

**10396. RESOLUTION 11-25 - EASEMENT AGREEMENTS WITH CHESAPEAKE UTILITIES, THE CITY OF LEWES AND VERIZON**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) owns several parcels of land located in Sussex County, Delaware within an area referred to as the Theodore C. Freeman Highway Right-of-Way (“Freeman Highway ROW”); and

WHEREAS, The City of Lewes (“City of Lewes”) installed underground and above ground electric transmission and distribution lines along the Freeman Highway ROW; and

WHEREAS, Verizon Delaware LLC (“Verizon”) installed communication facilities along the Freeman Highway ROW; and

WHEREAS, Chesapeake Utilities (“Chesapeake”) desires to install a gas main along the Freeman Highway ROW; and

WHEREAS, the Authority desires to enter into easement agreements with Chesapeake, the City of Lewes and Verizon to formalize the parties rights and obligations with respect to each of the Chesapeake’s, the City of Lewes’ and Verizon’s easements along the Freeman Highway ROW; and

WHEREAS, Chesapeake has agreed to undertake, at its sole cost, a metes and bounds survey of the Freeman Highway ROW sufficient to enable the Recorder of Deeds in and for Sussex County, Delaware to establish a tax parcel number for the portion of the Freeman Highway ROW owned by the Authority; and

WHEREAS, Chesapeake has also agreed to install a two inch gas main into the Authority’s Maintenance Facility and two lateral two inch gas mains into the Lewes Terminal, one to the Administration Building and the other to the Public Terminal Building, at no cost to the Authority.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Gas Main Easement Agreement with Chesapeake, the Right-of-Way Agreement with the City of Lewes and the Easement Agreement with Verizon and, with the advice and consent of counsel, to have such Gas Main Easement Agreement, Right-of-Way Agreement and Easement Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

A motion to approve Resolution 11-25 was made by Commissioner Green, seconded by Commissioner Smith, and approved by a roll call vote of 8-0.

## **Resolution 11-25 Executive Summary**

**Resolution:**

Authorizes a Gas Main Easement Agreement with Chesapeake Utilities, a Right-of-Way Agreement with the City of Lewes and an Easement Agreement with Verizon, each along the Theodore C. Freeman Highway Right-of-Way

**Committee:**

Projects Committee

**Committee Date:**

June 7, 2011

**Board Date:**

June 21, 2011

**Purpose of Resolution:**

Authorizes the Executive Director, Chairman and Vice Chairman to execute and deliver easement agreements along the Theodore C. Freeman Highway Right-of-Way. The recording of the easements are subject to the completion of a metes and bounds survey of the Theodore C. Freeman Highway Right-of-Way area and obtaining a tax parcel identification number for the Theodore C. Freeman Highway Right-of-Way.