

ORDINANCE

**AN ORDINANCE AUTHORIZING THE PURCHASE
OF 135 W. LINCOLN HIGHWAY, TAX PARCEL NO. 16-5-348
FROM THE REDEVELOPMENT AUTHORITY OF THE CITY OF COATESVILLE
FOR ONE HUNDRED DOLLARS FOR PUBLIC PURPOSES**

WHEREAS, the City of Coatesville is a Third Class City operating by means of a Home Rule Charter and situate in Chester County, Pennsylvania (hereinafter the “City”); and

WHEREAS, the Redevelopment Authority of the City of Coatesville (the “Redevelopment Authority”) is a Pennsylvania Redevelopment Authority established under the Pennsylvania Urban Redevelopment Law, 35 P.S. § 1701, et seq.; and,

WHEREAS, under the Pennsylvania Urban Redevelopment Law at 35 P.S. § 1709, subsections (c), (d) and (f), the Redevelopment Authority is authorized to, *inter alia*, cooperate with the City for the acquisition by such municipality, of property rights or for the furnishing of property or services in connection with a redevelopment area, and to arrange or contract with the City to cause the services customarily provided by the City to be rendered for the benefit of the residents of the City and for the City to provide and maintain municipal facilities in connection with redevelopment areas; and,

WHEREAS, under the Pennsylvania Urban Redevelopment Law at 35 P.S. § 1709(k), the Authority is authorized to sell, lease or otherwise transfer any real property located outside of a redevelopment area and, subject to approval by the local governing body, any real property in a redevelopment area; Provided, that with respect to a redevelopment area the Authority finds that the sale, lease or transfer of any part will not be prejudicial to the sale or lease of other parts of the redevelopment area, nor be in any other way prejudicial to the realization of the redevelopment proposal approved by the governing body; and,

WHEREAS, in accordance with the above authority, the Redevelopment Authority of the City of Coatesville passed a Resolution on August 17, 2015 to transfer to the City for public use by the City for a purchase price of One Hundred Dollars (\$100.00) (with the City to pay for all recording and settlement expenses for the conveyance), real property with a street address of 135 Lincoln Highway (Chester County Tax Parcel # 16-5-348) an approximately 2.1 acre parcel with improvements located at the intersection of West Lincoln Highway and Church Street in the City of Coatesville),and,

WHEREAS the Resolution of the Redevelopment Authority of the City of Coatesville last referenced had an expiration of one year after August 17, 2015 and was expressly conditioned upon the City’s response to County RFP(s) to construct two (2) District Courts to be leased to the County of Chester being accepted and approved by the County; and,

WHEREAS, the City recognizes that the relevant provisions in the Third Class City code and the City Charter (Section 2301 of the Charter) require that the City Council take action by means of enactment of an Ordinance in circumstances where the City is intending to purchase, convey, lease (or authorizes the purchase, conveyance or lease) of real property; and

WHEREAS, the City intends to purchase the 2.1 acre property from the Redevelopment Authority of the City of Coatesville as mentioned herein for public purposes and accepts the conditions of the Resolution of the Redevelopment Authority as to the purchase price, the allocation of the costs of settlement and the further requirement that the purchase is conditioned upon the City being the successful winner of the County Contract to build two (2) District Courts at this location and receive confirmation thereof within one year of August 17, 2015.


NOW THEREFORE, in consideration of the foregoing, it is hereby enacted and ordained as follows:

The City Council of the City of Coatesville authorizes the City Manager, or other authorized party, to purchase from the Redevelopment Authority of the City of Coatesville the real estate and improvements (approximately 2.1 acres +/-) at the address of 135 W. Lincoln Highway, Chester County Tax Parcel # 16-5-348 for One Hundred Dollars (\$100.00) and to pay for all recording and settlement expenses incurred in the conveyance of the said property, with said purchase to occur within one year from August 17, 2015 and said purchased conditioned upon the City's response to the County RFP's being accepted and approved by Chester County as referenced herein.

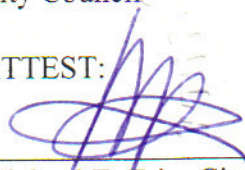
If any portion of the Ordinance shall be determined to be unconstitutional, illegal or unenforceable, then the portion and only that portion of this Ordinance, which is deemed to be unconstitutional, illegal or unenforceable shall be severed from the remainder of this Ordinance and all other terms thereof shall remain in full force and effect.

This Ordinance shall be effective thirty (30) days after publication following final adoption in accordance with the City Charter and the Third-Class City Code.

ENACTED AND ORDAINED this 28th day of September, 2015.


Linda Lavender Norris, President
City Council

ATTEST:


Michael T. Trio, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 14th day of September, 2015, and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania on the 28th day of September, 2015, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.

A handwritten signature in dark ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a horizontal line.

Michael T. Trio, City Manager