(1)

Charles A. Zonko

1304 N. Schulz Rd

Fenwick Island, De 19944

October 2, 2025

State of Delaware

Division of Water

89 Kings Highway

Dover Delaware 19901

RE: Subaqueous Lands Lease Application

To whom it concerns,

Attached is my application for a land lease on my existing dock area. This application is being made due to the expiration of my previous lease ended last November. The property was in my wife's name, Bonita J. Zonko. She passed away two years ago. I have included a death certificate. The new lease should be in my name and address as above.

I have included two checks for the public notice and application fee. If you have any questions I can be reached at [redacted] on my cell.

Thank you,

Charles A. Zonko

Charles A. Zonko

CK#: 1381 - $225.00 Application Fee

CK#: 1382 $85.00 Public Notice

WETLANDS AND SUBAQUEOUS LANDS SECTION PERMIT APPLICATION FORM

For Subaqueous Lands, Wetlands, Marina and 401 Water Quality Certification Projects

State of Delaware
Department of Natural Resources and Environmental Control
Division of Water

Wetlands and Subaqueous Lands Section

APPLICATION FOR APPROVAL OF
SUBAQUEOUS LANDS, WETLANDS, MARINA
AND WATER QUALITY CERTIFICATION PROJECTS

Last Revised on: March 28, 2017

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY

Application Instructions:

1. Complete each section of this basic application and appropriate appendices as thoroughly and accurately as possible. Incomplete or inaccurate applications will be returned.

2. All applications must be accompanied by a scaled plan view and cross-section view plans that show the location and design details for the proposed project. Full construction plans must be submitted for major projects.

3. All applications must have an original signature page and proof of ownership or permitted land use agreement.

4. Submit an original and two (2) additional copies of the application (total of 3) with the appropriate application fee and public notice fee* (prepared in separate checks) to:

Department of Natural Resources and Environmental Control
Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, Delaware 19901

*Application and public notice fees are non-refundable regardless of the Permit decision or application status.

5. No construction may begin at the project site before written approval has been received from this office.

Helpful Information:

1. Tax Parcel Information:

New Castle County	(302) 395-5400
Kent County	(302) 736-2010
Sussex County	(302) 855-7878

2. Recorder of Deeds:

New Castle County	(302) 571-7550
Kent County	(302) 744-2314
Sussex County	(302) 855-7785

3. A separate application and/or approval may be required through the Army Corps of Engineers. Applicants are strongly encouraged to contact the Corps for a determination of their permitting requirements. For more information, contact the Philadelphia District Regulator of the Day at (215) 656-6728 or visit their website at: http://www.nap.usace.army.mil/Missions/Regulatory.aspx.

4. For questions about this application or the Wetlands and Subaqueous Lands Section, contact us at (302) 739-9943 or visit our website at: http://www.dnrec.delaware.gov/wr/Services/Pages/WetlandsAndSubaqueousLands.aspx. Office hours are Monday through Friday 8:00 AM to 4:30 PM, except on State Holidays.

APPLICANT'S REVIEW BEFORE MAILING

DID YOU COMPLETE THE FOLLOWING?

✓ Yes	BASIC APPLICATION
✓ Yes	SIGNATURE PAGE (Page 3) (Page 6)
✓ Yes	APPLICABLE APPENDICES
✓ Yes	SCALED PLAN VIEW
✓ Yes	SCALED CROSS-SECTION OR ELEVATION VIEW PLANS
✓ Yes	VICINITY MAP
✓ Yes	COPY OF THE PROPERTY DEED & SURVEY
✓ Yes	THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET
✓ Yes	APPROPRIATE APPLICATION FEE & PUBLIC NOTICE FEE (Separate checks made payable to the State of Delaware) Ck 1381 & 1382 in your possession

Submit 3 complete copies of the application packet to:

Department of Natural Resources and Environmental Control
Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, Delaware 19901

Before signing and mailing your application packet, please read the following:

The Department requests that the contractor or party who will perform the construction of your proposed project, if other than the applicant, sign the application signature page along with the applicant in the spaces provided. When the application is signed by the contractor as well as the applicant, the Department will issue the Permit to both parties. For Leases, the contractor will receive a separate construction authorization that will make them subject to all of the terms and conditions of the Lease relating to the construction

Section 1: Applicant Identification

1. Applicant's Name: Charles A Zonko
   Mailing Address: 1304 N. Schulz Rd
   Fenwick Island, DE
   19944
   Telephone #: [redacted]
   Fax #: NONE
   E-mail: [redacted]

2. Consultant's Name: _____
   Mailing Address: N/A
   Company Name: _____
   Telephone #: N/A
   Fax #: _____
   E-mail: _____

3. Contractor's Name: Jerry Kinway
   Mailing Address: P.O. Box 600
   Selbyville, De. 19975
   Company Name: J & J Bulkheading
   Telephone #: [redacted]
   Fax #: [redacted]
   E-mail: [redacted]

Section 2: Project Description

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

5. Project Purpose (attach additional sheets as necessary):
Utilize 5x25 dock area for kayaking.
Utilize 5x25 dock area for boat docking
Utilize 3x8 dock area to access boat

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

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

Section 3: Project Location

7. Project Site Address: 1304 N. Schulz Rd
   Fenwick Island, DE
   19944
   County: ☐ N.C. ☐ Kent X Sussex
   Site owner name (if different from applicant): _____
   Address of site owner: SAME

8. Driving Directions: IN Fenwick, take Dagsboro St(W) to stop sign. Turn Right. Property NEXT to last on bayfront.
(Attach a vicinity map identifying road names and the project location)

9. Tax Parcel ID Number: 1-34-23.12 & 15
   Subdivision Name: Resubdivision of Lands of George J Schulz

WSLS Use Only: **Permit #s:** _____ _____ _____ _____

Type SP ☐ SL ☐ SU ☐ WE ☐ WQ ☐ LA ☐ SA ☐ MP ☐ WA ☐

Corps Permit: SPGP 18 ☐ 20 ☐ **Nationwide Permit #:** _____ **Individual Permit #** _____
Received Date: _____ **Project Scientist:** _____
Fee Received? Yes ☐ No ☐ **Amt: $** _____ **Receipt #:** _____
Public Notice #: _____ **Public Notice Dates: ON** _____ **OFF** _____

Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: Little Assawoman Bay waterbody is a tributary to: Ocean City bay

11. Is the waterbody: [X] Tidal [ ] Non-tidal Waterbody width at mean low or ordinary high water 4000 LF

12. Is the project: [ ] On public subaqueous lands? [X] On private subaqueous lands?*
[ ] In State-regulated wetlands? [ ] In Federally-regulated wetlands?

*If the project is on private subaqueous lands, provide the name of the subaqueous lands owner:

(Written permission from the private subaqueous lands owner must be included with this application)

13. Present Zoning: [ ] Agricultural [ ] Residential [ ] Commercial [ ] Industrial [ ] Other

Section 4: Miscellaneous

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

(S) EDWARD PANKOWSKI, JR
2200 Gilpen Ave.
Wilmington, DE 19806

(N) Russel Bruner
22600 Hillside Circle
Leesburg, Virginia 20175

B. For wetlands and marina projects, list the names and complete mailing addresses of property owners within a 1,000 foot radius of the project (attach additional sheets as necessary):

N/A

15. Provide the names of DNREC and/or Army Corps of Engineers representatives whom you have discussed the project with:
JENA SAXTON - ENVIRONMENTAL SCIENTIST (302) 739-9943

A. Have you had a State Jurisdictional Determination performed on the property? [ ] Yes [X] No
B. Has the project been reviewed in a monthly Joint Permit Processing Meeting? [ ] Yes [X] No
*If yes, what was the date of the meeting? _____

16. Are there existing structures or fill at the project site in subaqueous lands? [X] Yes [ ] No
*If yes, provide the permit and/or lease number(s): SL-165/04 (S1)

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

17. Have you applied for or obtained a Federal permit from the Army Corps of Engineers?
[X] No [ ] Pending [ ] Issued [ ] Denied Date: _____

Type of Permit: _____ Federal Permit or ID #: _____

18. Have you applied for permits from other Sections within DNREC?
[X] No [ ] Pending [ ] Issued [ ] Denied Date: _____ Permit or ID #: _____

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

Other: _____

Section 5: Signature Page

19. Agent Authorization:

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

I do not wish to authorize an agent to act on my behalf ☒

I wish to authorize an agent as indicated below ☐

I, N/A, hereby designate and authorize _____
(Name of Applicant) (Name of Agent)
to act on my behalf in the processing of this application and to furnish any additional information requested by the Department.

Authorized Agent's Name: _____ Telephone #: _____
Mailing Address: _____ Fax #: _____
_____ E-mail: _____
_____

20. Agent's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.

N/A
Agent's Signature _____ Date

21. Applicant's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application. I grant permission to authorized Department representatives to enter upon the premises for inspection purposes during working hours.

Charles A. Zonko
Applicant's Signature 12-31-2025 Date

Charles A. Zonko
Print Name

22. Contractor's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge, and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.

N/A
Contractor's Name _____ Date

_____
Print Name

Charles Zonko
1304 N. Schutt Rd.
Fenwick Island, De 19944

BOAT DOCKING FACILITIES

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

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

1. Briefly describe the project. (Attach additional sheets as necessary.)
Utilize 5' wide by 25' foot long dock.
Boat lift w/ (2) associated pilings 55' linear ft of bulkhead including 110 sq ft fill.

2. Please provide numbers and dimensions as follows:

Structure Type	Number of Support Pilings	Dimensions (Channelward of MHW or OHW)		Dimensions (Channelward of MLW- n/a for non-tidal water)		New, repair or maintain
Dock, Pier, Lift, gangway		Width ___ ft.	Length ___ ft.	Width ___ ft.	Length ___ ft.	
	SEE ATTACHED Drawing and permit.					
Freestanding Pilings	Number					

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

3. Approximately how wide is the waterway at this project site? 1/2 mile ft. (measured from MLW to MLW)

4. What will be the mean low water depth at the most channelward end of the mooring facility? 8 ft.

5. What type of material(s) will be used for construction of the mooring facility (e.g. salt treated wood, aluminum, fiberglass floats, etc.) Use of creosote-treated wood is prohibited.

6. Circle any of the following items that are proposed over subaqueous lands:
Fish Cleaning Stations/Benches/Ladders/Water Lines/ Satellite/Electric Lines/ Handrails/Other (Describe)
Electric For Boat lift.
If any of the items are circled above, include their dimensions and location on the application drawings.

7. What will be the distance from the most channelward end of the docking facility to the edge of any natural or man-made channel? 365 ft.

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

Make/model Key West length 19' width 6'6" draft _____
Make/model _____ length _____ width _____ draft _____
Make/model _____ length _____ width _____ draft _____
Make/model _____ length _____ width _____ draft _____

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

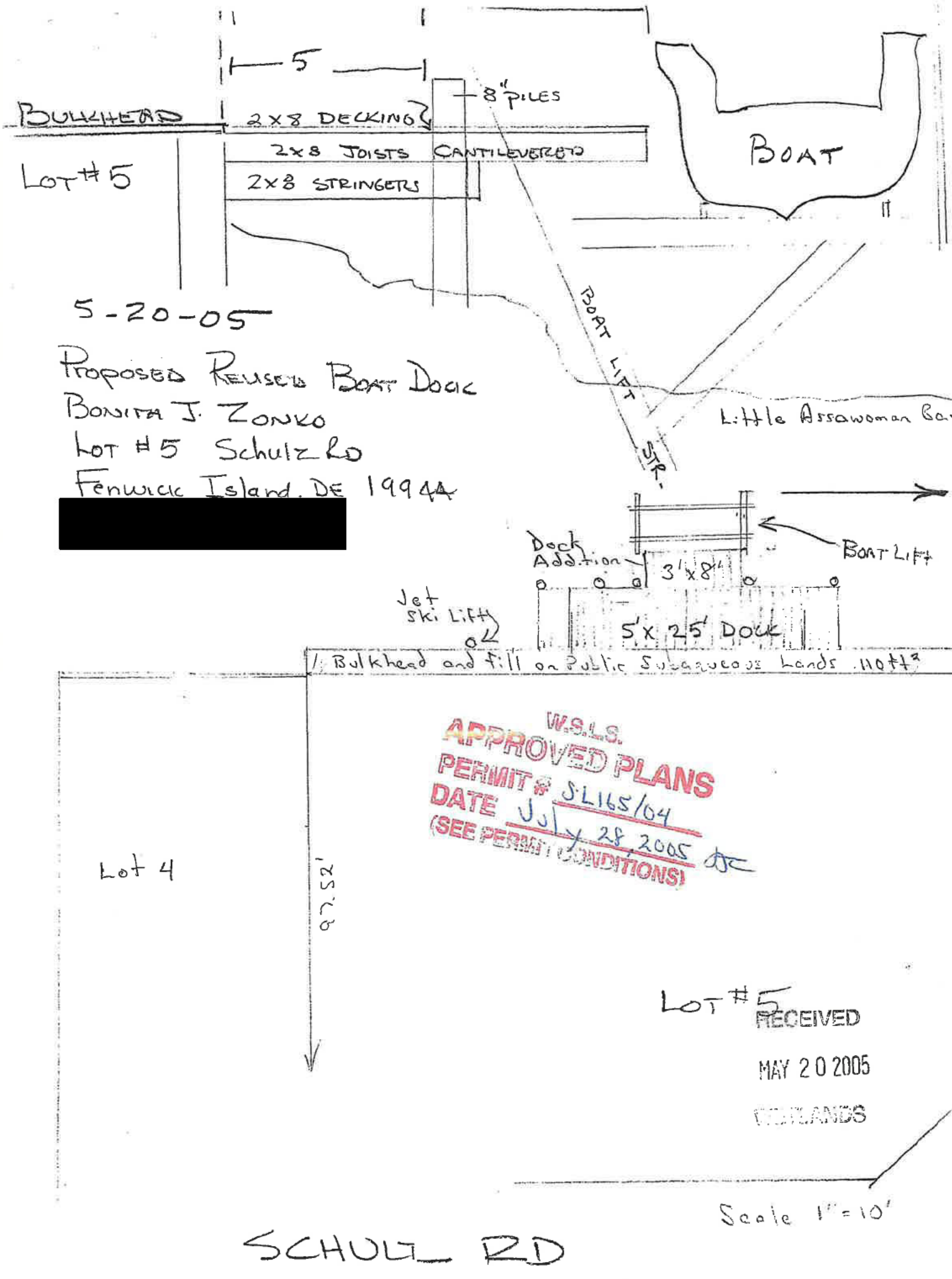
10. Give the number and type of each Marine Sanitation Device (e.g. MSD III, Portable toilet) that will be used on vessels to be docked at the facility.

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

12. Do you plan to reach the boat docking facility from your own upland property? ✓ Yes _____ No If "No", explain your proposed means of access and provide documentation of easement or documentation authorizing access if you intend to cross someone else's property.

13. Will any portion of the structure be located in privately owned underwater land (such as a pond or lagoon) owned by someone other than the applicant? ____Yes ✓ No.
If yes, written permission of the underwater land owner must be provided with this application.

14. What is the width of the waterfront property frontage adjacent to subaqueous lands? 55 ft.
Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line?
_____ Yes ✓ No
If yes, a letter of no objection from the adjacent property owner must be included with this application.

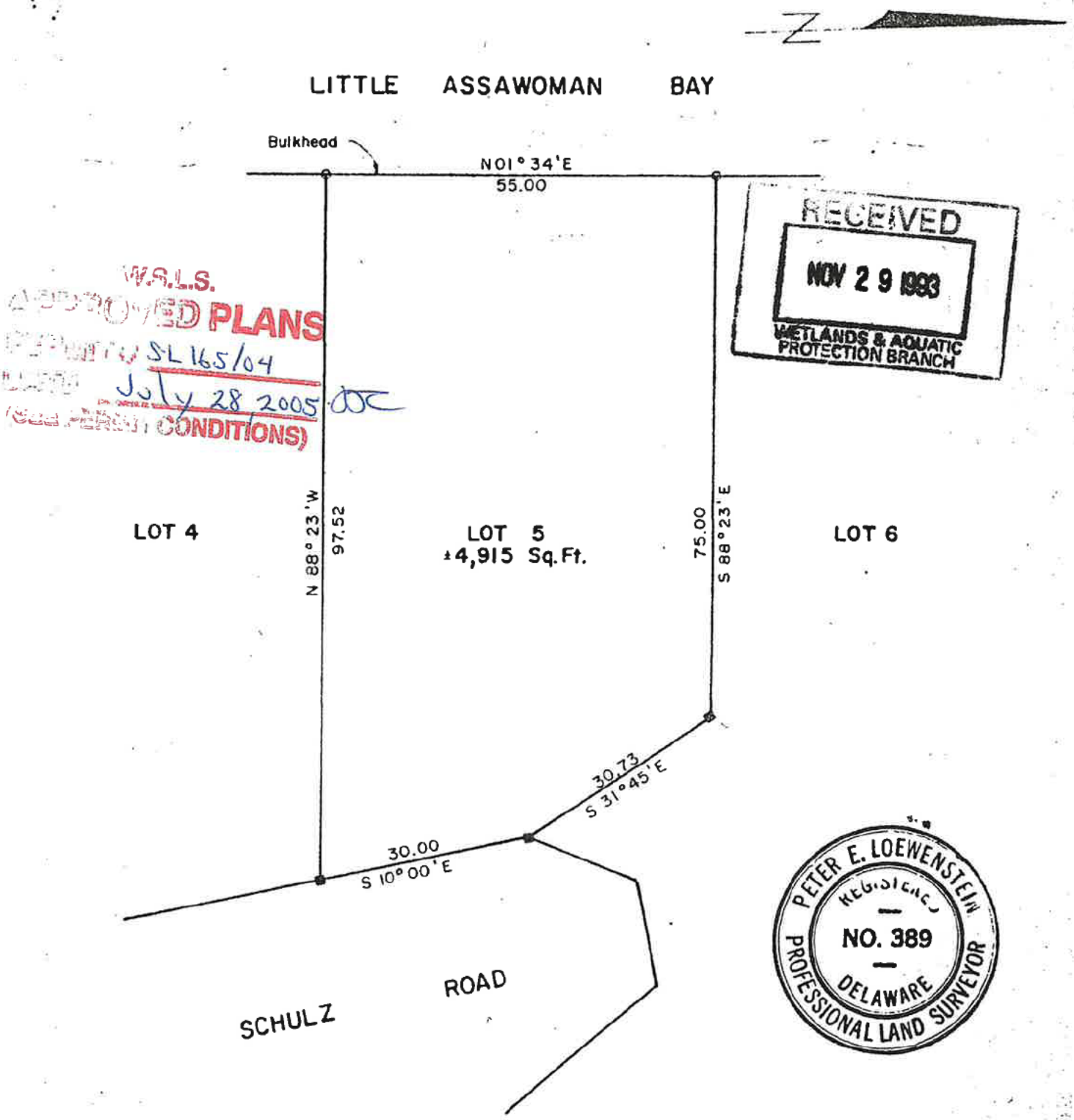


5-20-05

Proposed Reused Boat Dock
Bonita J. Zonko
Lot #5 Schulz Rd
Fenwick Island, DE 19944

[redacted]

SURVEY: LOT 5, RESUBDIVISIC LANDS OF GEORGE J. SCHULZ FENWICK ISLAND,
BALTIMORE HUNDREL, SUSSEX COUNTY, DELAWARE, R BAHMAN ABADIAN



REFERENCE:

Resubdivision of Lots 517 thru 521 & part of Lot 516 as shown, Subdivision Lands of George J. Schulz

NOTES:

20 0 10 20
Scale in feet

■ Denotes Concrete Monument

○ Denotes PK Nail

CHECKED BY PEL

PETER E. LOEWENSTEIN AND ASSOCIATES, INC.
SURVEYING —— LAND PLANNING
P.O. Box 5
Frankford, Delaware
19945
Peter E. Loewenstein P.L.S. No. 389

SURVEYED BY P.E.Loewenstein
DRAWN BY H.F. Johnson
DATE July 1977

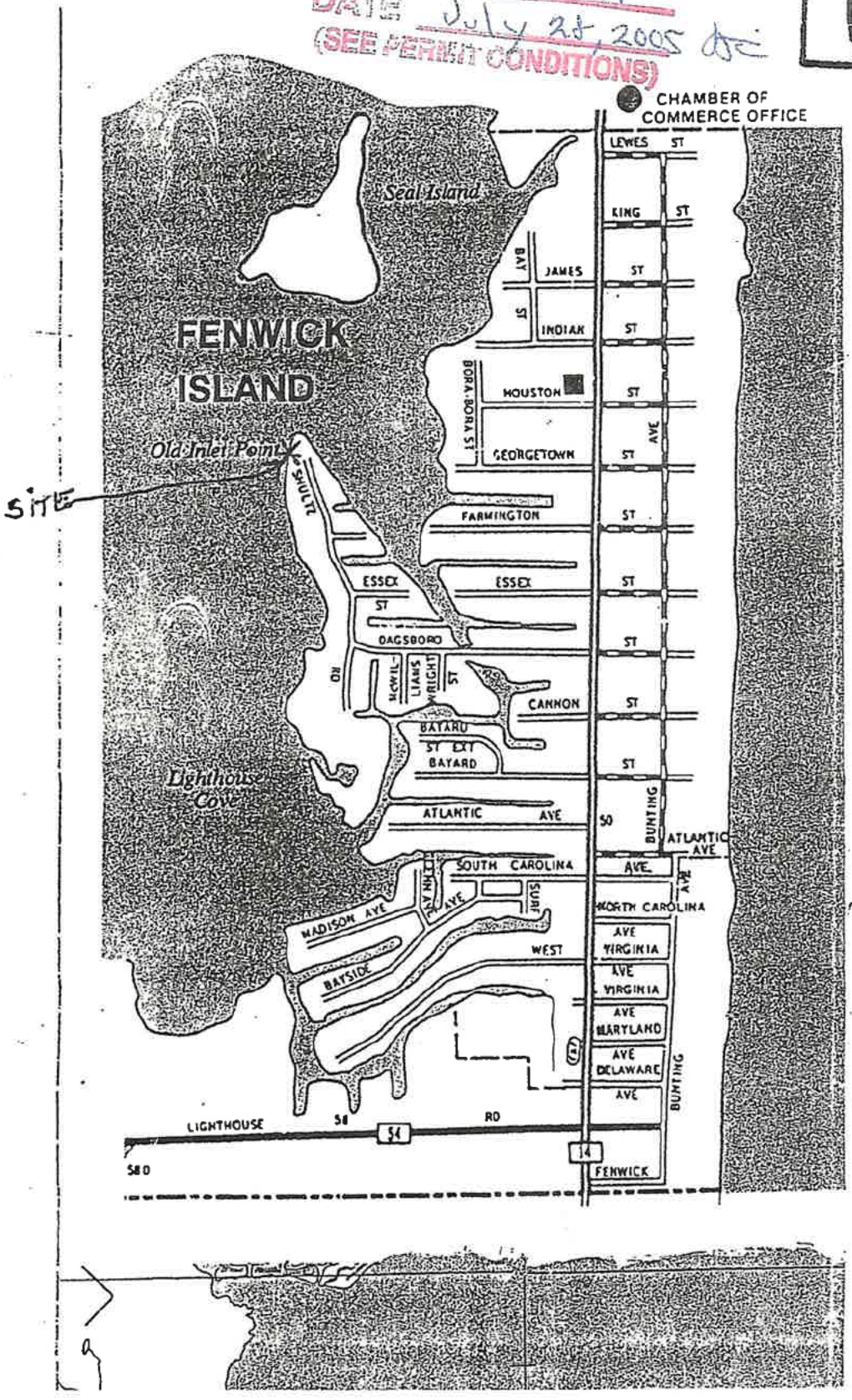
APPLICANT: Bonita Zonko

LOCATION: SHULTZ ROAD, FENWICK ISLAND, DELAWARE (SUSSEX COUNTY)

PROPOSED ACTIVITY: 60' Timber Bulkhead w/Return; 5'x25' PARALLEL DOCK & BOATLIFT

W.S.L.S.
APPROVED PLANS
PERMIT # SL165/04
DATE July 28, 2005
(SEE PERMIT CONDITIONS)

RECEIVED
NOV 29 1993
WETLANDS & AQUATIC PROTECTION BRANCH



THIS DEED, made this 30th day of August, in the year o
our LORD one thousand nine hundred and ninety-nine.

BETWEEN, Yasmin Abadian, Attorney-in-Fact for the Abadian Family Trust Fund, under a Power of Attorney dated January 27th, 1999, with address of 10410 Garden Way, Potomac, Maryland 20854, party of the first part,

and

Bonita J. Zonko, with address of RD 1, Box 142C, Selbyville, Delaware 19975, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One Dollar ($1.00) lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said party of the second part, her heirs and assigns,

ALL that certain lot, piece and parcel of land situate, lying and being i Fenwick Island, Baltimore Hundred, Sussex County, State of Delaware, being kno and designated as Lot Number Five (5) as shown on a Re-Subdivision Plot of lands of George J. Schulz by Edward Joyeusaz and T. H. Pickford, a plot of the said lands being filed for record in the Office of the Recorder of Deeds, in a for Sussex County, in Plot Book No. 7, page 21, and being more particularly described as follows, to wit: BEGINNING at a point in the Westerly right of w line of Schulz Drive at 40 feet wide and also a corner for Lot No. 4 as shown on the Plot of lands of Edward Joyeusaz and T. H. Pickford; thence from said point of beginning, North 88 degrees 23 minutes West 97.52 feet to a point at the water line of Little Assawoman Bay; thence by and with the water line of Little Assawoman Bay, North 01 degree 34 minutes East 55 feet to a point in th line of Lot No. 6 as shown on the aforesaid plot; thence by and with the line Lot No. 6, South 88 degrees 23 minutes East 75 feet to a point; thence turning and running South 31 degrees 45 minutes East 30.73 feet to a point in the Westerly right of way line of Schulz Drive; thence by and with the Westerly right of way line of Schulz Drive, South 10 degrees 00 minutes East, 30 feet t the point and place of beginning, be the contents thereof what they may, as surveyed and plotted by Sterling R. Maddox & Associates, Inc., Registered Surveyors, February 12, 1974, together with all improvements thereon.

BEING the same lands conveyed unto the Abadian Family Trust Fund by Bahman K. Abadian, Trustee, by Deed of Edward L. Lynn and Frances S. Lynn, his wife, dated May 31st, 1975, and now of record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 747, page 793 &c.

This conveyance is made under and subject to the condition that no building other than dwelling houses and the usual buildings appurtenant theret shall be erected upon the land by the grantees, their heirs and assigns, and n more than one dwelling house shall be erected on any one lot.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and Seal, the day and year aforesaid.

Signed, Sealed and Delivered
in the presence of:

Bahman K. Abadian by Yasmin Abadian his Attorney in fact (SEAL)
Yasmin Abadian, Attorney-in-Fact for
ABADIAN FAMILY TRUST FUND

④

Copy of Application
For New Lease
October 2, 2025

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

WETLANDS & SUBAQUEOUS LANDS SECTION

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

Bonita J. Zonko
1304 N. Schultz Rd
Fenwick Island, DE 19945
Tax Parcel: 1-34-23.12-15.00

Subaqueous Lands Lease: SL-165/04 (S1)
Associated Permits:
Lease Expiration Date:November 29, 2024
Supplemental Approval Date: 9/13/2016
Construction Expiration Date 9/13/2019

SUBAQUEOUS LANDS LEASE SUPPLEMENT

GRANTED TO:

Bonita J. Zonko

TO UTILIZE:

A 5 foot wide by 25 foot long dock
A boatlift with two associated pilings
55 linear feet of bulkhead including 110 square feet of fill

TO AUTHORIZE:

A 3 foot wide by 8 foot long section of dock

TO CONSTRUCT:

A 4 foot 10 inch wide by 21 foot long kayak platform

OCCUPYING PUBLIC SUBAQUEOUS LANDS TOTALING:

363.43 square feet

LOCATED CHANNELWARD OF MEAN LOW WATER:

In Little Assawoman Bay
At 1304 North Schultz Road
Fenwick Island, Sussex County, Delaware

Pursuant to the provisions of 7 Del. C. §7205, and the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this 13th day of September A.D. 2016, to construct the above-referenced project in accordance with the approved plans for this Lease (3 sheets) as approved on July 29, 2016 and the application dated May 19, 2016 and received by this Department on May 27, 2016, with subsequent information received on June 9, 2016.

WHEREAS, the State of Delaware is the owner of ungranted subaqueous lands lying beneath the waters of Little Assawoman Bay; and

WHEREAS, Bonita J. Zonko, owner(s) of certain lands adjoining to Little Assawoman Bay have applied for permission to amend their existing lease to now occupy 363.43 square feet of those public lands to install the indicated structures for private use; and

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

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

SPECIAL CONDITIONS

1. This Supplemental Approval is an addendum to Subaqueous Lands Lease No. SL-165/04 granted to Bonita J. Zonko by the State of Delaware on August 29, 2005. This Supplemental Approval shall be attached thereto and made a part thereof and shall not be considered valid until it has been duly recorded in the office for the Recorder of Deeds of the appropriate County.
2. Unless modified herein, all terms and conditions of Subaqueous Lands Lease No. SL-165/04 (S1)shall remain in full force and effect; including the **November 29, 2024** expiration date.
3. The current total square footage over public subaqueous lands authorized by this lease is now **363.43 square feet** represented by the 5 foot wide by 25 foot long dock, 3 foot wide by 8 foot long portion of dock, 4 foot 10 inch wide by 21 foot long kayak platform, a boatlift with 2 associated pilings and 55 linear feet of bulkhead including 110 square feet of fill constructed channelward of the mean low water line. The existing area of structure over public subaqueous lands previously authorized was **237 square feet** represented by the 5 foot wide by 25 foot long dock, 55 linear feet of bulkhead including 110 square feet of fill and a boat lift with 2 associated pilings constructed channelward of the mean low water line.
4. The current area subject to a lease fee is the 110 square feet of fill previously authorized for the construction of a bulkhead on public subaqueous lands. During the remaining twenty-year term of this Lease, the lessee shall agree to pay the State of Delaware the sum of $110.00 per annum for a total of $2,200.00 for the 110 square feet of public subaqueous lands utilized for the above-referenced project. The Lessee will be billed annually in September.
5. The lessee shall notify the Department of Natural Resources and Environmental Control within ten (10) days of completion of the work authorized by this Supplemental Approval by completing and returning the enclosed Contractor's Post Construction Completion Report form.
6. This approval is in accordance with the plans and application submitted to the Department of Natural Resources and Environmental Control, a copy of which is attached hereto and made a part hereof.
7. The work authorized by this Supplemental Approval is subject to the terms and conditions of the attached Department of the Army Permit Number **CENAP-OP-R SPGP-20**.

IN WITNESS WHEREOF, I, Bonita J. Zonko, have caused this instrument to be executed on this 16th day of February, 2017.

By: Bonita J. Zonko
Bonita J. Zonko (Lessee)

Sworn and Subscribed before me on this 16th day of February, 2017

(Notary Seal)

Notary

IN WITNESS WHEREOF, I, David S. Small, Secretary of the Department of Natural Resources and Environmental Control, have hereunto set my hand this 23 day of February, 2017.

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

46706 BK 02566 PG 116

Prep. By:

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: SL-321/00
Date of Issuance: 1/10/01
Construction Expiration Date: 1/10/04
Amended Date:
Tax Parcel #: 1-34-23.12-15.00

SUBAQUEOUS LANDS LEASE
GRANTED TO BONITA J. ZONKO FOR THE CONSTRUCTION OF A 5 FOOT BY 25 FOOT DOCK AND A BOAT LIFT MOUNTED TO THE DOCK IN LITTLE ASSAWOMAN BAY, 1304 SHULTZ AVENUE, FENWICK ISLAND, SUSSEX COUNTY, DELAWARE

Rut! Bonita J. Zonko
RD 1 Box 142C
Selbyville, DE 19975

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 10th day of January A.D. 2001 ~~2000,~~ to construct the above-referenced project in accordance with the approved plans for this Lease (1 Sheet) as approved on 12/14/00, and the application dated 4/4/00 and received by this Division on 9/25/00.

WHEREAS, the State of Delaware is the owner of ungranted subaqueous lands lying beneath the waters of Little Assawoman Bay; and

WHEREAS, Bonita J. Zonko, owner of certain adjoining lands to Little Assawoman Bay, has applied for permission to construct a dock and a boat lift; 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 plans and application submitted to Department of Natural Resources and Environmental Control, a copy of which is attached hereto and made a part hereof.

This lease shall be continued for a period of twenty (20) years or so long as the conditions attached to the lease are adhered to, whichever is the shorter in time. Upon the expiration of the twenty-year term, this lease shall expire and become null and void, unless prior thereto the lessee shall have applied for and received a renewal of this lease. A renewal may be denied if the State determines that the lease is no longer in the public interest.

THIS lease is issued subject to the following conditions:

SPECIAL CONDITIONS

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. **Pending legislative action, this leased structure could be subject to a fee. In the event the General Assembly establishes lease fees for structures over public subaqueous lands a fee will be applied to this leased structure. Lease fees established by the General Assembly shall also apply to any lease that has expired until such time as the structure is removed pursuant to a denial or revocation, or until such time as a new lease has been issued. The current leased area of structure over public subaqueous lands is 125 square feet represented by the 5 foot by 25 foot dock constructed channelward of the mean low water line.**

3. 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 contractor 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.

4. Construction shall be conducted so as not to violate the State of Delaware Department of Natural Resources and Environmental Control, "Surface Water Quality Standards" dated August 11, 1999.

5. The dock and boat lift shall be installed in a manner so as not to impair water access to the adjoining property and a minimum of ten (10) feet from the adjacent properties.

6. A copy of this lease must be available on-site during all phases of construction activity.

7. The structure on/or adjacent to subaqueous lands shall be for the explicit purpose of berthing two vessels as stated in the application.

8. Disturbance of wetlands and/or aquatic vegetation adjacent to the permitted construction by burning, cutting, herbicide treatments or other methods is prohibited. Disturbance of wetlands and/or aquatic vegetation in the path of construction shall be minimized.

9. All construction debris, excavated material, brush, rocks and refuse incidental to such work shall be placed above the influence of surface waters.

10. The work authorized by this permit is subject to the terms and conditions of the attached Department of the Army Permit number CENAP-OP-R - Delaware SPGP-20.

11. There shall be no movement of equipment within state regulated wetlands or subaqueous lands not specifically authorized by this permit. Any equipment traversing wetlands and subaqueous lands as may be authorized by this permit shall be supported on mats. Any such areas disturbed shall be returned to preconstruction conditions/elevations and appropriately stabilized.

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 this office prior to the initiation of construction. A determination on the need for a supplemental approval will be made by this office pursuant to the permittee submitting written notification and revised plans indicating project changes to this office.

2. Representatives of the Department of Natural Resources and Environmental Control may inspect such work during any phases of the construction and may collect any samples or conduct any tests that are deemed necessary.

3. This lease does not cover the structural stability of the project units.

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.

5. Any actions, operations or installations which are considered by the Department to be contrary to the best interests of the public shall constitute reason for the discontinuance and/or removal of said action, operation or installation.

6. The lessee shall notify the Department of Natural Resources and Environmental Control within ten (10) days of the date work will be commenced.

7. The lessee shall maintain any structure on public subaqueous lands in good and safe condition and will protect and save the State of Delaware harmless from any loss, cost or damage by reason of said structures.

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 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.

10. 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.

11. This lease and authorization are granted for the purposes as stated herein. Any other use without prior approval shall constitute reason for this lease being revoked.

12. This lease shall expire if the project has not been completed within three (3) years from the date of issuance.

13. If the lessee considers three (3) years insufficient for completion of the project, the lessee may submit a project time schedule for consideration by the Department. If the time schedule is approved it shall be attached hereto and made a part hereof.

14. 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.

15. The lessee shall at all times comply with all applicable laws and regulations of the Department of Natural Resources and Environmental Control.

16. 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.

17. Application for renewal must be submitted six (6) months prior to the expiration date of this lease.

18. This lease may be revoked upon violation of any of the above conditions.

IN WITNESS WHEREOF, I, Bonita J. Zonko, have caused this instrument to be executed on this 2nd day of January, ~~2000.~~ 2001 PD

By: Bonita J. Zonko
Applicant

SWORN and subscribed before me on this 2nd day of January, ~~2000.~~ 2001 PD

Patricia Ann Duncan
Notary Public

PATRICIA ANN DUNCAN
NOTARY PUBLIC, DE
TERM: 2 YEARS
COMMISSION EXPIRES: 06-03-2001

IN WITNESS WHEREOF, I, Nicholas A. DiPasquale, Secretary, Department of Natural Resources and Environmental Control, have hereunto set my hand and seal this 10th day of January, ~~2000.~~ 2001

Nicholas A. DiPasquale
By Secretary of the Department of
Natural Resources and
Environmental Control

RECORDER OF DEEDS
RICHARD H. BELL, II
01 FEB 20 PM 12:04
SUSSEX COUNTY
DOC. SURCHARGE PAID

Received
FEB 21 2001
ASSESSMENT DIVISION
OF SUSSEX CTY.

#8

2/B Bldg

Tax Map Parcel No.
1-34 23.12 15.00;1-34 23.16 223.00&326.00;
1-34 22.00 10.00 A-3&A-4;1-34 13.15 151.00
5-33 19.00 26.00;1-34 12.00 430.00
5-33 6.00 117.01&117.05;1-34 17.08 81.00
PREPARED BY:
SERGOVIC & CARMEAN, P.A.
123 West Market Street
P.O. Box 751
Georgetown, DE 19947-0751

THIS DEED, MADE this 1 day of FEBRUARY, in the year of our Lord two thousand eight (2008),

BETWEEN: Charles A. Zonko and Bonnie J. Zonko, a/k/a Bonita J. Zonko his wife, of 37116 Lighthouse Road, Selbyville, Delaware 19975 party of the first part,

-AND-

BZ Land, LLC, a Delaware Limited Liability Company, of 37116 Lighthouse Road, Selbyville, DE 19975, party of the second part;

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of **ONE DOLLAR ($1.00)** Current Lawful Money of the United States of America and other good and valuable considerations, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said party of the second part, its successors or assigns:

TRACT NO. 1: (1-34 23.12 15.00)

ALL that certain lot, piece and parcel of land situate, lying and being in Fenwick Island, Baltimore Hundred, Sussex County, State of Delaware, being known and designated as **Lot Number Five (5)** as shown on a Re-Subdivision Plot of lands of George J. Schulz by Edward Joyeusaz and T. H. Pickford, a plot of the said lands being filed for record in the Office of the Recorder of Deeds, in and for Sussex County, in Plot Book No. 7, page 21, and being more particularly described as follows, to wit:

BEGINNING at a point in the Westerly right of way line of Schulz Drive at 40 feet wide and also a corner for Lot No. 4 as shown on the Plot of lands of Edward Joyeusaz and T. H. Pickford; thence from said point of beginning, North 88 degrees 23 West 97.52 feet to a point at the water line of Little Assawoman Bay; thence by and with the water line of Little Assawoman Bay, North 01

degree 34 minutes East 55 feet to a point in the line of Lot No. 6 as shown on the aforesaid plot; thence by and with the line of Lot No. 6 South 88 degrees 23 minutes East 75 feet to a point; thence turning and running South 31 degrees 45 minutes East 30.73 feet to a point in the Westerly right of way line of Schulz Drive; thence by and with the Westerly right of way line of Schulz Drive, South 10 degrees 00 minutes East, 30 feet to the point and place of beginning, be the contents thereof what they may, as surveyed and plotted by Sterling R. Maddox & Associates, Inc., Registered Surveyors, February 12, 1974 together with all improvements thereon.

BEING the same lands conveyed unto Bonita J. Zonko, by Deed of Yasmin Abadian, Attorney-in-Fact for the Abadian Family Trust Fund, dated August 30th 1999, and now of record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 2418 Page 35.

This conveyance is made under and subject to the condition that no building other than dwelling houses and the usual buildings appurtenant thereto shall be erected upon the land by the grantees, their heirs and assigns, and no more than one dwelling house shall be erected on any one lot.

TRACT # 2: (1-34 23.16 223.00)

ALL that certain lot, piece or parcel of land situate, lying and being in Baltimore Hundred, Sussex County, and State of Delaware, which is referred to in the Wills of Hallie Magee dated May 24, 1961, and recorded in the Office of the Register of Wills, at Georgetown, Delaware, in Will Book 51, page 397, and which is known as the southernmost 100 feet of **Lot No. 7, Section D**, on the Plot of Fenwick Island Lots, which said plot is recorded among the Land Records of Sussex County, Delaware in Deed Book E. J. A. No. 335, page 600, said lot having a frontage of 50 Feet on Dagsboro Street and extending northerly therefrom a distance of 100 feet.

BEING the same lands conveyed unto Bonita J. Zonko by Deed of Franklin Thomas Serio and Audrey C. Serio dated November 21, 1997 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 2249, page 28.

TRACT # 3: (1-34 22.00 10.00 A-3)

ALL THAT CERTAIN unit known as **Unit No. A-3** in the Condominium known as **SALT MEADOWS TOWNHOMES CONDOMINIUM**, situate, lying and being in Baltimore Hundred, Sussex County, Delaware, being more particularly bounded and described in the Declaration Establishing a Plan for Condominium Ownership for Salt Meadows Townhomes Condominium, dated December 08, 2005, as filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 3258 at page 045 (submitting Building E); as amended by First Amendment to Declaration dated February 02, 2006, as filed for record in the Office of the Recorder of Deeds, aforesaid, in Deed Book 3266 at page 292 (adding Building D); as further amended by Second Amendment to Declaration dated June 26, 2006, as filed for record in

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

SIGNED, SEALED AND DELIVERED, IN THE PRESENCE OF:

Donna DeForest
Witness

Donna DeForest
Witness

Charles A. Zonko (SEAL)
Charles A. Zonko

Bonnie J. Zonko (SEAL)
Bonnie J. Zonko a/k/a Bonita J. Zonko

STATE OF : Delaware
: SS.
COUNTY OF : Sussex

BE IT REMEMBERED, That on this 7th day of February, in the year of our **LORD**, two thousand eight, personally came before me, The Subscriber, a Notary Public for the State and County aforesaid, Charles A. Zonko and Bonnie J. Zonko a/k/a Bonita J. Zonko, his wife, party to this Indenture known to me personally to be such, and acknowledged this Indenture to be their Deed.

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

Beverly T. West
Notary Public
Beverly T. West
Print or Type Name
Comm. Expires: 5/22/2010

Return to:
BZ Land, LLC
37116 Lighthouse Road
Selbyville, DE 19975

STATE OF DELAWARE
DEPARTMENT OF FINANCE
DIVISION OF REVENUE
820 N. French Street
P.O. Box 8750
Wilmington, Delaware 19899-8750

REALTY TRANSFER TAX RETURN AND AFFIDAVIT OF GAIN AND VALUE

Form 5402

DO NOT WRITE OR STAPLE IN THIS AREA

Rev. Code 050

Form 5402 must be completed for all conveyances and must be presented at the time of recording.

PART A - TO BE COMPLETED BY GRANTOR/SELLER

1. Enter Employer Identification Number — or Social Security Number
2. Name of Grantor: Charles A. Zonko & Bonnie J. Zonko
3. Address: 37116 Lighthouse Road
   City, State, Zip: Selbyville, DE 19975 — County: Sussex
4. A gain was _____ was not _____ realized on the sale of the real estate conveyed.

5. The Grantor is a:
- ☒ Resident Individual
- ☐ Non-Resident Individual
- ☐ Domestic Corporation (Delaware)
- ☐ Foreign Corporation (Non-Delaware)
- ☐ S Corporation
- ☐ Government Agency
- ☐ Fiduciary (Estate or Trust)
- ☐ Partnership
- ☐ Non-Profit Corporation

PART B - TO BE COMPLETED BY GRANTEE/BUYER

1. Enter Employer Identification Number — or Social Security Number
2. Name of Grantee: BZ Land, LLC
3. Address: 37116 Lighthouse Road
   City, State, Zip: Selbyville, DE 19975 — County: Sussex

4. The Grantee is a:
- ☐ Resident Individual
- ☐ Non-Resident Individual
- ☒ Domestic Corporation (Delaware)
- ☐ Foreign Corporation (Non-Delaware)
- ☐ S Corporation
- ☐ Government Agency
- ☐ Fiduciary (Estate or Trust)
- ☐ Partnership
- ☐ Non-Profit Corporation

PART C - PROPERTY LOCATION AND VALUE

1. Address: Baltimore Hundred
   City, State, Zip — County: Sussex

7. The Property is:
- ☐ Industrial/Commercial
- ☒ Residential
- ☐ Other, including property primarily used in farming

COMPUTATION OF THE TAX

2. Conveyances with consideration. Enter the amount of consideration received including cash, checks, mortgages, liens, encumbrances, and any other good and valuable consideration.
   Was like kind property exchanged? [ ] Yes [ ] No (If yes, see Instructions)
   $ 0.00
3. Conveyances without full consideration. Enter the highest assessed value (for local tax purposes) of the real estate being conveyed.
   Was like kind property exchanged? [ ] Yes [ ] No (If yes, see Instructions)
   $ 546,100.00
4. Enter the greater, Line 2 or Line 3 $ _____
5. Multiply Line 4 times 1.5% X 1.5
6. Tax Due and Payable with the recording of this document. TAX EXEMPT

PART D - EXEMPT CONVEYANCES

If transaction is exempt from Realty Transfer Tax, be certain that all of the above information (including market value of the real estate) is **complete** and **accurate and** explain the basis for the exemption:

30 Del. Code Sec. 5401 (1) n.

The seller authorizes the Division of Revenue or such other appropriate state agency as may be designated to obtain any appropriate or necessary federal income tax forms, including their attached schedules or other attachments, and any other related papers filed by such seller which relate solely to the said real estate to which title is purported to be conveyed by the deed or instrument being recorded. Delaware law requires an income tax return to be filed for the taxable year during which there was disposition of real property within this state.

Sworn and Subscribed before me
on this 7th day of February, 2008.

Notary Public

Comm expires 5/22/2010

Charles A. Zonko
Bonnie J. Zonko

Seller's Signature

Title of Officer/Partner

AFFIDAVIT FOR REALTY TRANSFER TX ON UNINCORPORATED AREAS IN SUSSEX COUNTY PURSUANT TO CHAPTER 103 OF THE SUSSEX COUNTY CODE

NOTE: Affidavit is required on all transactions (incorporated or unincorporated areas)

Part A – To Be Completed by GRANTOR/SELLER

NAME **Charles A. Zonko and Bonnie J. Zonko** SOCIAL SECURITY # _____
ADDRESS **37116 Lighthouse Road** or
CITY **Selbyville** EMPLOYER I.D. # _____
STATE **DE** ZIP **19975**

Part B – To Be Completed by GRANTEE/BUYER

NAME **BZ Land, LLC** SOCIAL SECURITY # _____
ADDRESS **37116 Lighthouse Road** or
CITY **Selbyville** EMPLOYER I.D. # _____
STATE **DE** ZIP **19975**

Part C – PROPERTY LOCATION

District **See attached list** MAP _____ PARCEL _____

Part D – COMPUTATION OF THE TAX

1. CONVEYANCES WITH CONSIDERATION - Enter Consideration Received $ **0.00**
2. CONVEYANCES WITHOUT CONSIDERATION - Enter Highest Assessed Value For Local Tax Purposes $ **546,100.00**
3. Enter the greater, Line 1 or Line 2 $ **546,100.00**
4. Multiply Line 3 times 1.5% -- Tax Due and Payable $ **TAX EXEMPT**

EXEMPT CONVEYANCES: If transaction is exempt from Transfer tax, explain the basis for the exemption:

Ord. 746 Sec. 103-18 (A) 14. Town of Bethany Beach
Town of Fenwick Island
Town of Ocean View

First Time Home Buyer? Yes _____ No _____ (If "Yes", attach First Time Home Buyer Affidavit)

Sworn and Subscribed before me on this 7th day of February, 2008.

Charles A. Zonko
Bonnie J. Zonko

Notary Public
My Commission expires: 5/22/2010

OFFICE USE ONLY: