

ORDINANCE

AN ORDINANCE AUTHORIZING THE CITY OF COATESVILLE TO ACCEPT DEEDS OF DEDICATION FOR THE PUBLIC IMPROVEMENTS (ROADWAYS AND PUBLIC PARK AND AMENITIES) IN THE MILLVIEW SUBDIVISION FROM COATESVILLE COMMUNITIES CORPORATION AND/OR COATESVILLE HOUSING ASSOCIATES (OR OTHER OWNER THEREOF) SUBJECT TO THE EXECUTION OF AN APPROPRIATE MAINTENANCE AGREEMENT SECURED BY APPROPRIATE SECURITY AND SUBJECT TO RECEIPT OF A TITLE REPORT ESTABLISHING CLEAR TITLE TO THE PROPERTY AT ISSUE (WITH APPROPRIATE RELEASES OF LIENS ETC.) AND CONDITIONED UPON APPROVAL OF THE LEGAL DESCRIPTION OF THE ROADWAYS AND OTHER PUBLIC IMPROVEMENTS BY THE CITY ENGINEER AND CERTIFICATION BY THE CITY ENGINEER THAT THE PUBLIC IMPROVEMENTS ARE ACCEPTABLE FOR DEDICATION

WHEREAS, the City of Coatesville is a Third Class City located in Chester County, Pennsylvania operating under the Third Class City Code and the City's Charter; and

WHEREAS, the City has approved a phased subdivision known as "Millview" which is being constructed by the developer, Coatesville Communities Corporation in the City of Coatesville; and

WHEREAS, the aforementioned developer has completed Phase II and III of the Millview Subdivision and requests to dedicate the public improvements in said phases to the City of Coatesville by means of two (2) Deeds of Dedication (one for the roadways and one for the Public Park and amenities) each supported by a maintenance agreement with satisfactory security in the amount of fifteen (15%) percent of the cost of improvements (providing a guarantee of said improvements for a period of eighteen (18) months) in accordance with the City of Coatesville Subdivision and Land Development Ordinance of 1995 as amended and the Municipalities Planning Code ("MPC"), 53 P.S. §10101.1 et seq.; and

WHEREAS, the City engineer shall be required to have determined that the public improvements are acceptable for dedication to the City and shall have approved the calculation of fifteen (15%) percent of the costs of improvements; and

WHEREAS, under the City Charter, the City is required to enact an ordinance for purposes of purchasing, conveying, leasing or authorizing the purchase, conveyance or lease of real property; and

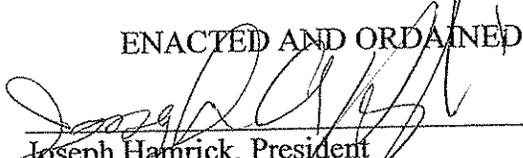
WHEREAS, the City desires to accept the Deeds of Dedication subject to receipt of an appropriate maintenance agreement, Deeds of Dedication and supporting security approved by the City Solicitor and authorizes the acceptance of the Deeds of Dedication for the purchase price of Ten (\$10.00) Dollars each, in the form attached hereto and marked as Exhibit "A".

NOW THEREFORE, in accordance with the foregoing, the City of Coatesville hereby approves and authorizes the City Manager of the City of Coatesville or other authorized representative to execute the Deeds of Dedication to the public improvements in Phases II and III of the Millview Subdivision for the roadways identified therein (and a separate Deed of Dedication for the Public Park and amenities) in the form of the Deeds of Dedication attached hereto subject to the requirement that Coatesville Communities Corporation first enter into an appropriate maintenance agreement with adequate security in accordance with the MPC and the City's Subdivision and Land Development Ordinance and receive certification by the City Engineer that the roads and improvements in said phases (and the Public Park and amenities) are acceptable for dedication.

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 28 day of November, 2011.

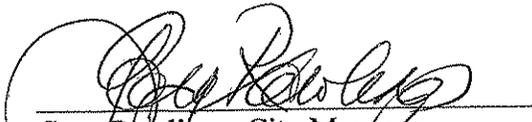

Joseph Hamrick, President
City Council

ATTEST:


Gary Rawlings, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 14 day of November, 2011, and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania on the 28 day of November, 2011 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.


Gary Rawlings, City Manager