

AFFIDAVIT PERTAINING TO CONFESSION OF JUDGMENT BY NON-RESIDENT

PURSUANT TO 10 DEL. C. §2306

WHEREAS, _____ (“Developer”) has entered into Agreement No. _____ with Sussex County (“Agreement”) in order to develop the lands located within Sussex County that are referenced in the Agreement; and

WHEREAS, as set forth in the attached Cash Performance Bond executed on the date of _____, this Affidavit is executed as a result of the said Agreement; and

Developer, pursuant to 10 Del. C. §2306, swears to the following:

- (1) Judgment may be entered in the amount of the Cash Performance Bond;
- (2) Sussex County, upon default of the Cash Performance Bond, is authorized to enter judgment in the Superior Court of Sussex County of the State of Delaware;
- (3) Developer has contact with the State of Delaware in that Developer is proposing to make improvements on property located within the State of Delaware in compliance with its local and state laws and has entered the Cash Performance Bond in accordance with such laws; and
- (4) Developer’s mailing address and residence where Developer is most likely to receive mail is as follows:

I hereby swear to the above statements in the presence of a notary.

DEVELOPER
Printed Name: _____
Title: _____

On this _____ day of _____, 20____ before me personally appeared _____, to me personally known, who, being by me duly sworn did say that he/she is the _____ (title) of _____ (entity name), a _____ (entity type) of the State of _____ (where entity formed) named in the foregoing instrument, and acknowledged to have the authority to execute said instrument and acknowledged to be free act and deed of said entity/person.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC
Printed Name: _____
Commission Expires _____

FOR OFFICE USE ONLY: ATTACH THIS ORIGINAL AFFIDAVIT TO THE ORIGINAL CASH WARRANTY BOND EXECUTED BY NON-RESIDENT.