

10673. RESOLUTION 13-20 – AUTHORIZING THE CONVEYANCE OF A 0.5328 ACRE PORTION OF TAX PARCEL NO. 10-014.00-084 TO DELDOT FOR A TRANSPORTATION RELATED PROJECT

WHEREAS, the Delaware Department of Transportation ("DelDOT") conveyed a 2.7763 acre parcel of land, formerly part of Tax Parcel No. 10-014.00-070 and subsequently re-designated Tax Parcel No. 10-014.00-084 (the "Land"), to the Delaware River and Bay Authority ("DRBA") pursuant to a quitclaim deed dated August 30, 2010 (the "Deed") recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware at Instrument Number 20110307-0012738; and

WHEREAS, the Deed provides that if any part of this Land is needed for a transportation purpose, the DRBA shall dedicate such part of the Land to DelDOT at no cost to DelDOT (the "Deed Restriction"); and

WHEREAS, DelDOT has requested a 0.5328 acre portion of the Land on the northwest side of US 13 to be used in connection with State Project No. T201107401 which will provide for rehabilitation repairs to the two steel girder bridges carrying US Route 13 over Old Baylor Boulevard between its intersection at McMullen Avenue and I-295; and

WHEREAS, because of the Deed Restrictions, the DRBA believes the disposition of this property is outside of the requirements of its Real and Tangible Assets Disposition Policy; and

WHEREAS, the DRBA desires to enter into a purchase agreement with DelDOT for the sale of the 0.5328 acre portion of the Land for One Dollar (\$1.00) and to quitclaim title to such portion of the Land to DelDOT pursuant to DelDOT's request and in accordance with the Deed Restriction.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Purchase Agreement and Quitclaim Deed, and with the advice and consent of counsel, to execute such Purchase Agreement and Quitclaim Deed.

A motion to approve Resolution 13-20 was made by Commissioner Wilson, seconded by Commissioner Smith, and approved by a roll call vote of 10-0.

Resolution 13-20 Executive Summary Sheet

Resolution: Resolution 13-20 – Authorizing the Conveyance of a 0.5328 Acre Portion of Tax Parcel No. 10-014.00-084 to DELDOT for a Transportation Related Project

Board Date: May 21, 2013

Purpose of Resolution:

Resolution 13-20 formally authorizes the transfer of a 0.5328 portion of Tax Parcel No. 10-014.00-084 (formerly p/o Tax Parcel No. 10-014.00-070) to the Delaware Department of Transportation (“DelDOT”) for a transportation related purpose.

Background for Resolution:

DelDOT conveyed a 2.7763 acre parcel of land to the Delaware River and Bay Authority ("DRBA") in 2010. The 2010 deed provided that the DRBA agreed that if any part of this property was needed for a transportation purpose, the DRBA would dedicate such part of the property to DelDOT at no cost to DelDOT. DelDOT is undertaking State Project No. T201107401 which will provide for rehabilitation repairs to the two steel girder bridges carrying US Route 13 over Old Baylor Boulevard between its intersection at McMullen Avenue and I-295 and has requested a 0.5328 acre portion of the land conveyed by DelDOT to the DRBA in 2010 be re-conveyed back to DelDOT for use in connection with this project.