

RESOLUTION NO. 2011-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COATESVILLE CONFIRMING THAT CITY COUNCIL WILL ACCEPT FOR DEDICATION ROADS WITHIN THE CITY LIMITS IN THE MILLVIEW SUBDIVISION IF SAME ARE BUILT TO THE CITY ENGINEER'S SPECIFICATIONS, INSPECTED AND APPROVED BY THE CITY ENGINEER DURING CONSTRUCTION AND THERE IS FULL COMPLIANCE WITH THE PROCEDURES FOR DEDICATION UNDER THE MUNICIPALITIES PLANNING CODE (INCLUDING THE ESTABLISHMENT OF A MAINTENANCE BOND) AND THE CITY CODE

WHEREAS, the City of Coatesville is a Third Class City and Home Rule Municipality existing in Chester County Pennsylvania (hereinafter the "City"); and

WHEREAS, the City has participated in settlement and a Court approved Order relative to completion of certain roads in the "Millview Subdivision" which have not yet been completed by the developer and which are subject to an order requiring completion; and

WHEREAS, Coatesville Communities Corp. the owner of the property subject to the subdivision and Carl Chetty, the President of the said company are ordered to make such improvements and have under the approved Order of Court "promised to offer for dedication to the City of Coatesville ... the roads and park..."; and

WHEREAS, agreements have been entered between Coatesville Communities Corp and Coatesville Housing Associates (a Pennsylvania limited partnership and the owner of Regency Park Apartments accessed by the road system at issue) and FTP Millview, LP (the owner of a 350 unit apartment complex also accessed by the road system at issue); and,

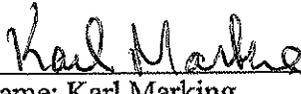
WHEREAS, Coatesville Housing Associates has indicated that in order to obtain financing needed to share in the road completion project, it needs assurances that the City of Coatesville will accept the roads as dedicated City roads -- provided that the roads are built to the specifications of the City Engineer, are inspected by the City Engineer and all requirements of the City and the Municipalities Planning Code are followed in the dedication process including the posting of a maintenance bond.

NOW, THEREFORE, in order to supply assurances to Coatesville Housing Associates , and any others, that the City will take action to accept dedication of the roads when completed in accordance with the requirements of the City Engineer and subject to inspection and approval by the City Engineer and full compliance with all requirements for dedication under the Municipalities Planning Code, 53 P.S. § 10101 et seq (the "MPC") and the City Code, it is **HEREBY RESOLVED AS FOLLOWS:**

1. The City Council of the City of Coatesville will accept the roads in the Millview Subdivision for dedication provided that the roads are constructed in accordance with the specifications of the City Engineer, are inspected during construction by the City Engineer and approved by the City Engineer for dedication.

2. Dedication must be in accordance with the requirements of the City Code and the MPC which require, inter alia, (by way of description and not limitation) that the owners provide an approved legal description and title report and appropriate release of liens for the affected property and execute an appropriate Deed of Dedication and supply a maintenance bond in a form approved by the City Solicitor and pay the costs of recording etc.,

IN WITNESS WHEREOF, the Council of the City of Coatesville has adopted and enacted this Resolution this 27day of June, 2011.



Name: Karl Marking
Title: President, City Council

ATTEST:



Name: Gary P. Rawlings
Title: City Manager