

RESOLUTION 21-11 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AERO WAYS INC d/b/a FLY ADVANCED.

WHEREAS, The Delaware River and Bay Authority (the “Authority”), is the operator of the New Castle Airport (“Airport”); and

WHEREAS, Aero Ways, Inc. (“Aero Ways”) desires to lease approximately 7,500 square feet of hangar space in a facility commonly referred to as 13 Penns Way at the New Castle Airport; and

WHEREAS, Aero Ways has agreed to pay the Authority annual rental in the amount of Eighty-One Thousand and Six Hundred Dollars (\$81,600.00); and

WHEREAS, the initial term of the Lease (“Lease Agreement”) is for one (1) year; and

WHEREAS, Aero Ways shall have the right to renew the Lease Agreement for three (3) one (1) year renewal options; and

WHEREAS, rent during the first and second renewal terms shall be adjusted by 3% annually; and

WHEREAS, rent during the third renewal term shall adjust by the Consumer Price Index (CPI); and

WHEREAS, if tenant shall enter into a new agreement with Landlord or build hangar space of similar size at the Airport, tenant shall have the right to terminate this lease agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Aero Ways Inc, d/b/a Fly Advanced and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

Resolution 21-11 Executive Summary

Resolution: Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Aero Ways Inc., regarding New Castle Airport

Committee: Economic Development

Committee Date: April 20, 2021

Board Date: April 20, 2021

Purpose of Resolution:

To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Agreement for space at the New Castle Airport.

Background for Resolution:

The Delaware River and Bay Authority owns a hangar located at 13 Penns Way at the New Castle Airport. Aero Ways Inc, d/b/a Fly Advanced wishes to continue lease the hangar space in support of their FBO operation at the Airport. The facility has been occupied by Aero Ways since 2015.