

**CITY OF JEANNETTE
WESTMORELAND COUNTY, PENNSYLVANIA**

RESOLUTION NO. 98-12

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND AMONG THE CITY OF JEANNETTE, THE SCHOOL DISTRICT OF THE CITY OF JEANNETTE, COUNTY OF WESTMORELAND, REDEVELOPMENT AUTHORITY OF THE COUNTY OF WESTMORELAND AND WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT CORPORATION PROVIDING FOR THE PAYMENTS OF CERTAIN FUNDS BY REDEVELOPMENT AUTHORITY OF THE COUNTY OF WESTMORELAND AND WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT CORPORATION TO THE TAXING BODIES FOR QUALIFIED BUSINESSES WITHIN THE SUBZONE OF THE PROPOSED KEYSTONE OPPORTUNITY ZONE.

WHEREAS: the City of Jeannette, the School District of the City of Jeannette and Westmoreland County have enacted resolutions requesting a designation of a subzone in the proposed Keystone Opportunity Zone more specifically described on Exhibit "A" in accordance with the Pennsylvania Keystone Opportunity Zone Act (Act 92 of 1998) and have authorized the preparation of an application and the submission of same by Southwestern Pennsylvania Regional Development Council to the Pennsylvania Department of Community and Economic Development; and

WHEREAS: Redevelopment Authority of the County of Westmoreland is the owner of the property in the City of Jeannette which will be designated as the subzone in the proposed Keystone Opportunity Zone and Westmoreland County Industrial Development Corporation is the Authority's marketing and leasing agent for the property in the subzone; and

WHEREAS: Redevelopment Authority of the County of Westmoreland and Westmoreland County Industrial Development Corporation desire to enter into an agreement being identified as Exhibit "B" and attached hereto with the above taxing bodies to make voluntary payments for municipal services and other services rendered to the property in the subzone and also to demonstrate its private sector commitment to the City of Jeannette, the School District of the City of Jeannette and Westmoreland County; and

WHEREAS: the City of Jeannette desires to authorize the execution of this agreement referenced above;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Jeannette that the Mayor of the City of Jeannette is authorized to execute the agreement with the School District of the City of Jeannette, County of Westmoreland, Redevelopment Authority of the County of Westmoreland and Westmoreland County Industrial Development Corporation.

THIS RESOLUTION IS ADOPTED BY THE Council of the City of Jeannette at a public meeting this 18th. day of November, 1998

CITY OF JEANNETTE

ATTEST:

/s/ Ronald E. Dinsmore

**RONALD E. DINSMORE
CITY CLERK**

/s/ Carl J. Matt

**CARL J. MATT, MAYOR AND
PRESIDENT OF COUNCIL**

The undersigned, as Clerk of the City of Jeannette does hereby certify and affirm that this Resolution was duly adopted on the same date set forth above and that this is a true and correct copy of the original Resolution enacted and remains in full force and effect and has not been amended, annulled, repealed, changed or rescinded.

Dated November 18, 1998

CITY OF JEANNETTE

By /s/ Ronald E. Dinsmore
**RONALD E. DINSMORE
CITY CLERK**

RESOLUTION NO. 98-12 - (Continued)

ALL THAT CERTAIN TRACT OF LAND situate in the City of Jeannette, County of Westmoreland and Commonwealth of Pennsylvania, being bounded and described as follows:

BEGINNING at an existing monument on the Southerly right of way or property line of Consolidated Rail Corporation at the dividing line between the premises herein described and property now or formerly of Western Land & Improvement Co., thence along the Southerly right of way of property line of Consolidated Rail Corporation by the arc of a circle curving to the right and having a radius of 5681.50 feet in a general Easterly direction 847.60 to an existing monument; thence by a line South 27° 45' West, 209.90 feet to a point in Magee Avenue Extension; thence by a line through Magee Avenue Extension North 82° 35' West, 50.82 feet to a set pin at the Easterly most corner of land conveyed to Howard Gasoline and Oil Co. in Deed Book Volume 2047, page 379; thence along line of land so conveyed to Howard Gasoline & Oil Co. and along the Southerly line of Magee Avenue extension North 50° 38' West, 142.28 feet to a point on the Easterly line of Ninth Street; thence along the Easterly line of Ninth Street South 31° 55' West, 82.74 feet to a set pin; thence crossing Ninth Street North 82° 35' West, 53.52 feet to an existing monument; thence a a line, in part along Ninth Street, in part along the Westerly line of Jeannette Glass and in part along line of land now or formerly of Jeannette Planning Mill Co., South 28° 18' West, 1540.13 feet to a point; thence along line of land now or formerly of Jeannette Planning Mill Co., (Deed Book Volume 238, page 462) the following two (2) courses and distances; (1) South 61° 42' East, 307.55 feet and (2) North 28° 18' East, 113.35 feet to a pin, set at line of land conveyed to Thatcher Glass Manufacturing Co., Inc., by Deed Book Volume 1609, page 200; thence by said last mentioned line by the arc of a circle deflecting to the left in a general Southeasterly direction having a radius of 287.75 feet an arc distance of 114.75 feet to a point; thence South 89° 52' East, 8.00 feet to a point on line of land now or formerly of Jeannette Glass; thence along said last mentioned line South 61° 42' East, 64.99 feet to a set pin; thence by a line South 39° 55' West, 95.21 feet to a point; thence by a line along sundry lots in the H. Sellers McKee Plan, Plan Book Volume 3, page 1, South 69° 55' West, 679.80 feet to a point in Orange Avenue; thence by a line in Orange Avenue North 65° 20' West, 378.80 feet to a p.k. nail set in Orange Avenue; thence by a line North 29° 25' West, 285.45 feet to a point in Brush Creek; thence by a line North 28° 18' East, 252.46 feet to a set pin on line of land which was conveyed to Wesley T. Orange, Trustee, under Conveyance and Exchange Agreement of record in Deed Book Volume 1955, page 988; thence by said last mentioned line North 35° 20' West, 94.50 feet to a set pin; thence North 50° 17' West, 36.24 feet to an existing monument on the Easterly line of a 13 foot wide alley; thence along said line of alley North 31° 26' East, 304.98 feet to a set pin; thence South 58° 34' East, 103.68 feet to a set pin; thence by a line in part along sundry lots in the E.M. Gross Plan, Corporation Book 2, page 560, and in part along land now or formerly of Western Land & Improvement Co., North 28° 18' East, 1106.32 feet to a set pin; thence along line of property conveyed to Victor Brewing Co. in Deed Book Volume 422, page 149, the following three (3) courses and distances (the last course and distance also being along the Southerly line of Clay Avenue Extension): (1) by the arc of a circle curving to the right, having a radius of 266.37 feet in a general Northeasterly direction an arc distance of 204.25 feet to a set pin; (2) North 72° 14' East, 188.00 feet to an existing monument and (3) North 71° 35' West, 207.02 feet to an existing monument on line of land now or formerly of Western Land & Improvement Co., thence along said last mentioned line, crossing Clay Avenue Extension, North 28° 18' East, 82.15 feet to an existing monument at the place of Beginning.

This description was prepared in accordance with Plan of Survey made by Alpha Engineering Co., Inc., for General Glass Industries Corp., dated October 14, 1987 Drawing No. 130A33-9498.

EXCEPTING AND RESERVING from the above described premises that conveyance of that certain parcel known as Lot 2 in the Jeannette Industrial Park Phase 1 recorded in Plan Book Volume 91, page 194 being comprised of 1.008 acres which was deeded to G.T.W. Holdings, Inc.

For title reference, please refer to Deed Book Volume 3356, page 016 and Deed Book Volume 3356, page 046.

EXHIBIT "A"

AGREEMENT

THIS AGREEMENT IS ENTERED INTO THIS _____ day of _____, 1998 by and between

THE CITY OF JEANNETTE, a political subdivision of the Commonwealth of Pennsylvania, being a municipal corporation, having the principal address of Second and Clay Avenue, Jeannette, Pennsylvania 15644, hereinafter known as "City"

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SCHOOL DISTRICT OF THE CITY OF JEANNETTE, a School District of the third class under the school laws of the Commonwealth of Pennsylvania, having its administrative office at Seneca Heights Building, Jeannette, Pennsylvania 15644, hereinafter known as "School District"

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COUNTY OF WESTMORELAND, a political subdivision, of the Commonwealth of Pennsylvania, being a municipal corporation, having its principal office at Courthouse Square, Suite 101, 2 North Main Street, Greensburg, Pennsylvania 15601, hereinafter known as "County"

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REDEVELOPMENT AUTHORITY OF THE COUNTY OF WESTMORELAND, a public body corporate and politic, created in accordance with the Urban Redevelopment Law of the Commonwealth of Pennsylvania, having its principal office at Courthouse Square, Suite 601, 2 North Main Street, Greensburg, Pennsylvania 15601, hereinafter known as "Authority"

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WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT CORPORATION, a Pennsylvania non-profit corporation, having its principal office at Courthouse Square, Suite 601, 2 North Main Street Greensburg, Pennsylvania 15601, hereinafter known as "IDC" Greensburg, Pennsylvania 15601, hereinafter known as "IDC".

EXHIBIT "B"

WITNESSETH:

WHEREAS: the Commonwealth of Pennsylvania has enacted a law known as Keystone Opportunity Zone Act which permits these zones to be designated in the Commonwealth of Pennsylvania where economic distress is characterized by high unemployment, low investment and new capital, inadequate dwelling conditions, blighted conditions, unutilized, obsolete or abandoned industrial, commercial, residential structures and deteriorating tax basis exist;

WHEREAS: Authority presently owns what is known as the former GGI Glass Complex which is now known as Jeannette Industrial Park which is situate in the City of Jeannette and being more specifically outlined on Exhibit "A" which is attached hereto and made a part hereof;

WHEREAS: IDC as an agent for Authority is actively renovating, rehabing and marketing the property on behalf of the Authority seeking new industrial occupants which will increase the employment in the area;

WHEREAS: City desires to make an application to have the area described on Exhibit "A" declared a subzone under the Keystone Opportunity Zone Act of the Commonwealth of Pennsylvania;

WHEREAS: the designation of the property described on Exhibit "A" as a subzone under the Keystone Opportunity Zone would be a tremendous incentive to attract new business to the area which is now economically and socially distressed;

WHEREAS: School District and City in discussions with representatives of Authority and IDC desires to have the property described on Exhibit "A" designated as a subzone under the Keystone Opportunity Zone Act;

WHEREAS: Authority and IDC strongly recommend, approve and consent to the designation of the area described on Exhibit "A" as a subzone under the Enterprise Opportunity Zone Act;

WHEREAS: IDC, as an agent for Authority, desire to make contributions or payments to County, School District and City for specific municipal services being provided to the property described on Exhibit "A" and further desire to demonstrate its private sector commitment to the City, County and School District by the development of the property described on Exhibit "A".

WHEREAS: the parties hereto have hereby set forth an Agreement which permits IDC to make contributions or payments to the taxing bodies on behalf of the Authority for specific services which will be rendered to the property during the period of time of the designation of the property described on Exhibit "A" as a subzone under the Keystone Opportunity Zone Act.

NOW, THEREFORE, in consideration of the terms set forth below and intending to be legally and mutually bound hereby, the parties agree as follows:

1. IDC hereby agrees to pay annually, during the period of the designation and approval of the property described on Exhibit "A" as a subzone under the Keystone Opportunity Zone Act, a contribution on behalf of Authority and IDC for municipal services and other services to be rendered to the property and to the owner as evidence of its private sector commitment to increasing the employment in the area as follows:

- a. Upon the execution of any lease by Authority or IDC after the effective date of the creation and approval of the subzone or the sale of any building or part of any building, if the execution or sale occurs between January 1, 1999 and December 31, 2004 the sum of \$0.40 per square foot per year or if the execution or sale occurs between January 1, 2005 through December 31, 2010 the sum of \$0.50 per square foot per year will be paid in a prorata share to City, County and School District based upon their respective millage to the total millage during the effective term of the Keystone Opportunity Zone.

- b. Upon the sale of any vacant land after the effective date of the creation and approval of the subzone and during the effective term of the Keystone Opportunity Zone, fifty (50%) percent of the net proceeds of the sale shall be retained by Authority and IDC and the remaining fifty (50%) percent of the net proceeds of the sale shall be distributed to City and School District to be shared on a prorata basis determined by each millage compared to the total millage of the City and School District.
- c. The payments set forth in a. and b. above shall apply only when the tenant or the purchaser of property situate within the subzone is a qualified business under the Pennsylvania Keystone Opportunity Zone Act. If the tenant or purchaser is not a qualified business under the Pennsylvania Keystone Opportunity Zone Act, Authority and IDC are not obligated to make the payments under a. and b. above.

IN WITNESS WHEREOF, the parties execute their hands and seals the day and year first set forth above.

ATTEST:

ATTEST:

ATTEST:

County Clerk

ATTEST:

Larry Larese, Executive Director

ATTEST:

CITY OF JEANNETTE

By: _____

SCHOOL DISTRICT OF THE CITY OF JEANNETTE

By: _____

COUNTY OF WESTMORELAND
by its Board of Commissioners

By: _____
Richard Vidmer

By: _____
Terry R. Marolt

By: _____
Tom Balya

WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT CORPORATION

By: _____
Richard Vidmer

By: _____
Terry R. Marolt

By: _____
Tom Balya

REDEVELOPMENT AUTHORITY OF THE COUNTY OF WESTMORELAND

By: _____

CITY OF JEANNETTE

WESTMORELAND COUNTY, PENNSYLVANIA

RESOLUTION NO. 98-13

A RESOLUTION CONTINGENTLY EXEMPTING
REAL PROPERTY TAXES WITHIN A SPECIFIC
GEOGRAPHIC AREA IN THE CITY OF JEANNETTE
DESIGNATED AS A SUBZONE IN THE PROPOSED
KEYSTONE OPPORTUNITY ZONE IN ORDER TO
FOSTER ECONOMIC OPPORTUNITIES, STIMU-
LATE INDUSTRIAL, COMMERCIAL, RESIDENT-
IAL IMPROVEMENTS AND PREVENY PHYSICAL
AND INFRASTRUCTURE DETERIORATION WITH-
IN AREAS OF THE CITY OF JEANNETTE,
COMMONWEALTH OF PENNSYLVANIA

WHEREAS: the City of Jeannette recognizes the need to encourage investment in areas within a defined and political boundry of the City of Jeannette for a subzone more specifically described on Exhibit "A", which is attached hereto and which is to be part of the proposed Keystone Opportunity Zone that is experiencing economic distress characterized by high unemployment, low investment of new capital, blighted conditions, and underutilized, obsolete or abandoned industrial, commercial and residential structures, and

WHEREAS: the Pennsylvania Keystone Opportunity Zone Act, being Act 92 of 1998 effective October 6, 1998, hereinafter referred to as the "Act" authorizes political subdivision to apply to the Department of Community and Economic Development ("DCED") for designation of an area within their respective political boundaries as a subzone within the Keystone Opportunity Zone and, as a precondition of such application, to enact a resolution which provides within the designated and approved subzone of the Keystone Opportunity Zone exemptions, deductions, abatements or credits from all local taxes identified in the Act, which resolution will be contingent only upon DCED's approval of the application; and

WHEREAS: enactment of such exemption will result in improving the economic, physical, and social conditions within the subzone of the Proposed Keystone Opportunity Zone by stimulating existing businesses' employment, creating new employment and diminishing blight, and

WHEREAS: it is expected that increased private and public sector investment will reverse the disinvestment and conditions of blight within the subzone of the Proposed Keystone Opportunity Zone within the twelve (12) years of exemption as hereinafter provided; and