

## **RESOLUTION 2023- 10**

**A RESOLUTION OF THE TOWNSHIP OF HALFMOON, CENTRE COUNTY, PENNSYLVANIA, AUTHORIZING THE TOWNSHIP TO TERMINATE THE CONSERVATION LEASE AGREEMENT RECORDED AS INSTRUMENT NUMBER 1617 IN THE CENTRE COUNTY RECORDER OF DEEDS OFFICE; AND AUTHORIZING THE TOWNSHIP TO ENTER INTO A TERMINATION AGREEMENT WITH THE PROPERTY OWNER AND RECORD THE SAME IN THE CENTRE COUNTY RECORDER OF DEEDS OFFICE**

**WHEREAS**, on September 1, 2020, the Halfmoon Township (the "Township") entered into a 99-year Conservation Lease Agreement (the "Lease") with Joanne M. Fisher, of 4000 Halfmoon Valley Road, Warriors Mark, Pennsylvania 16877 (the "Landowner") for approximately 160 acres of land known as Tax Parcel No. 17-004-007 located at 4000 Halfmoon Valley Road, Warriors Mark, Pennsylvania 16877 (the "Premises").

**WHEREAS**, section 4.04(b)(2) of the Lease authorizes the Landowner to negotiate a permanent conservation or preservation easement with any conservation group approved by the Township during the term of the Lease; and

**WHEREAS**, the Landowner is negotiating a permanent preservation easement for the Premises with Centre County Agricultural Land Preservation Board; and

**WHEREAS**, the Township approves Centre County Agricultural Land Preservation Board as an appropriate entity to enter into a permanent preservation easement for the Premises; and

**WHEREAS**, the Landowner and Township desire to terminate the Agreement to allow for the conversion of the Township's open space interests to be converted to a permanent preservation easement; and

**WHEREAS**, the Landowner and Township desire to record the Termination Agreement to facilitate the Landowner's conversion.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Halfmoon Township, Centre County, Pennsylvania authorizes entry into a Termination Agreement with the landowner setting forth the same.

**BE IT FURTHER RESOLVED**, that the Township shall record the Termination Agreement in the Centre County Recorder of Deeds Office immediately upon execution thereof, and the Landowner shall bear the costs of recordation.

**Repealer.** All provisions of previous Halfmoon Township ordinances or resolutions which are contrary to this resolution, are expressly repealed.

**Savings Clause.** In all other respects, the Halfmoon Township ordinances and resolutions shall remain as previously enacted and ordained.

**Severability.** If any word, phrase, sentence, part, section, subsection, or other portion of this resolution or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this ordinance and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

**DULY ADOPTED**, this 26 day of January, 2023 by the Board of Supervisors of Halfmoon Township in the lawful session duly assembled.

(Seal)

Attest

  
*Amymomith*  
Township Secretary

HALFMOON TOWNSHIP  
CENTRE COUNTY, PENNSYLVANIA

By:

*Don C. [Signature]*  
Chairman