

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL  
EASTERN REGIONAL OFFICE  
BY: CHARLES E. DONOHUE  
DEPUTY ATTORNEY GENERAL  
IDENTIFICATION NO. 20313  
21 S. 12th Street, 3rd Floor  
Philadelphia, PA 19107-3603  
Telephone: (215) 560-3448

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IN RE: : COURT OF COMMON PLEAS  
: OF CHESTER COUNTY  
PETITION OF :  
THE BOROUGH OF DOWNINGTOWN : ORPHANS' COURT DIVISION  
FOR APPROVAL OF THE SALE :  
OF REAL PROPERTY :  
: NO. 1509-0516

ANSWER OF THE COMMONWEALTH OF PENNSYLVANIA,  
OFFICE OF ATTORNEY GENERAL, AS *PARENS PATRIAE*,  
TO PETITION FOR APPROVAL OF THE SALE OF REAL PROPERTY

The Commonwealth of Pennsylvania, Office of Attorney General, as *parens patriae*, hereby answers the Petition of the Borough of Downingtown for the Sale of Real Property, as follows:

1. Admitted.
2. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

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3. Admitted.

4. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

5. Admitted.

6. Admitted.

7. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

8. Admitted.

9. Admitted in part and Denied in part. It is admitted that the Property contains wooded areas, grass-covered areas, and a series of ponds with improvements as follows: small parking area; a 1,560 lineal foot walking/jogging path known as the Lion's Trail; and a public monument known as the Victims of Violence Memorial. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the remaining averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

10. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

11. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

12. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

13. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

14. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

15. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

16. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

17. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

18. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

19. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

20. This averment constitutes a conclusion of law to which no answer is necessary.

21. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

22. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

23. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and,

therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

24. Admitted.

25. Admitted.

26. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

27. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

28. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

29. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

30. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

31. This averment constitutes a conclusion of law to which no answer is necessary.

32. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and, therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

33. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

34. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

35. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

36. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

37. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averment in this paragraph and,

therefore, said averment is denied and proof thereof, if deemed material and relevant, is demanded at hearing.

38. Denied. After reasonable investigation, Respondent lacks sufficient information to determine the truth or falsity of the averments in this paragraph and, therefore, said averments are denied and proof thereof, if deemed material and relevant, is demanded at hearing.

39. These averments constitute conclusions of law to which no answer is necessary.

40. These averments constitute conclusions of law to which no answer is necessary.

41. Admitted that the Borough so requests.

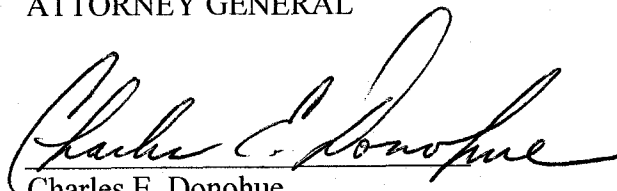
**WHEREFORE**, the Commonwealth of Pennsylvania, Office of Attorney General, as *parens patriae*, respectfully requests that your Honorable Court enter an Order scheduling a hearing.

Respectfully submitted,

THOMAS W. CORBETT, JR.  
ATTORNEY GENERAL

Date: May 18, 2009

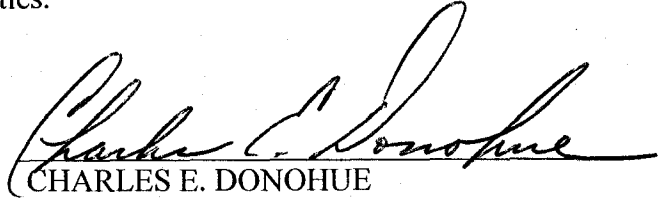
By:

  
Charles E. Donohue  
Senior Deputy Attorney General

**VERIFICATION**

CHARLES E. DONOHUE hereby states that he is the Attorney for the Commonwealth of Pennsylvania, Office of Attorney General, as *parens patriae*, in this matter and verifies that the averments made in the foregoing Answer are true and correct to the best of his knowledge, information and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Dated: May 18, 2009

  
CHARLES E. DONOHUE  
Senior Deputy Attorney General  
Charitable Trusts and Organizations Section

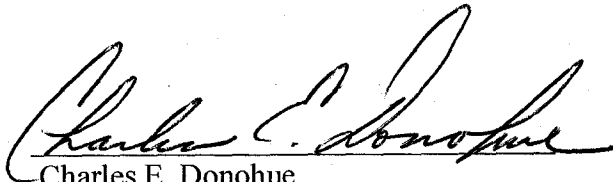


**CERTIFICATE OF SERVICE**

I, Charles E. Donohue, Senior Deputy Attorney General, hereby certify that on the eighteenth day of May, 2009, I did serve a true and exact copy of the foregoing Answer of the Commonwealth of Pennsylvania, Office of Attorney General, as *parens patriae*, to Petition for Approval of the Sale of Real Property upon Patrick C. O'Donnell, Esquire, counsel for the Petitioner, the Borough of Downingtown, via U.S. First Class Mail, postage pre-paid as follows:

Patrick C. O'Donnell, Esquire  
32 South Church Street  
West Chester, Pennsylvania 19382-3221  
(Counsel for the Borough of Downingtown, Petitioner)

Dated: May 18, 2009.



Charles E. Donohue  
Senior Deputy Attorney General  
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Commonwealth of Pennsylvania  
Office of Attorney General  
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