**UPPER DARBY TOWNSHIP**

**DELAWARE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 3128**

**AN ORDINANCE OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AUTHORIZING AND APPROVING THE ACQUISITION OF A FEE SIMPLE INTEREST IN DELAWARE COUNTY TAX MAP PARCEL NO. 16-07-00504-00 FOR USE AS OPEN SPACE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

 **WHEREAS,** Upper Darby Township desires to acquire Delaware County Tax Map Parcel No.16-07-00504-00, also identified as, 8001 Lansdowne Avenue, Upper Darby, PA 19082 (the “Property”), approximately 32,171 square feet of unimproved land owned by 8001 Lansdowne LLC (the “Owners”), in order to expand the Township’s open space inventory and protect historic property for the benefit of the residents of Upper Darby Township; and

 **WHEREAS,** the Township Council desires to authorize the acquisition of a fee simple interest in the Property; and

 **WHEREAS,** Section 701(C)(6) of the Township’s Home Rule Charter requires the Township Council to enact an ordinance to purchase any real property; and

 **WHEREAS,** the Township Council desires to enact this Ordinance to authorize and approve the acquisition of the Property for open space benefits;

 **NOW, THERERORE,** be it, and it is hereby **ORDAINED** by the Township Council of Upper Darby Township, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

1. **AUTHORIZATION**
2. The Township Council of Upper Darby Township hereby authorizes and approves the acquisition of a fee simple interest in the Property, pursuant to an agreement of sale to be entered into between the Township and the Owners, and hereby approves the acquisition price for the Property of Three Hundred Thousand Dollars ($300,000).
3. The Mayor is hereby authorized to execute all documents required to acquire the Property including but not limited to, the Agreement of Sale.
4. **REPEALER**

All ordinances or resolutions or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specially repealed.

**III.** **SEVERABILITY**

In the event that any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

**IV.** **EFFECTIVE DATE**

This Ordinance shall go into effect immediately.

**ENACTED and ORDAINED this 17th day of November, 2022**

BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 BRIAN K. BURKE

 President of Council

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 MICHELLE BILLUPS

 Secretary of Council

**APPROVED this 17th day of November, 2022**

 BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 BARBARANN KEFFER

 Mayor

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 ALEXIS CICCHITTI

 Chief Municipal Clerk