

**NEW HANOVER TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 22-09

**A RESOLUTION AMENDING THE CAMP LAUGHING WATERS
CONSERVATION EASEMENT AGREEMENT**

WHEREAS, the preservation of open space and acquisition of interests in land benefits the public and advances the public health, safety, morals and general welfare of the citizens of New Hanover Township and the Commonwealth of Pennsylvania;

WHEREAS, the Board of Supervisors of New Hanover Township intends to promote and encourage the preservation of lands for Open Space Uses, as defined by the Pennsylvania Open Space Lands Act, 32 P.S. §5002 *et seq.*, within the Township by funding transactions for the acquisition of interests in real property;

WHEREAS, the funding of transactions for the acquisitions of interests in real property for Open Space Uses directly benefits the citizens of New Hanover Township;

WHEREAS, Natural Lands Inc., doing business as Natural Lands (“**Natural Lands**”), whose principal office is located at 1031 Palmers Mill Road, Media, PA 19063, is a publicly supported, tax-exempt nonprofit organization, qualified under Section 501 (c)(3) and 170(h) of the Internal Revenue Code, whose primary purpose is the preservation, protection, or enhancement of land in its natural, scenic, historical, agricultural, forested, and/or open space condition;

WHEREAS, Natural Lands intends to purchase and hold a conservation easement with New Hanover Township as a Beneficiary (the “**Conservation Easement**”) on a certain tract of land described as follows (the “**Property**”):

Owner: Girl Scouts of Eastern Pennsylvania, Inc.

Subject Property: Eight (8) parcels located along New Hanover Square Road in
New Hanover Township and Upper Frederick Township, Montgomery County,
Pennsylvania

Tax Parcel Nos.: 47-00-02056-00-3, 47-00-05312-00-5, 47-00-05316-00-1, 47-00-07712-00-8, 47-00-07736-00-2, 55-00-00367-00-1, 55-00-00397-00-7, and 55-00-00367-02-8;

Acreage: +/- 455 acres

WHEREAS, the Property provides natural, scenic, open space, historical, education, and/or recreational values (collectively "conservation values") of great importance to the citizens of New Hanover Township, the people of Montgomery County, the people of the Commonwealth of Pennsylvania, and Natural Lands;

WHEREAS, on May 6, 2021, New Hanover Township agreed to commit at minimum, \$361,465, but no more than \$600,000, of its open space funds towards the acquisition of the Conservation Easement, with the final amount of its contribution to be determined based on grant funding contingencies;

WHEREAS, On September 20, 2021, Natural Lands and the Girl Scouts of Eastern Pennsylvania, Inc. entered into an Agreement of Sale for the purchase and sale of the Conservation Easement (the "**Agreement**"). New Hanover Township, Lower Frederick Township, and Montgomery County joined in the Agreement as to Section 1(b) and several other sections thereof;

WHEREAS, On December 30, 2021, Natural Lands was awarded a grant in the amount of \$500,000 from the Pennsylvania Department of Conservation and Natural Resources ("**PA DCNR**") towards the purchase of the Conservation Easement;

WHEREAS, Natural Lands also had applied for, but was not awarded, a grant from the Pennsylvania Department of Community Development ("**PA DCED**"); and

WHEREAS, although a written commitment of a grant award from PA DCED by December 1, 2021 was a condition precedent to proceed to Closing, (as per Section 2. (a) (ii) of the Agreement), Natural Lands, the Girl Scouts of Eastern Pennsylvania, Inc., and the Local Government Funders wish to proceed with the Closing in the absence of such a grant; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of New Hanover Township:

- i. The Township authorizes and agrees to sign an amendment to the Agreement (the “**Amendment**”) with a revised Township Contribution of \$480,733. At or prior to Closing, New Hanover Township and the Girl Scouts of Eastern Pennsylvania, Inc. will enter into a commercially reasonable installment contract whereby New Hanover Township will pay the Girl Scouts of Eastern Pennsylvania, Inc. ten percent (10%) of the Township Contribution at Closing and ten percent (10%) on each anniversary date of Closing for the following nine (9) successive years (in total, the “**New Hanover Township Installment Contribution**”);
- ii. The Township authorizes the execution as a Beneficiary of the Conservation Easement by and between The Girl Scouts of Eastern Pennsylvania, Inc. and Natural Lands; and
- iii. The Township authorizes the Chairman and/or Vice Chairman, Secretary, Manager, Treasurer and Solicitor of New Hanover Township to do all things necessary and to expend Township funds in furtherance of this Resolution for acquisition of the Conservation Easement by Natural Lands, including the payment of all costs related thereto, and all actions taken by individuals acting on behalf of the Township prior to the date of this Resolution in furtherance of the acquisition of the Conservation Easement and in furtherance of the Township business in this regard are hereby ratified and confirmed.

RESOLVED and **ENACTED** this 28th day of February, 2022 by the Board of Supervisors of New Hanover Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS**

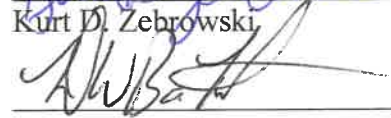


Marie Livelsberger

William Ross Snook



Kurt D. Zebrowski



D. W. Boone Flint



Keith Youse

ATTEST:



Jamie L. Gwynn, Township Manager