

**THE BOARD OF SUPERVISORS  
WILLISTOWN TOWNSHIP,  
CHESTER COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 9 OF 2013**

**WHEREAS**, the preservation of open space and acquisition of interests in land benefits the public and advances the public health, safety, morals and general welfare of the citizens of Willistown Township, the County of Chester and the Commonwealth of Pennsylvania; and

**WHEREAS**, the Board of Supervisors of Willistown Township intends to promote and encourage the preservation of lands for Open Space Uses as defined by the Pennsylvania Open Space Lands Act, 32 P.S. §5002 *et seq.* within the Township by funding transactions for the acquisition of interests in real property; and

**WHEREAS**, the funding of transactions for the acquisitions of interests in real property for Open Space Uses directly benefits the citizens of Willistown Township; and

**WHEREAS**, Willistown Township intends to purchase certain interests in real property consisting of 22.1 acres of land, more or less, located in Willistown Township, Chester County and bearing Chester County UPI numbers 54-5-1 and 54-5-2 (collectively referred to herein as the "Property") from the Estate of Joseph J. Spinelli, Jr., in furtherance of Open Space Uses within the Township; and

**WHEREAS**, the Property possesses natural, scenic, open space, educational, and/or recreational values (collectively "conservation values") of great importance to the citizens of Willistown Township, the people of Chester County, and the people of the Commonwealth of Pennsylvania; and

**WHEREAS**, Willistown Township hereby intends to commit the use of open space funds in the amount of \$1,800,000 plus costs towards the acquisition of the Property in furtherance of the conservation values of the Property and Open Space Uses within the Township; and

**WHEREAS**, Willistown Township has submitted grant applications to the County of Chester and the Pennsylvania Department of Conservation and Natural Resources seeking grant funding awards towards the acquisition of the Property.

**NOW THEREFORE**, the Board of Supervisors of Willistown Township **HEREBY RESOLVES** as follows in order to effectuate the purchase of the Property from the Estate of Joseph J. Spinelli, Jr., for the above stated purposes:

1. The Board of Supervisors approves the expenditure from the Township's Open Space Fund in the amount of One Million Eight Hundred Thousand Dollars (\$1,800,000) plus necessary and appropriate incidental transactional fees and expenses incurred by the Township to purchase the Property owned by the Estate of Joseph J. Spinelli, Jr., and in furtherance of said

purchase, authorizes the execution of an Agreement of Sale for the fee simple purchase of the land comprising the Property by the Township Manager.

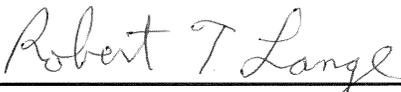
2. The Board of Supervisors approves and authorizes the execution by the Chairman and/or Vice Chairman of the Board of Supervisors and recording of the such declaration of covenants, conditions and restrictions as covenants against the Property, or any portion thereof, as may be required by the County of Chester and/or the Pennsylvania Department of Conservation and Natural Resources ("DCNR") as a condition of the Township obtaining and utilizing the County and/or DCNR grant funds for the acquisition of the Property. Upon receipt of said grant funds, the Township shall immediately deposit said funds into the Township's Open Space Fund.

3. The Board of Supervisors hereby authorizes the Chairman and/or Vice Chairman, Secretary, Manager, Treasurer and Solicitor of Willistown Township to do all things necessary and expend Township funds to acquire the Property, and all actions taken by individuals acting on behalf of the Township prior to the date of this Resolution in furtherance of the acquisition of the Property and in furtherance of the Township business in this regard are hereby ratified and confirmed.

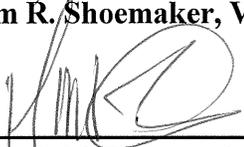
4. This Resolution shall be effective immediately.

**RESOLVED THIS 8<sup>th</sup> DAY OF April, 2013**

**WILLISTOWN TOWNSHIP  
BOARD OF SUPERVISORS**

  
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**Robert T. Lange, Chairman**

  
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**William R. Shoemaker, Vice Chairman**

  
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**Norman S. MacQueen, Member**

**ATTEST:**

  
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**David R. Burman, Secretary**