

**9442. RESOLUTION 06-33 AMENDS RESOLUTION 06-08 RELATING TO THE MODIFICATION OF THE GROUND LEASE BETWEEN THE STATE OF DELAWARE AND THE DELAWARE RIVER AND BAY AUTHORITY.** The Executive Director presented the following Resolution.

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is the operator of the Delaware Airpark (“Airport”) pursuant to that certain Ground Lease, dated July 31, 2000, between the State of Delaware (“State”) and the Authority, a Memorandum of which was recorded in the Office of the Recorder of Deeds in and for Kent County to give notice of the existence of the Ground Lease (“Ground Lease”); and

WHEREAS, through a Master Planning process it has been determined to be necessary for future airport development and growth to acquire additional lands surrounding the Airport; and

WHEREAS, the State, as the Landowner of the Airport, is in the process of acquiring several parcels of land surrounding the Airport; and

WHEREAS, the Federal Aviation Administration provided 95% of the financing for the acquisition through federal grants acquired by the Authority acting as the Airport Sponsor; and

WHEREAS, the Authority and the State have agreed to amend the Ground Lease to add to the definition of the Demised Premises the land listed below which has been or will be acquired by the State, which land is in addition to those parcels already approved by Resolution 06-08.

Parcel 10	19.412 acres
Parcel 10A	.031 acres
Parcel 10B	1.281 acres
Parcel 9	35.521 acres
Parcel 4	25.401 acres
Easement 13A	2.154 acres
Easement 13B	1.854 acres
Easement 12A	7.387 acres
Easement 12	5.691 acres
Easement 4A	1.863 acres

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

A motion to approve Resolution 06-33 was made by Commissioner Favre, seconded by Commissioner Smith and approved by a roll call vote of 11-0.