

AGREEMENT BETWEEN OCCUPY DELAWARE AND CITY OF WILMINGTON

The City of Wilmington and Occupy Delaware agree this tenth day of November, 2011, that Occupy Delaware and its members may use Peter Spencer Plaza for their occupation without being required to pay a fee, for as long as they wish to use it, that they may remain on the plaza seven days a week around the clock, and that they may place tables, tents, signs and other items on the plaza, but that tents will not be placed north of the tree line that runs perpendicular to French Street just south of the fenced in monument/grave site area. Occupy Delaware agrees not to block pedestrian traffic by putting fixed items north of the tree line.

Occupy Delaware will not establish another encampment in downtown Wilmington unless the number of people occupying Peter Spencer Plaza grows to the point where it becomes unreasonably crowded. In that case, the parties will discuss what to do about using other sites for an occupation. This agreement will not limit the decisions or arguments either party may make regarding use of a second City of Wilmington site for an occupation.

This agreement also has no bearing on the rights, or lack thereof, of Occupy Delaware to use property in Wilmington otherwise than for an occupation. The City of Wilmington may ask the Court to excuse it from complying with this agreement if, due to a physical change in the plaza that is in no way attributable to actions by the city or its agents, it becomes unreasonable for the occupation to continue at Peter Spencer Plaza.

Occupy Delaware by William Fasano, its designee to sign this agreement

William Fasano

City of Wilmington by Rosamaria Tassone DiLandro, Esq., its

Rosamaria Tassone DiLandro
Attorney for City of Wilmington