

9479. RESOLUTION 06-47 - AUTHORIZING A LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CITIBANK DELAWARE FOR THE PREMISES SITUATE AT CORPORATE COMMONS. The Executive Director presented the following Resolution.

WHEREAS, The Delaware River and Bay Authority (the “Authority”), is the operator of the New Castle Airport (“Airport”), New Castle, Delaware; and

WHEREAS, Citibank Delaware (“Citibank”) desires to enter into a lease agreement (the “Lease Agreement”) for approximately 16.34 acres, of land and appurtenances (the “Premises”) located within the Corporate Commons; and

WHEREAS, the initial term of the Lease Agreement is for ten (10) years; and

WHEREAS, Citibank has agreed to pay the Authority annual rent of Four Hundred and Seventy-Five Thousand dollars (\$475,000) per annum during each year of the initial term of the Lease Agreement; and

WHEREAS, Citibank shall have the option to extend the term of the Lease Agreement for one (1) period of ten (10) years and five (5) consecutive periods of five (5) years each thereafter; and

WHEREAS, rent shall be adjusted annually by a fixed escalator of 2.5%; and

WHEREAS, in addition to said annual escalator adjustments, rent shall also be adjusted to reflect fair market value adjustments commencing on the first day of the 5th anniversary of the commencement date of the Lease Agreement and continuing on each 5th anniversary thereafter during the initial term and any renewal term.

WHEREAS, the Economic Development Committee has reviewed the terms of the proposed Lease Agreement and recommends approval thereof by the Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Citibank Delaware and, with the advice and consent of counsel, to have such Lease Agreement executed by the Economic Development Committee Chairperson, Authority Vice Chairperson, and the Executive Director.

A motion to approve Resolution 06-47 was made by Commissioner Patterson, seconded by Commissioner Smith and approved by a roll call vote of 10-0.