

RESOLUTION

THE TOWN OF MILTON

A RESOLUTION DESIGNATING A SPECIAL DEVELOPMENT DISTRICT IN THE TOWN OF MILTON, DELAWARE TO BE KNOWN AS THE “GRANARY AT DRAPER FARM SPECIAL DEVELOPMENT DISTRICT” (THE “GRANARY AT DRAPER FARM DISTRICT”); MAKING CERTAIN LEGISLATIVE FINDINGS CONCERNING THE PUBLIC BENEFIT AND PURPOSE OF THE GRANARY AT DRAPER FARM DISTRICT; AND APPROVING, PURSUANT TO NOTICE AND FOLLOWING A PUBLIC HEARING, THE DESIGNATION OF THE GRANARY AT DRAPER FARM SPECIAL DEVELOPMENT DISTRICT; ALL IN ACCORDANCE WITH TITLE 22 OF THE DELAWARE CODE, CHAPTER 18 AND SECTION 29(41) OF THE CHARTER OF THE TOWN OF MILTON (COLLECTIVELY, THE “ACT”).

R E C I T A L S

Under the provisions of Title 22 of the Delaware Code, Chapter 18 and Section 29(41) of the Charter of The Town of Milton (collectively, the “Act”), The Town of Milton, a body politic incorporated in law and equity of the State of Delaware (the “Town”) may create special development districts with respect to any defined geographic region within the Town for the purpose of financing, refinancing, or reimbursement for the cost of the design, construction, establishment, extension, alteration, or acquisition of adequate storm drainage systems, sewers, water systems, roads, bridges, culverts, tunnels, streets, sidewalks, lighting, parking, parks and recreation facilities, libraries, schools, transit facilities, solid waste facilities and other infrastructure improvements as necessary, whether situated within the special development district or outside the special development district if the infrastructure improvement provides service or benefit to the property within the special development district, for the development and utilization of the land.

The Town Council of the Town (the “Town Council”) has received an “Application to Request the Creation of a Special Development District” (the “Request”) from the owners (collectively, the “Owners”) of certain real property located in the Town (the “Property”) which Request is attached hereto as Exhibit 2. The Owners are (i) the owners of at least two-thirds of the assessed valuation of the real property located within the boundaries of the proposed special development district and (ii) at least two-thirds of the owners of the acreage located within the boundaries of the proposed special development district, each determined as prescribed by the Act. The Town Council has also received a Letter of Intent dated September 2, 2022, from R. Draper Investments, LLC (the “Developer”), an affiliate of the Owners. The Owners and the Developer intend to develop the Property as a mixed residential and commercial development. The Owners and the Developer have held discussions with the Town Council as to the scope of, and financing for, the development, including the financing of certain infrastructure improvements pursuant to the creation of a special development district as provided in the Act. Pursuant to the Request, the Town Council has been requested to designate a defined geographic region or regions within the Town as a “special development district” under the Act.

The Town Council, following a public hearing held on September 12, 2022, pursuant to notice published in a newspaper of general circulation not less than 7 days before such hearing, has determined that a need exists in the Town for improvements in connection with the Property and that the economy of the Town will benefit from development of the Property as a mixed residential and commercial community with related amenities.

The Town Council has determined to create a special development district comprised of the Property pursuant to the Act in order to encourage and promote the development of a mixed residential and commercial community within the Town to be known as the “Granary at Draper Farm Special Development District” (the “Granary at Draper Farm District”) which is described in Exhibit A to the Request.

The creation of the Granary at Draper Farm District under the Act will serve the public purposes of providing public improvements within the Town, directly and indirectly enhancing the taxable base of the Town, encouraging the development of commerce and industry within the Town, and increasing employment within the Town through the installation of improvements for the Granary at Draper Farm District.

As provided in the Act, except as may be required by the Delaware Constitution, this Resolution, any order, ordinance or subsequent resolution adopted in furtherance of this Resolution and the designation and creation of the Granary at Draper Farm District may not be subject to any referendum by reason of any other State or local law.

By this Resolution and pursuant to the Act, the Town Council desires to (i) create the Granary at Draper Farm District, (ii) authorize the execution and delivery of such documents as shall be necessary to be delivered in connection with the creation of the Granary at Draper Farm District, and (iii) specify certain other matters relating to the Granary at Draper Farm District.

NOW THEREFORE, BE IT RESOLVED:

SECTION 1. FINDINGS AND DETERMINATIONS. The Town Council of THE TOWN OF MILTON hereby finds and determines that:

(1) The creation of a special development district comprised of the Property in the Town under the Act will serve the public purposes of providing public improvements within the Town, directly and indirectly enhancing the taxable base of the Town, encouraging the development of commerce and industry within the Town, and increasing employment within the Town through the installation of utilities and other necessary improvements in the special development district, including, but not limited to, the improvements listed in Exhibit 1 attached hereto (as such list may be modified, as mutually agreed to, by the Town Council and the Developer), each of such improvements to benefit the Granary at Draper Farm Special Development District and each to be conveyed to the Town Council, Sussex County and the State of Delaware, as appropriate; and

(2) Pursuant to the Request, a private, for-profit entity that owns the Property has expressed a desire to undertake new development within the Granary at Draper Farm District if the Town Council creates such special development district.

SECTION 2. DESIGNATION OF SPECIAL DEVELOPMENT DISTRICT. Acting pursuant to Section 1805(a)(1) of Title 22 of the Delaware Code and Section 29(41) of the Charter, the Town Council designates the area located within the territorial boundaries of the Town (and outside the territorial boundaries of any other municipal corporation or special development district within Sussex County) and described in Exhibit A attached to the Request which is attached hereto as Exhibit 2 and is, by this reference incorporated into this Resolution, as a special development district for the purposes of the Act to be known as the “Granary at Draper Farm Special Development District.”

SECTION 3. OTHER ACTIONS. The Mayor of the Town or other authorized officers of the Town are authorized and directed to take any and all actions and to execute, attest, affix the Town’s seal to and deliver, and to file and record in any appropriate public offices (if applicable) all documents, instruments, certifications, forms, financing statements, letters of instructions, written requests, contracts, agreements and other papers, whether or not herein mentioned, as may be necessary or convenient to evidence the approvals of the Town Council provided in this Resolution and to consummate the transactions contemplated in this Resolution or in any of the documents herein authorized and approved.

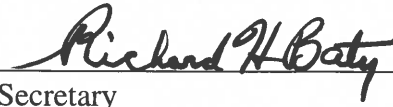
SECTION 4. LETTER OF INTENT. The Letter of Intent is hereby accepted by the Town Council and the execution thereof by the Town Council is hereby approved and ratified.

SECTION 5. EFFECTIVE DATE. This Resolution became effective upon its passage by the Town Council.

APPROVED this 12th day of September, 2022.

Exhibit 1	Description of Improvements
Exhibit 2	Application to Request the Creation of a Special Development District
Exhibit A	Parcels to be Included in the Granary at Draper Farm District and Map of the Granary at Draper Farm District
Exhibit B	Tax Parcels in the Granary at Draper Farm District
Exhibit C	Description of the Public Facilities

I, Richard Baty, Secretary of the Town Council of The Town of Milton, do hereby certify that the foregoing is a true and correct copy of a Resolution 2022-013 passed by the Town Council at its Regular Meeting held on September 12, 2022, at which a quorum was present and voting throughout and that the same is still in full force and effect.


Secretary

DESCRIPTION OF IMPROVEMENTS

- (1) Earthwork and other site prep;
- (2) Construction of water and (to the extent eligible under the Act) sewer lines, water systems and facilities, sewer systems and facilities (to the extent eligible under the Act), related appurtenances, and acquisition of land or easements therefor;
- (3) Construction and improvements of roads, bridges, culverts, tunnels, streets, curbs, gutters, and acquisition of land therefor;
- (4) Construction and installation of storm water management areas, sediment management, and storm drains;
- (5) Construction and installation of parking, parks and recreation facilities, libraries, and schools;
- (6) Related grading, lighting, landscaping, identifying monuments, signage, traffic signals and traffic studies therefor, sidewalks, related appurtenances, and acquisition of land or easements;
- (7) Machinery and equipment needed to expand or enhance municipal services to the district;
- (8) Architectural and engineering services and stakeout; financial and legal services; administrative and other expenses necessary or incident to the construction, acquisition, financing and operation of the infrastructure improvements; and
- (9) Such other public improvements as the Town and the Owners mutually agree.

EXHIBIT 2

APPLICATION
TO REQUEST THE CREATION OF A SPECIAL DEVELOPMENT DISTRICT

[attached]

APPLICATION

To Request the Creation of a Special Development District

September 2, 2022

Mayor and the Town Council
of The Town of Milton
115 Federal Street
Milton, Delaware 19968

To the Mayor and the Town Council:

This is an application requesting the creation of a special development district under Title 22 of the Delaware Code, Chapter 18, and Section 29(41) of the Charter of The Town of Milton (collectively, the “Act”).

1. **The Applicant:** This application is submitted by Su-Sax Acres, LLC (“Su-Sax Acres”) and Sand Hill, LLC (“Sand Hill”) and, collectively with Su-Sax Acres, the “Owners”), as the owners of the parcels of land described on Exhibit A attached hereto. By signing this application, the signers of this application warrant to the Mayor and the Town Council (the “Town Council”) of The Town of Milton (the “Town”) that they are authorized to execute this application.
2. **Ownership of Property:** The Owners warrant to the Town Council that the Owners are (i) the owners of at least two-thirds of the assessed valuation of the real property located within the proposed boundaries of the Granary at Draper Farm Special Development District (hereinafter defined) and (ii) at least two-thirds of the owners of the acreage located within the proposed boundaries of the Granary at Draper Farm Special Development District, each determined as prescribed by the Act.
3. **Proceedings Requested:** Pursuant to the Act, the Owners hereby request that the Town Council adopt any and all such resolutions and take such other actions under the Act as may be needed or necessary to create a special development district to be designated “Granary at Draper Farm Special Development District” (the “Granary at Draper Farm Special Development District”), or such other designation specified by the Town Council. The Owners hereby further request and authorize the Town Council to (i) set a date for a public hearing for the creation of the Granary at Draper Farm Special Development District, (ii) publish notice of the public hearing in accordance with the Town Council’s customary procedures, (iii) direct the appropriate officers of the Town to record among the Land Records of the Town at the expense of the Owners (to the extent not paid from proceeds of any bonds, if any, issued with respect to the Granary at Draper Farm Special Development District or other available amounts) a declaration encumbering the real property located in the Granary at Draper Farm Special Development District and designating that property as subject to such special development district, (iv) retain any professionals necessary to assist the Town Council with the proceedings, such as a bond counsel, and (v) authorize staff to

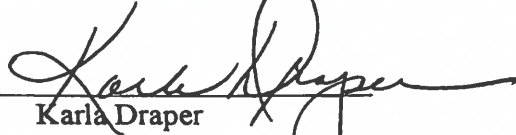
work with the Owners as may be required to prepare the necessary documents for the creation of the Granary at Draper Farm Special Development District.

4. **Boundaries of the Granary at Draper Farm Special Development District:** The territory to be included within the boundaries of the Granary at Draper Farm Special Development District consists of that area indicated on the map of the proposed Granary at Draper Farm Special Development District attached hereto as Exhibit A.
5. **Purpose of the Granary at Draper Farm Special Development District:** The purpose of the Granary at Draper Farm Special Development District requested hereby and the establishment of any special fund, if any, the special taxes to be levied on the property in the Granary at Draper Farm Special Development District, if any, and any bonds to be issued by the Town with respect to the Granary at Draper Farm Special Development District, if any, that may be requested by the Owners by a subsequent supplemental application shall be to finance and refinance all or a portion of infrastructure improvements as described in Exhibit C attached hereto (collectively, the "Improvements"), including (i) costs of design, construction, establishment, extension, alteration, installation, and acquisition thereof, (ii) costs of issuing any such bonds, if any, (iii) funding of a debt service reserve fund and payment of interest prior to, during and for a limited period after construction and (iv) in the case of refunding bonds, payment of principal and interest on the bonds issued for such purposes.
6. The address of Su-Sax Acres for receiving notices and correspondence related to the proposed Granary at Draper Farm Special Development District is 18155 Highwood Dr., Rehoboth Beach, DE 19971. The address of Sand Hill for receiving notices and correspondence related to the proposed Granary at Draper Farm Special Development District is P.O. Box 1686, Jackson, WY 83001.
7. Attached hereto as Exhibit B is a schedule which lists the parcel number and the tax parcel number for each parcel in the proposed Granary at Draper Farm Special Development District.
8. By executing this application, each of the Owners agrees to all of the above.
9. This application may be executed by the Owners in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument.

[signatures appear on following page]

SU-SAX ACRES, LLC, a Delaware limited company

By:


Karla Draper
Manager

SAND HILL, LLC, a Delaware limited liability company

By: R. Draper Investments, LLC, a Delaware limited liability company

By: Diamond Pond Partners LLC, its manager

By: Integrity Associates LLC, its manager

By:

Colby Cox
Authorized Member

SU-SAX ACRES, LLC, a Delaware limited company

By: _____
Karla Draper
Manager

SAND HILL, LLC, a Delaware limited liability company

By: R. Draper Investments, LLC, a Delaware limited liability company

By: Diamond Pond Partners LLC, its manager

By: Integrity Associates LLC, its manager

By:  _____
Colby Cox
Authorized Member

GRANARY AT DRAPER FARM SPECIAL DEVELOPMENT DISTRICT

METES AND BOUNDS OF PARCELS
TO BE INCLUDED IN THE GRANARY AT DRAPER FARM
SPECIAL DEVELOPMENT DISTRICT

AND

MAP
OF THE GRANARY AT DRAPER FARM
SPECIAL DEVELOPMENT DISTRICT

[attached]

1. Background and purpose of the study: The purpose of this study was to determine the effect of a 12-week, low-intensity, supervised exercise program on the physical and psychological health of older adults with chronic obstructive pulmonary disease (COPD). The study was conducted in a community-based setting, and the participants were recruited from local newspapers and health fairs. The study was approved by the Institutional Review Board of the University of Illinois at Chicago.

2. Methods: The study was a randomized controlled trial. The participants were randomly assigned to either the exercise group or the control group. The exercise group participated in a 12-week, low-intensity, supervised exercise program. The control group did not participate in any exercise program. The participants were assessed at baseline and at 12 weeks. The primary outcome was the change in the 6-minute walk test (6MWT) score. The secondary outcomes were the change in the St. George's Respiratory Questionnaire (SGRQ) score, the change in the Short Form-36 (SF-36) score, and the change in the Borg Scale of Perceived Exertion (Borg Scale).

3. Results: The exercise group showed a significant improvement in the 6MWT score compared to the control group at 12 weeks. The exercise group also showed a significant improvement in the SGRQ score, the SF-36 score, and the Borg Scale score compared to the control group at 12 weeks.

4. Conclusion: A 12-week, low-intensity, supervised exercise program can improve the physical and psychological health of older adults with COPD.

5. Limitations: The study had several limitations. First, the study was a short-term study, and the long-term effects of the exercise program were not known. Second, the study was conducted in a community-based setting, and the results may not be generalizable to other populations. Third, the study did not measure the quality of life of the participants.

6. Future research: Future research should focus on the long-term effects of the exercise program and the quality of life of the participants.

7. References:

1. American Lung Association. (2010). *Chronic obstructive pulmonary disease (COPD)*. Retrieved from <http://www.lungusa.org>
2. Global Initiative for Chronic Obstructive Lung Disease. (2012). *Global strategy for the diagnosis, management, and prevention of chronic obstructive pulmonary disease*. Retrieved from <http://www.goldcopd.org>
3. American Thoracic Society. (2010). *Chronic obstructive pulmonary disease (COPD)*. Retrieved from <http://www.thoracic.org>
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5. World Health Organization. (2010). *Chronic obstructive pulmonary disease (COPD)*. Retrieved from <http://www.who.int>
6. American Heart Association. (2010). *Chronic obstructive pulmonary disease (COPD)*. Retrieved from <http://www.heart.org>
7. American Cancer Society. (2010). *Chronic obstructive pulmonary disease (COPD)*. Retrieved from <http://www.cancer.org>
8. American Diabetes Association. (2010). *Chronic obstructive pulmonary disease (COPD)*. Retrieved from <http://www.diabetes.org>
9. American Kidney Fund. (2010). *Chronic obstructive pulmonary disease (COPD)*. Retrieved from <http://www.kidneyfund.org>
10. American Stroke Association. (2010). *Chronic obstructive pulmonary disease (COPD)*. Retrieved from <http://www.stroke.org>

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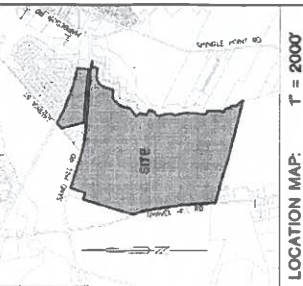
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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

U. S. DEPARTMENT OF COMMERCE

DATE OF BIRTH

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AND COMPUTERIZATION

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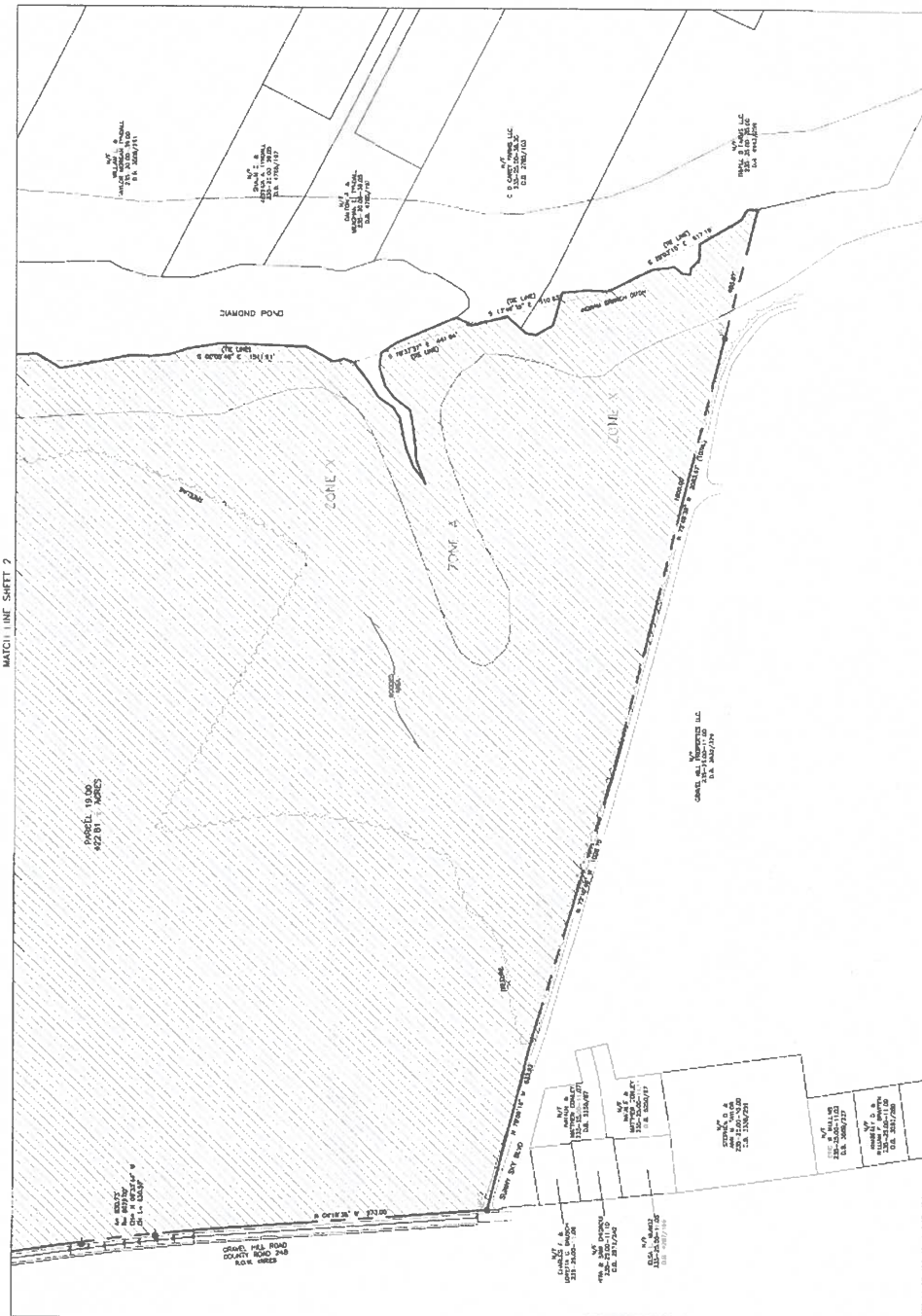
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MATCH LINE SHEET 2



- LEGEND**
- P.O. IRON ROD WITH CAP TO BE SET
 - P.O. IRON ROD WITH CAP FOUND
 - P.O. IRON PIPE FOUND
 - P.O. CONCRETE MONUMENT FOUND
 - P.O. IRON PIPE WITH CAP FOUND
 - P.O. IRON ROD FOUND
 - U.S. FOUND
 - TRST FOUND
 - UNMARKED POINT
 - UTILITY POLE
 - PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - TRAIL LINE
 - RIGHT OF WAY EASEMENT
 - PTM EASEMENT MAP LINE
 - LOC. OF HALLMARK
 - CASUALTY LINE
 - INLET LINE
 - ANNEXATION AREA

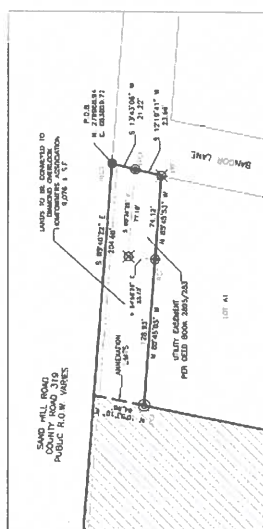


EXHIBIT B

GRANARY AT DRAPER FARM SPECIAL DEVELOPMENT DISTRICT

TAX PARCELS
IN THE GRANARY AT DRAPER FARM SPECIAL DEVELOPMENT DISTRICT

Parcel Number	Tax Parcel Number
Parcel 19.00	235.20.00-19.00
Parcel 12.00	235-20.00-12.00

GRANARY AT DRAPER FARM SPECIAL DEVELOPMENT DISTRICT

DESCRIPTION OF THE PUBLIC FACILITIES

The public facilities shown below are proposed to be constructed or acquired with proceeds from bonds issued for the benefit to the property in the Granary at Draper Farm Special Development District. The public facilities shall include the attributable costs of engineering, design, planning and coordination, together with the expenses related to the creation of the Granary at Draper Farm Special Development District and the issuance of bonds, including any underwriter's discount, appraisals, reserve fund, capitalized interest, bond counsel and other legal fees, financial or other consultant's fees and expenses, bond and official statement printing, and all other expenses incidental thereto. The public facilities shall be constructed and conveyed to the Town, Sussex County, and/or the State of Delaware, as appropriate, whether or not in their completed states, pursuant to plans and specifications approved by such entities. The Town, Sussex County, and/or the State of Delaware, as appropriate, will own all public facilities acquired with bond proceeds.

PUBLIC FACILITIES

- (1) Earthwork and other site prep;
- (2) Construction of water and (to the extent eligible under the Act) sewer lines, water systems and facilities, sewer systems and facilities (to the extent eligible under the Act), related appurtenances, and acquisition of land or easements therefor;
- (3) Construction and improvements of roads, bridges, culverts, tunnels, streets, curbs, gutters, and acquisition of land therefor;
- (4) Construction and installation of storm water management areas, sediment management, and storm drains;
- (5) Construction and installation of parking, parks and recreation facilities, libraries, and schools;
- (6) Related grading, lighting, landscaping, identifying monuments, signage, traffic signals and traffic studies therefor, sidewalks, related appurtenances, and acquisition of land or easements;
- (7) Machinery and equipment needed to expand or enhance municipal services to the district;
- (8) Architectural and engineering services and stakeout; financial and legal services; administrative and other expenses necessary or incident to the construction, acquisition, financing and operation of the infrastructure improvements; and
- (9) Such other public improvements as the Town and the Owners mutually agree.