

**9662. RESOLUTION 07-43 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND BLUE CHIP PROPERTIES, LLC**

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

WHEREAS, Blue Chip Properties, LLC desires to lease 4.2 acres along of vacant land located within the Corporate Commons, which is part of the land of the New Castle Airport; and

WHEREAS, Blue Chip Properties LLC agrees to pay the Authority rent based on the attached rent schedule during the first term of the Lease Agreement; and

WHEREAS, the initial term of the Lease Agreement is for thirty (30) years; and

WHEREAS, Blue Chip Properties, LLC shall have the option of renewing this Agreement for two (2) periods of twenty years (20) each; and

WHEREAS, rent shall be adjusted annually according to attached rent schedule; and

WHEREAS, Fair Market Value adjustments shall commence on the first day of the 11<sup>th</sup> year after commencement of the lease and every ten (10) years thereafter including the renewal option periods.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Blue Chip Properties, LLC and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

A motion to approve Resolution 07-43 was made by Commissioner Simmerman, seconded by Commissioner Favre and approved by a roll call vote of 10-0

ATTACHMENT TO RESOLUTION 07-43 - BLUE CHIP PROPERTIES

<b>Annual Payment Structure</b>			
Year	First Building	Second Building	Total
	Lease Execution Annual Payment	Certificate of Occupancy Annual Payment	
1	\$25,000		\$25,000
2	\$33,000		\$33,000
3	\$42,500		\$42,500
4	\$45,000	\$25,000	\$70,000
5	\$50,000	\$25,750	\$75,750
6	\$52,500	\$26,523	\$79,023
7	\$55,000	\$27,318	\$82,318
8	\$57,500	\$28,138	\$85,638
9	\$60,000	\$28,982	\$88,982
10	\$65,000	\$29,851	\$94,851

Each year thereafter shall increase in accordance with CPI

Second Building rent payments to commence upon receipt of certificate of occupancy