

RESOLUTION 25-25 – EASEMENT AGREEMENT WITH SCHELL BROTHERS, LLC

WHEREAS, the Delaware River and Bay Authority (the “DRBA”) is the owner in fee simple of a piece of land along with the improvements erected thereon, located in Lewes and Rehoboth Hundred, Sussex County, Delaware, generally identified as Tax Parcel Number 335-9.00-302.00; and

WHEREAS, Schell Brothers, LLC (“Schell”) is the legal owner or holder of a beneficial interest in an adjoining parcel of land located in Lewes and Rehoboth Hundred in Sussex County, Delaware generally identified as Tax Parcel Number 335-8.12-79.00; and

WHEREAS, in order to construct a development and related improvements on the Schell property, Schell will need to acquire easements on DRBA property; and

WHEREAS, Schell desires a temporary construction easement totaling 9,029 sq.ft. and a permanent easement totaling 337 sq.ft. for the construction of improvements and the provision of utilities to the Schell property; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Permanent and Temporary Easement agreement with Schell Brothers, LLC and, with the advice and consent of counsel, to have such a Permanent Easement Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

Resolution 25- 25- Executive Summary Sheet

Resolution: Authorizing the execution of a permanent and temporary easement Along Freeman Highway in Lewes, DE

Committee: Economic Development Committee

Committee Date: May 20, 2025

Board Date: May 20, 2025

Purpose and Background for Resolution:

Authorizes the Executive Director, Chairman and Vice Chairman to execute and deliver a permanent easement for 337 sq.ft. and a temporary easement for 9,029 sq.ft. of property located along Freeman Hwy adjacent along the approach to the Lewes Ferry Terminal. This will allow for utility construction to a development site and a tie into the existing state bike path.