

RESOLUTION NO. R046 - 11

A RESOLUTION ADOPTING THE
"JANET JOHNSTON HOUSENICK AND WILLIAM D. HOUSENICK MEMORIAL
PARK, ARCHIBALD JOHNSTON CONSERVATION AREA, AND SURROUNDING
LANDS INCORPORATING THE LANDS OF BOTH THE TOWNSHIP OF
BETHLEHEM AND THE COUNTY OF NORTHAMPTON" PLAN DATED
SEPTEMBER 2011

WHEREAS, "Article V – Devise of Real Estate for Public Park" of the Janet J. Housenick Last Will and Testament dated November 23, 2004, duly probated and registered in the Office of the Register of Wills of Northampton County, Pennsylvania on August 18, 2005 in File No. 2005-0911, states the following:

ARTICLE V - Devise of Real Estate for Public Park

A. I give, devise and bequeath all of my real estate in Bethlehem Township, expressly subject however to the life estate granted hereinafter, to the Township of Bethlehem, for use in PERPETUITY only as a public park, and for no other purpose, which public park shall be named and identified as the "Janet Johnston Housenick and William D. Housenick Memorial Park", if such real estate is still owned by me at my death.

, and

WHEREAS, per its Resolution No. R023-07 dated August 6, 2007, the Bethlehem Township Board of Commissioners approved the Granting Conditional Final Approval of the "Final Minor Subdivision Plan Janet J. Housenick Estate Property", involving the creation of two lots, lot no. 1 containing 52.84 acres of land and lot no. 2, containing 3.00 acres. Lot no. 1, is intended for public park purposes to be owned by the Township of Bethlehem while lot no. 2, is intended as a residential life estate, and

WHEREAS, the Bethlehem Township Board of Commissioners, at its November 5, 2007 meeting, voted to establish a committee (Housenick Committee) to develop a master plan for the Housenick property and to submit a grant request to the Housenick Foundation for funding of the same, and

WHEREAS, per its Resolution No. R086-07 dated December 17, 2007, the Bethlehem Township Board of Commissioners established restriction on the use of property devised to the Township of Bethlehem pursuant to the Last Will and Testament of Janet J. Housenick with said restrictions as follows:

SECTION II: Following acceptance by the Township of Bethlehem of the devise to it by Janet J. Housenick of the said "Janet Johnston Housenick and William D. Housenick Memorial Park" ("Park"), the said Park shall not be improved, developed, or used at any time for athletic fields (including without limitation baseball, basketball, soccer, football, field hockey, and tennis courts), whether for purposes of competition or practice by organized sports or athletic groups, but shall instead be improved, developed and used solely for passive recreation activities.

SECTION III: Nothing contained herein is intended to restrict the use of the Park for casual play purposes, e.g., playing catch with a football or baseball, provided that such use is not in connection with an organized sports or athletic group.

WHEREAS, per its Resolution No. R034-08 dated April 7, 2008, the Bethlehem Township Board of Commissioners approved the acceptance of Deeds of Dedication from the executors of the Estate of Janet J. Housenick, deceased, granting and conveying to the Township of Bethlehem (A) a fee simple interest in Lot No. 1, and (B) a remainder interest subject to a life estate in Lot No. 2, both as shown on a Minor Subdivision Plan entitled "Final Minor Subdivision Plan Prepared for Bethlehem Township Showing Lands of the estate of Janet M. Housenick" being situated in the Bethlehem Township, Northampton Count, Pennsylvania, and

WHEREAS, the "Final Minor Subdivision Plan Janet J. Housenick Estate Property" was recorded in the Northampton County Recorder of Deeds Office on April 16, 2008 in Plan Book 2008-5, Pages 208 and 209, and

WHEREAS, the Deeds of Dedication, as mentioned in Resolution No. R038-08 were recorded in the Northampton County Recorder of Deeds Office on May 5, 2008 in Book 2008-1, Starting Page -133027, total pages -10, and Book 2008-1, Starting page -133037, total pages - 9, and

WHEREAS, the Bethlehem Township Board of Commissioners, at its July 19, 2010 meeting, voted to award the contract for the Housenick Park Master plan to Pennoni Associates, and

WHEREAS, the Bethlehem Township Housenick Committee, has assisted Pennoni Associates with the development of the "Janet Johnston Housenick and William D. Housenick Memorial Park, Archibald Johnston Conservation Area, and Surrounding Lands Incorporating the Lands of Both the Township of Bethlehem and the County of Northampton", and

WHEREAS, the Bethlehem Township Department of Planning has determined that the "Janet Johnston Housenick and William D. Housenick Memorial Park, Archibald Johnston Conservation Area, and Surrounding Lands Incorporating the Lands of Both the Township of Bethlehem and the County of Northampton" is consistent with the Bethlehem Township Comprehensive Plan 1997 and 2004 update, and

WHEREAS, the Bethlehem Township Housenick Committee, at its September 1, 2011 meeting, voted to recommend the following action items for the Bethlehem Township Board of Commissioners consideration:

1. That the Bethlehem Township Board of Commissioners adopt the proposed Master Plan for the Housenick Estate ["Janet Johnston Housenick and William D. Housenick Memorial Park, Archibald Johnston Conservation Area, and Surrounding Lands Incorporating the Lands of Both the Township of Bethlehem and the County of Northampton"].
2. That the Mansion [Archibald Johnston] be maintained and restored to a future Public Use.
3. That steps be taken to review and implement the requirements to have the Mansion listed on the National Register.
4. That the Housenick Committee remain in tact and function as an Advisory Committee to the Bethlehem Township Board of Commissioners with respect to the implementation of the Master Plan.

WHEREAS, the Bethlehem Township Board of Commissioners desires to take final action on this matter.

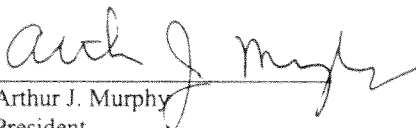
NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY the Board of Commissioners of the Township of Bethlehem, County of Northampton, and Commonwealth of Pennsylvania, as follows:

Section I. Adoption and Approval


1. The "Janet Johnston Housenick and William D. Housenick Memorial Park, Archibald Johnston Conservation Area, and Surrounding Lands Incorporating the Lands of Both the Township of Bethlehem and the County of Northampton" Plan dated September 2011, as prepared by Pennoni Associates, Inc. and MKSD Architects is hereby adopted and approved.
2. As funding and other resources permit, the Mansion [Archibald Johnston] be maintained and restored to a future Public Use as determined and defined by the Bethlehem Township Board of Commissioners.
3. As funding and other resources permit, steps be taken to review and implement the requirements to have the Mansion listed on the National Register.

ADOPTED AND APPROVED this 3rd day of October 2011 at a regular public meeting.

BOARD OF COMMISSIONERS


Arthur J. Murphy
President

ATTEST:


Howard L. Kutzler
Manager/Secretary