

**12489. RESOLUTION 25-41 - SECOND LEASE AMENDMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE STATE OF DE OFFICE OF MANAGEMENT AND BUDGET ON BEHALF OF THE DELAWARE NATIONAL GUARD**

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

WHEREAS, the Delaware National Guard (the “Guard”) currently leases approximately 24 acres of land known as the Army Aviation Support Facility at Wilmington Airport; and

WHEREAS, the Guard’s original lease term expires October 4, 2043; and

WHEREAS, the Guard desires to extend the term of the Initial Lease Agreement by an additional twelve (12) years, two (2) months, and twenty-eight (28) days, extending the expiration date to December 31, 2055; and

WHEREAS, the Second Amendment to the Lease shall be effective only upon the receipt of an Airport Joint Use Agreement; and

WHEREAS, this Resolution corrects a typographical error in the First Amendment dated November 10, 2003, to change the plan number as prepared by VanDemark & Lynch, Inc., Engineering Firm, from 30690-LE to 36835-LE; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Second Lease Amendment with the State of Delaware Office of Management and Budget on Behalf of the Delaware National Guard, and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

Resolution 25-41 was moved by Commissioner Ratchford, seconded by Commissioner Mehaffey, and was approved by a roll call vote of 10-0.

## **Resolution 25-41- Executive Summary**

**Resolution:** Authorizing the Execution of a Second Lease Amendment Between the Delaware River and Bay Authority and The Delaware National Guard, regarding Wilmington Airport.

**Committee:** Economic Development

**Committee Date:** September 16, 2025

**Board Date:** September 16, 2025

**Purpose of Resolution:**

To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Amendment for space at the Wilmington Airport.

**Background for Resolution:**

The Delaware National Guard currently leases space at Wilmington Airport, known as the Army Aviation Support Facility, with a term expiring on October 4, 2043. They entered into a Lease Agreement on October 3, 1988. They wish to extend their Lease Agreement for an additional twelve years, two months, and twenty-eight days, moving the expiration date to December 31, 2055. They are planning a construction project consisting of a micro-grid which requires a 30-year lease term to qualify for funding. This amendment will take effect upon receipt of an Airport Joint Use Agreement.

Additionally, this Resolution corrects a typographical error in the First Amendment dated November 10, 2003, to change the plan number prepared by VanDemark & Lynch, Inc., Engineering Firm, from 30690-LE to 36835-LE.