



SPONSOR: Sen. Vaughn
Sens. Henry, McBride & Connor,
Reps. Lofink, Reynolds, Smith,
Spence & Houghton, Mulrooney

DELAWARE STATE SENATE

141st GENERAL ASSEMBLY

SENATE BILL NO. 222

AN ACT RELATING TO PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO NEW CASTLE COUNTY THE BUILDING AT 3601 NORTH DUPONT HIGHWAY, NEW CASTLE, DELAWARE AND TO CONVEY TO DELAWARE CITY THE BUILDING AT 5TH AND BAYARD STREETS, DELAWARE CITY, DELAWARE.

WHEREAS, the Colonial School District ("Colonial") holds title to the building and land located at 3601 North DuPont Highway (the former Minquadale Elementary School), and the building and land located in Delaware City at 5th and Bayard Streets (the Delaware City Elementary School) ("the Properties"); and

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

WHEREAS, New Castle County has leased the 3601 North DuPont Highway Property for 24 years; and

WHEREAS, Colonial has no intention of using the buildings located on the Properties for school purposes given the cost of renovating the buildings, coupled with the fact that such use of the 3601 North DuPont Highway Property would displace the New Castle County Police Department; and the Delaware City Elementary School will be replaced by a new Southern Elementary School opening in September 2001;

WHEREAS, Colonial is willing to convey the Properties to New Castle County and Delaware City, together with the land owned by Colonial occupied by and surrounding such buildings, 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):

- 1 Section 1. Notwithstanding Section 1057 of Title 14 or any other law to the contrary, Colonial may convey the
- 2 3601 North DuPont Highway Property to New Castle County, and the 5th and Bayard Streets Property to Delaware City,

- 3 together with the land occupied by each such building, and the land owned by Colonial which surrounds each building.
- 4 Such conveyances shall include the State's 60% interest in the Properties, and shall be 'as is' in that New Castle County
- 5 and Delaware City shall accept the buildings and land in their present condition."

SYNOPSIS

The conveyances authorized by this Bill permit the Properties to continue to be used for public purposes. The District, the Department of Education and independent experts agree the cost of renovating the buildings for use as schools is prohibitive. In the case of Delaware City Elementary School, the school building and property are undersized, the building is old, and the school is being replaced with the Southern Elementary School effective the 2001/2002 school year. The former Minquadale Elementary School has been rented by the New Castle County Police Department for 24 years. Over the years, substantial public funds have been invested to modify and renovate the property for its present use.

Author: Senator Vaughn