



EXECUTIVE ORDER 2018-12

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 the work of the county offices, departments, and agencies is properly coordinated; and

WHEREAS, 9 Del. C. § 8721 establishes 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, consistent with 9 Del. C. § 1521(f), section (V)(D) of the aforementioned policy 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, the following disposition strategy may be used to sell any real property acquired by New Castle County through the monition process.

Multiple Listing Service (MLS). The General Manager of the Department of Community Services or designee may execute a listing agreement with a licensed real estate agent to advertise the property for sale on the MLS.

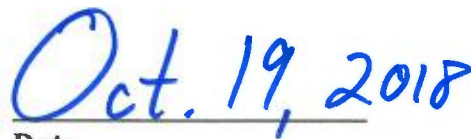
- **Listing agreement.** The listing agreement shall be with a licensed real estate agent that is approved by the New Castle County Department of Administrative Services. The listing agreement shall be subject to all applicable vendor contracting rules.
- **Listing price.** The listing price shall be based on the selected real estate agent's broker price opinion and approved by the General Manager of the Department of Community Services or designee. Any reductions in the listing price must be approved by the General Manager of the Department of Community Services or designee unless otherwise provided in the listing agreement.
- **Agreement of sale.** The General Manager of the Department of Community Services or designee shall be authorized to accept, decline, 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 the buyer is 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 Meyer
New Castle County Executive



Date