

**CITY OF COATESVILLE
COUNTY OF CHESTER**

AN ORDINANCE AUTHORIZING THE CITY OF COATESVILLE TO TEMPORARILY ACQUIRE UPI NO. 16-4-4.1B, WHICH IS LOCATED IN THE CITY OF COATESVILLE, CHESTER COUNTY, PENNSYLVANIA FROM THE CHESTER COUNTY TAX CLAIM BUREAU THROUGH THE REPOSITORY LIST, FOR THE PURPOSE OF REPAIRING THE STORMWATER BASIN CONTAINED THEREON, FOR A SALE PRICE NOT TO EXCEED ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200).

WHEREAS, the City of Coatesville ("City") is a Third Class City operating by means of a home rule charter and the laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to §2-301.G (Action requiring ordinances) of the Coatesville City Charter, the powers and duties of the Council shall be exercised by ordinance which purchase, convey, lease or authorize the purchase, conveyance or lease of real property; and

WHEREAS, the Millview Overall Plan prepared by G.D. Houtman & Sons, Inc., created, in relevant part, UPI No. 16-4-4.1B, which is located in the City of Coatesville, Chester County, Pennsylvania ("Property"); and

WHEREAS, the Property contains a stormwater basin that solely benefits the residents of the Millview Community; and

WHEREAS, the developer of the Millview Community was required, but failed, to convey the Property to the Millview Homeowners' Association ("Association"); and

WHEREAS, the basin located on the Property has fallen into disrepair and is a clear and present danger to the residents of the Association, the residents of the City, and residents in neighboring municipalities; and

WHEREAS, the City desires to prevent a catastrophic failure of the basin and desires to ensure the safety of its residents and their property; and

WHEREAS, the City is in a unique position to quickly and temporarily acquire title to the Property from the Chester County Tax Claim Bureau through the Repository List in order to repair the basin to avoid potential harm; and

WHEREAS, the City desires to thereafter complete conveyance to the intended owner Association; and

WHEREAS, the City has obtained approximately \$600,000 in grants to repair the basin, and one of the grants requires title to the Property to be vested in the City to permit the work to commence; and

WHEREAS, the City Council of the City of Coatesville ("Council") has determined that it is in the best interest of its residents and for the public good to temporarily acquire title to the Property from the Chester County Tax Claim Bureau through the Repository List to improve the stormwater basin contained thereon and then immediately convey the Property to the Association, the intended owner.

NOW THEREFORE, in accordance with the foregoing authority, which incorporates all the rights and powers granted to the City through its Charter, the Third Class City Code, and the laws of the Commonwealth of Pennsylvania, the City hereby enacts and ordains as follows:

SECTION 1. The City Council of the City of Coatesville does hereby authorize and direct the City Manager and the President of City Council to take the steps necessary to acquire the Property for a price not to exceed \$1,200 from the Chester County Tax Claim Bureau through the Repository List.

SECTION 2. The City Council of the City of Coatesville does hereby authorize and direct the City Manager and/or the President of City Council to sign or accept the deed to the Property and any deed-related documents necessary to acquire the Property, and to sign and record the deed at the completion of the contemplated repairs to the Association.

SECTION 3. All ordinances or parts of ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 4. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof.


SECTION 5. This Ordinance shall be effective 30 days after publication following final adoption in accordance with the Coatesville City Charter.

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ENACTED AND ORDAINED this 23rd day of October, 2023.

Linda Lavender Norris
Linda Lavender-Norris, President City Council

ATTEST:


James Logan, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 9th day of October, 2023, was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania, on the 23rd day of October, 2023, and 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.