

# REQUEST FOR PROPOSALS

Development of the Norristown State Hospital Site  
1001 W. Sterigere Street, Norristown, PA 19401

Issued By: The Municipality of Norristown, PA and The Montgomery  
County Redevelopment Authority



**68 ACRES**  
**RECONCEPTUALIZED**

Issuance Date: January 11, 2023

Response Date: June 5, 2023

## **EXECUTIVE SUMMARY**

The Municipality of Norristown (“Municipality”) in Montgomery County, Pennsylvania, and the Redevelopment Authority of the County of Montgomery (“Authority”) seek a qualified developer, or team of developers, to acquire, design, finance, construct, manage, and market a site (“Site”) for catalytic growth in the heart of Norristown. This Request for Proposals (“RFP”) is the result of efforts by the Municipality and the Authority to support the Municipality’s economic revitalization by encouraging impactful development at this one-of-a-kind Site.

The Site, located at 1001 W. Sterigere Street, is a portion of what is known as the former Norristown State Hospital complex. In 2022, the Commonwealth of Pennsylvania, which previously owned the entire parcel, subdivided the property and transferred a 68.333-acre parcel to the Authority on behalf of the Municipality for the purposes of redevelopment.

This is a rare and unique opportunity to acquire and develop a large parcel in Norristown, the county seat of Montgomery County and a gateway to the Philadelphia metro region. The Municipality and the Authority seek a high-value development that generates revenue for the Municipality, creates jobs, benefits the surrounding community, and is in keeping with the Municipality’s comprehensive redevelopment vision.

The timeline for this RFP is summarized below. Additional details regarding the development opportunity and the RFP process follow.

<b>Release</b>	January 11, 2023
<b>Site Visits (<i>optional</i>)</b>	January 23-February 3, 2023
<b>Questions Due</b>	February 24, 2023
<b>Answers Posted</b>	March 10, 2023
<b>Submissions Due</b>	June 5, 2023

# THE SITE

## DESCRIPTION

The Site consists of 68.333 acres of predominately vacant land. At the time of property transfer, there will be one (1) building remaining on the Site. This building, identified in the below image, is 126,000 square feet. All other structures currently on the Site will be demolished by the Commonwealth of Pennsylvania, with an anticipated completion date of November 2023. The recorded subdivision plan for the Site is attached hereto as *Attachment A*.



Additional images of the Site are attached hereto as *Attachment B*.

## LOCATION

The Site is located at 1001 W. Sterigere Street and is bordered by Sterigere Street to the south, Stanbridge Street to the east, and the remaining 120 acres of Commonwealth-owned land (falling partially outside the Municipality’s boundaries into neighboring West Norriton Township) to the north and west. It is approximately 2 miles from Downtown Norristown.

The Site is easily accessible by vehicle and public transportation via Southeastern Pennsylvania Transportation Authority (SEPTA) bus, train, and trolley lines. The Site is directly serviced by bus (SEPTA Route 90) and is situated less than one mile from a SEPTA Regional Rail train station with direct service to Philadelphia and approximately 1.5 miles from the Norristown Transportation Center, a regional transit hub. The Site is approximately 2.5 miles from the new Pennsylvania Turnpike interchange on Lafayette Street in Norristown and approximately 4 miles from Interstate 476. The

Philadelphia International Airport is approximately 30 miles away.

**OPPORTUNITY**

The growth and revitalization trends present in the Municipality, as well as the County as a whole, are driving significant residential demand, employment inflow, and tourism, creating an exceptional opportunity to capture expenditure potential.

***Commercial, Residential, and Recreation Hub***

Montgomery County is the third-largest county in Pennsylvania, with 860,000 residents who enjoy proximity to world-class employers, shopping, recreation, educational institutions, and open space. The County is easily accessed by numerous major highways, an expansive public transportation system, and the Philadelphia International Airport.

Norristown boasts a growing downtown and a favorable development climate. Downtown Norristown is home to numerous government office buildings, the new Montgomery County Justice Center, diverse commercial and retail options, and a booming residential market. Downtown Norristown also offers access to the popular Schuylkill River and Chester Valley trails, as well as connections to transit options throughout the region at the Norristown Transportation Center. Elsewhere in Norristown there are a number of recreational and commercial offerings, including the Elmwood Park Zoo, a popular family attraction adjacent to the Site, and the Norristown Farm Park. Within a 5-mile radius of the Site there are several commercial and residential hubs, including King of Prussia – home to the world-famous King of Prussia Mall, numerous hotels, and plentiful recreation options.

***Transportation and Public Infrastructure***

Municipal and County leadership continue to signal a commitment to growth in Norristown through extensive investments in transportation and other infrastructure. The County will soon complete a multi-million dollar effort to improve road and highway access into Norristown, including a new interchange from the Pennsylvania Turnpike (I-276) and the reconstruction of Markley Street (southbound US-202). Other multimodal transit infrastructure improvements are underway, including expansion of the regional high-speed rail line connecting Philadelphia to King of Prussia through Norristown. Norristown leadership is also planning for other infrastructure in ways that proactively anticipate future development. A \$13 million renovation of the Norristown Municipal Hall will expand administrative office space and facilitate municipal operations and administration, including planning and development functions.

***Development Incentives***

Development incentives administered at the local, state, and federal level may be available for the Site. Respondents are encouraged to consider the programs described below, and to consult financial professionals to better understand how associated benefits will apply to any project. Respondents who plan to seek local, state, or federal financing or development incentives should include these programs in their budget proposal.

### *Local Economic Revitalization Tax Assistance (LERTA) and Tax Increment Financing (TIF)*

LERTA is a tax abatement program that encourages new construction in the Municipality. Qualified properties that gain approval for LERTA receive a graduated property tax abatement on new assessed improvements for ten years. Access to LERTA benefits can reduce the financial risk and burden of a large development project and enhance the financial feasibility of a project.

TIF is an alternative financing tool that allows for the establishment of a district within which all or some of any increase in tax revenue resulting from redevelopment can be redirected to the developer to repay the private loan used to finance the project. The Authority can assist with the creation of a TIF district.

### *Commercial Property Assessed Clean Energy (C-PACE) Program*

Development projects in Montgomery County are eligible for C-PACE financing for any portions of the project that meet certain energy efficiency and water conservation goals, that improve indoor air quality, or that increase the building's resistance to the effects of climate change. C-PACE is an innovative financing tool in which loan payments are collected as an assessment against a property. The Authority can assist with C-PACE financing options.

### *Brownfields Assessment Grants and Remediation Loans*

The Authority has Environmental Protection Agency (EPA) Brownfields Assessment Grant funds that can be used for Phase I and Phase II environmental assessments. The Authority also maintains an EPA Brownfields Revolving Loan Fund that can be used for remediation of eligible properties.

### *Redevelopment Assistance Capital Grant Program (RACP)*

RACP is a reimbursement grant administered by the Commonwealth's Office of the Budget for the acquisition and construction of projects that generate substantial increases or maintain current levels of employment, tax revenues, or other measures of economic activity. The Authority is an eligible grantee for RACP.

# **PROPOSAL REQUIREMENTS**

These requirements are designed to establish a developer's overall capacity to complete the project and to meet the requirements and obligations associated with the Site. Respondents must provide information that clearly demonstrates that the development team has the experience to design, secure governmental approvals for, secure community support for, finance, build, market, manage, and operate the proposed development. The development plan must achieve the highest and best use of the site in keeping with the Municipality's stated goals and must provide a significant economic benefit to the Municipality. All proposals submitted in response to this RFP must include full responses to each of the below requirements.

## **1. Cover Letter and Executive Summary**

- a. Cover Letter from the lead contact for the developer with a sufficiently brief but clear executive summary of the developer's proposal. The Cover Letter should state that the proposal is valid for 120 days.

## **2. Project Concept**

- a. Narrative description of the overall conceptual design of the project, including all proposed uses and how such uses fit Municipality's stated goals. The narrative should describe how the entirety of the Site will be used. The narrative should also specifically detail the overall economic impact of the project to the Municipality and how the project will benefit Norristown residents.

## **3. Design Narrative**

- a. Description of proposed buildings and improvements. The description should include:
  - i. If the project includes residential development, indicate the total number of units, size of units, and anticipated sales price and/or lease rates.
  - ii. If the project includes commercial, office, and/or light industrial development, indicate the total number of tenanted spaces, size of each space, anticipated lease rates, and anticipated type of tenant.
  - iii. If the project includes recreational uses, indicate the type of use and the size of each recreational space.
  - iv. If the project includes open space, indicate the size of each space.
  - v. Indicate which portions of the Site will be accessible to the general public.
- b. The Municipality has an interest in maintaining access to a small portion of the Site (approximately two acres) for Public Works facilities. The Design Narrative should include the proposed location of these facilities, including access routes.

#### **4. Visual Presentation of the Plan**

- a. Supplement the narrative by providing detailed illustrations such as maps, site plans, massing plans, elevations, line drawings, and renderings that clearly explain the location, appearance, and scale of all proposed development, including interior roads.

#### **5. Economic Impact and Job Creation**

- a. Economic impact statement. Note that the Municipality will have all economic impact statements reviewed by an independent expert. The statement must detail:
  - i. Tax generation estimates.
  - ii. Estimates of other financial benefits or sources of revenue that the proposed development may generate for the Municipality.
- b. Narrative of job creation impact, including:
  - i. Number and type of permanent jobs to be created, with anticipated salary estimates.
  - ii. Number and type of temporary and/or seasonal jobs to be created, with anticipated salary estimates (not including construction jobs).
  - iii. Number of construction jobs.
  - iv. Percentage and type of jobs that will be available to Norristown residents.

#### **6. Community Outreach**

- a. As part of the land development process, the Municipality and Authority will prepare a Community Relations Plan that includes public meetings and printed materials describing the project. The developer will be required to participate in these meetings and to participate in the communication of critical project information to the public. Therefore, respondents must provide information that clearly demonstrates that the development team has knowledge of and experience with community-based decision-making opportunities, techniques, and strategies. The narrative should include:
  - i. Description of how the developer will ensure comprehensive, equitable outreach to Norristown's diverse community.
    - Identify methods through which the developer will ensure proper geographic distribution of outreach throughout the Municipality.
    - Identify methods through which the developer will ensure that outreach is made to communities of different backgrounds and ethnicities. Specifically, the Municipality has a large Spanish-speaking community and takes great pride in offering community outreach in both Spanish and English for the benefit of all residents.
  - ii. Details of the developer's community outreach efforts on at least two (2) past projects of a similar nature to that proposed in this RFP.
  - iii. Details of any community benefit agreements or partnerships with community organizations on past projects of a similar nature to that proposed in this RFP.

## **7. Development Team Information**

Respondents must provide information that clearly demonstrates that the developer or development team has the experience to design, secure governmental approvals for, finance, build, market, manage, and operate the proposed development. Developers who seek to participate in a development team should finalize the development team participants and structure prior to the submission of a proposal.

### **a. Composition, Structure, and Roles**

- i. Description of the developer and ownership entity (i.e. partnership, sole owner, corporation, limited-liability corporation, joint venture, etc.). Include an organizational chart. If the respondent is a development team, include any relevant documentation showing the legal relationship between the entities.
- ii. Contemplated development team structure. Include the names of the firms and key individuals who will be responsible for major functions to be performed relative to designing, building, managing, and operating the development. Identify any certified minority, women, veteran, or disabled-owned businesses that will be part of the development team and their proposed roles.

### **b. Experience**

- i. Description of at least two past projects of a similar nature to that proposed in this RFP on which the development team worked. For each project include:
  - General description of the project, including the location, type of use(s), acreage, number of buildings constructed or renovated, number of residential units, and number of commercial units. Include photographs, drawings, renderings, website links, or other visuals of the project.
  - Description of the economic impact of the project on the surrounding community. Include the number of permanent jobs created.
  - The names of the members of the development team who worked on the project and the official role of each.
- ii. At least two (2) references for each project. References should include a representative of the municipality in which the project is located. Include the name, title, and contact information for each reference.

## **8. Financial Qualifications**

- a. Respondents must demonstrate the financial capability to complete the project and meet all requirements and obligations associated with the Site. Include:

- i. Most recent consolidated financial statements (balance sheet profit/loss statement, cash-flow statement), including all contingent liabilities, for all participating developers.
  - ii. Identity of any entity that will guarantee the promised performance of the developers.
  - iii. List of investors in the participating developers.
  - iv. Statements from commercial or institutional credit references regarding the lead developer's financial creditworthiness and past development experience.
- b. Respondent's financial information will be kept confidential to the extent permitted by law, except as may be required to defend the Authority and Municipality against any legal action pertaining to this RFP or arising out of or related to the project.

## **9. Budget and Sources of Funds**

- a. Description of how each project component will be financed, including assumptions about the amount of equity committed and debt required, sources of project funds and financing, and source and strength of payment and performance guarantees. The total acquisition and development budget should include all hard and soft costs, including, but not limited to, acquisition costs, construction costs, demolition and infrastructure costs, design, engineering, consultant and legal fees, financing transaction fees, interest reserves, and commissions.
- b. Indicate if developer intends to apply for and/or leverage any type of public funds for the project, including the type of fund(s) and the amount sought.
- c. Proposed acquisition price for the Site.

## **10. Development Schedule**

- a. Project completion schedule delineating major milestones, including closing date, zoning and land development approvals, construction phasing, marketing, and occupancy. The timeline must specifically identify important trigger dates or hurdles that control the development progression and illustrate phasing of the entire project.

# **EVALUATION AND SELECTION**

## **SELECTION PROCESS**

The Municipality and the Authority will evaluate each response using the requirements and criteria outlined above. The Municipality and the Authority may, if they so choose, narrow down the list of proposals to a short list of finalists based on this evaluation. Each finalist, if any, may be interviewed by the Municipality and the Authority. Developers will be expected to make a presentation during such interview. Following the completion of any interviews and presentations, the Municipality and the Authority may select a development team(s) with which to enter into negotiations of a redevelopment contract for the sale and redevelopment of the Site. The Municipality and the Authority shall be the sole judges as to which, if any, proposals and respondents best meet the selection criteria. The Municipality and the Authority's decision of whether and with which entity to enter into a redevelopment contract shall be final. The Municipality and the Authority reserve and hold at their discretion the following additional rights and options:

- To reject any and all responses received;
- To not select a developer from those submitting a response;
- To waive any submission requirements contained within this RFP;
- To waive any irregularities in any submitted response; and
- To re-advertise this RFP; postpone or cancel, at any time, this RFP; and to issue or not issue subsequent RFPs.

## **NEGOTIATIONS**

The Municipality and Authority reserve the right to enter redevelopment contract negotiations with a selected respondent. If the Municipality, Authority, and the selected respondent do not agree to terms of a redevelopment contract, the Municipality and/or the Authority may elect to terminate negotiations and begin negotiating with the second-best ranked respondent. This process will continue until a redevelopment contract has been executed or all proposals have been rejected. Moreover, the Municipality and the Authority reserve the right to recommend another respondent in the event that the originally selected respondent defaults or fails to perform the requirements provided herein.

No respondent shall have any claims and/or rights against the Municipality and/or Authority arising from such negotiation.

## **REDEVELOPMENT CONTRACT**

The following terms will be negotiated as part of the redevelopment contract:

- Acquisition price and value of the proposed development project;
- Development plan that achieves the highest and best use of the Site;

- Any other terms as requested by the Municipality and the Authority; and
- Additional provisions required by the Urban Redevelopment Law as outlined in *Attachment C* attached hereto.

Pennsylvania's Urban Redevelopment Law requires that any redevelopment contract be approved by the applicable governing body prior to execution and performance thereunder. The redevelopment contract must be in substantial conformity with any area redevelopment plan and executed by the Municipality, the Authority, and the selected developer. The Municipality and the Authority will not enter into a contract unless it is in substantial conformity with the foregoing and the terms included in *Attachment C* attached hereto.

## **MISCELLANEOUS**

- No respondent shall have any claims and/or rights against the Municipality and/or the Authority arising from the proposal process and/or negotiation process. Respondents shall indemnify, defend, and hold harmless the Municipality and the Authority from and against any and all disputes arising out of or relating to submission of a proposal in response to this RFP.
- Respondents acknowledge by submitting a proposal in response to this RFP that the Municipality and the Authority do not undertake any obligations and shall have no liability with respect to any matters related to any submission by a respondent.
- The Municipality and the Authority cannot guarantee the confidentiality of responses.
- By virtue of submitting a proposal, respondents agree to the terms and conditions herein.

## **SCHEDULE AND PROCESS**

This RFP is being distributed widely to local, regional, and national developers. Rebecca Swanson, Executive Director of the Authority, is the lead contact for the RFP. All communications related to this RFP are to be directed to Rebecca Swanson at [rebecca.swanson@montgomerycountypa.gov](mailto:rebecca.swanson@montgomerycountypa.gov).

### **REGISTRATION**

- Parties interested in receiving updates regarding this RFP should register via email to [rebecca.swanson@montgomerycountypa.gov](mailto:rebecca.swanson@montgomerycountypa.gov). Any updates will be communicated to registered parties via email only.

### **OPTIONAL SITE VISIT**

- The Authority will host potential respondents for optional visit(s) to the Site from January 23, 2023 through February 10, 2023.
- To schedule a site visit, interested parties must send a request via email to [rebecca.swanson@montgomerycountypa.gov](mailto:rebecca.swanson@montgomerycountypa.gov). All site visit requests must be received by February 3, 2023. All requests must include the name(s) of all individuals who will attend the site visit. Respondents will be provided with a sign-up sheet with date/time selections. Visits will be scheduled on a first-come, first-served basis and the scheduling of all site visits is at the discretion of the Authority.

### **QUESTIONS FROM POTENTIAL RESPONDENTS**

- All questions from interested parties regarding this RFP must be submitted in writing to [rebecca.swanson@montgomerycountypa.gov](mailto:rebecca.swanson@montgomerycountypa.gov) by February 24, 2023. Questions submitted after this date will not be reviewed. No questions will be accepted via phone or in person.
- The Authority will respond to questions submitted in writing by the deadline no later than March 10, 2023. Answers to all submitted questions will be recorded in one document and distributed by the Authority to all parties that submitted questions and/or registered via email with the Authority. The Authority will not respond to questions on an individual basis.

### **SUBMISSIONS DUE**

- **All responses must be submitted no later than June 5, 2023 at 5:00pm EST.**
  - An electronic copy of the proposal must be submitted via email to [rebecca.swanson@montgomerycountypa.gov](mailto:rebecca.swanson@montgomerycountypa.gov).
  - Three (3) hard copies of the proposal must be submitted by regular or certified mail. Hard copy submissions must be postmarked no later than June 5, 2023. Proposals should be mailed to:

Rebecca Swanson  
Montgomery County Redevelopment Authority  
104 W. Main Street, Suite 2  
Norristown, PA 19401

- No responses will be accepted after the time and date specified above, subject to any proposal receipt deadlines extended at the discretion of the Municipality or the Authority.

## **ATTACHMENTS**

Attachment A – Subdivision Plan

Attachment B – Photographs of Site

Attachment C – Pennsylvania Urban Redevelopment Law

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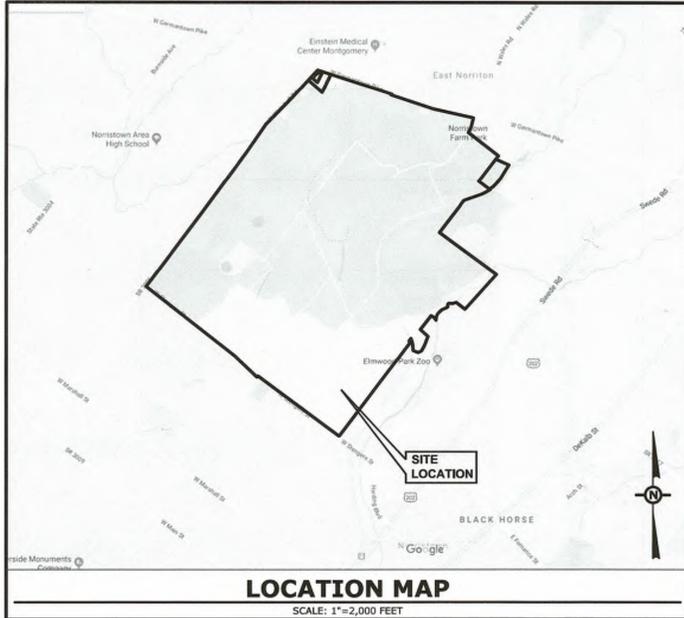
## Attachment A

# SUBDIVISION PLAN

# OF THE NORRISTOWN STATE HOSPITAL (DHS)

Montgomery County  
OCT 13 2022  
Recorder of Deeds

## WEST NORRITON TOWNSHIP & MUNICIPALITY OF NORRISTOWN MONTGOMERY COUNTY, PENNSYLVANIA



### VARIANCE REQUESTS

THE FOLLOWING VARIANCES AND MODIFICATIONS OF THE MUNICIPALITY OF NORRISTOWN ZONING ORDINANCE WERE APPROVED BY BOROUGH COUNCIL ON: JUNE 28, 2022

§320-172.A.3 - DIMENSIONAL CRITERIA, MINIMUM FRONT YARD - THE APPLICANT IS REQUESTING A VARIANCE TO ALLOW FOR THE FRONT YARD TO BE 82.9 FEET FOR LOT 1A AND 17.1 FEET FOR LOT 1B, BOTH OF WHICH ARE LESS THAN THE MINIMUM REQUIRED FRONT YARD SETBACK OF 100 FEET.

§320-172.A.4 - DIMENSIONAL CRITERIA, MINIMUM SIDE YARD - THE APPLICANT IS REQUESTING A VARIANCE TO ALLOW FOR THE SIDE YARD TO BE 36.4 FEET FOR LOT 1A WHICH IS LESS THAN THE MINIMUM REQUIRED SIDE YARD SETBACK OF 75 FEET.

### WAIVER & MODIFICATION REQUESTS

THE FOLLOWING WAIVERS AND MODIFICATIONS OF THE MUNICIPALITY OF NORRISTOWN SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AND STORMWATER MANAGEMENT ORDINANCE WERE APPROVED BY BOROUGH COUNCIL ON: JULY 19, 2022

§282-304 - REQUEST FOR CONCURRENT PRELIMINARY AND FINAL PLAN APPROVAL



### MUNICIPAL COUNCIL MUNICIPALITY OF NORRISTOWN BOARD OF COMMISSIONERS

THIS PLAN APPROVED BY THE BOARD OF COMMISSIONERS OF WEST NORRITON TOWNSHIP THIS 19th DAY OF August, 2022

PRESIDENT: *[Signature]*  
SECRETARY: *[Signature]*

### ACKNOWLEDGMENT OF PLAN

I, *Bradley J. Swartz, Chief of R.E. Acq.* OF THE DEPARTMENT OF GENERAL SERVICES OF THE COMMONWEALTH OF PENNSYLVANIA, WHO, BEING DULY SWORN ACCORDING TO LAW, DEPOSES AND CONFIRMS THAT THE COMMONWEALTH OF PENNSYLVANIA, ACTING BY AND THROUGH THE DEPARTMENT OF GENERAL SERVICES, IS THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT HE IS AUTHORIZED TO EXECUTE THIS PLAN ON BEHALF OF THE DEPARTMENT OF GENERAL SERVICES, THAT THIS PLAN IS THE ACT AND DEED OF THE DEPARTMENT OF GENERAL SERVICES, AND THAT THE DEPARTMENT OF GENERAL SERVICES DESIRES THIS PLAN TO BE RECORDED.

*Bradley J. Swartz*  
NAME: *Bradley J. Swartz*  
TITLE: *Chief of R.E. Acquisitions*

### CERTIFICATE OF OWNERSHIP

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF DAUPHIN

ON THIS THE 26 DAY OF September, 2022 BEFORE THE UNDERSIGNED OFFICER, PERSONALLY APPEARED *Bradley J. Swartz, Chief of R.E. Acquisitions* OF THE DEPARTMENT OF GENERAL SERVICES OF THE COMMONWEALTH OF PENNSYLVANIA, WHO, BEING DULY SWORN ACCORDING TO LAW, DEPOSES AND CONFIRMS THAT THE COMMONWEALTH OF PENNSYLVANIA, ACTING BY AND THROUGH THE DEPARTMENT OF GENERAL SERVICES, IS THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT HE IS AUTHORIZED TO EXECUTE THIS PLAN ON BEHALF OF THE DEPARTMENT OF GENERAL SERVICES, THAT THIS PLAN IS THE ACT AND DEED OF THE DEPARTMENT OF GENERAL SERVICES, AND THAT THE DEPARTMENT OF GENERAL SERVICES DESIRES THIS PLAN TO BE RECORDED.

*Bradley J. Swartz*  
NAME: *Bradley J. Swartz*  
TITLE: *Chief of R.E. Acquisitions*

SWORN TO AND SUBSCRIBED BEFORE ME THIS 26 DAY OF Sept 2022

*Cheryl Spackman*  
NOTARY PUBLIC  
Commonwealth of Pennsylvania - Notary Seal  
Cheryl Spackman, Notary Public  
Dauphin County  
My Commission Expires September 14, 2025  
Commission Number 1250186

### PLAN PREPARER

KUROWSKI & WILSON, LLC  
2201 N FRONT ST, SUITE 200  
HARRISBURG, PA 17110

TELEPHONE: 717.635.2835  
CONTACT: J. MARC KUROWSKI, PE

### SITE SURVEYOR

KUROWSKI & WILSON, LLC  
2201 N FRONT ST, SUITE 200  
HARRISBURG, PA 17110

TELEPHONE: 717.635.2835  
CONTACT: DENNIS P. BURKHARD, PLS

### CERTIFICATE OF ACCURACY (PLAN)

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE SUBDIVISION PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT.

*[Signature]* 10/11 2022  
J. MARC KUROWSKI, P.E.



### CERTIFICATE OF ACCURACY (SURVEY)

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE BOUNDARY SURVEY SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT.

*[Signature]* 10/11 2022  
DENNIS P. BURKHARD, P.L.S.



### MUNICIPALITY OF NORRISTOWN PLANNING COMMISSION

THIS PLAN RECOMMENDED FOR APPROVAL BY THE MUNICIPALITY OF NORRISTOWN PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

CHAIRMAN: \_\_\_\_\_  
SECRETARY: \_\_\_\_\_

### MUNICIPALITY OF NORRISTOWN ENGINEER

THIS PLAN REVIEWED BY THE MUNICIPALITY OF NORRISTOWN ENGINEER THIS 30th DAY OF September, 2022

*[Signature]*  
KHALED RAMEZ HASSAN  
REGISTERED PROFESSIONAL ENGINEER  
No. PE000000  
PA 0000000

### LANDOWNER

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES  
BUREAU OF REAL ESTATE / ACQUISITIONS AND DISPOSITIONS DIVISION  
503 NORTH OFFICE BUILDING  
HARRISBURG, PA 17120

TELEPHONE: (717) 705-5764  
CONTACT: BRADLEY J SWARTZ

### ZONING DATA

LOT 1 IS SITUATED IN WEST NORRITON TOWNSHIP AND IN THE MUNICIPALITY OF NORRISTOWN (TOTAL AREA OF 188.449 ACRES).

MUNICIPALITY OF NORRISTOWN  
ZONING DISTRICT: (IN) - INSTITUTIONAL DISTRICT

ITEM	REQUIRED	EXISTING LOT 1	PROPOSED LOT 1A	LOT 1B
MIN. LOT AREA:	2 ACS.	122.680 ACS.	54.347 ACS.	68.333 ACS.
MIN. LOT WIDTH:	150 FEET	>150 FT.	>150 FT.	>150 FT.
MIN. YARD SETBACKS:				
FRONT YARD SETBACK	100 FEET	17.1 FT.*	97.0 FT.**	17.1 FT.*
SIDE YARD SETBACK	75 FEET	N/A	36.4 FT.**	20.3 FT.*
REAR YARD SETBACK	75 FEET	19.9 FT.*	43.6 FT.**	3.7 FT.*
MAX. BUILDING HEIGHT:	45 FEET	≤45 FEET	≤45 FEET	≤45 FEET
MAX. IMPERVIOUS SURFACE:	50%	33.38%	41.75%	26.72%

WEST NORRITON TOWNSHIP  
ZONING DISTRICT: (R-A) - RURAL RESIDENCE DISTRICT

ITEM	REQUIRED	EXISTING LOT 1	PROPOSED LOT 1A
MIN. LOT AREA:	40,000 SQ.FT.	65.769 ACS.	65.769 ACS.
MIN. LOT WIDTH:	200 FEET	>200 FT.	>200 FT.
MIN. YARD SETBACKS:			
FRONT YARD SETBACK	40 FEET	25.1 FT.*	25.1 FT.*
SIDE YARD SETBACK	20 FEET	45.1 FT.	45.1 FT.
REAR YARD SETBACK	25 FEET	50.0 FT.	50.0 FT.
MAX. BUILDING HEIGHT:	35 FEET	≤35 FEET	≤35 FEET
MAX. IMPERVIOUS SURFACE:	20%	24.34%*	24.34%*

\* NOTES A NON-CONFORMITY  
\*\* NOTES A WAIVER REQUEST

### SITE DATA

PROPERTY ACQUIRED BY THE COMMONWEALTH OF PENNSYLVANIA BY DEED BOOK

DEED BOOK	PAGE
293	376
240	467
240	471
240	469
240	473
266	412
267	357
360	254
406	364
406	362
582	412
762	209
771	456
770	196
763	521
763	540
804	191
845	136
846	121
990	184
989	453
1302	391
1944	176
2005	209
2055	122
3218	431

### SHEET INDEX

Sheet Number	Sheet Title
1	COVER SHEET
2	OVERALL CURRENT EXISTING CONDITIONS PLAN
3	OVERALL EXISTING CONDITIONS PLAN
4	MINOR SUBDIVISION PLAN

### GENERAL NOTES

- THE PURPOSE OF PLAN IS TO SUBDIVIDE LOT 1 OF THE NORRISTOWN STATE HOSPITAL TO CREATE A 68.333 ACRE PARCEL TO BE CONVEYED TO THE MONTGOMERY COUNTY REDEVELOPMENT AUTHORITY.
- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY THE EXACT LOCATION AND DEPTH OF ALL UTILITY LINES PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES. KUROWSKI AND WILSON, L.L.C. ASSUMES NO RESPONSIBILITY FOR THE LOCATION OF ANY UNDERGROUND UTILITIES AS DEPICTED HEREON. ANY REQUEST FOR ADDITIONAL UTILITY INFORMATION SHOULD BE DIRECTED TO THE APPROPRIATE UTILITY COMPANY.
- NO CONSTRUCTION IS PROPOSED AS PART OF THIS PLAN. LAND DEVELOPMENT PLANS MUST BE APPROVED PRIOR TO ANY DEVELOPMENT OF THE LOTS SHALL OCCUR.
- BUILDINGS AND PAVEMENT TO BE DEMOLISHED WERE REMOVED ON SHEET 3 OF 3 FOR CLARITY.
- MINOR SUBDIVISION PLAN OF THE NORRISTOWN STATE HOSPITAL (DHS) AND NORRISTOWN FARM PARK (DCH/BUREAU OF STATE PARKS) IS RECORDED AS INSTRUMENT NUMBER 2021.126996 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, PENNSYLVANIA.

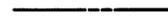
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1. 130035901005  
2. 130035728007  
3. 630007981002

STREET ADDRESS: 1001 STERIGERE STREET

PROFESSIONAL SEAL  
SCALE: AS SHOWN  
DATE: FEBRUARY 25, 2020  
K&W PROJECT: 2334.001  
DRAWN BY: JTM

CAD DRAWING: 2334001-A, sub ASAL CVL.dwg

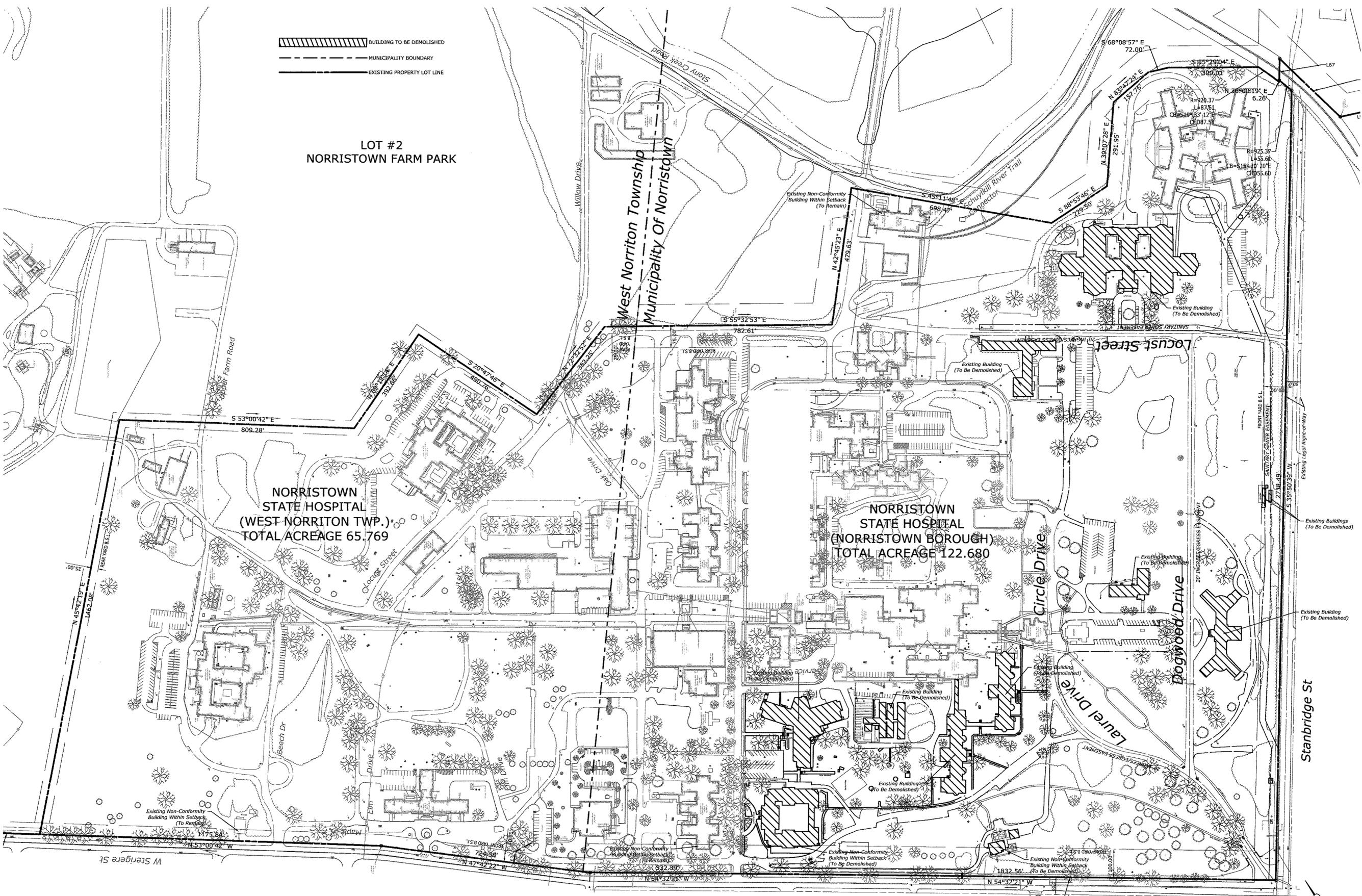
NO.	DATE	DESCRIPTION
1	MARCH 24, 2022	REVISE PER REVIEWING ENGINEER'S COMMENTS
2	JUNE 14, 2022	REVISE PER REVIEWING ENGINEER'S COMMENTS
3	JULY 18, 2022	REVISE AREAS & ADD IMPERVIOUS CALCULATIONS
4		
5		
6		
7		

 BUILDING TO BE DEMOLISHED  
 MUNICIPALITY BOUNDARY  
 EXISTING PROPERTY LOT LINE

LOT #2  
NORRISTOWN FARM PARK

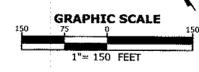
NORRISTOWN STATE HOSPITAL  
(WEST NORRITON TWP.)  
TOTAL ACREAGE 65.769

NORRISTOWN STATE HOSPITAL  
(NORRISTOWN BOROUGH)  
TOTAL ACREAGE 122.680



PROPERTY CALCULATIONS: LOT 1

PROPERTY	GROSS AREA	NET AREA
OVERALL	188.449 ACRES	---
LOT 1A	---	120.116 ACRES
LOT 1B	---	68.333 ACRES



PROFESSIONAL SEAL  
SCALE: AS SHOWN  
DATE: FEBRUARY 25, 2020  
K&W PROJECT: 2334.001  
DRAWN BY: JTM  
CAD DRAWING: 2334001-B sub ASAL 04-EXF.dwg

REVISIONS

NO.	DATE	DESCRIPTION
1	MARCH 24, 2022	REVISE PER REVIEWING ENGINEER'S COMMENTS
2	JUNE 14, 2022	REVISE PER REVIEWING ENGINEER'S COMMENTS
3	JULY 18, 2022	REVISE AREAS & ADD IMPERVIOUS CALCULATIONS
4		
5		
6		
7		

PLAN TYPE:  
**OVERALL**  
**CURRENT EXISTING**  
**CONDITIONS PLAN**

 BUILDING TO BE DEMOLISHED  
 MUNICIPALITY BOUNDARY  
 EXISTING PROPERTY LOT LINE  
 PROPOSED PROPERTY LOT LINE

**LOT #2**  
**NORRISTOWN FARM PARK**

**Impervious Areas Calculations**

	Lot 1A (Within W.N.Twp.)	(Within N.Boro.)	Lot 1B (Within N.Boro.)
Building Coverage (Footprint, Overhang, Etc.)	173,596 Sq.Ft. (3.99 Acs.)	372,259 Sq.Ft. (8.54 Acs.)	273,794 Sq.Ft. (6.29 Acs.)
Macadam (Cartways, Parking, Walks, Etc.)	486,908 Sq.Ft. (11.18 Acs.)	524,028 Sq.Ft. (12.03 Acs.)	466,353 Sq.Ft. (10.70 Acs.)
Concrete (Walls, Walks, Pads, Etc.)	36,726 Sq.Ft. (0.84 Acs.)	92,202 Sq.Ft. (2.12 Acs.)	55,133 Sq.Ft. (1.27 Acs.)
<b>Total Impervious Surface:</b>	<b>697,230 Sq.Ft.</b> <b>(16.01 Acs.)</b>	<b>988,489 Sq.Ft.</b> <b>(22.69 Acs.)</b>	<b>795,280 Sq.Ft.</b> <b>(18.26 Acs.)</b>

**Percentage Of Impervious Surface Coverage:**

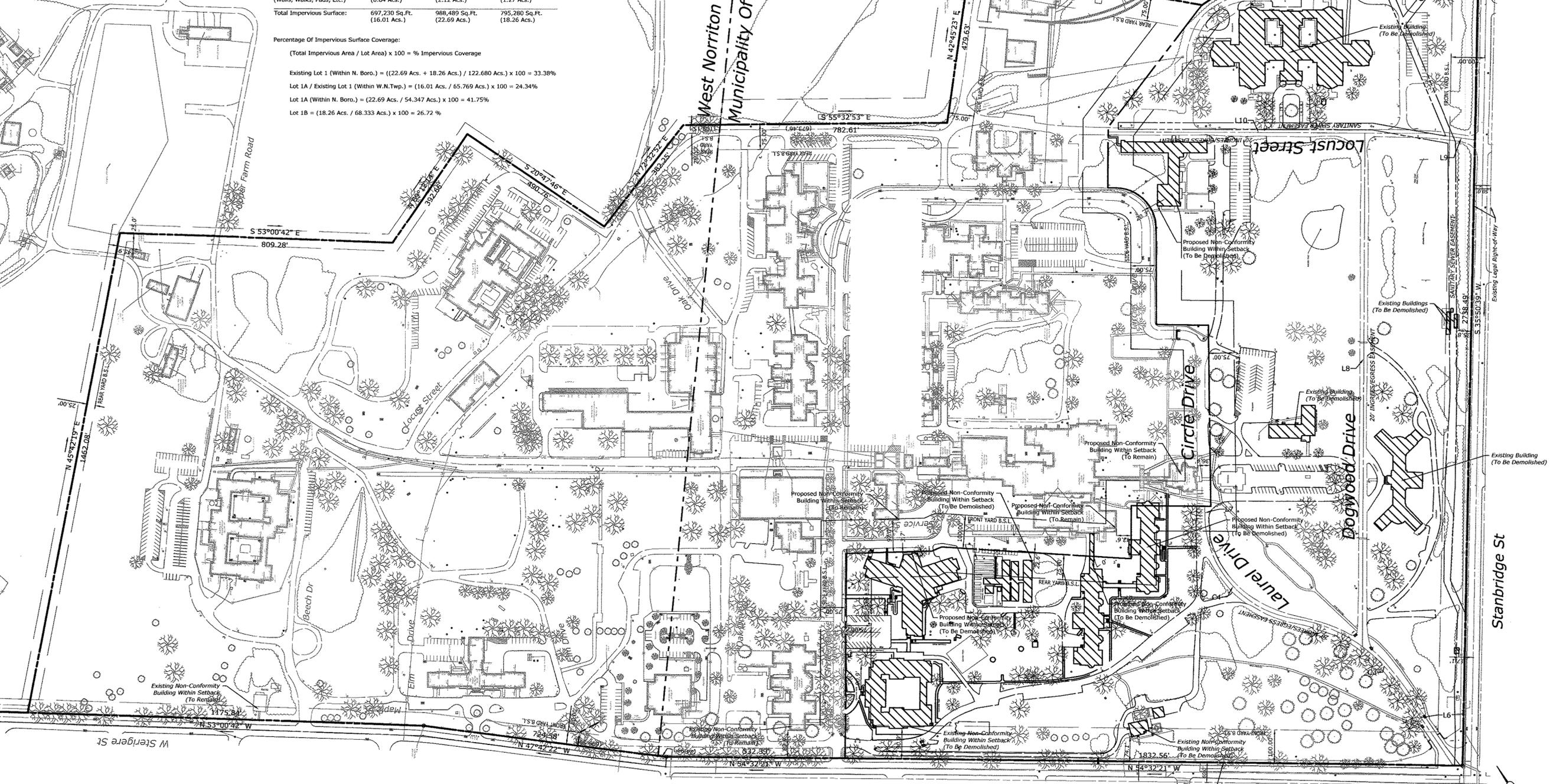
(Total Impervious Area / Lot Area) x 100 = % Impervious Coverage

Existing Lot 1 (Within N. Boro.) = ((22.69 Acs. + 18.26 Acs.) / 122.680 Acs.) x 100 = 33.38%

Lot 1A / Existing Lot 1 (Within W.N.Twp.) = (16.01 Acs. / 65.769 Acs.) x 100 = 24.34%

Lot 1A (Within N. Boro.) = (22.69 Acs. / 54.347 Acs.) x 100 = 41.75%

Lot 1B = (18.26 Acs. / 68.333 Acs.) x 100 = 26.72%



**PROPERTY CALCULATIONS: LOT 1**

PROPERTY	GROSS AREA	NET AREA
OVERALL	188.449 ACRES	---
LOT 1A	---	120.116 ACRES
LOT 1B	---	68.333 ACRES



**PROFESSIONAL SEAL**  
SCALE: AS SHOWN  
DATE: FEBRUARY 25, 2020  
K&W PROJECT: 2334.001  
DRAWN BY: JTM

**REVISIONS**

NO.	DATE	DESCRIPTION
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6		
7		

**PLAN TYPE:**  
**OVERALL**  
**EXISTING**  
**CONDITIONS**  
**PLAN**

**LOT #1A**  
**REMAINDER LOT 1**  
**NORRISTOWN STATE HOSPITAL**  
**TOTAL ACREAGE 120.116**

**LOT #1B**  
**TO BE CONVEYED TO**  
**MONTGOMERY COUNTY**  
**REDEVELOPMENT AUTHORITY**  
**TOTAL ACREAGE 68.333**

**LOT #2**  
**NORRISTOWN FARM PARK**

**CIRCLE DRIVE**

LINE	BEARING	LENGTH
L6	N0°58'14"E	296.89
L7	N33°59'55"E	32.04

CURVE	RADIUS	LENGTH	TANGENT	DELTA	BEARING	DISTANCE
C3	446.22	371.45'	197.25'	47°41'41"	N22°56'49"W	360.81'
C4	312.50	441.03'	266.25'	80°51'43"	N6°25'56"W	405.33'

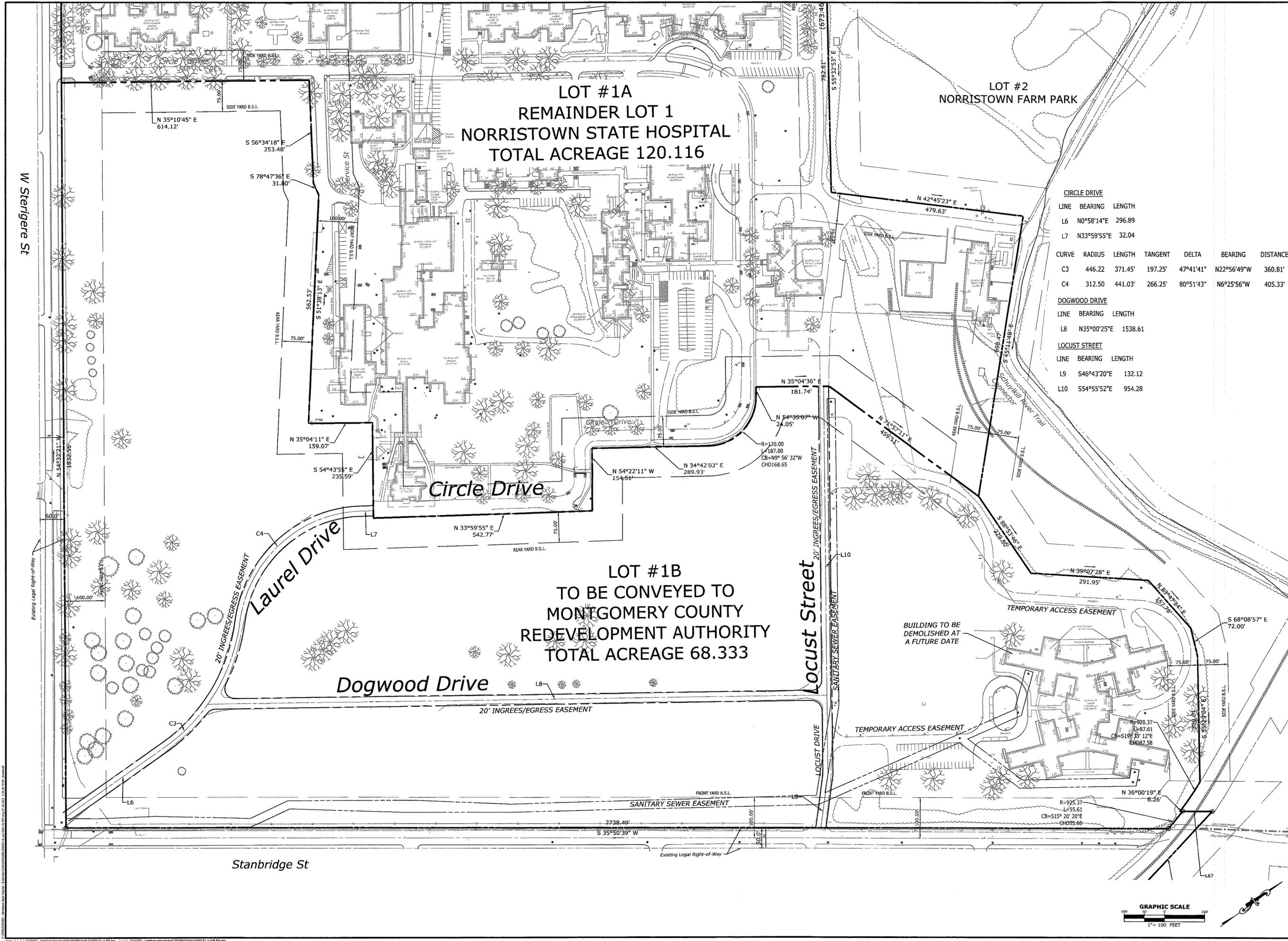
**DOGWOOD DRIVE**

LINE	BEARING	LENGTH
L8	N35°00'25"E	1538.61

**LOCUST STREET**

LINE	BEARING	LENGTH
L9	S46°43'20"E	132.12
L10	S54°55'52"E	954.28



**PROFESSIONAL SEAL**

SCALE: AS SHOWN  
 DATE: FEBRUARY 25, 2020  
 K&W PROJECT: 2334.001  
 DRAWN BY: JTM  
 CAD DRAWING: 2334001-B\_sub ASA1\_OV-EXP.dwg

NO.	DATE	DESCRIPTION
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PLAN TYPE:  
**MINOR SUBDIVISION PLAN**

SHEET:  
**4 OF 4**

## **Attachment B**



Figure 1 - View from Sterigere Street entrance (12.19.2022)



Figure 2 - View from intersection of Steigere Street and Stanbridge Street (12.19.2022)



Figure 3 - Interior of Site (12.19.2022)



Figure 4 - Interior of Site (12.19.2022)

## Attachment C

**URBAN REDEVELOPMENT LAW**  
**Act of May 24, 1945, P.L. 991, No. 385**  
AN ACT

Cl. 14

To promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments.

**Compiler's Note:** Section 301(a)(9) of Act 58 of 1996, which created the Department of Community and Economic Development and abolished the Department of Community Affairs, provided that housing, community assistance and other functions under Act 385 are transferred from the Department of Community Affairs to the Department of Community and Economic Development.

**Compiler's Note:** Section 1 of Act 165 of 1970 provided that the limits heretofore imposed by Act 385 upon the rates of interest and interest costs permitted to be paid upon bonds, obligations and indebtedness issued by the Commonwealth or its agencies or instrumentalities or authorities, and by local political subdivisions or their agencies or authorities, are hereby removed for such bonds, obligations or indebtedness.

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Section 3.	Definitions.
Section 4.	Formation of Authorities.
Section 4.1.	Dissolution of City Authorities.
Section 4.2.	Dissolution of County Authorities.
Section 5.	Appointment and Qualifications of Members of Authority.

- Section 6. Tenure and Compensation of Members of Authority.
- Section 7. Organization of Authority.
- Section 8. Interest of Members or Employes.
- Section 9. Powers of an Authority.
- Section 10. Preparation and Adoption of Redevelopment Proposal.
- Section 11. Provisions of the Redevelopment Contract.
- Section 11.1. Preparation and Provisions of a Residential Housing Redevelopment Program and Commercial and Industrial Redevelopment Program.
- Section 12. Eminent Domain.
- Section 12.1. Blighted Property Removal.
- Section 13. Bonds of an Authority.
- Section 13.1. Term Bonds (Repealed).
- Section 14. Form and Sale of Bonds.
- Section 15. Provisions of Bonds, Trust, Indentures and Mortgages.
- Section 16. Remedies of an Obligee of Authority.
- Section 17. Additional Remedies Conferrable by Authority.
- Section 18. Aid from Government.
- Section 19. Records and Reports.
- Section 19.1. Notice to Displaced Persons.
- Section 19.2. Statute of Limitations.
- Section 20. Effective Date.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short Title.--This act shall be known and may be cited as the "Urban Redevelopment Law."

Section 2. Findings and Declaration of Policy.--It is hereby determined and declared as a matter of legislative finding--

(a) That there exist in urban communities in this Commonwealth areas which have become blighted because of the unsafe, unsanitary, inadequate or overcrowded condition of the dwellings therein, or because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space, or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or economically or socially undesirable land uses.

(b) That such conditions or a combination of some or all of them have and will continue to result in making such areas economic or social liabilities, harmful to the social and economic well-being of the entire communities in which they exist, depreciating values therein, reducing tax revenues, and thereby depreciating further the general community-wide values.

(c) That the foregoing conditions are beyond remedy or control by regulatory processes in certain blighted areas, or portions thereof, and cannot be effectively dealt with by private enterprise under existing law without the additional aids herein granted, and that such conditions exist chiefly in areas which are so subdivided into small parcels and in divided ownerships that their assembly for purposes of clearance, replanning and redevelopment is difficult and impossible without the effective public power of eminent domain.

(c.1) That certain blighted areas, or portions thereof, may require total acquisition, clearance and disposition, subject to continuing controls as provided in this act, since the prevailing condition of decay may make impracticable the reclamation of the area by rehabilitation or conservation, and that other blighted areas, or portion thereof, through the means provided in this act, may be susceptible to rehabilitation or conservation or a combination of clearance and disposition and rehabilitation or conservation in such manner that the conditions and evils hereinbefore enumerated may be eliminated or remedied. ((c.1) amended June 26, 1968, P.L.263, No.125)

(d) That the replanning and redevelopment of such areas in accordance with sound and approved plans for their redevelopment will promote the public health, safety, convenience and welfare.

(e) That there exist within the Commonwealth both within and outside of certified redevelopment areas, properties which have become derelict, abandoned or unfit for human habitation or other use by reasons of age, obsolescence, prolonged vacancy, dilapidation, deterioration, lack of maintenance and care or general neglect. ((e) added June 23, 1978, P.L.556, No.94)

(f) That such derelict properties individually and collectively constitute a blight and nuisance in the neighborhood; create fire and health hazards; are used for immoral and criminal purposes; constitute unreasonable interferences with the reasonable and lawful use and enjoyment of other premises in the neighborhood; are harmful to the social and economic well-being of any municipality; depreciate property values; and, generally jeopardize the health, safety and welfare of the public. ((f) added June 23, 1978, P.L.556, No.94)

(g) That there exists a serious shortage of decent, safe or sanitary housing accommodations and for related usages, and that the acquisition of blighted properties for residential and related uses, by eminent domain is a proper public purpose which will promote public health, safety and welfare. ((g) added June 23, 1978, P.L.556, No.94)

(h) That there exists within the Commonwealth, both within and outside certified redevelopment areas, an inadequate supply of residential owner-occupied and rental housing due, in part, to the deterioration of older dwellings, the elimination of substandard dwellings by governmental action, the increased cost of construction and the unavailability of affordable financing from the private sector. ((h) added Mar. 30, 1988, P.L.304, No.39)

(i) That there exists within the Commonwealth, both within and outside certified redevelopment areas, deteriorating commercial and industrial areas and/or individual structures, due, in part, to the fact that there are no private funds available to finance the purchase, construction, rehabilitation, demolition or equipping of the commercial and industrial properties at interest rates that would make the commercial or industrial project economically feasible. Such commercial or industrial projects are needed for the social and economic well-being of communities within the field of operation of authorities. ((i) added Mar. 30, 1988, P.L.304, No.39)

Therefore, it is hereby declared to be the policy of the

Commonwealth of Pennsylvania to promote the health, safety and welfare of the inhabitants thereof by the creation of bodies corporate and politic to be known as Redevelopment Authorities, which shall exist and operate for the public purposes of the elimination of blighted areas through economically and socially sound redevelopment of such areas, as provided by this act, in conformity with the comprehensive general plans of their respective municipalities for residential, recreational, commercial, industrial or other purposes, and otherwise encouraging the provision of healthful homes, a decent living environment and adequate places for employment of the people of this Commonwealth. Such purposes are hereby declared to be public uses for which public money may be spent, and private property may be acquired by the exercise of the power of eminent domain.

(2 amended May 27, 1957, P.L.197, No.98)

**Compiler's Note:** Section 2 of Act 35 of 2006 provided that as much of section 2 as relates to condemnation of blighted premises and is inconsistent with Act 35 is repealed.

Section 3. Definitions.--The following terms where used in this act, shall have the following meanings, except where the context clearly indicates a different meaning.

(a) "Authority" or "Redevelopment Authority."--A public body and a body corporate and politic created and organized in accordance with the provisions of this act.

(b) "Bonds."--Any bonds, interim certificates, notes, debentures or other obligations of an Authority issued pursuant to this act.

(c) "City."--Any city of the first, second, second class A or third class. The term shall also include any borough with a population large enough for the borough to qualify for a charter as a city, separately from any town, township or other borough, under section 201 of the act of June 23, 1931 (P.L.932, No.317), known as "The Third Class City Code," for all purposes of this act. "The city" shall mean the particular city or such qualified borough for which a particular Authority is created. ((c) amended Mar. 24, 2004, P.L.152, No.16)

(c.1) "Commercial and Industrial Redevelopment Program."--The financing of the purchase, construction, rehabilitation, demolition or equipping of a commercial or an industrial project as part of the redevelopment of an area designated in the program as needing such assistance by the Authority and in accordance with the program. ((c.1) added Mar. 30, 1988, P.L.304, No.39)

(c.2) "Commercial or Industrial Project."--A commercial or industrial facility, as those terms are used in the zoning ordinances of the municipality for the Authority's field of operation, within an area designated in the Commercial and Industrial Redevelopment Program which by its nature and location has or offers reasonable likelihood of preventing, slowing or reversing the deterioration of the designated area. ((c.2) added Mar. 30, 1988, P.L.304, No.39)

(c.3) "Conservation."--The process of preserving or

restoring existing buildings, public facilities or other improvements to an economically and socially sound condition. ((c.3) amended Mar. 30, 1988, P.L.304, No.39)

(d) "County."--Any county of this Commonwealth, other than a county of the first class. "The county" shall mean the particular county for which a particular Authority is created.

(e) "Field of Operation."--The area within the territorial boundaries of the city or county for which a particular Authority is created: Provided, however, That the field of operation of any county authority shall not include a city having a redevelopment authority but may include, with the consent of any such city, parcels of land within the city limits which are necessary to the corporate purposes of the county authority or necessary to its successful redevelopment of a redevelopment area: And, provided further, That the field of operation of any authority may include parcels of land outside the territorial boundaries of the city or county, as the case may be, which are necessary to the corporate purposes of the authority or necessary to the successful redevelopment of a redevelopment area, with the consent of the governing body of the city or county and the municipality in which the said parcels are situated, as the case may be: Provided, however, That the field of operation of any Authority shall not include parcels of land outside the territorial boundaries of a county unless acquisition thereof has been approved by a majority of the electors voting in a primary or general election in the municipality in which said parcels are situated. ((e) amended June 26, 1968, P.L.263, No.125)

(f) "Governing Body."--In the case of a city, the city council or other legislative body thereof, and in the case of a county, the board of county commissioners or other legislative body thereof.

(g) "Government."--Includes the State and Federal Governments or any subdivision, agency or instrumentality corporate or otherwise of either of them.

(h) "Municipality."--Any county, city, borough or township.

(i) "Obligee of the Authority" or "Obligee."--Any bondholder, trustee or trustees for any bondholders, any lessor demising property to an Authority used in connection with a redevelopment project, or any assignee or assignees of such lessor's interest, or any part thereof, and the Federal Government, when it is a party to any contract with an Authority.

(j) "Planning Commission."--Any planning commission established by law for a municipality of this Commonwealth. "The Planning Commission" shall mean the particular planning commission of the city or county in which a particular Authority operates. Redevelopment authorities shall be substituted for planning commission in any city or county in which a planning commission does not exist.

(k) "Real Property."--Lands, lands under water, structures and any and all easements, air rights, franchises and incorporeal hereditaments and every estate and right therein, legal and equitable, including terms for years and liens by way of judgment, mortgage or otherwise. ((k) amended June 26, 1968,

P.L.263, No.125)

(l) "Redeveloper."--Any individual, government, partnership or public or private corporation that shall enter or propose to enter into a contract with an Authority for the redevelopment of an area, or any portion thereof, or any building or structure thereon, under the provisions of this act. ((l) amended June 26, 1968, P.L.263, No.125)

(m) "Redevelopment."--Undertakings and activities for the elimination of blighted areas. Such undertakings and activities may include the planning, replanning, acquisition, rehabilitation, conservation, renewal, improvement, clearance, sale, lease or other disposition of real property, buildings or other improvements in blighted areas, or portions thereof, the relocation of businesses and families affected thereby into or outside of a redevelopment area, or any combination of such undertakings and activities, the installation, construction or reconstruction of streets, utilities, parks, playgrounds and other improvements necessary for carrying out in the blighted area the objectives of this act in accordance with the redevelopment area plan, and carrying out plans for a program of voluntary repair, rehabilitation, and conservation of real property, buildings or other improvements in accordance with the redevelopment area plan. ((m) amended June 26, 1968, P.L.263, No.125)

(n) "Redevelopment Area."--Any area, whether improved or unimproved, which a planning commission may find to be blighted because of the existence of the conditions enumerated in section two of this act so as to require redevelopment under the provisions of this act.

(o) "Redevelopment Area Plan."--A plan for the redevelopment of all or a part of a redevelopment area made by a planning commission in accordance with the provisions of section ten of this act. ((o) amended June 26, 1968, P.L.263, No.125)

(p) "Redevelopment Contract."--A contract between an Authority and a redeveloper for the redevelopment of an area under the provisions of this act.

(q) "Redevelopment Project" or "Project."--A project undertaken by a redeveloper under a contract with an Authority in accordance with the provisions of this act.

(r) "Redevelopment Proposal."--A proposal, including a copy of the redevelopment area plan and supporting data submitted for approval to the governing body by an Authority, for the redevelopment of all or any part of a redevelopment area. ((r) amended May 31, 1955, P.L.107, No.33)

(s) "Residential Housing Redevelopment Program."--The financing of the purchase, construction, rehabilitation, demolition or equipping of a residential housing project as part of the development of an area designated in the program as needing such assistance by the Authority and in accordance with the program. ((s) added Mar. 30, 1988, P.L.304, No.39)

(t) "Residential Housing Project."--A facility within an area designated in the Residential Housing Redevelopment Program which provides residential housing. ((t) added Mar. 30, 1988, P.L.304, No.39)

Section 4. Formation of Authorities.--

(a) There are hereby created separate and distinct bodies corporate and politic, one for each city and one for each county of the Commonwealth, as herein defined. Each such body shall be known as the Redevelopment Authority of the city or the county, as the case may be, but shall in no way be deemed to be an instrumentality of such city or county, or engaged in the performance of a municipal function. Each such Authority shall transact no business or otherwise become operative until and unless a finding is made as hereinafter provided in this section.

(b) At any time after passage of this act the governing body of any city or county may find and declare by proper ordinance or resolution that there is need for an Authority to function within the territorial limits of said city or county, as the case may be.

(c) The governing body shall cause a certified copy of such ordinance or resolution to be filed with the Department of State and a duplicate thereof with the Department of Community Affairs; upon receipt of the said certificate the Secretary of the Commonwealth shall issue a certificate of incorporation. ((c) amended June 26, 1968, P.L.263, No.125)

(d) In any suit, action or proceeding involving or relating to the validity or enforcement of any contract or act of an Authority, a copy of the certificate of incorporation duly certified by the Department of State shall be admissible in evidence and shall be conclusive proof of the legal establishment of the Authority.

Section 4.1. Dissolution of City Authorities.--If a city authority has never issued any bonds, or incurred any other debts or contractual obligations, or has paid and has been released from and discharged of all debts and bonded, contractual and other obligations, the governing body of the city may, after three years from the date of the certificate described in subsection (c) of section 4, or earlier if a proper resolution of the authority requests the action hereinafter described, find and declare by proper resolution that its functions can be more properly carried out by a county authority and that there is no longer any need for the authority created for such city to function. In such case the governing body shall issue a certificate reciting the adoption of such resolution, and shall cause such certificate to be filed with the Department of State and two duplicates thereof with the Department of Community Affairs. Upon such filing the city authority shall cease to function, and title to any assets held by the authority at that time shall pass to the city. A copy of the certificate described in this section shall be admissible in any suit, action or proceeding and shall be conclusive proof that the authority has ceased to be in existence.

(4.1 added Nov. 16, 1967, P.L.498, No.243)

Section 4.2. Dissolution of County Authorities.--If a county authority has never issued any bonds, or incurred any other debts or contractual obligations, or has paid and has been released from and discharged of all debts and bonded, contractual and other obligations, the governing body of the county may, after three years from the date of the certificate

described in subsection (c) of section 4, or earlier if a proper resolution of the authority requests the action hereinafter described, find and declare by proper resolution that there is no longer any need for the authority created for such county to function. In such case the governing body shall issue a certificate reciting the adoption of such resolution, and shall cause such certificate to be filed with the Department of State and two duplicates thereof with the Department of Community Affairs. Upon such filing the county authority shall cease to function, and title to any assets held by the authority at that time shall pass to the county. A copy of the certificate described in this section shall be admissible in any suit, action or proceeding and shall be conclusive proof that the authority has ceased to be in existence.

(4.2 added Nov. 16, 1967, P.L.498, No.243)

Section 5. Appointment and Qualifications of Members of Authority.--Upon certification of a resolution declaring the need for an Authority to operate in a city or county, the mayor or board of county commissioners thereof, respectively, shall appoint, as members of the Authority, five citizens who, except in the case of cities of the third class, shall be residents of the city or county in which the Authority is to operate. In the case of a city of the third class, a majority of the members of the Authority shall be residents of the city, and the remainder may be nonresidents who own and operate businesses in the city in which the Authority is to operate.

(5 amended Nov. 23, 2004, P.L.943, No.137)

Section 6. Tenure and Compensation of Members of Authority.--The members who are first appointed shall serve for terms of one, two, three, four and five years, respectively, from the date of their appointment as shall be specified at the time of their appointment. Thereafter, the term of office shall be five years. A member shall hold office until his successor has been appointed. Vacancies for unexpired terms shall be promptly filled by the appointing power. A member shall receive no compensation for his services, but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties.

Section 7. Organization of Authority.--The members of an Authority shall select from among themselves a chairman, a vice-chairman, and such other officers as the Authority may determine. An Authority may employ a secretary, an executive director, its own counsel and legal staff, and such technical experts, and such other agents and employes, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation of such persons. Three members of an Authority shall constitute a quorum for its meetings. Members of an Authority shall not be liable personally on the bonds or other obligations of the Authority, and the rights of creditors shall be solely against such Authority. An Authority may delegate to one or more of its agents or employes such of its powers as it shall deem necessary to carry out the purposes of this act, subject always to the supervision and control of the Authority.

Section 8. Interest of Members or Employes.--No member or

employe of an Authority shall acquire any interest, direct or indirect, in any redevelopment project or in any property included or planned to be included in any redevelopment area, or in any area which he may have reason to believe may be certified to be a redevelopment area, nor shall he have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used by an Authority, or in any contract with a redeveloper or prospective redeveloper relating, directly or indirectly, to any redevelopment project. The acquisition of any such interest in a redevelopment project or in any such property or contract shall constitute misconduct in office. If any member or employe of an Authority shall already own or control any interest, direct or indirect, in any property later included or planned to be included in any redevelopment project under the jurisdiction of the Authority, or has any such interest in any contract for material or services to be furnished or used in connection with any redevelopment project, he shall disclose the same in writing to the Authority and to the Department of Community Affairs and the local governing body, and such disclosure shall be entered in writing upon the minute books of the Authority. Failure to make such disclosure shall constitute misconduct in office.

(8 amended June 26, 1968, P.L.263, No.125)

Section 9. Powers of an Authority.--An Authority shall constitute a public body, corporate and politic, exercising public powers of the Commonwealth as an agency thereof, which powers shall include all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this act, including the following powers in addition to those herein otherwise granted:

(a) To procure from the planning commission the designation of areas in need of redevelopment and its recommendations for such redevelopment;

(b) To study the recommendations of the planning commission for redevelopment of any area and to make its own additional investigations and recommendations thereon; to initiate preliminary studies of possible redevelopment areas to make and assist in implementing (1) plans for carrying out a program of voluntary repair, rehabilitation and conservation of real property, buildings and improvements, (2) plans for the enforcement of laws, codes and regulations relating to the use of land and the use and occupancy of buildings and improvements, (3) plans for the relocation of persons (including families, business concerns and others) displaced by any other Government activities related to the purposes of this act or any activities of the Authority, (4) preliminary plans outlining redevelopment activities for neighborhoods to embrace two or more redevelopment areas, and (5) preliminary surveys to determine if the undertaking and carrying out of a redevelopment project are feasible. ((b) amended June 26, 1968, P.L.263, No.125)

(c) To cooperate with any government, school district or municipality; ((c) amended June 26, 1968, P.L.263, No.125)

(d) To act as agent of the State or Federal Government or any of its instrumentalities or agencies for the public purposes set out in this act;

(e) To arrange or contract with any municipality located, in whole or in part, within the Authority's field of operation, or with the State or Federal Government for the furnishing, planning, replanning, constructing, installing, opening or closing of streets, roads, roadways, alleys, sidewalks or other places or facilities, or for the acquisition by such municipality, or State or Federal Government of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;

(f) To arrange or contract with the Commonwealth, its agencies, and any municipality to the extent that it is within the scope of their respective functions--(1) to cause the services customarily provided by each of them to be rendered for the benefits of such Authority or the occupants of any redevelopment area; and (2) to provide and maintain parks, recreational centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas; and (3) to plan, replan, zone or rezone any part of the municipality in connection with any redevelopment proposal of the Authority;

(g) To enter upon any building or property in order to make surveys or soundings;

(h) To assemble, purchase, obtain options upon, acquire by gift, grant, bequest, devise or otherwise any real or personal property or any interest therein from any person, firm, corporation, municipality or government: Provided, That no real property, located outside of a redevelopment area, which is not necessary to the corporate purposes of the Authority nor necessary to the successful redevelopment of a redevelopment area, shall be purchased by the Authority. ((h) amended June 26, 1968, P.L.263, No.125)

(i) To acquire by eminent domain any real property, including improvements and fixtures for the public purposes set forth in this act, in the manner hereinafter provided, except real property located outside a redevelopment area; ((i) amended Dec. 1, 1959, P.L.1637, No.603)

(j) To own, hold, clear, improve and manage real property;

(k) To sell, lease or otherwise transfer any real property located outside of a redevelopment area and, subject to approval by the local governing body, any real property in a redevelopment area: Provided, That with respect to a redevelopment area the Authority finds that the sale, lease or other transfer of any part will not be prejudicial to the sale or lease of the other parts of the redevelopment area, nor be in any other way prejudicial to the realization of the redevelopment proposal approved by the governing body. ((k) amended May 27, 1957, P.L.197, No.98)

(l) To reimburse for their reasonable expenses of removal, any persons (including families, business concerns and others), who have been displaced as a result of any other Government activities related to the purposes of this act or any activities of the Authority; ((l) amended June 26, 1968, P.L.263, No.125)

(m) To insure or provide for the insurance of any property or operations of the Authority against any risks or hazards;

(n) To procure or agree to the procurement of insurance or

guarantees from the State or Federal Government of the payment of any debts or parts thereof incurred by the Authority, and to pay premiums in connection therewith;

(o) To borrow from private lenders or from the State or Federal Government funds, as may be necessary, for the operation and work of the Authority;

(p) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement, in such investments as may be lawful for executors, administrators, guardians, trustees and other fiduciaries under the laws of this Commonwealth;

(q) To sue and be sued;

(r) To adopt a seal and to alter the same at pleasure;

(s) To have perpetual succession;

(t) To make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Authority; and any contract or instrument when signed by the chairman or vice-chairman of the Authority, or by an authorized use of their facsimile signatures, and by the secretary or assistant secretary, or, treasurer or assistant treasurer of the Authority, or by an authorized use of their facsimile signatures, shall be held to have been properly executed for and on its behalf; ((t) amended June 6, 1963, P.L.79, No.54)

(u) To make and from time to time to amend and repeal by-laws, rules, regulations and resolutions;

(v) To conduct examinations and investigations and to hear testimony and take proof , under oath or affirmation, at public or private hearings, on any matter material for its information;

(w) To authorize any member or members of the Authority to conduct hearings and to administer oaths, take affidavits and issue subpoenas;

(x) To issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing before the Authority, or before one or more members of the Authority appointed by it to conduct such hearing;

(y) To apply to any court having territorial jurisdiction of the offense to have punished for contempt any witness, who refuses to obey a subpoena, or who refuses to be sworn or affirmed, or to testify, or, who is guilty of any contempt after summons to appear;

(z) To make available to the government or municipality or any appropriate agency, board or commission, the recommendations of the Authority affecting any area in its field of operation or property therein, which it may deem likely to promote the public health, morals, safety or welfare; ((z) amended Mar. 30, 1988, P.L.304, No.39)

(aa) To make, directly or indirectly, secured or unsecured loans to any purchaser or owner of a residential housing or a commercial or an industrial project for the purpose of financing the purchase, construction, rehabilitation, demolition or equipping of a residential housing or a commercial and industrial redevelopment program; ((aa) added Mar. 30, 1988, P.L.304, No.39)

(bb) To make loans to or deposits with, at the option of the Authority, without requiring collateral security therefor, any

financial institution, in order to enable that financial institution to finance the acquisition, construction, rehabilitation or equipping of a residential housing or a commercial and industrial redevelopment program. For such purposes, an Authority may make such loans as the Authority may determine; receive interest on such deposits as may be agreed to with the financial institution; purchase and hold notes or other obligations secured by mortgages, deeds of trust or security interests in residential housing, commercial or industrial projects or property used as additional security, notwithstanding anything to the contrary elsewhere contained in this act; sell, assign, pledge or encumber any security, including mortgages or other security agreements, held by or granted to the Authority or received in connection with the financing of residential housing or commercial or industrial projects and grant to any trustee, in addition to any other rights or remedies contained therein or in any documents granting such security, such other rights and remedies as may be approved by the Authority. ((bb) added Mar. 30, 1988, P.L.304, No.39)

Section 10. Preparation and Adoption of Redevelopment Proposal.--

(a) An Authority shall prepare a redevelopment proposal for all or part of any area certified by the planning commission to be a redevelopment area and for which the planning commission has made a redevelopment area plan. ((a) amended June 26, 1968, P.L.263, No.125)

(b) The planning commission's certification of a redevelopment area shall be made in conformance with its comprehensive general plan (which may include, inter alia, a plan of major traffic arteries and terminals and a land use plan and projected population densities) for the territory under its jurisdiction or for any greater area for which the field of operation of the Authority has been extended under clause (e) of section 3 of this act. ((b) amended June 26, 1968, P.L.263, No.125)

(c) The planning commission's redevelopment area plan shall include, without being limited to, the following:

(1) The boundaries of the area, with a map showing the existing uses of the real property therein;

(2) A land use plan of the area showing proposed uses following redevelopment;

(3) Standards of population densities, land coverage and building intensities in the proposed redevelopment;

(4) A preliminary site plan of the area;

(5) A statement of the proposed changes, if any, in zoning ordinances or maps;

(6) A statement of any proposed changes in street layouts, street levels, and proposed traffic regulation, including the separation or excluding of vehicular traffic partially or totally from pedestrian traffic; ((6) amended June 26, 1968, P.L.263, No.125)

(7) A statement of the extent and effect of the rehousing of families which may be made necessary from the redevelopment area plan, and the manner in which such rehousing may be

accomplished;

(8) A statement of the estimated cost of acquisition of the redevelopment area, and of all other costs necessary to prepare the area for redevelopment;

(9) A statement of such continuing controls as may be deemed necessary to effectuate the purposes of this act.

(d) In conformity with such redevelopment area plan, the Authority shall prepare a proposal for the redevelopment of all or part of such area. The Authority may, if it deems it desirable, hold public hearings prior to its final determination of the redevelopment proposal. ((d) amended May 31, 1955, P.L.107, No.33)

(e) The Authority shall submit the redevelopment proposal to the planning commission for review. The planning commission shall, within forty-five days, certify to the governing body its recommendation on the redevelopment proposal, either of approval, rejection or modification, and in the latter event, specify the changes recommended.

(f) Upon receipt of the planning commission's recommendation, or at the expiration of forty-five days, if no recommendation is made by the planning commission, the Authority shall submit to the governing body the redevelopment proposal with the recommendation, if any, of the planning commission thereon.

(g) The governing body upon receipt of the redevelopment proposal and the recommendation, if any, of the planning commission shall hold a public hearing upon said proposal. Notice of the time, place and purpose of such hearing shall be published at least once each week for three consecutive weeks in a newspaper of general circulation in the field of operation of the Authority, the time of the hearing to be at least ten days from the last publication of notice. The notice shall describe that portion of the redevelopment area affected by the proposal by boundaries and by city block, street and house number. The redevelopment proposal with such maps, plans, contracts or other documents as form part of said proposal, together with the recommendation, if any, of the planning commission and supporting data shall be available for public inspection for at least ten days prior to the hearing.

At the hearing the governing body shall afford an opportunity to all persons or agencies interested to be heard and shall receive, make known and consider recommendations in writing with reference to the redevelopment proposal.

((g) amended May 27, 1957, P.L.197, No.98)

(h) The governing body shall approve or reject the redevelopment proposal as submitted. The governing body shall not approve a redevelopment proposal unless it is satisfied that adequate provisions will be made to rehouse displaced families, if any, without undue hardship, or if the municipality in which the project is to be located has filed its objections thereto.

((h) amended May 31, 1955, P.L.107, No.33)

(i) Upon approval by the governing body of the redevelopment proposal, as submitted by the Authority, the Authority is authorized to take such action as may be necessary to carry it out. ((i) amended May 31, 1955, P.L.107, No.33)

(j) The redevelopment proposal may contain the form of the redevelopment contract with the redeveloper selected and upon approval by the governing body of the proposal, as hereinbefore provided, the Authority is authorized to execute the said redevelopment contract. If the proposal does not contain the form of the redevelopment contract with the redeveloper selected, the Authority shall not execute a redevelopment contract with a redeveloper thereafter selected, until the said redevelopment contract shall have been approved by the governing body and found to be in substantial conformity with the proposal theretofore approved by the governing body. No additional public hearing notice or publication shall be required with respect to such approval. ((j) added May 31, 1955, P.L.107, No.33)

Section 11. Provisions of the Redevelopment Contract.--

(a) The contract between the Authority and a redeveloper shall contain, without being limited to, the following provisions:

(1) A legal description of the redevelopment area covered by the contract, and a covenant running with land to the effect that no person shall be deprived of the right to live in the redevelopment project, or to use any of the facilities therein by reason of race, creed, color or national origin, and such other easements, or other rights as are to be reserved therein by the Authority;

(2) Plans and such other documents as may be required to show the type, material, structure and general character of the redevelopment project;

(3) A statement of the use intended for each part of the project;

(4) A guaranty of completion of the redevelopment project within specified time limits, which guaranty shall include provisions for the forfeiture of title, in such form and manner as the Authority may prescribe, in the event that the project is not completed timely;

(4-1) A requirement that every prime contract for construction, installation, alteration, repair of, or addition to, the redevelopment project, where the estimated cost shall exceed \$10,000.00, shall contain a provision obligating the prime contractor to the prompt payment of all material furnished, labor supplied or performed, rental for equipment employed, and services rendered by public utilities in or in connection with the prosecution of the work, whether or not, the said material, labor, equipment and services enter into and become component parts of the work or improvement contemplated. Such provision shall be deemed to be included for the benefit of every person, co-partnership, association or corporation, who as subcontractor, or otherwise, has furnished material, supplied or performed labor, rented equipment, or supplied services in or in connection with the prosecution of the work as aforesaid, and the inclusion thereof in any contract shall preclude the filing by any such person, co-partnership, association or corporation of any mechanics' lien claim for such material, labor or rental of equipment, and further requiring that the redeveloper shall provide to the Authority evidence of financial security for the prompt payment by the prime contractor for materials, supplies,

labor, services and equipment. Such financial security shall equal 100% of the contract amount, shall be in such form as the Authority may prescribe and may include, but not be limited to, any one or a combination of the following:

(i) an appropriate bond from a surety company authorized to do business in this Commonwealth;

(ii) an irrevocable letter of credit from a Federal or Commonwealth-chartered lending institution; or

(iii) a restrictive or escrow account;

(5) A provision that the redeveloper shall be without power to sell, lease or otherwise transfer the redevelopment area, or project, or any part thereof, without the prior written consent of the Authority, until the Authority shall have certified in writing that the redevelopment project has been completed;

(5-1) For all projects in which the estimated construction costs exceed \$1,000,000.00, a requirement that the redeveloper shall provide to the Authority, and shall cause each prime contractor to provide or submit to, a project cost certification performed by one or more independent, third-party certified public accountants establishing the actual total construction costs incurred and paid by the redeveloper and each prime contractor in connection with the redevelopment project. The receipt of the construction cost certification shall be a condition for receiving a certificate of completion;

(6) The amount of the consideration to be paid by the redeveloper to the Authority;

(7) Adequate safeguards for proper maintenance of all parts of the project;

(8) Prohibition against discrimination in the use, sale or lease of any part of the project against any person because of race, color, religion or national origin;

(9) Such other continuing controls as may be deemed necessary to effectuate the purposes of this act;

(b) Any deed or lease to a redeveloper in furtherance of a redevelopment contract shall be executed in the name of the Authority, by its proper officers, and shall contain in addition to all other provisions, such provisions as the Authority may deem desirable to run with the land in order to effectuate the purposes of this act;

(c) Any lease to a redeveloper may provide that all improvements shall become the property of the Authority. The execution of such a lease shall not in itself impose upon the Authority any liability for or by reason of the financing, construction, management or operation of any redevelopment project.

(11 amended Jan. 12, 2004, P.L.1, No.1)

**Compiler's Note:** Section 4 of Act 113 of 2002, which amended section 11, provided that the amendment of section 11 shall apply to contracts entered into after the effective date of Act 113.

Section 11.1. Preparation and Provisions of a Residential Housing Redevelopment Program and Commercial and Industrial Redevelopment Program.--

(a) The Authority may develop a Residential Housing

Redevelopment Program or a Commercial and Industrial Redevelopment Program for all or part of its field of operation.

(b) The Authority shall submit the redevelopment program to the planning commission for review and approval.

(c) The planning commission, within forty-five days, shall either approve, reject or modify the program as satisfying the public purpose of this act. If the planning commission takes no action within forty-five days, the program shall be deemed approved on the forty-sixth day.

(d) Upon approval by the planning commission, or at the expiration of forty-five days, if no recommendation is made by the planning commission, the Authority is authorized to take such action as may be necessary to carry out the redevelopment program.

(11.1 added Mar. 30, 1988, P.L.304, No.39)

Section 12. Eminent Domain.--Title to any property acquired by an Authority through eminent domain shall be an absolute or fee simple title, unless a lesser title shall be designated in the eminent domain proceedings. The Authority may exercise the right of eminent domain in the manner provided by law for the exercise of such right by cities or counties, as the case may be, of the same class as the city or county in which such Authority is organized to operate. If any of the real property in the redevelopment area which is to be acquired has, prior to such acquisition, been devoted to another public use, it may, nevertheless, be acquired by condemnation: Provided, That no real property belonging to a city, county or to the Commonwealth may be acquired without its consent. No real property belonging to a public utility corporation may be acquired without the approval of the Public Utility Commission.

Section 12.1. Blighted Property Removal.--

(a) Notwithstanding any other provision of this act, any Redevelopment Authority shall have the power to acquire by purchase, gift, bequest, eminent domain or otherwise, any blighted property as defined in this section, either within or outside of a certified redevelopment area and, further, shall have the power to hold, clear, manage and/or dispose of said property for residential and related reuse and commercial or industrial reuse. This power shall be exercised in accord with the procedures set forth in this section.

(b) Such power on the part of any Redevelopment Authority shall be conditioned upon the creation or existence of a blighted property review committee by ordinance of the governing body of the municipality. The committee shall be made up of members as determined in the said ordinance, but shall include at least one member of the governing body, a representative of the Redevelopment Authority, a representative of the appropriate planning commission, and a representative to be designated by the chief executive officer or officers from the executive branch of the government of the municipality.

(c) Blighted property shall include:

(1) Any premises which because of physical condition or use is regarded as a public nuisance at common law or has been declared a public nuisance in accordance with the local housing, building, plumbing, fire and related codes.

(2) Any premises which because of physical condition, use or occupancy is considered an attractive nuisance to children, including but not limited to abandoned wells, shafts, basements, excavations, and unsafe fences or structures.

(3) Any dwelling which because it is dilapidated, unsanitary, unsafe, vermin-infested or lacking in the facilities and equipment required by the housing code of the municipality, has been designated by the department responsible for enforcement of the code as unfit for human habitation.

(4) Any structure which is a fire hazard, or is otherwise dangerous to the safety of persons or property.

(5) Any structure from which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.

(6) Any vacant or unimproved lot or parcel of ground in a predominantly built-up-neighborhood, which by reason of neglect or lack of maintenance has become a place for accumulation of trash and debris, or a haven for rodents or other vermin.

(7) Any unoccupied property which has been tax delinquent for a period of two years prior to the effective date of this act, and those in the future having a two year tax delinquency.

(8) Any property which is vacant but not tax delinquent, which has not been rehabilitated within one year of the receipt of notice to rehabilitate from the appropriate code enforcement agency.

(9) Any abandoned property. A property shall be considered abandoned if:

(i) it is a vacant or unimproved lot or parcel of ground on which a municipal lien for the cost of demolition of any structure located on the property remains unpaid for a period of six months;

(ii) it is a vacant property or vacant or unimproved lot or parcel of ground on which the total of municipal liens on the property for tax or any other type of claim of the municipality are in excess of 150% of the fair market value of the property as established by the Board of Revisions of Taxes or other body with legal authority to determine the taxable value of the property; or

(iii) the property has been declared abandoned by the owner, including an estate that is in possession of the property.

(d) Residential and related use shall include residential property for sale or rental and related uses, including, but not limited to, park and recreation areas, neighborhood community service, and neighborhood parking lots.

(e) The blighted property review committee and the appropriate planning commission, upon making a determination that any property is blighted within the terms of this section, must certify said blighted property to the Redevelopment Authority, except that:

(1) No property shall be certified to the Redevelopment Authority unless it is vacant. A property shall be considered vacant if:

(i) the property is unoccupied or its occupancy has not been authorized by the owner of the property;

(ii) in the case of an unimproved lot or parcel of ground, a lien for the cost of demolition of any structure located on the property remains unpaid for a period of six months; or

(iii) in the case of an unimproved lot or parcel of ground, the property has remained in violation of any provision of local building, property maintenance or related codes applicable to such lots or parcels, including licensing requirements, for a period of six months.

(2) No property shall be certified to the Redevelopment Authority unless the owner of the property or an agent designated by him for receipt of service of notices within the municipality has been served with notice of the determination that the property is blighted, together with an appropriate order to eliminate the conditions causing the blight and notification that failure to do so may render the property subject to condemnation under this act. The notice shall be served upon the owner or his agent in accord with the provisions of a local ordinance pertaining to service of notice of determination of a public nuisance. The owner or his agent shall have the right of appeal from the determination in the same manner as an appeal from the determination of public nuisance.

(3) No blighted property shall be certified to the Redevelopment Authority until the time period for appeal has expired and no appeal has been taken, or, if taken, the appeal has been disposed of, and the owner or his agent has failed to comply with the order of the responsible department or other officer or agency.

(f) Acquisition and disposition of blighted property under this section shall not require preparation, adoption or approval of a redevelopment area plan or redevelopment proposal as set forth in section 10, but at least thirty days prior to acquisition of any property under this section, the Redevelopment Authority shall transmit identification of the property to the planning commission of the municipality and shall request a recommendation as to the appropriate reuse of the property. The Redevelopment Authority shall not acquire the property where the planning commission certifies that disposition for residential or related use would not be in accord with the comprehensive plan of the municipality.

(g) Power of eminent domain shall be exercised pursuant to a resolution of the Redevelopment Authority and the procedure set forth in the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the "Eminent Domain Code," as amended.

(h) Property disposed of within a redevelopment area shall be disposed of under a redevelopment contract in accordance with the provisions of this act.

Property disposed of outside an urban renewal project area shall be disposed of by deed in accordance with the provisions set forth in applicable law.

(12.1 amended Oct. 2, 2002, P.L.796, No.113)

Section 13. Bonds of an Authority.--An Authority shall have power to issue bonds for any of its corporate purposes, the principal and interest of which are payable from its revenues generally. Any of such bonds may be secured by a pledge of any revenues, including grants or contributions from the Federal or

State Government, or any agency, and instrumentality thereof, or by a mortgage of any property of the Authority.

The bonds issued by an Authority are hereby declared to have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania.

The bonds of an Authority created under the provisions of this act and the income therefrom shall at all times be free from taxation for State or local purposes under any law of this Commonwealth.

Neither the members of an Authority nor any person executing the bonds shall be liable personally on any such bonds by reason of the issuance thereof. Such bonds or other obligations of an Authority shall not be a debt of any municipality or of the Commonwealth, and shall so state on their face, nor shall any municipality or the Commonwealth nor any revenues or any property of any municipality or of the Commonwealth be liable therefor.

Section 13.1. Term Bonds.--(13.1 repealed Mar. 30, 1988, P.L.304, No.39)

Section 14. Form and Sale of Bonds.--The bonds of an Authority shall be authorized by its resolution; shall be issued in one or more series; and shall bear such date, mature at such time, and bear interest at such rate as shall be determined by the Authority as necessary to issue and sell such bonds, payable semi-annually, be in such denominations, be in such form, either coupon or registered, be executed in such manner, be payable in such medium of payment, at such place, and be subject to such terms of redemption and carry such registration privileges as may be provided in such resolution, or in any trust, indenture or mortgage properly made in pursuance thereof.

The bonds of an Authority may be sold at public or private sale at not less than par and accrued interest. In case any of the officers of an Authority whose signatures appear on any bonds or coupons shall cease to be officers before the delivery of such bonds their signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery.

The Authority shall have the power out of any funds available therefor to purchase any bonds issued by it at a price not more than the par value thereof plus accrued interest. All bonds so purchased shall be cancelled. This paragraph shall not apply to the redemption of bonds.

Any bond reciting in substance that it has been issued by an Authority to accomplish the public purposes of this act shall be conclusively deemed in any suit, action or proceeding involving the validity or enforceability of such bond or security therefor to have been issued for such purpose.

(14 amended Mar. 30, 1988, P.L.304, No.39)

Section 15. Provisions of Bonds, Trust, Indentures and Mortgages.--In connection with the issuance of bonds or the incurring of obligations under leases, and in order to secure the payment of such bonds or obligations, an Authority in addition to its other powers shall have power:

(a) To pledge all or any part of its gross or net revenues

to which its right then exists or may thereafter come into existence;

(b) To mortgage all or any part of its real or personal property then owned or thereafter acquired;

(c) To covenant against pledging all or any part of its revenues, or, against mortgaging all or any part of its real or personal property to which its right or title exists or may thereafter come into existence, or against permitting or suffering any lien on such revenues or property to covenant with respect to limitations on its right to sell, lease or otherwise dispose of any of its real property, and to covenant as to what other or additional debts or obligations may be incurred by it;

(d) To covenant as to the bonds to be issued and as to the issuance of such bonds, in escrow, or otherwise, and as to the use and disposition of the proceeds thereof, to provide for the replacement of lost, destroyed or mutilated bonds, to covenant against extending the time for the payment of its bonds or interest thereon, and to redeem the bonds, and to covenant for their redemption, and to provide the terms and conditions thereof;

(e) To covenant, subject to the limitations contained in this act, as to the amount of revenues to be raised each year, or other period of time, as well as to the use and disposition to be made thereof, to create or to authorize the creation of special funds for debt, service or other purposes, and to covenant as to the use and disposition of the moneys held in such funds;

(f) To prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds, the holders of which must consent thereto, and the manner in which such consent may be given;

(g) To covenant as to the use of any or all of its real or personal property, to warrant its title, and to covenant as to the maintenance of its real and personal property, the replacement thereof, the insurance to be carried thereon, and the use and disposition of insurance moneys;

(h) To covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition or obligation, and to covenant and prescribe, in the event of default, as to terms and conditions upon which any or all of its bonds or obligations shall become or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived;

(i) To vest in a trustee, or the holders of bonds, or any proportion of them, the right to enforce the payment of the bonds or any covenants securing or relating to the bonds, to vest in a trustee the right, in the event of a default by the Authority, to take possession and use, operate and manage any real property and to collect the rents and revenues arising therefrom and to dispose of such moneys in accordance with the agreement of the Authority with said trustee, to provide for the powers and duties of a trustee and to limit liabilities thereof, and, to provide the terms and conditions upon which the trustee or the holders of bonds or any proportion of them may enforce any covenant or rights securing or relating to the bonds;

(j) To exercise all or any part or combination of the powers herein granted, to make covenants other than and in addition to the covenants herein expressly authorized, to make such covenants and to do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds, or in the absolute discretion of the Authority, as will tend to accomplish the purposes of this act, by making the bonds more marketable notwithstanding that such covenants, acts or things may not be enumerated herein.

Section 16. Remedies of an Obligee of Authority.--An obligee of an Authority shall have the right, in addition to all other rights which may be conferred on such obligee, subject only to any contractual restrictions binding upon such obligee:

(a) By mandamus, suit, action or proceeding at law or in equity to compel the Authority and the members, officers, agents or employes thereof to perform each and every term, provision and covenant contained in any contract of the Authority with or for the benefit of such obligee, and to require the carrying out of any or all such covenants and agreements of the Authority, and the fulfillment of all duties imposed upon the Authority by this act;

(b) By proceeding in equity to obtain an injunction against any acts or things which may be unlawful, or the violation of any of the rights of such obligee of the Authority.

Section 17. Additional Remedies Conferrable by Authority.--An Authority shall have power by its resolution, trust, indenture, mortgage, lease or other contract to confer upon any obligees holding or representing a specified percentage in bonds, or holding a lease, the right, in addition to all rights that may otherwise be conferred, upon the happening of an event of default as defined in such resolution or instrument, by suit, action or proceeding in any court of competent jurisdiction.--

(a) To obtain the appointment of a receiver of any real property of the Authority and of the rents and profits therefrom. If such receiver be appointed, he may enter and take possession of such real property, operate the same and collect and receive all revenues or other income thereafter arising therefrom, and shall keep such moneys in a separate account and apply the same in accordance with the obligations of the Authority as the court shall direct;

(b) To require the Authority, and the members thereof, to account as if it and they were the trustees of an express trust.

Section 18. Aid from Government.--In addition to the powers conferred upon an Authority by other provisions of this act, an Authority is empowered to borrow money or accept grants or other financial assistance from the Government, for or in aid of any of its operations. It is the purpose and intent of this act to authorize every Authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the Government in any of its operations.

(18 amended June 26, 1968, P.L.263, No.125)

Section 19. Records and Reports.--

(a) The books and records of an Authority shall at all times be open and subject to inspection by the Department of Community Affairs;

(b) An Authority may file with the Department of Community Affairs such information and reports as it may from time to time deem desirable, and shall file with them;

(1) A copy of all by-laws and rules and regulations and amendments thereto, adopted by it, from time to time.

(2) Copies of all redevelopment proposals and redevelopment contracts, as well as of any changes, which may be made therein.

(3) At least once each year a report of its activities for the preceding year, and such other reports as said department may require. Copies of such reports shall be filed with the mayor and governing body of the city or with the county board of commissioners, as the case may be.

(19 amended June 26, 1968, P.L.263, No.125)

Section 19.1. Notice to Displaced Persons.--

(a) A redevelopment authority in a city of the first class intending to alter or demolish property in furtherance of authority projects or programs shall give timely notice to all occupants required by such alteration or demolition to vacate the property.

(b) Notice shall be given at the earliest practicable time prior to the dislocation of persons affected, but no later than 30 days prior to the commencement of the alteration or demolition of the property.

(c) The form of notice shall include, but not be limited to, posters or other graphic materials of sufficient size and design as will reasonably draw attention and which will reasonably inform the occupants of the property of the impending alteration or demolition and the date by which the occupants must vacate the property. Posters or other graphic materials shall be posted on and about the property in sufficient numbers as to reasonably draw the attention of all occupants of the property.

(d) This section shall not be construed to relieve any authority of any duty to occupants of property as provided by law or regulation, including, but not limited to, the relocation assistance provisions of the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the "Eminent Domain Code," and regulations promulgated thereunder.

(19.1 added Apr. 18, 1978, P.L.39, No.21)

Section 19.2. Statute of Limitations.--

Notwithstanding the provisions of 42 Pa.C.S. § 5526(4) (relating to five year limitation) or any other provision of law to the contrary, a proceeding to challenge just compensation or other damages if a redevelopment authority has exercised powers of condemnation pursuant to this act and made payment in accordance with section 407(a) or (b) of the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the "Eminent Domain Code," is subject to a one-year statute of limitations.

(19.2 added Oct. 2, 2002, P.L.796, No.113)

Section 20. Effective Date.--This act shall become effective immediately upon final enactment.