

RESOLUTION 18- 51 - LEASE AMENDMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND EYLULBAHAR, LLC.

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

WHEREAS, Eylulbahar, Inc. (“Eylulbahar”) assumed the 1.275 acre leasehold agreement for the Arner’s Restaurant site in June of 2018; and

WHEREAS, Eylulbahar was scheduled to begin making rental payments under the agreement on October 1, 2018; and

WHEREAS, required improvements to the facility and the approvals required were more extensive than initially anticipated and the opening date has been significantly delayed; and

WHEREAS, Eylulbahar has requested to begin rental payments on January 1, 2019; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Amendment with Eylulbahar, LLC and, with the advice and consent of Counsel, to have such Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

Resolution 18-51 Executive Summary

Resolution: Authorizing the Execution of a Lease Amendment between the Delaware River and Bay Authority and Eylulbahar, LLC regarding the New Castle Airport

Committee: Economic Development

Committee Date: December 18, 2018

Board Date: December 18, 2018

Purpose of Resolution: To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Amendment for space at the New Castle Airport.

Background for Resolution:

The Delaware River and Bay Authority leases land to R. K. Morgan, LLC, commonly known as Arner's Restaurant at the New Castle Airport. R. K. Morgan LLC desires to sell the business to Eylulbahar, LLC. Eylulbahar, LLC will assume the current rent, settle all amounts owed and will be investing a significant amount of capital into the facility to install a new kitchen, new dining room fixtures and finishes, repair three walk-ins and update the basement, paint the exterior, seal and re-stripe the parking lot, etc. The existing lease has approximately 8 years remaining on the term. Eylulbahar, LLC has requested three additional five year renewal terms in order to amortize the expense of the planned upgrades. The Lease Agreement will be assigned to Eylulbahar, LLC before any additional renewal terms shall be granted.