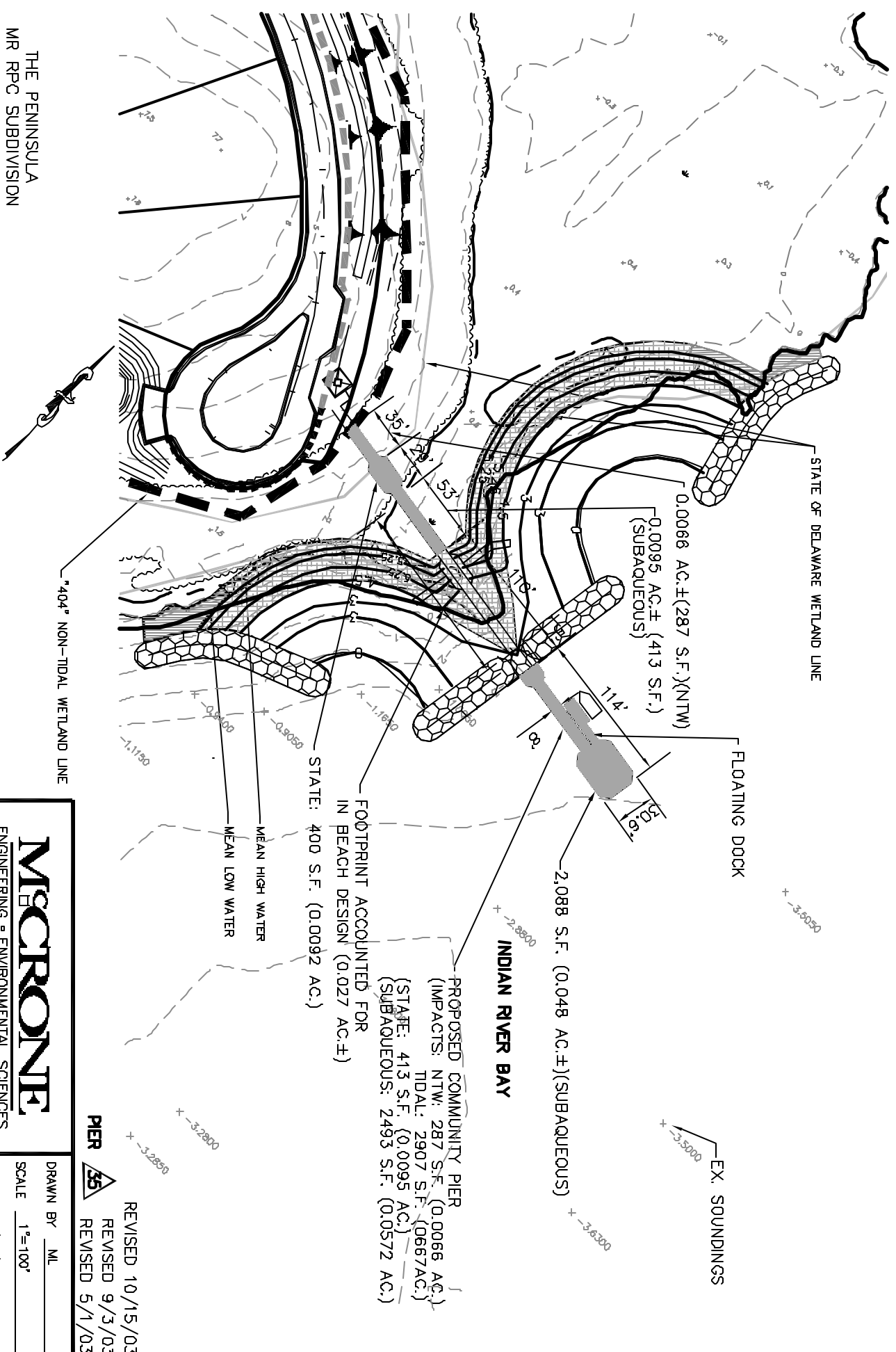


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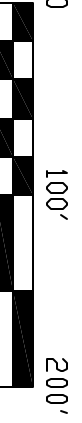


REVISED 10/15/03  
REVISED 9/3/03

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	<p>SCALE <u>1"=100'</u></p>
	<p>DATE <u>3/14/03</u></p>
	<p>JOB NO. <u>D2020072</u></p>
<p>SHEET No. <u>16.1 of 62</u></p>	



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NOTE: SOUNDINGS BASED ON MLW=0.0  
THIS SHEET ONLY

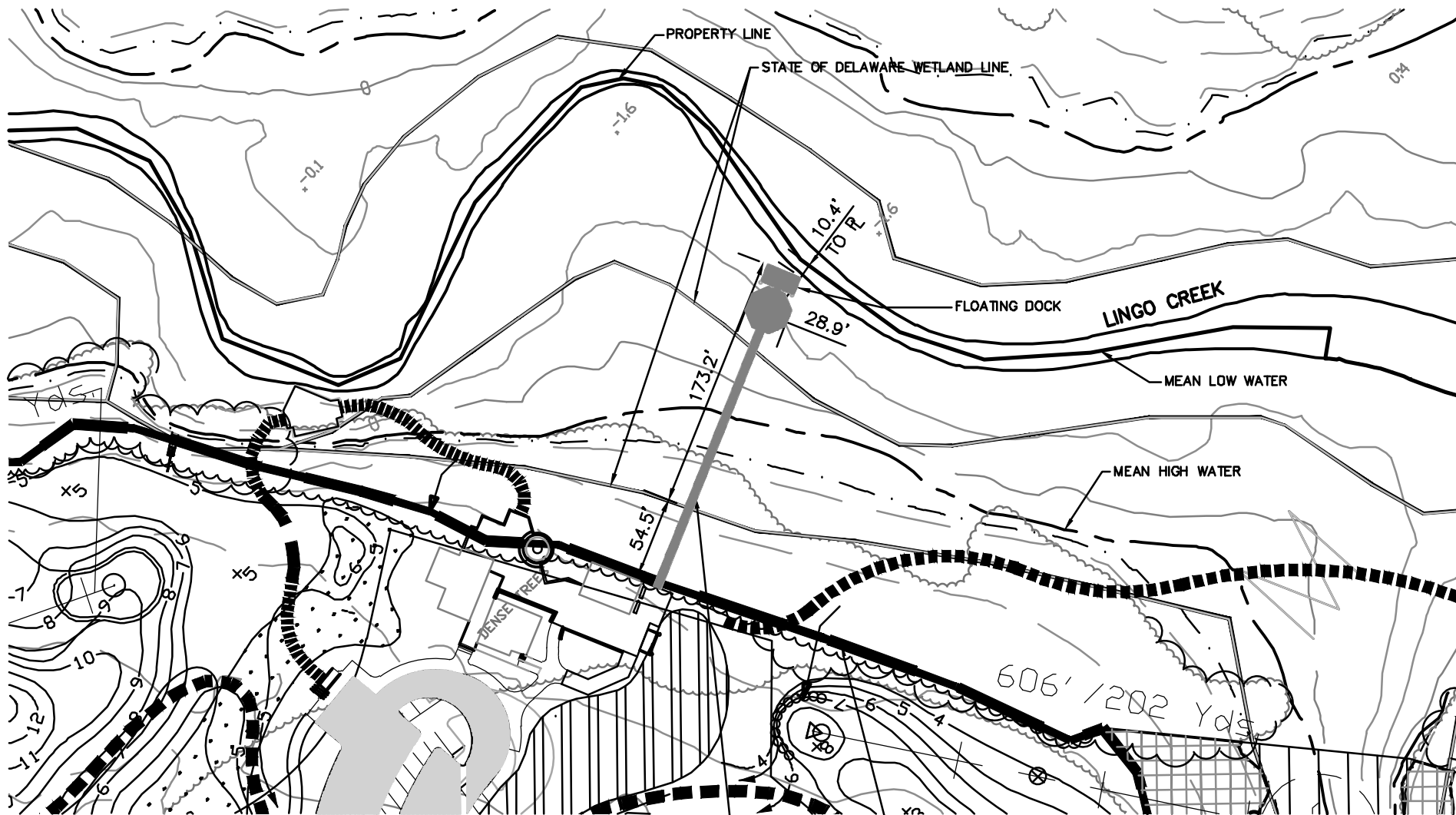
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REVISID 10/15/03  
REVISID 9/3/03  
REVISID 5/1/03



REVISED 10/15/03  
 REVISED 9/3/03  
 REVISED 5/1/03

PROPOSED COMMUNITY PIER  
 (IMPACTS: 0.0062 AC.. (NTW)  
 0.0376 AC. (TIDAL)  
 (STATE: 335 S.F. (0.0077 AC.)  
 (SUBAQUEOUS: 1302.01 SF (0.0299 AC.)

PIER 

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