

**NORTH FRANKLIN TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA**

ORDINANCE: 6-2020

**AN ORDINANCE APPROVING THE TERMINATION OF THE
NORTH FRANKLIN TOWNSHIP RECREATION AND
BUSINESS IMPROVEMENT AUTHORITY AND
CERTIFICATE OF TERMINATION PRESENTED BY THAT
AUTHORITY.**

WHEREAS, the North Franklin Township Recreation and Business Improvement Authority was incorporated under the Municipality Authorities Act of 1945, Act of May 2, 1945, Pa. Laws 382 under Articles of Incorporation executed by officials of the Township of North Franklin and approved and filed with the Secretary of the Commonwealth on May 28, 1998; and

WHEREAS, the Municipality Authorities Act, 53 PA. CONS. STAT. Chapter 56, governs the Authority; and

WHEREAS, the North Franklin Township Recreation and Business Improvement Authority has paid and discharged all bonds issued and outstanding and the interest due thereon, and has settled all other outstanding claims against it, including completion of current Master Plan projects as amended from time to time; and

WHEREAS, under 53 PA. CONS. STAT. § 5619(b), when a municipality authority has finally paid and discharged all bonds issued and outstanding and the interest due on them and settled all other outstanding claims against it, the authority may convey all its property to the municipality that created it and terminate its existence; and

WHEREAS, under 53 PA. CONS. STAT. § 5619(c), a municipality authority which desires to terminate its existence must submit a certificate requesting termination to the municipality which created it. If the municipality approves the certificate by ordinance, the certificate is then to be filed in the Office of the Secretary of the Commonwealth, which shall note the termination of existence on the record of incorporation and return the certificate with approval to the board of the authority. The board shall then cause the certificate to be recorded in the office of the recorder of deeds of the county. Upon recording, the property of the authority shall pass to the municipality and the authority shall cease to exist; and

WHEREAS, the Board of the North Franklin Township Recreation and Business Improvement Authority, pursuant to its Resolution 2020-1 (adopted August 11, 2020 to be effective on or before September 30, 2020), agreed to convey all of its property to the Township of North Franklin, and submitted a Certificate to the Township of North Franklin requesting that the Township approve the termination of the Authority's existence. A true and correct copy of the Certificate is attached to this Ordinance and incorporated herein by reference; and

WHEREAS, Township Board believes it to be in the public interest to approve the termination of the North Franklin Township Recreation and Business Improvement Authority and to assume any duties and/or obligations whether known or unknown at this time;

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by the Township Board of the Township of North Franklin, Washington County, Pennsylvania, hereby adopts:

SECTION 1. Termination of the Authority.

The Township of North Franklin hereby approves the termination of the North Franklin Township Recreation and Business Improvement Authority and approves the Authority's Certificate of Termination dated August 11, 2020 (to become effective on or before September 30, 2020) requesting to terminate its existence. The officers of the Township are hereby authorized and directed to execute an Approval of Certificate of Termination in the form appended to the Authority's Certificate of Termination, which is attached to said Ordinance and incorporated herein by reference.

ENACTED AND ORDAINED this 8th day of September, 2020.

ATTEST:

**BOARD OF SUPERVISORS
NORTH FRANKLIN TOWNSHIP**


Secretary


Chairperson, Board of Supervisors

(SEAL)


Supervisor


Supervisor

Approved by the Township Solicitor:

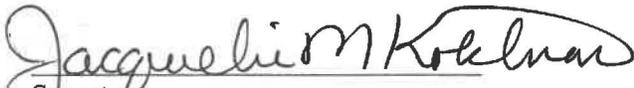
By: 
Gary L. Sweat, Esq.

APPROVAL OF CERTIFICATE OF TERMINATION

In accordance with 53 PA. CONS. STAT. § 5619(c), and pursuant to Ordinance No. 6, duly adopted by the Board of Supervisors at a public meeting held on September 8, 2020, the Township hereby approves the termination of the North Franklin Township Recreation and Business Improvement Authority and the Certificate of Termination attached hereto and incorporated herein. The Township is the municipality which created the Authority and shall assume any and all debts, obligations whether known or unknown.

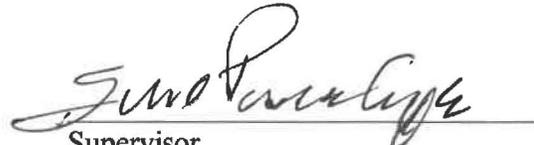
ATTEST:

BOARD OF SUPERVISORS
NORTH FRANKLIN TOWNSHIP


Secretary


Chairperson, Board of Supervisors

(SEAL)


Supervisor


Supervisor