

11248. RESOLUTION 17-24 AUTHORIZES A LEASE AMENDMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AT & T COMMUNICATIONS, INC. AND ITS AFFILIATES AT THE DELAWARE MEMORIAL BRIDGE

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

WHEREAS, AT & T Communications, Inc. and its affiliates (“AT & T”) desires easements to run parallel to Route 9 in Delaware, across the Delaware Memorial Bridge and along Route 130 in New Jersey in order to install a communication fiber line; and

WHEREAS, AT & T has agreed to pay the Authority annual rental at or above the appraised Fair Market Value (FMV); and

WHEREAS, the initial term of the Easement (“Easement Agreement”) shall be for thirty (30) years; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with AT & T Communication, Inc and its affiliates 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 17-24 was made by Commissioner Lowe, seconded by Commissioner Bennett, and approved by a roll call vote of 8-0.

Resolution 17-24 Executive Summary

- Resolution:** Authorizing the Execution of an Easement Agreement between the Delaware River and Bay Authority and AT & T Communication, Inc. and its affiliates regarding the Delaware Memorial Bridge
- Committee:** Economic Development
- Committee Date:** April 18, 2017
- Board Date:** April 18, 2017
- Purpose of Resolution:** To permit the Executive Director, Chairman and Vice Chairman to execute and deliver an easement agreement for space at the Delaware Memorial Bridge
- Background for Resolution:** AT & T Communications, Inc. and its affiliates is upgrading and improving its communication network in the area. They are looking to install new fiber lines along Route 9. The project is being phased and will eventually tie into a new fiber run planned to be installed over the Bridge and connect in to a line that runs along route 130 in New Jersey. The rate will be based upon an appraised fair market value.