

**KENNETT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2022-21

A RESOLUTION OF THE TOWNSHIP OF KENNETT, CHESTER COUNTY, PENNSYLVANIA, DESIGNATING INTERESTS IN REAL PROPERTY TO BE ACQUIRED PURSUANT TO THE OPEN SPACE LANDS ACQUISITION AND PRESERVATION ACT, 32 P.S. SECTIONS 5001-5013; REPEALING ALL INCONSISTENT RESOLUTIONS OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Kennett Township has, as part of its Comprehensive Plan, adopted an Open Space Network Plan; and

WHEREAS, Kennett Township has adopted an Open Space, Trails, & Parks Master Plan and Needs Assessment; and

WHEREAS, said plans, recommended by the Kennett Township Planning Commission and adopted by the Board of Supervisors of Kennett Township, designate certain real property in Kennett Township for open space uses; and

WHEREAS, the Township desires to acquire open space property interests, as defined in the Open Space Lands Act, 32 P.S. §§5001-5013 (the "Open Space Act"), in certain real property in Kennett Township pursuant to the Open Space Act; and

WHEREAS, the Township has, in Article V of Chapter 12 of the Code of the Township of Kennett, established procedures for reviewing open space property interest considered for acquisition in accordance with the Open Space Act; and

WHEREAS, the Township, prior to acquisition of the open space property interests, will hold a public hearing pursuant to the Open Space Act.

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Kennett Township, Chester County, Pennsylvania, as follows:

1. The above recitals are incorporated herein by reference.
2. The Township desires to acquire open space property interests in the following real property in Kennett Township: 421 Burnt Mill Road; UPI 62-4-308
3. The open space property interests to be acquired, and the proposed open space benefits, will be conservation easements over the property identified in Section 2 above. The real property set forth in Section 2 above has been designated for open space uses in a resource, recreation, or land use plan as required by the Open Space Act. The Board of

Supervisors designates the open space property interests to be acquired in fee simple for open space preservation.

4. In the event the Township acquires a conservation easement, the Township shall establish and maintain a repository of records of the interests in real property acquired in accordance with the Open Space Act.
5. In the event the Township acquires a conservation easement, the Township shall provide the school district within which the real property is located a copy of the recorded conservation easements.
6. Repealer. All resolutions or parts thereof inconsistent with this Resolution are hereby repealed to the extent of the inconsistency.
7. Severability. The provisions of this Resolution are declared to be severable. If any provision of this Resolution is declared to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall have no effect on the remaining provisions of this Resolution.
8. Effective Date. This Resolution shall take effect immediately upon its legal adoption.

ADOPTED and **RESOLVED** this 21st day of December, 2022.

ATTEST:



Eden R. Ratliff, Secretary

BOARD OF SUPERVISORS OF KENNETT TOWNSHIP



Richard L. Leff, Chairman



Scudder G. Stevens, Vice-Chairman



Geoffrey Gamble, Member