

**CITY OF COATESVILLE
COUNTY OF CHESTER**

AN ORDINANCE AMENDING ORDINANCE NO. 1186-2002, AUTHORIZING THE CITY OF COATESVILLE TO ENTER INTO A COMMITMENT AGREEMENT TO LEND UP TO \$500,000.00 TO THE DOWNTOWN REVIVAL LIMITED PARTNERSHIP FOR AN URBAN RENEWAL PROJECT SUBJECT TO A PROMISSORY NOTE AND MORTGAGE AND SECURITY AGREEMENT AND CONDITIONAL ASSIGNMENT OF LEASES AND RENTS TO THE CITY PROVIDING FOR THE REPAYMENT OF SAME IN FORTY (40) YEARS, TO AUTHORIZE THE CITY OF COATESVILLE TO ENTER AN AGREEMENT TO ACCEPT A LUMP SUM PAYMENT OF \$250,000.00 TO SATISFY THE DOWNTOWN REVIVAL LIMITED PARTNERSHIP'S DEBT OBLIGATION TO THE CITY OF COATESVILLE DUE IN 2042.

WHEREAS, the City of Coatesville ("City") is a Third-Class City operating by means of a home rule charter; and

WHEREAS, on February 22, 2002, the City Council ("Council") enacted Ordinance No. 1186-2002 authorizing the City to loan Downtown Revival Limited Partnership ("DTR") \$500,000.00, without interest, for an urban renewal project to be repaid in the year 2042; and

WHEREAS, on March 14, 2002, DTR executed a promissory note with repayment of the \$500,000.00 to occur on March 14, 2042; and

WHEREAS, on August 16, 2002, a fourth priority junior mortgage was recorded against certain properties with the Chester County Recorder of Deeds, Book 5360, Page 1133, to secure repayment of the \$500,000.00 loan; and

WHEREAS, creditors having a priority interest senior to that of the City will either be repaid in full or forgive the debt owed by DTR on or before the date of payment to the City; and

WHEREAS, DTR seeks to satisfy its outstanding debts, including that of the City; and

WHEREAS, the City will benefit from receiving a \$250,000.00 payment in 2020 rather than in 2042, when the City would have a lower priority for payment; and

WHEREAS, pursuant to Section 2-301 of the City Charter an ordinance is required to amend the terms and conditions set forth in Ordinance No. 1186-2002; and

NOW THEREFORE, in accordance with the foregoing authority, which incorporates all rights and powers granted to the City of Coatesville under the Third-Class City Code and those powers set forth under its Charter, the City hereby enacts and ordains as follows:


SECTION 1. The City of Coatesville authorizes the City Manager and City Council President, in consultation with the City Solicitor, to negotiate and execute all documentation necessary for the City to accept a lump-sum payment of \$250,000.00 in satisfaction of The Downtown Revival Limited Partnership's debt due in 2042, and to mark such debt as satisfied.

SECTION 2. All ordinances or parts of ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

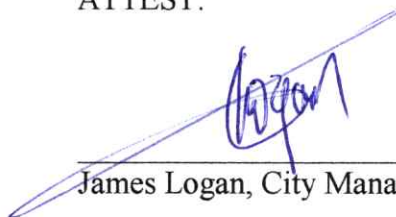
SECTION 3. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof.

SECTION 4. This Ordinance shall be effective 30 days after publication following final adoption in accordance with the City Charter and the Third-Class City Code.

ENACTED AND ORDAINED this 24th day of November, 2020.


Linda Lavender-Norris, President City Council

ATTEST:


James Logan, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 9th day of November, 2020, was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania, on the 24th day of November, 2020, and 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.