City of Dover
Permit, Application and License Fee Proposals

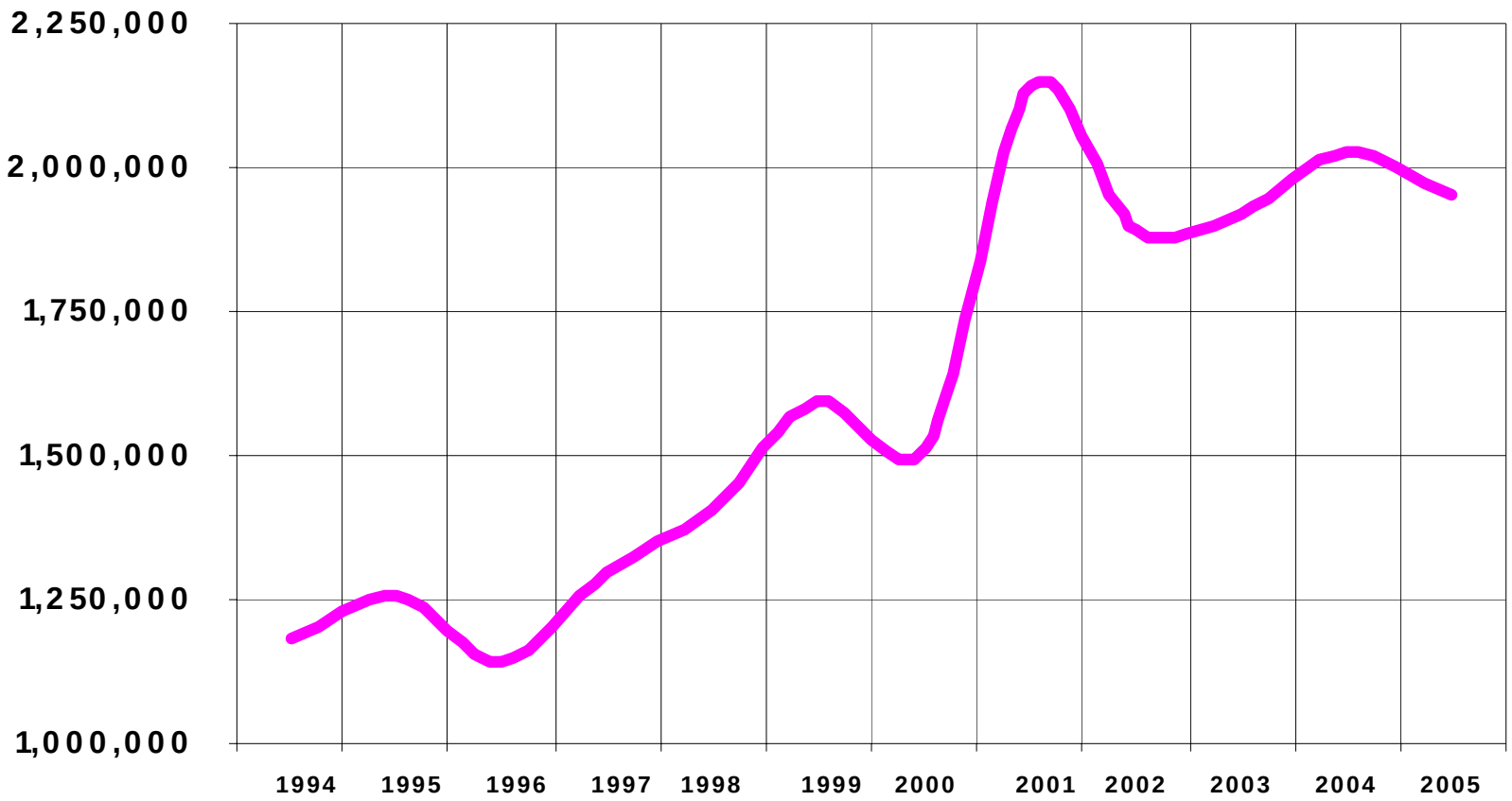
A proposal presented to the City Council
on increases in Fees
in the City of Dover.

Dover Permit & Application Fee Proposal

- The City of Dover has not increased permit or application fees in over ten years.
- The revenues have not kept pace with expenses for the Office.
- The proposed permit and application fees are similar to those of other municipalities in the region.
- The fee proposals have been reviewed with several organizations for their comments and input.

Dover Permit & Application Fee Proposal

General Fund Trend Data for Permit & License Fees



City of Dover

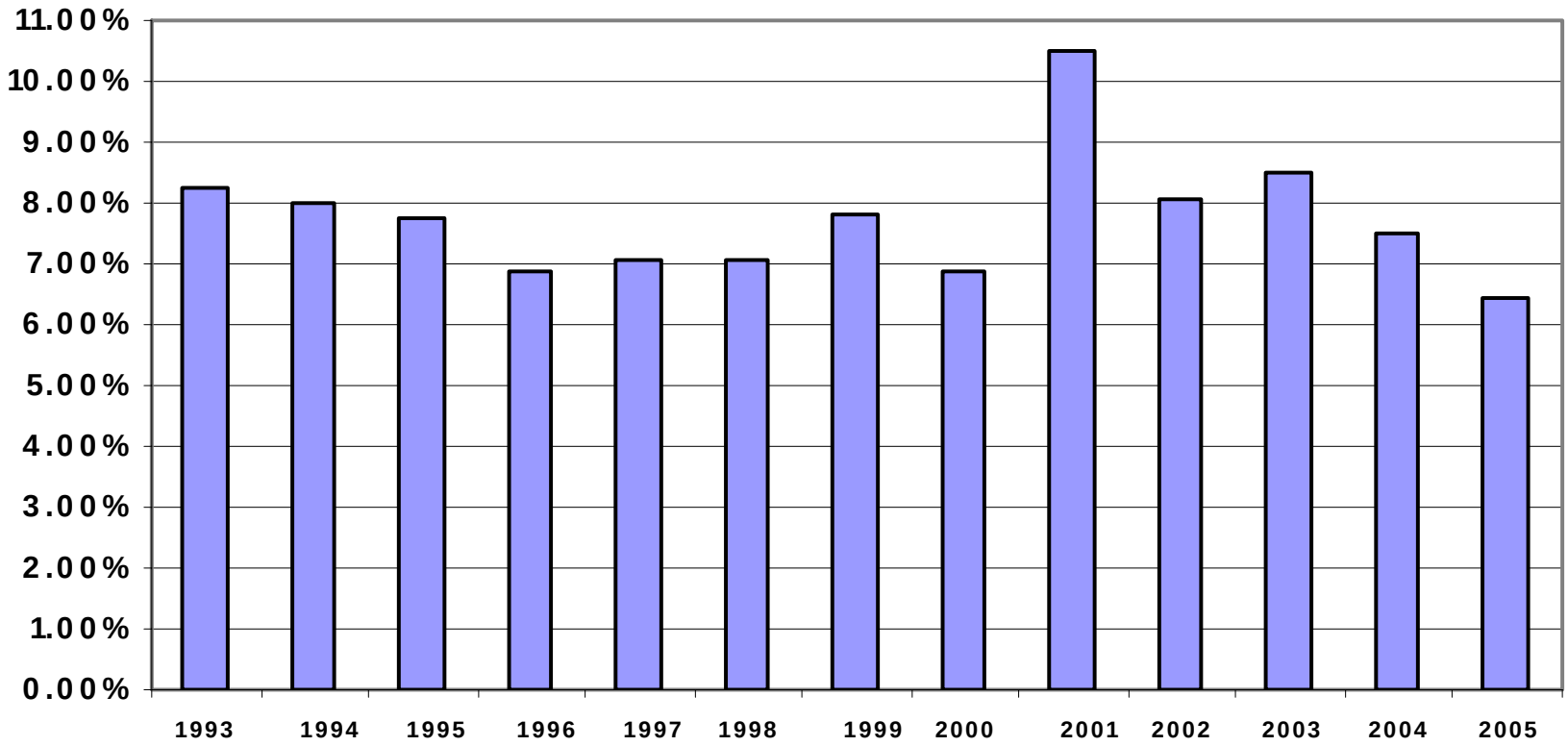
Comparison of Planning and Inspections Permit Revenues vs. Expenses

FY 1993 through FY 2003

Fiscal Year	Permits and Other Licenses Revenue (excludes Business Licenses)	Total Department	Difference - Revenue vs. Expense
1993	$534,974	$517,677	$17,297
1994	$471,949	$509,924	-$37,975
1995	$561,538	$548,765	$12,773
1996	$378,305	$560,275	-$181,970
1997	$432,791	$624,754	-$191,963
1998	$531,375	$576,899	-$45,524
1999	$617,866	$611,736	$6,130
2000	$482,717	$667,483	-$184,766
2001	$1,035,072	$875,542	$159,530
2002	$745,641	$826,313	-$80,672
2003	$634,102	$893,547	-$259,445

Dover Permit & Application Fee Proposal

General Fund Trend Data: Licenses to General Fund



Dover Permit & Application Fee Proposal

Involved Organizations

- The City Manager and Director of Planning and Inspections met with:
  - Kent County Board of Realtors
  - Home Builders Association
  - Central Delaware Economic Development Council
  - BayHealth
  - Central Delaware Chamber of Commerce

Dover Permit & Application Fee Proposal
Feedback

- Board of Realtors: the proposed increases doubled some fees, too much
- Home Builders: Getting a double hit of Contractor Licenses and Permit fees increases.
- BayHealth: Mechanical formula change would create a ten fold increase for Mechanical Fees for large projects.

Dover Permit & Application Fee Proposal
Feedback

- BayHealth: Building Permit Fees should be decreased for larger, multi-million dollar projects
- Inflation is already built into the indexed fees for Contractors, Merchants and Manufacturers
- Any fee increases should be implemented over a 2 or 3 year period

Dover Permit & Application Fee Proposal

Building Permits Fees Comparisons

Permit Type	Current Fees	Original Proposed Fees	Revised Proposed Fees
Building	$8.00 for the first $1000 project costs PLUS $6.00 each additional $1000 $8.00 minimum	$25 for the first $1000 of project costs PLUS $8.00 each additional $1000. $25 minimum	$25 minimum permit for up to $1000 $8.00 per $1000 up to $10,000,000 $6.00 per $1000 up to $20,000,000 $5.00 per $1000 above $20,000,000
Plumbing	$10.00 for the first five fixtures and $1.50 for each additional fixture $20 per water heater $20 per disposal $15 for 150 feet of Water Sewer or Gas Service lines	$25 for the first five fixtures and $3.00 per each additional fixture. $25 per water heater $25 per disposal $25 for 150 feet of Water Sewer or Gas Service lines	$25 for the first five fixtures and $2.00 per each additional fixture. $25 per water heater $25 per disposal $20 for 150 feet of Water Sewer or Gas Service lines
Mechanical	**Heat**: $20 for the first 10,000 BTU's and $4.00 for each addition- al 10,000 BTU's **A/C**: $7.00 per ton for the first 5 tons and $4.00 per ton over 5 tons.	$25 minimum plus $10.000 per $1000 project costs	**Heat**: $30 for the first 10,000 BTU's and $5.00 for each additional 10,000 **A/C**: $30 for the first 5 tons and $5.00 per ton over 5 tons. **Heat Pump**: $15 for 1st 10,000 BTU's AND $15 for 1st 5 tons AND ½ of indexes.
Demolition	$50.00 flat fee	Remain the Same	Remain the Same
Certificate of Occupancy	$40 for up to 20,00 SF and $10 each additional 10,000 SF.	Remain the Same	Remain the Same
Construction Plan Review	No Fee Charged	$20.00 per review	$20.00 per review
Re-inspections	No Fee Charged	$50 per visit	$25 per visit

Dover Permit & Application Fee Proposal

Planning & Zoning Fees Comparisons

Permit Type	Current Fees	Original Proposed Fees	Revised Proposed Fees
Site Plan (PC)	$250 each application	$500 each application	$325 each application Administrative Site Plans $125 each application
Conditional Use	$250 Minimum fee PLUS $10 per acre	$400 minimum PLUS $20 per acre	$325 minimum PLUS $15 per acre
Subdivision Plans	Concept Plan: $100 Preliminary Plan: $250 Final Plat: $100 PLUS $50 per acre for first ten acres; $30 per acres for next ten acres; $20 each acre above 20 acres.	Concept Plan: $200 Preliminary Plan: $500 Final Plat: $200 PLUS $100 per acre for first ten acres; $60 per acres for next ten acres; $40 each acre above 20 acres. Minor Lot Line Adjustment: $100 Minor Subdivision:$100 per lot	Concept Plan: $200 Preliminary Plan: $325 Final Plat: $150 PLUS $65 per acre for first ten acres; $40 per acres for next ten acres; $25 each acre above 20 acres. Minor Lot Line Adjustment: $100 Minor Subdivision:$100 per lot
Planned Neighborhood Development Plans	Currently treated as Site Plan or Conditional Use Applications	Concept Plan Review by Council: $100 Concept Plan by Planning Commission: $250 PLUS $20 per acre Preliminary Plan or Site Plan to PC: $400 PLUS $50 per acre Final Plat Fee: $250	Concept Plan Review by Council: $100 Concept Plan by Planning Commission: $200 PLUS $10 per acre Preliminary Plan or Site Plan to PC: $325 PLUS $20 per acre Final Plat Fee: $250

Dover Permit & Application Fee Proposal

Planning & Zoning Fees Comparisons 2

Permit Type	Current Fees	Original Proposed Fees	Revised Proposed Fees
Board of Adjustment	Variances: $200 Appeals: $200	Residential Variances: $200 Other Variances: $300 Appeals: $300	Residential Variances: $200 Other Variances: $300 Appeals: $200
Rezoning Proposals	$250 Base PLUS per acres fees for: SF Residential: $10 MF Residential: $30 Cluster & Mobile: $30 Commercial & Institutional: $50 Shopping Center: $60 Manufacturing: $60	$400 Base PLUS per acres fees for: SF Residential: $10 MF Residential: $30 Cluster & Mobile: $30 Commercial & Institutional: $50 Shopping Center: $60 Manufacturing: $60	$325 Base PLUS per acres fees for: SF Residential: $10 MF Residential: $30 Cluster & Mobile: $30 Commercial & Institutional: $50 Shopping Center: $60 Manufacturing: $60
Annexations	No Filing Fee	Remain the Same	Remain the Same
Historic District Reviews	Architectural Review Certificate: $250	Remain the Same	Remain the Same
Other Fees		Fire Alarm Malfunction on third time: $100	Fire Alarm Malfunction on third time: $100

Dover Permit & Application Fee Proposal

Fire Prevention Fees Comparisons

Permit Type	Current Fees	Original Proposed Fees	Revised Proposed Fees
Sprinkler Systems	$9.00 per $1000 project costs	$12.00 per $1000 project costs, $50 minimum fee	$12.00 per $1000 project costs, $50 minimum fee
Fire Alarms	$9.00 per $1000 project costs	$20.00 per $1000 project costs, $50 minimum fee	$12.00 per $1000 project costs, $50 minimum fee
Hood Suppression Units	$9.00 per $1000 project costs	$20.00 per $1000 project costs, $50 minimum fee	$12.00 per $1000 project costs, $50 minimum fee
Tank Installation	$9.00 per $1000 project costs	$20.00 per $1000 project costs, $50 minimum fee	$12.00 per $1000 project costs, $50 minimum fee
Re-Inspections for related inspections	$25 per inspection	$50 first re-inspection $100 each subsequent re-inspection	$25 first re-inspection $50 each subsequent re-inspection

Dover License Fee Proposal

Business License Fees Sample Comparisons

License Category	Current Fee	Original Proposal	Revised Proposal
Attorney at Law	$275	$303	$303
Bank	$275	$303	$303
Barber	$55 +$ 3 per chair	$60 + $4 per chair	$60 + $4 per chair
Eating Establishment (No Entertainment)	$110	$121	$121
Itinerant Merchant	$35	$39	$40
Motor Vehicle Servicer	$83	$92	$92
Physician/Surgeon	$275	$303	$303
Printer	$110	$121	$121
Real Estate Agent	$44	$49	$49
Contractor	Gross Receipts times .00046, Minimum $110	Gross Receipts times .00051, minimum $121	Gross Receipts times .00051, minimum $121
General Mercantile	Gross Receipts times .00046, minimum $110	Gross Receipts times .00051, minimum $121	Gross Receipts times .00051, minimum $121
Manufacturer	Gross Receipts times .00046, minimum $55	Gross Receipts times .00051, minimum $61	Gross Receipts times .00051, minimum $61

A full list of business licenses was distributed in the Council Packet

Dover Permit & Application Fee Proposal

Revenue Projections (based on 2003 activity)

Estimated Income Increases for Permits and License Fees 2004

	2003 Fees	10% increase Est.
Business Licenses	$447,931	$ 44,793
Merchant Licenses	$314,752	$ 31,475
Contractors & Manufacturers	$348,294	$ 34,829
LICENSES FEES TOTAL	**$1,110,977**	**$111,097**

	2003 Fees	Increase Estimate
New Construction	$389,672	$136,620
Renovations	$218,058	$ 82,050
Plumbing	$ 35,491	$ 15,380
Mechanical	$ 38,135	$ 7,630
Fire	$ 15,111	$ 5,000
Misc.	$ 8,526	$ 2,000
Board Approvals & Reviews	$ 19,782	$ 8,000
PERMITS FEES TOTAL	**$724,775**	**$256,680**
TOTAL ALL FEES	**$1,835,752**	**$367,777**

City of Dover
Permit, Application and License Fee Proposals

Comments and Questions

ATTACHMENT #2

ORDINANCE _____ OF 2004

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET: that Appendix A, Article IV, Section A(2) (Conceptual Subdivision Plans) be amended to read "Following this step, the subdivider shall submit to the commission pre-application plans and data as specified in Article V, Section A, with a filing fee of ~~one~~ *two* hundred dollars ~~($100.00)~~ *($200.00).*" and

BE IT FURTHER ORDAINED that Appendix A, Article IV, Section B(2) (Preliminary Subdivision Plans) be amended to read "Application for conditional approval of the preliminary layout shall be submitted in writing for a filing fee of ~~two hundred fifty~~ *three hundred twenty five dollars* ~~($250.00)~~ *($325.00)* by the subdivider to the commission…"; and

BE IT FURTHER ORDAINED that Appendix A, Article IV, Section C(3) (Final Plat) be amended to read "…the plat review fee of one hundred *fifty* dollars ~~($100.00)~~ ($150.00), plus ~~fifty~~ *sixty five* dollars ~~($50.00)~~ *($65.00)* per acre for the first ten (10) acres, ~~thirty~~ *forty* dollars ~~($30.00)~~ *($40.00)* per acre for the next ten (10) acres and twenty *five* dollars ~~($20.00)~~ ($25.00) per acre for each acre thereafter. *Plats for minor lot line adjustments shall require a review fee of one hundred dollars ($100.00). Plats for minor subdivisions shall require a review fee of one hundred dollars ($100.00).* "; and

BE IT FURTHER ORDAINED that Appendix B, Article 3, Section 24.2 (PND: Review Process) be amended to read "Review Process. The planned neighborhood design option shall involve a three-step review and approval process. In the first step, the developer shall meet with the City Council and present a general sketch plan and a statement documenting the projects compliance with the goals of the comprehensive plan for review. The general sketch plan shall reflect the general layout of streets, open space, and housing areas and types. *Each application for a general sketch plan review shall be accompanied by a fee of one hundred dollars ($100.00).* The City Council shall determine whether the proposed project is of such a design and type that it warrants further review by the Planning Commission."; and

BE IT FURTHER ORDAINED that Appendix B, Article 3, Section 24.81 (PND: Conditional Use Plan) be added to read "*Each application for a conditional use plan approval shall be accompanied by a fee of two hundred dollars ($200.00) plus ten dollars ($10.00) per acre.*"; and

BE IT FURTHER ORDAINED that Appendix B, Article 3, Section 24.91 (PND: Site Development Preliminary Subdivision Plan Review) be added to read "*Each application for a preliminary plan approval shall be accompanied by a fee of three hundred twenty five dollars ($325.00) plus twenty dollars ($20.00) per acre.*"; and

BE IT FURTHER ORDAINED that Appendix B, Article 3, Section 24.101 (PND: Final Subdivision Plat Approval) be added to read "*Each application for a preliminary plan approval shall be accompanied by a fee of two hundred fifty dollars ($250.00).*"*; and*

BE IT FURTHER ORDAINED that Appendix B, Article 9, Section 3.5 (Board of Adjustment) be amended to read "~~All appeals and applications made to the board of adjustment shall be in writing, on forms prescribed by the board and approved by the planning commission and shall be accompanied by a fee of two hundred dollars ($200.00).~~ *All appeals and applications made to the Board of Adjustment shall be in writing, on forms prescribed by the board and approved by the planning commission. All Variance requests for residential uses shall be accompanied by a fee of two hundred dollars ($200.00). All Variance requests for non-residential uses shall be accompanied by a fee of three hundred dollars ($300.00). All Appeals from an order, requirement, decision or determination made by an administrative official, board or agency of the City shall be accompanied by a fee of two hundred dollars ($200.00).* The Board of Adjustment may, in its discretion, return to the applicant part or all of the fee paid by him in the event that his appeal under Section 2.1 (Interpretation) hereof is partially or wholly successful. The fees filed in connection with applications under Section 2.2 (Variances) shall not be returnable regardless of disposition of the case by the board; and

BE IT FURTHER ORDAINED that Appendix B, Article 10, Section 1.52 (Conditional Use) be amended to read "Each application for a conditional use permit shall be accompanied by a fee of ~~two hundred fifty~~ *three hundred twenty five* dollars ~~($250.00)~~*($325.00)* plus ~~ten~~ *fifteen* dollars ~~($10.00)~~ *($15.00)* per acre of the area or multiple thereof involved in the application."; and

BE IT FURTHER ORDAINED that Appendix B, Article 10, Section 2.45 (Site Development Plan) be amended to read "The application for site development plan approval shall be accompanied by a fee of ~~two hundred fifty~~ *three hundred twenty five* dollars ~~($250.00)~~ *($325.00). Applications for Administrative Site Plans shall be accompanied by a fee of one hundred twenty five dollars ($125.00).*"; and

BE IT FURTHER ORDAINED that Appendix B, Article 10, Section 5.12 (Amendments) be amended to read "Each petition for a rezoning amendment shall be accompanied by a minimum fee of ~~two hundred fifty~~ *three hundred twenty five* dollars ~~($250.00)~~ *($325.00).*"; and

BE IT FURTHER ORDAINED that the amendments to Appendices A & B.

ORDINANCE _____ OF 2004

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET: that Chapter 5, Article II, Section 5-21(a) (Building Permit Fee) be amended to read "The sum of ~~eight~~ *twenty-five* dollars ~~($8.00)~~ *($25.00)* for the first one thousand dollars ($1,000.00) of costs and ~~six~~ *eight* dollars ~~($6.00)~~ *($8.00)* for each additional one thousand dollars ($1,000.00) of costs or multiple thereof *up to ten million dollars ($10,000,000.00) of costs, six dollars ($6.00) for each additional thousand dollars ($1,000.00) of costs or multiple thereof up to twenty million dollars ($20,000,000.00), and five dollars ($5.00) for each additional thousand dollars ($1,000.00) of costs or multiple thereof above twenty million dollars ($20,000,000.00)"*; and

BE IT FURTHER ORDAINED that Chapter 5, Article II, Section 5-21(b) (Fence Permit) be amended to read "The sum of ~~eight dollars~~ *twenty-five* ~~($8.00)~~ *($25.00)* for the first one thousand dollars ($1,000.00) of costs and ~~six~~ *eight* dollars ~~($6.00)~~ *($8.00)* for each additional one thousand dollars ($1,000.00) of costs or multiple thereof."; and

BE IT FURTHER ORDAINED that Chapter 5, Article II, Section 5-21(d) (Swimming Pool Permit) be amended to read "The sum of ~~eight dollars~~ *twenty-five* ~~($8.00)~~ *($25.00)*for the first one thousand dollars ($1,000.00) of costs and ~~six~~ eight dollars ~~($6.00)~~ *($8.00)* for each additional one thousand dollars ($1,000.00) of costs or multiple thereof, ~~provided that a minimum fee for each permit shall be twenty five dollars ($25.00).~~"; and

BE IT FURTHER ORDAINED that Chapter 5, Article II, Section 5-21(g) be renumbered as Section 5-21(i); and

BE IT FURTHER ORDAINED that a new Chapter 5, Article II, Section 5-21(g) be created to read "*Construction plan review. Each applicant for requesting review of non-residential construction plans shall pay the sum of twenty dollars ($20.00) per set of plans*."; and

BE IT FURTHER ORDAINED that a new Chapter 5, Article II, Section 5-21(h) be created to read "*Re-Inspections. There will be no charge for the first reinspection of a permit. The applicant shall pay the sum of twenty five dollars ($25.00) for the second reinspection, fifty dollars ($50.00) for the third reinspection and one hundred dollars ($100.00) for any subsequent reinspection*."; and

BE IT FURTHER ORDAINED that Chapter 5, Article IV, Section 5-61(a) be amended to read "Heating permit: The sum of ~~twenty~~ *thirty* dollars ~~($20.00)~~ *($30.00)* for the first ten thousand (10,000) Btu's and the sum of ~~four~~ *five* dollars ~~($4.00)~~ *($5.00)* for each additional ten thousand (10,000) Btu's or multiple thereof." : and

BE IT FURTHER ORDAINED that Chapter 5, Article IV, Section 5-61(b) be amended to read "Air conditioning permit. The sum of ~~seven dollars ($7.00) per ton~~ *thirty dollars ($30.00)* for the first five (5) tons and the sum of ~~four~~ *five* dollars ~~($4.00)~~ *($5.00)* per ton, over five (5) tons, or multiple thereof."; and

BE IT FURTHER ORDAINED that Chapter 5, Article IV, Section 5-61(c) be renumbered as Section 5-61(d) and a new Section 5-61(c) be created to read "*Heat pump permit. The sum of fifteen dollars ($15) for the first ten thousand (10,000) BTU's and the sum of two dollars and fifty cents ($2.50) for each additional ten thousand (10,000) BTUu's or multiple thereof and an additional fifteen dollars ($15.00) for the first five (5) tons and the sum of two dollars and fifty cents ($2.50) per ton, over five (5) tons, or multiple thereof.*"; and

BE IT FURTHER ORDAINED that Chapter 5, Article V, Section 5-75(a) be amended to read "Fixtures: The sum of ~~ten~~ *twenty five* dollars ~~($10.00)~~ *($25.00)* for the first five (5) fixtures and the sum of ~~one dollar and fifty cents~~ *two dollars* ~~($1.50)~~ *($2.00)* for each additional fixture: and

BE IT FURTHER ORDAINED that Chapter 5, Article V, Section 5-75(b) be amended to read
"Garbage disposals and hot water heaters: A minimum fee of ~~twenty~~ *twenty five* dollars ~~($20.00)~~ *($25.00).*"; and

BE IT FURTHER ORDAINED that Chapter 5, Article V, Section 5-75(c) be amended to read "Gas, water and sewer inspection underground: The sum of ~~fifteen~~ *twenty* dollars ~~($15.00)~~ *($20.00)* for the first one hundred fifty (150) feet and fifty cents ($0.50) for each additional ten (10) feet or multiple thereof."; and

BE IT FURTHER ORDAINED that Chapter 7, Article III, Section 7-61(b) be amended to read "Fee. Each applicant for a fire prevention permit *including, but not limited to sprinkler systems, fire alarms hood suppression units, and tank installation,* shall pay unto the city a permit fee computed as follows before such permit shall be issued: The sum of ~~nine~~ *twelve* dollars ~~($9.00)~~ *($12.00)* for each one thousand dollars ($1,000.00) of costs or multiple thereof of the fire protection system*; provided that a minimum fee for each permit shall be fifty dollars ($50.00).*"; and

BE IT FURTHER ORDAINED that Chapter 7, Article III, Section 7-61(c) be renumbered as Section 7-61(d) and a new Section 7-61(c) be created to read "*Reinspections. There will be no charge for the first reinspection of a permit. The applicant shall pay the sum of twenty five dollars ($25.00) for the second reinspection, fifty dollars ($50.00) for the third reinspection and one hundred dollars ($100.00) for any subsequent reinspection* ."; and

ORDINANCE _____ OF 2004

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET: that Chapter 11, Section 11-4 be amended in its entirety as follows; and

BE IT FURTHER ORDAINED that the amendments to Chapter 11, Section 11-4 take effect on July 1, 2004.

Amended Chapter 11, Section 11-4

Sec. 11-4. License required; fee.

(a) Except where expressed by definition in section 11-1 of this Chapter, nonprofessional service business***es*** shall pay an annual license fee for each store, place of business or vehicle, from which the licensee conducts the business operated within the city.

(b) Persons engaged in professional services such as accountants, certified or public, landscape architects, architects, optometrist, lawyers, dentists, physicians and surgeons, psychologists, physical therapist, podiatrists, professional engineers, and veterinarians shall pay an annual license fee for engaging in such professional services within the city.

(c) No license shall be required of any individual practicing a profession or trade who is in the employ of any corporation licensed under any other provisions of this chapter and who does not practice his profession except in his capacity as an employee of such corporation; and provided further that no attorney in the employ ***of*** any such corporation shall be required to obtain a license under this section so as to fulfill assignments made to him by any state court.

(d) No person shall conduct or engage in any of the following trades, businesses, or occupations within the city without a license and paying the appropriate fee indicated below:

Advertising agency . . . $ 92.00
Amusement operator . . . 152.00
Architect . . . 242.00
Attorney at law . . . 303.00
Auctioneer . . . 152.00
Automobile race operator . . . 363.00
Bank, loan and trust company . . . 303.00
Barber . . . 61.00
For each additional chair over 2 . . . 4.00
Beautician . . . 61.00
For each additional chair over 2 . . . 4.00
Bowling alley operator . . . 182.00
Broadcasting station . . . 303.00
Broker . . . 152.00
Carwash . . . 182.00
Certified public accountant . . . 242.00
Cesspool cleaner . . . 121.00
Chiropractor . . . 303.00
Clinical social worker . . . 93.00

Coin operator amusement machine owner, per machine . . . 3.00
Coin operator vending machine owner, per machine . . . 3.00
Coin operated electronic video machine, per machine . . . 121.00
Commercial sign business . . . 121.00
Computer related services . . . 121.00
Consultant . . **. 49.00**
Day care operator . . .
    Home Based Provider with 6 or fewer children…0.00
    Center or Home provider with greater than 6 children…49.00
Dental lab . . . 182.00
Dentist . . . 303.00
Distributor . . . 61.00
Drayman or mover . . . 121.00
Eating establishment and/or eating establishment operator . . . 121.00
Employment agent . . . 121.00
Entertainer:
    1 to 3 entertainers per group . . . 49.00
    4 to 9 entertainers per group . . . 92.00
    10 or more . . . 121.00
Entertainment agent . . . 182.00
Finance or small loan agency . . . 242.00
Gas, light, power, cable TV and telephone company . . . 908.00
General repairman . . . 61.00
Health spa or health club . . . 182.00
Hotels:
    Per room . . . 9.00
    Per suite . . . 12.00
Income tax consultant . . . 182.00
Incorporator . . . 121.00
Insurance adjustor office . . . 121.00
Itinerant merchant, per event . . . 40.00
Janitorial and cleaning services:
    1 to 3 employees . . . 49.00
    4 to 9 employees . . . 92.00
    10 or more . . . 121.00
Landscape service companies:
    1 to 3 employees . . . 49.00
    4 to 9 employees . . . 92.00
    10 or more . . . 121.00
Laundry service operator:
    Primary facility . . . 121.00
    Additional drop off locations . . . 49.00
Linen supplier . . . 121.00
Manicurist . . . 31.00
Manufacturer's agent or representative . . . 121.00
Mercantile agency or collection agency . . . 121.00

Mobile home park, per space . . . 7.00
Motel, per room . . . 7.00
Motion picture theater . . . 182.00
Motor vehicle serviceman . . . 92.00
Nursing, rest or convalescent home . . . 182.00
Open market operator:
    First 20 spaces, per rented space . . . 22.00
    21st to 50th space, per rented space . . . 11.00
    Each space over the 50th, per rented space . . . 6.00
Outdoor tables, per table . . . 6.00
Optometrist . . . 303.00
Outdoor music festival promoter . . . 1,210.00
Parking lot or garage operator . . . 61.00
Pawnbroker . . . 182.00
Pest control services . . . 92.00
Pharmacist . . . 182.00
Photographer . . . 121.00
Physical therapist . . . 182.00
Physician and/or surgeon . . . 303.00
Plant nursery and florist . . . 92.00
Podiatrist . . . 303.00
Pool table operator, per table . . . 61.00
    Maximum fee . . . 183.00
Printer . . . 121.00
Private detective agency . . . 182.00
Professional counselor . . . 61.00
Professional engineer . . . 242.00
Professional land surveyor . . . 242.00
Psychologist . . . 303.00
Public accountant . . . 182.00
Public stenographer . . . 37.00
Publisher . . . 303.00
Real estate brokers, appraisers, and managers . . . 152.00
Real estate property manager:
    1 to 3 units managed . . . 49.00
    4 to 10 units managed . . . 92.00
    10+ units managed . . . 121.00
Real estate salesperson or associated broker . . . 49.00
Rental services . . . 121.00
Sales representative . . . 49.00
Schools and educational services (non-vocational) . . . 61.00
Schools and educational services (vocational) . . . 121.00
Scientific laboratory . . . 242.00
Scrap and waste material services . . . 121.00
Secondhand dealer of precious metals . . . 121.00
Security services . . . 182.00

Self-service laundry or dry cleaner . . . 121.00
Shoe repairman . . . 49.00
Sound truck, per hour . . . 31.00
Tailor and garment services . . . 49.00
Taxicab or bus operator, first vehicle . . . 92.00
Each additional vehicle . . . 25.00
Taxidermist . . . 121.00
Telephone answering service . . . 121.00
Television repairman . . . 92.00
Tourist home, per room . . . 7.00
Trailer park, per space . . . 7.00
Travel agency . . . 121.00
Undertaker . . . 242.00
Veterinarian . . . 303.00
Warehouseman . . . 242.00
Wholesale news agency . . . 61.00
All other businesses not listed:
    1 to 3 employees . . . 49.00
    4 to 9 employees . . . 92.00
    10 to 50 employees . . . 121.00
    51 to 100 employees . . . 303.00
Manufacturers and contractors shall pay a license fee at the rate of .00046 of the aggregate gross receipts; provided, however, that the minimum license shall be one hundred twenty one dollars ($121.00).
Merchants and bottlers shall pay license fee at the rate of .00046 of aggregate gross purchases for resale; provided, however, that the minimum license fee shall be sixty-one dollars ($61.00).

ATTACHMENT #3

May 20, 2004

TO: Mayor and City Council

FROM: Gene Ruane

SUBJECT: Continuation of the Transportation Advisory Committee

Although I have not seen the amendments, I have been led to believe that a proposal will be presented to a meeting of the Council on Monday, May 24, 2004 which will effectively delete the Transportation Advisory Committee as a standing committee of the Council and transfer its responsibilities to the Public Safety Advisory Committee.

I believe that the attached historical outline provides compelling evidence why the committee should continue. It explains why the Transportation Advisory Committee was established and how it has, for the last three years, effectively addressed some of the city's most pressing transportation issues, in close coordination with the State Department of Transportation and other important transportation related organizations and individuals who are responsible for transportation investments and services in Dover.

If this committee is abolished, the transportation priorities which the city has already identified with the assistance of this committee and future transportation needs will not receive the priority attention that only a dedicated council committee can provide.

Members of the general public, State Transportation Department officials, other individuals and the other organizations with which the existing committee has established good working relationships will understand that transportation issues are no longer considered important enough by the Dover City Council to receive the concentrated effort that only a dedicated committee can provide.

Instead, transportation issues will be relegated to a shared responsibility of a Public Safety committee, whose critical responsibilities already justify a single focused committee. Critical transportation issues like those associated with the proposed West Dover Connector will not get the attention from the Council that they deserve.

The existing responsibilities of the Public Safety Committee, which include matters related to both our Police and Fire Service, will also be adversely affected because of the time and effort that transportation issues will demand.

The meeting agenda of the Public Safety Committee will be lengthened to the point where sufficient time will not be allowed for the serious exchange of information and discussion that are necessary for informed decision making.

State officials and representatives from other organizations and citizens whose interest is only in transportation issues or public safety issues will have to sit through meetings until the topic of their expertise and/or interest is addressed.

Moreover, the two civilian members of the existing Transportation committee, whose knowledge of transportation issues and dedication have made the committee so effective. will be lost.

So, why is this proposal being placed before the Council? The Council just reviewed the number and responsibilities of the council's committees in September 2003, just eight months ago.

What has changed since then? Have the sponsors of this proposal, who all voted affirmatively to establish the Transportation Committee as a standing committee of the Council learned something about the Committee's activities since then which justify the elimination of the Committee?

Since I do not know what their reasons are I can not address them in this memorandum. I will be glad to do so as soon as I learn what they are.

Meanwhile, as has often been said by some in the Council, if it's not broken, why are we trying to fix it?

TO: Mayor and Council, City of Dover

FROM: Gene Ruane, Chairman of the Dover Transportation Advisory Committee, Oct. 2001 – May, 2004.

May 20, 2004

The following information is provided so that the Mayor of Dover and members of the City Council might better understand the role of the Council's Transportation Committee and how it has effectively addressed some of the City's outstanding transportation needs since its creation in October, 2001.

WHEN WAS THE TRANSPORTATION COMMITTEE ESTABLISHED?

The Transportation Committee was established by a Resolution of the Dover City Council which was unanimously adopted on October 8, 2001. (For a copy of the Resolution see http://www.cityofdover.com/index.php?t=officials&s=citycouncil&a=minutes&meeting_id=23)

And, when the responsibilities of Council committees were re-examined in 2003, the Transportation Advisory Committee was again unanimously approved, this time through a City Ordinance.(For a copy of this ordinance see: http://www.cityofdover.com/index.php?t=officials&s=citycouncil&a=minutes&meeting_id=830)

WHY WAS THE TRANSPORTATION COMMITTEE SET UP?

As noted in the original Council Resolution, this committee was established because the Council recognized that as the City of Dover "continues to grow", "there are many transportation issues that directly involve the City of Dover and its citizens"; and, that "the importance of developing sound transportation for the entire community" requires detailed review of transportation issues by the Dover City Council..

The Mayor and City Council therefore established this committee "to deliberate and make recommendations to City Council on transportation issues and coordinate transportation issues with the State Department of Transportation, Greater Dover Metropolitan Planning Organization, and other organizations concerned with transportation issues in the City of Dover"

HOW HAS THE COMMITTEE CARRIED OUT ITS RESPONSIBILITIES?

COORDINATION WITH THE DEPARTMENT OF TRANSPORTATION

Meetings with Secretary Hayward

Through the efforts of this Committee, direct meetings between the full City Council and Secretary Nathan Hayward have been arranged so that he could better understand the Council's transportation priorities and concerns; and, so that he and his senior staff could explain new DELDOT proposals.

For example, the city had the opportunity at one of these meetings to directly explain the details and the importance of the West Dover Revitalization Plan; and, as a result, Mr. Hayward included **$3M funding** in the State's Capital Transportation Program (CTP) for Loockerman and Forest St. Transportation enhancements, including a roundabout, a new gateway with median and intersection improvements and new paving, curbing, guttering, sidewalks and landscaping on Cherry St.

Prioritization of City's Transportation Needs

The Transportation Committee followed up on Secretary Hayward's request from one of its meetings by establishing a method for annually "prioritizing" the city's transportation needs so that the Council's President can convey these needs both to him and State Legislators.

A significant example of the effectiveness of this effort is the **$2.5M dollars** that has been included in the State's CTP so that the city's traffic signals can be upgraded and incorporated into the state's DelTrac system, which uses modern technology and a Transportation Management Center to monitor travel and adjust signals, signage, transit, etc. to lessen congestion and improve the movement of people and goods throughout the city.(This Signalization project is currently in its "design/easement acquisition phase".)

The Transportation Committee also developed comprehensive priority lists for both needed "studies" and for projects whose feasibility has already been determined .These lists were included in the Transportation Chapter of the city's Comprehensive Plan Update that the Council adopted.

These lists were used this year by the Council in requesting funding from DELDOT and in developing the city's priorities for funding which has been provided to members of the State General Assembly.

It is important to note that requests from the city for transportation investments that can be funded entirely from state funds are not required to go through the MPO review process. As a result the city has been able to persuade DELDOT to fund and implement

some projects sooner than would have occurred through that highly competitive and sometimes lengthy process. The recently completed pavement, curb and sidewalk improvements along the section of Loockerman Street adjacent to Mirror Lake and the State Archives Bldg. are one example of this.

Municipal Liaison with DELDOT

Mr. Gary Laing, Municipal Liaison for DELDOT has regularly attended and actively participated in the committee's meetings. He provides updated information and gets immediate feed-back concerning ongoing and future DELDOT projects and plans (such as the recent repaving of Division St., the results of the traffic studies related to the SR!/RT8 connector, status of traffic studies related to three development proposals adjacent to that connector). Mr. Laing also informs DELDOT about transportation issues and problems which the Committee and Council bring to his attention and he attempts to get quick resolution to them. (e.g., need for signage to "Downtown' Dover at the RT8/Rt 13 intersection)

Public Transit Improvements

Mr. Ray Miller, Director of the Delaware Transit Corporation, which operates public and Para transit vehicles in the state, has participated in several of the Transportation Committee's meetings. As a result of these meetings and a related presentation to the full council which the committee initiated, Mr. Miller has not only been able to keep the city up to date on improvements being made to these vital services, but the city has also been able to recommend additional changes to make the system even better.

The Transportation Committee also held several discussions in 2002 with Mr. Miller regarding a joint proposal that DTC had developed with Greyhound/Trailways to make a small area of the Water Street bus hub available for the erection of a small building that would serve as a waiting and ticket sales area for bus riders using both the DTC and the Greyhound inter-city buses. This proposal was subsequently dropped because of the lack of funds and the opposition from some members of the public.

However, if the reauthorization of the federal transportation bill includes funding for such an "intermodal" facility, there is likelihood that the idea for such a facility at another location will be more feasible. The recently completed Parking Study recommended that the old Acme site on State street be considered for this purpose. The City will certainly want to participate in any further discussion of this.

The Committee also recently toured DTC's state of the art facility in Dover to better understand how effectively its busses are directed using the latest computer and GIS technology.

Eden Hill Development and West Dover Connector

The Transportation Committee has been monitoring DELDOT's concept plans for the development of the Eden Hill Farm and the continuation of Saulsbury Road to New Burton Road as a means of relieving traffic congestion on the west side of Dover. This effort has resulted in positions being formulated and adopted by the Council (included in the 2003 Comprehensive Plan Update) and conveyed in correspondence from the Council's President.

The Delaware Bicycle Master Plan 2004

The Transportation Committee has also recently provided the Council with an opportunity to interface with DELDOT by providing a policy recommendation for the development of the Delaware Bicycle Master Plan 2004 .This policy advice was prepared by one of the Committee's two civilian members, Mr. Christopher Asay, who was appointed to the Committee because of his understanding of bicycle/pedestrian issues and his participation in the development of the City's own 1997 Bicycle & Pedestrian Transportation Plan as a member of the Dover Bicycle & Pedestrian Transportation Plan Advisory Committee. Mr. Asay is also currently working with the Dover Planning Department in identifying "gaps" in the city's bicycle routes.

State Council on Transportation

The State Council on Transportation advises the Secretary of Transportation regarding DELDOT's Capital Improvement Program, after holding Public Hearings in each county of the state. The Chairman of the City's Transportation Committee attends these hearings and presents the city's priority transportation needs which the Council has adopted.

Transportation Enhancement Grants

Based on a recommendation from the City Manager, Mr. Tony DiPrima, the Transportation Committee has recently begun to serve as a channel for identifying city transportation needs that might be eligible for Transportation Enhancement Grants, which are provided directly from DELDOT to eligible applicants. These grant applications do not go through the MPO review process.

Red Light Enforcement Program

The Transportation Committee received a presentation/demonstration of DELDOT's Red Light Photo Enforcement program and forwarded to Council an endorsement of Webbs Lane and RT 13 as the first site for this program. It is expected that the Committee will provide a similar role as additional sites are suggested for this program.

COORDINATION WITH THE DOVER/KENT COUNTY METTOPOLITAN PLANNING ORGANIZATION

Mr. Richard Ornauer, who has been one of the City's representatives on the Public Advisory Committee (PAC) of the Dover/Kent County Metropolitan Planning Organization (MPO) since its creation is one of two civilian members of the Council's Transportation Committee. He provides a regular "update" on actions taken by the PAC and his knowledge and understanding of transportation issues has been very valuable to the committee and the Council.

Ms. Juanita Wieczoreck, the Director of the MPO, regularly attends and actively participates in the Council's Transportation committee meetings. She advises the Committee and provides regular reports on MPO's plans. The Committee, in turn, informs the MPO about the city's transportation needs and comments on MPO's plans and policies.

Mr. Tony DiPrima, who represents the Dover Mayor on the MPO Council, and Mr. Scott Koenig, who serves on the MPO's Technical Advisory Committee also provide regular "updates" on MPO plans and accomplishments.

Mr. DiPrima and Mr. Koenig also provide the City's Transportation Committee with their technical and policy expertise on all other issues that the Committee discusses.

The Transportation Committee and the MPO jointed sponsored a Public Forum on Transportation Issues so that both organizations could better understand transportation problems that citizens might be experiencing in the city.

CORODINATION WITH OTHER ORGANIZATIONS

Central Delaware Chamber of Commerce

The Chairman of Central Delaware Chamber of Commerce's Transportation Committee, Mr. Charles Mattox, also regularly attends and participates in the Council's Transportation Committee. The Chairman of the city's Transportation Committee also regularly attends and participates in the Chamber's committee. This mutual involvement has led to a better understanding of and mutual support for transportation issues that are a concern of both the City and the Chamber.

Dover Parking Authority

Since "parking" is on e of the issues that the Transportation Committee is expected to address, the Committee's chair regularly attends the Parking Authority's meetings and exchanges information with its members. When the Parking Authority sought support for expanding its recently completed parking study, the Transportation Committee recommended that the Council support the expanded study in its 2004-2005 budget.

Delaware Truckers Assn

Representatives of the Delaware Truckers Assn. have attended a transportation committee meeting to discuss issues related to truck traffic in the city. Contact was also recently made with this organization regarding citizen complaints about noise emanating from truck compression brakes. The City Manager has been working with the Police Chief on an ordinance that will address this issue. The Transportation Committee is expected to review it before a recommendation is sent to the Council.

Dover Planning Department

The City Planner is another regular and active participant in the Transportation Committee's meetings and he brings issues to the Committee as necessary.

When the Planning Department was developing the Transportation Chapter of the Comprehensive Plan Update, the Transportation Committee held several meetings to review and comment on its contents. The final chapter reflects numerous recommendations from the Committee and it is important to understand that the committee will play a role in recommending to Council how these recommendations can be implemented.

Greyhound/Trailways Corporation

The Transportation committee has met with several representatives of the Greyhound bus company to discuss ways in which facilities for inter-city bus riders could be improved. One proposal that was considered has already been mentioned above (under Public Transit Improvements). Although the issue remains unresolved at this time, citizens who use the inter-state buses have asked the Transportation Committee to keep looking for a solution.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Division 3.5 - Transportation Review Committee of Chapter 2 - Administration, Article VIII - Committees, be deleted in its entirety.

~~**DIVISION 3.5. TRANSPORTATION REVIEW COMMITTEE**~~

~~**Sec. 2-170. Created.**~~

~~There is hereby created a Transportation Review Committee.~~

~~**Sec. 2-171. Members.**~~

~~(a) The Transportation Review Committee shall be composed of five (5) members, four (4) of which are appointed by the Council President and one (1) appointed by the committee chair, with all appointments subject to confirmation of a voting majority of the City Council. Three (3) of the members shall be elected city officials, and the two (2) remaining members shall be City residents. The members of the committee shall serve one-year terms unless sooner removed.~~

~~(b) A member of such committee shall be removable by a three-fourths (3/4) vote of the City Council excluding any Councilman under consideration after written notice shall have been given the member being considered for removal at a reasonable time prior to the proceeding stating the time, place and date of the removal proceeding.~~

~~**Sec. 2-172. Functions.**~~

~~The Transportation Review Committee shall advise City Council on vehicle regulations, traffic, parking, pedestrians, and other transportation related matters; and shall advise City Council on the overall planning and programming of transportation improvements. The Transportation Review Committee shall act as an advisory committee to the City Council regarding matters relating to the Streets Division of the Public Works Department, State Department of Transportation, Greater Dover Metropolitan Planning Organization, other organizations concerned with transportation issues in the City of Dover and other areas as deemed appropriate.~~

That Chapter 2 - Administration, Article VIII - Committees, be amended by renaming the committee's title as noted in Division 2.5 - Safety Advisory Committee, to "*Safety Advisory and Transportation Committee*"

That Section 2-163 - Functions, of Chapter 2 - Administration, Division 2.5 - Safety Advisory Committee, Article VIII - Committees, be amended by inserting language as noted in bold italics, as follows:

Sec. 2-163. Functions.

The Safety Advisory ***and Transportation*** Committee shall advise City Council on ***vehicle regulations, traffic, parking, pedestrians, and other transportation related matters; and shall advise City Council on*** public safety issues, policies, procedures, and operations relative to emergency operations, and fire and police services. The Safety Advisory ***and Transportation*** Committee shall act as an advisory committee to the City Council regarding matters relating to the Police Department, Fire Department, Inspections Department, ***State Department of Transportation, Greater Dover/Kent County Metropolitan Planning Organization, other organizations concerned with transportation issues in the City of Dover,*** and other areas as deemed appropriate.

ADOPTED: *

/jg

S:\ClerksOffice\Ordinances\2004\Draft Ordinances\Chapter 2 - Article VIII - Safety and Transportation-1stRDG.wpd

SYNOPSIS

The proposed amendment would rescind a previous ordinance adopted by Council on September 22, 2003 which eliminated from the Safety Advisory Committee their responsibilities and functions that related to transportation issues and created a new standing committee entitled Transportation Review Committee. By better defining and expanding the Safety Advisory Committee, the Transportation Review Committee can be disbanded and allow for such matters to be handled by the Safety Advisory Committee, as has been done in previous years. (**SPONSORS: CAREY, SALTERS, AND WILLIAMS)**

ATTACHMENT #5

TAX PARCEL NO.: ED-05-059.00-01-20.01-000
PREPARED BY: KLETT ROONEY LIEBER & SCHORLING
The Brandywine Building
1000 West Street, Suite 1410
Wilmington, Delaware 19801-1397

EASEMENT AGREEMENT

This Easement Agreement is made this 18th day of May, 2004 by and between Kesselring Company, L.L.C., and Doris K. Taylor and Larry Kesselring, Trustees of the Residuary Trust Under the Will of Ammon Kesselring dated May 23, 1984 (hereinafter collectively referred to as **"Kesselring"**), a Delaware Limited Liability Company, and the City of Dover (**"Dover"**), a municipal corporation of the State of Delaware.

WHEREAS, Kesselring is the owner of certain property on New Burton Road, Dover, East Dover Hundred, Kent County, Delaware, currently designated as tax parcel no. ED-05-059.00-01-20.01-000 (the **"Property"**), sometimes referred to as the Kesselring Farm; and

WHEREAS, Dover desires to obtain a utility easement across the Property.

NOW, THEREFORE Kesselring and Dover, in and for the mutual consideration hereinafter recited, receipt of which is hereby acknowledged by and between the parties hereto, hereby mutually covenant and agree as follows, to wit:

1. Grant of Easement. Kesselring hereby grants and conveys unto Dover, a non-exclusive utility access easement (the **"Easement"**) to use approximately 7.96 acres of land along New Burton Road as shown on the Sewer Easement Plan, dated 12/16/03 as prepared by Larson Engineering Inc. which is attached hereto as Exhibit A. The Easement shall be used only for utility lines (sewer, water, electric) and not for any other purpose.

2. Indemnification. Dover hereby agrees to indemnify, defend and hold harmless Kesselring, their successors and assigns, and all future owners of any portion of the Property, from any loss, damage or expense caused or incurred as a result of Dover's use of the Easement, including but not limited to loss or damage caused in anyway by Dover's agents, employees and contractors.

3. Price. Dover agrees to pay Kesselring the sum of $50,000 on the date of the execution of this Easement Agreement.

4. Other Conditions. Dover agrees to waive certain costs pertinent to access to the sewer and water mains intended to be installed in the permanent easement, as follows:

a. The owner/developer of the Kesselring Farm or any portion thereof will not be responsible for the reimbursement of any construction-related expenses

relative to the extension of the sanitary sewer interceptor or any other City of Dover utility lines through this Easement.

b. Dover will provide sanitary sewer service stubs to the Property at a location along the proposed interceptor desirable to the owner of the Property at the time of construction of the interceptor as long as these locations are determined during the project's design phase. Dover shall provide copies of proposed plans to Kesselring and provide Kesselring at least sixty days to determine the location for stubs. The owner/developer will not be responsible for tapping charges on the interceptor provided that these connections are made part of the interceptor construction.

c. A pipe stub through the Creekside Development, the residential subdivision located adjacent to the Property, will be made available to the Kesselring Farm for the purpose of a future water utility expansion related to the development of the Kesselring Farm. This pipe stub will be provided at no cost to the owner/developer of the Property and will be eight inches (8") in size, and located as shown on the attached exhibit A. No tapping fees will be required to access this pipe stub.

d. When the Kesselring Farm is proposed for development, additional connections to the City's water distribution system will likely be necessary. All additional connections to the City's water distribution system will be the financial responsibility of the developer of the Property.

e. There is no guarantee that the sanitary sewer interceptor extension will be in place when the Kesselring Farm is proposed for development; provided, however, that if such interceptor is not in place at such time, the owner/developer of the Property may construct such interceptor in accordance with city specifications and Dover will pay or otherwise reimburse Kesselring all costs associated therewith, including design and construction in accordance with a payment plan or schedule to be agreed upon by the parties should such construction become necessary.

f. The developer of the Kesselring Farm will be responsible for any impact fees then required by any ordinance or ordinances which are then in effect upon the development of the Property at the time of such development of the Property.

5. Successors and Assigns. This Agreement shall bind and inure to the benefit of the respective heirs, legal representatives, successors and assigns of the parties. The easement to Dover granted herein may not be assigned without the prior written consent of Kesselring. Kesselring's rights, benefits and responsibilities shall run with the Property as further set forth below.

6. Covenants Running With The Land. The parties hereto acknowledge that the provisions of this Agreement touch and concern the land, and upon this Agreement being duly recorded, the duties, obligations and covenants set forth in this Agreement shall run with the land.

IN WITNESS WHEREOF, the parties hereto hereby set their hands and seals this 18th day of MAY, A. D. 2004.

WITNESS:

Pamela N. Boswell

Pamela N Boswell

Pamela N. Boswell

KESSELRING COMPANY, L.L.C.

BY: Doris K Taylor
DORIS K TAYLOR, manager

BY: Doris K Taylor
DORIS K TAYLOR, Trustee

BY: Larry Kesselring
LARRY KESSELRING, Trustee

ATTEST:

City Clerk

CITY OF DOVER

BY:
ANTHONY J. DEPRIMA,
City Manager

WLM:#53975 v1

STATE OF DELAWARE :
: SS:
COUNTY OF KENT :

This instrument was acknowledged before me on this 18th day of MAY A.D. 2004, by Doris K. Taylor as manager of Kesselring Company, L.L.C. and as trustee under the Residuary Trust under the Will of Ammon Kesselring dated May 23, 1984.

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

PAUL H. BOSWELL
Delaware Attorney At Law With
Power To Act As Notary Public
Per 29 Del. § 4323. (A) (3)

Paul H. Boswell
Notary Public
My Commission Expires:_____

STATE OF DELAWARE :
: SS:
COUNTY OF KENT :

This instrument was acknowledged before me on this 18th day of May, A.D. 2004, by Larry Kesselring as trustee under the Residuary Trust under the Will of Ammon Kesselring dated May 23, 1984.

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

PAUL H. BOSWELL
Delaware Attorney At Law With
Power To Act As Notary Public
Per 29 Del. § 4323. (A) (3)

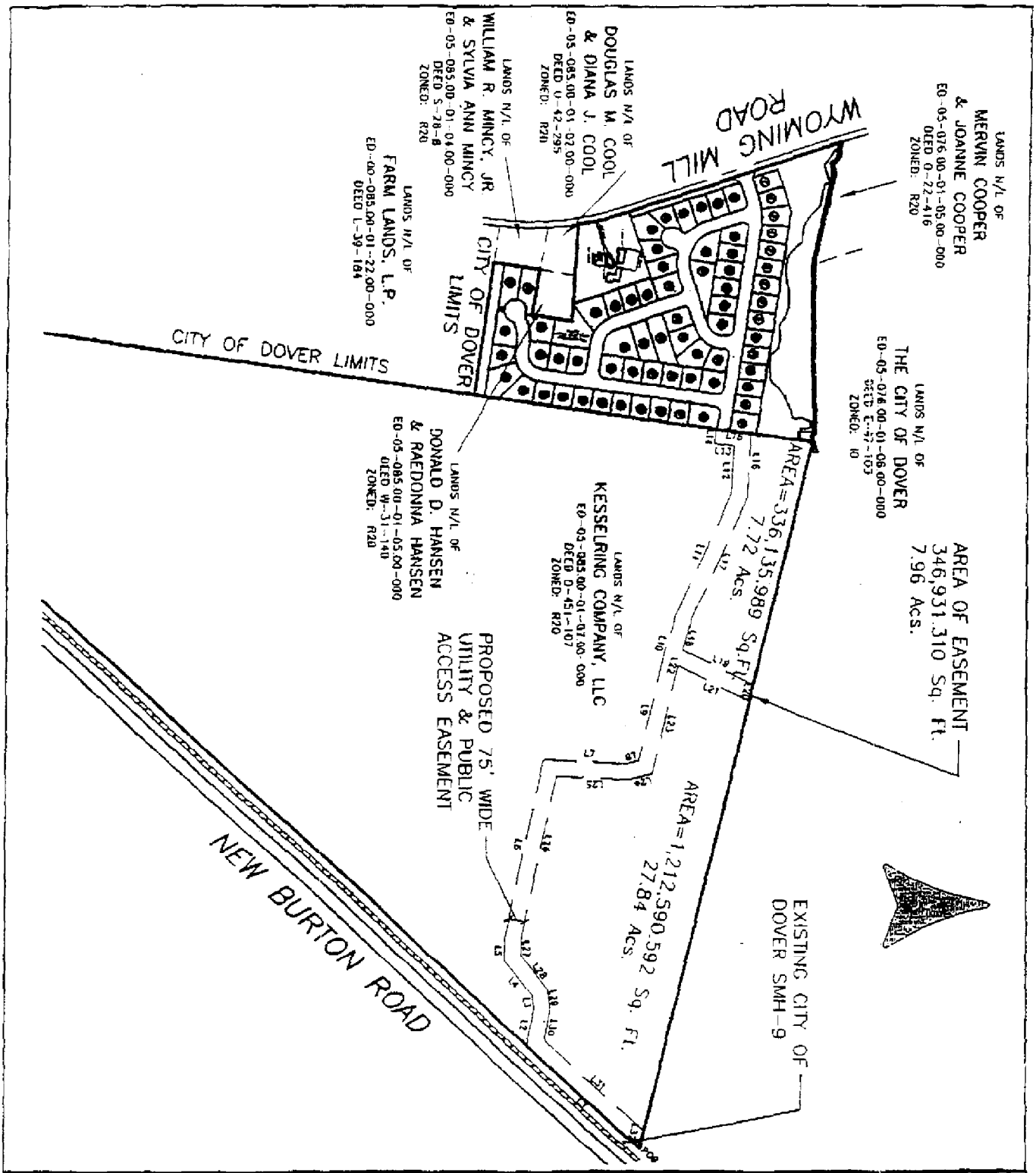
Paul H. Boswell
Notary Public
My Commission Expires:_____

STATE OF DELAWARE :
: SS:
COUNTY OF KENT :

This instrument was acknowledged before me on this ____ day of _____, A.D. 2004, by Anthony J. DePrima, City Manager of the City of Dover.

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

_____
Notary Public
My Commission Expires:_____



SEWER EASEMENT PLAN	LARSON ENGINEERING INC.	DRAWN BY: YAT
FOR	CIVIL ENGINEERING & LAND PLANNING	SCALE: 1"=600'
KESSELRING	2717 PULASKI HIGHWAY NEWARK, DE 19702 Phone: (302) 731-7434 Fax: (302) 731-8211	DATE: 3/8/04
CITY OF DOVER, KENT COUNTY, DELAWARE		JOB NO.: 02-002
PREPARED FOR: SEAVIEW BUILDERS		FOLDER: SEW-EASE

BEARING TABLE

LINE	BEARING	DISTANCE
L1	S 43°12'38" W	722.84'
L2	N 79°46'29" W	177.21'
L3	S 82°20'37" W	68.38'
L4	S 52°06'30" W	201.21'
L5	N 89°27'00" W	123.39'
L6	N 78°17'15" W	855.52'
L7	N 03°20'10" E	385.27'
L8	N 13°36'48" W	59.90'
L9	N 77°06'33" W	450.46'
L10	N 74°48'10" W	265.54'
L11	N 66°15'58" W	627.10'
L12	N 86°43'02" W	223.38'
L13	S 08°27'38" W	93.28'
L14	N 81°32'22" W	75.00'
L15	N 08°27'38" E	161.79'
L16	S 86°43'02" E	305.42'
L17	S 66°15'58" E	635.04'
L18	S 74°48'10" E	156.87'
L19	N 26°47'10" E	366.94'
L20	S 76°47'11" E	77.15'
L21	S 26°47'10" W	369.67'
L22	S 74°48'10" E	25.00'
L23	S 77°06'33" E	495.35'
L24	S 13°36'48" E	117.49'
L25	S 03°20'10" W	331.68'
L26	S 78°17'15" E	783.43'
L27	N 89°27'00" W	89.92'
L28	N 52°06'30" E	195.33'
L29	N 82°20'37" E	100.44'
L30	S 79°46'29" E	148.27'
L31	N 43°12'38" E	638.81'
L32	S 76°47'11" E	86.60'

SEWER EASEMENT BEARING TABLE

FOR

KESSELRING

CITY OF DOVER, KENT COUNTY, DELAWARE

PREPARED FOR: SEAVIEW BUILDERS

LARSON ENGINEERING INC.
CIVIL ENGINEERING & LAND PLANNING
2713 PULASKI HIGHWAY
NEWARK, DE 19702
Phone: (302) 731-7434
Fax: (302) 731-8211

DRAWN BY YAT
SCALE 1"=600'
DATE 3/8/04
JOB NO. 02-002
FOLDER SEW-EAST

LARSON
ENGINEERING INC.
CIVIL ENGINEERING & LAND PLANNING

**DESCRIPTION OF A PROPOSED 75 FOOT WIDE
UTILITY AND PUBLIC ACCESS EASEMENT
ACROSS PART OF THE LANDS OF
KESSELRING COMPANY, LLC
CITY OF DOVER, KENT COUNTY, DELAWARE**

Beginning for the same at a point located on the westerly side of the Delaware Railroad right-of-way at the intersection of the division line between the lands now or formerly of Kesselring Company, LLC (see deed reference D-451-107), of which this easement is a part; and the lands now or formerly of the City of Dover (see deed reference E-47-103); said beginning point further being identified as the "Point of beginning" on a plat entitled, "Sewer Easement Plan for Kesselring", said plat being prepared by Larson Engineering, Inc., dated December 16, 2003 and attached herewith.

Thence, leaving said beginning point so fixed and binding on the westerly side of the said Delaware Railroad right-of-way:

1. South 43° 12' 38" West, a distance of 722.84 feet to a point.

Thence, leaving the Delaware Railroad right-of-way and running across the above referenced Kesselring lands, the thirteen following courses and distances:

2. North 79° 46' 29" West, a distance of 177.21 feet to a point, thence;
3. South 82° 20' 37" West, a distance of 68.38 feet to a point, thence;
4. South 52° 06' 30" West, a distance of 201.21 feet to a point, thence;
5. North 89° 27' 00" West, a distance of 123.39 feet to a point, thence;
6. North 78° 17' 15" West, a distance of 855.52 feet to a point, thence;
7. North 03° 20' 10" East, a distance of 385.27 feet to a point, thence;
8. North 13° 36' 48" West, a distance of 59.90 feet to a point, thence;
9. North 77° 06' 33" West, a distance of 450.46 feet to a point, thence;
10. North 74° 48' 10" West, a distance of 265.54 feet to a point, thence;
11. North 66° 15' 58" West, a distance of 627.10 feet to a point, thence;
12. North 86° 43' 02" West, a distance of 223.38 feet to a point, thence;
13. South 08° 27' 38" West, a distance of 93.28 feet to a point, and thence;
14. North 81° 32' 22" West, a distance of 75.00 feet to a point located on the easterly outline of the proposed Creekside subdivision.

Thence, binding on the easterly side of Creekside:

15. North 08° 27' 38" East, a distance of 161.79 feet to a point, said point further being located along the easterly outline of Creekside (which is the westerly outline of Kesselring Company, LLC) South 08° 27' 38" West 288.98 feet from the northwesterly corner of Kesselring Company, LLC.

Thence, leaving Creekside and again running across the Kesselring Company, LLC lands the four following courses and distances:

16. South 86° 43' 02" East, a distance of 305.42 feet to a point, thence;
17. South 66° 15' 58" East, a distance of 635.04 feet to a point, thence;
18. South 74° 48' 10" East, a distance of 156.87 feet to a point, and thence;
19. North 26° 47' 10" East, a distance of 366.94 feet to a point located on the southerly outline of the above referenced City of Dover lands, said point further being located along said southerly outline of the City of Dover lands (which is the northerly outline of Kesselring Company, LLC) South 76° 47' 11" East, a distance of 1,192.04 feet from the northwesterly corner of Kesselring referenced in the above Course #15.

Thence, binding on the City of Dover lands:

20. South 76° 47' 11" East, a distance of 77.15 feet to a point.

Thence, leaving the City of Dover lands and again running across the Kesselring Company, LLC lands the eleven following courses and distances:

21. South 26° 47' 10" West, a distance of 369.67 feet to a point, thence;
22. South 74° 48' 10" East, a distance of 25.00 feet to a point, thence;
23. South 77° 06' 33" West, a distance of 495.35 feet to a point, thence;
24. South 13° 36' 48" East, a distance of 117.49 feet to a point, thence;
25. South 03° 20' 10" West, a distance of 331.68 feet to a point, thence;
26. South 78° 17' 15" East, a distance of 783.43 feet to a point, thence;
27. North 89° 27' 00" West, a distance of 89.92 feet to a point, thence;
28. North 52° 06' 30" East, a distance of 195.33 feet to a point, thence;
29. North 82° 20' 37" East, a distance of 100.44 feet to a point, thence;
30. South 79° 46' 29" East, a distance of 148.27 feet to a point, and thence;
31. North 43° 12' 38" East, a distance of 638.81 feet to a point located on the above referenced southerly outline of the City of Dover lands.

Thence, binding on the City of Dover lands:

32. South 76° 47' 11" East, a distance of 86.60 feet to the first mentioned point of beginning.

Containing within said metes and bounds 7.96 acres (346,931 square feet) of land, more or less.