

RESOLUTION NO. 2020-_____

BE IT RESOLVED by the Council of the City of Bethlehem that the Council makes the following findings of fact pursuant to Resolution 9939 as amended by Resolution No. 11,679 (Sale of City Owned Property):

1. The City owns a parcel of land located at 1852 W. Market Street (subject parcel) which is triangular in shape and can be found where W. Broad and W. Market Streets intersect and which parcel is identified and known in the records of the Lehigh County Assessment Office as Parcel Identification Number (PIN) 641778841828.

2. The subject parcel consists of 0.1506 acres and is the site of a number of dying, decaying, and/or leaning fir trees which are need of imminent attention.

3. The subject parcel is maintained by the City and is subject to the ongoing obligation to cut the grass, maintain the property, and the inevitable cost and responsibility to remove the dying, decaying and/or leaning trees, along with the associated stumps.

4. The subject parcel shares a common boundary with a parcel located at 1843 West Broad Street (PIN 641778944302).

5. The owner of 1843 West Broad Street (PIN 641778944302) is willing to assume the responsibility (through suitable deed restrictions) for the entire subject parcel in perpetuity, including but not limited to lawn care and trash removal, as well as removing the dying, decaying and/or leaning trees and associated stumps, and replacing them with plantings approved by the City Forester, in exchange for the City conveying a portion of the subject parcel consisting of 0.0684 acres to the owner of 1843 West Broad Street (PIN 641778944302).

6. Transfer of the said 0.0684 acres would generate additional revenue for the City and add property to the tax rolls.

7. The said 0.0684 acres is presently zoned L-I Light Industrial pursuant to the City of Bethlehem Zoning Ordinance and the proposed owner expects to seek to rezone such area to a CL-Commercial Limited Zoning District.

8. The ongoing cost to the City to maintain the entire subject parcel, including the said 0.0684 acres, along with the inevitable cost and responsibility to remove the dying, decaying and/or leaning trees, along with the associated stumps, is outweighed by the benefit of having those costs borne by the owner of 1843 West Broad Street (PIN 641778944302), and the restoration of the said 0.0684 acres to the tax rolls.

9. The current record owner of 1843 West Broad Street (PIN 641778944302) is Tavarez Real Estate Investments LLC, a limited liability company organized and existing under the laws of the Commonwealth of Pennsylvania and which retains a registered address of 5208 Baldwin Lane, South Whitehall Township, c/o Orefield Post Office, Lehigh County, Pennsylvania 18069.

10. Based upon the foregoing, and upon the recommendation of the Public Works Committee at its meeting of July 23, 2020, City Council finds the transfer of the said 0.0684 acres, which is presently part of 1852 W. Market Street (PIN 641778841828) to be justified under the alternative procedure for sale authorized in Section 10 of Resolution 9939, as amended by Resolution No. 11,679 (Sale of City Owned Property), and that the public welfare would be better served by the alternative sale procedure.

BE IT FURTHER RESOLVED that the City Council concludes that a showing of good cause has been made to justify employment of the alternative sale procedure and that the Administration of the City is authorized to utilize the alternative procedure for the sale of the parcel of land owned by the City of Bethlehem consisting of the said 0.0684 acres, which is presently part of 1852 W. Market Street (PIN 641778841828), City of Bethlehem, Lehigh County, Pennsylvania.

BE IT FURTHER RESOLVED that the Mayor and the Controller are hereby authorized to execute an Agreement of Sale for Real Estate between the City of Bethlehem and Tavarez Real Estate Investments LLC, for the sale of the said 0.0684 acres, which is presently part of 1852 W. Market Street (PIN 641778841828), City of Bethlehem, Lehigh County, Pennsylvania on such additional conditions as the Administration may deem appropriate provided such conditions are not inconsistent with this Resolution.

Sponsored by /s/ _____

/s/ _____

ADOPTED by Council this _____th day of _____, 2020.

/s/ _____

President of Council

ATTEST:

/s/ _____

City Clerk