

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 16-101

**AUTHORIZING THE CO-PURCHASE OF SUNSET LAKE PROPERTY
BLOCK 1601, LOTS 1&5 AND BLOCK 1701 LOT 12**

WHEREAS, the Township of Upper Deerfield is a signatory to a Memorandum of Understanding with the County of Cumberland and the Natural Lands Trust dated April, 2015 as modified and amended (the “MOU”), for the purchase of lands and premises within the Township of Upper Deerfield identified as Block 1601, Lots 1 & 5 and Block 1701 Lot 12 and consisting of approximately 119 acres, also sometimes referred to as the “Sunset Lake” property (the “Property”), and

WHEREAS, the MOU provides for a mechanism to purchase the Property from its current owner, Sunset Lake 100, LLC, for the purpose of preserving the Property and also provides for the Natural Lands Trust to enter into a Contract of Sale with Sunset Lake 100, LLC, for such purpose which it has done on or about May 19, 2015 for the purchase price of \$2,600,000.00; and

WHEREAS, the MOU also provides for the utilization funds from all three parties to the MOU in addition to funding from the Department of Environmental Protection Green Acres Program and further provides for the Township of Upper Deerfield to contribute a portion of the purchase price which is comprised of Green Acres Funds in the amount of \$550,000.00 and Township Funds in the amount of \$431,550.00, and

WHEREAS, the Township Committee of Upper Deerfield has, pursuant to Resolution 14-207 authorized the application for and the award of Green Acres funds for this purpose and such funds have been granted by Green Acres; and

WHEREAS, the Green Acres funding requirements obligate all three signatories to the MOU to be named in the deed of conveyance as Grantees in order to receive the funds, and

WHEREAS it is the intention of the parties to the MOU that the Township of Upper Deerfield ultimately take sole title to the Property, which conveyance shall take place subsequent to the Purchase from Sunset Lake 100, LLC and shall be the subject of a separate Resolution by the Township Committee of Upper Deerfield authorizing such conveyance; and

WHEREAS, the pre-closing provisions of the MOU and the Contract have been satisfied and the Green Acres funding has been secured and the closing on the Property is scheduled to take place in the near future; and

WHEREAS, the Township Committee of Upper Deerfield finds and determines that purposes of the MOU and its binding legal requirements require that the Township authorize the closing on the property as Co-Grantee along with the County of Cumberland and the Natural Lands Trust and also requires the utilization of Township and Green Acres funds, as set forth above, allocated for such purpose, and

WHEREAS, the Township Committee of Upper Deerfield Township desires to adopt this Resolution for the purpose of authorizing the use of the funds and the purchase of the Property as above stated.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Upper Deerfield Township, the Township finds and determines that the Mayor and the Township Clerk are hereby authorized to attend closing of title on the Property, execute any and all documents or other papers and undertake any other actions which may be necessary in order for the Township to obtain title to the Property as Co-Grantee along with the County of Cumberland and Natural Lands Trust, and

BE IT FURTHER RESOLVED, that the Township Committee of Upper Deerfield Township does hereby authorize the utilization of funds allocated for the purpose of obtaining title to the Property in the amounts of \$431,550.00 from Township funds and \$550,000.00 from Green Acres funds obtained for this purpose.

Moved By: John Daddario

Seconded By: John O’Neill, Sr.

VOTING

James P. Crilley
 John L. Daddario
 John T. O’Neill, Sr.
 Bruce T. Peterson
 Scott Smith

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
			X
X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held April 21, 2016.

 Roy J. Spoltore, Township Clerk