

## EXHIBIT B

Management Plan for the Hershberger Tract  
of the Cape Henlopen Nature Preserve

The purpose of the following deed restrictions is to insure that the aforementioned property will be maintained as a Nature Preserve. The function of a Nature Preserve is to protect important features of the natural heritage of Delaware and guarantee their existence for future generations. The Department of Natural Resources and Environmental Control of The State of Delaware, and specifically the Office of Nature Preserves within said Department, agrees to administer and to monitor the following management plan to aid in the protection and the maintenance of the Nature Preserve.

The Department reserves the right to impose regulations upon use of the Nature Preserve by the general public provided that such regulations are reasonably related to: (a) ensuring the safety and health of persons utilizing the Nature Preserve, (b) ensuring that the natural resources located on the Nature Preserve are not materially and adversely affected by use by the general public; or (c) ensuring that use of the Nature Preserve by the general public conforms with the requirements of law. In addition, any use by the general public is limited to those areas designated for public use.

Any activity on or use of the Nature Preserve inconsistent with the purpose of this Management Plan is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

1. Construction or placing of buildings or other permanent structures on, above or under the ground is prohibited, except for those structures associated with approved recreational, educational and scientific uses of the Nature Preserve.
2. There shall be no signs, billboards or advertising except those necessary for resource protection, safety, boundary identification, or interpretation.
3. Construction of utilities, roads or other public works structures is prohibited except for existing utility rights-of-way.
4. No soil, trash, waste or other material shall be placed or dumped on the Property.
5. There shall be no excavation, dredging or removal of loam, peat, gravel, soil, rock, sand, or other material nor any building of roads or other change in the general topography of the land, excepting archaeological digs or excavations authorized by the Delaware Division of Historical and Cultural Affairs and excepting activity related to public health and safety.
6. The removal or destruction of trees, shrubs, or other vegetation is prohibited except as may be necessary for control of diseases, pests and undesirable species; for safety purposes; for the proper management of species and natural communities of special concern; or for the maintenance of approved trails.
7. Intentional introduction of non-native plant and animal species is prohibited. If the natural balance of the area is seriously upset, control measures may be employed that are compatible with the maintenance of other natural features.
8. Collecting of plant and animal material, fossils, minerals, or artifacts shall be for scientific and nature study only and shall be subject to State regulations and permits.

9. No other acts or uses will be allowed which adversely affect the plant and animal species or land or water areas on the Nature Preserve.

10. All exceptions and allowances are subject to the approval of the Office of Nature Preserves.

It is understood and agreed that the imposition of these restrictions shall in no way void or replace any protective status under law which the land would have were it not a Nature Preserve, but shall be supplemental thereto.

RECORDER OF DEEDS  
WILLIAM S. GREEN

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SUSSEX COUNTY  
DOC. SURCHARGE PAID

**PURCHASERS REPORT  
MADE THIS DATE**

FEB 3 1991

**ASSESSMENT DIVISION  
OF SUSSEX CTY.**