



SPONSOR: Rep. Gilligan & Rep. Hudson & Rep. Roy & Sen. Sokola & Sen. Blevins

HOUSE OF REPRESENTATIVES

143rd GENERAL ASSEMBLY

HOUSE BILL NO. 416

AN ACT PERMITTING THE STATE OF DELAWARE TO CONVEY A PORTION OF UNIMPROVED EMILY P. BISSELL HOSPITAL PROPERTY TO NEW CASTLE COUNTY FOR FLOOD MITIGATION AND A RETENTION BASIN.

1 WHEREAS, the State of Delaware holds title to land located at Newport Gap Pike at Mill Creek Road, Mill Creek
2 Hundred, New Castle County, Delaware the Emily P. Bissell Hospital Property hereinafter " the Bissell Property"; and

3 WHEREAS, the State has no intention of using the entire Bissell Property and New Castle County desires to use a 6.002
4 acre portion of the Bissell Property for the purpose of constructing a retention basin for flood mitigation; and

5 WHEREAS, the State is willing to convey this 6.002 acre portion of the Bissell Property to New Castle County for the
6 sole purpose of flood mitigation and constructing a retention basin for flood mitigation.

7 NOW THEREFORE:

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

10 Section 1. Chapter 94 of Title 29 of the Delaware Code notwithstanding, the State of Delaware may convey a 6.002 acre
11 portion of the Bissell Property to New Castle County as more specifically described below. This conveyance shall be "as is" in that
12 New Castle County shall accept the land in its present condition.

13 The subject real property is described as follows:

14 ALL THAT CERTAIN tract, piece or parcel of land, situate Newport Gap Pike at Mill Creek Road, Mill Creek Hundred,
15 New Castle County, Delaware and shown on a plan prepared by VanDemark & Lynch, Inc., Engineers, Planners and Surveyors,
16 Wilmington, Delaware, Drawing No. 38193-L dated April 12, 2006, entitled "Property Exhibit, Emily P. Bissell Hospital" and
17 being more particularly described as follows, to wit:

18 BEGINNING at a northeasterly corner for land now or formerly of Emily P. Bissell Hospital (Deed Record Q, Volume 33,
19 Page 247) at the southeasterly end of a corner cut-off joining the southwesterly side of Newport Gap Pike (a variable width public

20 road) with the southerly side of Mill Creek Road (a variable width public road), said point being measured 40.00 feet at a right
21 angle to the right of base line station 95+00 as shown on Delaware Department of Transportation (DelDOT) Contract No. 1329;

22 THENCE, from the said point of Beginning, along the said southwesterly side of Newport Gap Pike, the two (2) following
23 described courses and distances:

24 1. Southeasterly, by a curve to the left having a radius of 2908.79 feet, an arc length of 311.22 feet to a point, said point
25 being distant by a chord of South 34°00'47" East, 311.07 feet from the last described point; and

26 2. South 37°03'37" East, 130.41 feet to a point;

27 THENCE through the said land now or formerly of Emily P. Bissell Hospital the three (3) following described courses and
28 distances:

29 1. South 73°13'00" West, 330.00 feet to a point;

30 2. North 57°05'06" West, 165.60 feet to a point; and

31 3. North 79°49'32" West, 375.78 feet to a point on the easterly line for land now or formerly of Walter F. Garrett, Jr. and
32 Linda J. Garrett (Deed Record 20011211-0104727);

33 THENCE, in part, along the said easterly line for land now or formerly of Walter F. Garrett, Jr. and Linda J. Garrett and, in
34 part, along land now or formerly of New Castle County (Deed Record G, Volume 77, Page 251), North 00°53'25" West, 247.11 feet
35 to a point on the said southerly side of Mill Creek Road as shown on DelDOT Contract No. 97-034-02;

36 THENCE along the said southerly side of Mill Creek Road the seven (7) following described courses and distances:

37 1. Easterly, by a curve to the right having a radius of 5,714.58 feet, an arc length of 51.26 feet to a point, said point being
38 distant by a chord of North 74°47'56" East, 51.25 feet from the last described point;

39 2. North 84°15'37" East, 56.22 feet to a point;

40 3. North 75°42'45" East, 115.73 feet to a point;

41 4. North 83°54'39" East, 115.10 feet to a point;

42 5. North 75°43'18" East, 8.84 feet to a point;

43 6. North 88°52'56" East, 42.82 feet to a point; and

44 7. North 75°40'52" East, 126.71 feet to a point at the northwesterly end of the said corner cut-off joining Newport Gap
45 Pike with Mill Creek Road;

46 THENCE along the said corner cut-off joining Newport Gap Pike with Mill Creek Road, South 59°57'52 East, 80.76 feet
47 to a point to the point and place of Beginning.

48 CONTAINING within said metes and bounds, 6.002 acres of land, being the same, more or less.

49 Section 2. In the event that New Castle County shall cease to use said property for a retention basin and flood mitigation,
50 said property shall revert back to the State of Delaware.

SYNOPSIS

 This Bill allows the State of Delaware to convey a 6.002 acre portion of Emily P. Bissell Hospital property to New Castle County. The subject property is not needed for hospital purposes, and the conveyance will allow the property to be used for a retention basin for flood mitigation.