

RESOLUTION NO. 2017-09

A RESOLUTION OF THE CITY OF COATESVILLE, CHESTER COUNTY, PENNSYLVANIA APPROVING REDEVELOPMENT AGREEMENT-COMMERCIAL LEASE WITH OPTION TO PURCHASE BETWEEN THE REDEVELOPMENT AUTHORITY OF THE CITY OF COATESVILLE AND KAI CANNAPHARM, INC FOR AN APPROXIMATELY SIX (6) ACRE PORTION OF THE "FLATS" SUBJECT TO THE LIMITATION THAT THIS APPROVAL ONLY EXTENDS THROUGH THE CURRENT APPLICATION PROCESS WITH AN APPLICATION DEADLINE OF MARCH 20, 2017

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

WHEREAS, the Redevelopment Authority of the City of Coatesville (hereinafter the "RDA") has entered into a Redevelopment Agreement – Commercial Lease with Option to Purchase (hereinafter the "Agreement") – with Kai CannaPharm, Inc., a Pennsylvania Corporation for purposes of developing an approximately six (6) acre portion of the "Flats" in the City of Coatesville pursuant to certain terms which are identified in the aforesaid Agreement which is attached hereto as Exhibit "A"; and,

WHEREAS, within the controlling Urban Redevelopment Law, 35 P.S. § 1701 et seq., there is specific provision for the RDA, under § 1709(k) thereof, to "sell lease or otherwise transfer any real property....subject to approval by the local governing body, any real property in a redevelopment area..." ; and,

WHEREAS, The City approves the Agreement subject to the understanding that this approval is only available for the current application period during which Kai CannaPharm, Inc. is applying for a license for a medical marijuana grower/processor facility pursuant to a licensure scheme which requires applications by a deadline of March 20, 2017 and that if Kai CannaPharm, Inc., is not successful in obtaining this licensure as a result of its application filed on or before March 20, 2017, further approval will be required from the City for the Agreement to extend after any period of non-approval

NOW, THEREFORE, BE IT RESOLVED that the City approves the Agreement (with an annual initial lease in the amount of \$120,000.00 per year as detailed in the Agreement) and authorizes the City Manager or Council President to sign "approved" on the Agreement - subject to the understanding that this approval is only available for the current application period during which KaiCanna Pharm, Inc. is applying for a license for a medical marijuana grower/processor facility pursuant to a licensure scheme which requires applications by a deadline of March 20, 2017 and that if KaiCanna Pharm, Inc., is not successful in obtaining a license as a result of its application filed on or before March 20, 2017, further approval will be required from the City for the Agreement to extend after any period of non-approval

IN WITNESS WHEREOF, the Council of the City of Coatesville has adopted and enacted this Resolution this 6th day of March, 2017.

ATTEST:



Michael T. Trio, City Manager



C. Arvilla Hunt, Council President