

9425. RESOLUTION 06-29 - AIRPORT USE AND LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND ATLANTIC SOUTHEAST AIRLINES AT THE NEW CASTLE AIRPORT. The Executive Director presented the following Resolution.

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

WHEREAS, the Atlantic Southeast Airlines (the “ASA”) desires to lease approximately 750 square feet of exclusive use space in the Terminal building in order to operate an air transportation airline; and

WHEREAS, ASA has agreed to pay the authority \$18.00 per square foot in annual rent during the first year of the Airport Use and Lease Agreement with annual Consumer Price Index (CPI) increases; and

WHEREAS, the initial term of the Lease Agreement is for two (2) years; and

WHEREAS, ASA will also be using additional common areas of the Terminal and ramp areas on a non-exclusive basis; and

WHEREAS, User Fees for non-exclusive use areas shall be charged for airport facilities and usage. These fees will be reviewed after a 6 month period to ensure fees are reflective of actual usage.

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

On motion by Commissioner Cooper, seconded by Commissioner Patterson, Resolution 06-29 was approved by a roll call vote of 10-0.