RESOLUTION No 2008-23

A RESOLUTION OF THE COUNCIL OF THE CITY OF COATESVILLE, CHESTER COUNTY, PENNSYLVANIA, TO REMOVE TAX PARCEL 16-2-244 FROM THE RESTRICTIONS IMPOSED BY AND CONTAINED IN DEED DATED MAY 19, 2004, IN RECORD BOOK 6162, PAGE 1739

WHEREAS, the City of Coatesville is a Home Rule Charter, City of the Third Class in the Commonwealth of Pennsylvania; and

WHEREAS, Tax Parcel No. 16-2-244, also known as 882 Coates Street, is a parcel which is approximately 14 feet wide by approximately 73 feet deep, located on Coates Street on the west side of a 16 foot wide alley known as Boundary Court.

WHEREAS, The parcel was included in the deed from the City of Coatesville to the City of Coatesville, dated May 19, 2004, and recorded at Record Book 6162, Page 1739, under which this parcel and other parcels were subjected to the restrictions imposed by the Keystone Recreation Park and Conservation Fund Act of July 2, 1993, P.L. 359 ("Keystone Act"). The acquisition of this parcel by the City of Coatesville was not funded by the Keystone Act. At the time of the development of the JeanneTreadwell James Park, Tax Parcel No. 16-2-244 was included in the designation of the Keystone Act by mistake. The remaining parcels of the Jeanne Treadwell James

WHEREAS, Park have been and continue to be devoted to park uses but the parcel subject to this Resolution is not used for park uses because it is separated from the park by the 16 foot wide alley, known as Boundary Court which gives access to the twelve homes located behind the Jeanne Treadwell James Park.

WHEREAS, City Council does not perceive any on-going use of Tax Parcel No. 16-2-244 as a park and there is a buyer who wishes to acquire the property following a public auction thereof.

NOW, THEREFORE, BE IT RESOLVED by City Council of the City of Coatesville as follows:

1. The Background information set forth above is incorporated by reference herein.

2. City Council hereby removes Tax Parcel 16-2-244 from the restrictions contained in the deed dated May 19, 2004, and recorded at Record Book 6162, Page 1739 because the parcel was not acquired with the use of Keystone Act funds, was mistakenly included in the referenced "Deed of Dedication", and is not and should not be subject to the Keystone Act restrictions.

IN WITNESS THEREOF, the Council of the City of Coatesville hereby authorizes the execution and attestation of this resolution.

RESOLVED AND ENACTED, this 11th day of August, 2008.

Karen Jorgenson
City Council President

ATTEST:

Harry G. Walker, III
City Manager

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Resolution duly adopted at a regular meeting of City Council held on the 11th day of August 2008 and recorded in the minutes as such.

Harry G. Walker, III
City Manager

COMMONWEALTH OF PENNSYLVANIA:
:
COUNTY OF CHESTER :
On this the 19th day of August, 2008, before me, a Notary Public, personally appeared **KAREN JORGENSON**, who acknowledged herself to be the President of **CITY COUNCIL OF THE CITY OF COATESVILLE**, a Pennsylvania city of the third class, and that she as such President, being authorized to do so, executed the foregoing Resolution for the purposes therein contained by signing the name of the city by herself as President.

Commonwealth of Pennsylvania
NOTARIAL SEAL
RUTHANN RUSSELL, Notary Public
City of Coatesville, County of Chester
My Commission Expires November 7, 2009

Notary Public