

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MIDDLE SMITHFIELD
TOWNSHIP, MONROE COUNTY, PENNSYLVANIA**

RESOLUTION # 03-2022-2

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MIDDLE SMITHFIELD
TOWNSHIP, COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA,
DECLARING THE CONTINUED OPERATION OF THE COUNTRY CLUB OF THE
POCONOS AND THE WHISPERING PINES BANQUET HALL UNFEASIBLE AND
AUTHORIZING THE TOWNSHIP SOLICITOR TO SEEK APPROVAL FOR THE SALE
OF THE SAME FROM THE MONROE COUNTY ORPHANS' COURT**

WHEREAS, Middle Smithfield Township (the “*Township*”) is a Second-Class Township organized and existing pursuant to the laws of the Commonwealth of Pennsylvania;

WHEREAS, the Township acquired nine (9) parcels of land situate in the residential subdivision known as the Country Club of the Poconos, consisting of approximately 409.57 acres in the Township’s Planned Residential Development Zoning District, from Big Ridge Developers, L.P., on February 12, 2010 (the “*Property*”);

WHEREAS, the Property is improved with an 18-hole, daily-fee golf course known as the Country Club of the Poconos, a banquet hall known as the Whispering Pines Banquet Hall, a maintenance facility, and other ancillary improvements (hereinafter collectively referred to as the “*Golf Course*”);

WHEREAS, since acquisition, the Golf Course has had an overall poor financial performance and has consistently lost money.

WHEREAS, the Golf Course is experiencing ongoing issues with staffing, maintenance, and the repair and replacement of capital improvements such as the irrigation system of the Golf Course;

WHEREAS, the Golf Course was appraised by Advantage Golf Advisors as of June 1, 2016, and it was determined that continued operation of the Golf Course was not financially feasible;

WHEREAS, the Board of Supervisors, based on the aforementioned appraisal and financial information, has determined that the continued operation of the Golf Course is not feasible, and it is in the best interest of the Township and its residents to offer the Golf Course for sale; and

WHEREAS, the Donated and Dedicated Property Act, 53 P.S. §3381, *et. seq.*, requires Orphans’ Court approval of the sale of any land held in the public trust.

NOW, THEREFORE, BE IT RESOLVED that the continued operation of the Golf Course by the Township is financially unfeasible; and

BE IT FURTHER RESOLVED that it is in the interest of the residents of the Township that the Golf Course be sold; and

BE IT FINALLY RESOLVED that the Township Solicitor is authorized to take all necessary action to file a petition seeking approval of the sale of the Golf Course from the Monroe County Orphans' Court, and/or to proceed with any other pleadings and/or documents necessary to effectuate the sale of the Golf Course.

ADOPTED AND RESOLVED THIS 21st DAY OF March, 2022, BY THE BOARD OF SUPERVISORS OF MIDDLE SMITHFIELD TOWNSHIP AT A LAWFUL SESSION DULY ASSEMBLED.



Annette Atkinson, Chairperson



Mark Qney, Vice-Chairperson



Michael J. Dwyer, Supervisor

ATTEST:



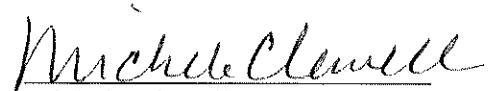
Michele Clewell

Michele Clewell, Secretary

CERTIFICATE OF ADOPTION

I HEREBY CERTIFY that I am the duly appointed Township Secretary for the Township of Middle Smithfield, Monroe County, Pennsylvania, and that the foregoing Resolution was adopted by the Board of Supervisors of Middle Smithfield Township at its Public Meeting held on

March 24, 2022



Michele Clewell, Township Secretary
Township of Middle Smithfield