

CHAPTER 231
FORMERLY
HOUSE BILL NO. 282

AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER BY THE COLONIAL SCHOOL DISTRICT TO THE DELAWARE CITY FIRE COMPANY OF CERTAIN REAL PROPERTY INCLUDING THE BUILDING LOCATED ON SOUTH DUPONT PARKWAY KNOWN AS THE COMMODORE MACDONOUGH PROPERTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fourths of all members elected to each house thereof concurring therein):

WHEREAS, the Colonial School District ("Colonial") holds title to the building and land located on South DuPont Parkway located partially in the Town of St. Georges, Delaware, and partially in the Town of Delaware City, Delaware (the "Commodore MacDonough Property"); and

WHEREAS, the State of Delaware has a 60% interest in the Commodore MacDonough Property and Colonial has a 40% interest in the Commodore MacDonough Property; and

WHEREAS, Colonial has no intention of using the Commodore MacDonough Property for school purposes, and the Delaware City Fire Company plans to use the Commodore MacDonough Property for purposes beneficial to the residents of the Towns of Delaware City and St. Georges, as well as the surrounding area; and

WHEREAS, Colonial is willing to convey the Commodore MacDonough Property for consideration of \$10.00, but Colonial is prohibited from doing so by 14 *Del. C.* § 1057.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (three-fourths of all members elected to each House thereof concurring therein):

Section 1. Section 1057 of Title 14 notwithstanding, Colonial is hereby authorized and empowered to execute and deliver to the Delaware City Fire Company a good and sufficient deed to transfer and convey all that certain parcel of land and all structures situated thereon, known as the Commodore MacDonough Property located in New Castle County, Delaware (tax parcel ID number 12-027-00-008). This conveyance shall be for consideration of \$10.00, and shall be "as is" in that the Delaware City Fire Company shall accept the building and land in their present condition as of the time of conveyance.

Section 2. The deed to the aforesaid real property shall contain a provision whereby said property will revert to the Colonial School District in the event that the property or any part thereof, ceases to be used by the Delaware City Fire Company.

Approved February 04, 2010