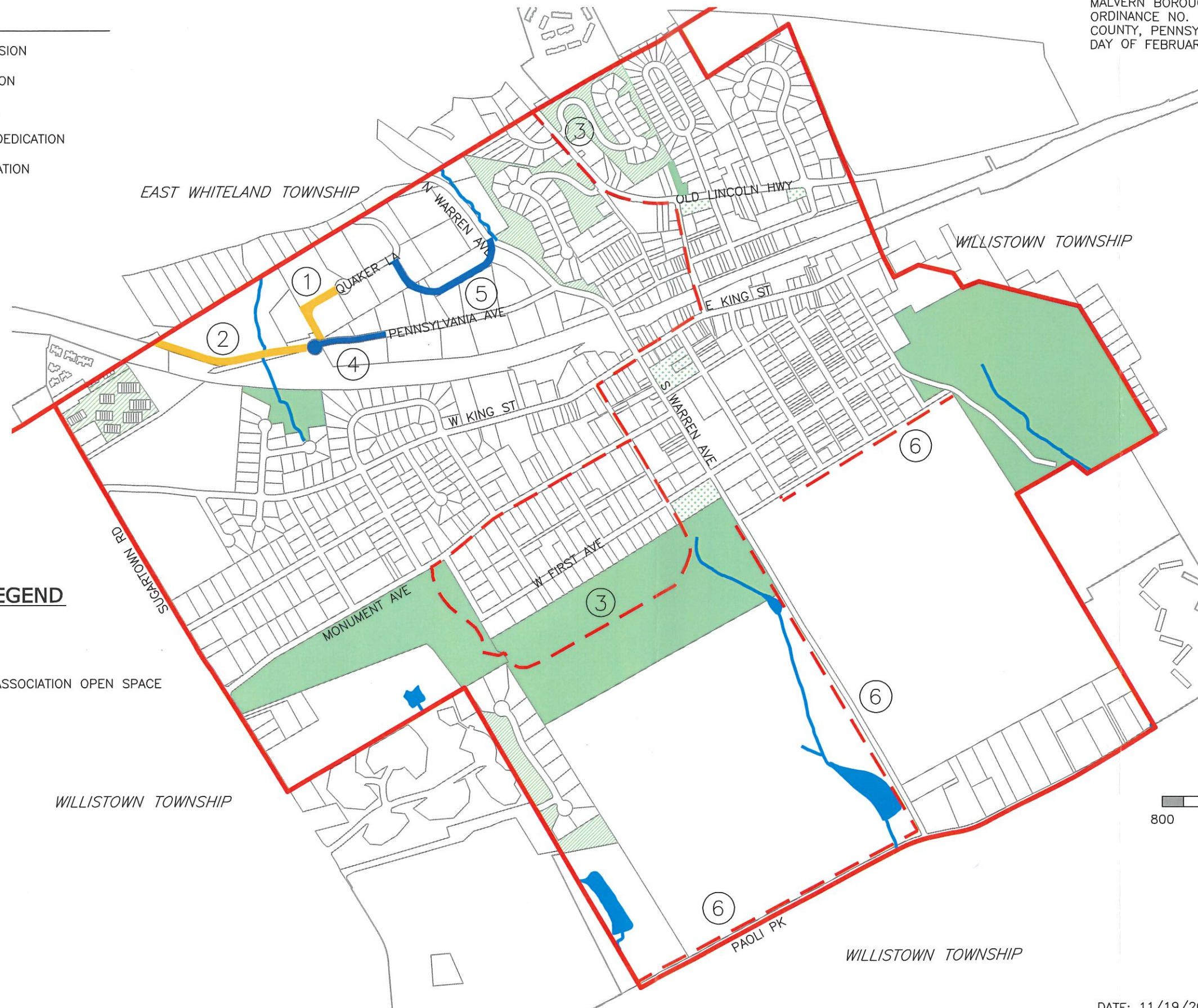


LEGEND

- ① QUAKER LANE EXTENSION
- ② MALIN ROAD EXTENSION
- ③ PATRIOTS PATH TRAIL
- ④ PENNSYLVANIA AVE. DEDICATION
- ⑤ QUAKER LANE DEDICATION
- ⑥ GREENWAY TRAIL

OPEN SPACE LEGEND

-  PARK
-  OPEN SPACE
-  HOME OWNERS ASSOCIATION OPEN SPACE



THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL MAP OF
MALVERN BOROUGH REFERRED TO IN SECTION 1 OF
ORDINANCE NO. 2017-1 OF MALVERN BOROUGH, CHESTER
COUNTY, PENNSYLVANIA, ENACTED AND ORDAINED THIS 21ST
DAY OF FEBRUARY, 2017.

BOROUGH COUNCIL
MALVERN BOROUGH

PRESIDENT

VICE PRESIDENT

MEMBER

MEMBER

MEMBER

MEMBER

MEMBER

ATTEST:

SECRETARY

OFFICIAL MAP
MALVERN BOROUGH
CHESTER COUNTY, PA

DATE: 11/19/2015

ORDINANCE NO. 2017 – 1

**BOROUGH OF MALVERN
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE RE-ADOPTING THE OFFICIAL MAP OF
THE BOROUGH OF MALVERN AS ORIGINALLY
ADOPTED ON DECEMBER 15, 2015 PURSUANT TO
ORDINANCE 2015-7**

WHEREAS, the Borough of Malvern (“Borough”), in accordance with Article IV of the Pennsylvania Municipalities Planning Code (“MPC”), seeks to adopt an Official Map of the Borough of Malvern; and

WHEREAS, the Official Map may include, but is not limited to, existing and proposed public streets, and widening and narrowings of the same; existing or proposed public parks and open space reservations; and pedestrian ways and easements; and

WHEREAS, the sites shown on the map have been identified for public needs, and are consistent with the Comprehensive Plan of the Borough; and

WHEREAS, the Borough Council has reviewed the draft official map of the Borough and desires to adopt the same as the Official Map of the Borough of Malvern; and

WHEREAS, on December 15, 2015, the Borough Council adopted Ordinance 2015-7 which adopted the same draft official map as referenced herein, but the same was not recorded within sixty days of enactment as required pursuant to 53 P.S. § 10402 (c); and

WHEREAS, the same draft official map was previously circulated to the Chester County Planning Commission and each adjacent municipality for comments in 2015 and remains unchanged; and

WHEREAS, the Borough Council seeks to complete the adoption of the same draft official map, including recordation, in accordance with applicable law via this Ordinance;

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED AS FOLLOWS:

The Code of the Borough of Malvern is hereby amended by inserting Chapter 175 entitled “Official Map” by inserting the following Sections within Chapter 175:

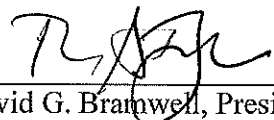
1. **Adoption of Official Map.** The Borough hereby adopts as the Official Map of the Borough of Malvern the draft official map attached hereto as Exhibit A and incorporated here by reference.

2. **Effective Date.** This Ordinance shall become effective in accordance with the provision of the Borough Code of the Commonwealth of Pennsylvania.
3. **Statutory Authority; Purpose; Review; Hearing.** Article IV of the Pennsylvania Municipalities Planning Code ("MPC") authorizes the Borough to prepare and adopt an Official Map of the Borough showing existing and proposed public streets (including widenings and narrowings of the same), pedestrianways, public grounds, public parks, playgrounds, open space reservations, and other public lands and facilities. In accordance with the MPC, the Borough enacted has enacted this Ordinance adopting an Official Map, which Official Map was recorded in Plan Book _____, Page ____, in the Office of the Recorder of Deeds in and for Chester County, Pennsylvania. This Ordinance is enacted for the purpose of serving and promoting the public health, safety, convenience, and general welfare; to facilitate adequate provision of public streets and facilities; to improve traffic circulation; to provide for the recreational and open space needs of the community; to protect and enhance water resources; and to facilitate the subdivision of land and the use of land. The adoption of an updated Official Map will assist landowners in the determination of the uses and development of their lands within the Borough. The Borough has solicited reviews of the proposed Official Map from the Planning Commission of the Borough of Malvern, the Chester County Planning Commission, and the various planning commissions of municipalities which are contiguous to the Borough. Following the receipt of comments and recommendations from such bodies, Borough Council held a public hearing in accordance with the requirements of Article IV of the MPC.
4. **Nature of Official Map.** The official map includes existing and proposed public streets (including widenings and narrowings of the same), pedestrianways, public grounds, public parks, playgrounds, open space reservations, and other public lands and facilities.
5. **Recordation; Filing.** The Borough directs that under the adoption of this Ordinance, a copy of the Official Map of the Borough of Malvern, verified by the Borough Council, shall be submitted by the Borough to the Recorder of Deeds of Chester County to be recorded within sixty (60) days of the effective date hereof. Upon recordation, the Borough shall amend the references to the place or index of recordation as may be required in this Ordinance. The Borough Manager is further authorized to transmit certified copies of the Official Map to those entities required to be provided with copies by the MPC.
6. **Interpretation and Construction.** This Ordinance shall be interpreted and construed in accordance with and in order to be consistent with Article IV of the MPC. All actions of the Borough taken pursuant to this Ordinance or the Official Map adopted hereby shall be consistent and in accordance with Article IV of the MPC.

7. **Amendments.** The Borough retains the right to amend the Official Map adopted by this chapter from time to time by appropriate action of the Borough Council in accordance with the procedural requirements of the MPC as amended from time to time.
8. **Duties and Rights of Owners.** Those persons who own lands within areas show on the Official Map as proposed streets or highways, proposed trails or other proposed public areas shall be subject to the duties and shall have the rights set forth in Article IV of the MPC.
9. **Effect on Pending Plans.** The Official Map adopted by, or amended in accordance with, this chapter shall continue in force as to any preliminary or final plan with is pending action by the Borough Council at the effective date of this chapter.
10. **Acquisition of Properties.** The properties depicted as proposed property for acquisition for public purposes shall be reserved for future taking or acquisition for public purposes in perpetuity until actually acquired by the Borough.
 - a. The Borough may initiate surveys of property locations for the purposes of taking action to acquire.
 - b. Whenever land and easements are to be acquired pursuant to the Official Map, boundary descriptions by metes and bounds shall be made by a licensed surveyor.
 - c. Time limitations on reservations for future taking shall be in accordance with Article IV of the MPC as amended.
11. **Repealer.** Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of any other section or provision of this Ordinance than the one so declared.
12. **Effective Date.** This Ordinance shall become effective upon enactment as provided by law and as described herein.

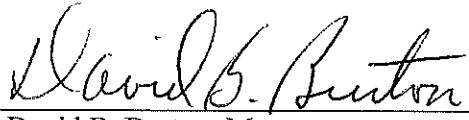
[SIGNATURES PAGE FOLLOWS]

Passed by Borough Council,
this 21 day of February, 2017.




David G. Bramwell, President

Approved by the Mayor,
this 21 day of February, 2017.



David B. Burton, Mayor

Enacted,
this 21 day of February, 2017.



Christopher Bashore, Secretary