

10689. RESOLUTION 13-23 - EASEMENT AGREEMENTS WITH THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION

WHEREAS, The Delaware River and Bay Authority (the “Authority”) owns several parcels of land located in Sussex County, Delaware within an area referred to as the Theodore C. Freeman Highway Right-of-Way (“Freeman Highway ROW”); and

WHEREAS, the Delaware Department of Transportation (“DELDOT”) desires to install a bike and pedestrian path along the Freeman Highway ROW; and

WHEREAS, the Authority desires to enter into easement agreements with DELDOT to formalize the parties rights and obligations with respect to the easements along the Freeman Highway ROW; and

WHEREAS, DELDOT has requested two permanent easements of 0.9033 and 2.5112 acres respectively and three temporary construction easements of .7211, .2683 and .5681 acres respectively on the eastern side of the Freeman Highway ROW to be used in connection with State Project No. T201230008.

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

A motion to approve Resolution 13-23 was made by Commissioner Dorn, seconded by Commissioner Lathem, and approved by a roll call vote of 11-0.

Resolution 13-23 Executive Summary

Resolution: Authorizes the Easement Agreements with the Delaware Department of Transportation (DELDOT) along the Theodore C. Freeman Highway Right of Way.

Committee: Projects

Committee Date: June 18, 2013

Board Date: June 18, 2013

Background for Resolution:

DELDOT is currently undertaking State Project T201230008 which will create a bike and pedestrian path in Sussex County, Delaware called the Junction Breakwater Pathway. A portion of this planned trail is designated to run adjacent to Freeman Highway in the existing Right of Way. DELDOT is looking for permanent easements totaling 3.4145 acres and temporary construction easements totaling 1.5575 acres.