

BOROUGH OF AVALON  
RESOLUTION NO. 928

A RESOLUTION OF THE BOROUGH OF AVALON, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, MANDATING THAT THE BRICK AND BLOCK BUILDING PURCHASED BY THE BOROUGH ON OR ABOUT FEBRUARY 25, 1999, AT DEED BOOK VOLUME 10384, PAGE 197, PURSUANT TO BOROUGH RESOLUTION NO. 907, AND KNOWN AND NUMBERED AS 317 HOME AVENUE, AVALON, PENNSYLVANIA 15202, AND WHICH IS ALSO KNOWN AS LOT AND BLOCK 160-E-31 IN THE DEED REGISTRY OFFICE OF ALLEGHENY COUNTY, SHALL BE DEDICATED AS A PUBLIC LIBRARY AND SHALL ENJOY SUCH UNDISTURBED USE AND EXISTENCE AS A PUBLIC LIBRARY FACILITY FOR FIFTY (50) YEARS, OR THE USEFUL LIFE OF THE PROJECT TO BE FUNDED BY THE GRANT, WHATEVER IS SHORTER, SAID GRANT TO BE OBTAINED FROM THE PENNSYLVANIA DEPARTMENT OF EDUCATION, OFFICE OF COMMONWEALTH LIBRARIES, KEYSTONE RECREATION, PARK AND CONSERVATION FUND; AND REPEALING ALL INCONSISTENT RESOLUTIONS.

WHEREAS, the Act of June 14, 1961, P.L. 324, Art. IV, § 418, 24 P.S. § 4418, authorizes a municipality to purchase, set apart or lease lands and buildings, or parts of buildings already owned by it, or both, or to erect buildings, to be used for local library purposes, or to alter buildings already erected so as to make them suitable for such use and is further authorized to provide for the cost of same as in the case of other buildings to be used for municipal purposes; and

WHEREAS, pursuant to Resolution No. 907, adopted by the Borough of Avalon on February 16, 1999, the Borough determined that it was in the best interests of the Borough to purchase a brick and block building designated as Block 160-E, Lot 31 in the Deed

Registry Office of Allegheny County and known and numbered as 317 Home Avenue, Avalon, Pennsylvania 15202, for library purposes; and

WHEREAS, or about February 25, 1999, the Borough of Avalon, did purchase all that certain piece or parcel of land situate in the Borough of Avalon, being designated as Block 160-E, Lot 31 in the Deed Registry Office of Allegheny County and having erected thereon a brick and block building known and numbered as 317 Home Avenue, Avalon, Pennsylvania 15202, DBV 10384, Page 197, and is the lawful, legal owner thereof; and

WHEREAS, the Borough of Avalon is now desirous of obtaining a grant from the Commonwealth of Pennsylvania, Department of Education, Office of Commonwealth Libraries, Keystone Recreation, Park and Conservation Fund for library purposes; and

WHEREAS, in order for the Borough of Avalon to receive a grant from the Commonwealth Pennsylvania, Department of Education, Office of Commonwealth Libraries, Keystone Recreation, Park and Conservation Fund, for library purposes, it is necessary that the Borough adopt first a Resolution mandating that such library shall be dedicated as a public library and shall enjoy such undisturbed use and existence as a public library facility for fifty (50) years or the useful life of the project to be funded by the grant, whatever is shorter.

NOW THEREFORE, be it resolved by Borough Council of the Borough of Avalon, and it is hereby resolved with the authority of same:

**SECTION 1: DEDICATION AS A PUBLIC LIBRARY.** All that certain piece or parcel of land situate in the Borough of Avalon, being designated as Block 160-E, Lot 31 in the Deed Registry Office of Allegheny County and having erected thereon a brick and block building known and numbered as 317 Home Avenue, Avalon, Pennsylvania 15202, DBV 10384, Page 197, is hereby dedicated as a public library facility for fifty (50) years or the useful life of the project to be funded by the grant from the Commonwealth Pennsylvania, Department of Education, Office of Commonwealth Libraries, Keystone Recreation, Park and Conservation Fund.

**SECTION 2: EFFECTIVE DATE.** The effective date of this dedication and the effective date of this Resolution shall be March 21, 2000.

**SECTION 3: CHANGE OF USE.** If during the fifty (50) year period, the Borough or public library desires that the facility be used for other than public library purposes, it may request a waiver from the State Librarian. In deciding whether to grant that waiver, the State Librarian will consider the public library's need for a facility and how that need will be met.

**SECTION 4: DISPOSAL OR CONVERSION OF GRANT FUNDS.** Recipients of grants for public library facilities under the Act, including the Borough of Avalon shall not dispose of nor at any time convey property acquired with such a grant other than the purposes approved in the project application without the prior written approval of the Commissioner of Libraries, the State Librarian. Should disposition or conversion occur without prior

written approval, the State Librarian may: (a) require the recipient including the Borough of Avalon to refund all grant funds for the particular project, including 10% annual interest compounded four times annually from the date of the original grant-in-aid was received until it is repaid; and (b) require acquisition by the recipient including the Borough of Avalon of equivalent replacement land as determined by the State Librarian.

SECTION 5: REPEALER. All resolutions or parts of resolutions conflicting herewith are repealed insofar as they conflict herewith.

RESOLVED this 21st day of March, 2000.

ATTEST:

Jean A. Walsh  
Secretary

BOROUGH OF AVALON

Harry Dilmore  
Harry Dilmore  
President of Council

THIS RESOLUTION examined and approved by me  
this 21st day of March, 2000.

Daniel K. Bricmont  
Mayor Daniel K. Bricmont