

SCTM NOS.: 3-35-8.14-50-88 and Savannah Circle  
PREPARED BY: STEEN, WAHLER & SCHRIDER-FOX, LLC  
RETURN TO: BAIRD MANDALAS, LLC  
GLENN C MANDALAS  
103 S. BRADFORD STREET, DOVER DE 19904

**AMENDMENT TO SAVANNAH PLACE ANNEXATION AGREEMENT**

**THIS IS AN AMENDMENT TO THE ANNEXATION AGREEMENT** made the 13th day of January, 2010, by and between **THE CITY OF LEWES**, a municipal corporation of the State of Delaware, ("City"), P.O. Box 277, 114 East Third Street, Lewes, Delaware 19958, the **BOARD OF PUBLIC WORKS OF THE CITY OF LEWES**, ("BPW"), 107 Franklin Street, Lewes, Delaware 19958 and **SAVANNAH PLACE HOMEOWNERS ASSOCIATION, INC.**, a Delaware corporation, its successors and assigns, ("Association"), c/o A. Wallace Evans, President, 2051 Savannah Circle, Lewes, DE 19958.

**RECITALS**

**WHEREAS**, the Savannah Place Annexation Agreement ("Agreement") provides in Section 3. Water Improvements, Subsection 3.5. Existing Wells, Subsection 3.5.1.(c), that the private well on lands now or formerly of Don Johnson, Trustee, on Lot 20, Tax Map No. 3-35-8.14-70, is a well to be discontinued when the City/BPW's public water system becomes operational; and

**WHEREAS**, Mr. Johnson has requested that the private well be permitted to continue as an irrigation well; and

**WHEREAS**, the City of Lewes and the Board of Public Works have no objection to the reclassification of said well; provided, however, that the well is properly licensed by the State of Delaware.

**NOW THEREFORE, WITNESSETH**, in consideration of the mutual covenants contained herein and other valuable consideration, the parties agree that the above referenced clauses are incorporated into this Amendment, and the parties further agree to strike Subsection 3.5. Existing Wells, in its entirety and substitute in lieu thereof the following:

AP  
AD

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3.5. *Existing wells.*

3.5.1. There are two (2) water wells within the Property; one communal well serving all of Savannah Place, one communal well no longer in use. The location of each well is shown on a drawing attached as *Exhibit A* and identified as:

(a) Functioning well for Savannah Place community on lands now or formerly of Richard and Anna Kroon, on Lot 9, Tax Map #3-35-8.14-58.

(b) Nonfunctioning well for Savannah Place community on lands now or formerly of Charles and Frances Smith, on Lot 18, Tax Map # 3-35-8.14-68.

The two wells shall be disconnected upon connection of lots to the BPW water system and the wells shall be abandoned, capped, and plugged according to existing regulations, unless otherwise exempted.

3.5.2. There are three (3) irrigation wells within the Property. The location of each well is shown on a drawing attached hereto as *Exhibit A* and identified as:

(a) Private Irrigation Well on lands now or formerly of George and Kathryn Pepper, on Lot 11, Tax Map # 3-35-8.14-61, licensed by the State of Delaware.

(b) Private Irrigation Well on lands now or formerly of Jonathan and Gwyneth Sharp, on Lot 13, Tax Map # 3-35-8.14-63, licensed by the State of Delaware.

(c) Private well on lands now or formerly of Don Johnson, Trustee, on Lot 20, Tax Map #3-35-8.14-70. Such private well shall be licensed by the State of Delaware.

These irrigation wells may continue to be used solely for irrigation purposes and only to serve the lots on which they are located. If a well fails or is not licensed by the State of Delaware, it shall not be modified or redrilled but rather said well shall lose its exempted status under this Agreement.

**IT IS MUTUALLY AGREED** by the parties hereto that, except as amended and revised herein, all other terms and conditions of the said Annexation Agreement dated January 13, 2010, are hereby ratified, confirmed, and incorporated herein by reference as though fully set out.





SAVANNAH PLACE HOMEOWNERS ASSOCIATION, INC.

BY: A. Wallace Evans  
PRESIDENT

(Corporate Seal)

ATTEST: Alice M. Erickson  
SECRETARY

STATE OF DELAWARE :  
: ss.  
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 11 day of Aug, A.D. 2010, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, **Wally Evans, President of Savannah Place Homeowners Association, Inc.**, a corporation of the State of Delaware, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed, and the act and the deed of the said corporation; that the signature of the President is in his own proper handwriting; that the seal affixed is the common and corporate seal of the said corporation duly affixed by its authority; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by resolution of the Board of the said corporation.

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

Alice M. Erickson  
Notary Public

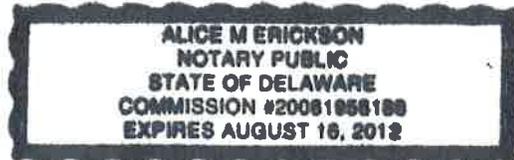
My Commission Expires: 8/16/12

Alice M. Erickson  
Print or Type Name of Notary

RECEIVED

AUG 26 2010

ASSESSMENT DIVISION  
OF SUSSEX COUNTY



AMENDMENT TO SAVANNAH PLACE ANNEXATION AGREEMENT

Recorder of Deeds  
John F. Brady  
Aug 26, 2010 11:19A  
Sussex County  
Doc. Surcharge Paid

