



SPONSOR: Rep. Brady & Sen. McDowell

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 52

AN ACT AUTHORIZING THE CONVEYANCE OF THE STATE OF DELAWARE'S INTEREST IN CERTAIN  
LANDS LOCATED IN NEW CASTLE COUNTY, DELAWARE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. The State of Delaware is hereby authorized and directed to convey by quit-claim deed a portion of Tax  
2 Parcel 2600620045, consisting of approximately 1.53 acres located at the terminus of Bancroft Mills Road in New Castle  
3 County, Delaware to Rockford Falls Partners, LLC, a Delaware Corporation.

4           Section 2. Simultaneous with the conveyance described in Section 1, Rockford Falls Partners, LLC shall convey  
5 by quit-claim deed a strip of land and adjoining river bottom running contiguously along the Brandywine Creek on Tax  
6 Parcel 2600620041, consisting of approximately 3.92 acres, to the State of Delaware, Department of Natural Resources and  
7 Environmental Control. Additionally, Rockford Falls Partners, LLC shall pass all ownership rights to the dam located on  
8 Tax Parcel 2600620041 to the State of Delaware, Department of Natural Resources and Environmental Control. Rockford  
9 Falls Partners, LLC shall further agree to create and maintain, at its expense, a 25 space parking lot on that portion of Tax  
10 Parcel 2600620045 that remains the property of the State of Delaware and build and maintain a green space/lawn at the  
11 entrance to the State park land on that same portion of Tax Parcel 2600620045. Rockford Falls Partners, LLC shall further  
12 agree to renovate, at its expense, the former train platform located on the portion of the State park land adjoining Tax Parcel  
13 2600620045 that remains the property of the State of Delaware and create a rentable pavilion. Rockford Falls Partners,  
14 LLC shall further agree to install a restroom facility, at its expense, on the portion of Tax Parcel 2600620045 that remains  
15 the property of the State of Delaware. Rockford Falls Partners, LLC shall grant to the State of Delaware, Department of  
16 Natural Resources an easement granting public access for vehicles and bicycles and pedestrians, in perpetuity, over its  
17 property at the aforementioned site to the adjacent lands owned by the State of Delaware, Department of Natural Resources.  
18 The land to be conveyed to the State of Delaware, together with the agreed improvements to existing State land, is open  
19 land that equals the fair market value and exceeds the acreage of the land transferred to Rockford Falls Partners, LLC in  
20 Section 1.

21           Section 3. The conveyances described in Sections 1 and 2 herein shall not take place unless and until such time as  
22 all appropriate approvals are received from all authorities and both parties agree to the exact metes and bounds description  
23 of the lands to be conveyed and the terms of such conveyance.

24           Section 4. Notwithstanding any laws of the State of Delaware to the contrary, the Governor or Secretary of the  
25 Department of Natural Resources and Environmental Control is authorized to execute and to deliver a quit-claim deed  
26 carrying out the conveyances herein described. The authority to convey granted to the State of Delaware by this Act is  
27 conditioned upon the simultaneous conveyance and agreement to improvements and easement by Rockford Falls Partners,  
28 LLC as described above. If, for any reason, no valid deed is issued by Rockford Falls Partners, LLC, then the power of the  
29 State to convey the tract described above shall be null and void.

#### SYNOPSIS

Currently, Rockford Falls Partners, LLC owns the majority of the Bancroft Mills site in Wilmington, Delaware. Delaware's Division of Parks and Recreation owns a smaller portion of the Bancroft Mills site that the State acquired with the intent of having it serve as an entrance, river crossing and parking area for Alapocas Run State Park. There is currently inadequate public access and parking onsite to meet recreational needs in this portion of the park. This bill authorizes DNREC to engage in a "land swap" with Rockford Falls Partners. The state will convey 1.53 acres of its land to Rockford Falls Partners, and will receive in exchange 3.92 acres of land and river bottom bordering the Brandywine Creek at the Bancroft Mills site, and an easement in perpetuity allowing vehicle, bike, and foot traffic across Rockford Falls property for purposes of accessing state park land. Rockford Falls will further agree to create and maintain a 25 space parking lot and a lawn on the State land at the park entrance, as well as installing a restroom facility and renovating an old train platform for use as a rentable pavilion in the park. This land swap was approved by the Open Space Council on December 7, 2016.