



EXECUTIVE ORDER 2021-03

WHEREAS, 9 *Del. C.* § 330 provides New Castle County Government with general powers and duties to direct, manage and control its business and finances; and

WHEREAS, 9 *Del. C.* § 1116 requires that the New Castle County Executive ensure that the duties and responsibilities of the executive and administrative agencies of the County are properly performed and that work of the county offices, departments, and agencies is properly coordinated; and

WHEREAS, 9 *Del. C.* § 8721 established the monition method that authorizes New Castle County's taxing authority to pursue the sale of real property to collect certain monies owed to the County; and

WHEREAS, on February 28, 2018, the New Castle County Executive signed Executive Order 2018-5 implementing a policy titled "Acquisition of Properties through the Monition Process and Disposition of those Properties" that provides disposition strategies for property acquired by the County through the monition method; and

WHEREAS, on October 19, 2018, the New Castle County Executive signed Executive Order 2018-12 amending Executive Order 2018-5 to include additional disposition methods for property acquired by the County through the monition method; and

WHEREAS, consistent with 9 *Del. C.* § 1521(f), Executive Order 2018-5 Section (V)(D) provides that additional disposition strategies may be approved through Executive Order.

NOW THEREFORE:

1. In addition to the disposition strategies provided in the policy titled "Acquisition of Properties through the Monition Process and Disposition of those Properties," implemented by Executive Order 2018-5 and amended by Executive Order 2018-12, the following disposition strategy may be used to transfer any real property acquired by New Castle County through the monition process.

Transfer to a Governmental Entity. The property may be transferred to the United States, the State of Delaware, or a political subdivision of the State of Delaware for public use, in the interests of health, safety, and welfare of all the citizens of New Castle County.

MATTHEW MEYER
COUNTY EXECUTIVE
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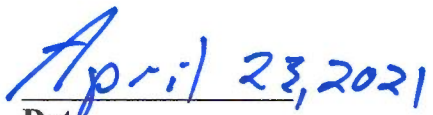
- **Agreement of sale.** The General Manager of the Department of Community Services or Public Works or his or her designee shall be authorized to accept or decline an offer, propose a counteroffer, or otherwise negotiate and execute the agreement of sale and all other documents pertaining to the sale of the property. The agreement shall provide that grantee shall be responsible for preparing the transfer tax affidavits (certifying governmental exemption), drafting the deed, and recording the deed promptly after settlement. The agreement shall also require the buyer to pay all settlement charges.
- **Settlement documents.** The County Executive or designee shall execute the deed and transfer tax affidavits. If the deed is executed by a designee, it shall be accompanied by a recordable document providing said designee with authority to act on behalf of the County Executive. An executed deed shall serve as the County Executive's approval of the conveyance as required by 9 *Del. C.* § 1521(f).

2. This Executive Order shall become enforceable immediately upon signature by the New Castle County Executive. This Executive Order will remain in effect until and unless rescinded by subsequent order of the New Castle County Executive.

So Ordered:



Matthew S. Meyer
New Castle County Executive



Date