

CITY OF JOHNSTOWN, PENNSYLVANIA

ORDINANCE NO. 5349

Bill No. 25 of 2022

Introduced in Council: December 14, 2022

AN ORDINANCE OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING AND APPROVING THE SALE OF A CITY-OWNED PROPERTY LOCATED IN THE 6TH WARD OF THE CITY OF JOHNSTOWN ON NAPOLEON STREET TO THE GREATER JOHNSTOWN WATER AUTHORITY (THE "AUTHORITY") AND FURTHER AUTHORIZING AND DIRECTING THE PROPER OFFICERS OF THE CITY TO DO ALL THINGS NECESSARY TO CARRY OUT THE ORDINANCE, AND ANY/ALL ACTIONS INCIDENTAL TO SAID SALE AS REFERENCED IN THE AGREEMENT ENTERED BETWEEN THE PARTIES

WHEREAS, the City of Johnstown, Cambria County, Pennsylvania (the "City") is a third class city and home rule municipality governed by the Home Rule Charter of the City of Johnstown, as adopted on May 18, 1993 and effective on January 1, 1994, as amended (the "Charter"); and

WHEREAS, the City owns a property located in the 6th Ward of the City of Johnstown on Napoleon Street, identified as Tax Map No 76-003.-125.000; and

WHEREAS, the City, in accordance with its Charter and Ordinance No. 5287 adopted finally on April 15, 2020 and later codified at Section 236.21 of the Codified Ordinances of the City, desires to convey property with tax parcel number 76-003.-125.000 to the Greater Johnstown Water Authority (the "Authority"), a body corporate and politic organized under the Pennsylvania Municipality Authorities Act; and

WHEREAS, the City and the Authority have executed an Agreement for the Transfer of the above-referenced property (hereinafter "Agreement") which is attached hereto as Exhibit A; and

WHEREAS, the Agreement addresses terms and conditions applicable to the sale and transfer of tax parcel number 76-003.-125.000 to the Authority for consideration in the amount of \$100.00 dollars; and

WHEREAS, the City desires to enact this Ordinance to authorize and approve the Sale and Conveyance of tax parcel number 76-003.-125.000 on Napoleon Street and the undertaking of all incidental action in connection therewith.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Council of the City of Johnstown, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. The sale, transfer, and conveyance of the property on Napoleon Street identified as tax parcel number 76-003.-125.000 on Napoleon Street in the 6th Ward of the City of Johnstown, to the Greater Johnstown Water Authority, and all related terms and conditions pertinent to same as referenced in the Agreement between the parties attached hereto as Exhibit A, are hereby approved.

SECTION 2. Any of the Mayor, the City Manager and the Finance Director, and such other authorized officers of the City (each, a "Proper Officer") is hereby authorized, directed and empowered to execute and deliver any/all documents necessary to effectuate the sale and transfer of tax parcel number 76-003.-125.000 to the GJWA on behalf of the City Council of the City of Johnstown.

SECTION 3. Any of the Proper Officers of the City is hereby authorized, directed and empowered to execute any and all agreements, consents, assignments, certificates, instruments, permits, licenses and other documents determined to be necessary or proper by such Proper Officer to effectuate the Sale and Conveyance of the tax parcel number 76-003.-125.000 and any/all actions contemplated by the Agreement between the Parties.

SECTION 4. Any of the Proper Officers of the City is hereby authorized, directed and empowered on behalf of the City to execute any and all papers and documents and to do or cause to be done any and all acts and things necessary or proper for the carrying out of the provisions of this Ordinance.

SECTION 5. All ordinances or resolutions or parts of ordinances or resolutions inconsistent herewith be and the same hereby are repealed, rescinded, cancelled and annulled.

SECTION 6. In the case any one or more of the provisions of this Ordinance shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Ordinance and this Ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein.

SECTION 7. This Ordinance shall become effective immediately, or otherwise on the earliest date permitted by law.

PASSED FINALLY IN COUNCIL: January 11, 2023

By the following vote:

Yeas: Mayor Janakovic, Deputy Mayor Capriotti, Mrs. Mock, Ms. Huchel, Rev. King, Mr. Arnone

Nays:

Absent: Mr. Britt



Frank J. Janakovic, Mayor
Michael Capriotti, Deputy Mayor

ATTEST: I do hereby certify that the following is a true and correct copy of Ordinance No. 5349 as the same was enacted by the City Council of the City of Johnstown, Cambria County, Pennsylvania.



Ethan Imhoff, City Manager