

CHAPTER 413  
FORMERLY  
SENATE BILL NO. 173

AN ACT TO AUTHORIZE THE TRANSFER OF PROPERTY IMPROVED USING FUNDS FROM THE DELAWARE LAND AND WATER CONSERVATION TRUST FUND FROM THE CITY OF DOVER TO CAPITOL BAPTIST CHURCH.

WHEREAS, the City of Dover owns land on Blue Beech Road that is used as a park known as Mayfair Park; and

WHEREAS, in 2005 the City of Dover applied for and received a \$19,277 grant from the Outdoor Recreation, Parks, and Trails Program to install new playground equipment and surfacing at Mayfair Park; and

WHEREAS, the Outdoor Recreation, Parks, and Trails Program is funded by the Delaware Land and Water Conservation Trust Fund ("Trust Fund"); and

WHEREAS, the City of Dover and Capitol Baptist Church ("Church"), adjacent to Mayfair Park, have each agreed to swap 0.68 acres of land to address issues of trespassing on Church property due to Mayfair Park; and

WHEREAS, as a result of the land swap, the playground equipment will be transferred to the Church as the playground equipment is located on the portion of Mayfair Park that will be transferred to the Church; and

WHEREAS, § 5423(d)(4) of Title 30 of the Delaware Code requires that property acquired or improved with funds from the Trust Fund must remain in public outdoor recreation and conservation use in perpetuity and may not be converted to other uses without a subsequent act of the General Assembly.

NOW, THEREFORE:

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

Section 1. As required by § 5423(d)(4) of Title 30 of the Delaware Code, the City of Dover is authorized to transfer the portion of Mayfair Park improved with playground equipment and surfacing using funds from the Delaware Land and Water Conservation Trust Fund.

Approved September 4, 2018