



## SHORELINE AND WATERWAY MANAGEMENT SECTION Coastal Construction Application

Public Notice No. WSS20250263 Date: 07/20/2025

Application Submitted: **07/11/2025**

To mechanically scrape sand from the beach to rebuild the dunes

**Route 1 in North Bethany**

Tax Map # **134-9.00-484.00**

### Applicant Information

Name: Denise Rines

Property Type: Residential: Single Family

### Activities:

- Earth work
  - Scraping : Seaward

### Scraping:

Do you know who will be conducting the work?

**No**

Contractor Name

Contractor Phone number

### Wetlands:

Will any work be occurring on regulated wetlands located on this lot?

**No**

**Deed/Lease/Sales contract**

CERTIFICATE OF INCORPORATION  
OF  
BETHANY VILLAGE OWNERS ASSOCIATION, INC.

FIRST: The name of the corporation is BETHANY VILLAGE OWNERS ASSOCIATION, INC.

SECOND: The registered office of the corporation in the State of Delaware is to be located at Race and Pine Streets in Georgetown, County of Sussex. The registered agent in charge thereof is Tunnell & Raysor at the same address as the registered office.

THIRD: The nature of business and the objects and purposes proposed to be transacted and carried on are to do any and all things herein mentioned, as fully and to the same extent as natural persons might or could do, and in any part of the world, viz:

To provide for the preservation of the value, attractiveness and desirability of the common lands and facilities for all those certain lots or parcels of land situate, lying and being in Baltimore Hundred, Sussex County, Delaware, lying on the Easterly side of Delaware Route 1, being known and designated as lots 1 to 35, both inclusive, in the development known as BETHANY VILLAGE. as shown on a plot appearing of record in the Office of the Recorder of Deeds, at Georgetown, Delaware, in Plot Book \_\_\_\_\_, page \_\_\_\_\_.

To assume, contract or agree to share responsibility for the maintenance, repair, improvement, landscaping and reconstruction of private right of way roads and the maintenance, repair, landscaping and reconstruction of the Barrier Dune for the use, benefit, recreation, safety, and health of the owners of the above described properties.

To purchase and maintain public liability or other insurance on the above-described right of way roads.

To enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed which run with and bind the above-described properties.

To buy, sell, exchange, lease, sublease, and otherwise hold, own, maintain, control, work, distribute, develop, improve, alter, operate, manage, rent, deal in, and otherwise turn to account chattels, real estate and personal property of every nature, class and description within or without the State of Delaware.

To mortgage or otherwise lien, to lease, sublease, sell, convey, exchange, trade, transfer, deal in or in any manner whatever dispose of chattels, real property, and personal property of every nature, class and description, within or without the State of Delaware.

To enter into, make and perform contracts of every kind with any person, firm, association or corporation, municipality, body, county, state or government, and without limit as to amount to draw, make, accept, endorse, discount, execute and issue promissory notes, drafts, bills of exchange, warrants, bonds, debentures, and other negotiable or transferable instruments and evidences of indebtedness, whether secured by mortgage or otherwise, so far as may be permitted by the laws of the State of Delaware.

To issue bonds, debentures or obligations of the corporation, and at the option of the corporation, to secure the same by mortgage, pledge, deed of trust or otherwise.

FOURTH: The corporation is formed not for profit.

The corporation has no authority to issue stock.

The conditions for membership shall be stated in the By-Laws of the corporation.

Membership shall be appurtenant to and may not be separated from the ownership of any lot which is subject to assessment; provided, however, that the developer, Delaware Land Associates,

Ltd., a Delaware corporation, and any successor, shall be considered an owner of each lot held by the developer whether such lot or lots are or are not subject to assessment.

The corporation shall have one class of membership for all lot owners who shall be entitled to one (1) vote for each lot and one (1) vote for the residential dwelling on a lot for which an occupancy permit has been issued by the appropriate governmental authorities of Sussex County, Delaware. When more than one person holds an interest in any lot, all such persons shall be members. The vote of such lot shall be exercised as they among themselves determine, but in no event shall more than two (2) votes be cast with respect to any lot.

FIFTH: The names and mailing addresses of the incorporators are as follows:

<u>Name</u>	<u>Mailing Address</u>
John G. Colby	10111 Walker Lake Drive Great Falls, Virginia 22066
Naseem Ahmed	7306 Calamo Street Springfield, Virginia 22150
Stephen M. Pratt	4020 University Drive, Suite 100 Fairfax, Virginia 22030

SIXTH: The corporation may suspend the voting rights of any member for any period during which any assessment against such member remains unpaid, and for any period not to exceed sixty (60) days for any infraction of the corporation's published rules and regulations.

The corporation may borrow money for the purpose of improving the common areas of Bethany Village and in aid thereof mortgage the properties and the rights of such mortgagee in the property shall be subordinate to the rights of the owners as defined in the Declaration of Covenants, Conditions and Restrictions of Bethany Village, provided, however, that no such borrowing or mortgaging shall be made unless approved by a two-thirds (2/3) vote at a duly called meeting of the corporation for such purpose.

The corporation may dedicate or transfer all or any part of its interest in the common areas of Bethany Village (subject to easements created under the Declaration of Covenants, Conditions and Restrictions of Bethany Village, or previously created of record) to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the members, provided that no such dedication or transfer or determination as to purposes or as to the conditions thereof, shall be effective unless an instrument of consent signed by the members entitled to cast two-thirds (2/3) of the votes of the membership has been recorded.

The corporation may merge or consolidate with another non-profit corporation or association and upon such merger, its properties, rights and obligations may, by operation of law, be transferred to another surviving or consolidated corporation or association, or alternatively, the properties, rights and obligations may, by operation of law, be added to the properties, rights and obligations of the corporation as a surviving corporation pursuant to a merger; provided, however, that such merger shall have been approved by two-thirds (2/3) vote at a duly called meeting of the corporation for such purpose. The surviving or consolidated association or corporation may administer the covenants and restrictions established by the Declaration of Covenants, Conditions and Restrictions of Bethany Village within the property therein described together with covenants and restrictions established upon any other properties as one scheme. No such merger or consolidation, however, shall effect any revocation or change to the covenants established by the Declaration of Covenants, Conditions and Restrictions of Bethany Village within the property therein described.

WE, THE UNDERSIGNED, for the purpose of forming a corporation under the laws of the State of Delaware, do make, file and record

this Certificate, and do certify that the facts herein stated are true; and we have accordingly hereunto set our respective hands and seals.

Dated at Fairfax, Virginia

March 25, 1981

In the presence of Thomas H. Campbell

John G. Colby (SEAL)

Naseem Ahmed (SEAL)

Stephen M. Pratt (SEAL)

STATE OF VIRGINIA,

COUNTY OF FAIRFAX, to-wit:

I, Laura H. Chalkley, a Notary Public for the state and county as aforesaid do hereby certify that John G. Colby, Naseem Ahmed, and Stephen M. Pratt, parties to the foregoing Certificate of Incorporation, known to me personally to be such, and I having first made known to them and each of them the contents of said certificate, they did severally acknowledge that they signed, sealed and delivered the same as their voluntary act and deed, and each deposed that the facts therein stated were truly set forth.

GIVEN under my hand and notarial seal this 25th day of March, 1981.

Laura H. Chalkley  
Notary Public

My commission expires: 12/7/82

No property in this Corporation, including cash on deposit in any bank or depository, shall upon dissolution of this Corporation inure to any member of this Corporation. In the event of dissolution, the property of this Corporation shall be distributed to such other non-profit, non-stock corporations or organizations which shall have similar purposes and objectives as this Corporation, which distribution shall be approved by the Board of Directors.

No part of the net revenue of this Corporation shall inure to the benefit of any member thereof.



**1990 APPROVED CHANGES TO COVENANTS EFFECTIVE IMMEDIATELY:**  
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- ONLY USE WALKWAYS (CROSSOVERS) TO/FROM BEACH -  
NO WALKING ON THE DUNES AT ANY TIME
- NO SKATEBOARDING OR RIDING OF BIKES, ETC., ON  
THE WALKWAYS (2 CROSSOVERS TO THE BEACH)
- NO TOWELS ON RAILINGS OF HOMES
- NO DOGS/CATS LOOSE THROUGHOUT THE COMMUNITY  
AT ANY TIME
- NO UNNECESSARY NOISE, MUSIC, LOUD PARTIES
- NO PILEDRIVING ALLOWED FROM MEMORIAL DAY THRU  
LABOR DAY IN BETHANY VILLAGE

C O M M U N I T Y       R U L E S

- BETHANY VILLAGE IS PRIVATE PROPERTY AND ITS ROADS AND BEACH ARE FOR THE EXCLUSIVE USE OF PROPERTY OWNERS AND THEIR GUESTS
- SPEED LIMIT IN BETHANY VILLAGE COMMUNITY IS 15 MPH. THE RIDING OF BEACH BUGGIES, MOTORCYCLES, MOTOR SCOOTERS OR MINIBIKES ON BETHANY VILLAGE ROADS IS PROHIBITED BETWEEN 8:00 P.M. AND 10:00 A.M.
- MOTORIZED VEHICLES OF ANY KIND ARE NOT PERMITTED ON BEACH OR CROSSOVERS
- NO DOGS/CATS LOOSE THROUGHOUT THE COMMUNITY AT ANY TIME. DOGS SHOULD BE KEPT ON LEASH'S AT ALL TIMES WITHIN THE COMMUNITY. DOG DEPOSITS MUST BE CLEANED UP BY THE OWNER.
- ONLY USE WALKWAYS (CROSSOVERS) TO/FROM THE BEACH - NO WALKING ON THE DUNES AT ANY TIME
- NO SKATEBOARDING OR RIDING OF BIKES, ETC. ON THE WALKWAYS TO THE BEACH
- NO TOWELS OR BEACH CLOTHING ON RAILINGS OF HOMES AT ANY TIME.
- NO PILEDRIVING ALLOWED FROM MEMORIAL DAY THRU LABOR DAY IN BETHANY VILLAGE
- FIRING OF GUNS OF ANY KIND INCLUDING PELLET AND AIR RIFLES IS NOT PERMITTED IN BETHANY VILLAGE INCLUDING THE BEACH
- NO UNNECESSARY NOISE, MUSIC, LOUD PARTIES. ALL BEACH PARTIES MUST END BY 11:00 PM.
- ALL SWIMMING IS AT SWIMMER'S RISK. MEMORIAL DAY THRU LABOR DAY ADDED PROTECTION IS PROVIDED BY A LIFEGUARD ON DUTY - WEEKENDS ONLY UNTIL MID JUNE - BEGINNING 6/12 6 DAYS WEEKLY - 10:00 to 5:00 pm. PLEASE CHECK THE LIFEGUARD STAND FOR "OFF DUTY" SIGN INDICATING HE/SHE IS PRESENTLY AWAY FROM THE BEACH
- SWIMMING AREA IS DESIGNATED BY FLAGS WHICH GIVES PRIORITY TO THE SWIMMERS AT ALL TIMES. FISHING, SURFING, LAUNCHING OF BOATS IN THIS AREA IS PROHIBITED.
- KEEP THE BEACH CLEAN! TRASH CONTAINERS ARE PROVIDED AT EACH CROSSOVER FOR YOUR CONVENIENCE. NO GLASS CONTAINERS ARE ALLOWED ON THE BEACH OR TO BE DISPOSED OF IN TRASH.

## **Adjacent property owners document**

Property to the North of Bethany Village is: Ocean Breezes, 39657 Windswept Way, Bethany Beach, DE 19930

Parcel #134.9.00-553.00

This is a parcel that looks like it is open space and the address is one of the homes in Ocean Breezes

Property to the South of Bethany Village is: Ocean Village 39637 Heron Road, Bethany Beach, DE

Parcel #134-13.00-1278.00

This is a parcel of an owner in the community and the address of the owner listed above per Sussex County tax records

Both properties are located on Route 1 in North Bethany.