

June 7, 2010

Thomas Morris
8115 Hearn Pond Road
Seaford, DE 19973

RE: Middleford Raceway
Northwest Corner of Route 525 and Route 526
Tax Map I.D. 231-9.00 Parcel 5.00 and 5.01

Dear Mr. Morris:

Please be advised that it has been brought to the attention of this Department that the type of races has been expanded at the Middleford Raceway. It has been reported that racing of small 4-cycle trucks is taking place at the Raceway. There was an advertisement in Sussex Guide for the races.

Be advised that the Middleford Raceway is a non-conforming raceway and was limited to go-cart and motorcycle racing. Micro-midget racing was permitted since the engines were of a motorcycle type.

Racing automobiles and trucks is not permitted under the non-conforming use status. If the promoters desire to continue this type of racing, it will be necessary that they apply for a Conditional Use of the property to expand the raceway for the additional type of races.

The property is zoned AR-1 Agricultural Residential. The Zoning Ordinance reference is: Chapter 115, Article IV, Section 115-22 (Conditional Use) references "racetracks, any type, including horses, stock cars or drag racing". Continuation of the racing reported shall be considered a violation of the Zoning Ordinance and legal action will be taken.

Please respond upon receipt of this letter so that this Department can file your response to establish if any further action will be necessary.

Should you have any questions, please do not hesitate to contact me at this Department.

Sincerely,

Lawrence B. Lank
Director of Planning and Zoning

Cc: Vincent Robertson, Assistant County Attorney