LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE AGENDA

AUGUST 24, 2015 - 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

PUBLIC COMMENTS ARE WELCOMED ON ANY ITEM AND WILL BE PERMITTED AT APPROPRIATE TIMES. WHEN POSSIBLE, PLEASE NOTIFY THE CITY CLERK (736-7008 OR E-MAIL AT CITYCLERK@DOVER.DE.US) SHOULD YOU WISH TO BE RECOGNIZED.

AGENDA ADDITIONS/DELETIONS

1. **TRANSFER OF REAL PROPERTY FROM DELAWARE CIVIC CENTER CORPORATION TO DELAWARE STATE UNIVERSITY**

2. **SEMI-ANNUAL REVIEW - STATISTICS REGARDING JOBS AND BUSINESSES GAINED AND LOST IN THE CITY OF DOVER SINCE JANUARY 2015 (DEFERRED BY COMMITTEE ON AUGUST 10, 2015 DUE TO TIME CONSTRAINTS)**
   (COMMITTEE ACTION NOT REQUIRED)

3. **ADJOURNMENT BY 7:00 P.M.**

/TM
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COMMITTEE-AGENDAS\2015\08-24-2015 LF&A.WPD

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

DELAWARE STATE UNIVERSITY
OFFICE OF THE GENERAL COUNSEL

August 11, 2015

RECEIVED
AUG 17 2015
OFFICE OF THE CITY CLERK

Tim Slavin
Councilman – at – Large
Dover City Council
P.O. Box 475
Dover, DE 19903

RE: Transfer of Real Property from Delaware Civic Center Corporation to Delaware State University

Dear Councilman Slavin,

Thank you for meeting with representatives of Delaware State University ("DSU") regarding the transfer of certain real property from the Delaware Civic Center Corporation ("DCCC") to DSU. With this letter DSU requests that this matter be brought before the Dover City Council at its earliest convenience.

BACKGROUND

The DCCC was formed to study and possibly build a new Civic Center in Kent County for a variety of public and private events. In 2001 the DCCC secured title to approximately fifty (50) acres of land off of Route 13 in the City of Dover which was intended to be the site of the Civic Center.

The 50 acres consisted of three parcels: approximately 41.5 acres donated by the City of Dover (a copy of the Deed is attached); 1.866 acres donated by the Hyer family; and 6.3403 acres donated by K.W. Lands, LLC. The land was donated exclusively for the construction of a Civic Center by the DCCC. The deeds from the City of Dover and K.W. Lands, LLC contained reversionary language, reflecting that if the Civic Center was not built, the land given by these two donors would revert to the City of Dover and K.W Lands, respectively.

The DCCC did not proceed with the Civic Center project. However, DSU has now agreed to take over this plan and seeks to build a Convocation Center for use by DSU, as well as public and private users.

DSU had a feasibility study done (a copy of which you have) which showed that such a building would be heavily used by the University and the community. The study also shared that the Center would provide significant employment opportunities both during the construction phase and as a permanent, operating event venue.

Delaware State University is an equal opportunity employer and does not discriminate because of race, creed, national or ethnic origin, sex or disability.

THE REQUEST

DSU needs to obtain title to the real property given the DCCC for the Civic Center, as the intended location for that Center remains the most desirable location for the planned Convocation Center. The DCCC board of directors has been resuscitated (the DCCC lapsed once the Civic Center project was abandoned) and is willing to transfer title to the property to DSU.

To accomplish this, however, the City of Dover must agree to the transfer and waive its reversionary interest in the property. DSU is preparing the necessary agreement, and will provide it to you as soon as it is ready. DSU is actually preparing two versions so that City Council can approve whichever version is most appropriate:

1. One version will simply waive the reversionary interest and consent to transfer of the title to DSU.
2. The alternative version will agree to the title transfer, but will restate the original reversionary interest so that the City may demand that DSU transfer the property back to the City if the Convocation Center is not commenced within ten years.

DSU appreciates your willingness to bring this matter to the attention of City Council. DSU would be pleased to make a formal presentation of its request to City Council and/or any Council committee considering the matter if you believe that would be helpful. In addition, please do not hesitate to contact the undersigned if any additional information is required.

Very truly yours,

Thomas P. Preston
General Counsel

TPP:ccr

Cc: Mayor Robin Christiansen
William W. Pepper, Sr., Esq.
Dr. Harry L. Williams
Dr. Teresa Hardee
Lawrence Lewis, Esq.
David K. Sheppard, Esq.

Attachment

D 449PG122 23155

Tax Parcel # ED-05-057.00-01-04.00-000 (part of)

Prepared by Schmittinger & Rodriguez
414 S. State Street
Dover, Delaware 19901

THIS DEED, made this 17th day of December, 2001

BETWEEN The City of Dover, a Municipal Corporation of The State of Delaware, party of the first part

and

Delaware Civic Center Corporation, a Delaware Corporation, party of the second part

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

ALL that certain lot, piece or parcel of land with the improvements thereon erected situated in the City of Dover, East Dover Hundred, Kent County and State of Delaware, said lot lying on the southwesterly side of Crawford Carroll Avenue, a short distance southeast of KW Boulevard, across from the southwesterly end of West Rustic Lane, being bounded on the northeast by the said Crawford Carroll Avenue, by lands now or formerly of Sam's Club Real Estate Business, by lands now or formerly of KW Lands, and by lands now or formerly of Lowe's Home Centers, Inc., on the southeast by said lands of Lowe's Home Centers, Inc., and by lands now or formerly of the State of Delaware (Delaware State University), on the southwest by the Fork Branch, being a prong or a branch of the headwaters of the St. Jones River, on the northwest by lands now or formerly of the State of Delaware (Delaware Technical Community College) and by other lands now or formerly of the Delaware Civic Center Corporation, and being more particularly bounded and described in accordance with a recent survey by Scott Engineerinng, Inc., Consulting Engineers and Surveyors, dated July 10, 2001, as follows, to wit:

BEGINNING at a point located on the southwesterly right of way line of Crawford Carroll Avenue (varying width) at a corner for this parcel and lands now or formerly of Lowe's Home Centers, Inc., said point being further located the following eight (8) courses as measured along the southeasterly right of way line of West Rustic Lane from a capped iron pipe found at the intersection of the said southeasterly line of West Rustic Lane (varying width) with the southwesterly right of way line of U.S. Route #13 (142 feet wide): ((1) North 84 degrees 37 minutes 12 seconds West 35.19 feet to a found brass marker; thence (2) along a curve to the left having a radius of 969.00 feet, a chord bearing of South 55 degrees 29 minutes 04 seconds West and a chord length of 148.71 feet, an arc length of 148.85 feet to a found brass market; thence (3) South 51 degrees 05 minutes 01 seconds West 313.41 feet to a brass marker found at a break in the right of way; thence (4) South 49 degrees 57 minutes 08 seconds West 305.79 feet to a found brass marker with steel nail; thence (5) along a curve to the right having a radius of 525.00 feet, a chord bearing of South 54 degrees 12 minutes 29 seconds West and a chord length of 77.92 feet, an arc length of 78.00 feet to a brass marker found at the northerly

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1.5% 2.0% Received by DM

end of a daylight corner joining the said southeasterly line of West Rustic Lane with the northeasterly line of Crawford Carroll Avenue; thence (6) with said daylight corner South 11 degrees 31 minutes 29 seconds West 65.60 feet to concrete monument found in the northeasterly line of said Crawford Carroll Avenue; thence (7) crossing said Crawford Carroll Avenue at right angles thereto South 50 degrees 00 minutes 00 seconds West 70.00 feet to a point on the southwesterly line of Crawford Carroll Avenue; thence (8) with the said southwesterly line of Crawford Carroll Avenue North 40 degrees 00 minutes 00 seconds West 70.33 feet to the place of beginning; thence from the said point of beginning running with the line for lands of Lowe's Home Centers, Inc. South 50 degrees 15 minutes 07 seconds West 310.49 feet to a point at a corner for this parcel and said lands of Lowe's Home Centers, Inc.; thence continuing with the same South 39 degrees 44 minutes 53 seconds East 207.66 feet to a point in line for lands of the State of Delaware (Delaware State University) at a corner for this parcel and said lands of Lowe's Home Centers, Inc., said point being further located North 10 degrees 12 minutes 57 seconds West 2.69 feet from a found concrete monument; thence running with the line for lands of the said State of Delaware South 49 degrees 55 minutes 00 seconds West passing over a found field stone at 1,469.38 feet, a total distance of 1,751.33 feet to a point more or less in the center of the fork Branch at a corner for this parcel and lands of the said State of Delaware, thence running in a northwesterly direction with the center of said Fork Branch and its various meanderings, the following seven (7) courses: (1) North 22 degrees 26 minutes 03 seconds West 429.59 feet to a point; thence (2) North 17 degrees 07 minutes 44 seconds West 557.15 feet to a point; thence (3) North 12 degrees 51 minutes 09 seconds East 128.67 feet to a point; thence (4) North 39 degrees 09 minutes 46 seconds West 110.16 feet to a point; thence (5) North 71 degrees 58 minutes 41 seconds West 105.05 feet to a point; thence (6) North 47 degrees 08 minutes 29 seconds West 128.12 feet to a point; thence (7) North 61 degrees 07 minutes 51 seconds West 137.17 feet to a point at a corner for this parcel and lands now or formerly of the State of Delaware (Delaware Technical Community College); thence with the line for lands of said State of Delaware North 34 degrees 48 minutes 58 seconds East 892.94 feet to a point at a corner for this parcel and lands now or formerly of Sam's Club Real Estate Business Trust; thence running in part with the line for lands of said Sam's Club Real Estate Business Trust and in part with lands now or formerly of KW Lands South 39 degrees 44 minutes 53 seconds East 1200.00 feet to a point at a corner for this parcel and lands of said KW Lands; thence continuing in part with said lands of KW Lands and running in part with other lands now or formerly of the Delaware Civic Center Corporation North 50 degrees 15 minutes 07 seconds East 705.42 feet to a point in the southwesterly line of Crawford Avenue at a corner for this parcel and said other lands of the Delaware Civic Center Corporation; thence running with the said southwesterly line of Crawford Avenue South 19 degrees 28 minutes 54 seconds East 6.84 feet to a point at a break in said right of way; thence continuing with the same South 40 degrees 00 minutes 00 seconds East 13.58 feet to a point, the place of beginning. Containing within the above described metes and bounds 41.5898 acres of land, be the same more or less.

EXCEPTING OUT AND RESERVING therefrom lands to be retained by the party of the first part, as follows, to wit:

ALL that certain lot, piece or parcel of land with the improvements thereon erected situated in the City of Dover, East Dover Hundred, Kent County and State of Delaware, said lot lying southwest of, but not adjacent to, Crawford Carroll Avenue, being bounded on the northeast by lands now or formerly of Lowe's Home Centers, Inc., on the southeast by lands now or formerly of the State of Delaware (Delaware State University) and on the southwest and

northwest by lands being conveyed to the party of the second part herein:

BEGINNING at a point at a corner for this parcel and lands now or formerly of Lowe's Home Centers, Inc., said point being located the following three (3) courses from a concrete monument found at the southerly end of a daylight corner joining the southeasterly line of West Rustic Lane (varying width) with the northeasterly line of Crawford Carroll Avenue (70.00 feet wide): (1) South 50 degrees 00 minutes 00 seconds West 70.00 feet to a point on the southwesterly line of Crawford Carroll Avenue; thence (2) North 40 degrees 00 minutes 00 seconds West 70.33 feet to a point at a corner for lands now or formerly of Lowe's Home Centers, Inc., thence (3) running with the line for lands of said Lowe's Home Centers, Inc. South 50 degrees 15 minutes 07 seconds West 310.49 feet to the place of beginning; thence from the said point of beginning running with the line for lands now or formerly of Lowe's Home Centers, Inc., South 39 degrees 44 minutes 53 seconds East 207.66 feet to a point in line for lands now or formerly of the State of Delaware (Delaware State University) at a corner for this parcel and said lands of Lowe's Home Centers, Inc., said point being further located North 10 degrees 12 minutes 57 seconds West 2.69 feet from a found concrete monument; thence running with the line for lands of the State of Delaware South 49 degrees 55 minutes 00 seconds West 298.78 feet to a point; thence running with a new division line hereby created separating these lands from the lands of the party of the second part, the following two (2) courses: (1) North 40 degrees 05 minutes 00 seconds West 209.41 feet to a point; thence (2) North 50 degrees 15 minutes 07 seconds East 300.00 feet to a point, the place of beginning. Containing within the above described metes and bounds 1.4333 acres of land, be the same more or less.

BEING the same land conveyed unto the party of the first part by deed of M. A. Frazier, Inc., dated December 28, 1973 and recorded in the office of the Recorder of Deeds in and for Kent County in Deed Record Book Z, Volume 28, Page 347.

The above lands and premises are conveyed subject to covenants, conditions and restrictions of record, if any; such state of facts as an accurate survey and/or inspection of the lands and premises will disclose; the operation and effect of any zoning laws, and building restrictions imposed by public authority; and easements and public utility grants of record.

In the event construction of a civic center project is not commenced on the above described property within ten (10) years of the date of the recording of this deed, the party of the first part shall have the right to compel the party of the second part, its successors and/or assigns, to tranfer title to the above described property back to the party of the first part for the sum of Ten Dollars ($10.00).

SUBJECT to the restrictions, easements, conditions of record as set forth in that Declaration of Restrictions by The City of Dover dated September 14, 2001 and recorded as aforesaid in Deed Record Book 437, Page 345.

IN WITNESS WHEREOF, the said City of Dover has hereunto caused its name by James L. Hutchison, its Mayor, to be hereunto set, and the common and corporate seal of the said corporation to be hereunto affixed, duly attested by its City Clerk, the day and year aforesaid.

Sealed and delivered
in the presence of

CITY OF DOVER
REALTY TRANSFER TAX
PAID DEC 13 2001 PAID
$ EXEMPT

The City of Dover

By: James L. Hutchison (SEAL)
James L. Hutchison, Mayor

Attest: Janice C. Greco (SEAL)
Janice C. Greco, Clerk

STATE OF Delaware, County of Kent:

BE IT REMEMBERED, that on this 11th day of December, 2001 personally came before me, the subscriber, a Notary Public in and for the State and County aforesaid, James L. Hutchison, Mayor of the City of Dover, a municipal corporation existing under the laws of the State of Delaware, party to this Indenture, known to me personally to be such and acknowledged this Indenture to be the act and deed of the said corporation, that the signature of the Mayor thereto is in his own proper handwriting and the seal affixed is the common and corporate seal of said corporation and delivering said Indenture was duly authorized by the City Council of the City of Dover.

GIVEN under my hand and seal the day and year aforesaid.

Traci A. McDowell
Notary Public:
Commission Expiration:
Printed Name:

TRACI A. MCDOWELL
NOTARY PUBLIC
STATE OF DELAWARE
COMMISSION EXPIRES 6/8/2004

STATE DOCUMENT
FEE PAID
DEC 13 1 36 PM '01
RECORDED BY
R.H. WARNER, JR.
RECORDER OF DEEDS
KENT CO DELAWARE

D 485PG115 015754

Tax Map No.: ED-05-057.00-01-05.00-000 (part of)
Prepared By:
Parkowski & Guerke, P.A.
P.O. Box 598
Dover, Delaware 19903

Realty Transfer Tax Paid
$7/6 to Delaware 1½% 2%
$7/6 to _____ Rcvd by DM

DEED

THIS DEED, Made this 27 day of June, A.D. 2002, by and between:

K.W. LANDS, L.L.C., a Delaware limited liability company, of 1570 N. DuPont Highway, Dover, DE 19901, Party of the First Part, Grantor herein,

AND

DELAWARE CIVIC CENTER CORPORATION, of 99 Kings Highway, Dover, DE 19901, Party of the Second Part, Grantee herein,

WITNESSETH, that the said party of the first part for and in consideration of the sum of TEN DOLLARS ($10.00) lawful money of the United States of America, the receipt whereof being hereby acknowledged, hereby grants and conveys unto the party of the second part, its successors and assigns,

ALL that certain lot, piece or parcel of land, with no improvements thereon erected, situated in the City of Dover, East Dover Hundred, Kent County, and State of Delaware, said lot lying on the southwesterly side of Crawford Carroll Avenue, a short distance southeast of KW Boulevard, being bounded on the northeast by the said Crawford Carroll Avenue and by other lands now or formerly of the Delaware Civic Center Corporation, on the southeast and southwest by other lands now or formerly of the Delaware Civic Center Corporation, and on the northwest by lands now or formerly of Sam's Club Real Estate Business Trust, and being more particularly bounded and described in accordance with a recent survey by Scott Engineering, Inc., Consulting Engineers and Surveyors, dated June 25, 2002, as follows, to-wit:

BEGINNING at a point located on the southwesterly right-of-way line of Crawford Carroll Avenue (70.00 feet wide) at a corner for this parcel and other lands now or formerly of Delaware Civic Center Corporation, said point being further located the following ten (10) courses from the point of commencement being a capped iron pipe found at the intersection of the southeasterly right-of-way line of West Rustic Lane (varying width) with the southwesterly right-of-way line of U.S. Route #13 (142 feet wide): running with the southeasterly line of West Rustic Lane (1) North 84° 37' 12" West – 35.19 feet to a found brass marker at a point of curvature; thence (2) along a curve to the left having a radius of 969.00 feet, a chord bearing of South 55° 29' 04" West and a chord length of 148.71 feet, an arc length of 148.85 feet to a found brass marker at a point

of tangency; thence (3) South 51° 05' 01" West – 313.41 feet to a brass marker found at a break in the right-of-way; thence (4) South 49° 57' 08" West – 305.79 feet to a found steel survey nail at a point of curvature; thence (5) along a curve to the right having a radius of 525.00 feet, a chord bearing of South 54° 12' 29" West and a chord length of 77.92 feet, an arc length of 78.00 feet to a point at the northerly end of a daylight corner joining the said southeasterly line of West Rustic Lane with the northeasterly line of Crawford Carroll Avenue; thence (6) with said daylight corner South 11° 31' 29" West - 65.60 feet to concrete monument found at the southerly end of said daylight corner in the northeasterly line of said Crawford Carroll Avenue; thence (7) crossing said Crawford Carroll Avenue at right angle thereto, South 50° 00' 00" West – 70.00 feet to a point on the southwesterly line of Crawford Carroll Avenue in line for lands now or formerly of Lowe's Home Centers, Inc.; thence (8) with the said southwesterly line of Crawford Carroll Avenue, North 40° 00' 00" West – 83.91 feet to a break in the right-of-way; thence (9) continuing with said southwesterly line of Crawford Carroll Avenue, North 19° 28' 54" West – 6.84 feet to a point at a corner for other lands now or formerly of Delaware Civic Center Corporation, thence (10) with the same North 19° 28' 54" West – 127.92 feet to the point of beginning; thence from the said point of beginning running with the line for other lands now or formerly of the Delaware Civic Center Corporation, the following four (4) courses: (1) South 50° 15' 07" West – 699.73 feet to a found capped iron pipe marked "GADA"; thence (2) South 39° 44' 53" East – 120.00 feet to a point; thence (3) South 50° 15' 07" West – 50.00 feet to a point; thence (4) North 39° 44' 53" West – 455.69 feet to a point at a corner for this parcel and lands now or formerly of Sam's Club Real Estate Business Trust; thence running with the line for lands of said Sam's Club Real Estate Business Trust, North 50° 15' 07" East – 836.20 feet to a point in the southwesterly line of Crawford Carroll Avenue at a corner for this parcel and lands of said Sam's Club Real Estate Business Trust; thence with the southwesterly line of said Crawford Carroll Avenue the following three (3) courses: (1) South 40° 02' 52" East – 15.71 feet to a point of curvature; thence (2) in a southeasterly direction along a 465.00 feet radius curve to the right, said curve having a chord bearing of South 29° 45' 53" East and a chord length of 166.02 feet, an arc length of 166.91 feet to a point of tangency; thence (3) South 19° 28' 54" East – 166.81 feet to a point, the Place of Beginning. Containing within the above described metes and bounds 6.3403 acres of land, be the same more or less.

AND BEING a part of the same lands and premises which were conveyed unto K.W. Lands, a Delaware general partnership, by deed of Gregory S. Kramedas dated July 27, 1998 and recorded in the Office of the Recorder of Deeds in and for Kent County in Deed Book I, Volume 45, Page 146. AND ALSO BEING a part of the same lands which were conveyed unto K.W. Lands, a Delaware general partnership, by deed of Carlisle Hotel, dated July 27, 1988 and recorded in the aforesaid Recorder's office in Deed Book I, Volume 45, Page 138. The said K.W. Lands, a Delaware general partnership, merged into K.W. Lands, L.L.C., a Delaware limited liability company, by Certificate of Merger filed with the Secretary of State of the State of Delaware on May 31, 1994. The said K.W. Lands, L.L.C. was formed with the Office of the Secretary of State on October 27, 1993.

Grantor, K.W. Lands, L.L.C. does hereby reserve unto Grantor, its successors and assigns, a right of first refusal to purchase the land conveyed herein and that such right shall be subject to the following terms and conditions to wit:

a. The Grantor's right of first refusal shall terminate upon the expiration of 21 years after the last of the following individuals die, to wit: Gregory S. Kramedas or Davis H. Wood. This provision is intended to satisfy the rule against perpetuities.

b. If the Grantee shall receive a bona fide offer from any person or party to purchase or lease the real property conveyed herein which is acceptable to the Grantee then the Grantee shall give K. W. Lands, L.L.C., Grantor hereunder, its successors or assigns, written notice of the terms and conditions of such offer, including a copy of any writing which contains such offer and Grantor, its successors and assigns, shall have the right to purchase or lease the property conveyed herein on the same terms and conditions as contained in such notice by giving Grantee written notice of Grantor's exercise of such right of first refusal within ten (10) business days after receipt of such notice. In the event that Grantor exercises, within the ten day period the right of first refusal, Grantor shall have ninety (90) days from the date of exercise of such right of first refusal in order to complete closing. If Grantor does not exercise such right of first refusal, Grantee may sell or lease the real property conveyed herein to such other person or entity on the same terms and conditions as set out in the written notice to Grantor. If Grantee does not sell or lease the real property conveyed herein to such other person or entity on the same terms and conditions as offered to Grantor, the right of first refusal of Grantor contained herein shall continue in effect and may be exercised as to future offers to purchase or lease the real property conveyed herein, received by Grantee.

c. This right of first refusal shall be binding on Grantor and Grantee, their heirs, executors, administrators, successors and assigns, and any lessees, tenants, subtenants, licensees, mortgagees or all other subsequent owners of the property or any portion thereof affected hereby.

d. This right of first refusal once executed, delivered and recorded shall not be modified, amended, supplemented or altered in any respect except by a writing signed by the parties hereto and recorded in the Recorder of Deeds Office in Kent County, Delaware.

e. This right of first refusal shall be governed by and construed in accordance with the laws of the State of Delaware.

FURTHER, the real property conveyed herein may not be used for any overnight accommodations, hotels, motels, apartments or other similar overnight accommodation uses. This restriction shall be a covenant that runs with the land, in perpetuity. This restriction shall terminate only upon the Grantor's repurchase or lease of the property conveyed herein and only the Grantor shall have the sole authority to remove this restriction.

IN WITNESS WHEREOF, K. W. LANDS, L.L.C., a Delaware limited liability company, has executed this instrument as of the day and year first above written.

Sealed and Delivered in the Presence of:

Witness

K. W. LANDS, L.L.C.

BY: _____
Gregory S. Kramedas, Member

BY: _____
Davis H. Wood, Member

CITY OF DOVER REALTY TRANSFER TAX PAID JUL 12 2002 $ Exempt

STATE OF DELAWARE :
: SS.:
COUNTY OF KENT :

BE IT REMEMBERED, that on this 27 day of June, A.D. 2002, personally came before me, the Subscriber, a Notary Public for the State of Delaware, Gregory S. Kramedas, Member of K. W. Lands, L.L.C., a Delaware limited liability company, party to this deed, known to me personally to be such, and acknowledges this deed to be his act and deed and the act and deed of said Limited Liability Company that the signature of the Member is in his own proper handwriting, and that his act of signing, sealing, acknowledging and delivering said deed represents consent by 100% of the members of said Delaware Limited Liability Company.

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

JAMES L. RAU
NOTARY PUBLIC
COMM. EXP. 06/25/04

_____
Notary Public Signature

_____
Notary Name - Printed or Typed
My Commission Expires: _____

STATE OF DELAWARE :
: SS.:
COUNTY OF KENT :

BE IT REMEMBERED, that on this 26th day of June, A.D. 2002, personally came before me, the Subscriber, a Notary Public for the State of Delaware, Davis H. Wood, Member of K. W. Lands, L.L.C., a Delaware limited liability company, party to this deed, known to me personally to be such, and acknowledges this deed to be his act and deed and the act and deed of said Limited Liability Company that the signature of the Member is in his own proper handwriting, and that his act of signing, sealing, acknowledging and delivering said deed represents consent by 100% of the members of said Delaware Limited Liability Company.

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

MARK F. DUNKLE
DELAWARE LAWYER
NOTARIAL OFFICER
29 Del. C. §4323 (a) (3)

Notary Public Signature

Notary Name - Printed or Typed
My Commission Expires:_____

H:\re\seller\kwland93.DOC

STATE DOCUMENT
FEE PAID
Jul 11 4 03 PM '02

RECD [illegible] KENT [illegible] DELAWARE

Tax Parcel # ED-05-057.00-01-04.00-000 (part of)

Prepared by Schmittinger & Rodriguez
414 S. State Street
Dover, Delaware 19901

THIS DEED, made this 17th day of December, 2001

BETWEEN The City of Dover, a Municipal Corporation of The State of Delaware, party of the first part

and

Delaware Civic Center Corporation, a Delaware Corporation, party of the second part

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

ALL that certain lot, piece or parcel of land with the improvements thereon erected situated in the City of Dover, East Dover Hundred, Kent County and State of Delaware, said lot lying on the southwesterly side of Crawford Carroll Avenue, a short distance southeast of KW Boulevard, across from the southwesterly end of West Rustic Lane, being bounded on the northeast by the said Crawford Carroll Avenue, by lands now or formerly of Sam's Club Real Estate Business, by lands now or formerly of KW Lands, and by lands now or formerly of Lowe's Home Centers, Inc., on the southeast by said lands of Lowe's Home Centers, Inc., and by lands now or formerly of the State of Delaware (Delaware State University), on the southwest by the Fork Branch, being a prong or a branch of the headwaters of the St. Jones River, on the northwest by lands now or formerly of the State of Delaware (Delaware Technical Community College) and by other lands now or formerly of the Delaware Civic Center Corporation, and being more particularly bounded and described in accordance with a recent survey by Scott Engineerinng, Inc., Consulting Engineers and Surveyors, dated July 10, 2001, as follows, to wit:

BEGINNING at a point located on the southwesterly right of way line of Crawford Carroll Avenue (varying width) at a corner for this parcel and lands now or formerly of Lowe's Home Centers, Inc., said point being further located the following eight (8) courses as measured along the southeasterly right of way line of West Rustic Lane from a capped iron pipe found at the intersection of the said southeasterly line of West Rustic Lane (varying width) with the southwesterly right of way line of U.S. Route #13 (142 feet wide): ((1) North 84 degrees 37 minutes 12 seconds West 35.19 feet to a found brass marker; thence (2) along a curve to the left having a radius of 969.00 feet, a chord bearing of South 55 degrees 29 minutes 04 seconds West and a chord length of 148.71 feet, an arc length of 148.85 feet to a found brass market; thence (3) South 51 degrees 05 minutes 01 seconds West 313.41 feet to a brass marker found at a break in the right of way; thence (4) South 49 degrees 57 minutes 08 seconds West 305.79 feet to a found brass marker with steel nail; thence (5) along a curve to the right having a radius of 525.00 feet, a chord bearing of South 54 degrees 12 minutes 29 seconds West and a chord length of 77.92 feet, an arc length of 78.00 feet to a brass marker found at the northerly

$ T/E Delaware
Realty Transfer Tax Paid
1.5% 2.0% Received by DM

end of a daylight corner joining the said southeasterly line of West Rustic Lane with the northeasterly line of Crawford Carroll Avenue; thence (6) with said daylight corner South 11 degrees 31 minutes 29 seconds West 65.60 feet to concrete monument found in the northeasterly line of said Crawford Carroll Avenue; thence (7) crossing said Crawford Carroll Avenue at right angles thereto South 50 degrees 00 minutes 00 seconds West 70.00 feet to a point on the southwesterly line of Crawford Carroll Avenue; thence (8) with the said southwesterly line of Crawford Carroll Avenue North 40 degrees 00 minutes 00 seconds West 70.33 feet to the place of beginning; thence from the said point of beginning running with the line for lands of Lowe's Home Centers, Inc. South 50 degrees 15 minutes 07 seconds West 310.49 feet to a point at a corner for this parcel and said lands of Lowe's Home Centers, Inc.; thence continuing with the same South 39 degrees 44 minutes 53 seconds East 207.66 feet to a point in line for lands of the State of Delaware (Delaware State University) at a corner for this parcel and said lands of Lowe's Home Centers, Inc., said point being further located North 10 degrees 12 minutes 57 seconds West 2.69 feet from a found concrete monument; thence running with the line for lands of the said State of Delaware South 49 degrees 55 minutes 00 seconds West passing over a found field stone at 1,469.38 feet, a total distance of 1,751.33 feet to a point more or less in the center of the fork Branch at a corner for this parcel and lands of the said State of Delaware, thence running in a northwesterly direction with the center of said Fork Branch and its various meanderings, the following seven (7) courses: (1) North 22 degrees 26 minutes 03 seconds West 429.59 feet to a point; thence (2) North 17 degrees 07 minutes 44 seconds West 557.15 feet to a point; thence (3) North 12 degrees 51 minutes 09 seconds East 128.67 feet to a point; thence (4) North 39 degrees 09 minutes 46 seconds West 110.16 feet to a point; thence (5) North 71 degrees 58 minutes 41 seconds West 105.05 feet to a point; thence (6) North 47 degrees 08 minutes 29 seconds West 128.12 feet to a point; thence (7) North 61 degrees 07 minutes 51 seconds West 137.17 feet to a point at a corner for this parcel and lands now or formerly of the State of Delaware (Delaware Technical Community College); thence with the line for lands of said State of Delaware North 34 degrees 48 minutes 58 seconds East 892.94 feet to a point at a corner for this parcel and lands now or formerly of Sam's Club Real Estate Business Trust; thence running in part with the line for lands of said Sam's Club Real Estate Business Trust and in part with lands now or formerly of KW Lands South 39 degrees 44 minutes 53 seconds East 1200.00 feet to a point at a corner for this parcel and lands of said KW Lands; thence continuing in part with said lands of KW Lands and running in part with other lands now or formerly of the Delaware Civic Center Corporation North 50 degrees 15 minutes 07 seconds East 705.42 feet to a point in the southwesterly line of Crawford Avenue at a corner for this parcel and said other lands of the Delaware Civic Center Corporation; thence running with the said southwesterly line of Crawford Avenue South 19 degrees 28 minutes 54 seconds East 6.84 feet to a point at a break in said right of way; thence continuing with the same South 40 degrees 00 minutes 00 seconds East 13.58 feet to a point, the place of beginning. Containing within the above described metes and bounds 41.5898 acres of land, be the same more or less.

EXCEPTING OUT AND RESERVING therefrom lands to be retained by the party of the first part, as follows, to wit:

ALL that certain lot, piece or parcel of land with the improvements thereon erected situated in the City of Dover, East Dover Hundred, Kent County and State of Delaware, said lot lying southwest of, but not adjacent to, Crawford Carroll Avenue, being bounded on the northeast by lands now or formerly of Lowe's Home Centers, Inc., on the southeast by lands now or formerly of the State of Delaware (Delaware State University) and on the southwest and

northwest by lands being conveyed to the party of the second part herein:

BEGINNING at a point at a corner for this parcel and lands now or formerly of Lowe's Home Centers, Inc., said point being located the following three (3) courses from a concrete monument found at the southerly end of a daylight corner joining the southeasterly line of West Rustic Lane (varying width) with the northeasterly line of Crawford Carroll Avenue (70.00 feet wide): (1) South 50 degrees 00 minutes 00 seconds West 70.00 feet to a point on the southwesterly line of Crawford Carroll Avenue; thence (2) North 40 degrees 00 minutes 00 seconds West 70.33 feet to a point at a corner for lands now or formerly of Lowe's Home Centers, Inc., thence (3) running with the line for lands of said Lowe's Home Centers, Inc. South 50 degrees 15 minutes 07 seconds West 310.49 feet to the place of beginning; thence from the said point of beginning running with the line for lands now or formerly of Lowe's Home Centers, Inc., South 39 degrees 44 minutes 53 seconds East 207.66 feet to a point in line for lands now or formerly of the State of Delaware (Delaware State University) at a corner for this parcel and said lands of Lowe's Home Centers, Inc., said point being further located North 10 degrees 12 minutes 57 seconds West 2.69 feet from a found concrete monument; thence running with the line for lands of the State of Delaware South 49 degrees 55 minutes 00 seconds West 298.78 feet to a point; thence running with a new division line hereby created separating these lands from the lands of the party of the second part, the following two (2) courses: (1) North 40 degrees 05 minutes 00 seconds West 209.41 feet to a point; thence (2) North 50 degrees 15 minutes 07 seconds East 300.00 feet to a point, the place of beginning. Containing within the above described metes and bounds 1.4333 acres of land, be the same more or less.

BEING the same land conveyed unto the party of the first part by deed of M. A. Frazier, Inc., dated December 28, 1973 and recorded in the office of the Recorder of Deeds in and for Kent County in Deed Record Book Z, Volume 28, Page 347.

The above lands and premises are conveyed subject to covenants, conditions and restrictions of record, if any; such state of facts as an accurate survey and/or inspection of the lands and premises will disclose; the operation and effect of any zoning laws, and building restrictions imposed by public authority; and easements and public utility grants of record.

In the event construction of a civic center project is not commenced on the above described property within ten (10) years of the date of the recording of this deed, the party of the first part shall have the right to compel the party of the second part, its successors and/or assigns, to tranfer title to the above described property back to the party of the first part for the sum of Ten Dollars ($10.00).

SUBJECT to the restrictions, easements, conditions of record as set forth in that Declaration of Restrictions by The City of Dover dated September 14, 2001 and recorded as aforesaid in Deed Record Book 437, Page 345.

IN WITNESS WHEREOF, the said City of Dover has hereunto caused its name by James L. Hutchison, its Mayor, to be hereunto set, and the common and corporate seal of the said corporation to be hereunto affixed, duly attested by its City Clerk, the day and year aforesaid.

Sealed and delivered
in the presence of

CITY OF DOVER
REALTY TRANSFER TAX
PAID DEC 13 2001 PAID
$ EXEMPT

The City of Dover

By: James L. Hutchison (SEAL)
James L. Hutchison, Mayor

Attest: Janice C. Green (SEAL)
Janice C. Green, Clerk

STATE OF Delaware, County of Kent:

BE IT REMEMBERED, that on this 11th day of December, 2001 personally came before me, the subscriber, a Notary Public in and for the State and County aforesaid, James L. Hutchison, Mayor of the City of Dover, a municipal corporation existing under the laws of the State of Delaware, party to this Indenture, known to me personally to be such and acknowledged this Indenture to be the act and deed of the said corporation, that the signature of the Mayor thereto is in his own proper handwriting and the seal affixed is the common and corporate seal of said corporation and delivering said Indenture was duly authorized by the City Council of the City of Dover.

GIVEN under my hand and seal the day and year aforesaid.

Traci A. McDowell
Notary Public:
Commission Expiration:
Printed Name:

TRACI A. MCDOWELL
NOTARY PUBLIC
STATE OF DELAWARE
COMMISSION EXPIRES 6/8/2004

STATE DOCUMENT
FEE PAID
DEC 13 1 36 PM '01
RECORDED
R.H. WARNER, JR.
RECORDER OF DEEDS
KENT CO DELAWARE

BK 373PG283

Tax Parcel No. ~~P/O~~ ED-05-057.00-01-08.00-000
Prepared By: David T. Pryor. Esq.
225 S. State Street
Dover. DE 19901

33794

D E E D

THIS DEED, *made this* 31st day of July in the year of our *Lord* two thousand . (2000)

Between, *Robert K. Hyer*. of 750 Grygo Road. Marydel. Delaware. party of the first part.

And

Delaware Civic Center Corporation, a Delaware Corporation. of 99 Kings Highway. Dover. Delaware. party of the second part.

Witnesseth, that the said party of the first part. for and in consideration of the sum of *Ten Dollars, ($10.00)*. lawful money of the United States of America. the receipt of which is hereby acknowledged. hereby grants and conveys unto the said party of the second part. their heirs and assigns.

All that certain lot. piece or parcel of land. with no improvements thereon erected. situate in the City of Dover. East Dover Hundred. Kent County, State of Delaware. lying on the southwesterly side of the Scarborough Access Road leading from Lowe's Home Centers to Sam's Club. a short distance southwest of U.S. Route 13, being bounded on the northeast by the Scarborough Access Road. on the southeast by lands now or formerly of the City of Dover, and on the southwest and northwest by lands now or formerly of KW Lands, and being more particularly bounded and described in accordance with a recent survey by Scott Engineering. Inc.. Consulting Engineers and Surveyors. dated July 24. 2000. as follows to wit:

Beginning for the same at a capped iron pipe set on the southwesterly right-of-way line for the Scarborough Access Road. at 70.00 feet wide. at a corner for this parcel and lands now or formerly of the City of Dover. said point of beginning being located the following four (4) courses from the northerly end of a daylight corner joining the northwesterly right-of-way line of West Rustic Lane. at varying width. with the southwesterly right-of-way line of U.S. Route 13. at 142.00 feet wide: (1) running along the northwesterly line of West Rustic Lane. South 01° 03 23" West 72.82 feet to a point; thence (2) with the same along a non-tangent curve to the right having a radius of 591.93 feet. a chord bearing of South 44° 28' 17" West and a chord distance of 119.24 feet. an arc distance of 119.44 feet to the point of tangency; thence (3) still along the

$ T/E Transfer Tax
paid to KCRTT
Received by JMH

$ T/E Delaware
Realty Transfer Tax Paid.
1.5% 2.0% Received by JMH

same South 50° 15' 07" West-695.92 feet to a point at the southeasterly end of a daylight corner joining the northwesterly line of said West Rustic Lane with the northeasterly right-of-way line of Scarborough Access Road; thence (4) crossing said Scarborough Access Road, South 50° 15' 07" West-126.24 feet to a point on the southwesterly line of said Scarborough Access Road, the point of beginning; thence from the said point of beginning running with the lands now or formerly of the City of Dover 50° 15' 07" West-655.42 feet to a set capped iron pipe at a corner for this parcel and lands now or formerly of KW Lands, said point being located North 22° 35' 03" West-13.38 feet from a found capped iron pipe; thence with the lands of KW Lands North 39° 44' 53" West -120.00 feet to a set capped iron pipe, said point being located South 70° 53' 55" East -1.76 feet from a found capped iron pipe marked 'GADA'; thence continuing with the lands of KW Lands North 50° 15' 07" East-699.73 feet to a set capped iron pipe on the southwesterly lien of said Scarborough Access Road, a corner for this parcel and lands of said KW Lands; thence with the southwesterly line for said Scarborough Access Road, South 19° 28' 54: East-127.92 feet to a point, **the place of beginning. Containing** within the above described metes and bounds 81,309.04 sq. ft. (1.8666 ac.) of land, be the same more or less.

And Being a part of the same lands and premises which were conveyed unto Robert K. Hyer and Kathryn N. Hyer, his wife, by deed of David A. Hyer and Norma J. Hyer, dated the 31st day of December, A.D. 1968, and recorded in the Office of the Recorder of Deeds, in and for Kent County, Delaware, on the 31st day of December, A.D., 1968, in Deed Book M, Volume 25, Page 420. Subsequently, Kathryn N. Hyer conveyed her interest in and to said lands and premises unto Robert K. Hyer, dated the 8th day of April, A.D., 1980, and recorded in the Office of the Recorder of Deeds, in and for Kent County, Delaware, on the 22nd day of April, A.D., 1980 in Deed Book X, Volume 34, Page 300.

Subject, however, to such state of facts as an accurate survey and/or inspection of the lands and premises will disclose; the operation and effect of any zoning laws, and building restrictions imposed by public authority; and easements and public utility grants of record.

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In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year aforesaid.

Signed, sealed and delivered in the Presence of:

Witness

(seal)
Robert K. Hyer, Seller

****

State of Delaware *
* ss
County of Kent *

Be it Remembered, that on this 31st day of July, 2000, personally came before me, the subscriber, a Notary Public for the State and County aforesaid, ***Robert K. Hyer,*** party to this Deed, known to me personally to be such, and did acknowledge this to be his act and deed.

Given under my Hand and Seal of office the day and year aforesaid.

(seal) **David T. Pryor**
Attorney at Law with
Power to Act as Notary Public
Per 29 Del C. §4323(a)(3)

Notary Public

CITY OF DOVER
REALTY TRANSFER TAX
PAID AUG 1 2000 PAID
$ Exempt

STATE DOCUMENT
FEE PAID
AUG 1 3 12 PM '00

R.M. ARMER, JR.
RECORDER OF DEEDS
KENT CO. DELAWARE

Economic Development Office
101 W Loockerman St, 1A
Dover DE 19904

CITY OF DOVER TOP EMPLOYERS

COMPANY	# EMPLOYEES BY DATE		
	7/14/2014	1/29/2015	7/15/2015
Bayhealth-Kent General & Milford 640 S. State St Dover DE 19901 (302) 674-4700 Mr. Terry Murphy	3282	3446	3544
Dover Downs, Inc. 1131 N. DuPont Hwy Dover DE 19901 (302) 674-4600 Ms. Janie Libby	Hotel & Casino-1353 Speedway – 56	Hotel & Casino-1365 Speedway – 52	Hotel & Casino-1340 Speedway – 52
Dover Air Force Base (302) 677-3372 Public Affairs Office www.dover.af.mil	Active -3900 Reserve – 1500 Civilian - 1000	Active -3900 Reserve – 1500 Civilian - 1000	Active - 3900 Reserve – 1500 Civilian - 1000
State of Delaware Office of Management & Budget Laura Simmons	Est. 4500-5000	Est. 4500-5000	Est. 4500-5000
Delaware State University 1200 N. DuPont Hwy Dover DE 19901 (302) 857-7027 Dr. Phyllis Edamatsu	FT – 791 PT - 321	FT – 811 PT - 195	FT – 811 PT - 195
Edgewell (Energizer/Playtex Products) P.O. Box 7016 Dover DE 19903-7016 (302) 678-6176 Ms. Gina Sullivan	490	495	518
Kraft Foods 1250 W. North St Dover DE 19903-0600 (302) 734-6100 Mr. Bruce Robinson (HR)	Hourly & Salaried – 546 Contract – 60+	Hourly & Salaried – 552 Contract –	Hourly & Salaried – 552 Contract –

Delaware Technical & Community College 100 Campus Dr Dover DE 19901 (302) 857-1000	FT - 237 Temp/PT - 145 includes Adjunct Faculty	FT -225 Temp/PT - 198 includes Adjunct Faculty	FT - 235 Temp/PT - 174 includes Adjunct Faculty
Proctor & Gamble P.O. Box 7010C Dover DE 19903 (302) 678-2600 x2189 Ms. Teresa Knotts	P&G - 186 Contract - 250	P&G -185 Contract -280	P&G -189 Contract -231
Wesley College 120 N. State St Dover DE 19901 (302) 736-2300	FT Staff – 95 FT Faculty-65 Aramark (Dining) – 61 (FT 35/ PT 12/Students 14) Nat'l Management –(Maintenance)-29 Barnes & Noble (Bookstore) -2	FT Staff – 104 FT Faculty- 69 Aramark (Dining) – 57 (FT 31/ PT 15/Students 11) Nat'l Management –(Maintenance)-29 Ellucian (IT)- FT-6 Barnes & Noble (Bookstore) -2	FT Staff – 111 FT Faculty- 73 Aramark (Dining) – (FT -33/ PT-11 /Students - 10) Nat'l Management – (Maintenance)- 28 Ellucian (IT) – FT- 6 Barnes & Noble (Bookstore) - 2
Sam's Club 1572 N. DuPont Hwy Dover DE 19901 (302) 678-4220 Mr. Steven Bromley	185	179	191
Hirsh Industries 1525 McKee Rd Dover DE 19904 (302) 678-3454 Ms. Meg Shivone	186	181	181
ILC Dover (Kent County) One Moonwalker Rd Frederica, DE 19946 (302) 335-3911	399	372	325
Chesapeake Utilities Silver Lake Blvd Dover, DE 19904 (302)736-7828 Ms. Sydney Hawthorne Davis	215	221	226
Comcast Cable 5729 W Denney's Rd Dover DE 19901 (302) 672-5936	135	127	127