

ORDINANCE

AN ORDINANCE AUTHORIZING THE CITY OF COATESVILLE TO CONVEY TO THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION CERTAIN PROPERTIES FOR A HIGHWAY IMPROVEMENT PROJECT (REALIGNMENT OF FIRST AVENUE AT INTERSECTION WITH LINCOLN HIGHWAY) IN THE CITY OF COATESVILLE BEING PORTIONS OF TAX PARCEL (UPI) NOS. 16-5-140, 16-5-172, 16-5-225, 16-5-225.1, 16-5-226 AND 16-5-232

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

WHEREAS, the City's Charter at Section 2-301.G. thereof requires the City of Coatesville to pass an Ordinance to authorize, inter alia, action to "Purchase, convey ... or authorize the purchase or conveyance ... of...real property" (emphasis supplied) ; and,

WHEREAS, the City is conveying to the Commonwealth of Pennsylvania, Department of Transportation certain interests in real property as part of a Highway Improvement Project (realignment of First Avenue at its intersection with Lincoln Highway) needed for the Highway Occupancy Permit associated with this Highway Improvement Project; and,

WHEREAS, the City has prepared the appropriate Deeds of Conveyance with respect to portions of the following Tax Parcel (UPI) Nos.; 16-5-140 (0.046 acres); 16-5-172 (0.088 acres); 16-5-225 (0.011 acres); 16-5-225.1 (0.0009 acres); 16-5-226 (0.008 acres);and, 16-5-232 (0.032 acres) as more particularly identified in the deeds attached hereto and marked Exhibit "A"; and,

WHEREAS, in order to comply with the City Charter, the City enacts this Ordinance to authorize the appropriate representatives of the City to execute and record the deeds from the City to the Commonwealth of Pennsylvania, Department of Transportation for this Highway Improvement Project.

NOW THEREFORE, in consideration of the foregoing, and other consideration the receipt of which is hereby acknowledged, the City of Coatesville does hereby authorize its City Manager or City Council President, or other authorized Agent, to execute the various "Deed Fee Simple" deeds from the City of Coatesville to the Commonwealth of Pennsylvania, Department of Transportation with respect to portions of the following Tax Parcel Nos.: 16-5-140 (0.046 acres); 16-5-172 (0.088 acres); 16-5-225 (0.011 acres); 16-5-225.1 (0.0009 acres); 16-5-226 (0.008 acres);and 16-5-232 (0.032 acres) in substantially the form attached hereto as Exhibit "A" and to take any action necessary to have said documents recorded.

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

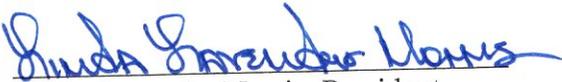
Bill: 2018-13

Ordinance: 1515 - 2018

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 27 day of August, 2018.


Linda Lavender Norris, President
City Council

ATTEST:



Michael T. Trio, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 13th day of August, 2018, and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania on the 27th day of August, 2018, 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.



Michael T. Trio, City Manager