

10244. RESOLUTION 10-46 – AN AMENDMENT THAT AUTHORIZES THE EXECUTIVE DIRECTOR TO EXECUTE A POND MAINTENANCE AGREEMENT WITH THE CORPORATE COMMONS MAINTENANCE CORPORATION

WHEREAS, The Delaware River and Bay Authority (the “Authority”) owns property situated at the Corporate Commons in New Castle designated as 10 and 14 Penns Way; and

WHEREAS, the Authority holds a long term lease with New Castle County for property at Corporate Commons designated as 12 Penns Way (also known as the DEMA Building); and

WHEREAS, as a result of these property interests the Authority joined the Corporate Commons Maintenance Corporation (the “Corporation) which oversees and maintains the properties located at Corporate Commons; and

WHEREAS, a pond, which also serves as a retention basin, is a part of the common area of the Corporate Commons; and

WHEREAS, the Authority has maintained the pond substantially on its own without contribution from the other Association members; and

WHEREAS, the Authority wants to memorialize its areas of responsibility for the maintenance and associated costs of the pond through a maintenance agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is authorized, with the advice and consent of Counsel, to negotiate and execute a “Pond Maintenance Agreement” with the Corporate Commons Maintenance Corporation.

A motion to approve Resolution 10-46 was made by Commissioner Murphy, seconded by Commissioner Downes, and approved by a roll call vote of 10-0.