

Re: Gibbs Company Inc. Site Plan Approval Application (SP-1-23)
SCTM: 335-8.12-8.00 (“Gibbs Property”)
4.03.2023

Proposed Condition Pertaining to 30’ ROW Easement benefitting Cunningham Property,
SCTM:335-8.12-79.00.

If and when the Cunningham Property, adjacent to the Gibbs Company Property, is further developed and it is necessary or desirable that the existing 30’ easement (providing access to the Cunningham Property from Monroe Avenue, located in part on the Gibbs Property “Easement”), be dedicated to the City of Lewes (“City”) for use as a public street to the Cunningham Property, Gibbs agrees to dedicate its interests in the Easement to the City, subject to:

- Existing and any additional drainage easement rights to be established hereafter, providing the Gibbs Property drainage into the adjacent Delaware River and Bay Authority (“DRBA”) property;
- The responsibility of the Cunningham Property owner to meet the conditions of Dedication to the City of Lewes, including road improvements and associated drainage, without additional requirements or costs to the Gibbs Property owner; and
- No further changes to the Gibbs Company Site Plan will be required by the City of Lewes as a requirement or result of dedication.

These conditions do not apply to that certain portion of the Easement (+/- 1800 s.f.) owned by DRBA, but subject to the Easement, which would need to be acquired by the City to allow a complete, dedicated roadway from Monroe Ave to the Cunningham Property.