

**10720. RESOLUTION 13-32 - EASEMENT AGREEMENT WITH THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION AND THE RIVERFRONT DEVELOPMENT CORPORATION**

WHEREAS, The Delaware River and Bay Authority (the "Authority") owns property located at 3 South Orange Street, Wilmington, Delaware, commonly referred to as the Riverfront Market (the "Market"); and

WHEREAS, the Riverfront Development Corporation (the "RDC") and the Delaware Department of Transportation ("DELDOT") entered into an agreement for the construction of a permanent walkway along the river known as the Christina Riverfront Riverwalk (the "Riverwalk"); and

WHEREAS, DELDOT, by and through the RDC, have constructed and maintained the Riverwalk along with an associated boat dock (the "Dock") along the northerly bank of the Market property; and

WHEREAS, the RDC conveyed the Market to the Authority in June, 2000 with neither a declaration of easement or an easement agreement for the Riverwalk or Dock being recorded against the Market; and

WHEREAS, the Authority, RDC, and DELDOT desire to enter into an easement agreement in which the RDC bears all costs and responsibility for maintenance of the Riverwalk and Dock for the purpose of use by the general public along the Riverwalk and Dock; and

WHEREAS, the easement will encompass approximately .431 acres.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Easement Agreement with the RDC and 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 13-32 was made by Commissioner Lowe, seconded by Commissioner Dorn, and approved by a roll call vote of 9-0.

### **Resolution 13-32 Executive Summary**

**Resolution:** Authorizes the Easement Agreements with the Delaware Department of Transportation (DELDOT) and Riverfront Development Corporation (RDC) at the Riverfront Market.

**Committee:** Economic Development

**Committee Date:** September 17, 2013

**Board Date:** September 17, 2013

#### **Background for Resolution:**

The RDC, through DELDOT has constructed the Christina Riverfront Riverwalk (“Riverwalk”) along the Christina River. In June, 2000, the DRBA purchased the Riverfront Market (“Market”) from the RDC. A portion of the Riverwalk had been constructed, along with a boat dock, on the Market property. An easement for the Riverwalk and associated boat dock was never recorded. This easement will codify the use of and responsibility for the Riverwalk and boat dock.