City Manager's Weekly Report

Friday, May 8, 2015

Department:

Administration - City Manager

Notable Notes:

Mayor and Council -

Several staff members and I attended the Walkable Bikeable Delaware Summit yesterday in Dover. It was a wonderful event that provided insight into efforts being made statewide and challenges to goals for the promotion of more walkable and bikeable communities. Newark's efforts were recognized as was the DelDOT proposed Cycle Track concept for Delaware Avenue. A rendering is attached. Mayor Sierer represented our community in a panel discussion with representatives of other communities. I think we all came away with ideas for increasing both motorist and bicyclist education and a better understanding of the attractiveness of a bikeable/walkable community.

Please note that I have attached an electric rate comparison chart shared by DEMEC.

In response to a question posed at a recent Council meeting regarding credit card processing for the parking meters - IPS, the parking meter vendor, utilizes their own credit card processing system. This is not a separate feature, therefore, the review committee vetted all the parking meter vendors but not their separate arrangements for credit card processing. All were, however, PCI compliant.

Maureen reports Planning and Development is working on a memo to Council about the floodplain. Additionally, staff is not aware of Council direction to work on reducing the number of seats for restaurants that serve alcohol. Our regulations are currently at 50 seats. The state regulation was recently reduced to 12 seats from 35; however, recent Newark businesses (Mediterranean Grill and Wood Fired Pizza) went before the Board of Adjustment for a variance for a reduced number of seats and then came before Council for a Special Use Permit both of which were granted. As background, Maureen also advises that the reason for the number of seats requirement in Newark was to insure it was a real restaurant and not a bar or take out restaurant. Direction is requested if staff work on this is desired.

I share one last time the opportunity with Council to participate in the DEMEC offered Joint Community Briefing Session that will be held next Thursday from 4 to 7 p.m. in Dover. The flyer with full information is attached. Please advise by Monday morning if you can now attend. Currently I have Mayor Sierer and Councilpersons Hadden, Morehead and Gifford. If you are unable to attend, we will provide whatever detail/documentation as a followup.

As you may be aware, proposals for RFP 15-07 for Solid Waste, Recycling and Yard Waste Collection and Disposal are due next Tuesday. I have received a few individual Councilmember requests for information related to this service/RFP and staff have started to work on responses, however, with the receipt of proposals and their resulting evaluation so near we intend to include responses in any resulting recommendation for the disposition of the proposals. Likewise, it's worth noting that given the complexity of the proposals and the fact that an evaluation will not solely be based on price, we will not be in a position to immediately determine if they are favorable or not at time of receipt. We intend to commit time to do a full and extensive evaluation of each proposal in comparison to our current operations as well as to possibly bring firms in for meetings to ensure full understanding.

Activity or Project:

"UDon't Need It? 2015

Description:

Final plans are being completed in preparation for the 9th annual UDon't Need It? student move out event. This partnership between the City and the UD will begin this year on May 22nd and run through June 6th at the STAR Campus. A copy of the post card that will be mailed early next week is attached. As most of you are aware, the UDNI program has enable Newark to reduce overtime, tipping fees and drastically reduce reusable materials being taken to the landfill.

Status: In-Progress

Expected Completion: 6/6/2015

Execution Status: On Track

Activity or Project:

Rockmoss Update

Description:

I have been advised by Deputy Solicitor Bilodeau that the monitions action has been filed. Please find a copy of the Complaint.

Status: In-Progress

Expected Completion: 10/2/2015

Execution Status: On Track

Activity or Project:

Box Tops Project

Description:

Mayor Sierer and I continue to meet with Jared Wasilefsky on this Newark initiative. I hope to have more information to share in the near future as a followup meeting is planned.

Status: In-Progress

Expected Completion: 9/30/2015

Execution Status: On Track

Department:

Alderman's Court

Notable Notes:

We processed a total of 51 arraignments, 56 trials, 23 capias returns, 8 case reviews.

We transported 7 prisoners this past Friday to court and videoed another 5 on Monday for various violations.

We are also interviewing for a vacant part-time position.

Activity or Project:

Court Session

Description:

This past week we held three court sessions.

Status: In-Progress

Expected Completion: 5/8/2015

Execution Status: Completed

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Community Relations

Notable Notes:

May is Bike Month, and we are working to enhance Newark's reputation as the bike-friendly community that we are, including promotion of and participation in Bike to Work Day (5/15) at the University of Delaware and the Mayor's ride the following day (5/16), in addition to the Memorial Day Parade the day after (5/18). We are also working to bring attention to the Spring Concert Series (Thursdays in May and June), the K9 Koncert benefit event on 5/15, New Night Downtown (6/13) and the new "Newark's Got

Talent" youth open mic nights Wednesdays in June.

Activity or Project:

CSX Bridge Mural Repainting

Description:

Due to traffic concerns, work to clean and repaint the bridge, originally hoped to begin this month, will be postponed until after UD Graduation. However, we are confident that as long as there are no unforeseen weather or similar issues, the work can be completed prior to New Night Downtown on 6/13.

Status: In-Progress

Expected Completion: 6/12/2015

Execution Status: On Track

Activity or Project:

New Night Downtown

Description:

Registrations for "Art on the Lawn," the Newark Arts Alliance's art show and sale on the Academy Lawn during New Night, have been extremely strong, and we are identifying additional space along East Main Street and Academy Street for additional artists. We are very happy with the success that the Newark Arts Alliance is having gathering registrations. Business registrations from both within and outside of downtown are very strong.

Status: Started

Expected Completion: 6/13/2015

Execution Status: On Track

Activity or Project:

Description:

Status: In-Progress

Expected Completion:

Execution Status:

Department:

Electric Department

Notable Notes:

The line crews have been busy switching for various projects and maintenance issues. They replaced two lightning arrestors on a substation transformer, fixed control lights at another transformer, and switched for Delmarva to move a down guy at the Newark Shopping Center. The line crews have also been busy preparing East Main Substation for a new transformer coming in June.

The electricians installed stronger antennas at several substations that were having trouble communicating periodically. They also wired up the 34kV breakers on several transformers to allow the SCADA system to close them. Previously a local control handle was all that was necessary, but it was decided for safety, that closing at a distance was more prudent. The electricians also installed a radon fan at the McKees Solar Park.

Engineering has been busy with project management. Engineering met with contractors doing the site work at East Main Substation for the new transformer, met with electricians about the new service for a cell tower on Amtrak property off Marrows Road, and met with the developers about the underground primary loop locations at the Newark Shopping Center Campus Circle Project.

Activity or Project:

Newark Shopping Center

Description:

Distribution infrastructure consisting of underground primary cabling and pad mount transformers to Campus Circle and the shopping center.

Status: In-Progress

Expected Completion: 9/1/2015

Execution Status: On Track

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Finance Department

Notable Notes:

Latrice Nichols, who has been serving customers in the Payments and Utility Billing group with excellence since 2010, has accepted a position with Parks & Recreation. Please join me in congratulating Latrice!

Payments and Utility Billing

The group handled 663 phone calls the week of 4/27/15 with an average call length of 3:13 and an average hold & queue time (average speed of answer) of 5:02. The group also processed a total of 3,071 utility payments and CityView transactions while the Welcome Center processed 488 visitors. 154 service calls were initiated by Payments and Utility Billing in response to the calls and visitors. The Finance Department's customary statistics, in addition to new data available with the VOIP technology, continue to be maintained on a weekly basis in 2015 to develop key performance indicators.

Accounting

The accounting team continues to work on the year-end financial statements and related work in connection with the annual audit; see additional information reported in the Independent Financial Audit project detail.

We have also begun preparing for the 2016 budget process. The first round of administrative budget meetings have been scheduled for the last two weeks in May and the first week of June. The departments will focus on the operating budget in the initial round of meetings. Items such as meeting summaries and preliminary budget drafts will be posted to 2016 Budget Central as they become available.

Activity or Project:

Independent Financial Audit - 2014

Description:

The Comprehensive Annual Financial Report ("CAFR") Fund Statements for 2014 have been drafted and submitted to the City's independent auditors. Staff completed the outstanding field work items. The draft CAFR Government Wide Statements, Fund Financial Statements, and the tables supporting the Note Disclosures are all complete. This week, we completed the Note Disclosures, the vast majority of the Statistical Reports, and the Final Schedule of Federal Awards. Work on Management's Discussion and Analysis (MD&A) began this week, and the production of the CAFR document itself will begin in the coming weeks.

Status: In-Progress

Expected Completion: 6/30/2015

Execution Status: On Track

Activity or Project:

Billpay Efficiency Project

Description:

There is no change in the status of this project this week. Fiserv, the intermediary that executes the billpay feature on behalf of the majority of local banks servicing our residential utility customers, has assigned a project manager to assist the City with the implementation of an efficiency initiative to convert paper checks to electronic payments. We have scheduled the kick-off meeting for 5/12/15 with a follow-up meeting on 5/14/15; implementation meetings will follow.

Status:	In-Progress
Expected Completion:	7/1/2015
Execution Status:	On Track

Activity or Project:

Description:

Status:	
Expected Completion:	
Execution Status:	

Department:

Parks and Recreation Department

Notable Notes:

Recreation Superintendent Spadafino and I participated in interviews to fill two Customer Service employee vacancies in the department.

Park Superintendent Zaleski conducted park inspections and prepared related maintenance work orders. He also spent time gathering cost estimates for plantings to eventually be placed under the South College Avenue bridge near the Old Train Station.

We committed significant time at Fairfield Park excavating and preparing for the installation of two handicap parking spaces near adjacent to the Community Garden site. We also constructed additional Garden Boxes for the registered gardeners.

We are working with the Purchasing Office to prepare a recommendation to purchase two trucks for the Parks Division. These vehicles were approved in the 2015 CIP.

The crew is very busy with mowing operations.

We recently began a new process for pesticide applications for certain trees. The Arbor Jet injection system places pesticide materials directly into the cambium of a tree. The xylem and phloem take up the pesticide

and distributes it throughout the tree. This will significantly reduce the amount of spraying we do. We will use this same system to inject Ash Trees when the Emerald Ash Borer shows itself in the area.

Recreation staff is nearly finished interviewing and selecting counselor and recreation leaders for our summer programs.

Our Children's Dance program concluded last week with a year-end recital for parents and friends.

The Wilson Center was a very busy place this week. Multiple sororities held rehearsals for the annual lip-synching concert which closes out Greek Week at the U of D. DelDOT rented the facility on Monday and Tuesday to conduct safety training. Weekend rentals are filling quickly with limited opening remaining through September.

Recreation Supervisor Bruen prepared for and conducted our first NewBark Pawlooza event at Handloff Park. Thirty vendors and more than 300 people and approximately 150 dogs participated. The vent was very well received and we'll likely follow up with Pawlooza II next year!!

Our Spring Concert Series kicks off this Thursday night, 7-8 p.m. at the Academy Building lawn on Main Street.

Department staff are assisting with plans for the Mayor's Bike Ride planned for May 16.

Activity or Project:

CIP Project K13-01: Tennis Court Renovations

Description:

A recommendation to award the contract was submitted to City Council for it's May 11 meeting.

Status: Started

Expected Completion: 8/28/2015

Execution Status: On Track

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Planning and Development Department

Notable Notes:

Building Maintenance

- This week monitors were removed from dispatch and rehung in the Roll Call Room in the Police Department.
- Lettering was installed above the Customer Service windows this week.
- The new toilet in the City Secretary's Office was defective and was replaced again.
- Painting of the City Secretary's bathroom began this week.
- Exit signs were hung in the stairways this week.

Code Enforcement

- A Certificate of Occupancy was issued for 2000 Fountainview Circle, unit 303 this week.
- Also this week, the final Certificate of Occupancy for Newark Natural Foods at 230 E Main Street, unit 209.

Parking

- This week meters were blocked for fire hydrant repair at Alumni Hall and sidewalk work for the new trash and recycling compactors.
- This week lockers/uniforms were purchased for Parking Enforcement Officers so that the Division will be ready when the PEOs are transferred to the Parking Division.
- Maintenance for the municipal lots was performed this week which includes basic parking lot curb sweeping and painting (yellow), and the first lawn mowing of the year.
- The IPS Smart meters were checked this week to ensure they are functioning as intended before 8 a.m. (prepay function).

Planning

- On Thursday afternoon, Planning and Development Director Maureen Feeney Roser met with City Solicitor Bruce Herron and representatives of the owners of 147 East Main Street to discuss moving forward with a development tabled by the Planning Commission in 2011.
- Considerable time was spent this week preparing comments from reviews of potential developments at Astra Plaza and Pike Park.
- This week the Department received revised plans for 70 E. Main Street. The Board of Adjustment approved a variance for a 120% expansion of a non-conforming building at their

last meeting, which allows the applicant to move forward for Planning Commission consideration at a future meeting.

- Some time was spent assisting the new owners of the business at 270 East Main Street (formerly Mojo's) with information regarding the process to get approvals to open as a restaurant selling alcoholic beverages at the site.
- Work continues on preparations for the upcoming Council Workshop on Comprehensive Development Plan V.
- Work continued this week on a Council memorandum concerning the floodplain ordinances to answer questions posed and make recommendations for minor edits.

The Planning and Development Department completed:

- 4 Deed Transfer Affidavits
- 3 Building Permit Reviews

Activity or Project:

Council Approval of Planning Related Items

Description:

At the Council meeting Monday night, Council acted on the following Planning and Development items: o Approved two special use permits – one for a home occupation on Beagle Club Way and another for a restaurant with alcohol at NSC; o Approved the software purchase for the unified parking system; and requested more information and a separate contract for hardware. o Heard a presentation from the Chesapeake Crescent Initiative regarding Safe and Smart Cities.

Status:	Completed
Expected Completion:	4/27/2015
Execution Status:	Completed

Activity or Project:

Planning Commission Meeting

Description:

Considerable time was spent this week preparing for the upcoming Planning Commission meeting. On the agenda are: o A staff presentation on the City's interest in purchasing Rodney Dorm property. O Review and consideration of a request for an extension for an approved major subdivision at 1119 South College Avenue (Candlewood Suites), which was started but not completed within the required timeframes. o Review and consideration of revised plans for the Lofts at Center Street Comprehensive Development Plan amendment, rezoning, major subdivision and special use permit for the property at 21-49 Center Street (west side of Center Street).

Status:	In-Progress
Expected Completion:	5/5/2015
Execution Status:	On Track

Activity or Project:

Bike Racks Installed on Unicity Buses

Description:

This week bike racks were installed on the free Unicity buses. We have had several residents who have expressed an interest in bike racks for the Unicity buses.

Status:	Completed
Expected Completion:	4/30/2015
Execution Status:	Completed

Department:

Planning and Development Department

Notable Notes:

Building Maintenance

- This week the door closer in the basement of the Police Department was repaired.
- DelMar Door was contacted for entry door problems. They adjusted and lubricated the doors, which are now functioning properly.
- Painting and cleaning were completed for a new Newark Police Department office.

Code Enforcement

- The Certificate of Occupancy was issued for Del-One Credit Union – 141 E. Main Street this week.
- This week a building permit was issued for the SevOne tenant fit-out – 550 S. College Avenue, Suite 107 (STAR Campus).
- Acting Code Enforcement Supervisor Jimmy Kiesel attended a meeting with representatives of Anaconda Fire at the Olan Thomas building to inquire about the installation of a new fire and burglar alarm.
- Considerable time was spent this week on interim staffing strategies to cover the retirements of Code Enforcement Supervisor Steve Wilson and Fire Marshal Bill Street. Friday was Steve and Bill's last day of service with the City; and we wish them both much health and happiness and thank them for their years of dedicated service to this community.

Economic Development

- Some time was spent reviewing a copy for the Newark supplement in the June edition of Delaware Today magazine.
- Some time was spent assisting businesses in registering for participation in New Night, scheduled for Saturday, June 13th.

Parking

- This week the Parking Division staff cleaned up graffiti in Lots #1 and #6; and completed lot curb sweeping/painting.
- The End-of-Month reports for Finance were completed this week.
- This week lockers were ordered in preparation for the Parking Enforcement Officers' transfer to the Parking Division.

- Maintenance was performed on Lot #3 and #4 machinery.
- This week meetings and tours are being scheduled with vendors concerning the Surface Lot hardware RFP.
- This week Administrator Marvin Howard is recuperating from rotator cuff surgery. We are happy to report that Marvin's surgery was a success, and we wish him a speedy recovery.

Planning

- Considerable time was spent this week preparing for and staffing the Planning Commission meeting held Tuesday evening, during which the Commission:
    - Heard a presentation on the Rodney Dormitory site as it relates to the City's interest in it;
    - Approved the request for a 30 month extension for completion of construction for an approved major subdivision and special use permit at 1119 South College Avenue (Candlewood Suites);
    - Did not recommend approval of the revised Comprehensive Development Plan amendment, rezoning, major subdivision and special use permit plans for the Lofts at Center Street (21-49 Center Street, west side of street).
- Work continued reviewing development plans for readiness for Planning Commission and/or Council review in anticipation of upcoming agendas.
- Planning and Development Department Secretary Elizabeth Dowell spent some time this week with City Secretary/Director of Legislative Services Renee Bensley to learn how to link reports and related items to the web agendas for future Planning Commission meetings and discussing how Council packets are handled. Previously, the Department had only put the proposed development plans on the web, but our goal is to link all related items to the agendas and post them beginning with the June Planning Commission meeting. No change to the packet process is recommended.
- Some time was spent this week preparing for the upcoming Board of Adjustment meeting during which the Board will hear the appeal of Howard Krinsky of 3 Prospect Avenue for the variances for minimum lot area, maximum lot coverage and occupancy limitations to accommodate redevelopment of the RD zoned property.
- Work continued this week on finalizing revisions to the Comprehensive Development Plan. The next Council Workshop is on Monday, May 18th to review Chapter 11: Annexation and Chapter 12: Implementation.

- The Planning and Development Department completed:
    - 9 Deed Transfer Affidavit
    - 1 Building Permit Review
    - 2 Certificate of Occupancies

Activity or Project:

Rental Housing Needs Assessment

Description:

1. Some time was spent on preparing for Monday's Council workshop with Urban Partners to discuss the findings of the Rental Housing Needs Assessment Study (RHNAS) Phase I and supplying information to facilitate a path forward to Phase II. At the meeting, Council approved moving forward with Phase II of the study and gave direction on Steering Committee Membership. In addition, the City Solicitor has opined that Planning Commissioners serving on the Phase II RHNAS Steering Committee will not result in a conflict of interest should zoning or subdivision changes be recommended by Phase II; and the Commission will elect two members to serve on the

committee at the June Commission meeting.

Status: In-Progress

Expected Completion: 8/31/2015

Execution Status: On Track

Activity or Project:

Bike to Work Day

Description:

2. Bike to Work Day is on May 15th. The event will be held from 7:30–9 a.m. at Mentors Circle on the UD Campus at the corner of S. College Avenue and Kent Way. Bike to Work Day is organized by the Newark Bicycle Committee, in partnership with the City of Newark and the University of Delaware, and is intended to highlight National Bike Week (May 11-15) in the Newark community and will provide light breakfast food for participants to enjoy before completing their commutes to work. The Newark Bicycle Committee will also be presenting the award to the City of Newark for being designated by the League of American Cyclists as a “Bicycle Friendly Employer” and the bronze level recognition. Also, a local community member will be given an award as the “Bicycle Friendly Community Leader”. Bicycle commuters are encouraged to ride with others to the event to take advantage of one of six captain-led “bike trains” which will depart from the following locations (one in each Council District) promptly at 7:20 a.m. • John R. Downes Elementary School on Casho Mill Road (District 1) • Wyoming Road at the Delaware Technology Park near the James F. Hall Trail trailhead. (District 2) • University of Delaware Field House (District 3) • Chrysler Avenue just off the Elkton Road intersection (District 4) • New London Road at the Fairfield Shopping Center (District 5) • Newark Reservoir parking lot (District 6)

Status: In-Progress

Expected Completion: 5/15/2015

Execution Status: On Track

Activity or Project:

Floodplain Ordinance

Description:

3. Considerable time was spent reviewing the newly adopted floodplain ordinance and the audio and minutes from the City Council meeting during which it was approved, in order to produce a memorandum to City Council regarding questions and suggestions for improvements received from Council and the public. The draft memo’s recommendations will be reviewed with all appropriate operating departments and required agencies to ensure that the proposed changes will not affect the required compliance with the National Flood Insurance Program (NFIP) regulations and then be distributed to Council for discussion and direction. We anticipate this discussion to happen within the next several weeks.

Status: In-Progress

Expected Completion: 7/31/2015

Execution Status: On Track

Department:

Police Department

Notable Notes:

It has been an interesting few days at the Washington House on Main Street. Earlier in the week, a male climbed up scaffolding on the west side of the Washington House Condos then entered an apartment through a window. After making entry into a bedroom, the male laid down on the bed nude, until the resident walked in. The male ultimately fled through the front door of the apartment where approximately ten (10) residents of the building surrounded him until police arrived. He was charged with burglary, indecent exposure (x2), criminal mischief, and trespassing. He was committed to HRYCI on $10,400 bond.

A few nights later, two suspects were observed on the balcony of several apartments. They stated that they thought the building was under construction and were just looking around. The reporting person observed the suspects jumping from balcony to balcony. They were released on their own recognizance and issued a no-contact order with the Washington House Condominiums. A security guard has been hired by the building association.

The final interviews have been completed from the current police applicant list. We expect to have four recruits ready for the police academy next month. The next police entrance exam will be administered this Saturday.

Lt. Fed Nelson and Animal Control Officer Donna Vickers met with representatives from "Forgotten Cats" and the State of Delaware Office of Animal Welfare. The agencies are looking to partner with Newark in regard to a grant they have received to trap/neuter/return stray cats. This is expected to reduce the wild/feral cat population in the city.

Activity or Project:

N/A

Description:

N/A

Status: Completed

Expected Completion: 5/7/2015

Execution Status: Completed

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

5/4/2015 to 5/9/2015

What is a protected bike lane?

Rendering of a protected bike lane (also known as a "cycle track") concept for Delaware Avenue (looking east) in downtown Newark near the University of Delaware. Courtesy of Chris Kirby, Dover/Kent County Metropolitan Planning Organization

A protected bike lane – sometimes also known as a cycle track - is an exclusive bicycle facility that combines the user experience of a separated path with the on-street infrastructure of a conventional bike lane. Protected bike lanes can be either one-way or two-way as long as there is a physical separation on the roadway between cyclists and motorists.

Delaware Avenue in Newark has a high amount of two-way cycle traffic on a one-way street. It is a low speed roadway, with enough existing pavement width to handle two 4' bike lanes with a 1' wide area of separation while still maintaining two vehicular travel lanes. Delaware Avenue provides a major connection to trails, businesses, residential areas and schools. For these reasons, Delaware Avenue is a prime location for installation of Delaware's first protected bike lane.

A two-way protected bike lane would address the issues of contraflow bicycles in the existing bike lane conflicting with vehicles at intersections, driveways and in travel lanes. The protected bike lane concept above is shown on the northern side of Delaware Avenue (an option which would avoid conflict with the existing transit stops on the south side of the road). A protected bike lane would also act as a traffic calming measure on Delaware Avenue.

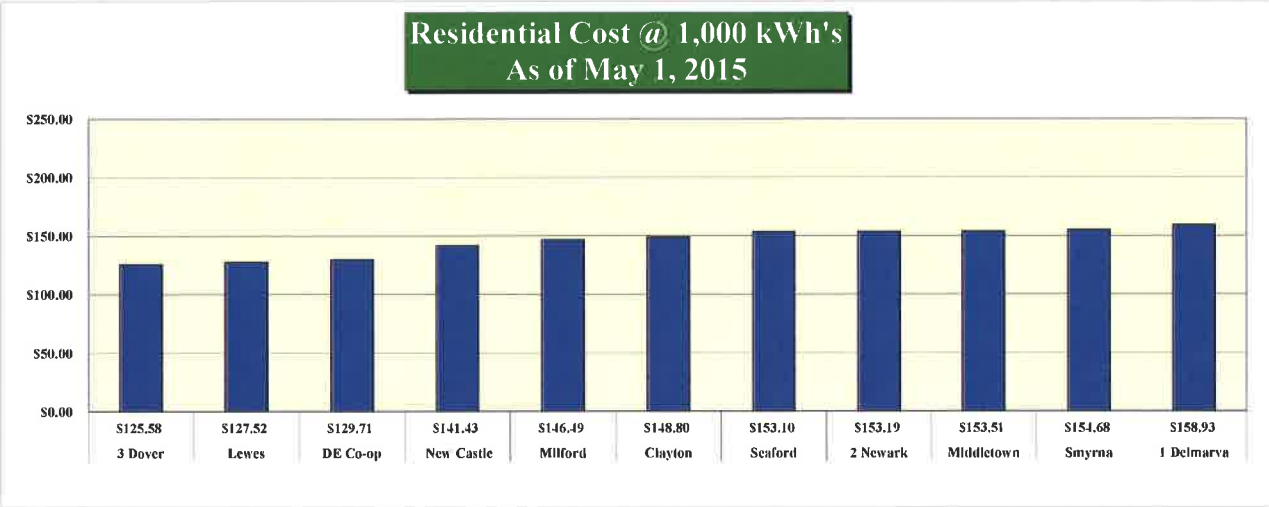
A feasibility study for the downtown Newark protected bike lane has been funded, which is the first step in the project development process. The study will evaluate options for alignment and separation barriers.

Selected Area Utilities
Summer (June - September)

RESIDENTIAL RATE COMPARISON @ 1,000 kWh

		DE COOP % Difference	DPL % Difference
[3] Dover	$125.58	-3.2%	-21.0%
Lewes	$127.52	-1.7%	-19.8%
DE Co-op	$129.71	0.0%	-18.4%
New Castle	$141.43	9.0%	-11.0%
Milford	$146.49	12.9%	-7.8%
Clayton	$148.80	14.7%	-6.4%
Seaford	$153.10	18.0%	-3.7%
[2] Newark	$153.19	18.1%	-3.6%
Middletown	$153.51	18.3%	-3.4%
Smyrna	$154.68	19.3%	-2.7%
[1] Delmarva	$158.93	22.5%	0.0%

[1] Approximate. DP&L's transmission capacity charge is based on each individual's Peak Load Contribution (PLC) to the overall transmission load
Each customer has a unique PLC that changes every January
[2] City of Newark begins Summer Rates in April
[3] City of Dover begins Winter Rates in November



The Board of Directors of the
Delaware Municipal Electric Corporation
Cordially invite you to a

Joint Community Briefing Session

Electric Market Changes and Their Impact on Your Wholesale Costs

PRESENTER
Patrick E. McCullar, President & CEO, DEMEC

Thursday, May 14, 2015
4:00pm to 7:00pm
(Dinner to be provided)

Dover Downs Hotel & Conference Center
Diamond Room #3
1131 North DuPont Highway
Dover, Delaware 19901

R.S.V.P. (302) 653-2733 by May 1, 2015

Now Located at UD STAR Campus (Former Chrysler Plant)

"UDon't Need It?" Student Move Out Reuse and Recycle Program

Friday, May 22 through Saturday, June 6, 2015

Students must present a valid student ID card and landlords must show proof of owning a Newark rental property.
Others will be required to pay $10 per regular pick-up truck or car load of refuse.
For detailed program information, visit www.cityofnewarkde.us/UDNI.

Reusable items include:

Furniture, appliances, lamps, fans, clothing, household goods, kitchen wares, carpets, unopened toiletries, non-perishable food, televisions, computers and monitors, bed frames, curtains, storage containers, etc.

NEW THIS YEAR: $10 SALE DAYS ON FRIDAY MAY 29 AND FRIDAY JUNE 5

Additional reminders as tenants prepare to leave town:

- Bulk items left at the curb or elsewhere, as well as excessive trash, will result in fees being charged and invoiced to landlords. This may impact security deposits. The UDNI program is free!
- To close, transfer, or open electric accounts with the City of Newark, visit www.cityofnewarkde.us/electricutilitytransfer.
- Additional questions may be directed to the Public Works and Water Resources Department at (302) 366-7000.

Find *"UDon't Need It?"* Hours of Operation on the Reverse Side of this Card.

Now Located at UD STAR Campus (Former Chrysler Plant)

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Hours of Operation
Friday, May 22 - Sunday, May 24: 11am – 6pm.
CLOSED MONDAY, MAY 25 - MEMORIAL DAY HOLIDAY
Tuesday, May 26 - Friday, May 29: 11am – 6pm
$10 SALE DAY – FRIDAY, MAY 29: 11am
Saturday, May 30: 4pm – 8pm Special Hours for UD Commencement
Sunday, May 31 – Friday, June 5: 11am – 6pm
$10 SALE DAY – FRIDAY, JUNE 5: 11am
Saturday, June 6: 8am – 12pm ALL REMAINING ITEMS FREE

Hours of Operation
Friday, May 22 - Sunday, May 24: 11am – 6pm.
CLOSED MONDAY, MAY 25 - MEMORIAL DAY HOLIDAY
Tuesday, May 26 - Friday, May 29: 11am – 6pm
$10 SALE DAY – FRIDAY, MAY 29: 11am
Saturday, May 30: 4pm – 8pm Special Hours for UD Commencement
Sunday, May 31 – Friday, June 5: 11am – 6pm
$10 SALE DAY – FRIDAY, JUNE 5: 11am
Saturday, June 6: 8am – 12pm ALL REMAINING ITEMS FREE

EFiled: May 06 2015 01:39PM EDT
Transaction ID 57190746
Case No. N15J-02236

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

CITY OF NEWARK, (The Mayor and Council of Newark), a municipal corporation of the State of Delaware,	:	
Plaintiff,	:	C.A. No.:
v.	:	
THELMA C. SCOTT TRUST, Owner of Record; Last Known Trustee, Thelma C. Scott (deceased)	:	Tax Parcel No. 18-018.00-138
Defendants.	:	

TO: Prothonotary
New Castle County Superior Court
New Castle County Courthouse
500 N. King Street
Wilmington, DE 19801

NOTICE OF WRIT OF MONITION

Please issue a Writ of Monition in the above titled cause of action, directed to the Sheriff of New Castle County, commanding him or her, within ten days from the issuance thereof, to post said Monition or a copy thereof, upon some prominent place or part of the property known as Tax Map Parcel 18-018.00-138; located at 919 Rockmoss Avenue, situate in the City of Newark for the collection of the debt herein specified.

CITY OF NEWARK

/s/ Paul E. Bilodeau
Paul E. Bilodeau, Esq. (#2683)
Deputy City Solicitor,
City of Newark
1813 N. Franklin Street
Wilmington, DE 19802
(302) 656-6899
(302) 656-3081 fax
pbilodeau@delaw.org

Dated: May 6, 2015

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

CITY OF NEWARK, (The Mayor and Council of Newark), a municipal corporation of the State of Delaware,	:	
Plaintiff,	:	C.A. No.:
v.	:	
THELMA C. SCOTT TRUST, Owner of Record; Last Known Trustee, Thelma C. Scott (deceased)	:	Tax Parcel No. 18-018.00-138
Defendant.	:	

WRIT OF MONITION

1. The assessment rolls and records of the City of Newark, Plaintiff above show the following:

a. That the tax parcel number of the real property known as 919 Rockmoss Avenue, New Castle County, Delaware is 18-018.00-138 (the Property");

b. That the principal amount of unpaid taxes assessed and levied against the Property by the City of Newark from 1994 through May 5, 2015 are $ 7,382.64. The penalties and interest on said outstanding taxes for this same period are $60,753.81, resulting in the total amount of unpaid taxes, interest and penalties for this period of $68,136.45.

c. The charges for maintenance done through public expenditure are due in the principal amount of $8,865.00 for the years 2014 through 2015. The total interest/penalties thereon are $588.37. The total amount due for maintenance, interest and penalties as of the date of this filing is $9,453.37.

d. That in 2011, the City of Newark loaned $19,124.38 to pay for certain necessary structural repairs to the Property.

2. Thelma C. Scott, an individual, died testate on February 26, 1994, as set forth in Register

of Wills File 106583, and by whose Last Will and Testament dated September 7, 1993 did bequeath and devise the Property to the Trustee of the Revocable Trust of Thelma C. Scott (the "Trust"), also dated September 7, 1993. The beneficiary of the Trust was Thelma C. Scott's son, George B. Scott.

3. Prior to her passing, Thelma C. Scott served as Trustee of the Trust. Upon her death, Thelma C. Scott designated that the successor Trustee shall be chosen by Donald W. Nicholson and/or Linda Lewis (McKee).

4. The Trust further provided that if beneficiary George B. Scott died intestate or without exercising a limited power of appointment, then the Trust was to be distributed, "outright and free from trust" to: Edgar Coughenour, Linda Lewis (McKee), the University of Delaware, the Delaware Humane Association, and the Wesleyan Church of Newark (collectively, "Remaindermen").

5. George B. Scott died intestate on or about January 17, 2013, upon information and belief, without exercising any power of appointment regarding the disposition of the Property. During George B. Scott's lifetime, neither Donald W. Nicholson nor Linda Lewis McKee knew of the existence of the Trust, or of their ability to select a Trustee. Accordingly, the last known Trustee was decedent Thelma C. Scott.

6. Remainderman Edgar Coughenour passed away on January 30, 2013, shortly after the death of George B. Scott. The personal representative of Edgar Coughenour's Estate is Judith Gustafson.

7. After the death of George B. Scott, the City of Newark Building Inspector discovered there was raw sewage collecting in the basement of the property. As a result, and due to the deplorable, unsafe and dilapidated condition of the Property, the Building Inspector condemned the Property.

8. Due to said condition of the Property, and the delinquent taxes thereon, each of the Remaindermen have disclaimed any interest in the Property.

9. The real property known as 919 Rockmoss Avenue, Newark DE, and further identified as Tax Parcel Number 18-018.00-138, is more particularly bounded and described as follows:

> **ALL** that certain lot, piece or parcel of land with the dwelling house thereon erected, situate in White Clay Creek Hundred, New Castle County and State of Delaware, known as Lot No. 20, Block D on a Plat of CHERRY HILL, Section III, as prepared by Edward H. Richardson Associates, Inc., Civil Engineers and Surveyors, dated March 18, 1963, recorded in the Office of the Recorder of Deeds, New Castle County, Delaware in Microfilm Record No. 827.
>
> **SUBJECT**, however, to the restrictive covenants as contained and more fully set forth in a certain Declaration of Monarch Builders, Inc., a Delaware corporation, dated March 26, 1964, and of record in the Office aforesaid in Deed Record R, Volume 72, Page 1.
>
> **BEING** a part of the same lands and premises which Monarch Builders, Inc., by Deed dated June 14, 1966, and of record in the Office of the Recorder of Deeds, New Castle County, Delaware in Deed Record F, Volume 77, Page 166, did grant and convey unto Thelma C. Scott, Inc., party hereto, in fee.

10. The City of Newark is entitled to recover sums expended by the City of Newark for the title search costs, Prothonotary fees, Sheriff fees, and other costs.

11. A copy of the bill or bills showing (i) the amount of taxes and/or assessments due and owing; (ii) the property against which the taxes or assessments was made or levied; and (iii) the tax parcel number of such property as appears upon the assessment rolls and records of the City of Newark, are attached as Exhibit "A" and made part hereof.

12. A copy of the loan documents is attached as Exhibit "B" and made part hereof.

13. A copy of (i) the referenced Estate documentation from the Register of Wills; (ii) the Last Will of Thelma C. Scott; and (iii) The Thelma C. Scott Revocable Trust, are attached as Exhibit "B" and made part hereof.

NOW THEREFORE, please make a record of this Writ of Monition on the Special Judgment Docket of the Said Superior Court as authorized by Article V, Section 501.21 of the *Charter of the City of Newark* taking effect as provided in Chapter 8 of Title 22 of the Delaware Code and Chapter 260, Volume 53 of the Laws of Delaware;

and made applicable to the collection of additional liens for public maintenance of the Property pursuant to 25 Del. C. §2901.

CITY OF NEWARK

/s/ Paul E. Bilodeau
Paul E. Bilodeau, Esq. (#2683)
Deputy City Solicitor,
City of Newark
1813 N. Franklin Street
Wilmington, DE 19802
(302) 656-6899
(302) 656-3081 fax
pbilodeau@delaw.org

Dated: May 6, 2015

MONITION

TAKE WARNING:

To all persons having or claiming to have title, interest, or lien upon the within described premises, take warning that unless the judgment for the taxes or assessments stated herein is paid within twenty (20) days after the date hereof, or within such period of twenty (20) days evidence of payment of the taxes or assessments herein claimed filed in the Office of the Prothonotary, which evidence shall be in the form of a receipted bill or duplicate thereof, bearing a date prior to the filing of the in the Office of the Prothonotary for New Castle County, the City of Newark may proceed to sell the property herein mentioned or described for the purpose of collecting the judgment for the taxes or assessments herein stated.

Property address/location: 919 Rockmoss Avenue, Newark, Delaware 19711
Tax Parcel Number: 18-018.00-138

Person in whose name the subject property is assessed: Thelma C. Scott Trust

Year(s)
Taxes: 1994 through 2015
City Loan for Structural Improvements, 2011
Property maintenance, 2014-2015

Principal Amount of Judgment
Taxes: 7,382.64
Penalties/Interest: $60,753.81
City Loan: $19,124.38
Property maintenance: $9,453.37

TOTAL PRINCIPAL AMOUNT AS OF FILING DATE: $96,714.20

Plus: Interest and penalties, title search costs, Prothonotary fees, Sheriff costs and fees, and attorney costs and fees.

ISSUED this day of , 2015. POSTED this day of , 2015.

Prothonotary in and for New Castle County

Sheriff of New Castle County

EFiled: May 06 2015 01:39PM EDT
Transaction ID 57190746
Case No. N15J-02236

EXHIBIT "A"

REAL ESTATE TAX STATEMENT

FOR THE TAX PERIOD
July 1, 2014 to June 30, 2015

DATE PREPARED: 05/06/2015
DUE DATE: 5/31/2015
TOTAL DUE: $68,136.45

Real Estate Tax Office
220 South Main Street
Newark, DE 19711-4562
Phone: (302) 366-7000

PARCEL NUMBER: 1801800138
PROPERTY LOCATION: 919 ROCKMOSS AVENUE, NEWARK, DE 19711
When calling about this statement, please refer to the parcel number above.

AMT. ENCLOSED: _____

Make checks payable to: CITY OF NEWARK
VISA & MASTERCARD also accepted by phone

99999

SCOTT THELM C TRUST
919 ROCKMOSS AVENUE
NEWARK, DE 19711

Please make corrections to MAILING ADDRESS below.

_____
_____
_____

Please return top portion with payment. Thank You

REAL ESTATE TAX STATEMENT

DATE PREPARED: 05/06/2015
TAX PERIOD: July 1, 2014 to June 30, 2015
PARCEL NUMBER: 1801800138

LOCATION: 919 ROCKMOSS AVENUE, NEWARK, DE 19711

99999

OWNER NAME: SCOTT THELM C TRUST

ASSESSMENT: LAND:	$12,300.00
BUILDING:	$57,400.00
	$0.00
NET ASSESSMENT:	$69,700.00
CURRENT TAX RATE:	PRORATED%
***CURRENT BILLING:**	$0.00
**** PRIOR TAXES DUE:**	$68,136.45
INCLUDING PEN/INT	
TOTAL DUE:	$68,136.45
DUE DATE:	**5/31/2015**

REMIT TO: City of Newark
Real Estate Tax Office
220 South Main Street
Newark, DE 19711-4562
Phone: (302) 366-7000

When calling about this statement,
please refer to the parcel number above.

Keep this portion for your records.

*A 5% penalty will be assessed on current billing on the due date.
**Interest will accrue at 1.5% per month on all Prior Taxes Due.

NEWARK DELAWARE
Committed to Service Excellence

FINANCE DEPARTMENT
CITY OF NEWARK
220 South Main Street • Newark, Delaware 19711

(302) 366-7000 • Fax (302) 366-7169 • www.cityofnewarkde.us

May 5, 2015

Paul E. Bilodeau, Esquire
Losco & Marconi, P.A.
1813 N. Franklin Street
Wilmington, DE 19802

RE: 919 Rockmoss Avenue, Newark DE 19711
Parcel Number 18-018.00-138

Dear Mr. Bilodeau,

At your request, please find below a listing of real estate taxes and property maintenance charges currently due for the above referenced property.

Real Estate Taxes:

Beg Year	End Year	Interest	Principal	Payments	
1994	1998	$ 30,479.62	$ 1,331.42	$ (100.00)	received 01/28/2013
1998	1999	5,251.91	271.83		
1999	2000	4,347.99	271.83		
2000	2001	3,592.12	271.83		
2001	2002	3,187.59	292.74		
2002	2003	2,618.18	292.74		
2003	2004	2,141.92	292.74		
2004	2005	1,826.54	306.68		
2005	2006	1,511.02	313.65		
2006	2007	1,410.34	364.74		
2007	2008	1,119.91	364.74		
2008	2009	893.58	371.71		
2009	2010	715.56	387.39		
2010	2011	621.80	450.12		
2011	2012	446.42	450.12		
2012	2013	318.27	478.00		
2013	2014	190.82	485.18		
2014	2015	80.22	485.18		
Total Real Estate Tax History		$ 60,753.81	$ 7,482.64	$ (100.00)	

Net Amount Due (full balance through May 31, 2015) $ 68,136.45

NEWARK DELAWARE
Committed to Service Excellence

FINANCE DEPARTMENT
CITY OF NEWARK
220 South Main Street • Newark, Delaware 19711

(302) 366-7000 • Fax (302) 366-7169 • www.cityofnewarkde.us

Property Maintenance Charges:

Work Performed	Service Date	Code Section	Fee Total	Int/Pen Charge	Amount Due
Prop Maintenance	5/15/2014	17-5	$5,895.00	$ 552.99	$6,447.99
Grass Cutting	8/22/2014	16-24	90.00	6.28	96.28
Grass Cutting	9/5/2014	16-24	90.00	5.56	95.56
Grass Cutting	9/19/2014	16-24	90.00	5.56	95.56
Grass Cutting	10/3/2014	16-24	90.00	4.85	94.85
Grass Cutting	10/17/2014	16-24	90.00	4.85	94.85
Grass Cutting	11/7/2014	16-24	90.00	4.14	94.14
Grass Cutting	11/28/2014	16-24	90.00	4.14	94.14
Snow Removal	3/6/2015	26-3(h)	90.00	-	90.00
Prop Maintenance	3/31/2015	17-5	2,250.00	-	2,250.00
Amount Due (balance through May 31, 2015)			$8,865.00	$ 588.37	$9,453.37

The total amount due for real estate taxes and property maintenance charges is $77,589.82. Other amounts for loans, grants or other fees from other sources will need to added to this amount to arrive at a total amount due to the City of Newark.

Please call if you have any questions.

Sincerely,

James W. Smith, Accountant
City of Newark, Delaware
jsmith@newark.de.us

EXHIBIT "B"

NEWARK DELAWARE
Committed to Service Excellence

PLANNING AND DEVELOPMENT DEPARTMENT
CITY OF NEWARK
220 South Main Street • Newark, Delaware 19711

(302) 366-7030 • Fax (302) 366-7160 • www.cityofnewarkde.us

March 10, 2015

Thelm C. Scott Trust
919 Rockmoss Ave
Newark, DE

To Whom It May Concern:

This letter serves as notification that the loan provided under the City of Newark's Home Improvement Program (HIP), for the property at 919 Rockmoss Ave, Newark, Delaware, in the amount of $19,124.38, is required to be paid in full. The terms of the loan were set at 0% interest and deferred-payment as long as George Scott and Rowena Scott are the occupants of the property at 919 Rockmoss Avenue, Newark, DE. The unpaid balance of the loan is $19,124.38.

Please make the check payable to the "City of Newark" in the amount of nineteen thousand, one hundred twenty-four and 38/100 dollars ($19,124.38).

If you have any questions or require any additional information, please feel free to contact me at (302) 366-7000 ex: 2041.

Sincerely,

Michael Fortner
Development Supervisor.

20111213-0074753
Pages: 1 F: $42.00
12/13/11 05:16:33 PM
T20110039711
Michael E. Kozikowski
New Castle Recorder MTG

Parcel # 18-018.00-138
Return to: Mike Fortner
Prepared by: City of Newark
220 Elkton Road
Newark, DE 19711

MORTGAGE

THIS MORTGAGE, made this 20 day of June, 20 11.

BETWEEN Thelm C. Scott Trust
(hereinafter called Mortgagors) and The City of Newark, Delaware (hereinafter called Mortgagee).

WHEREAS, Mortgagors, in and by their certain obligation bearing even date herewith, stand bound unto Mortgagee in the amount of Nineteen Thousand One Hundred Twenty-Four and 38/100s Dollars ($ 19,124.38).

NOW THIS MORTGAGE WITNESSETH, that Mortgagors, in consideration of the aforesaid debt and for securing payment of the same with interest, costs and counsel fees, do hereby grant and convey unto Mortgagee, its successors and assigns:

ALL that certain lot, piece or parcel of land situate in The City of Newark, New Castle County, and State of Delaware, more particularly described in deed of
Thelm C. Scott Trust
(Name(s) of Grantor(s) in Deed)

dated_____, 20____, and recorded in the office for the Recording of Deeds at Wilmington, Delaware, in Deed Record _____, Volume _____, Page _____, which description is herein incorporated by reference, and otherwise known as 919 Rockmoss Ave.
(Street Address, if any)

And as additional security for payment of the aforesaid debt, etc., Mortgagors hereby assign to Mortgagee all rents, profits, rights and benefits accruing under all leases now or hereafter placed on said premises, and the lessee, assignee or sublessee is hereby directed on production of this mortgage, or certified copy thereof, to pay said rents, profits, rights and benefits to Mortgagee. In the event of default in the terms and conditions of this mortgage or the obligation secured hereby, Mortgagee shall have the right peaceably to enter upon and take possession of said premises and assume control of the transactions having to do with rents and profits, to collect the same and to apply them to payment of the aforesaid debt, etc.

And should Mortgagors, by reason of any insurance, receive any sum or sums for any damage by reason of any hazard whatsoever to the said premises, such moneys shall be applied toward payment of the aforesaid debt, etc., or for other purposes satisfactory to Mortgagee, without diminishing the lien of this mortgage. In case of loss under any of the aforesaid policies of insurance, each insurance company covering such risk or risks is hereby authorized and directed to make payment for the loss directly to Mortgagee.

PROVIDED, NEVERTHELESS, that if at any time there shall be a default in payment of principal or interest when due on the obligation secured hereby, or in payment of taxes or charges assessed against said premises; or in the prompt and continuous maintenance of insurance satisfactory to Mortgagee; or if, at any time hereafter before the payment and discharge of the aforesaid debt, etc., Mortgagors shall convey, transfer or assign all or any part of the said premises or any legal or equitable interest therein; or if Mortgagors shall commit or permit the commission of waste; then the aforesaid debt shall, at the option of Mortgagee, become due and payable immediately, and it shall be lawful for Mortgagee, if it so elects, to sue out and issue a writ of scire facias on this mortgage, and to proceed thereon to judgement, executive and sale for the collection and recovery of the whole of said debt, together with counsel fees of 5% of the amount decreed for principal and interest, costs, damages and expenses of such proceedings.

IN WITNESS WHEREOF, we have hereunto set our Hands and Seals the day and year aforesaid.

Signed, sealed and delivered
in the presence of:

Michael Fortner

X George B Scott (SEAL)
George Scott

X Rowena I Scott (SEAL)
Rowena Scott

STATE OF DELAWARE

COUNTY OF NEW CASTLE

BE IT REMEMBERED that on this 20th day of June, A.D. 20 11, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid.

part _____ to this Instrument of Writing, known to me personally to be such, and severally

acknowledged this Instrument of Writing to be (his) (her) (their) Deed.

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

Elizabeth A. Donnell

MORTGAGE BOND

(DEFERRED LOAN)

KNOW ALL BY THESE PRESENTS, FOR VALUE RECEIVED, **Thelm C. Scott Trust of 919 Rockmoss Ave, Newark DE,** hereinafter referred to as "Obligor", hereby acknowledges to be indebted to the City of Newark, hereinafter referred to as "Obligee", Newark being a corporate and political body under the laws of the State of Delaware, in the principal sum of **Nineteen Thousand One Hundred Twenty-Four and 38/100s Dollars ($19,124.38)**

The Obligor hereby covenants that he or she will not sell, nor move from the property, nor convey any of his or her interest, legal or equitable, in said property, which is subject to the mortgage referred to herein. Obligor covenants that in the event he or she shall move from or convey any of his or her interest, legal or equitable, in the subject property, he or she shall pay Obligee the entire principal amount of **Nineteen Thousand One Hundred Twenty-Four and 38/100s Dollars ($19,124.38)** which is awarded Obligor under this agreement.

This note is secured by a mortgage covering the premises therein described, bearing even date herewith, executed by Obligor in favor of said City of Newark and intended to be forthwith recorded in the Office of the Recorder of Deeds, in and for New Castle County. All covenants and agreements contained in said mortgage are hereby made a part of this instrument.

This agreement to loan Obligor the aforementioned sum is premised upon previous assertions made by Obligor concerning his or her personal and financial status. Obligor signed an affidavit attesting to their accuracy on **June 20, 2011**. Should these assertions be found false, for whatever reason, the Obligor, at the option of the Obligee, may be considered to be in default.

Obligor shall keep and maintain at all times for the benefit of the Obligee, a policy or policies of insurance on the premises covered by the aforesaid mortgage until the full discharge of this obligation. Such policy or policies shall be adequate to insure against all hazards and further be satisfactory in all respect to said Obligee. Obligor shall pay each year all taxes and assessments, for the current year, assessed upon said premises.

Obligor shall have the privilege to prepay this note at any time, relieving Obligor of all aforementioned conditions. Such repayment shall be upon the same scale which

would be applicable if the Obligor had moved from or transferred his or her interest in property. There shall be no penalty imposed for the exercise by Obligor of his or her rights under this provision.

It is hereby expressly agreed that if at any time default is made in the payment of any taxes and assessments on the day whereon the same is made due and payable, or in prompt and continuous maintenance of said insurance, or if it at any time hereafter before discharge of this obligation, the said Obligor shall transfer, convey or assign all or any part of the premises covered by the mortgage securing this note, or any interest, legal or equitable, therein, or if at any time the said Obligor shall fail to keep said premises in good order, or if said Obligor shall commit or permit the commission of waste in said premises, or if said Obligor shall fail to comply with any other covenant or provision of said mortgage or this obligation, then and in each such case, the whole principal debt aforesaid shall, at the option of said Obligee, become due and payable immediately, and payment of the principal debt may be enforce and recovered at once, anything herein contained to the contrary notwithstanding.

No delay, failure or omission by Obligee, upon any default of the Obligor, to exercise any right or remedy hereby granted to it or allowed by law shall constitute a waiver of rights to exercise such right or remedy upon such default or upon any subsequent default.

The covenants and agreements herein contained shall bind and the benefits and advantages shall inure to the respective heirs, executors, administrators, successors and assigns of the parties hereto. Whenever used, the singular number shall include the plural and the plural the singular.

IN WITNESS WHEREOF, we have hereunto set our hands and Seals.

SIGNED AND SEALED THIS 20th DAY OF June, 2011

Witness

X Angela B. Scott

X Howard F. Scott

Obligor(s)

Sworn to before me this 20th Day of, June, 2011.

Elizabeth A. Dowell

Notary Public

NOT AND STATEMENT OF LOAN/DEFERRED AN

DATE: 6/20/11 CASE NO. _____

BORROWER: Thelma C. Scott Trust
919 Rockmass Ave
Newark, DE 19711

LENDER: New Castle County/Comm. Dev. & Housing
City/County Bldg., 800 French Street
Wilmington, DE 19801

TYPE OF LOAN	AMOUNT FINANCED	RATE	NO.OF PAYMENTS	FIRST PAYMENT DUE	DUE DATE EACH MONTH
Deferred	$19,124.38	0%	N/A	N/A	N/A

PAYMENT AMOUNT	PAYMENT TOTAL	DATE OF FINAL PYMT.	FINANCE CHG. $ 0 INTEREST 0
$19,124.38	$19,124.38	N/A	SERVICE CHARGE $ 0

A Security interest is taken in the following real property: All those certain lots, pieces or parcels of land situated in Hundred, New Castle County and State of Delaware and recorded in the New Castle County Recorder of Deeds Office in Deed Record / / / which descriptions are incorporated herein by reference and otherwise known as

Default: Borrower agrees to pay a late charge of 2% of any installment which is not paid within 15 days from the date it is due. Default in making of any payment due hereunder, or any part thereof, or any other default, shall at the option of the holder upon notice and demand, render the then unpaid balance immediately due and payable.

INTEREST will be charged on any unpaid balance after maturity at the rate of 8% per annum.

REBATE FOR PRE-PAYMENT: - Upon pre-payment in full, Borrower shall be rebated the unearned portion of pre-computed interest.

AMOUNTS ADVANCED TO BORROWER AND/OR TO OTHERS ON HIS BEHALF.

TO: Nineteen Thousand One hundred twenty four ~~dollars~~ & 38/100 Dollars $ 19,124.38 NET CASH TO BORROWER _____ $ _____

FOR VALUE RECEIVED, the undersigned, hereinafter "BORROWER", jointly and severally promise to pay to the order of the above named "LENDER" or designated Agent the above stated Total of Payments, which includes precomputed charges as stated above, in the manner above setforth. Borrower further agrees to maintain fire and liability insurance and to pay promptly all tax and sewer assessments.

(WITNESS)

BORROWER HEREBY ACKNOWLEDGES RECEIPT OF A COMPLETED COPY OF THIS NOTE AND STATEMENT OF LOAN. X Lawrence B Scott

X Lawrence B Scott

EXHIBIT "C"

Will Details for SCOTT, THELMA C

Will File #:	106583
Date of Death:	2/26/1994
Date Estate Opened (Testamentary):	3/8/1994
Date Estate Opened (Administration):	
Inventory Due Date:	6/8/1994
Date Inventory Filed:	12/30/1994
Date NC1 Expire:	
Accounting Due Dates:	3/8/1994
Accounting Received Dates:	5/5/1995
Accounting Closed Dates:	5/5/1995
Date Closed:	
Date Cleared:	
Decedent Address:	919 ROCKMOSS AVENUE NEWARK, DE 19711
Attorney:	LYNCH, F. EDMUND, ESQ. WOLOSHIN, LYNCH, NATALIE & GAGNE P.O. BOX 7329, 3200 CONCORD PIKE WILMINGTON, DE 19803-7329 302-477-3200
Opening Deputy:	
Closing Deputy:	
Other Info:	WILL
Claims:	

Personal Representatives

Name	Street Address	City	State	Zip
SCOTT, GEORGE B	919 ROCKMOSS AVENUE	NEWARK	DE	19711

WILL

OF

THELMA C. SCOTT

I, THELMA C. SCOTT, of New Castle County, Delaware, declare this to be my will and revoke all my prior wills and codicils thereto.

ARTICLE 1: Tangible Personal Property:

A. I give all of my tangible personal property (other than tangible personal property used in a trade or business) to my son.

B. I give my policies of insurance on any tangible personal property to the beneficiary of such property.

C. Notwithstanding the provisions of paragraph A, I anticipate that I may leave with my personal papers a memorandum expressing my wishes about disposition of some of my personal and household effects. I intend such memorandum to be mandatory pursuant to 12 Del. C. §212. In the event my executor is unable to locate such a memorandum within 30 days following my death, it shall be conclusively presumed that such a memorandum does not exist.

ARTICLE 2: Residuary Estate:

I give the residue of my estate, real and personal, wherever situate, to the trustee under the trust agreement which I executed earlier today as an addition to the principal of such trust.

ARTICLE 3: Source of Funds for Payment of Taxes, Debts, Etc.:

A. Costs of administration of my estate, my debts, the expenses of my last illness and funeral, and all legacy, succession, inheritance, transfer and estate taxes levied or assessed on my estate shall be paid out of the residue of my estate. Despite the foregoing, the residue of my estate shall not be obligated to bear:

1. Taxes imposed on generation-skipping transfers under Chapter 13 of subtitle B of the Code, or a corresponding provision of state law;

2. Additional estate or inheritance taxes imposed

106553

because of application of Section 2032A(c) of the Code, or a corresponding provision of state law, relating to disposition of, or failure to use for a qualified use, certain farm and real property;

B. No tax which is payable out of the residue of my estate under paragraph A, however paid, shall be prorated or apportioned among or charged against the respective interest of any devisee, legatee, beneficiary, transferee, or other recipient or be charged against any property passing or which may have passed to any of them. My executor shall not be entitled to contribution or reimbursement for any portion of such tax from any such person, despite any statute or rule of law to the contrary. Notwithstanding the preceding provisions, my executor shall be entitled to recover from the trustee of the trust executed by me earlier today funds necessary to pay costs, death taxes, debts, or expenses payable out of the residue of my estate, or to direct the trustee to pay such costs, death taxes, debts, or expenses directly to the collecting agency thereof, to the extent that the residue of my estate is inadequate to pay such costs, death taxes, expenses or debts.

C. Taxes on all future interests may be prepaid in the same manner provided for payment of other taxes.

D. Any or all of the provisions of this Article shall be subject to any contrary and explicit provisions of other instruments creating interests includable in my taxable estate.

E. I specifically direct that any fiduciary having control of United States Treasury Bonds or notes useable to pay federal death taxes shall so use them.

F. All federal or state generation skipping transfer taxes (including the tax imposed by §2601 et seq. of the Code, shall be charged directly to the property constituting such transfer.

G. Interest and penalties concerning any tax shall be paid and charged in the same manner as the tax.

ARTICLE 4: Administration Expenses:

My executor is authorized to use administration expenses as deductions for estate tax purposes or income tax purposes and to use date of death values or optional values for estate tax purposes, regardless of the effect on any interests under this will. There shall be no adjustment of such interests by reason of any actions taken by my executor pursuant thereto.

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ARTICLE 5: Fiduciary Powers:

In addition to those powers granted by law, my executor is authorized, without the leave of any court and with regard to all property at any time held in my estate until distribution of such property is made:

A. To retain all property in the original form received;

B. To sell or exchange, to lease or give options for periods of time even longer than estate administration, or any trust hereunder, or otherwise to dispose of any property, publicly or privately, for cash or credit or partly for each, without obligation to repudiate any offer made hereunder in favor of better offers;

C. To invest in or purchase all forms of property (including but not limited to shares of investment companies and common funds) without duty to diversify, irrespective of the laws of investment and at premium or discount prices;

D. To vote directly or by giving proxies (ministerial or discretionary) any shares of stock including shares of stock in its own corporation if executor is a corporation;

E. To purchase or sell securities in any manner whatsoever, including, without limitation, the giving of puts and calls, borrowing on margin, and the writing of options; to join in any merger, consolidation, reorganization, voting trust plan, or other concerted action of stockholders to do any act or thing necessary in connection therewith, including delegation of discretionary duties with respect thereto;

F. To compromise claims;

G. To hold property unregistered or in the name of a nominee;

H. To divide or distribute property in cash or in kind or partly each, to do so without making pro rata distribution of specific assets and without the consent of any beneficiary;

I. To merge for investment purposes all property held in my estate or any trust hereunder other than any in any gift or trust which qualifies for the charitable deduction;

J. In addition to the powers conferred in Source of Funds For Payment of Taxes, Debts, Etc., to borrow from anyone and to pledge any property other than any in any gift or trust which

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qualifies for the charitable deduction;

K. To make loans;

L. To disclaim any interest I may have in property; and

M. To pay all packing, storage, shipping, insurance and other charges relative to the distribution of any tangible personal property in my estate.

No specific power conferred in this Fiduciary Powers Article shall be exhausted by the use thereof but each shall be continuing. The enumeration of such powers shall not be construed as a limitation upon the general powers of the fiduciary to perform any act that an individual might do with respect to such individual's own property.

ARTICLE 6: Protective Provisions:

A. No beneficiary hereunder shall be allowed to assign or anticipate any interest in any income or principal held or payable or other property distributable hereunder and no beneficiary's creditors shall be allowed to attach or otherwise reach any such interest.

B. However, any beneficiary shall be privileged at any time and from time to time in a writing delivered to my executor, to renounce or relinquish in whole or in part any interest in my estate and thereby to accelerate the next succeeding interest as if such beneficiary had died. If a beneficiary is unable to act, then such beneficiary's personal representative may so renounce such beneficiary's interest.

C. If any person states expressly in the writing contemplated by paragraph B, that he intends his act to be a qualified disclaimer as defined in Section 2518 of the Code and if such act otherwise meets such definition:

1. The person or persons receiving such interest shall be determined without regard to any directions on the part of the person making the disclaimer; and

2. The disclaimed interest shall pass to a person other than the person making the disclaimer.

ARTICLE 7: Provisions Regarding Fiduciaries:

A. Any fiduciary hereunder may renounce or resign at any time with or without cause.

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B. If there is no corporate fiduciary acting hereunder, then my executor may designate a corporation (regardless of where organized or headquartered) with fiduciary powers to act as agent or custodian hereunder, may delegate to it such duties as may be appropriate (including investment recommendation duties), may pay to it reasonable compensation for its services, and may discharge it with or without cause.

C. No fiduciary shall be required to file bond, execute any instrument appointing anyone to accept service of process, or file inventories or accounts of any kind unless specially ordered to do so on application of any beneficiary, my executor or trustee, or on a court's own motion.

D. If there is more than one fiduciary serving, then each serving may delegate for any period of time any or all duties he or she may have to any co-fiduciary or co-fiduciaries. Further, a co-fiduciary or co-fiduciaries shall have full authority to designate that checks and other banking documents may be executed with the signature of any one or more but less than all such co-fiduciaries.

E. No successor fiduciary shall be required to examine into the acts of his predecessor, and each successor fiduciary shall have responsibility only with respect to the property actually delivered to him by his predecessor.

ARTICLE 8: Appointment of Fiduciaries:

I appoint my son to act as executor of this will. If he fails to qualify or ceases to act, then I appoint DONALD W. NICHOLSON as his successor.

ARTICLE 9: Definitions and Interpretation:

A. "Executor" is the personal representative of an estate, and, when more than one is designated or is serving, any or all collectively as appropriate in context may be referred to in the neuter gender.

B. "Trustee" is the fiduciary or fiduciaries of a trust, and, when more than one is designated or is serving, any or all collectively as appropriate in context may be referred to in the neuter gender.

C. "Fiduciary" (unmodified) is both executor and trustee or either.

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D. "Or" connotes both conjunctive and disjunctive usage unless inappropriate in context.

E. "Code" means the Internal Revenue Code of 1986, as amended, or any corresponding federal tax statute enacted after the date of this will. A reference to a specific section of the Code refers not only to that section but also to any corresponding provision of any federal tax statute enacted after the date of this will, as in effect on the date of application.

F. "My son" is GEORGE B. SCOTT".

G. "Tangible personal property" includes any item of jewelry, personal or household effect, equipment or ornament, but excludes any documents or certificates constituting physical evidence of intangible personal property (such as notes, bank accounts, stock certificates, cash, etc.) or tangible personal property used in a trade or business.

H. Use of the verb "give" shall convey all interests in property, real, personal or mixed, in fee simple absolute unless further limited by express provisions to the contrary.

I. Use of any gender or term implying gender in this Will includes the masculine, feminine and neuter genders, as appropriate. Use of the singular number includes the plural and vice versa unless the context clearly requires otherwise.

Executed , 1993.

Thelma C. Scott (SEAL)
THELMA C. SCOTT

THELMA C. SCOTT signed the foregoing as her will, in our presence, who in her presence, at her request and in the presence of each other, have signed as witnesses the day and year last aforesaid. Unless otherwise indicated, all witnesses are residents of Wilmington, Delaware.

Jennifer Nixin ADDRESS 201 N Walnut St

Nathalie Blake ADDRESS 201 N Walnut St.

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STATE OF DELAWARE:

: SS.

NEW CASTLE COUNTY:

Before me, the subscriber, on this day personally appeared THELMA C. SCOTT, Jennifer Irwin, and Nathalie Klabe known to me to be the testatrix and the witnesses, respectively, whose names are signed to the foregoing instrument and, all of these persons being by me first duly sworn, THELMA C. SCOTT, the testatrix, declared to me and to the witnesses in my presence that the instrument is her last will, that she had willingly signed it, and that she executed it as her free and voluntary act for the purposes therein expressed; and each of the witnesses stated to me, in the presence and hearing of the testatrix, that he signed the will as a witness and that to the best of his knowledge, the testatrix was eighteen years of age or over, of sound mind and under no constraint or undue influence.

Thelma C. Scott
Testatrix

Jennifer Irwin
Witness

Nathalie Klabe
Witness

Subscribed, sworn and acknowledged before me by THELMA C. SCOTT, the testatrix, and subscribed and sworn before me by Jennifer Irwin, and Nathalie Klabe, witnesses, this 7th day of Sept, 1983.

Notary Public

My Commission Expires: N/A

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REVOCABLE TRUST

OF

THELMA C. SCOTT

The DATE of this instrument is Sept 7, 1993.

THELMA C. SCOTT of New Castle County, Delaware, ("trustor") transfers to herself, as trustee, the property set forth in Schedule A attached hereto and made a part hereof to be held in trust and administered as provided in this instrument.

ARTICLE 1: <u>During Trustor's Lifetime</u>:

Until my death:

A. All of the net income shall be distributed currently to me.

B. In addition, the trustee shall distribute to me so much of the principal as I request at any time or times in a writing delivered to the trustee.

C. During any period of my incapacity as a result of illness, accident, or any other cause, the trustee shall, notwithstanding anything contained in paragraphs A and B above to the contrary, pay over or directly apply so much of the net income and principal of the trust for my support, maintenance, comfort, recreation and welfare of me, and for the payment any taxes or other obligations for which I may be liable, at such times, in such amounts, and to such extent, as the trustee, in its sole discretion, deems to be in my best interest. The trustee shall from time to time accumulate any of the net income which is not so paid over or directly applied and shall add such accumulated income to the principal of the trust fund.

D. The trustee is authorized, upon my instructions, to give principal of the trust to such persons as I may direct in writing. Any such transactions shall be treated as gifts from me to the beneficiary of such principal.

ARTICLE 2: <u>After Trustor's Death</u>:

After my death, the remainder of the trust fund shall be administered, in trust, by the trustee as follows:

A. If my son survives me, until his death, the trustee may distribute, from time to time, so much of the net income and principal (even if all) to my son as the trustee, in his sole discretion, deems necessary for his health, support, maintenance and education. Any net income not so distributed shall be accumulated and added to principal.

B. At my son's death, the then remaining principal shall be distributed as my son shall have appointed, with specific reference to this limited power of appointment, in a written instrument delivered to the trustee, or by his duly probated will, provided that such appointment is not exercised in favor of my son, his estate, his creditors or the creditors of his estate.

C. Subject to the provisions of paragraph B, upon my son's death (or upon my death if my son does not survive me) the remaining principal and undistributed income shall be held as follows:

1. If my mother, BESSIE COUGHENOUR, is then surviving, the trustee may distribute, from time to time, so much of the net income and principal (even if all) to my mother as the trustee, in his sole discretion, deems necessary for her health, support and maintenance. Any net income not so distributed shall be accumulated and added to principal.

2. Upon my mother's death, (or upon the death of the last to die of my son and myself if my mother does not survive us), the remaining trust principal and undistributed income shall be distributed, outright and free of trust, as follows:

(a) The sum of $25,000 to my brother EDGAR COUGHENOUR if then surviving.

(b) The sum of $25,000 to my niece LINDA LEWIS if then surviving.

(c) The remainder to distributed in equal shares to the UNIVERSITY OF DELAWARE to establish a scholarship for the study of labor\management relations in the name of my son and myself, the DELAWARE HUMANE ASSOCIATION and WESLEYAN CHURCH OF NEWARK.

ARTICLE 3: Methods of Payment:

A. The trustee is authorized to make any payments or applications of income or principal from any trust hereunder to any beneficiary entitled to such payments in any manner the trustee deems to be to the best interests of such beneficiary, including:

1. To such beneficiary directly;

2. To such beneficiary's guardian of the person or property or both (whether formally appointed or not);

3. To the person with whom such beneficiary resides;

4. By mailing to such beneficiary's last-known address;

5. By depositing to the bank account of such beneficiary; and

6. By the trustee directly to third persons for the benefit of such beneficiary.

B. The receipt for any payment or application of income or principal made in conformity with the above provisions shall fully discharge the trustee from any further liability therefor.

C. Unless expressly otherwise directed elsewhere in this instrument, all payments of trust income which are currently distributable shall be made in convenient installments but not less frequently than quarter-annually.

D. In the case of an interest of a beneficiary terminating before actual payment of income to such deceased beneficiary, income (including that accrued prior to the termination of the preceding interest) shall be paid to the holder of the succeeding interest.

ARTICLE 4: Protective Provisions:

A. No beneficiary hereunder shall be allowed to assign or anticipate any interest in any income or principal held or payable hereunder and no beneficiary's creditors shall be allowed to attach or otherwise reach any such interest.

B. However, any beneficiary shall be privileged at any time and from time to time in a writing delivered to the trustee to renounce or relinquish in whole or in part any interest under this trust and thereby to accelerate the next succeeding interest as if such beneficiary had died. A beneficiary may disclaim an interest in any trust created hereunder while retaining an interest in other trusts created hereunder. If a beneficiary is unable to act, then such beneficiary's personal representative may so renounce such beneficiary's interest.

C. If any person states expressly in the writing contemplated by paragraph B, that he intends his act to be a qualified disclaimer as defined in Section 2518 of the Code and if such act otherwise meets such definition:

1. The person or persons receiving such interest shall be determined without regard to any directions on the part of the person making the disclaimer; and

2. The disclaimed interest shall pass to a person other than the person making the disclaimer.

ARTICLE 5: Minority or Other Incapacity:

A. If any income or principal is distributable hereunder to any beneficiary who is under the age of 21 or is incapacitated and unable to properly handle his own affairs, then the trustee may make such distribution in any of the following manners:

1. Trustee may distribute such property to such beneficiary free from trust.

2. Trustee may distribute such property to such beneficiary's guardian of the person or property or both (whether formally appointed or otherwise).

3. Trustee may apply such property for the benefit of such beneficiary.

4. Trustee may hold such property in a separate trust for the benefit of such beneficiary. Until such beneficiary attains age 21 or regains capacity:

(a) Trustee may pay or apply so much of the income and principal for the health, maintenance, support and education of such beneficiary and such beneficiary's dependents in such manner and amounts as trustee deems to be to the best interest of such beneficiary and such beneficiary's dependents.

(b) Trustee shall accumulate the balance of any net income not so distributed and treat it thereafter as principal.

(c) Such beneficiary's trust shall be vested in interest in and shall be distributed to such beneficiary free of trust upon his

attaining age 21 or upon the termination of his incapacity. If the beneficiary dies before such distribution, Trustee shall distribute such trust to such beneficiary's estate.

(d) Prior to exercising its discretion to establish a separate trust for a beneficiary under this Paragraph 4, trustee shall consider the impact of the generation-skipping transfer tax imposed under Chapter 13 of the Code.

5. In the event that property is distributable to any person who has not attained age 21, trustee may distribute such property to an adult or bank or trust company designated by trustee as the custodian for such person under a Uniform Gifts to Minors Act or similar statute of any state, and such property shall thereafter be held, administered and distributed in accordance with such statute until such person attains the age designated by trustee but no later than when such person attains age 21.

6. The proof of distribution made in conformity with the above provisions shall fully discharge trustee from any further liability for the distributed property.

B. The fact of incapacity or regaining of capacity shall be determined solely by the trustee.

C. The provisions of this article shall be subject to any specific provisions to the contrary elsewhere in this instrument.

ARTICLE 6: Additions:

At any time or times, I (and anyone else with the consent of the trustee) may add to the trust fund, or any share or portion of it, by transferring or making payable to the trustee any property, including proceeds of life insurance policies.

ARTICLE 7: Amendment and Revocation:

I may at any time by an instrument in writing delivered to the trustee modify, alter, or terminate this agreement, either in whole or in part, except that the duties, powers and liabilities of the trustee shall not be changed substantially without consent of the trustee. Those insurance policies or other property with reference to which the agreement is terminated shall be delivered to me or

my nominee or assignee upon payment to the trustee of any expenses incident thereto.

ARTICLE 8: Extraordinary Payments or Loans:

A. Regardless of any assets then held in my estate, the trustee is authorized (but not directed) to use any assets contained in this trust:

1. To pay directly to the collecting agency thereof such additional legacy, succession, inheritance, transfer and estate taxes levied or assessed on my estate certified by my executor as being caused by the inclusion of the trust property or any part thereof in my estate, (using for this purpose, if available, any United States Treasury Bonds or notes useable in payment of federal death taxes); and

2. To make loans to my executor to put the latter in funds with which to pay debts of my estate (but only if such loans for payment of such debts are necessary to obviate the need of liquidating property in my estate), costs of my estate administration, expenses of my last illness and funeral, and any pecuniary bequests made under my will, certified by my executor as being necessary or desirable to be paid from such loans.

B. 1. The trustee is authorized to pay such expenses as are necessary in connection with the administration of the trust assets on account of my death, including, without limitation, expenses incurred in preparing federal, state and local death tax returns. However, all such expenses shall be charged against the residuary trust.

2. The trustee is also directed to pay to my executor or directly to the collecting agency thereof from the residuary trust amounts certified by my executor as being necessary or desirable to pay expenses, death taxes, and debts of my estate to the extent and only to the extent that my executor certifies to the trustee that the residue of my estate is insufficient to pay such expenses, death taxes, and debts pursuant to paragraph B of Article 3 of my will.

3. No such payments shall be made from any assets which are not includable in my estate for federal estate tax purposes or from assets if such payment would cause the inclusion of such assets in my estate for the purposes of any state death tax, except, in the case of expenses authorized under paragraph 1, to the extent that such expenses are directly attributable to the

administration of such assets in connection with my death.

C. No payment or loan pursuant to this Article shall be made from any gift or trust which qualifies for the charitable deduction.

D. If at any time a generation skipping transfer tax under §2601 et seq. of the Code, or any state law, is payable as a result of transfer of property from any trust hereunder, the tax shall be charged to the property constituting such transfer.

E. Any or all of the provisions of this Extraordinary Payments Or Loans Article shall be subject to any contrary and explicit provisions of other instruments creating interests includable in my estate.

ARTICLE 9: Fiduciary Powers:

In addition to those powers granted by law, the trustee is authorized, without the leave of any court and with regard to all property at any time held in trust hereunder, until distribution of such property is made:

A. To retain all property in the original form received;

B. To sell or exchange, to lease or give options for periods of time even longer than any trust hereunder, or otherwise to dispose of any property, publicly or privately, for cash or credit or partly for each, without obligation to repudiate any offer made hereunder in favor of better offers;

C. To invest in or purchase all forms of property (including but not limited to shares of investment companies and common funds) without duty to diversify, irrespective of the laws of investment, and at premium or discount prices;

D. To vote directly or by giving proxies (ministerial or discretionary) any shares of stock including shares of stock in its own corporation if the trustee is a corporation;

E. To purchase or sell securities in any manner whatsoever, including, without limitation, the giving of puts and calls, borrowing on margin, and the writing of options; to join in any merger, consolidation, reorganization, voting trust plan, or other concerted action of stockholders to do any act or thing necessary in connection therewith, including delegation of discretionary duties with respect thereto;

F. To compromise claims;

G. To hold property unregistered or in the name of a nominee;

H. To divide or distribute property in cash or in kind or partly each, to do so without making pro rata distribution of specific assets and without the consent of any beneficiary;

I. To merge for investment purposes all property held in any trust hereunder other than any in any gift or trust which qualifies for the charitable deduction;

J. To borrow from anyone, including my executor, and to pledge any property other than any in any gift or trust which qualifies for the charitable deduction;

K. To make loans; and

L. To divide into separate trusts, one trust with an inclusion ratio of zero and one trust with an inclusion ratio of one for purposes of the federal generation skipping transfer tax, and to merge such trusts, from time to time. Any such merger or division shall be done in accordance with the fair market value of the assets of the trust at the time of the division or merger; and

M. To retain accountants, investment counsel, attorneys-at-law, and other professional advisors without diminution of compensation otherwise payable to Trustee.

No specific power conferred in this Fiduciary Powers Article shall be exhausted by its use, but each shall be continuing. The enumeration of such powers shall not be construed as a limitation upon the general power of the trustee to perform any act that an individual might do with respect to one's own property.

ARTICLE 10: <u>Insurance</u>:

Upon my death, the trustee shall collect all proceeds payable under all life insurance policies contained herein. The trustee is authorized to execute and deliver valid receipts and complete discharges to the insurance companies, and to do all acts necessary for collecting such proceeds, except that the trustee shall not be under any duty to institute any suit or proceedings unless expenses, including counsel fees and costs, are guaranteed in a manner reasonably satisfactory. The trustee may pay out of the trust fund all expenses incurred in collecting or attempting to collect any proceeds from any insurance company by suit or otherwise and may repay any advances made.

ARTICLE 11: Situs:

This instrument creates a trust with situs in Delaware, and all matters pertaining to its validity, construction or administration or concerning rights or beneficial interests shall be governed by Delaware law.

ARTICLE 12: Consolidation of Trusts:

If at any time a trustee is holding any trust under this instrument or any other instrument created by me, or by any other member of my family, for the primary benefit of the same person or persons and upon substantially the same terms, the trustee may, in its sole discretion, consolidate such trusts into a single trust.

ARTICLE 13: Provisions Regarding Fiduciaries:

A. Any fiduciary hereunder may renounce or resign at any time with or without cause.

B. If there is no corporate fiduciary acting hereunder, then the trustee may designate a corporation (regardless of where organized or headquartered) with fiduciary powers to act as agent or custodian hereunder, may delegate to it such duties as may be appropriate (including investment recommendation duties), may pay to it reasonable compensation for its services, and may discharge it with or without cause.

C. No fiduciary shall be required to file bond, execute any instrument appointing anyone to accept service of process, or file inventories or accounts of any kind unless specially ordered so to do on application of any beneficiary, or trustee, or on a court's own motion.

D. If there is more than one fiduciary serving, then each serving may delegate for any period of time any or all duties he or she may have to any co-fiduciary or co-fiduciaries. Further, a co-fiduciary or co-fiduciaries shall have full authority to designate that checks and other banking documents may be executed with the signature of any one or more but less than all such co-fiduciaries.

E. No successor fiduciary shall be required to examine into the acts of his predecessor, and each successor fiduciary shall have responsibility only with respect to the property actually delivered to him by his predecessor.

ARTICLE 14: Appointment of Fiduciaries:

A. If I cease to act as trustee, then my successor as trustee (or co-trustees) shall be the individual(s) or a corporation, or both, selected from time to time by the following in the indicated order of priorities:

1. DONALD W. NICHOLSON.

2. LINDA LEWIS.

B. Notwithstanding the foregoing, at any time after my death the majority in number of the then adult income beneficiaries of any trust shall be privileged at any time and from time to time to select the trustee or co-trustees of such trust.

C. I intend the power to designate fiduciaries given in this article to be plenary and to include the power to appoint any individual (whether or not a beneficiary and whether or not the holder of the power to designate) or a corporation (regardless of where organized or headquartered), or both. The power to designate fiduciaries also includes the power to remove any trustee so designated, with or without cause, and appoint a different trustee or trustees, at any time and from time to time. This power is continuing and shall not be exhausted by its use. However, my son may not designate himself as a trustee until the expiration of five years from the date of my death.

ARTICLE 15: Definitions and Interpretation:

A. "Executor" is the personal representative of an estate, and, when more than one is designated or is serving, any or all collectively as appropriate in context may be referred to in the neuter gender.

B. "Trustee" is the fiduciary or fiduciaries of a trust, and, when more than one is designated or is serving, any or all collectively as appropriate in context may be referred to in the neuter gender.

C. "Fiduciary" (unmodified) is both executor and trustee or either.

D. "Or" connotes both conjunctive and disjunctive usage unless inappropriate in context.

E. "Code" means the Internal Revenue Code of 1986, as amended, or any corresponding federal tax statute enacted after the date of this instrument. A reference to a specific section of the

Code refers not only to that section but also to any corresponding provision of any federal tax statute enacted after the date of this instrument, as in effect on the date of application.

F. "My son" is GEORGE B. SCOTT.

G. Use of any gender or term implying gender in this Trust includes the masculine, feminine and neuter genders, as appropriate. Use of the singular number includes the plural and vice versa unless the context clearly requires otherwise.

Thelma C. Scott
THELMA C. SCOTT, Trustor

Receipt of the foregoing instrument is hereby acknowledged.

Thelma C. Scott
THELMA C. SCOTT, Trustee

SCHEDULE A

$10.00

STATE OF DELAWARE:
: SS.
NEW CASTLE COUNTY:

On , 1993, THELMA C. SCOTT in due form acknowledged the foregoing instrument to be her act and deed and desired the same to be recorded as such.

H. Edw. Lynch
Notary Public

My Commission Expires: N/A

NEWARK POLICE DEPARTMENT

WEEK 04/26/15-05/02/15	INVESTIGATIONS			CRIMINAL CHARGES		
	2014 TO DATE	2015 TO DATE	THIS WEEK 2015	2014 TO DATE	2015 TO DATE	THIS WEEK 2015
PART I OFFENSES						
a)Murder/Manslaughter	0	0	0	0	0	0
b)Attempt	0	0	0	0	0	0
Kidnap	1	4	0	1	1	0
Rape	1	3	0	1	0	0
Unlaw. Sexual Contact	4	2	0	2	1	1
Robbery	9	18	3	1	17	0
- Commercial Robberies	1	7	0	0	7	0
- Robberies with Known Suspects	0	1	0	0	0	0
- Attempted Robberies	2	2	0	0	5	0
- Other Robberies	6	8	3	1	5	0
Assault/Aggravated	4	2	0	4	12	0
Burglary	20	20	1	10	12	0
- Commercial Burglaries	3	3	1	4	1	0
- Residential Burglaries	17	15	0	6	10	0
- Other Burglaries	0	2	0	0	1	0
Theft	178	153	6	59	75	3
Theft/Auto	17	13	1	5	5	0
Arson	1	1	0	0	0	0
All Other	27	23	1	76	28	0
TOTAL PART I	262	239	12	159	151	4
PART II OFFENSES						
Other Assaults	96	107	13	85	59	1
Rec. Stolen Property	0	2	0	13	11	0
Criminal Michief	97	68	3	18	32	0
Weapons	10	5	0	20	41	0
Other Sex Offenses	0	0	0	0	0	0
Alcohol	152	102	16	263	153	5
Drugs	51	22	1	126	87	1
Noise/Disorderly Premise	236	157	17	123	83	4
Disorderly Conduct	64	64	8	88	39	1
Trespass	69	59	1	43	30	6
All Other	183	151	7	154	108	7
TOTAL PART II	958	737	66	933	643	25
MISCELLANEOUS:						
Alarm	339	340	19	0	0	0
Animal Control	135	151	11	1	0	0
Recovered Property	80	81	3	0	0	0
Service	8424	10167	652	0	0	0
Suspicious Per/Veh	167	173	9	0	0	0
TOTAL MISC.	9145	10912	694	1	0	0

	THIS WEEK 2014	2014 TO DATE	THIS WEEK 2015	2015 TO DATE
TOTAL CALLS	835	12,842	936	14,375

Newark Police Department
Weekly Traffic Report
04/26/15-05/02/15

TRAFFIC SUMMONSES	2014 YTD	2015 YTD	THIS WEEK 2014	THIS WEEK 2015
Moving/Non-Moving	3,073	3,379	164	290
DUI	66	73	5	4
TOTAL	3,139	3,452	169	294

PARKING SUMMONSES				
Meter Tickets	5,664	5,017	536	325
Parking Summons/IPR	1,871	2,311	126	132
Scofflaw Amount Collected	48 = $9,743	21 = $4,531.50	3 = $583	2 = $446.50
TOTAL	7,583	7,349	665	459

TRAFFIC ACCIDENTS				
Fatal	1	2	0	0
Personal Injury	53	58	3	1
Property Damage **(Reportable)**	129	147	2	15
Property Damage **(Non-Reportable)**	200	138	9	6
Hit and Run	89	101	4	9
TOTAL	472	446	18	31