

11260. RESOLUTION 17-28 – AUTHORIZING THE PURCHASE OF LAND AT DELAWARE AIRPARK, CHESWOLD, DE.

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Delaware Airpark (“Airport”), Cheswold, Delaware; and

WHEREAS, the Authority’s Federal Aviation Administration (FAA) approved Airport Layout Plan recognizes the importance of safety improvements/enhancements to the continued health and economic development of the Airport; and

WHEREAS, in recognition of this fact, the Authority under the guidance of FAA has agreed to acquire property owned by William Mosley which currently contain multiple obstructions to the approach to the Airport; and

WHEREAS, William Mosley desires to sell and the Authority desires to purchase approximately 6.5 acres of land located adjacent to the Airport and the airfields taxiways and runways; and

WHEREAS, the Authority and William Mosley have negotiated an arm’s length transaction in good faith to purchase the land for the appraised Fair Market Value not to exceed Four Hundred Thousand Dollars (\$400,000.00); and

WHEREAS, pursuant to discussions with the FAA, the Authority will acquire the parcel as soon as possible whereby funding 100% of the cost, and shall seek reimbursement of 90% of such acquisition cost, in accordance with FAA guidelines during the 2018 FAA Grant Submission and Award Process; and

WHEREAS, once the property is acquired ownership will be transferred to the State of Delaware as the owner of the Airport and the Authority’s lease agreement with the State will be modified to reflect the changes to the Airport Property Description; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Purchase Agreement with William Mosley and, with the advice and consent of counsel, to have such Purchase Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

A motion to approve Resolution 17-28 was made by Commissioner Ford, seconded by Commissioner Wilson, and approved by a roll call vote of 10-0.

Resolution 17-28 Executive Summary Sheet

Resolution: Authorizing the Executive Director to execute a Purchase Agreement with William Mosley

Committee: Economic Development

Committee Date: May 16, 2017

Board Date: May 16, 2017

Purpose and Background for Resolution:

William Mosley owns approximately 6.5 acres directly adjacent to the Delaware Airpark. A new runway has been constructed at the Airpark and in a recent assessment of the approaches to the new runway it was determined that there were obstructions to the approach on Mr. Mosley's property. Mr. Mosley was only interested in granting access to remove the obstructions if we agreed to begin the process to acquire the property. The FAA has determined that the property will be required for future growth of the airport and as such believe the acquisition price to be reimbursable by FAA Grant. In order to ensure no impacts to the approaches of the Airpark, the airport is acquiring the property.