



# The National Agricultural Law Center

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## Farm Ownership & Corporate Farming Laws: *Delaware*



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# A National Agricultural Law Center Research Publication

## Farm Ownership & Corporate Farming Laws: Delaware

### Fast Find:

- 1) Prohibition: None
- 2) Permission: Del. Code Ann. tit. 25, §§ 305; 306; 308
- 3) Prohibition: None
- 4) Corporate Farming: None

[Del. Code Ann. tit. 25, § 305](#)

[Del. Code Ann. tit. 25, § 306](#)

[Del. Code Ann. tit. 25, § 308](#)

*Current through laws passed by the 2021 Regular Session of the 151<sup>st</sup> Delaware General Assembly. Some statute sections may be more current, see credits for details. Revisions to 2021 Acts by the Delaware Code Revisors were unavailable at the time of publication.*

### § 305. Deeds by foreign corporations; recording as evidence; ownership rights

All deeds to lands in Delaware executed and delivered by corporations created by and existing under the laws of the states and territories of the United States of America, other than Delaware, or created by and existing under the laws of any foreign state or nation, are made valid and effective to convey the fee simple or other estate purported to be conveyed in such deeds, with the same force and effect as if the corporation grantor had been a corporation lawfully created by and existing under the laws of this State. Such deeds, when recorded, or any office copy thereof, shall be admitted as evidence in all courts of this State, and shall be valid and conclusive evidence, with the same force and effect as if such deeds had been properly executed, acknowledged and delivered by corporations created by and existing under the laws of this State. A foreign corporation owning lands in Delaware may exercise all rights and privileges of ownership to the same extent as if such corporation were a corporation lawfully created by and existing under the laws of this State.

### § 306. Title and disposal of property by aliens

All real and personal property situate in this State may be taken, acquired, held and disposed of by an alien in the same manner as by a citizen of this State.



### **§ 308. Title and disposal of property by aliens**

All conveyances to or from aliens of real or personal property situate in this State, at any time made, are validated, ratified and confirmed; and it is declared that the conveyances vested in the purchaser or purchasers the same estates and rights as they would have taken if the conveyance had been made between citizens of the State.

