

## Civic Committee Meeting Minutes January 4, 2011

### **Present**

Committee Members: Tom Wheeler, Rodney Jester, Mick Fitzharris, Valerie Hutchinson, Ed Rohrbach

Guests: Trustees - Connee McKinney & Mike Curtis

Town Secretary: Elaine Hickey

The meeting was convened at 7:00 PM.

### **Leasehold #119 Survey**

Trustees Connee McKinney and Mike Curtis attended the meeting to discuss the Civic Committee's request that an up-to-date survey be done on Leasehold #119 (2123 The Highway) which shares boundaries with the Sherwood Green. In 1946, Village Trustees granted that leasehold an additional 1,080 sq. ft. of the adjoining Sherwood Green. ) A survey was not done at that time or when the leasehold transferred to the current residents. The Committee would like a survey done in order to determine and document exactly where the boundaries are and the amount of property on which Leasehold #119 pays rent. Connee & Mike agreed that this is a good idea but will confer with the third Trustee, Carl Falco, before making a definite decision. A recent letter from the Trustees, the survey of Sherwood Green, and the Trustees letter dated 2/25/1948 are included in these minutes.

### **Fire Hydrants**

Tom provided a map of the locations of all the Village fire hydrants and will look into the types of markers that might be used to identify their locations when they are covered with snow.

### **Snow Plowing at Field Theater**

Mary Marconi has requested that the road around the Field Theater be added to the map that the snow plow contractor uses. Since that road is on Town property, the Committee agreed to update that map with that information.

### **Signs**

Valerie performed a survey of the Village signage and distributed a list of signs in need of replacement or repair. Many of those signs are Safety Committee's responsibility and the list will be sent to them. To remedy the problem of unreadable street signs the Civic Committee will meet on Sat., 1/8/11, to paint and add reflective beads to the street signs that Tom found stored in the Spring House. Those will then be put up to replace the streets signs that are unreadable.

**Next meeting** – Tuesday, February 1, 7:00 PM, BWVC

Meeting adjourned at 8:00 PM

Respectfully submitted,  
Elaine Hickey  
Secretary, Village of Arden

"You are welcome hither."

November 19, 2010

Tom Wheeler and Ed Rohrbach  
Civic Committee Co-chairs  
Village of Arden

  
**ARDEN**  
TRUSTEES OF ARDEN  
2119 THE HIGHWAY  
ARDEN, DE 19810  
302.475.7980  
Trustees.of.Arden@gmail.com

Dear Tom and Ed:

We understand from Mike Curtis that the Civic Committee would like a written response from the Trustees regarding the Civic Committee's recent survey of the Sherwood Green and the right-of-way adjacent to it (see attached). That survey shows that about one half of the current paved driveway of the Phillips' leasehold is on the Village right-of-way.


The Trustees cannot give the Civic Committee an unqualified opinion on the encroachment without having a survey of the Phillips' leasehold. It would seem from the Civic Committee's survey that the Sherwood Green Village right-of-way does extend into the Phillips' driveway. We don't have reason to doubt it; however, we are not surveyors and have no recent survey of the Phillips' leasehold to compare. Please note that the current lease is still in the name of Bonnie's parents.


In the Trustee file, we have a document from the Trustees' secretary to the leaseholder Hutton dated 1946 (attached) referencing a strip of land 1,080 sq. ft. added to Lot 119 with the additional land rent to reflect the increased square footage to the leasehold (25,460 sq. ft. to 26,540 sq. ft.). It seems reasonable to assume that the strip the Trustees' secretary is referencing is the strip that includes a portion of the Phillips' current paved driveway. That portion would be about 1,080 square feet.


The agreement with Hutton precedes the Trustees' transfer of the common land to the Village in 1967. For at least 40 years, it has been passed down verbally in the Village that there was an arrangement for that leasehold to have use of that land for a driveway. That was Bonnie's mother Bea Phillips' understanding. The 1946 document confirms that understanding.

At present, when the Trustees encounter problems with surveys, we address them at lease transfer. In this case, similarly, the Trustees at that time would likely require a new survey of that leasehold and review the situation at lease transfer. If the Trustees needed further guidance, they would seek legal advice.

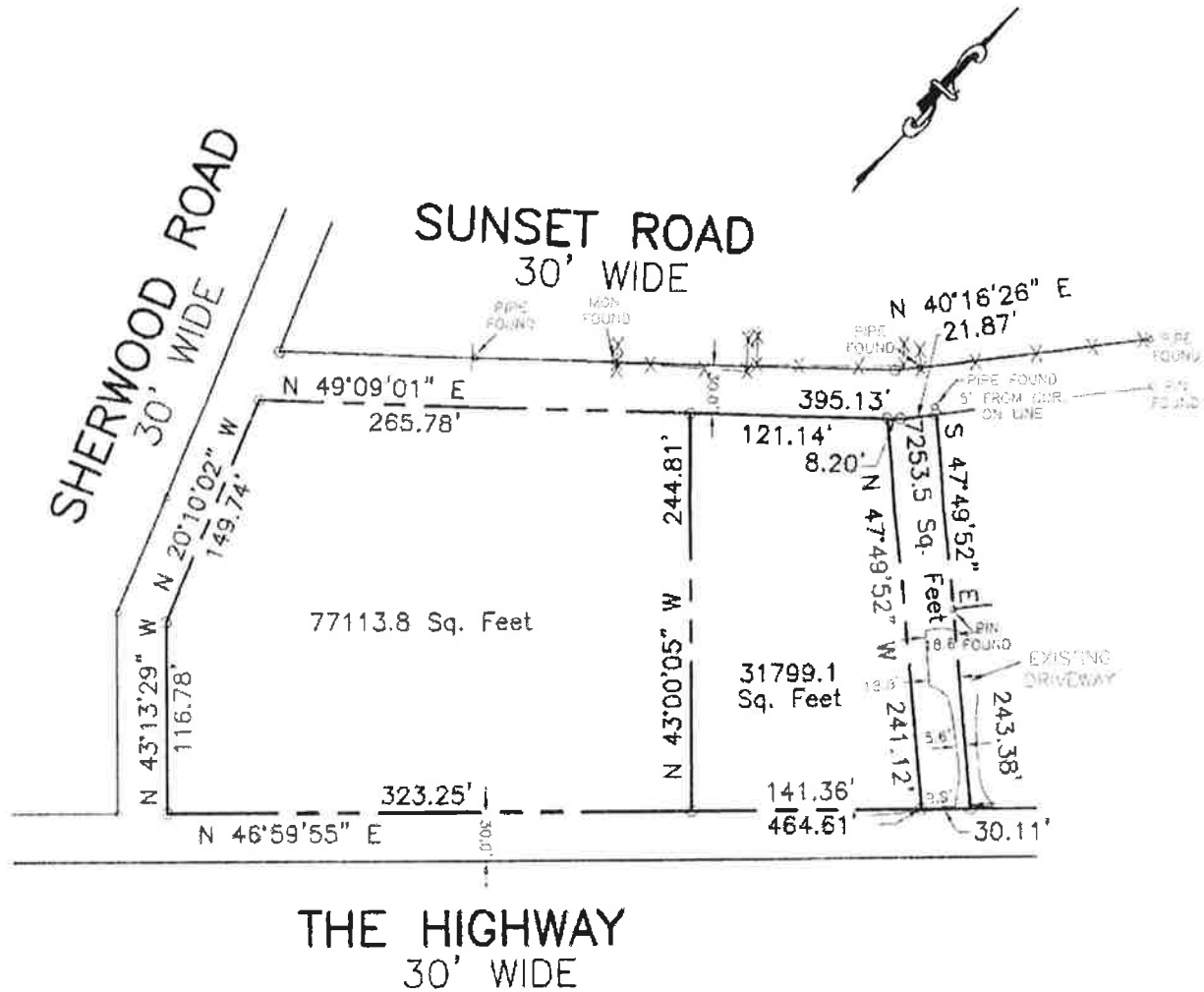
The Trustees of Arden

  
Connee L. McKinney

  
Mike Curtis

  
Carl Falco

Cc: Bonnie Phillips  
Adrienne Altman and Caitlin Glass



I HEREBY DECLARE THAT THE IMPROVEMENTS SHOWN HEREON HAVE BEEN LOCATED AND ARE WITHIN THE LOT BOUNDARIES UNLESS SHOWN OTHERWISE. THIS PLAN IS INTENDED FOR THE USE OF THE PARTIES INVOLVED WITH THIS LAND TRANSACTION AND SHALL NOT BE REPRODUCED OR USED FOR ANY OTHER PURPOSE, INCLUDING ESTABLISHMENT OF PROPERTY LINES, WITHOUT WRITTEN PERMISSION OF THE LAND SURVEYOR RESPONSIBLE FOR ITS CONTENTS. \* FENCES, TREES, LANDSCAPING OR OTHER FEATURES HAVE NOT BEEN LOCATED UNLESS SHOWN AND DIMENSIONED. \* PROPERTY MARKERS WERE NOT SET UNLESS INDICATED. \* PROPERTY IS SUBJECT TO ANY AND ALL RESTRICTIONS AND EASEMENTS OF RECORD. UNLESS THIS PLAN HAS AN IMPRINTED SEAL IT IS NOT AN AUTHORIZED REPRODUCTION OF THE ORIGINAL.

**LOCATION AND STAKE-OUT PLAN**

LOT 3 AND 8  
 ARDEN  
 TOWN OF ARDEN  
 NEW CASTLE COUNTY - DELAWARE  
 TAX PARCEL # 16-004.00 001

PROPERTY TO BE CONVEYED TO:  
 TRUSTEES OF ARDEN

**A.E.S. SURVEYORS**

2013 OLD CAPITAL TRAIL - WILMINGTON, DE 19808 Phone: 302-393-1153, Fax: 302-687-1158

SCALE: 1"=100'	DATE: 12/09/2009	JOB #: 292471
DEED REF.	PLAN REF.	

Feb. 25, 1946

Mr. Josiah H. Hatten  
Arden, Del.

Dear Mr. Hatten:

Enclosed please find land rent bill for fiscal year 1946-47. It includes the rental for the additional strip of land turned over to you in January.

The lease given you last year calls for a rental of \$42.44, the additional strip is approximately 1,080 square feet in area and adds a rental charge of \$3.09 which brings total rental to \$51.53 as per enclosed bill.

We are expecting to have some new leases printed when a lease for the additional area will be given to you, but in the meantime this certifies that you are the leaseholder for the additional strip on same terms and provisions as on your lease of March 25, 1945.

Very truly yours,  
Trustees of Arden

*Emanuel R. ...*  
Secretary

Hutton less 25460  
at Hatten's 1060  
26520

*Trustees copy*