EXHIBIT #1
Regular Council Meeting of 10/08/2007

KENNETH L. HOGAN
Councilman - First District

COMMITTEES:
Safety Advisory & Transportation (Chair)
Legislative, Finance & Administration

City of Dover

105 Hazeltine Road
Dover, DE 19904
(302) 734-2034 - Home
(302) 736-7006 - City Office

November 4, 2005

Mr. Frederick Tolbert, President
Persimmon Park Place Homeowners Committee
35 Karen Place
Dover, DE 19901

Dear Mr. Tolbert:

After receiving your letter dated October 27, 2005 inquiring about the maintenance of the islands located at the entrance of Persimmon Park Place, I requested staff to conduct research on this matter.

Although you were listed as being copied, for your convenience, I am providing a copy of a letter dated July 21, 2004 from Mr. George Gardner, III, Persimmon Park Place Condominium Council, Inc., regarding the disposition of and future maintenance obligation for three (3) islands which are in the middle of Persimmon Circle East as well as the circles of grass which are inside of the roadway both on Primrose Court and on Carolyn Court. I am also providing a copy of the City's response dated August 5, 2004 as well as the Deed.

In reviewing these documents, it appears clear that the dedication of the streets, including the islands and circles, would be transferred to the City; however, the maintenance responsibility for the circles and islands would remain with Persimmon Park Place Condominium Council, Inc. (see first paragraph of page 2 of the Deed). At this time, the Condominium Council offered three (3) options for the City. If there has been circumstances that may require that this matter be reconsidered, please contact me for appropriate referral.

I hope that this information clarifies any misunderstandings. Should you wish to discuss this matter further, do not hesitate to contact me and we will schedule a convenient time.

Sincerely,

Kenneth L. Hogan

Kenneth L. Hogan
Councilman

KLH/jg
S:\ClerksOffice\Correspondence\Council\Hogan\Tolbert - Persimmon Street-Island Dedications.wpd

Enclosures

CITY OF DOVER
DEPARTMENT OF FINANCE
PROCEDURE MANUAL

TITLE: Grant Application Procedures

PROCEDURE # 317
DATE: October 1, 2007

INTRODUCTION

This procedure is intended to establish clear directions for accounting for and administering the funds and resources received by the City through Federal, State, and other Grants.

It is the City's policy to strictly prohibit any political activities related to Federal, State and other political subdivision assisted programs. The City's employees will not engage in such activities nor spend City funds or grant funds in such activities.

DEFINITIONS

"Department": Departments are the major organizational sub-divisions. They have a broad overall purpose. The City of Dover is organized into departments as follow: Customer Services, Parks, Recreation & Library, Public Services, Police, Public Utilities, Mayor, Central Services, City Clerk, City Manager, Information Technology, Finance, Human Resources, and Tax Assessor.

"Grants": Funds and resources procured by the City which are restricted as to usage by the government or institution providing the funds. Usually, there is an application process whereby the City provides evidence of its need for the funds, its ability to use the funds in a manner approved by the grantor, and detailing the expenditures expected to be incurred. The primary grant providers to the City are the Federal and State governments.

"Closeout" The process of finalizing a grant project, including completion of the final financial reports, determination of cash balances, accomplishment of necessary accounting entries and placing all project files in a manageable holding system.

APPLICATION AND AWARD PROCESS

1. The Department Heads are responsible for seeking out new grant resources, preparing the grant application packages, and submitting completed grant packages to the proper grantor institution. If the City is awarded the grant, a Committee Action Form (CAF) is to be prepared for the Legislative, Finance & Administrative Committee to approve the grant award. The CAF shall include any non-grant funded expenses in the current and future fiscal years.

   Several types of state funded grants are awarded to local law enforcement agencies state-wide based on annual allocations of funds approved by the State Legislature and quarterly applications for funds resulting from property and drug seizures. The Police Department must conform to the grantor requirements for spending these funds. The

Police Chief approves the application for and disbursing of these particular funds.

2. A grant records file shall be prepared for each application and updated throughout the grant process, including the final accounting and closeout. The file shall consist of, at a minimum, the application, acceptance letter and a spreadsheet detailing cash receipts and disbursements.

3. The Department Head, or his/her designee, shall monitor the status of the grant application and the subsequent award.

4. All grants will be signed by the Mayor.

5. The original signed grant contract shall be added to the appropriate grant file and identified with contract number and performance period.

6. Copies of all documents are to be provided to the Finance Department to monitor compliance and completion of the annual audit.

7. Where applicable, Public Hearings and Advisory Board Meetings must be held in accordance with the grantor requirements throughout the term of the grant.

ACCOUNTING PROCEDURES

1. The Department Head shall request account numbers for grant revenues and expected expenditures from the City Finance office. Where applicable a project number will be assigned to each grant to track receipts and expenses.

2. The Finance Department and Department Head are responsible for maintaining separate records for each grant project to avoid commingling of grant funds.

3. The Department Head is responsible for assuring all grant project funds are expended according to the terms of the grant. All grant project funds must be obligated by the termination date(s) specified in the grant. Any matching funds must be expended and reported timely.

4. The Department Head is responsible for submitting any required reimbursement requests to the grantor as authorized expenditures are incurred. At the end of each fiscal year, the Department Head shall submit to the Finance Department a list of all outstanding reimbursement requests and qualified expenditures incurred, but not submitted to the grantor for reimbursement. Accordingly, the Finance Department shall create a grant receivable entry, reconciling this to the grant activity recorded during the period.

5. Purchase, Invoice and Payment processing shall be in accordance with the City of Dover Purchasing Policy, incorporated into this procedure by this reference. Payroll processing shall be in accordance with City payroll procedures.

6. Retention of records shall be in accordance with the State of Delaware's Local Government General Records Retention Schedule for Grants, which specifies grant financial files are to be retained for five years after submission of the grant closeout

letter and successful audit.

7. Requests for drawdown of funds must be in accordance with award requirements specified by the grantor.

8. Receipts are received and entered into the General Ledger by the Finance Department.

9. The Department Head is responsible for maintaining records of all inventory purchased and are to provide an updated copy to the Finance Department June 30 each year for audit purposes. All records for equipment, non-expendable personal property and real property shall be retained for a period of at least three years from the date of the disposition, replacement, or transfer.

10. Records must be maintained for each non-expendable item that costs $5,000 or more and has a useful life of one year or more. The Department Head shall send the invoices and appropriate backup data to the Finance Department for recording in the Capital Asset system.

11. The Department Head is responsible for timely submission of reports to the grantor as required under the terms of the grant.

12, The Department Head is responsible for submitting quarterly and final Financial Status Reports (FSRs) for grants if required under the terms of the grant. A copy of any FSR must be submitted to the Finance Department before being sent to the grantor. Finance shall reconcile amounts reported on the FSR with the amounts recorded in the City's accounting system. Any discrepancy shall be resolved by the Department Head and communicated to the Finance Department.

13 The Department Head is responsible for performing and monitoring closeout activities.

14. Any unexpended funds shall be returned to the grantor and any interest earned on cash balances shall be disbursed in accordance with the grant requirements.

15. The Finance Department is responsible for preparing Form SF-SAC, “Data Collection Form for Reporting on Audits of States, Local Governments, and Non-Profit Organizations,” in accordance with Federal OMB Circular A-133.

16. A quarterly report will be presented to City Council by the Finance Department for all grants.

DISTRIBUTION
Mayor
CDBG Director
Police Department
City Manager
Department Heads

/Copy M/C, CM, CS
7/29/04 DJD

PERSIMMON PARK PLACE CONDOMINIUM COUNCIL, INC.
110 Persimmon Circle East
Dover, DE 19901
July 21, 2004

RECEIVED
JUL 23 2004
OFFICE OF THE CITY CLERK

Ms. Janice C. Green, CMC
City Clerk
City of Dover
P.O. Box 475
Dover, DE 19903-0475

Dear Ms. Green:

Receipt of your letter of July 12, 2004 is acknowledged. As I sat down to prepare the appropriate transfer document, it occurred to me that there is one issue that I do not know has ever been discussed. That issue is (1) the disposition of and (2) future maintenance obligation for three islands which are in the middle of Persimmon Circle East immediately after you turn into the entranceway and also the circles of grass which are inside of the roadway both on Primrose Court and on Carolyn Court.

In this regard, I spoke with Bill Elliott of Elliott Surveying who performed all of the original survey work at Persimmon and who also prepared the description that we would be utilizing in transferring the roads. Those descriptions presently incorporate each of these five areas; that is to say, the three islands on Persimmon Circle East and the circle of grass on Primrose Court and Carolyn Court. In thinking about this, it seems to me there are three possible alternatives.

1. Persimmon would transfer and convey to the City of Dover ownership of the roadways including future maintenance obligations for the islands and the circles.

* 2. Persimmon would transfer to the City of Dover all of the roads including the islands and the circles, but Persimmon would retain maintenance responsibility for the islands and for the circles. Maintenance responsibility for the circles is simply grass cutting, whereas maintenance on the islands obviously involves more than that. Maintenance of each of these areas is currently under private contract let on a year-to-year basis.

3. Persimmon Park Place Condominium Council, Inc. would reserve title to the three island areas and to the two circles of grass areas.

We are prepared to proceed any way that the City desires. I will say that both Bill Elliott and I are of the opinion that it does not make any sense to reserve out ownership of those circles and the islands, and we both think the City should own so as to control those areas. On the question of maintenance of those areas, I think it is really a matter of the City's choice.

If you will let me know how you wish to proceed, I will be happy to commence preparing the transfer instruments for the City's review. In this regard, if you wish to proceed under proposal 2, I would simply propose to put a sentence in making it clear that the maintenance responsibility would remain with Persimmon Park Place Condominium Council, Inc. If you elected to proceed under proposal 3, I would get with Mr. Elliott and we would prepare language that would essentially except out the three islands and the two circles. Please let me know how you wish us to proceed.

Very truly yours,

PERSIMMON PARK PLACE CONDOMINIUM COUNCIL, INC.

BY _____
GEORGE F. GARDNER, III

GFG:cms
cc: Fred Tolbert

/cc 8/6/04 DM

City of Dover

August 5, 2004

Mr. George F. Gardner, III
Persimmon Park Place Condominium Council, Inc.
110 Persimmon Circle East
Dover, DE 19901

Dear Mr. Gardner:

I am in receipt of your letter dated July 21, 2004 regarding the disposition of and future maintenance obligation for three (3) islands which are in the middle of Persimmon Circle East.

In your letter you suggested three (3) possible alternatives. After discussing this matter with the City Manager, Mayor, and Council President, it has been decided that the City would prefer the second alternative: *"Persimmon would transfer to the City of Dover all of the roads including the islands and the circles, but Persimmon would retain maintenance responsibility for the islands and for the circles. Maintenance responsibility for the circles is simply grass cutting, whereas maintenance on the islands obviously involves more than that. Maintenance of each of these areas is currently under private contract let on a year-to-year basis".*

Based on the above, please proceed with the preparation of the transfer documents for the City's review and include a sentence to make it clear that the maintenance responsibility for the circles and islands would remain with Persimmon Park Place Condominium Council, Inc.

Please do not hesitate to contact me if you have any further questions. I can be reached at 736-7008 or e-mail at JGreen@dover.de.us.

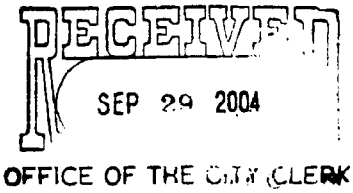
Sincerely,

Janice C. Green, CMC
City Clerk

/jg
J:\MyFiles\Correspondence\Clerk's Office\Persimmon - Circles and Islands.wpd

cc: Mayor and Council
Mr. Rodriguez
Mr. DePrima

PERSIMMON PARK PLACE CONDOMINIUM COUNCIL, INC.
110 Persimmon Circle East
Dover, DE 19901
September 28, 2004



Ms. Janice C. Green, CMC
City Clerk
City of Dover
P.O. Box 475
Dover, DE 19903-0475

RE: Roads in Persimmon Park Place

Dear Ms. Green:

In accordance with your telephone message, please find enclosed an executed deed for the streets and roads in Persimmon Park Place, Phase I and Phase II, Section A and Section B. Also enclosed please find the necessary affidavits. If the City of Dover has an employer I.D. number, you will need to add that to the affidavit. Finally, enclosed please find Check No. 2221 in the amount of $37.00 for recording.

The parcel number reflects "part of" because it has also included the recreational area and it has all been one tax bill. Presumably, the City and County will create a new parcel number which I assume would be tax free by virtue of the City's ownership. Both the City and County taxes have been paid in full for the current year.

I would appreciate it if you could give me a call and let me know when recording has occurred. Please call me and/or leave a message at 678-3262, ext. 235. Thank you.

Very truly yours,

PERSIMMON PARK PLACE CONDOMINIUM COUNCIL, INC.

BY _____
GEORGE F. GARDNER, III
For the Council

GFG:cms
Enclosures: Executed deed, affidavits, and recording fee
cc: Fred Tolbert (w/enclosure)

Tax Map No.: LC-05-058.17-03-42.00-000 (part of)
Prepared By:
Parkowski, Guerke & Swayze, P.A.
P.O. Box 598
Dover, Delaware 19903

DEED

THIS DEED, Made this 28th day of September, A.D. 2004, by and between:

PERSIMMON PARK PLACE CONDOMINIUM COUNCIL, INC., a corporation of the State of Delaware, 110 Persimmon Circle East, Dover, DE 19901, hereinafter referred to as "Grantor.

a n d

THE CITY OF DOVER, a municipal corporation of the State of Delaware, P.O. Box 47[illegible], Dover, DE 19903, hereinafter referred to as "Grantee".

WITNESSETH, that the said Grantor for and in consideration of the sum of ONE DOLLARS ($1.00) lawful money of the United States of America, the receipt whereof being hereby acknowledged, hereby grants and conveys unto the Grantee, its successors and assigns, the hereinafter described developed roads in Phase I and Phase II, Sections A and B, as follows, to-wit:

ALL those certain areas comprising constructed private roads and the attendant right-of-way relating to said private roads, all as depicted on the Declaration Plan for Phase I of the Persimmon Park Place Condominium, said plan being recorded on November 9, 1987, in the Recorder of Deeds Office in Kent County, Delaware, in Plot Book 20, Page 87, et. seq. and all those certain areas comprising constructed private roads and the attendant right-of-way relating to said private roads, all as depicted on the Declaration Plan for Phase II, Section A and Phase II, Section B of the Persimmon Park Place Condominium, said plan being recorded on December 28, 1989, in the Recorder of Deeds Office in Kent County, Delaware, in Plot Book 24, Page 82, et. seq. The private roads, transferred, granted and conveyed hereunder as to Phase I are all of Gordon Place (excluding the portion condemned for highway purposes by the State of Delaware and including Gordon Place as relocated), Gordon Drive, Primrose Drive, Primrose Court, Welch Drive and Carolyn Court. Private roads which are partially within Phase I and which are transferred and conveyed to the extent within Phase I are Persimmon Circle East and Beth Place. The private road within Phase II, Section A as more particularly depicted on the Amended Declaration Plan for Phase II recorded on December 28, 1989, in the Recorder of Deeds Office in Kent County, Delaware, in Plot Book 24, Page 82, et. seq. is Beth Place, and the private road totally within Phase II, Section B is Karen Place, and the private roads partially within Phase II, Section B are Persimmon Circle East and Susan Place. Each of those roads to the extent they are within Phase II, Section A and Phase II, Section B, are transferred and conveyed hereunder along with their attendant rights-of-way all as depicted on the Declaration Plan for Phase II recorded in Plot Book 24, Page 82.

The above conveyance reserves unto Persimmon Park Place Condominium Council, Inc. the maintenance and landscaping obligation for those certain three islands at the entranceway to Persimmon Park Place situate in the middle of Persimmon Circle East, being a part of Phase I, and the grass-cutting and maintenance obligation for the circle in Carolyn court, being a part of Phase I, and for the grass-cutting and maintenance obligation for the circle in Primrose court, being a part of Phase I.

The above-described property is a part of the same lands and premises conveyed unto Persimmon Park Place, L.P., a Delaware limited partnership, by deed of Persimmon Park, Inc., a Delaware corporation, dated May 14, 1986, and recorded on May 16, 1986, in the Recorder of Deeds Office in Kent County, Delaware, in Deed Record B, Volume 42, Page 10, et. seq. and is also all of the area described as Parcel No. 7 in a deed from Persimmon Park Place, L.P., a Delaware limited partnership, to G & L Holdings, Inc., a Delaware corporation, dated July 9, 1999, and recorded on July 9, 1999, in the Recorder of Deeds Office in Deed Book 319, Page 294, et. seq. At that time, legal title to the above-described roads and rights-of-way areas were transferred by Persimmon Park Place, L.P., a Delaware limited partnership, to G & L Holdings, Inc., a Delaware corporation, "to be held for the beneficial owner for later conveyance of legal title to said beneficial owner, Persimmon Park Place Condominium Council, Inc., a Delaware corporation." Thereafter, by deed dated January 5, 2004, and recorded in the Recorder of Deeds Office in Kent County, Delaware, on January 23, 2004, in Deed Record 593, Page 244 et. seq., G & L Holdings, Inc., a Delaware corporation, granted and conveyed the above-described developed roads to Grantor hereunder, being Parcel No. 1 in said deed.

IN WITNESS WHEREOF, Persimmon Park Place Condominium Council, Inc., a Delaware corporation, has executed this instrument as of the day and year first above written.

Sealed and Delivered
in the Presence of:

PERSIMMON PARK PLACE CONDOMINIUM COUNCIL, INC.

BY _____ (SEAL)
President

ATTEST: _____ (SEAL)
Secretary

PERSIMMON PARK PLACE CONDOMINIUM COUNCIL, INC. 1986

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

BE IT REMEMBERED that on this 28th day of September, A.D. 2004, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, George F. Gardner, III, President of Persimmon Park Place Condominium Council, Inc., a Delaware corporation, party to this Indenture, known to me personally to be such, and he acknowledged this Indenture to be his act and deed and the act and deed of said corporation and that the signature of the said president is in his own proper handwriting, and that the act of signing, sealing, acknowledging and delivering said indenture was first duly authorized by corporate resolution of said corporation.

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

Josephine M. Strong

Notary Public Signature

Josephine M. Strong

Notary Name - Printed or Typed

My Commission Expires: 06-13-06

JOSEPHINE M. STRONG
My Commission Expires 06-13-06
State of Delaware
NOTARY PUBLIC

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PERSIMMON PARK PLACE

HOMEOWNERS COMMITTEE

October 27, 2005

Hon. Kenneth L Hogan, Chrmn.
Safety, Advisory & Transportation Comm.
City Of Dover
P.O. Box 475
Dover, DE 19903-0475

RE: Persimmon Park Place

Dear Mr. Hogan:

Dedication of the streets of the reference sub-division has been completed to include resurfacing of some streets, lighting and signage. The sub-division's sole entrance is divided by three islands which have trees and grass. The maintenance of the islands has not been recognized by the City as part of their responsibility. The legislators who made funds available for the project understood that the islands were included in the street dedication as were the residents of the sub-division. The increase in property taxes together with the State funds provided the city with the necessary funds to undertake the entire project including the public parking area.

This matter is brought to your attention for a satisfactory resolution. If additional information is required please advise me accordingly. The residents will meet with you and the committee at your convenience if you require it. Your response to this correspondence will be greatly appreciated.

Very truly yours,

Frederick Tolbert, Pres.
PPPHOC

Cc: File