

CHAPTER 9  
FORMERLY  
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:

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

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

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

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

Approved April 13, 2017