

RESOLUTION NO. 2013- 08

SUSQUEHANNA TOWNSHIP AUTHORITY

RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN UNIMPROVED REAL ESTATE WITHIN THE TOWNSHIP KNOWN AS DAUPHIN COUNTY TAX PARCEL NOS. 62-022-119 AND 62-022-120 CONSISTING OF APPROXIMATELY 59 ACRES (THE "PROPERTY") FOR LOCATION AND CONSTRUCTION OF FUTURE SEWER TREATMENT IMPROVEMENTS AND ALSO THE ENTRY INTO A MEMORANDUM OF UNDERSTANDING WITH SUSQUEHANNA TOWNSHIP REGARDING DEVELOPMENT, UTILIZATION AND RESPONSIBILITY FOR SUBSTANTIAL PORTIONS OF SAID REAL ESTATE FOR PASSIVE RECREATIONAL USE

WHEREAS, Susquehanna Township Authority (hereinafter "Authority") is a municipal authority incorporated under the Pennsylvania Municipal Authorities Act as amended and supplemented ("Authorities Act"); and

WHEREAS, the Authority invested in it by the Authorities Act to include the general power to do all actions necessary and convenient for the promotion of its business and general welfare as provided in Section 506(d)(18); and

WHEREAS, the Authority's current primary function albeit the operation and ownership of a wastewater collection and transmission system (the "System") within the township; and

WHEREAS, by virtue of the growth of the users of said wastewater system, to include growth from users transmitting wastewater from Lower Paxton Township through the Authority's system in Susquehanna Township (the "Township"), it is deemed in the best interest of the Authority, to plan for the growth and improvement of its System to protect against adverse consequences by virtue of growing use and aging of its System.

WHEREAS, an opportunity has arisen to purchase certain acreage within the Township that would provide suitability for various sewer treatment improvements which the Authority believes it must reasonably consider in its future plans; and

WHEREAS, terms of purchase of the Property have been reached with the Seller and the Authority currently wishes to authorize the purchase of the Property in accordance with the terms of the framework of the agreed terms which have not resulted as of this date in a mutually executed agreement but are substantially set forth hereinafter in the attached Agreement of Sale/Addendum and;

WHEREAS, the Susquehanna Township, a first-class township incorporated under the First Class Township Code, as amended and supplemented ("Township Code") has expressed a desire to utilize a substantial portion of the Property being purchased for passive recreational facilities consistent with a certain conservation easement, which at the time of purchase will be placed upon the Property by the current owner and Manada Conservancy being purchased, copies of which have been provided to and reviewed by Authority and Township; and

WHEREAS, the Authority and the Township wish to memorialize their understanding contingent upon transfer of title to the Property to the real estate, regarding the Township's care and maintenance and improvements of said Property.

NOW THEREFORE BE IT RESOLVED by the Board of the Authority as follows:

Section 1. The recitals set forth above, to the extent not inconsistent with the following provisions, are incorporated herein by reference thereto.

Section 2. It is believed that it is in the best interest of the Authority that that certain real estate known as Dauphin County Tax Parcel Nos. 62-022-119 and 62-022-120 consisting of a total of approximately 59 acres to be purchased from the A. Scott Logan Revocable Living Trust for the purposes of providing real estate within the Township and in an appropriate location for various and sundry future sewer treatment improvements which the Authority believes will reasonably be required at some future point.

Section 3. That the terms of the purchase are essentially as set forth in the draft Agreement of Sale attached hereto which by this Resolution, the officers of the Authority are authorized to complete negotiations in substantial conformity therewith and execute same to therefore complete the purchase of said Property on or before December 31, 2013.

Section 4. That the officers of the Authority are furthermore authorized to enter into the attached Memorandum of Understanding with the Township regarding the Township's use and operation of portions of the Property for passive recreational uses not required by Authority for its sewer treatment improvements when constructed and in conformity with the said conservation easement.

Section 5. It believes that all such actions herein authorized are in the best interests of the Authority.

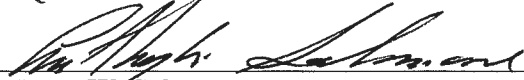
Section 6. In the event any provision section sentence, clause or other portion of this Resolution shall be held to be invalid, such invalidity shall not effect or impair any remaining provision section sentence, clause or other portion to this Resolution, it being the intention of the Susquehanna Township Authority, that the remainder of the Resolution shall be and remaining in full force and effect.

AND AS RESOLVED AND ENACTED by the Susquehanna Township Authority this 3rd day of December 2013.

ATTEST:


Yves E. Pollart, P.E.
Secretary

SUSQUEHANNA TOWNSHIP AUTHORITY


Anthony W. Salomone
Chairman

8233-001/FL*665