

RESOLUTION 21-48 AUTHORIZES AN UTILITY EASEMENT 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 295 in Delaware, across the Delaware Memorial Bridge and along Route 295 in New Jersey in order to install and update 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.

Resolution 21-48 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: November 16, 2021

Board Date: November 16, 2021

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 and extend fiber lines along Route 295. The project has been phased and is tying into fiber lines that were installed along Route 9 in 2017 on DRBA property and to a line that runs along route 130 in New Jersey. The rate will be based upon an appraised fair market value.