

UPPER DUBLIN TOWNSHIP RESOLUTIONS

<u>No.</u>	<u>Date</u>	<u>Description</u>
1800	07/09/02	Support Sandy Run Creek Watershed Conservation Plan
1801	08/13/02	Accept Deed of Dedication Public Street and Sewer Easement Virginia Drive
1802	08/13/02	Accept Deed of Dedication Right of Way and Easement 812 Tennis Avenue
1803	08/13/02	Accept Street Deed of Dedication Limekiln Pike at Kirks Lane
1804	08/13/02	Accept Street Deed of Dedication 1580 Fort Washington Avenue
1805	11/12/02	Authorize Execution of Kayser Utility Easement Mondauk Manor
1806	11/12/02	Authorize Execution of Mellor Utility Easement Mondauk Manor
1807	11/12/02	Fort Washington Avenue Sewer
1808	12/10/02	Budget Adoption 2003
1809	12/10/02	Overhead Banners
1810	01/14/03	Authorize North Hills Street Improvements Community Block Grant Development – Phase 3 Project
1811	01/14/03	Authorize Purchase of 813 North Hills Avenue
1812	02/11/03	Sponsorship Agreement Ardsley Drainage Flood Control Project
1813	02/11/03	“Pick-Up” Contributions to Non-Uniformed Employees Pension Plan
1814	02/11/03	Amendment to Civil Service Commission Rules and Regulations
1815	04/08/03	Accept Deeds of Dedication Coughlin Tract
1816	04/08/03	Enter Agreement to Authorize Electronic Access to PennDOT Systems
1817	04/08/03	Participate in Bid Process for Ralumac and Nova Chip Seal Coat
1818	04/08/03	Designation of Agent for Application of Public Assistance

1819	04/08/03	Approve Participation in Montgomery County 2003 CDBG Program
1820	04/08/03	Proclaim April 25, 2003 as Arbor Day
1821	05/13/03	Permit to Install and Operate Flashing Warning Signal Thomas Fitzwater Elementary School
1822	05/13/03	Extend EIT Filing Deadline for Military Personnel in Combat Zones
1823	06/12/03	Support Hallowell Sewer Service DEP Permit Application
1824	07/09/03	Emergency Management Plan Update
1825	08/12/03	Accept Deed of Dedication Widened Portion of Jarrettown Road
1826	08/12/03	Accept Deed of Dedication Portion of Fitzwatertown Road - Recycling Center
1827	08/12/03	Accept Deed of Dedication for Portion of Highland Avenue
1828	08/12/03	Establish Accounting Policies to Comply with GASB 34
1829	08/12/03	Support Montgomery County Open Space Program Municipal Endorsement
1830	08/12/03	Address 2004 Budget Proceedings
1831	09/09/03	Support New Wind Energy
1832	09/09/03	Accept Deed of Dedication of Inverness Avenue
1833	10/14/03	Accept Deeds of Dedication Twining Grove Subdivision
1834	10/14/03	Support Grant Application Little Neshaminy Creek Watershed
1835	10/14/03	Application for Traffic Signals Meetinghouse Road & Butler Pike
1836	10/14/03	Authorize Release of Maintenance Bond Prudential Insurance Co.
1837	11/11/03	Approval for Issuance of Tax-Exempt Loan Obligations By Hatfield Township Industrial Development Authority for Community Ambulance Association Ambler

1838	12/09/03	Budget Adoption 2004
1839	12/09/03	Montgomery County Vision Plan Endorsement
1840	12/09/03	Support of House Bill 1500 Suburban Tax Fairness Act
1841	03/09/04	Proclaim April 30, 2004 as Arbor Day
1842	04/13/04	Authorize Credit Card Services form PLGIT
1843	04/13/04	Approve Final Land Development Plan - Congregation Beth Or
1844	04/13/04	Authorize Montgomery County Reimbursement Agreement for Traffic Signal Equipment Upgrade Program
1845	04/13/04	Approve Participation in Montgomery County 2004 CDBG Program
1846	04/13/04	Authorize Use of Grinder Pump – 1624 Dreshertown Road
1847	05/11/04	Support Application to Montgomery County for Open Space Planning Grant
1848	06/08/04	Approve Minor Subdivision Plan – Wozniak, 1200 Camp Hill Rd.
1849	06/08/04	Amend Resolution No. 1753 – Prudential Building II of Phase I
1850	07/13/04	Israel Milner Retirement from Environmental Protection Advisory Board
1851	07/13/04	Revision to Official Sewage Facilities Act 537 Plan
1852	07/13/04	Revision to Official Sewage Facilities Text Amendment No. 2
1853	07/13/04	Approve Police Officer Attendance at Basic Training Program
1854	07/13/04	Accept Street Deed of Dedication 1305 Fort Washington Avenue
1855	07/13/04	Accept PennDOT Offer for 0.13 acres of 801 Loch Alsh Avenue
1856	08/10/04	Authorize Application for Reimbursement Funding for Pennsylvania Avenue Streetscape Improvements
1857	08/10/04	Condemn Properties for Twining Valley Golf Course 15 th Hole Regrading

1858	09/14/04	PennDOT Snow Removal Agreement
1859	09/14/04	Deny Final Subdivision Approval – Amendolia/Walloco
1860	11/09/04	Amend Rules and Regulations Civil Service Commission
1861	12/14/04	Budget Adoption 2005
1862	12/14/04	Approve Police Officer Attendance at Basic Training Program
1863	12/14/04	Adopt NIMS into Upper Dublin Township Emergency Management Plan
1864	12/14/04	PennDOT Maintenance Agreement Pennsylvania Avenue Culvert
1865	12/14/04	Accept Street Deed of Dedication Dreshertown Road
1866	01/11/05	Transfer of Liquor License to Upper Dublin Township
1867	01/11/05	Township Web Site Operating Policy
1868	01/11/05	Accept Deeds of Dedication Pileggi Tract
1869	02/08/05	Accept Deed of Dedication Better Living Homes Highland Avenue
1870	02/08/05	Application for Traffic Signals - Susquehanna Road and Route 309
1871	03/08/05	Proclaim April 29, 2005 as Arbor Day
1872	03/08/05	Approve Participation in Montgomery County 2005 CDBG Program
1873	04/12/05	Accept Deeds of Dedication from Congregation Beth Or
1874	04/12/05	Accept Deeds of Dedication from New Life Presbyterian Church
1875	04/12/05	Accept Deeds of Dedication from Hidden Pines Arthur Avenue
1876	05/10/05	Authorize Condemnation of Easements – Ardsley Drainage Project
1877	06/14/05	Authorize Acquisition of 11.3 Acres on Dreshertown Road
1878	06/14/05	Accept Easements in Pheasant Knoll (Arbor Hill)
1879	06/14/05	Establish Rates of Compensation Township Engineer

1880	06/14/05	Authorize Extension of Comcast Cable Television Franchise Agreement
1881	07/19/05	Deny Preliminary Land Development Application Maple Glen Village Mobile Home Community
1882	08/09/05	Accept Dedication of Public Improvements Pheasant Knoll (Arbor Hill)
1883	08/09/05	Accept Deed of Dedication Dreshertown Road – Pixton Place
1884	08/09/05	Authorize Purchase of 1.3 Acres – Loch Alsh Avenue
1885	08/09/05	Authorize Purchase of Land – Kenyon Drive
1886	09/13/05	Accept Deed of Dedication Butler Pike and Morris Road
1887	10/11/05	Accept Deed of Dedication Camp Hill Road
1888	12/13/05	Budget Adoption 2006
1889	12/13/05	537 Plan Revision Drexel Avenue
1890	01/10/06	Authorize Second Cable Franchise Extension Agreement
1891	01/10/06	Accept Deeds of Dedication Stormwater Management – Twin Pond
1892	01/10/06	Approve Police Officer Attendance at Basic Training Program
1893	02/14/06	Application for Traffic Signals – South Limekiln Pike
1894	02/14/06	Accept Easements and Streets – Tall Oaks
1895	02/14/06	Authorize Acquisition of 12.2 Acres – Jarrettown Road
1896	02/14/06	Authorize Verizon Intergovernmental Agreement
1897	02/14/06	Accept Deeds of Dedication Stormwater Management – Twin Pond
1898	03/14/06	Adopting Policies Toward the Development of the Bub Farm
1899	03/14/06	Proclaim April 18, 2006 as Arbor Day

RESOLUTION NO. 1800

RESOLUTION SUPPORTING THE SANDY RUN CREEK
WATERSHED CONSERVATION PLAN

WHEREAS, the Sandy Run Coalition, consisting of representatives from Abington, Upper Dublin, Springfield and Whitemarsh Townships, Wissahickon Valley Watershed Association and local civic groups, was formed in 1995 to identify common goals for the conservation of the Sandy Run Creek watershed and its tributaries; and

WHEREAS, the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, Division of Conservation Partnerships (PA DCNR), has established a "Pennsylvania Rivers Conservation Registry"; and

WHEREAS, Montgomery County received a grant from the Keystone Recreation, Park and Conservation (Keystone) Fund to prepare a Watershed Conservation Plan for the Sandy Run Creek watershed and its tributaries; and

WHEREAS, four public meetings were held at key points during the plan development process to make use of local expertise, respond to questions, and solicit comments for incorporation into the final plan; and

WHEREAS, Gaadt Perspectives, LLC, has completed a Sandy Run Creek Watershed Conservation Plan for the Sandy Run Creek watershed and its tributaries, which contains a number of conservation management options suitable for implementation, development, or acquisition throughout the Sandy Run Creek watershed and its tributaries; and

WHEREAS, Upper Dublin Township recognizes the value of supporting a multi-municipal planning document which addresses the protection and enhancement of the resources within the Sandy Run Creek Watershed and its tributaries.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Upper Dublin Township does support the Sandy Run Creek Watershed Conservation Plan and requests that the creeks, and creek segments or tributaries identified within the plan be listed on the Pennsylvania Rivers Conservation Registry.

ADOPTED this 7th day of July, 2002.

Attest:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

RESOLUTION NO. 1801

**RESOLUTION TO ACCEPT DEEDS OF DEDICATION
FOR PUBLIC STREET AND
STORM SEWER EASEMENT**

WHEREAS, the Board of Commissioners of UPPER DUBLIN TOWNSHIP has received from CP GENERAL AGENCY, INC. (hereinafter "Grantor") Deeds of Dedication for a widened portion of Virginia Drive, a public street (hereinafter together "Street"), more fully described in Exhibit "A" attached hereto; and

WHEREAS, the Board of Commissioners of UPPER DUBLIN TOWNSHIP has received from Grantor a Deed of Dedication for a storm sewer easement (hereinafter "Storm Sewer"), more fully described in Exhibit "B" attached hereto; and

WHEREAS, the Board of Commissioners has heretofore approved a Land Development Plan filed by or on behalf of Grantor showing the Street and Storm Sewer Easement which Land Development Plan was prepared by Momonee and Associates, Inc., dated April 15, 1999, as last revised June 20, 2000, and recorded on April 19, 2002 in the Office for Recording of Deeds, Norristown, Pennsylvania at Land Site Book L-6, page 82 (hereinafter referred to as the "Recorded Plan"); and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the Street and Storm Sewer will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of UPPER DUBLIN TOWNSHIP does hereby resolve as follows:

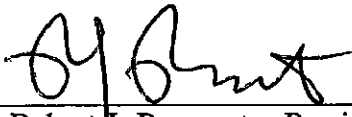
1. The Deeds of Dedication offered to the Township for the widened portion of Virginia Drive, a public street, and the Storm Sewer in Exhibits "A" and "B" attached hereto, are accepted.

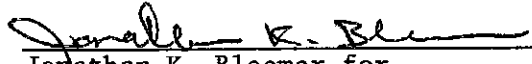
2. The public street, as described in the attached Exhibit, shall hereafter be designated on the official map of streets in the Township as a public street.

RESOLVED, this 13th day of August, 2002.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:

By: 
Robert J. Pesavento, President


Jonathan K. Bleemer for
Paul A. Leonard, Secretary/Manager

ud\dev\1500 Virginia Drive\accept.res

EXHIBIT "A"

MOMENEE AND ASSOCIATES, INC.

924 COUNTY LINE ROAD • BRYN MAWR, PENNSYLVANIA 19010

(610) 527-3030 • FAX (610) 527-9008

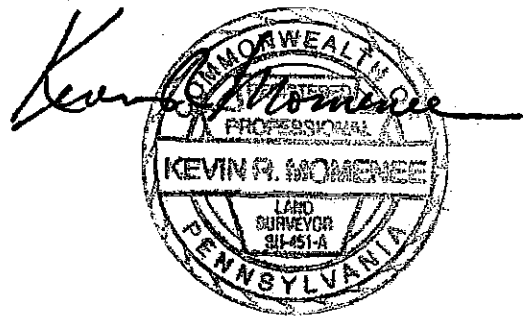
E-MAIL: info@momenee.com

www.momenee.com

Description of a dedication of Ultimate Right-of-Way along Virginia Drive, bounded and described according to a plan titled 500 Virginia Drive, Record Plan by Momenee and Associates, Inc., dated April 15, 1999 last revised June 20, 2000, as follows, to wit:

BEGINNING at a point, said point being located along the North Westerly side of Virginia Drive (60 feet wide) and its intersection with a common line of lands of 500 Virginia Drive and lands now or formerly of 430 Virginia Drive Corporation marked by a concrete monument to be set, thence from the point and place of beginning along said common line North 52 degrees 05 minutes 15 seconds West 16.00 feet to a point, thence leaving said line through lands of 500 Virginia Drive North 37 degrees 24 minutes 53 seconds East 215.96 feet to a point of curvature, thence along the arc of a circle curving to the right having a radius of 196.00 feet an arc distance of 84.53 feet a chord bearing of North 49 degrees 46 minutes 11 seconds East a chord distance of 83.88 feet to a point in the line of lands now or formerly of Virginia Drive Associates, L.P., thence along said line South 37 degrees 31 minutes 51 seconds West 56.31 feet to a point along the North Westerly side of Virginia Drive, thence along said line along the arc of a circle curving to the left having a radius of 180.00 feet an arc distance of 25.71 feet a chord bearing of South 41 degrees 30 minutes 24 seconds West a chord distance of 25.69 feet to a point of tangency, thence continuing along said line South 37 degrees 24 minutes 53 seconds West 216.10 feet to the first mentioned point and place of beginning.

CONTAINING 4,409 SF (0.1012 acres) of land more or less.



99028LD03
06-30-00

CONSULTING ENGINEERS FOR THE DEVELOPMENT OF LAND AND WATER RESOURCES

EXHIBIT "B"

MOMENEE AND ASSOCIATES, INC.

924 COUNTY LINE ROAD • BRYN MAWR, PENNSYLVANIA 19010

(610) 527-3030 • FAX (610) 527-9008

E-MAIL: info@momenee.com

www.momenee.com

Description of a drainage easement, bounded and described according to a plan titled 500 Virginia Drive, Record Plan by Momenee and Associates, Inc., dated April 15, 1999 last revised June 20, 2000, as follows, to wit:

Parcel 'A'

BEGINNING at a point, said point being located along the Easterly side of Pinetown Road (60 feet wide) and its intersection with a common line of lands of 500 Virginia Drive and lands now or formerly of Frank N. and Angela Pileggi marked by a concrete monument to be set, thence from the point and place of beginning along the Easterly side of Pinetown Road North 37 degrees 21 minutes 53 seconds East 37.00 feet to a point, thence leaving said line through lands of 500 Virginia Drive South 51 degrees 57 minutes 26 seconds East 211.25 feet to a point, thence South 25 degrees 30 minutes 49 seconds East 83.09 feet to point along a common line of lands now or formerly of Pringle Electrical Manufacturing Company, thence along said line crossing a common line with lands now or formerly of Frank N. and Angela Pileggi North 51 degrees 57 minutes 26 seconds West 285.21 feet to the first mentioned point and place of beginning.

CONTAINING 9,185 SF (0.2109 acres) of land more or less.

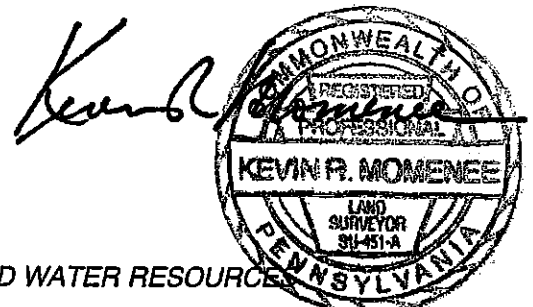
Parcel 'B'

BEGINNING at a point, said point being located the following two courses and distances from the intersection of the Easterly side of Pinetown Road (60 feet wide) and a common line of lands of 500 Virginia Drive and lands now or formerly of Frank N. and Angela Pileggi marked by a concrete monument to be set,(1) along said common line crossing a common line with lands now or formerly of Pringle Electrical Manufacturing Company South 51 degrees 57 minutes 26 seconds East 408.60 feet to a common corner marked by a concrete monument,(2) thence South 37 degrees 25 minutes 23 seconds West 61.70 feet to the point and place of beginning, thence through lands of 500 Virginia Drive South 25 degrees 30 minutes 49 seconds East 124.30 feet to a point along a common line of lands now or formerly of Pringle Electrical Manufacturing Company, thence along said line North 52 degrees 05 minutes 15 seconds West 110.69 feet to a common corner, thence North 37 degrees 25 minutes 23 seconds East 55.61 feet to the first mentioned point and place of beginning.

CONTAINING 3,077 SF (0.0706 acres) of land more or less.

99028LD02
06-30-00

CONSULTING ENGINEERS FOR THE DEVELOPMENT OF LAND AND WATER RESOURCES



RESOLUTION NO. 1802

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR ULTIMATE RIGHT OF WAY AND DRAINAGE EASEMENT
AS SHOWN ON APPROVED MINOR SUBDIVISION PLAN FOR
812 TENNIS AVENUE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from DeSANTIS DEVELOPMENT CORP. (hereinafter "Grantor") a Deed of Dedication for an Easement and Right of Way over a parcel or tract of land being known as Tennis Avenue Ultimate Right-of-Way as shown on a Minor Subdivision Plan of 812 Tennis Avenue prepared by D.S. Winokur Associates, Inc., Newtown, Pennsylvania dated June 16, 1999, last revised November 5, 1999 (hereinafter "Easement"), more fully described in Exhibit "A" attached hereto; and

WHEREAS, the Board of Commissioners has heretofore approved a Minor Subdivision Plan filed by or on behalf of Grantor showing the Easement, which Minor Subdivision Plan was prepared by D.S. Winokur Associates, Inc., dated June 16, 1999, as last revised November 5, 1999, bearing Plan No. 6890.99 - Minor Subdivision, and recorded on November 18, 1999, in the Office for Recording of Deeds, Norristown, Pennsylvania at Plan Book A059 page 00035 (hereinafter referred to as the "Recorded Plan"); and

WHEREAS, Grantor has heretofore improved the Easement according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the Easement may be used and maintained by the Township of Upper Dublin.

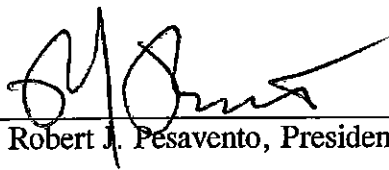
NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:


1. The Deed of Dedication offered to the Township for the Easement, more fully described in Exhibit "A" attached hereto, is accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 13th day of August, 2002.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:

By: 
Robert J. Pesavento, President


Jonathan K. Bleemer for
Paul A. Leonard, Secretary

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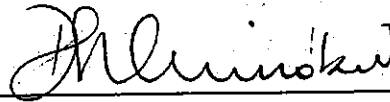
812 TENNIS AVENUE
TENNIS AVENUE ULTIMATE RIGHT-OF-WAY
UPPER DUBLIN TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

DSWA # 6890.99
November 9, 1999
Revised January 26, 2000

ALL THAT CERTAIN parcel or tract of land in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, being known as Tennis Avenue Ultimate Right-of-Way as shown on a Minor Subdivision Plan of 812 Tennis Avenue prepared by D.S. Winokur Associates, Inc., Newtown, PA, dated June 16, 1999, last revised November 5, 1999, being more fully described as follows, to wit:

BEGINNING at a point on the southeasterly Ultimate Right-of-Way line of Tennis Avenue (30.00 foot wide on the southeasterly side of the centerline) at a corner of Lot #2 in line with lands now or late of Thomas and Elizabeth Abramek; thence leaving said lands of Abramek and along said Tennis Avenue and lot #2 and lot #1 S 45° 08' 30" W a distance of 300.00 feet to a point on a corner of lot #1 and in line with lands more or late of Carol Jane Erowein; thence leaving lot #1 and along said lands of Erowein N 44° 51' 30" W a distance of 13.5 feet to a point on the legal right-of-way line of said Tennis Avenue; thence along said legal right of way N 45° 08' 30" E a distance of 300.00 feet to a point; thence leaving said legal right-of-way line and along lands of Abramek S 44° 51' 30" E a distance of 13.50 feet to the point and place of BEGINNING.

CONTAINING 4050.00 square feet of land more or less.



Daniel S. Winokur, P.L.S. #147-A

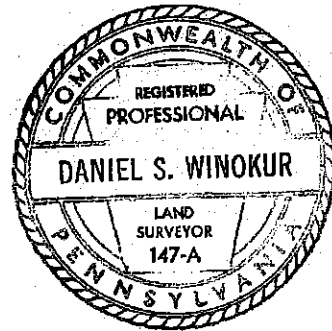


EXHIBIT "A"

RESOLUTION NO. 1803

**RESOLUTION TO ACCEPT A DEED OF DEDICATION
FOR A WIDENED PORTION OF LIMEKILN PIKE, A PUBLIC STREET,
ADJACENT TO PREMISES 1303 AND 1305 KIRKS LANE, DRESHER**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Assunta Arnone (hereinafter "Grantor") a Deed of Dedication for a widened portion of a public street known as Limekiln Pike adjacent to premises 1303 and 1305 Kirks Lane, Dresher; and


WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the Street may hereafter be widened to facilitate public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

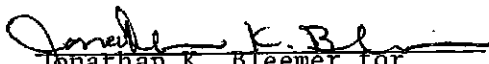
1. The Deed of Dedication offered to the Township for an additional five (5) feet in the width of Limekiln Pike adjacent to premises 1303 and 1305 Kirks Lane is accepted.
2. Reference to this resolution shall be made in the Deed of Dedication prior to it being recorded.
3. The widened portion of Limekiln Pike as described in Deed of Dedication shall hereafter be designated on the official map of streets in the Township.

RESOLVED, this 13th day of August, 2002.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Jonathan K. Bleemer for
Paul A. Leonard, Secretary/Township Manager

RESOLUTION NO. 1804

**RESOLUTION TO ACCEPT
STREET DEED OF DEDICATION**

WHEREAS, the Board of Commissioners of the TOWNSHIP OF UPPER DUBLIN ("Township") has received from UPPER DUBLIN SCHOOL DISTRICT ("Grantor") a Deed of Dedication for a public street right-of-way ("Street") on, through, and across property owned by Grantor, located at 1580 Fort Washington Avenue, being parcel number 54-00-06910-00-2 (the "Property"), and as more particularly described by the Street Deed of Dedication attached hereto as Exhibit "A"; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the said Street will be available for public use;

NOW THEREFORE, in consideration of the above, the Board of Commissioners of the TOWNSHIP OF UPPER DUBLIN does hereby resolve as follows:

1. The Deed of Dedication offered to the Township for the Street extending across the Grantor's Property is hereby accepted.
2. The proper officers of the Township are authorized to record the Deed of Dedication in the Office of the Recorder of Deeds, Montgomery County, Norristown, Pennsylvania.

RESOLVED, this 13th day of August 2002.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: [Signature]
Robert J. Pesavento, President

ATTEST:

[Signature]
Jonathan K. Bleemer for
Paul A. Leonard, Secretary

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this 15 day of July, 2002, between UPPER DUBLIN SCHOOL DISTRICT, a municipal corporation organized pursuant to the laws of the Commonwealth of Pennsylvania with administrative offices situate at 1580 Fort Washington, Avenue, Maple Glen, Montgomery County, Pennsylvania, Grantor, and TOWNSHIP OF UPPER DUBLIN, a Township of the First Class situate at 801 Loch Alsh Avenue, Fort Washington, Montgomery County, Pennsylvania, Grantee.

W I T N E S S E T H:

That Grantor, for and in consideration of and for the sum of One Dollar (\$1.00) the advantages to it accruing, as well as for diverse considerations affecting the public welfare, which it seeks to advance, has granted, bargained, sold and confirmed, and by these presents does grant, bargain, sell and confirm unto the Grantee, its successors and assigns, an easement and right-of-way over ALL THAT CERTAIN property situate in the TOWNSHIP OF UPPER DUBLIN, County of Montgomery and Commonwealth of Pennsylvania described as set forth in Exhibit "A".

TO HAVE AND TO HOLD the aforesaid easement over all that certain property above described unto the TOWNSHIP OF UPPER DUBLIN, its successors and assigns, to and for the only proper use on behalf of the Township of Upper Dublin, its

successors and assigns, for a public road, street or highway, including the right to construct, maintain and repair streets, sidewalks, and curbing over the lands hereinabove described and to cause others to construct, maintain and repair such streets, sidewalks and curbing together with the right of the Grantee and others to construct, maintain and repair utilities over, under and across the lands hereinabove described, together with the right to construct, maintain and repair gutters, grates and storm drains over, under and across the lands hereinabove described, and the further right to remove trees, bushes, undergrowth, soil, and other obstructions interfering with the location, construction and maintenance of all of the aforesaid.

AND the said Grantor, for itself and its successors and assigns by these presents does covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns shall nor will at any time hereafter ask, demand or recover or receive of or from the said Grantee, its successors and assigns any sum of money as and for damages for or by reason of the physical grading of said street to the grade as now established by the Township of Upper Dublin, Grantee, and if such grade shall not be established at the date of these presents that neither the said Grantor, nor its successors or assigns, shall nor will at any time hereafter ask, demand, recover or receive any such damage by reason of the physical grading of said street to conform to the grade as first thereafter established or confirmed by the said Township of Upper Dublin.

AND the said Grantor, for its successors and assigns, does by these presents further covenant, promise and agree to and with said Grantee, its successors and assigns, that the said easement and the right-of-way described unto the said Grantee, its successors and assigns, against it the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him or them or any of them, shall and will warrant and forever defend.

IN WITNESS WHEREOF, Grantor has caused this Deed of Dedication to be duly executed the day and year first above written intending to be legally bound.

UPPER DUBLIN SCHOOL DISTRICT

ATTEST:

Anita D. Bister
ANITA D. BISTER, SECRETARY

By: *Al Fisher*
Al Fisher, President

COMMISSIONERS OF THE TOWNSHIP
OF UPPER DUBLIN

ATTEST:

Jonathan K. Bleemer
Jonathan K. Bleemer for
Paul A. Leonard, Secretary

By: *Robert J. Pesavento*
Robert J. Pesavento, President

Accepted by Resolution of the Board of Commissioners of the TOWNSHIP OF UPPER DUBLIN, August 13, A.D., 2002.

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

On the 15th day of July, A.D., 2002, before me, the subscriber,
a Notary Public for the Commonwealth of Pennsylvania, in and for the County of
Montgomery, personally appeared AL Feather, who being duly sworn
according to law, says that he is the ^{Vice} President of the Upper Dublin School District, and
executed the foregoing instrument as the act and deed of the corporation, being duly
authorized to do so, for the purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Edith A. Walker
Notary Public

NOTARIAL SEAL
EDITH A. WALKER, Notary Public
Whitpain Twp., Montgomery County, PA
My Commission Expires Sept. 29, 2005

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

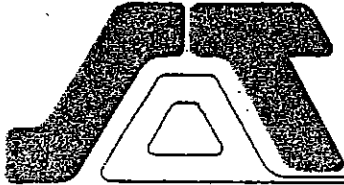
On the 13th day of August, A.D., 2002, before me, the subscriber,
a Notary Public for the Commonwealth of Pennsylvania, in and for the County of
Montgomery, personally appeared Robert J. Pesavento, who being duly sworn
according to law, says that he is the President of The Upper Dublin Board of
Commissioners, and executed the foregoing instrument as the act and deed of the
corporation, being duly authorized to do so, for the purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Lorraine Narducci

Notary Public

Notarial Seal Lorraine Narducci, Notary Public Upper Dublin Twp., Montgomery County My Commission Expires Nov. 29, 2004 Member, Pennsylvania Association of Notaries
--



Stout, Tacconelli & Associates, Inc.

November 8, 1999

1744 Sumneytown Pike
P.O. Box 207
Kulpsville, PA 19443
(215) 855-5146
Fax (215) 855-5686

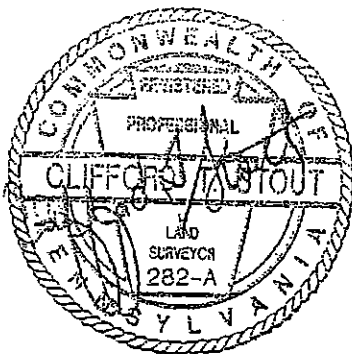
LEGAL DESCRIPTION
ULTIMATE RIGHT-OF-WAY OFFERED FOR DEDICATION
LIMEKILN PIKE AND FORT WASHINGTON AVENUE
PROJECT #5215

ALL THOSE CERTAIN tracts or strips of land situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as a portion of the West side of Limekiln Pike and portions of the North side and South side of Fort Washington Avenue on two Plans of Land Development prepared for The School District of Upper Dublin by Stout, Tacconelli & Associates, Inc., one dated February 13, 1998, as last revised August 12, 1999, and one dated March 5, 1998 as last revised April, 7, 1999, respectively and being more fully described as follows:

BEGINNING at a point in the title line in Limekiln Pike, S.R. 0152 (65 feet wide, as widened to 40 feet along the West side thereof), said point being located 545 feet, more or less, as measured in a Northerly direction from the point marking the intersection of the centerline of Limekiln Pike with the centerline of Fulton Drive (50 feet wide); thence, extending along land of Harry T. Ulmer, South $45^{\circ}55'25''$ West, 52.73 feet to a point-on-curve; thence, on and through land of The School District of Upper Dublin, the following six (6) courses: (1) along a line curving to the right in a Northerly direction, having a radius of 1,794.00 feet, for an arc distance of 165.09 feet to a point of tangency; (2) North $03^{\circ}30'12''$ East, 321.53 feet to a point of curvature; (3) by a line curving to the left in a Westerly direction, having a radius of 35.00 feet, for an arc distance of 56.97 feet to a point of tangency; (4) North $89^{\circ}45'46''$ West, 24.39 feet to a point of curvature; (5) by a line curving to the left in a Southwesterly direction, having a radius of 460.00 feet, for an arc distance of 364.85 feet to a point of tangency; (6) South $44^{\circ}47'35''$ West, 1,045.11 feet to a point in

the Northeast line of land of Paul J. and Carla M. Dimuzio; thence, along said land, North 45°16'30" West, 40.03 feet to a point in the title line in Fort Washington Avenue (60 feet wide, as widened 40 feet along the Northwest side thereof); thence, extending along said title line, South 44°44'54" West 376.19 to a point, a corner of land of Friends Meeting; thence, extending along said land, North 43°55'49" West, 40.27 feet to a point; thence, on and through land of The School District of Upper Dublin, the following five (5) courses: (1) North 44°47'35" East, 1,420.45 feet to a point of curvature; (2) by a line curving to the right in an Easterly direction, having a radius of 540.00 feet, for an arc distance of 428.30 feet to a point of tangency; (3) South 89°45'46" East, 33.51 feet to a point of curvature; (4) by a line curving to the left in a Northerly direction, having a radius of 35.00 feet, for an arc distance of 53.02 feet to a point of tangency; (5) North 03°26'18" East, 981.01 feet to a point in the Southeast line of land of John H. and Susan G. Spicher; thence, extending along said land, North 44°16'29" East, 69.33 feet to a point in the aforesaid title line of Limekiln Pike; thence, extending along said title line, the following three (3) courses: (1) South 04°32'57" West, 246.81 feet to a point; (2) South 03°28'19" West, 1,317.52 feet to a point; (3) South 01°35'53" West, 67.04 feet to the point of beginning.

CONTAINING 4.640 acres of land, be the same, more or less.



RESOLUTION NO. 1805

**RESOLUTION AUTHORIZING EXECUTION BY THE BOARD OF COMMISSIONERS
OF AN EASEMENT AGREEMENT FOR A
20 FOOT WIDE PERMANENT UTILITY EASEMENT "A"
THROUGH MONDAUK MANOR PARK**

WHEREAS, Elizabeth D. Kayser has requested that the Township of Upper Dublin grant her easements through Mondauk Manor Park for the purpose of installing and maintaining water and sanitary sewer pipelines to service her property situated at 1200 Camp Hill Road; and

WHEREAS, the plans for the proposed water and sanitary sewer pipelines have been reviewed and approved in concept by the Bucks County Sewer and Water Authority, the North Wales Water Authority, and the Township Engineer, and the Township Public Works Department; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to grant the easement requested by Elizabeth D. Kayser subject to certain terms and conditions respecting the installation, maintenance, and use of the proposed water and sanitary sewer pipelines as specified in the proposed Easement Agreement between Elizabeth D. Kayser and the Township of Upper Dublin.

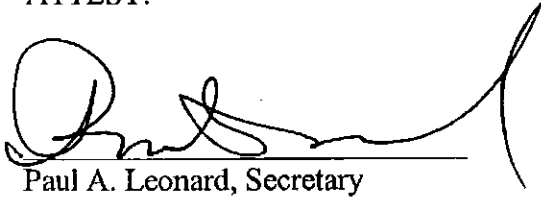
NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

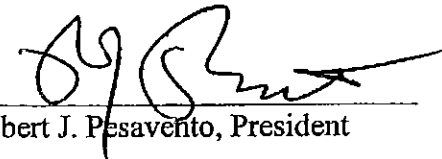
The Board of Commissioners of Upper Dublin Township hereby authorizes its President and Secretary to execute an Easement Agreement for a 20 Foot Wide Permanent Utility Easement "A" Through Mondauk Manor Park between the Township of Upper Dublin as Grantor and Elizabeth D. Kayser as Grantee.

RESOLVED, this 12th day of September, 2002.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:


Paul A. Leonard, Secretary

By: 
Robert J. Pesavento, President

g:\ud\projects\kayser-mellor sewer\resolution easement agreement "A".doc

EASEMENT AGREEMENT FOR
20 FOOT WIDE PERMANENT UTILITY EASEMENT "A"
THROUGH MONDAUK MANOR PARK

THIS AGREEMENT OF EASEMENT ("Agreement") is made this 16th day of Dec. 2002, by and between the TOWNSHIP OF UPPER DUBLIN, a Township of the First Class with offices situated at 801 Loch Alsh Avenue, Fort Washington, Montgomery County, Pennsylvania ("GRANTOR"), and ELIZABETH D. KAYSER, 1200 Camp Hill Road, Fort Washington, Montgomery County, Pennsylvania ("GRANTEE").

WHEREAS, GRANTOR is the owner, in fee, of a certain parcel of ground known as Mondauk Manor Park and identified as Montgomery County Tax Parcel #54-00-03625-002 (the "Property"); and

WHEREAS, GRANTEE has requested that GRANTOR grant GRANTEE, for the benefit of GRANTEE's property identified as Montgomery County Tax Parcel #54-00-03631-005, an easement to enable GRANTEE to install and maintain water and sanitary sewer pipelines under and across that portion of the Property as lies within a strip of ground bounded and described in accordance with the easement plan attached hereto as Exhibit "A" and the legal description attached hereto as Exhibit "B" (the "Easement Area"), Exhibit "A" and Exhibit "B" being made a part hereof; and

WHEREAS, GRANTEE's property does not have public water and sanitary sewer service; and

WHEREAS, the easement described by this Agreement will enable the GRANTEE to connect to public water and sanitary sewer service and to subsequently no longer rely on on-lot well water supply and sewage disposal; and

WHEREAS, GRANTOR warrants that GRANTOR has the right, title, and authority to grant an easement to enable the GRANTEE to maintain water and sanitary sewer pipelines under and across the Property.

NOW THEREFORE, GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grants unto GRANTEE, for the benefit of GRANTEE's property identified as Montgomery County Tax Parcel #54-00-03631-005, a perpetual, nonexclusive easement with the right and privilege to maintain, repair, remove, and replace water and sanitary sewer pipelines together with all appurtenances (the "Water and Sewer Lines") in, under, across, and through that portion of the Property of GRANTOR as lies within the Easement Area as well as the right and privilege to pass over and through the Property of GRANTOR to access the Easement Area.

UNDER and SUBJECT, nevertheless, to the express conditions hereinafter set forth, of which the faithful performance by both GRANTOR and GRANTEE constitutes an essential part of the consideration hereof.

02 DEC 27 PM 3:35

1. GRANTEE agrees to comply with all applicable requirements of the BUCKS COUNTY SEWER AND WATER AUTHORITY, the NORTH WALES WATER AUTHORITY, the TOWNSHIP OF UPPER DUBLIN, and any other constituted public authority and with the terms of any local, state or federal regulation, ordinance, or statute applicable to GRANTEE's use of the Easement Area to install, maintain, repair, remove, and replace, if required, the Water and Sewer Lines and to save GRANTOR harmless from penalties, fines, costs, or damages resulting from GRANTEE's failure to do so.

2. GRANTOR reserves the right to use the Easement Area for its own purposes at all times and to grant easements, leases, or other rights upon the Easement Area for any purposes not inconsistent with the use of the Easement Area as provided herein.

3. GRANTEE shall be responsible for the installation, maintenance, repair, removal, and replacement, if required, of the Water and Sewer Lines, provided however, that the cost for any damage to the Water and Sewer Lines caused by GRANTOR shall be the sole responsibility of GRANTOR.

4. GRANTEE shall install, use, maintain, repair, remove, and replace, if required, the Water and Sewer Lines at its sole cost and expense, in a good and workmanlike manner, and in conformity with all governmental standards, doing as little damage as possible to the Property and Easement Area.

5. GRANTEE shall, upon completion of any work done: (a) restore the Property and Easement Area to a condition at least equal to that existing prior to such work, including, but not limited to, properly filling, tamping, seeding, and re-seeding the surface, refilling following any subsequent settlement due to any excavation made for the Water and Sewer Lines, and re-grading in order to maintain the drainage pattern existing prior to the construction of the Water and Sewer Lines; (b) remove all material and debris; and (c) repair and put into good condition or replace if necessary, at its sole cost and expense, and to the satisfaction of GRANTOR, any and all property of GRANTOR damaged by the construction or installation of the Water and Sewer Lines

6. GRANTEE shall not use explosives on the Easement Area or Property for the construction, installation, maintenance, renewal, removal, or replacement of the Water and Sewer Lines without the express written permission of the GRANTOR, proper permits, a licensed and bonded blaster, and evidence that rock or other impediments cannot be removed by any other means. GRANTEE shall not store explosives on the Easement Area or Property.

7. No buildings, storage sheds, trailers, equipment, dirt, rock, or materials of any type are permitted to be stored on GRANTOR's Property or the Easement Area at any time. GRANTEE shall not park equipment or vehicles on the Easement Area or Property at any time except when actually performing work permitted hereunder on the Easement Area. GRANTEE is granted the right to construct and maintain the Water and Sewer Lines and no other rights or permission for any other use of GRANTOR's Property and the Easement Area is granted hereunder.

8. GRANTEE shall install and maintain, at its expense, permanent markers at all angles in the Water and Sewer Lines, at locations where the Water and Sewer Lines protrude above the surface grade of the Easement Area, and at locations where the Water and Sewer Lines enter and leave the Easement Area. The markers must be approved by GRANTOR prior to their installation.

9. Within two (2) months after completion, modification, or replacement of the Water and Sewer Lines, GRANTEE shall submit to GRANTOR an "as-built" plan, prepared by a licensed professional engineer, indicating the location and details of construction of the Water and Sewer Lines within the Easement Area.

10. GRANTEE shall exercise care in maintaining, repairing, removing, or replacing the Water and Sewer Lines to avoid, to the extent reasonably possible, interference with the use of GRANTOR's property.

11. GRANTEE shall use special care to avoid leakage at pipe joints or seepage into open ditches during the construction, installation, use, maintenance, repair, renewal, removal, or replacement of the Water and Sewer Lines.

12. If a leak or spill occurs from the Water and Sewer Lines, GRANTEE agrees to immediately commence and complete cleanup operations and satisfy all requirements of GRANTOR, the Environmental Protection Agency, the Pennsylvania Department of Environmental Protection, and any other governmental agency for the cleanup of the leak or spill and further agrees to assume full responsibility for the costs of the cleanup.

13. GRANTEE assumes all risk of loss, injury, or damage to the Water and Sewer Lines or personal property and all risk of injury or death to its employees, contractors, workmen, or any other person or persons from any causes whatever. GRANTEE shall at all times hereafter indemnify, defend, and save harmless GRANTOR (and its officers, agents, and employees) from and against any and all claims, actions, liability, damages, costs, and expenses (including attorneys' fees) in connection with loss of life, personal injury, or damage to property caused to any person in or about the Property and Easement Area or arising out of the occupancy or use of the Easement Area by GRANTEE or occasioned wholly or in part by the act or omission of GRANTEE, its agents, and employees, regardless of the concurrent negligence of GRANTOR unless attributable to the sole negligence of GRANTOR (or its officers, agents, or employees).

14. Except in the event of an emergency, GRANTEE shall notify GRANTOR at least five (5) days prior to beginning any work on the Property or in the Easement Area.

15. Except in the event of an emergency, no work by any contractor for GRANTEE shall be done on the Property or in the Easement Area except after the filing of a waiver of the right to file a mechanic's lien. If any such mechanic's lien is filed, GRANTEE shall cause same to be discharged or satisfied within fifteen (15) days of notice of same, or in the alternative, GRANTEE shall post a bond or other security for the GRANTOR's protection.

16. Except in the event of an emergency, GRANTEE shall provide proof of liability insurance for GRANTEE and GRANTEE's contractors prior to entry onto the Property or into the Easement Area to perform any work.

17. GRANTEE does hereby and shall at all times hereafter release, discharge, and hold harmless GRANTOR (and its officers, agents, and employees) from and against any and all claims, actions, liability, damages, costs, and expense in connection with any damage to or loss of quantity or quality of production of any water well situated on GRANTEE's property as the result of GRANTOR's water well drilling and well water production and withdrawal on the Property.

18. Any notice to the GRANTOR required or given under this Agreement shall be effective when deposited with the United States Mail, certified mail, return receipt requested, postage prepaid, or upon delivery (or refusal of delivery) when sent by nationally recognized overnight delivery service providing proof of delivery, and addressed to the following addresses:

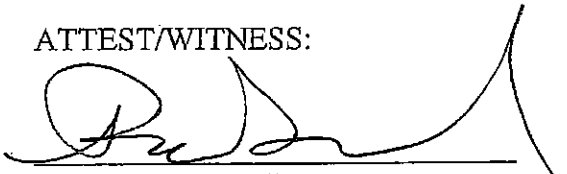
Township Manager
Township of Upper Dublin
801 Loch Alsh Avenue
Fort Washington, PA 19034-1697

Public Works Director
Township of Upper Dublin
801 Loch Alsh Avenue
Fort Washington, PA 19034-1697

19. This Agreement shall inure to the benefit of and bind the parties hereto and their respective legal representatives, heirs, administrators, executors, successors, and assigns.


IN WITNESS WHEREOF, the parties have entered into this Agreement as of the date first written above.

ATTEST/WITNESS:

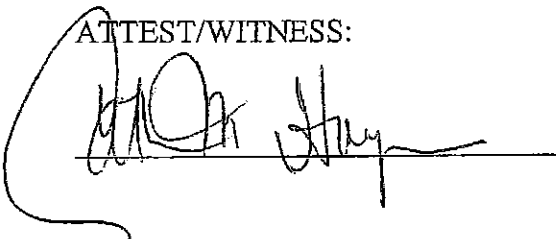

Paul A. Leonard, Secretary

GRANTOR
TOWNSHIP OF UPPER DUBLIN

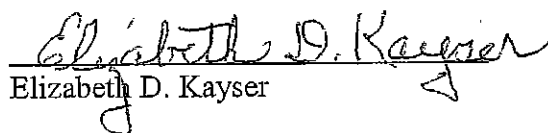
BY:


Robert J. Pesavento, President

ATTEST/WITNESS:



GRANTEE


Elizabeth D. Kayser

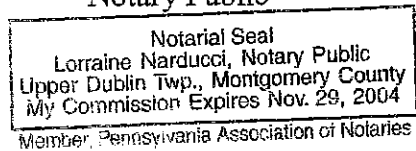
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF :

On this, the 3rd day of November, 2002, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared Robert J. Pesavento, who acknowledged himself to be the President of the Board of Commissioners of the the Township of Upper Dublin and that he as such President, being authorized to do so, executed the foregoing instrument on behalf of the UPPER DUBLIN TOWNSHIP for the purposes therein contained, by signing his name by himself.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Lorraine Narducci

Notary Public



COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF *Montgomery* : SS.

On this, the 16th day of December 2002, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared Elizabeth D. Kayser, who acknowledged herself to be the owner of Montgomery County Tax Parcel #54-00-03631-005, and that she as such owner, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing her name by herself.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Joyce J. O'Brien

Notary Public

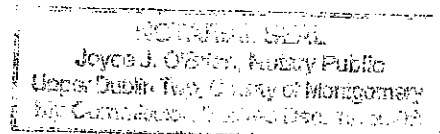
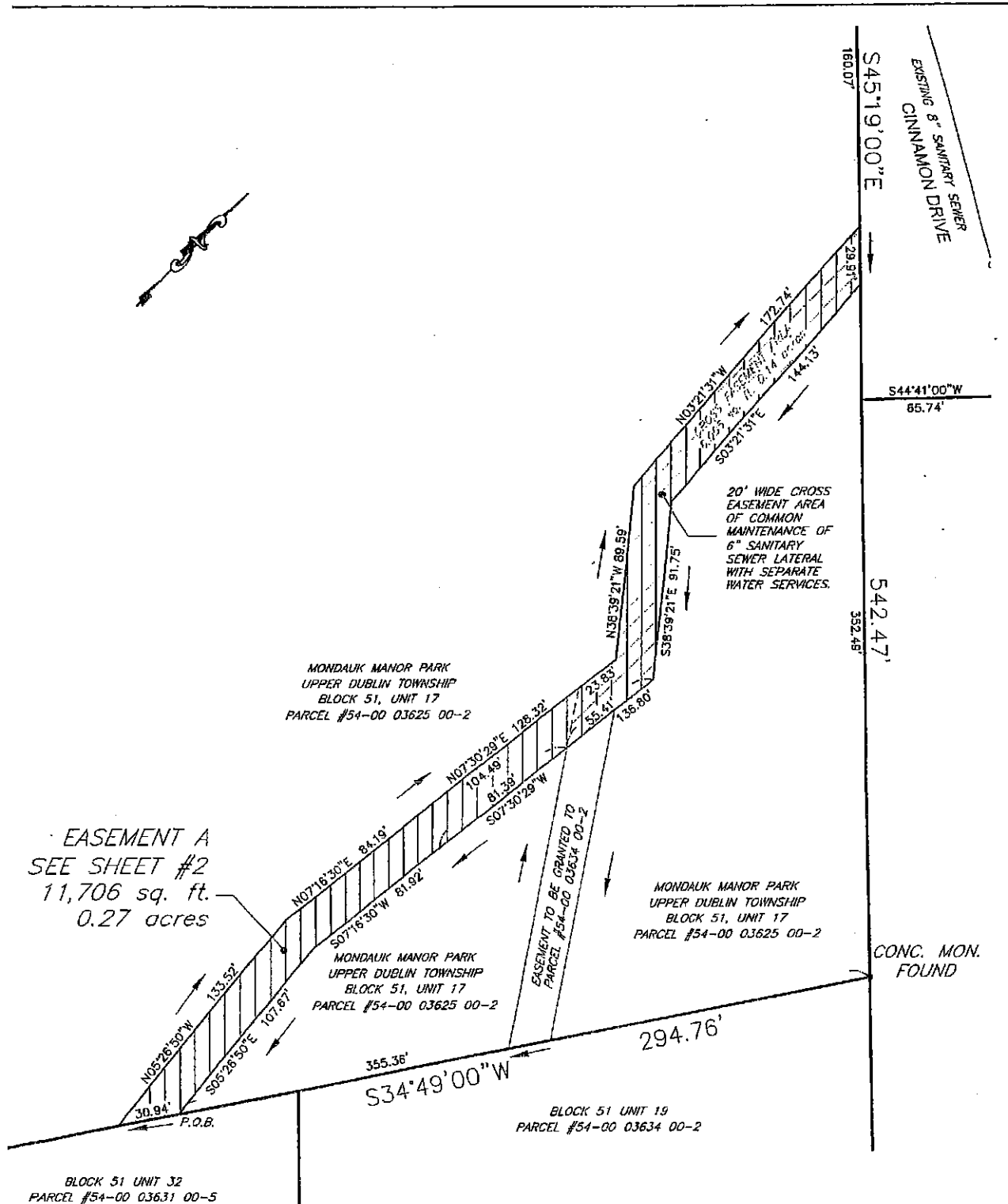


Exhibit "A"

Easement Plan



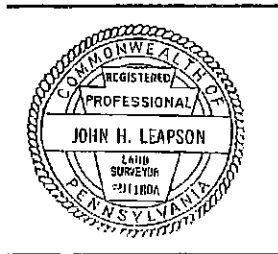
EASEMENT A
SEE SHEET #2
11,706 sq. ft.
0.27 acres

BLOCK 51 UNIT 19
PARCEL #54-00 03634 00-2

BLOCK 51 UNIT 32
PARCEL #54-00 03631 00-5

EASEMENT "A" PLAN
OF
MONDAUK MANOR PARK
20' WIDE
PERMANENT UTILITY
EASEMENT

SITUATE
UPPER DUBLIN TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
SCALE: 1" = 50' DATE: OCT. 30, 2002 SHEET: 2 OF 3



John H. Leapson
PREPARED BY:

TEI CONSULTING ENGINEERS, INC.
720 SECOND STREET PIKE
SOUTHAMPTON, PA. 18966
PHONE: (215) 322-0272
FAX (215) 364-9645

**DESCRIPTION OF
EASEMENT "A"
20 FOOT WIDE PERMANENT UTILITY EASEMENT
THROUGH MONDAUK MANOR PARK, PARCEL #54-00-03625-002
AND GRANTED TO PARCEL #54-00-03631-005**

DESCRIPTION of a parcel of land located in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania in accordance with a plan entitled Easement "A" Plan of Mondauk Manor Park 20' Wide Permanent Utility Easement, dated 10/30/02.

Said parcel being more fully described as follows:

BEGINNING AT A POINT, in line of Block 51 Unit 32 (Parcel #54-00-03631-005) said point being S 34°49'00" W, 355.36 feet from a concrete monument found at a corner common to Mondauk Manor Park (Parcel #54-00-03625-002) and Block 51 Unit 19 (Parcel #54-00-03634-002); Thence, from said point of beginning, along said Block 51 Unit 32 (Parcel #54-00-03631-005), S 34°49'00" W, 30.94 feet to a point; Thence, in and through said Mondauk Manor Park (Parcel #54-00-03625-002) the following three (3) courses and distances, to wit:

1. N 05°26'50" W, 133.52 feet to a point;
2. N 07°16'30" E, 84.19 feet to a point;
3. N 07°30'29" E, 104.49 feet to a point, a corner of that portion of the herein described shown as "Easement area of common maintenance" on the above referenced plan.

Thence, along said easement area of common maintenance the following three (3) courses and distances, to wit:

1. N 07°30'29" E, 23.83 feet to a point
2. N 38°39'21" W, 89.59 feet to a point;
3. N 03°21'31" W, 172.74 feet to a point in line of said lands of Mondauk Manor Park (Parcel #54-00-03625-002);

Thence, along said lands, S 45°19'00" E, 29.91 feet to a point; Thence, continuing in and through said lands and along said easement area of common maintenance the following three (3) courses and distances, to wit:

1. S 03°21'31" E, 144.13 feet to a point;
2. S 38°39'21" E, 91.75 feet to a point;
3. S 07°30'29" W, 55.41 feet to a point, a common corner of said easement area of common maintenance and a corner of an easement to be granted to Block 51 Unit 19 (Parcel #54-00-03634-002);

Thence, continuing in and through said lands of Mondauk Manor Park (Parcel #54-00-03625-002) the following three (3) courses and distances, to wit:

1. S 07°30'29" W, 81.39 feet to a point;

2. S 07°16'30" W, 81.92 feet to a point;
3. S 05°26'50" E, 107.67 feet to the **POINT OF BEGINNING**.

CONTAINING: 11,706 square feet or 0.27 acres of land, more or less.

Exhibit B

RESOLUTION NO. 1806

**RESOLUTION AUTHORIZING EXECUTION BY THE BOARD OF COMMISSIONERS
OF AN EASEMENT AGREEMENT FOR A
20 FOOT WIDE PERMANENT UTILITY EASEMENT "B"
THROUGH MONDAUK MANOR PARK**

WHEREAS, Frank C. Mellor and Theresa F. Mellor, husband and wife, have requested that the Township of Upper Dublin grant them an easement through Mondauk Manor Park for the purpose of installing and maintaining water and sanitary sewer pipelines to service their property situated at 1220 Camp Hill Road; and

WHEREAS, the plans for the proposed water and sanitary sewer pipelines have been reviewed and approved in concept by the Bucks County Sewer and Water Authority, the North Wales Water Authority, and the Township Engineer, and the Township Public Works Department; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to grant the easement requested by Frank C. Mellor and Theresa F. Mellor, husband and wife, subject to certain terms and conditions respecting the installation, maintenance, and use of the proposed water and sanitary sewer pipelines as specified in the proposed Easement Agreement between Frank C. Mellor and Theresa F. Mellor, husband and wife, and the Township of Upper Dublin.

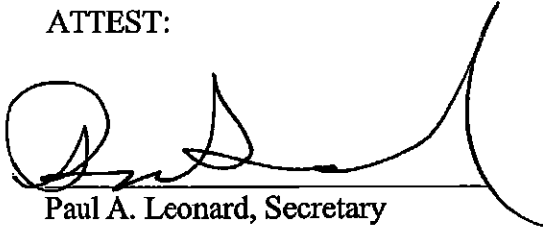
NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:


The Board of Commissioners of Upper Dublin Township hereby authorizes its President and Secretary to execute an Easement Agreement for a 20 Foot Wide Permanent Utility Easement "B" through Mondauk Manor Park between the Township of Upper Dublin as Grantor and Frank C. Mellor and Theresa F. Mellor, husband and wife, collectively as Grantee.

RESOLVED, this 12th day of November, 2002.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:


Paul A. Leonard, Secretary

By: 
Robert J. Pesavento, President

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EASEMENT AGREEMENT FOR
20 FOOT WIDE PERMANENT UTILITY EASEMENT "B"
THROUGH MONDAUK MANOR PARK

THIS AGREEMENT OF EASEMENT ("Agreement") is made this _____ day of _____, 2002, by and between the TOWNSHIP OF UPPER DUBLIN, a Township of the First Class with offices situated at 801 Loch Alsh Avenue, Fort Washington, Montgomery County, Pennsylvania ("GRANTOR"), and FRANK C. MELLOR and THERESA F. MELLOR, husband and wife, residing at 1220 Camp Hill Road, Fort Washington, Montgomery County, Pennsylvania (collectively "GRANTEE").

WHEREAS, GRANTOR is the owner, in fee, of a certain parcel of ground known as Mondauk Manor Park and identified as Montgomery County Tax Parcel #54-00-03625-002 (the "Property"); and

WHEREAS, GRANTEE has requested that GRANTOR grant GRANTEE, for the benefit of GRANTEE's property identified as Montgomery County Tax Parcel #54-00-03634-002, an easement to enable GRANTEE to install and maintain water and sanitary sewer pipelines under and across that portion of the Property as lies within a strip of ground bounded and described in accordance with the easement plan attached hereto as Exhibit "A" and the legal description attached hereto as Exhibit "B" (the "Easement Area"), Exhibit "A" and Exhibit "B" being made a part hereof; and

WHEREAS, GRANTEE's property does not have public water and sanitary sewer service; and

WHEREAS, the easement described by this Agreement will enable the GRANTEE to connect to public water and sanitary sewer service and to subsequently no longer rely on on-lot well water supply and sewage disposal; and

WHEREAS, GRANTOR warrants that GRANTOR has the right, title, and authority to grant an easement to enable the GRANTEE to maintain water and sanitary sewer pipelines under and across the Property.

NOW THEREFORE, GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grants unto GRANTEE, for the benefit of GRANTEE's property identified as Montgomery County Tax Parcel #54-00-03634-002, a perpetual, nonexclusive easement with the right and privilege to maintain, repair, remove, and replace water and sanitary sewer pipelines together with all appurtenances (the "Water and Sewer Lines") in, under, across, and through that portion of the Property of GRANTOR as lies within the Easement Area as well as the right and privilege to pass over and through the Property of GRANTOR to access the Easement Area.

UNDER and SUBJECT, nevertheless, to the express conditions hereinafter set forth, of which the faithful performance by both GRANTOR and GRANTEE constitutes an essential part of the consideration hereof.

1. GRANTEE agrees to comply with all applicable requirements of the BUCKS COUNTY SEWER AND WATER AUTHORITY, the NORTH WALES WATER AUTHORITY, the TOWNSHIP OF UPPER DUBLIN, and any other constituted public authority and with the terms of any local, state or federal regulation, ordinance, or statute applicable to GRANTEE's use of the Easement Area to install, maintain, repair, remove, and replace, if required, the Water and Sewer Lines and to save GRANTOR harmless from penalties, fines, costs, or damages resulting from GRANTEE's failure to do so.

2. GRANTOR reserves the right to use the Easement Area for its own purposes at all times and to grant easements, leases, or other rights upon the Easement Area for any purposes not inconsistent with the use of the Easement Area as provided herein.

3. GRANTEE shall be responsible for the installation, maintenance, repair, removal, and replacement, if required, of the Water and Sewer Lines, provided however, that the cost for any damage to the Water and Sewer Lines caused by GRANTOR shall be the sole responsibility of GRANTOR.

4. GRANTEE shall install, use, maintain, repair, remove, and replace, if required, the Water and Sewer Lines at its sole cost and expense, in a good and workmanlike manner, and in conformity with all governmental standards, doing as little damage as possible to the Property and Easement Area.

5. GRANTEE shall, upon completion of any work done: (a) restore the Property and Easement Area to a condition at least equal to that existing prior to such work, including, but not limited to, properly filling, tamping, seeding, and re-seeding the surface, refilling following any subsequent settlement due to any excavation made for the Water and Sewer Lines, and re-grading in order to maintain the drainage pattern existing prior to the construction of the Water and Sewer Lines; (b) remove all material and debris; and (c) repair and put into good condition or replace if necessary, at its sole cost and expense, and to the satisfaction of GRANTOR, any and all property of GRANTOR damaged by the construction or installation of the Water and Sewer Lines

6. GRANTEE shall not use explosives on the Easement Area or Property for the construction, installation, maintenance, renewal, removal, or replacement of the Water and Sewer Lines without the express written permission of the GRANTOR, proper permits, a licensed and bonded blaster, and evidence that rock or other impediments cannot be removed by any other means. GRANTEE shall not store explosives on the Easement Area or Property.

7. No buildings, storage sheds, trailers, equipment, dirt, rock, or materials of any type are permitted to be stored on GRANTOR's Property or the Easement Area at any time. GRANTEE shall not park equipment or vehicles on the Easement Area or Property at any time except when actually performing work permitted hereunder on the Easement Area. GRANTEE is granted the right to construct and maintain the Water and Sewer Lines and no other rights or permission for any other use of GRANTOR's Property and the Easement Area is granted hereunder.

8. GRANTEE shall install and maintain, at its expense, permanent markers at all angles in the Water and Sewer Lines, at locations where the Water and Sewer Lines protrude above the surface grade of the Easement Area, and at locations where the Water and Sewer Lines enter and leave the Easement Area. The markers must be approved by GRANTOR prior to their installation.

9. Within two (2) months after completion, modification, or replacement of the Water and Sewer Lines, GRANTEE shall submit to GRANTOR an "as-built" plan, prepared by a licensed professional engineer, indicating the location and details of construction of the Water and Sewer Lines within the Easement Area.

10. GRANTEE shall exercise care in maintaining, repairing, removing, or replacing the Water and Sewer Lines to avoid, to the extent reasonably possible, interference with the use of GRANTOR's property.

11. GRANTEE shall use special care to avoid leakage at pipe joints or seepage into open ditches during the construction, installation, use, maintenance, repair, renewal, removal, or replacement of the Water and Sewer Lines.

12. If a leak or spill occurs from the Water and Sewer Lines, GRANTEE agrees to immediately commence and complete cleanup operations and satisfy all requirements of GRANTOR, the Environmental Protection Agency, the Pennsylvania Department of Environmental Protection, and any other governmental agency for the cleanup of the leak or spill and further agrees to assume full responsibility for the costs of the cleanup.

13. GRANTEE assumes all risk of loss, injury, or damage to the Water and Sewer Lines or personal property and all risk of injury or death to its employees, contractors, workmen, or any other person or persons from any causes whatever. GRANTEE shall at all times hereafter indemnify, defend, and save harmless GRANTOR (and its officers, agents, and employees) from and against any and all claims, actions, liability, damages, costs, and expenses (including attorneys' fees) in connection with loss of life, personal injury, or damage to property caused to any person in or about the Property and Easement Area or arising out of the occupancy or use of the Easement Area by GRANTEE or occasioned wholly or in part by the act or omission of GRANTEE, its agents, and employees, regardless of the concurrent negligence of GRANTOR unless attributable to the sole negligence of GRANTOR (or its officers, agents, or employees).

14. Except in the event of an emergency, GRANTEE shall notify GRANTOR at least five (5) days prior to beginning any work on the Property or in the Easement Area.

15. Except in the event of an emergency, no work by any contractor for GRANTEE shall be done on the Property or in the Easement Area except after the filing of a waiver of the right to file a mechanic's lien. If any such mechanic's lien is filed, GRANTEE shall cause same to be discharged or satisfied within fifteen (15) days of notice of same, or in the alternative, GRANTEE shall post a bond or other security for the GRANTOR's protection.

16. Except in the event of an emergency, GRANTEE shall provide proof of liability insurance for GRANTEE and GRANTEE's contractors prior to entry onto the Property or into the Easement Area to perform any work.

17. GRANTEE does hereby and shall at all times hereafter release, discharge, and hold harmless GRANTOR (and its officers, agents, and employees) from and against any and all claims, actions, liability, damages, costs, and expenses in connection with any damage to or loss of quantity or quality of production of any water well situated on GRANTEE's property as the result of GRANTOR's water well drilling and well water production and withdrawal on the Property.

18 Any notice to the GRANTOR required or given under this Agreement shall be effective when deposited with the United States Mail, certified mail, return receipt requested, postage prepaid, or upon delivery (or refusal of delivery) when sent by nationally recognized overnight delivery service providing proof of delivery, and addressed to the following addresses:

Township Manager
Township of Upper Dublin
801 Loch Alsh Avenue
Fort Washington, PA 19034-1697

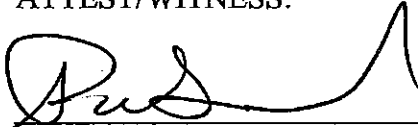
Public Works Director
Township of Upper Dublin
801 Loch Alsh Avenue
Fort Washington, PA 19034-1697

19. This Agreement shall inure to the benefit of and bind the parties hereto and their respective legal representatives, heirs, administrators, executors, successors, and assigns.

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the date first written above.

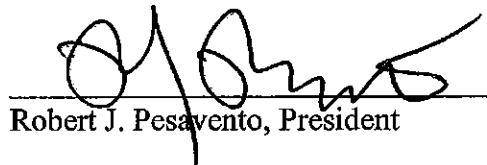
GRANTOR
TOWNSHIP OF UPPER DUBLIN

ATTEST/WITNESS:



Paul A. Leonard, Secretary

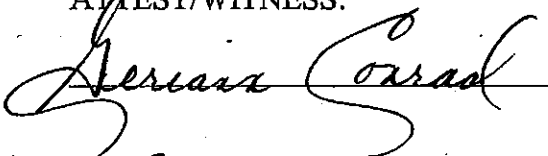
BY:



Robert J. Pesavento, President

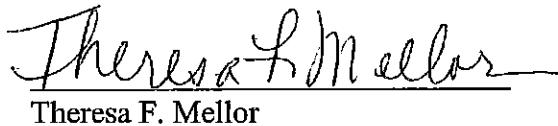
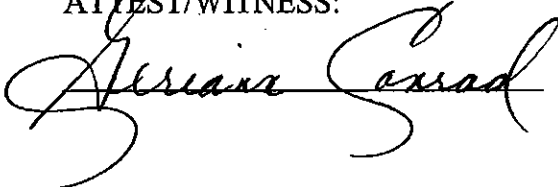
GRANTEE

ATTEST/WITNESS:



Frank C. Mellor

ATTEST/WITNESS:



Theresa F. Mellor

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF :

On this, the 3rd day of December, 2002, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared Robert J. Pesavento, who acknowledged himself to be the President of the Board of Commissioners of the the Township of Upper Dublin and that he as such President, being authorized to do so, executed the foregoing instrument on behalf of the UPPER DUBLIN TOWNSHIP for the purposes therein contained, by signing his name by himself.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Lorraine Narducci
Notary Public

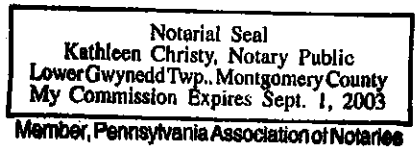
Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2004
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF *Montgomery* :

On this, the 10th day of December, 2002, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared Frank C. Mellor, who acknowledged himself to be an owner of Montgomery County Tax Parcel #54-00-03634-002, and that he as such owner, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing his name by himself.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Kathleen Christy
Notary Public



COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF *Montgomery* :

On this, the 10th day of December, 2002, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared Theresa F. Mellor, who acknowledged herself to be an owner of Montgomery County Tax Parcel #54-00-03634-002, and that she as such owner, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing her name by herself.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Kathleen Christy
Notary Public

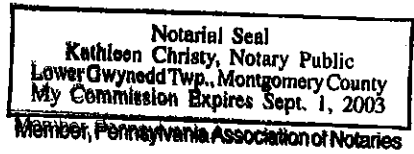
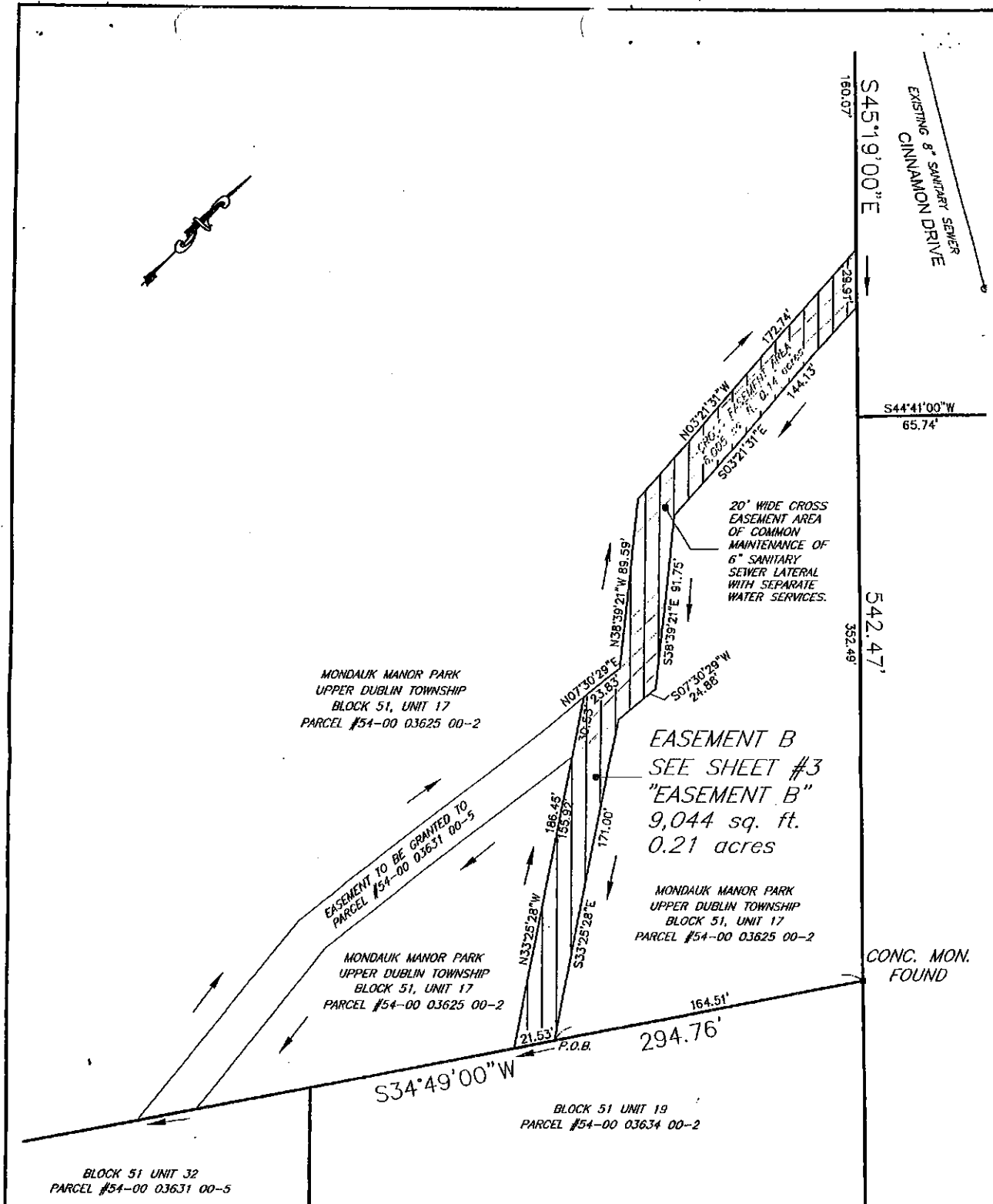


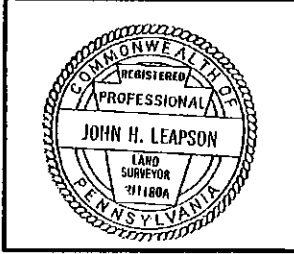
Exhibit "A"

Easement Plan



EASEMENT "B" PLAN
 OF
MONDAUK MANOR PARK
20' WIDE
PERMANENT UTILITY
EASEMENT

SITUATE
 UPPER DUBLIN TOWNSHIP
 MONTGOMERY COUNTY, PENNSYLVANIA
 SCALE: 1" = 50' DATE: OCT. 30, 2002 SHEET: 3 OF 3



PREPARED BY: *John H. Leapson*
TEI CONSULTING ENGINEERS, INC.
 720 SECOND STREET PIKE
 SOUTHAMPTON, PA. 18966
 PHONE: (215) 322-0272
 FAX (215) 364-9645

**DESCRIPTION OF
EASEMENT "B"
20 FOOT WIDE PERMANENT UTILITY EASEMENT
THROUGH MONDAUK MANOR PARK, PARCEL #54-00-03625-002
AND GRANTED TO PARCEL #54-00-03634-002**

DESCRIPTION of a parcel of land located in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania in accordance with a plan entitled Easement "B" Plan of Mondauk Manor Park 20' Wide Permanent Utility Easement, dated 10/30/02.

Said parcel being more fully described as follows:

BEGINNING AT A POINT, in line of Block 51 Unit 19 (Parcel #54-00-03634-002) said point being S 34°49'00" W, 164.51 feet from a concrete monument found at a corner common to Mondauk Manor Park (Parcel #54-00-03625-002) and Block 51 Unit 19 (Parcel #54-00-03634-002); Thence, from said point of beginning, along said Block 51 Unit 19 (Parcel #54-00-03634-002), S 34°49'00" W, 21.53 feet to a point; Thence, in and through said lands of Mondauk Manor Park (Parcel #54-00-03625-002), N 33°25'28" W, 155.92 feet to a point, a corner common to that portion of the herein described shown as "Easement area of common maintenance" on the above referenced plan and an easement to be granted to Block 51 Unit 19 (Parcel #54-00-03631-005); Thence, continuing in and through said lands of Mondauk Manor Park (Parcel #54-00-03625-002) and along said easement area of common maintenance the following four (4) courses and distances, to wit:

1. N 33°25'28" W, 30.53 feet to a point;
2. N 07°30'29" E, 23.83 feet to a point;
3. N 38°39'21" W, 89.59 feet to a point;
4. N 03°21'31" W, 172.74 feet to a point in line of said lands of Mondauk Manor Park (Parcel #54-00 03625 00-2);

Thence, along said lands, S 45°19'00" E, 29.91 feet to a point; Thence, continuing in and through said lands and along said easement area of common maintenance the following three (3) courses and distances, to wit:

1. S 03°21'31" E, 144.13 feet to a point;
2. S 38°39'21" E, 91.75 feet to a point;
3. S 07°30'29" W, 24.88 feet to a point;

Thence, leaving said easement area of common maintenance and in and through said lands of Mondauk Manor Park (Parcel #54-00-03625-002), S 33°25'28" E, 171.00 feet to the **POINT OF BEGINNING**.

CONTAINING: 9,044 square feet or 0.21 acres of land, more or less.

Exhibit B

RESOLUTION

NO. 1809

RESOLUTION To Approve The Construction Of A Sanitary Sewer System By The Bucks County Water And Sewer Authority In, Along, And Adjacent To Fort Washington Avenue Beginning At Loch Alsh Avenue And Extending To A Point 300 Feet Northeast Of Highland Avenue In Upper Dublin Township.

WHEREAS, in accordance with the Municipality Authorities Act, the Bucks County Sewer and Water Authority has the authority to establish and construct sanitary sewer systems for the collection, conveyance, and treatment of sewage in Upper Dublin Township, and has requested the approval of the Township for one such project; and

WHEREAS, the Bucks County Sewer and Water Authority owns and operates the sanitary sewer collection system in Upper Dublin Township; and

WHEREAS, certain areas and properties along and adjacent to Fort Washington Avenue, beginning at Loch Alsh Avenue and extending to a point 300 feet northeast of Highland Avenue in Upper Dublin Township do not have adequate sanitary sewer service; and

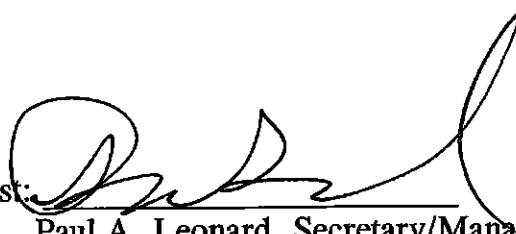
WHEREAS, it is deemed to be in the best interest of the residents of Upper Dublin Township and the health and welfare of the community to arrange for sanitary sewer facilities to be constructed and installed to provide sanitary sewer service wherever possible.

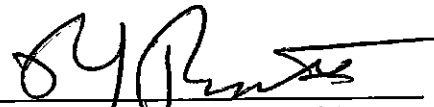
NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, hereby approves the Bucks County Sewer and Water Authority's plans to construct a sanitary sewer collection system in, along and adjacent to Fort Washington Avenue, beginning at Loch Alsh Avenue and extending to a point 300 feet northeast of Highland Avenue and including twelve lateral connections to adjacent properties with frontage on Fort Washington Avenue, Upper Dublin Township, Montgomery County, Pennsylvania at a construction cost of apx. \$228,864.00, the said costs together with reasonable

administrative, legal and engineering fees to be assessed against the properties benefited, improved and accommodated by the said sewer system.

RESOLVED this *12th* day of *November*, 2002.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Attest: 
Paul A. Leonard, Secretary/Manager

By: 
Robert J. Pesavento, President

g:\utford\Resolutions\Street, Sidewalk, & Sewer\Ft. Washington Ave. Sewer

RESOLUTION NO. 1908

A RESOLUTION ADOPTING THE BUDGET FOR FISCAL YEAR 2003.

WHEREAS, in accordance with the First Class Township Code, the Board of Commissioners have prepared and reviewed an annual budget for the fiscal year 2003 detailing the estimated amounts of money required for the specific purposes of the Upper Dublin Township government for the ensuing fiscal year including estimated receipts, expenditures and appropriations, and,

WHEREAS, the proposed 2003 budget was advertised as required by law and presented at public workshops on November 6, 2002, and on November 13, 2002, and,

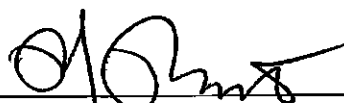
WHEREAS, amendments were made to the proposed budget during the public budget hearings legally advertised and held on November 20, 2002, November 26, 2002, December 3, 2002 and December 4, 2002, and,

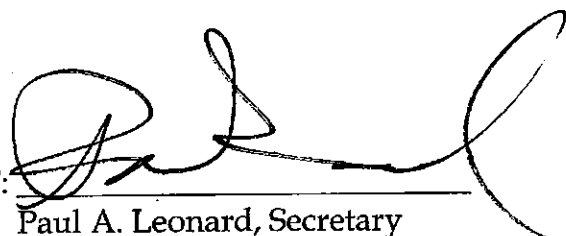
WHEREAS, the proposed budget as amended will take effect on January 1, 2003;

THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby adopts the annual budget, detailed in the attached exhibits, for fiscal year 2003.

ADOPTED this 10th day of December 2002.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
Robert J. Pesavento, President

ATTEST: 
Paul A. Leonard, Secretary

**UPPER DUBLIN TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO: 1809

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF UPPER DUBLIN TOWNSHIP DECLARING THE INTENTION OF THE BOARD OF COMMISSIONERS TO ALLOW THE PLACEMENT OF OVERHEAD BANNERS ADJACENT TO STATE HIGHWAYS.

WHEREAS, the Commonwealth of Pennsylvania Department of Transportation (Department) is the agency charged with granting permits for the placement of overhead signs and banners across state highways; and,

WHEREAS, the Department has adopted a policy requiring local municipalities to adopt a resolution to authorize such sign and banner placements in order to eliminate the requirements for individual permits issued by the Department; and,

WHEREAS, the Department requires the Township to assume full responsibility for erecting, maintaining and removing any such sign or banner and all liability for damages occurring to any person or property arising from any act of omission associated with the sign or banner; and,

WHEREAS, the Board of Commissioners has adopted provisions found in the Code of the Township of Upper Dublin, Chapter 196, entitled Signs, together with the Regulations to permit the erecting of banners above sidewalks within the public rights of way.

NOW THEREFORE, the Board of Commissioners of the Upper Dublin Township hereby resolves:

1. The provisions of this resolution shall apply to the erecting of overhead signs and banners adjacent to State Highways in the Upper Dublin Township.
2. The Township hereby authorizes and approves the issuance of permits allowing the erecting of banners above sidewalks within the right of way of a State Highway, provided such permits are issued and the signs and banners erected in complete compliance with the terms and conditions of the Code of the Upper Dublin Township, Chapter 196 thereof, entitled Signs, and the Regulations attached hereto.
3. Upon the issuance of any permit pursuant to this Resolution, the Township Zoning Officer shall promptly forward a copy of the permit to the District Office of the Pennsylvania Department of Transportation.

IT IS FURTHER RESOLVED that by applying for a permit, the applicant assumes full responsibility for erecting, maintaining and removing any such sign or banner and all liability for damages occurring to any person or property arising from any act of omission associated with the sign or banner, and a statement to that effect shall be included on the application for the permit.

RESOLVED at a duly convened meeting of the Board of Commissioners conducted this 11th day of December, 2002.

Board of Commissioners of the
Upper Dublin Township



Robert J. Pesavento, President

ATTEST:



Paul A. Leonard, Township Secretary/Manager

**UPPER DUBLIN TOWNSHIP
CODE ENFORCEMENT DEPARTMENT**

**REGULATIONS FOR ERECTING
BANNERS IN THE PUBLIC RIGHT-OF-WAY**

Banners may be erected in the public rights-of-way over a sidewalk pursuant to Chapter 196, upon issuance of a permit by the Code Enforcement Department and the payment of a fee, subject to the following regulations:

1. Banners may only be attached to an existing pole. Banners may be placed on Township-owned street light poles. If the pole or structure is not owned by Upper Dublin Township, written approval from the property owner must be obtained.
2. Banners cannot exceed 32 square feet in size and the bottom cannot be closer than 14 feet to the surface below.
3. Banners must be affixed to a single pole, top and bottom, using an attachment device designed by a registered engineer. The bottom of the banner may be connected with a device that reduces the windload. A banner may not be strung across a cartway.
4. Banners must be constructed of canvas, sailcloth or other cloth material capable of withstanding the force of a 75-mile per hour wind and must be removed if the banner deteriorates below that capacity. A slotted banner that allows the wind to pass through is a recommended method to reduce the windload.
5. If the applicant cannot provide a certificate that the banner and supports are designed to withstand a 75-mile per hour windload, the attachment device at the bottom of the banner must be connected with 24 gauge bailing wire which will break away at a 45-mile per hour windload or other approved devices to reduce the windload.
6. Banners must be dyed and lettered with a colorfast material and maintained in a non-faded, tear-free condition at all times.
7. Applicant must have a proprietary interest in the property directly behind the right-of-way on which the banner will be placed, unless the applicant is a civic organization (in which case the organization must obtain the property owner's approval) and the banner displays a logo, slogan or design associated with the community in which the banner is placed.
8. Permitted banners which do not comply with these regulations and which present a hazardous condition may be removed by the Township at any time. In all other cases, banners must be removed by the permittee within five (5) business days of written request from the Township to do so. Failure of the permit holder to comply with this notice to remove will subject the permit holder to immediate removal of the banner

and/or appropriate fines and penalties. The Township may remove non-permitted banners at any time.

9. No banner may be erected across the street from property used as a single-family residence unless all affected property owners have no objection to the banners.
10. Banners may display only a logo, slogan or design associated with an educational, religious, civic or other non-commercial organization and must not reflect support for a partisan cause or promote a commercial, for-profit message.
11. A maximum of six (6) banners per property set at a distance of no less than 100 feet apart will be permitted.
12. Application for a banner permit shall be made upon forms provided by the Director of Code Enforcement and shall contain and/or have attached the following information and materials:
 - A. The name, address and telephone number of the property owner, and the signature of the owner or duly authorized agent for the owner.
 - B. The name, address and telephone number of the banner contractor, if applicable.
 - C. Two copies of a plan, drawn to scale, depicting:
 - (1) The site plan, including lot dimensions, showing the poles upon which the banner(s) will be erected.
 - (2) The design of the banner, with the dimensions, total area, and height from the ground surface to the bottom of the banner.
13. The banner permit shall be renewed annually, subject to an inspection and fee.
14. Any decision by the Director of Code Enforcement denying an application for a banner permit is subject to review by the Township Manager upon request of the applicant, and a report thereon shall be provided to the PEC Committee of the Board of Commissioners.

REVISED 11-15

RESOLUTION NO. 1810

**RESOLUTION TO APPROVE THE NORTH HILLS STREET IMPROVEMENTS
COMMUNITY BLOCK GRANT DEVELOPMENT - PHASE 3 PROJECT**

WHEREAS, Upper Dublin Township has been awarded funding for the 2002 Program Year from the Montgomery County Community Development Block Grant Program (CDBG) for the North Hills Street Improvements – Phase 3 Project, identified by Montgomery County as project number B-02-03-113 (hereinafter the “Project”); and

WHEREAS, Montgomery County has committed funding in the amount of \$150,000 (80%) for the Project contingent upon Upper Dublin Township providing \$37,500 (20%) matching funds for the Project; and

WHEREAS, Upper Dublin Township has budgeted it’s required matching funds; and

WHEREAS, the Board of Commissioners has been presented by Montgomery County with a contract for the project (hereinafter the “Contract”) which it desires hereby to approve for execution.

NOW THEREFORE, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Township hereby confirms its willingness and desire to implement the Project in accordance with the provisions of the Contract and pursuant to the plans as prepared by Metz Engineers, and agrees to expend the Community Development Block Grant Funds and the 20% matching funds budgeted by the Township as specified in the Contract.
2. The proper officers of the Township are hereby authorized to enter into the Contract with Montgomery County and to bind the Township thereto, it being acknowledged that payment by Montgomery County under this Contract is contingent upon the availability of Community Development Block Grant funding, and does not include funding from any other program unless under separate agreement.
3. The Board of Commissioners may, at its discretion, submit to Montgomery County a written request for additional monies, should they be needed. Such request will be considered and approved at the sole discretion of the Montgomery County Commissioners.

ADOPTED this 14th day of January, 2003.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP



Robert J. Pesavento, President

Attest:



Paul A. Leonard, Secretary

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

RESOLUTION
NO. 1811

RESOLUTION TO APPROVE PURCHASE OF REAL ESTATE

WHEREAS, the Board of Commissioners of the Township of Upper Dublin (hereinafter "Township"), is desirous of approving, effectuating, and finalizing the purchase of all that certain tract or parcel of land, including the building and other improvements located thereon in their current "as-is" and "where-is" condition, consisting of approximately 0.23 acres, more or less, located at 813 North Hills Avenue, Upper Dublin Township, Ardsley, PA 19038, being Montgomery County tax parcel number 54-00-12382-002 (hereinafter "Property") from Christopher J. Craig (hereinafter "Seller"); and

WHEREAS, said purchase of the Property is required by the Township to acquire land through which to construct a drainage channel under the Township's responsibilities as the Sponsor for a flood protection project for a tributary of Sandy Run, such flood protection project being commonly known as the Ardsley Drainage Project; and

WHEREAS, by Resolution Number 1702 dated September 14, 1999, a true and correct copy of which is attached hereto as Exhibit "A," the Township Board of Commissioners approved the Township as Sponsor for the Ardsley Drainage Project and agreed that the Township, as such Sponsor, would acquire and furnish at the Sponsor's cost, all lands, easements, and rights-of-entry required for design, construction, and maintenance of the Ardsley Drainage Project; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin as follows:

1. The Township Manager or his designee is hereby delegated the authority to take all necessary action to effectuate the purchase of title to the Property from Seller, including but not limited to negotiating and signing supplemental Agreements of Sale, attending settlement, executing the Purchaser's affidavit and signing the settlement sheet and all other necessary closing documents on behalf of the Township.

2. The Township Manager is hereby authorized to pay at closing all appropriate sales and settlement charges.

3. The Township will use the Property for the design, construction, and maintenance of the Ardsley Drainage Project.

4. The Township Manager or his designee shall notify the Board of Commissioners of the completion of settlement.

RESOLVED, this 14th day of January 2003, at a public meeting of the Board of Commissioners.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY:


Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

RESOLUTION
NO. 1702

**A RESOLUTION TO SPONSOR A FLOOD PROTECTION
PROJECT FOR SANDY RUN TRIBUTARY**

Be it resolved by Upper Dublin Township, Montgomery County, hereinafter designated as SPONSOR; and

WHEREAS, serious flooding and flood damages recur along an unnamed tributary to Sandy Run, known locally as the Ardsley Drainage Channel, endangering the public health and welfare; and

WHEREAS, the Department of Environmental Protection of the Commonwealth of Pennsylvania has proposed a flood protection project consisting of a reinforced concrete rectangular open channel and concrete box culvert as described in Section VI of the feasibility study, dated February 1999; and

WHEREAS, the Department of Environmental Protection will undertake, at its cost, to perform the work aforementioned.

NOW, THEREFORE, BE IT RESOLVED THAT in consideration of the work aforementioned and of the benefits to be derived, the SPONSOR, at a regularly scheduled public meeting of the Board of Commissioners of the Township of Upper Dublin, does hereby agree to acquire and furnish at the SPONSOR'S cost, all lands, easements and rights-of-entry required for surveys, foundation investigations, construction and maintenance of the project, including the removal of buildings and other structures which interfere with the construction of the project, the relocation of utilities, borrow and spoil areas, and the removal or rebuilding of inadequate bridges as may be required. The SPONSOR does hereby agree to all assurances and conditions of sponsorship specified in the letter of proposal of the Department of Environmental Protection dated February 5, 1999 and addressed to Township Secretary, Paul Leonard, said letter attached hereto and made part hereof.

The SPONSOR does hereby guarantee to indemnify, protect and save free the Commonwealth of Pennsylvania, Department of Environmental Protection and/or its contractors and agents jointly and severally from and against any and all claims, damages,


demands or actions in law or in equity resulting from any damage to property, public or private, by reason of the aforesaid work. The SPONSOR further agrees to maintain at its own expense, the completed projects which are constructed by or for the Commonwealth as part of the aforesaid work. Instructions regarding maintenance of the completed work will be furnished by the Department of Environmental Protection.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Upper Dublin, held on the 14th day of September, 1999.

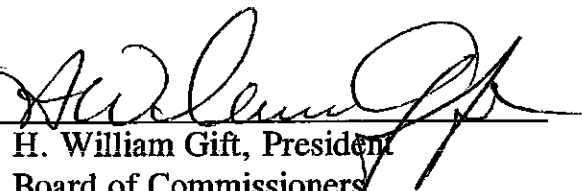
BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:

BY:


Paul A. Leonard, Township Secretary

BY:


H. William Gift, President
Board of Commissioners



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building

PO Box 8460

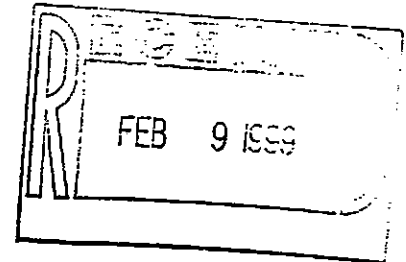
Harrisburg, PA 17105-8460

February 5, 1999

Bureau of Waterways Engineering

717-787-3411

Paul Leonard, Secretary
Upper Dublin Township
1387 Cinnamon Drive
Fort Washington, PA 19034



Re: DEP File No. C46:22

Dear Mr. Leonard:

The Division of Project Evaluation has completed a flood protection feasibility study along an unnamed tributary to Sandy Run, locally known as the Ardsley Drainage Channel, in Upper Dublin Township, Montgomery County. Enclosed are three copies of the report. The study area begins at the concrete culvert outlet near the Abington Township boundary line and extends through Upper Dublin Township to the tributary's confluence with Sandy Run. The length of the study area is approximately 2500 feet.

As a result of the study, a flood protection project is recommended. The project, as described in Section VI of the report, would consist of a rectangular reinforced concrete open channel and concrete box culvert beginning at the Abington culvert outlet and extending downstream to Fitzwatertown Road. A stilling area would be constructed downstream of Fitzwatertown Road to slow flow velocities before reaching Sandy Run. The project would also eliminate the series of sharp bends in the existing stream alignment. The total project length would be approximately 2400 feet. This project would provide 100-year flood protection to the community.

As mentioned in the report, Upper Dublin Township must agree to sponsor the project before it can proceed further. The Township would be responsible for the items listed in Section IX of the report. Before the Department can request release of project funding, it will be necessary for Upper Dublin to enact a resolution of sponsorship accepting the local responsibilities. Enclosed is a sample resolution which may be used "as is" or rewritten to meet Upper Dublin's legal requirements. One copy of an executed resolution should be retained for your records and one copy forwarded to:

Michael D. Conway, Director
Bureau of Waterways Engineering
PO Box 8460
Harrisburg, PA 17105-8460

Paul Leonard, Secretary
Upper Dublin Township

2

February 5, 1999

Please have the appropriate Township officials read the report and review the benefits and impact the project would have on the community. Engineers from the Division of Project Evaluation are available to meet with Township officials and interested residents to discuss various details of the proposed project and answer any questions. Please contact David P. Lambert or Joseph G. Capasso at 717-783-1766 to arrange a meeting.

Sincerely,



for Michael D. Conway
Director
Bureau of Waterways Engineering

Enclosure: Report (3)
Sample Resolution

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

RESOLUTION
NO. 1812

**A RESOLUTION TO APPROVE PLANS FOR
THE ARDSLEY DRAINAGE CHANNEL FLOOD CONTROL PROJECT AND
TO EXECUTE AND ENTER INTO A SPONSORSHIP AGREEMENT BETWEEN
THE TOWNSHIP OF UPPER DUBLIN AND
THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

WHEREAS, serious flooding and flood damages recur along an unnamed tributary to Sandy Run in the Township of Upper Dublin (hereinafter "the Township") endangering the public health and welfare; and

WHEREAS, the aforementioned Sandy Run is known locally in the Township as the Ardsley Drainage Channel; and

WHEREAS, by Resolution Number 1702 dated September 14, 1999, the Board of Commissioners of the Township (hereinafter "the Board") approved the Township as Sponsor for the Ardsley Drainage Project; and

WHEREAS, the Department of Environmental Protection of the Commonwealth of Pennsylvania (hereinafter "the Department") has proposed and designed, and the Township has reviewed, a flood protection project consisting of a reinforced concrete rectangular open channel and concrete box culvert as shown and described by Project No. DGS 181-15, Ardsley Drainage Channel Flood Control Project, Rights-of-Way Acquisition, Drawings Numbered 1.1R through 1.6R, last revised December 6, 2002 (hereinafter "the Project"); and


WHEREAS, the Department has drafted, and the Township has reviewed, a Sponsorship Agreement in which the mutual covenants and agreements between the Department and the Township necessary to complete the Project are specified.


NOW, THEREFORE, in consideration of the Project and of the benefits to be derived from the Project, **BE IT RESOLVED** by the Board as follows:

1. The Project, as conceptualized by the Department and reviewed by the Township, is approved.
2. The Sponsorship Agreement, as drafted by the Department and reviewed by the Township, is approved.
3. The President of the Board is authorized to approve the Project drawings execute the Sponsorship Agreement for the Township.

RESOLVED, this 11th day of February 2003, at a public meeting of the Board of Commissioners.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: 
Robert J. Pesavento, President

Attest: 
Paul A. Leonard, Secretary

UPPER DUBLIN TOWNSHIP
RESOLUTION NO. 1813

RESOLUTION TO "PICK-UP" CONTRIBUTIONS TO NON-UNIFORMED
EMPLOYEES PENSION PLAN

WHEREAS, the Township of Upper Dublin ("Township") established the Upper Dublin Township Non-Uniformed Employees Pension Plan ("Plan") pursuant to Ordinance No. 939 and codified in the Upper Dublin Township Code, Chapter 35, Pensions, Article II; and

WHEREAS, as of January 1, 2002, Members are required to make a contribution to the Plan and the Township decided to obtain a private letter ruling from the Internal Revenue Service so that the Member contributions may be treated as "pick-up" contributions under Internal Code Section 414(h); and

WHEREAS, the Township amended and restated the Plan in accordance with Internal Revenue Code section 401(a); and

WHEREAS, the Township filed for and received a private letter ruling from the Internal Revenue Service stating that "pick-up" contributions made to the amended and restated Plan qualify for favorable tax treatment under Internal Revenue Code Section 414(h); and

WHEREAS, Section 8.4 provides that, as of July 1, 2002, contributions made by Members shall be treated as "pick-up" contributions; and

WHEREAS, as condition of receiving the favorable private letter ruling request, the Internal Revenue Service has requested the Township to amend Section 8.4 of the Plan as in the form attached hereto.

WHEREFORE, BE IT RESOLVED, that the Board of Commissioners of Upper Dublin Township hereby directs that, effective July 1, 2002, all contributions made to the Plan by Members shall be treated as "pick-up" contributions

RESOLVED, this 11th day of February, 2003.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: _____


President

ATTEST


Secretary

UPPER DUBLIN TOWNSHIP BOARD OF COMMISSIONERS

RESOLUTION NO. 1814

**RESOLUTION TO APPROVE AMENDMENT
TO THE CIVIL SERVICE COMMISSION RULES AND REGULATIONS**

WHEREAS, the Civil Service Commission of Upper Dublin Township has enacted Rules and Regulations with the approval of the Board of Commissioners; and

WHEREAS, by reason of an amendment to the First Class Township Code it is necessary to amend such Rules and Regulations in order to provide, *inter alia*, for a quorum to consist of three members of the Commission, rather than two as set forth heretofore; and

WHEREAS, the Civil Service Commission adopted a proposed amendment on November 19, 2002, which amendment the Board of Commissioners now wishes to approve.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Upper Dublin Township hereby approves the following amendment to Article II, Section 203 of the Rules and Regulations of the Upper Dublin Civil Service Commission:

Article II. *The Commission*, Section 203. *Organization of Commission; Quorum*, shall be amended in its entirety as follows:

Section 203. Organization of Commission; Quorum.

The Commission shall elect one of its members as the Chairperson, one of its members as Vice-Chairperson and one as the Secretary. The Commission shall meet and organize on the first Monday on each even-numbered year. Each Commission member shall be notified in writing of each and every meeting. Three members of the Commission shall constitute a quorum and no action of the Commission shall be valid unless it shall have the concurrence of at least two members. The Municipal Governing Body may, by resolution, appoint up to two qualified electors of the Township to serve as alternate members of the Commission. The term of office of the alternate member shall be six years, staggered so that the term of the first appointed shall be three years and the term of the second appointed shall be six years, with the terms of both thereafter to be six years. The participation of the alternate member in the proceedings and discussions of the Commission shall be in accordance with Sections 627. and 628. of the First Class Township Code.

RESOLVED, this 11th day of February, 2003, at a public meeting of the Board of Commissioners.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:



Paul A. Leonard, Secretary

By:


Robert J. Pesavento, President

RESOLUTION NO. 1815

**RESOLUTION TO ACCEPT DEEDS OF DEDICATION
FOR VARIOUS EASEMENTS AND STREET RIGHTS OF WAY
AS SHOWN ON APPROVED SUBDIVISION PLAN FOR
"COGHLAN TRACT"**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from ANDOVER ESTATES LIMITED PARTNERSHIP (hereinafter referred to as "Grantor") Deeds of Dedication for various easements (hereinafter "Easements"), and two sections of streets, more fully identified and known as follows:

Emergency Access and Utility Easement (through proposed Lots 3 and 4)
Drainage Easement (through proposed Lots 4, 5, 6, and 7)
Snow Removal Easement (through proposed Lot 3)
Detention Basin Easement
Right-of-Way for widened portion of Limekiln Pike; and
Street Deed of Dedication – Portion of Catlin Way

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan filed by or on behalf of Grantor showing the Sanitary Sewer, which Subdivision Plan was prepared by ProTract Engineering, Inc. dated October 15, 1997, as last revised October 12, 1998, bearing Project No. 1049 and recorded in the Office for Recording of Deeds, Norristown, Pennsylvania at Book A58, page 125 (hereinafter referred to as the "Recorded Plan"); and

WHEREAS, Grantor has heretofore improved the various easement and streets according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the facilities and areas within the easements will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

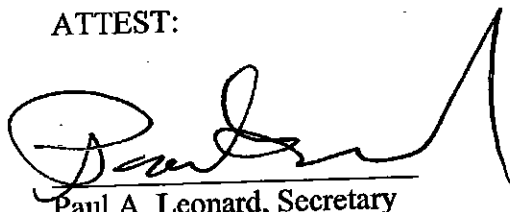
1. The Deeds of Dedication offered to the Township for the various easements and streets referenced hereinabove, together with the improvements erected within them are accepted.

2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deeds of Dedication and to record same in the Recorder of Deeds Office, Norristown, Montgomery County, Pennsylvania.

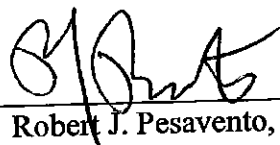
RESOLVED, this *8th* day of *April*, 2003.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:



Paul A. Leonard, Secretary

By: 
Robert J. Pesavento, President

g:\udf\lev\koghan\Resol. Dedication 2
3.26.03

RESOLUTION
NO. 1816

WHEREAS, the Township of Upper Dublin deems it advisable to enter into an agreement with the Pennsylvania Department of Transportation to authorize electronic access to PennDOT systems, thus enabling the Township to submit pertinent correspondences and invoices for reimbursement in those instances where the Township has participated in projects funded through PennDOT; and

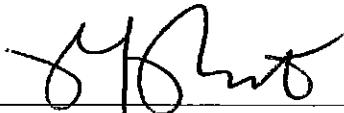
WHEREAS, PennDOT has submitted a form of agreement for the Township's approval and execution.

NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin hereby resolves that the President and Secretary of the Board of Commissioners of the Township of Upper Dublin are authorized and directed on behalf of the Township to execute and deliver an Agreement To Authorize Electronic Access To PennDOT Systems in the form attached to this resolution.

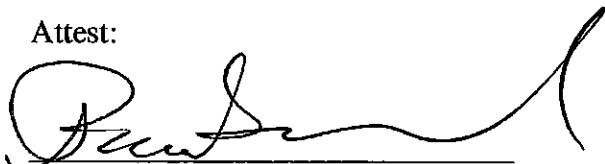
RESOLVED at a duly constituted meeting of the Board of Commissioners of Upper Dublin Township the 8th day of April, 2003.

TOWNSHIP OF UPPER DUBLIN

By:


Robert J. Pesavento, President

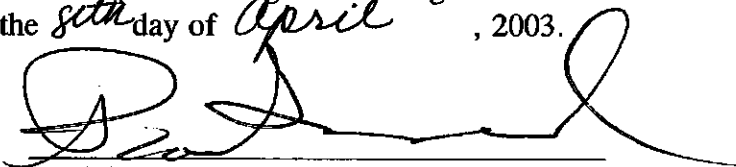
Attest:


Paul A. Leonard, Secretary/Township Manager

CERTIFICATION

I, Paul A. Leonard, Secretary of the Township of Upper Dublin, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the Board of Commissioners of Upper Dublin Township held the 8th day of April, 2003.

DATE: April 8, 2003


Paul A. Leonard, Secretary/Township Manager

Agreement No: _____

Federal ID No.: 26-6003042

User ID Code: _____



AGREEMENT TO AUTHORIZE
ELECTRONIC ACCESS TO PENNDOT SYSTEMS
(POLITICAL SUBDIVISIONS)

THIS INTERGOVERNMENTAL AGREEMENT, made and entered into this day of _____, _____, by and between the Commonwealth of Pennsylvania, acting through the Bureau of Design of the Department of Transportation, hereinafter referred to as DEPARTMENT,

AND

UPPER DUBLIN TOWNSHIP

(NAME OF APPLICANT)

801 LOCH ALSH AVENUE, FORT WASHINGTON, PA 19034

(REGISTERED OR PRINCIPAL OFFICE LEGAL ADDRESS OF APPLICANT)

215-643-1600

(PRINCIPAL OFFICE PHONE NUMBER)

hereinafter referred to as APPLICANT, a political subdivision of the Commonwealth of Pennsylvania, acting through its proper officials.

WHEREAS, the APPLICANT, desires to register as a DEPARTMENT business partner to be permitted electronic access to the following DEPARTMENT systems:
Engineering & Construction Management System (ECMS)

(hereinafter referred to as "System" whether singular or plural) for the purposes of entering information into and exchanging data with the System; and

WHEREAS, the DEPARTMENT, in furtherance of the powers and duties conferred on it by Section 2002 of the Administrative Code of 1929, as amended, 71 P.S. Section 512, to design and construct state highways and other transportation facilities and to enter into contracts for this purpose, is willing to permit the APPLICANT to electronically submit technical proposals, invoices, engineering plans, designs and other documents necessary to design and construct transportation projects as part of the DEPARTMENT'S program to use the System; and,

WHEREAS, Sections 2001.1 of the Administrative Code of 1929, as amended (71 P.S. §§ 511.1) authorizes the DEPARTMENT, through the Secretary of Transportation, to enter into all necessary contracts and agreements with the proper agencies of any government, federal, state or political subdivision, "for any purpose connected in any way with the Department of Transportation of the Commonwealth of Pennsylvania."

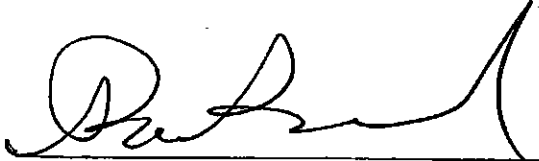
NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises

expressed in this document, and intending to be legally bound, the parties agree as follows:

1. The APPLICANT is responsible for furnishing and assuming the total costs of all software and hardware necessary to connect to the System. Such software shall include an operating system, an Internet browser and any software needed to operate a modem. The APPLICANT is responsible for the procurement and cost of any data communications lines required to connect to the System. The APPLICANT is responsible for the cost of telephone lines and usage.
2. The APPLICANT will be permitted access to the System as the DEPARTMENT shall direct.
3. The APPLICANT will implement appropriate security measures to insure that only authorized employees of the APPLICANT will have access to and enter data into the System. The APPLICANT agrees to assign only its current employees User Identification Internet System access codes ("User ID codes") provided to the APPLICANT by the DEPARTMENT. The APPLICANT agrees to assign a separate and distinct User ID code to each current employee who will concur in awards, sign contracts and approve payments. The APPLICANT agrees to accept full responsibility for controlling the User ID codes that the APPLICANT assigns to the employees of the APPLICANT. The APPLICANT agrees to deactivate an employee's User ID code immediately upon the employee's separation and/or dismissal from the employ of or association with the APPLICANT. The APPLICANT agrees that the APPLICANT'S employees may not share User ID codes. The APPLICANT agrees to be responsible for the items submitted under one of its assigned User ID codes
4. The DEPARTMENT shall make provisions for the APPLICANT to obtain initial training for the System. This training may not include any non-System program topics, nor may it include training on any other computer hardware or software, including, but not limited to, operation of a personal computer.
5. The DEPARTMENT will make reasonable attempts (barring unforeseen interruptions due to calamity, natural disaster or technical impossibility) to make the System available for on-line access 24 hours per day, seven days per week, except for ten hours each workday when the System databases are updated. The DEPARTMENT will provide support only during the normal business hours of the DEPARTMENT offices.
6. This Agreement shall continue until terminated by either Party, at any time, without cause, within fifteen (15) days upon receipt of written notice thereof. Any material breach of this Agreement by either Party shall entitle the other Party to terminate this Agreement without prejudice to its rights or remedies available at law or in equity. Upon termination or expiration of this Agreement, the APPLICANT shall cease and shall cause its users to cease attempts to access the System.
7. The APPLICANT shall comply with the Contractor Integrity Provisions, dated December 20, 1991; the Provisions Concerning the Americans with Disabilities Act, dated January 16, 2001; the Contractor Responsibility Provisions, dated April 16, 1999; the Offset Provision, dated April 16, 1999; and the Nondiscrimination/Sexual Harassment Clause, dated June 30, 1999, all of which are incorporated into this Agreement by reference as though physically attached.

8. This Agreement embodies the entire understanding between the DEPARTMENT and the APPLICANT and there are no contracts, agreements, or understanding with reference to the subject matter hereof which are not merged herein.

ATTEST:



(Signature) (Date)

PAUL A. LEONARD


Print Name

SECRETARY

(Title)

UPPER DUBLIN TOWNSHIP

(Print APPLICANT'S Name)

BY: 

(Signature) (Date)

ROBERT J. PESAVENTO

Print Name

PRESIDENT

(Title)

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

BY: _____
(DEPARTMENT Signatory and Date)

APPROVED AS TO LEGALITY AND FORM

BY: _____
Chief Counsel DATE

BY: _____
Deputy General Counsel DATE

BY: _____
Deputy Attorney General

RECORDED NO. _____
CERTIFIED FUNDS AVAILABLE UNDER
ACTIVITY PROGRAM _____
SYMBOL _____
AMOUNT _____

BY _____
Comptroller DATE


MAIL COMPLETED AGREEMENT TO:
System Registration
PA Department of Transportation
Bureau of Design, ECMD
P.O. Box 3662
Harrisburg, PA 17105-3662

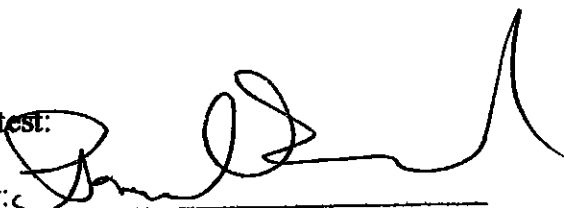

RESOLUTION NO. 1817

BE IT RESOLVED by the authority of the Board of Commissioners of Upper Dublin Township, Montgomery County, that Upper Dublin Township wishes to participate in the bid process for the application of Ralumac and Nova Chip in accordance with the specifications provided by the Consortium (Whitpain Township) Road Resurfacing Contract on various Township streets.

ADOPTED this 8th day of April, 2003.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: 
Robert J. Pesavento, President

Attest: 
By: 
Paul A. Leonard, Secretary

DESIGNATION OF AGENT

RESOLUTION 1818

BE IT RESOLVED The Board of Commissioners OF Township of Upper Dublin
(Governing Body) (Public Entity)

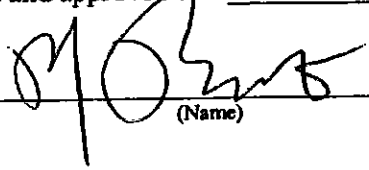
THAT Jonathan Bleemer, Assistant Township Manager
(Name) (Title)

is hereby authorized to execute for and in behalf of

Township of Upper Dublin

a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707).

Passed and approved this 8th day of April, 20 03.



President, Board of Commissioners
(Title)

(Name)

(Name)

(Title)

(Name)

(Title)

(Name)

(Title)

(Name)

(Title)

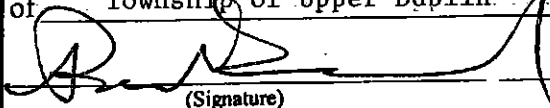
CERTIFICATION

I, Paul A. Leonard, duly appointed and Township Secretary
(Name) (Title)

of Township of Upper Dublin, do hereby certify that the above is a true and correct copy of
(Public Entity)

a resolution passed and approved by the Board of Commissioners
(Governing Body)

of Township of Upper Dublin on the 8th day of April 20 03.



(Signature)

Secretary

(Official Position)

April 9, 2003

(Date)

RESOLUTION TO APPROVE UPPER DUBLIN TOWNSHIP'S PARTICIPATION IN THE MONTOMGERY COUNTY 2003 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, Upper Dublin Township seeks to participate in the 2003 Program Year from the Montgomery County Community Development Block Grant Program (CDBG Program); and

WHEREAS, the Department of Housing and Urban Development has requested that the Township certify through this resolution it's commitment to adhere to the requirements of the CDBG Program should it's participation be approved; and

WHEREAS, the Board of Commissioners has been presented by Montgomery County with an application form for various projects (hereinafter the "Projects") within the Township (hereinafter the "Application") which it desires hereby to approve for execution.

NOW THEREFORE, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Township hereby confirms its willingness and desire to implement the Projects in accordance with the provisions of the Application, including all understandings and assurances contained therein and hereby authorizes the President of the Board of Commissioners to act in connection with the Application and to provide such additional information as may be required.

2. The Township agrees to expend CDBG Program Funds pursuant to the guidelines as specified in the Application, set forth as follows:

a. Access to Information

The Township assures that it will give the Department of Housing and Community Development, and the U. S. Department of Housing and Urban Development (HUD), through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the activity; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

b. Conflict of Interest

The Township certifies that no persons described as an employee, agent, consultant, officer, or elected official or appointed official of the governing body, or of any designated public agencies, or Subrecipients which are receiving funds under a Subrecipient Agreement, who exercise or have exercised any functions or responsibilities with respect to Community Development Block Grant Activities, HOME Activities or Emergency Shelter Activities assisted under a Subrecipient Agreement; or who are in a

position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

c. Nondiscrimination

The Township certifies that it will comply with all Federal Statutes relating to nondiscrimination. These include but are not limited to:

(a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin;

(b) Title IX of the Education Amendments of 1972, as amended (20 USC "1681-1686), which prohibits discrimination on the basis of sex;

(c) Section 504 of the Rehabilitation Act of 1973, as amended (29 USC '794), which prohibits discrimination of the basis of handicaps;

(d) the Age discrimination Act of 1975, as amended (42 USC " 6101-6107), which prohibits discrimination on the basis of age;

(e) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;

(f) The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;

(g) " 523 and 527 of the Public Health Service Act of 1912 (42 USC 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;

(h) Title VIII of the Civil Rights Act of 1968 (42 USC '3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;

(i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made;

(j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

d. Equal Opportunity

Section 109 of the Housing and Community Development Act of 1974, P.L. 93-383 (42 USC 5309) and the regulations issued pursuant thereto (24 CFR

part 570.602), which provide that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds provided under this Part.

e. Fair Housing

Title VIII of the Civil Rights Act of 1968, as amended by Fair Housing Amendments act of 1988 (42 USC 3601-20) and implementing regulations at 24 CFR part 100, which states that no person shall be subjected to discrimination because of race, color, religion, sex, handicap, familial status, or national origin in the sale, rental, or advertising of dwellings, in the provision of brokerage services, or in the availability or residential real estate-related transactions; and requires that grantees administer all programs and activities related to housing and community development in a manner to affirmatively further fair housing. Actions that the application or subrecipient undertake to affirmatively further fair housing will be consistent with action identified in any locally adopted fair housing analysis.

f. Uniform Relocation Assistance

The Township assures that it will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted program. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in the purchase.

g. Hatch Act

The Township assures that it will comply with the provisions of the Hatch Act (5 USC " 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

h. Labor Standards

The Township assures that it will comply, as applicable, with the provision of the Davis-Bacon Act (40 USC " 276a to 276a-7), the Copeland Act (40 USC '276c and 18 USC " 874), and the Contract Work Hours and Safety Standard Act (40 USC " 327-333), regarding labor standards for federally assisted construction subagreements.

i. Environmental Clearance

The Township will comply with the environmental laws and authorities at 24 CFR parts 50 and 58 and will 1) supply the Department of Housing and Community Development with information necessary for it to perform any necessary environmental review of each activity; 2) carry out mitigating measures required by Housing and Community Development 3) not acquire or otherwise carry out any program activities with respect to any eligible project until Housing and Community Development approval is received.

j. Release of Funds

The Township acknowledges that receipt of any Grant is subject to the release of funds by the U. S. Department of Housing and Urban Development, and that release of payments will be subject to documenting compliance with all requirements listed in the Grant Agreement to be executed with Montgomery County.

k. Environmental Standards

The Township assures that it will comply with environmental standards which may be prescribed pursuant to the following:

- (i) institution of environmental quality control measures under the Nation Environmental Policy act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
- (ii) notification of violating facilities pursuant to EO 11738;
- (iii) protection of wetlands pursuant to EO 11990;
- (iv) evaluation of flood hazards in floodplain in accordance with EO 11988;
- (v) assurance of project consistency with the approved State management program developed un the Coastal Zone Management Act of 1972 (16 USC " 1451 et seq.);
- (vi) conformity of Federal actions to State (Clear Air) Implementation Plan under Section 176(c) of the Clear Air Act of 1955, as amended (42 USC ' 7401 et seq.);
- (vii) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P. L. 93-523); and
- (viii) protection of endangered species under the Endangered Species Act of 1973, as amended, (P. L. 93-205).

l. Historic Preservation

The Township assures that it will assist in assuring compliance with section 106 of the National Historic Preservation Act of 1966, as amended

(16 USC 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 USC 469a-1 et seq.).

m. Lead-Based Paint

The Township assures that it comply with the Lead-Based Paint Poisoning Prevention Act (42 USC " 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation or residence structures.

n. Financial Requirements

The Township assures that it will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

The Township acknowledges that the Federal Programs will not be responsible for any project costs incurred prior to the full execution of a Subrecipient Agreement.

o. Procurement

The Township acknowledges that the Office of Housing and Community Development must approve and verify that all procurement requirements have been meet in accordance with the Program Regulations. The Office of Housing and Community Development must approve any purchases or the awards of any contracts to be funded in full or in part with any Federal funds granted through the CDBG Program/ HOME Program or ESG Program;

p. Other Program Requirements

The Township agrees that implementation of any project funded in full or in part will not proceed without full execution of the program requirements as described in the Subrecipient Agreement.

The Governing Body certifies that it will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

q. Lobbying

The Township certifies that to the best of its knowledge and belief:

(i) No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant,

the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

(ii) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

(iii) It will require that the language of paragraph (n) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly;

r. Drug-Free Workplace

The Governing Body certifies that it will or will continue to provide a drug-free workplace by:

(i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(ii) Establishing an ongoing drug-free awareness program to inform employees about -

- (a) The dangers of drug abuse in the workplace;
- (b) The grantee's policy of maintaining a drug-free workplace;
- (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(iii) Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

(iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -

- (a) Abide by the terms of the statement; and
- (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five

calendar days after such conviction;

(v) Notifying the agency in writing, within ten calendar days, after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

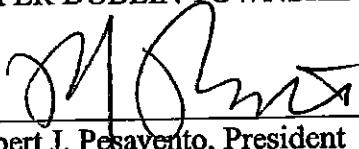
(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v), and (vi).

3. The Board of Commissioners may, at its discretion, submit to Montgomery County a written request for additional monies, should they be needed for the Projects, or for other qualifying undertakings. Such request will be considered and approved at the sole discretion of the Montgomery County Commissioners and shall be considered as addenda to this Application.

ADOPTED this *8th* day of April, 2003.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP


Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary

Unit generated by agreement
4.8.03

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

RESOLUTION NO. 1820

Resolved by the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, That

WHEREAS, In 1872, Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our township increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, BE IT RESOLVED that the Upper Dublin Township Board of Commissioners does hereby proclaim April 25, 2003 as


ARBOR DAY

in the Township of Upper Dublin, and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, we urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Signed this 8th day of April, A.D. 2003.

ATTEST:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Resavento, President



RESOLUTION NO. 1821
APPLICATION FOR PERMIT
TO INSTALL AND OPERATE
FLASHING WARNING DEVICES

DATE May 13, 2003

WHEREAS, the Upper Dublin Township Board of Commissioners,
(CITY, TOWNSHIP, BOROUGH)

Montgomery County, desires to erect, operate and maintain flashing warning devices

School Lane
(HIGHWAY, STREET, OR INTERSECTION - SHOW L.R. OR T.R. IF KNOWN)

for Thomas Fitzwater Elementary School, an
(NAME OF SCHOOL OR NAME AND NUMBER OF FIRE HOUSE WHEN APPLICABLE)

WHEREAS, the Vehicle Code requires the approval of the Secretary of Transportation before any device may be legally erected or reconstructed.

NOW, THEREFORE, BE IT RESOLVED, that flashing warning devices be erected at the above mentioned location,

subject to the approval of the Secretary of Transportation, and that his approval is hereby requested, and

BE IT FURTHER RESOLVED, that, in the event a permit for these devices is approved after proper investigation,

the Upper Dublin Township will be bound by the following provisions:
(CITY, TOWNSHIP, BOROUGH)

The devices shall be installed and maintained in accordance with the Vehicle Code and the Regulations for traffic signs, signals and markings of the Department of Transportation, and

Should future highway or traffic conditions, or legal requirements, necessitate alteration of the construction or operation, or hours of operation, or removal of the flashing warning devices at the above mentioned location, the shall be altered or removed when and as directed by the Secretary of Transportation.

I, Paul A. Leonard, Secretary of Upper Dublin Township

do certify that the foregoing is a true and correct copy of the resolution legally adopted at a meeting held

May 13, 2003
DATE

Signed [Signature]
Robert J. Pesavento
President

Signed [Signature]
Paul A. Leonard, Secretary

(SEAL)

Memo

To: Paul Leonard, Township Manager
From: Chuck Oyler, Public Works Director
CC: Lorraine Narducci
Chet Derr
Date: 4/11/03



Re: Application for Permit to install and operate Flashing Warning Signal
Thomas Fitzwater Elementary School

Attached is PennDoT's standard form of application/resolution that has been formatted to serve as our request for a permit to install flashing warning devices to create a school zone on School Lane in front of the Thomas Fitzwater Elementary School. Please make sure this item is placed on both the PSW&S Committee agenda for 5/13 and the May Stated Meeting agenda of the BOC for action.

if approved by the Department, \$17,500 has been budgeted in this year's Capital Budget to cover the cost of installing the signals.

Thank you.

Enc.

RESOLUTION

NO. 1822

WHEREAS, members of the Upper Dublin community are presently serving in the Armed Forces in combat zones;

WHEREAS, the disruption to the life of these service men and woman may cause them to be unable to meet filing deadlines imposed by the Township's earned income tax; and

WHEREAS, the Township wishes to join with state and federal agencies in providing temporary relief from tax related deadlines while their period of service continues.

NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin hereby resolve:

That the deadline for filing earned income tax returns, paying earned income tax, filing claims for earned income tax refunds and taking other actions with respect to their earned income tax obligations is hereby automatically extended for those members of the Armed Forces serving in a combat zones/qualified hazardous duty area or having qualifying service outside of a combat zone/qualified hazardous duty area, as those terms are defined and employed by the Internal Revenue Service. Such extensions shall be granted for one hundred eighty (180) days after the latter of:

1. The last day the taxpayer is in a combat zone/qualified hazardous duty area or has qualifying service outside of a combat zone/qualified hazardous duty area (or the last day the area qualifies as a combat zone or qualified hazardous duty area); or
2. The last day of any continuous qualified hospitalization for injury from service in the combat zone/qualified hazardous duty area or while performing qualified service outside of the combat zone/qualified hazardous duty area.


In addition to the 180 days, the deadline is extended also by the number of days that were left for the taxpayer to take the action with Upper Dublin Township when he or she entered a combat zone/qualified hazardous duty area (or began performing qualified service outside of the combat zone/qualified hazardous duty area). If the taxpayer entered the combat zone/qualified hazardous duty area (or began performing qualified service outside of the combat zone/qualified hazardous duty area) before the period of time to take the action began, the taxpayer's deadline is extended by the entire period of time he or she had to take that action.

If Upper Dublin Township takes any actions covered by these provisions or sends the taxpayer a Notice of Examination before learning that he or she is entitled to an extension of the deadline, the taxpayer should contact the Township Finance Department. No penalties or interest will be imposed for failure to file an earned income tax return or pay earned income taxes during the extension period.

The deadline extension provision hereby created shall also apply if the taxpayer is serving in a combat zone or a qualified hazardous duty area in support of the Armed Forces, including Red Cross personnel, accredited correspondents and civilian personnel acting under the direction of the Armed Forces in support of those Forces.

RESOLVED this 13th day of May, A.D. 2003.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: 
Robert J. Pesavento, President

Attest:


Township Secretary

g:\ud\Ordinances\Resolutions\Combat Zone 5-2-03

RESOLUTION

NO. 1823

A RESOLUTION Of The Board Of Commissioners Of Upper Dublin Township, Montgomery County, Authorizing The Use Of Grinder Pumps And Low Pressure Laterals Or Force Mains For The Connection Of Existing Residential Or Commercial Buildings And Approving A Procedure For Submitting A Special Study In Support Of An Existing Official Plan Revision To The Township's Act 537 Plan As Permitted By The Special Study Provisions Of The Regulations Of The Pennsylvania Department Of Environmental Protection Set Forth In The Pennsylvania Code, Chapter 71, §71.32(A).

WHEREAS, the Pennsylvania Department of Environmental Protection ("PADEP") has required that the connection of grinder pumps and any associated force mains, including low pressure laterals, ("Low Pressure System") to an existing sewer system be approved through the submission of a Sewage Facilities Planning Module as a revision to a municipality's Act 537 Plan; and

WHEREAS, Regulations adopted by PADEP and set forth at §71.32(a) of the Pennsylvania Code provide that a municipality may expedite the planning process by adopting a brief sewage facilities plan for the proposed sewage facilities through Special Study provisions; and

WHEREAS, if the Special Study is only proposing the connection of existing residential or commercial buildings that are currently served by failing on-lot sewage disposal systems, PADEP may waive the requirements of county agency reviews and public notification set forth in §71.31(b) and (c) of the Pennsylvania Code; and

WHEREAS, the Special Study must be submitted by the Township to PADEP and must include all of the information as indicated in the PADEP publication PLANNING REQUIREMENTS FOR GRINDER PUMPS AND LOW PRESSURE FORCE MAINS, revised March 10th, 2003; and

WHEREAS, the approval of a Special Study by PADEP requires that the Township have in place provisions for the long-term operation and maintenance for Low Pressure Systems; and

WHEREAS, the Township desires to facilitate the approval and installation of Low Pressure Systems by adopting the required operation and maintenance regulations; and

WHEREAS, the sanitary sewage collection and treatment facilities located in Upper Dublin Township are owned and operated by the Bucks County Water and Sewer Authority ("BCW&SA").

NOW THEREFORE, the Board of Commissioners of Upper Dublin Township hereby resolves as follows:

Section 1. The Township hereby authorizes the installation and use of Low Pressure Systems in connection with residential and commercial land development subject to (a) the provisions of this Resolution, (b) the approval of the Township engineer, and (c) the approval of the PADEP.

Section 2. The Township shall, at the written request of a property owner (the "Applicant") and upon the submission of the information and plans required by the Township, undertake the Special Study authorized by PADEP Regulations and submit the same to PADEP, provided however that the property owner shall promptly reimburse the Township those costs and expenses incurred by the Township in the preparation of the Special Study, including all professional fees, in default of which the Township may collect such costs and expenses by the filing of a municipal lien against the property benefited.

Section 3. All Low Pressure Systems (and the installation, operation, service, and replacement thereof) shall comply with the Rules and Regulations of the Township in effect from time to time.

Section 4. All grinder pumps shall be connected to the sewage collection and conveyance system in full compliance with the Rules and Regulations of the Township and BCW&SA in effect from time to time.

Section 5. The Township shall maintain control over the type of pumps and force main components used so that full service capability is available locally and on short notice.

Section 6. The Owner of the property served by the grinder pump shall have full responsibility for providing, maintaining, operating, repairing, and replacing his grinder pump and its low pressure force main or lateral.

Section 7. Where the low pressure force main or lateral is shared between property owners, the Applicant shall submit to the Township a Declaration of Easements, Covenants and Restrictions (the "Agreement") in recordable form setting forth the agreement of each benefited property owner with respect to the installation, use and maintenance of the Low Pressure System, which Agreement shall bind all future property owners. Following approval of the Low Pressure System by all applicable agencies, the Township will not issue a permit for its installation until evidence is presented that the Agreement has been recorded in the Office for the Recording of Deeds, Norristown, PA.

Section 8. The Township shall have no responsibility for the purchase, operation, repair, maintenance, or replacement of the grinder pump or its low pressure force main or lateral.

Section 9. The proper officers, employees, and agents of the Township are authorized and directed to do all acts that may be necessary and proper to implement this Resolution.

Section 10. This Resolution shall become effective immediately.

Section 11. In the event that any provision, section, sentence, clause, or part of this Resolution shall be held invalid, such invalidity shall not affect or impair any remaining

provisions, section, clause, or part of this Resolution, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

ADOPTED THIS 12th day of June, 2003.

Board of Commissioners of
Upper Dublin Township

By: 

Robert J. Pesavento, President

Attest: 

Paul A. Leonard, Secretary/Township Manager

ud/resolutions/low pressure systems
6.10.03

RESOLUTION

NO. 1894

THIS RESOLUTION approved and adopted by the elected officials of Upper Dublin Township, Montgomery County, Pennsylvania, on the date hereinafter set forth.

WITNESS TO:

WHEREAS, Section 7503 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. Section 7101 et seq. mandates that municipalities prepare, maintain and keep current an emergency operations plan for the prevention and minimization of injury and damage caused by a major emergency or disaster within this municipality; and

WHEREAS, in response to the mandate stated above, this municipality has prepared an emergency operations plan to provide prompt and effective emergency response procedures to be followed in the event of a major emergency or disaster; and

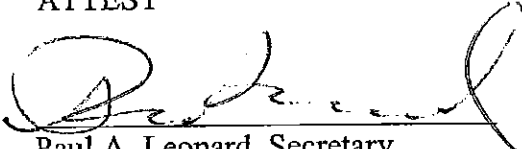
WHEREAS, this municipality has also prepared an emergency operations plan in order to reduce the potential affects of a major emergency or disaster and to protect the health, safety and welfare of the residents of this municipality;


NOW, THEREFORE, we, the undersigned elected officials of Upper Dublin Township do hereby approve, adopt and place into immediate effect the Emergency Operations Plan of Upper Dublin Township. This Plan shall be reviewed every two years to make certain that it conforms with the requirements of the Montgomery County Emergency Operations Guideline.

RESOLVED, this 8th day of July, 2003.

Board of Commissioners:
UPPER DUBLIN TOWNSHIP

ATTEST


Paul A. Leonard, Secretary

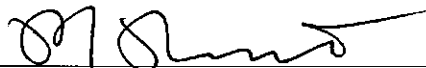
By 
Robert J. Pesavento, President

PROMULGATION


THIS PLAN WAS ADOPTED BY THE Board of Commissioners

UNDER RESOLUTION NO. 1824 DATED July 8, 2003

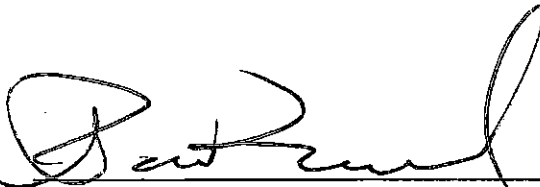
IT SUPERCEDES ALL PREVIOUS PLANS.



(Robert J. Pesavento, President, Board of Commissioners)



(Paul A. Leonard, Secretary)



Paul A. Leonard, Municipal Emergency Management Coordinator

RESOLUTION NO. 1825

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A WIDENED PORTION OF JARRETTOWN ROAD, A PUBLIC STREET**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from JAMES B. GEPPERT (hereinafter "Grantor") a Deed of Dedication for a widened portion of a public street known as Jarrettown Road more fully described in Exhibit "A" attached hereto; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan filed by or on behalf of Grantor showing the Street, which Subdivision Plan was prepared by Charles E. Shoemaker, Inc. dated March 15, 2002, as revised ; and

WHEREAS, the street has heretofore been improved according to Township specifications; and


WHEREAS, the Board of Commissioners deems it to be in the public interest to accept the Deed of Dedication so that the Street will be opened to the ultimate right of way and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

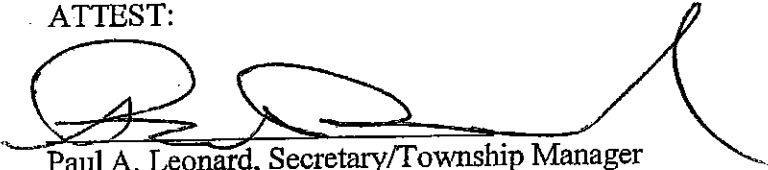
1. The Deed of Dedication offered to the Township for the widened portion of Jarrettown Road adjacent to property of JAMES B. GEPPERT, Grantor, and more fully described in Exhibit "A" attached hereto, is accepted.
2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.
3. The public street as described in the attached Exhibit shall hereafter be designated on the official map of streets in the Township as a public street to the full width thereof as described herein.

RESOLVED, this 17th day of August, 2003.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:



Paul A. Leonard, Secretary/Township Manager
UD DEVELOPMENTS DEPARTMENT RESOLUTION
7.12.03

CHARLES E. SHOEMAKER, INC.

ENGINEERS AND SURVEYORS
SOUTHEAST CORNER OF EASTON & EDGE HILL ROADS
1007 EDGE HILL ROAD
ABINGTON, PENNSYLVANIA 19001

JARRETTOWN ROAD RIGHT-OF-WAY OFFERED FOR DEDICATION
JAMES B. GEPPERT SUBDIVISION
UPPER DUBLIN TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ALL THAT CERTAIN lot or tract of land SITUATE in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania bounded and described according to a Minor Subdivision Plan made for James B. Geppert, dated March 15, 2002 and last revised May 8, 2002 by Charles E. Shoemaker, Inc., Engineers and Surveyors of Abington, Pennsylvania as follows:

BEGINNING at a point on the Northwestern legal right-of-way line of Jarrettown Road (41.5' wide at this point, as previously widened by the addition of 8.5' on the Northwestern side from its former width of 33'), said point also being on the Northeasterly ultimate right-of-way line of Limekiln Pike (SR 0152) (65' wide at this point as widened by the addition of 15' on the Northeasterly side from its former width of 50'); THENCE extending along said ultimate right-of-way line of Limekiln Pike, North fifty-nine degrees thirteen minutes twenty-eight seconds West (N 59° 13' 28" W) twenty-one and seventy-one one-hundredths feet (21.71') to a point on the ultimate right-of-way line of Jarrettown Road (56.5' wide at this point as widened by the addition of 15' on the Northwestern side from its previous width of 41.5' wide); THENCE along said ultimate right-of-way line, North seventy-seven degrees four minutes twenty seconds East (N 77° 04' 20" E) four hundred sixty-one and fifty-four one-hundredths feet (461.54') to a point on line of lands now or formerly of Justice M. and Lillian S. Beam; THENCE along said lands, South fifty-three degrees zero minutes zero seconds East (S 53° 00' 00" E) nineteen and sixty one-hundredths feet (19.60') to a point on the aforementioned Northwestern legal right-of-way line of Jarrettown Road; THENCE along said legal right-of-way line, the five following courses and distances: 1) South seventy-seven degrees four minutes twenty seconds West (S 77° 04' 20" W) two hundred forty-one and nine one-hundredths feet (241.09'); 2) North twelve degrees fifty-five minutes forty seconds West (N 12° 55' 40" W) five and no one-hundredths feet (5.00'); 3) South seventy-seven degrees four minutes twenty seconds West (S 77° 04' 20" W) forty and no one-hundredths feet (40.00'); 4) South twelve degrees fifty-five minutes forty seconds East (S 12° 55' 40" E) five and no one-hundredths feet (5.00'); 5) South seventy-seven degrees four minutes twenty seconds West (S 77° 04' 20" W) one hundred seventy-seven and thirty-seven one-hundredths feet (177.37') to the point and place of beginning.

Exhibit "A"

CHARLES E. SHOEMAKER, INC.

ENGINEERS AND SURVEYORS
SOUTHEAST CORNER OF EASTON & EDGE HILL ROADS
1007 EDGE HILL ROAD
ABINGTON, PENNSYLVANIA 19001

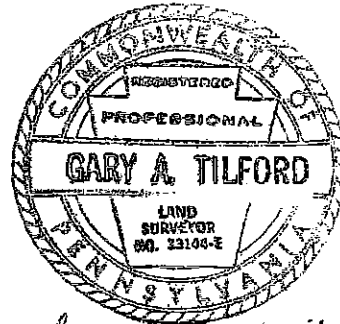
JARRETTOWN ROAD RIGHT-OF-WAY OFFERED FOR DEDICATION
JAMES B. GEPPERT SUBDIVISION
UPPER DUBLIN TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

Page 2

BEING lands now or formerly of James B. Geppert to be dedicated as Jarrettown Road Right-of-Way to Upper Dublin Township.

CONTAINING 6,700 square feet or 0.1538 acres.

23599
Up.Dub.-1080
June 5, 2002



A handwritten signature in cursive script that reads "Gary A. Tilford".

RESOLUTION NO. 1826

**RESOLUTION TO ACCEPT DEED OF DEDICATION FOR PORTION OF
FITZWATERTOWN ROAD (SR 2038) ACCORDING TO THE LAND DEVELOPMENT
PLAN FOR MONTGOMERY COUNTY CONSORTIUM OF COMMUNITIES
RECYCLING CENTER**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from the Township of Abington (hereinafter "Grantor") a Deed of Dedication for a specific land portion of Fitzwatertown Road (hereinafter "Road"), said Deed of Dedication attached as Exhibit "A" hereto, being part of the recorded Land Development Plan for Montgomery County Consortium of Communities Recycling Plan, prepared by Boucher & James, Inc., dated October 15, 2001, last revised June 28, 2002 and recorded in the office of the Montgomery County, Pennsylvania Recorder of Deeds in Land Site Book 6 Page 303:

WHEREAS, Grantor has heretofore improved the specific portion of Fitzwatertown Road according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that a land portion of Fitzwatertown Road will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Deed of Dedication offered to the Township for the specified land portion of Fitzwatertown Road, attached hereto as Exhibit "A", is accepted on the condition that Grantor provide to the Township the following:
 - A. Written, notarized certification that there are no liens on the property that is the subject of the Deed of Dedication;
 - B. Maintenance Bond and Escrow Agreement therefor in proper form to guarantee the upkeep of the improvements for a period of 18 months from the date of this Resolution;
 - C. A complete set of reproducible "As-built" plans and profile drawings of the facilities satisfactory to the Township Engineer.

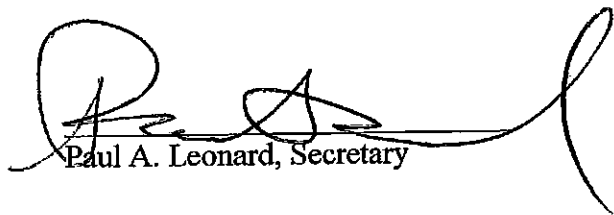
All payments and documentation shall be to the satisfaction of the Township Solicitor.

2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 12th day of August, 2003.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:


Paul A. Leonard, Secretary

By: 
Robert J. Pesavento, President

u:\dev\recycling center\resolution accepting dedication

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this ¹⁷6 day of JULY, A.D., 2003, between TOWNSHIP OF ABINGTON, a Township of the First Class situate at 1170 Old York Road, Abington, PA, Grantor, and TOWNSHIP OF UPPER DUBLIN, a Township of the First Class situate at 801 Loch Alsh Avenue, Fort Washington, PA, Grantee.

WITNESSETH:

That Grantor, for and in consideration of and for the sum of One Dollar (\$1.00) the advantages to it accruing, as well as for diverse considerations affecting the public welfare, which it seeks to advance, has granted, bargained, sold and confirmed, and by these presents does grant, bargain, sell and confirm unto the Grantee, it's successors and assigns, an easement and right-of-way over ALL THAT CERTAIN property situate in the TOWNSHIP OF UPPER DUBLIN, County of Montgomery and Commonwealth of Pennsylvania, being a widened portion of Fitzwatertown Road, described as set forth in Exhibit "A" attached.

TO HAVE AND TO HOLD the aforesaid easement over all that certain property above described unto the TOWNSHIP OF UPPER DUBLIN, its successors and assigns, to and for the only proper use on behalf of the TOWNSHIP OF UPPER DUBLIN its successors and assigns, for a public road, street or highway, including the right to construct, maintain and repair streets, sidewalks, and curbing over the lands hereinabove described and to cause others to construct, maintain and repair such streets, sidewalks and curbing together with the right of the Grantee and others to construct, maintain and repair utilities over, under and across the lands hereinabove

described, together with the right to construct, maintain and repair gutters, grates and storm drains over, under and across the lands hereinabove described, and the further right to remove trees, bushes, undergrowth, soil, and other obstructions interfering with the location, construction and maintenance of all of the aforesaid.

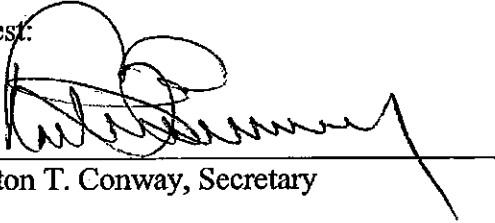
AND the said Grantor, for itself and its successors and assigns by these presents does covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns shall nor will at any time hereafter ask, demand or recover or receive of or from the said Grantee, its successors and assigns any sum of money as and for damages for or by reason of the physical grading of said street to the grade as now established by the TOWNSHIP OF UPPER DULBIN Grantee, and if such grade shall not be established at the date of these presents that neither the said Grantor, nor its successors or assigns, shall nor will at any time hereafter ask, demand, recover or receive any such damage by reason of the physical grading of said street to conform to the grade as first thereafter established or confirmed by the said TOWNSHIP OF UPPER DUBLIN.

AND the said Grantor, for its successors and assigns, does by these presents further covenant, promise and agree to and with said Grantee, its successors and assigns, that the said easement and the right-of-way described unto the said Grantee, its successors and assigns, against it the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him or them or any of them, shall and will warrant and forever defend.

IN WITNESS WHEREOF, Grantor has caused this Deed of Dedication to be duly executed the day and year first above written intending to be legally bound.

BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF ABINGTON

Attest:



Burton T. Conway, Secretary

By:



Barbara C. Ferrara, President.

Accepted and approved by Resolution of the Board of Commissioners of the Township of Upper Dublin the 12th day of August A.D. 2003.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Attest:



Paul A. Leonard, Secretary/Township Manager

By:



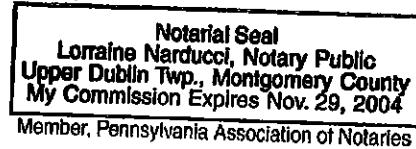
Robert J. Pesavento, President

COMMONWEALTH OF PENNSYLVANIA:
: SS.
COUNTY OF MONTGOMERY :

On this *12th* day of *August*, 2003, before me appeared Robert J. Pesavento, President of the Board of Commissioners of the Township of Upper Dublin, Grantee, who acknowledged that he executed for foregoing instrument on behalf of the Grantee for the purposes therein contained and desires the same might be recorded as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Lorraine Narducci
Notary Public



DESCRIPTION OF LAND
PORTION OF FITZWATERTOWN ROAD (SR2038)
TO BE DEDICATED BY
THE TOWNSHIP OF ABINGTON
TOWNSHIP OF UPPER DUBLIN,
COUNTY OF MONTGOMERY, PENNSYLVANIA

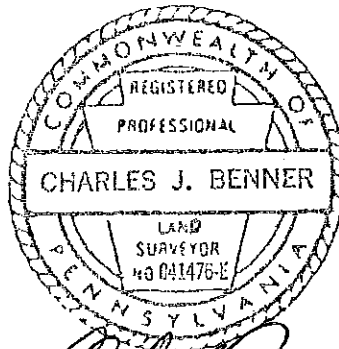
ALL THAT CERTAIN tract of land situate in The Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, bounded and described in accordance with a plan entitled "Record Plan", prepared by Boucher & James, Inc., Doylestown, Pennsylvania for Montgomery County Consortium of Communities dated 10/15/01, last revised 6/28/02.

BEGINNING at a point on the Title Line within the bed of Fitzwatertown Road (SR2038) (80.00' wide) at a corner common to lands now or formerly of Woodside Court Condominiums (Block 77A) and lands now or formerly of The Township of Abington (Block 77, Units 1, 2, 10, 11, 12, 20, 27, Block 76, Units 2, 3, 12 and Block 70, Unit 3);

THENCE, from said point of beginning, along said Title Line and property line the following three (3) courses and distances to wit: 1) S 51°13'00" W, 482.13' to a point; 2) S 41°17'20" W, 482.52' to a point; 3) S 69°18'00" W, 450.89' to a point on the northwesterly ultimate right-of-way line for said Fitzwatertown Road; Thence along said northwesterly ultimate right-of-way line the following five (5) courses and distances to wit: 1) N 56°02'55" E, 450.13' to a point; 2) N 52°10'06" E, 100.91' to a point of curvature; 3) Along a curve to the left with a radius of 2003.68', an arc length of 144.87' subtended by a chord bearing, N 50°05'49" E, 144.83' to a point of tangent; 4) N 48°01'33" E, 197.84' to a point of curvature; 5) Along a curve to the right with a radius of 11499.19', an arc length of 484.98' subtended by a chord bearing, N 49°14'02" E, 484.94' to a point in line of lands of the aforementioned Woodside Court Condominiums; Thence, leaving said northwesterly ultimate right-of-way line, along line of said Woodside Court Condominiums, partially passing through the bed of said Fitzwatertown Road, S 50°10'00" E, 48.75' to the first mentioned **POINT AND PLACE OF BEGINNING**.

CONTAINING: 1.652 acres, more or less.
(71,965.01 sq. ft.)

April 3, 2003



Charles J. Benner

P:\2001\010428\Documents\Legals\FITZ-DED.wpd

Exhibit "A"

RESOLUTION NO. 1827

**RESOLUTION TO ACCEPT DEED OF DEDICATION FOR
PORTION OF HIGHLAND AVENUE
ACCORDING TO THE LAND DEVELOPMENT PLAN FOR
525 HIGHLAND AVENUE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Dennis R. Williams, Inc. ("Grantor") a Deed of Dedication for a specific land portion of Highland Avenue ("Road"), said Deed of Dedication attached as Exhibit "A," being part of the recorded Land Development Plan for 525 Highland Avenue, prepared by D. S. Winokur Associates, Inc., dated September 14, 2000, last revised May 9, 2001, and recorded in the office of the Montgomery County, Pennsylvania Recorder of Deeds in Plan Book A60, Page 247:

WHEREAS, Grantor has heretofore improved the specific portion of Highland Avenue according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that a land portion of Highland Avenue will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Deed of Dedication offered to the Township for the specified land portion of Highland Avenue, attached as Exhibit "A", is accepted on the condition that Grantor provide to the Township the following:

- A. Written, notarized certification that there are no liens on the property that is the subject of the Deed of Dedication;
- B. Written, notarized certification that payment has been made to all contractors of Grantor engaged on the land development project.
- C. Payment of all outstanding monies owed to the Township pursuant to Development Agreement dated November 21, 2001, covering the cost of required improvements and professional fees.
- D. Maintenance Bond and Escrow Agreement in proper form, as required by the Township Engineer, to guarantee the upkeep of the improvements for a period of 18 months from the date of this Resolution;

E. A complete set of reproducible "As-built" plans and profile drawings of the facilities satisfactory to the Township Engineer.

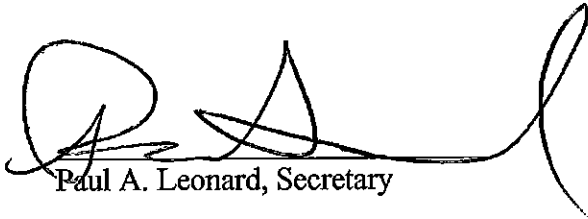
All payments and documentation shall be to the satisfaction of the Township Solicitor.


2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 12th day of August, 2003.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:


Paul A. Leonard, Secretary

By: 
Robert J. Pesavento, President

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this day of , A.D., 2003,
between DENNIS R. WILLIAMS, INC., a corporation organized pursuant to the laws of the
Commonwealth of Pennsylvania with offices at 5168 Butler Pike, Plymouth Meeting, in the County
of Montgomery and Commonwealth of Pennsylvania ("Grantor"), and TOWNSHIP OF UPPER
DUBLIN, a Township of the First Class situate at 801 Loch Alsh Avenue, Fort Washington, in the
County of Montgomery and Commonwealth of Pennsylvania ("Grantee").

W I T N E S S E T H:

That Grantor, for and in consideration of and for the sum of One Dollar (\$1.00) the
advantages to it accruing, as well as for diverse considerations affecting the public welfare, which it
seeks to advance, has granted, bargained, sold and confirmed, and by these presents does grant,
bargain, sell and confirm unto the Grantee, it's successors and assigns, an easement and right-of-way
over ALL THAT CERTAIN property situate in the TOWNSHIP OF UPPER DUBLIN, County of
Montgomery and Commonwealth of Pennsylvania described as set forth in Exhibit "A" attached,
being widened portions of Highland Avenue.

TO HAVE AND TO HOLD the aforesaid easement over all that certain property above
described unto the TOWNSHIP OF UPPER DUBLIN, its successors and assigns, to and for the only
proper use on behalf of the TOWNSHIP OF UPPER DUBLIN its successors and assigns, for a
public road, street or highway, including the right to construct, maintain and repair streets,
sidewalks, and curbing over the lands hereinabove described and to cause others to construct,
maintain and repair such streets, sidewalks and curbing together with the right of the Grantee and


others to construct, maintain and repair utilities over, under and across the lands hereinabove described, together with the right to construct, maintain and repair gutters, grates and storm drains over, under and across the lands hereinabove described, and the further right to remove trees, bushes, undergrowth, soil, and other obstructions interfering with the location, construction and maintenance of all of the aforesaid.

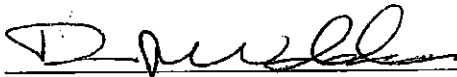
AND the said Grantor, for itself and its successors and assigns by these presents does covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns shall nor will at any time hereafter ask, demand or recover or receive of or from the said Grantee, its successors and assigns any sum of money as and for damages for or by reason of the physical grading of said street to the grade as now established by the TOWNSHIP OF UPPER DULBIN Grantee, and if such grade shall not be established at the date of these presents that neither the said Grantor, nor its successors or assigns, shall nor will at any time hereafter ask, demand, recover or receive any such damage by reason of the physical grading of said street to conform to the grade as first thereafter established or confirmed by the said TOWNSHIP OF UPPER DUBLIN.

AND the said Grantor, for its successors and assigns, does by these presents further covenant, promise and agree to and with said Grantee, its successors and assigns, that the said easement and the right-of-way described unto the said Grantee, its successors and assigns, against it the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him or them or any of them, shall and will warrant and forever defend.

IN WITNESS WHEREOF, Grantor has caused this Deed of Dedication to be duly executed
the day and year first above written intending to be legally bound the day and year first above
written.

DENNIS R. WILLIAMS, INC.


Attest: 
Secretary

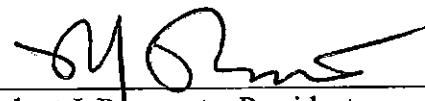
By: 
Dennis R. Williams, President

Accepted and approved by Resolution of the Board of Commissioners of the Township of Upper
Dublin the 12th day of August, A.D., 2003.

COMMISSIONERS OF TOWNSHIP OF
UPPER DUBLIN

Attest:


Paul A. Leonard, Secretary/Township Manager

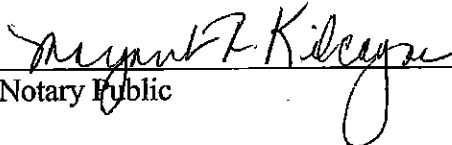
By: 
Robert J. Pesavento, President

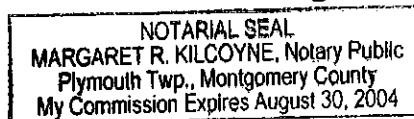
COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

ACKNOWLEDGMENT

On this, the 25th day of July, 2003, before me the undersigned officer, personally appeared Dennis R. Williams, who acknowledged himself to be the President of DENNIS R. WILLIAMS, INC. and that as such President he executed the foregoing Deed of Dedication for the purposes therein contained and desires the same might be recorded as such.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


Notary Public



COMMONWEALTH OF PENNSYLVANIA:

: SS.

COUNTY OF MONTGOMERY

:

On this *12th* day of *August*, 2003, before me appeared Robert J.

Pesayento, President of the Board of Commissioners of the Township of Upper Dublin,

Grantee, who acknowledged that he executed for foregoing instrument on behalf of the

Grantee for the purposes therein contained and desires the same might be recorded

as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Lorraine Narducci
Notary Public

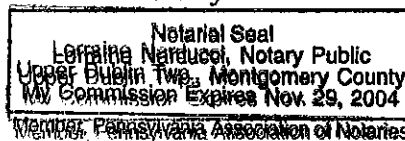


Exhibit "A"

525 HIGHLAND AVENUE
HIGHLAND AVENUE ULTIMATE RIGHT-OF-WAY
UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA

DSWA #7171.00
October 15, 2001

ALL THAT CERTAIN tract or strip of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, being known as Highland Avenue Ultimate Right-of-Way as shown on a Final Subdivision Plan of 525 Highland Avenue, dated September 14, 2000, last revised October 12, 2001, prepared by D. S. Winokur Associates, Inc., 2080 Cabot Boulevard West, Langhorne, PA, being more fully described as follows, to wit:

BEGINNING at a point on the southerly legal right-of-way line of Highland Avenue (50.00 foot wide legal right-of-way) at its intersection with the former westerly legal right-of-way line of former Quarry Avenue (50.00 foot wide right-of-way); thence leaving said Highland Avenue and along said former Quarry Avenue S 09° 10' 00" W a distance of 16.22 feet to a point, a corner of Lot #4 of 525 Highland Avenue; thence leaving said former Quarry Avenue and along said Lot #4 on a line curving to the left with a radius of 15.00 feet and the arc distance of 18.95 feet to a point; thence still along said Lot #4 and along Lots #3, #2 and #1 of said 525 Highland Avenue N 63° 14' 00" W a distance of 356.22 feet to a point on line with lands now or late of Thomas J. and Patricia Ann Harris; thence leaving said Lot #1 and along said lands of Harris N 09° 10' 00" E a distance of 5.25 feet to a point on the aforesaid Highland Avenue right-of-way; thence leaving said lands of Harris and along said Highland Avenue S 63° 14' 00" E a distance of 367.20 feet to the point and place of BEGINNING.

CONTAINING 1858.46 square feet of land more or less.



Daniel S. Winokur, P.L.S. #147-A



RESOLUTION NO. 1828

A RESOLUTION TO ESTABLISH ACCOUNTING POLICIES TO COMPLY
WITH GASB 34

WHEREAS, in June 1999, the Governmental Accounting Standards Board (GASB) issued Statement No. 34 which establishes new requirements and a new reporting model for the annual financial reports of state and local governments; and

WHEREAS, the implementation date for the Township of Upper Dublin to comply with the new accounting standards is the Township's 2003 fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Upper Dublin Board of Commissioners hereby establishes the following accounting policies:

1. That a threshold of \$7,500 will be utilized for the capitalization and depreciation of fixed assets and infrastructure. As such, all property, plant, equipment and infrastructure assets with a useful life in excess of three years and an original or estimated cost of \$7,500 or more will be depreciated over its determined useful life. Donated capital assets will be recorded at estimated fair market value at the date of donation.
2. That the Straight-Line Depreciation Method will be utilized for recording infrastructure. This method will recognize the cost of acquiring capital assets over its determined useful life using the straight-line method of depreciation. Useful lives will be determined by using the approved useful life schedule as determined by Township personnel.

ADOPTED this 12th day of August 2003.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 

Robert J. Pesavento, President

ATTEST: 

Paul A. Leonard, Secretary

RESOLUTION NO. 1829

RESOLUTION SUPPORTING MONTGOMERY COUNTY
OPEN SPACE PROGRAM MUNICIPAL ENDORSEMENT

WHEREAS, Montgomery County enacted an Open Space Program in 1993 that allocated \$100 million for the preservation and enhancement of open spaces throughout the County; and

WHEREAS, the Montgomery County Open Space Program benefited all residents and businesses by funding new or updated Open Space plans for all 62 townships and boroughs in the county, preserving more than 9000 acres of open spaces, farmland, trails, natural resource areas and funding 69 tree planting projects; and

WHEREAS, the preservation of open spaces helps insure clean air and water supplies, provides for educational and recreational opportunities for local citizens, helps direct development to appropriate areas thus reducing the effects and costs of sprawl and helps maintain the economic vitality and high quality of life of the County and our community; and

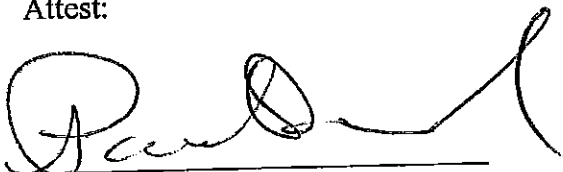
WHEREAS, Upper Dublin Township specifically benefited through the preparation of the Open Space and Environmental Resource Protection Plan and the preservation of 31.99 Acres; and

WHEREAS, the Montgomery County Commissioners propose a 2003 Open Space Program to continue the efforts of preservation and enhancement of open spaces throughout the County as initiated in the 1993 Open Space Program,

NOW, THEREFORE, BE IT RESOLVED AND ENACTED that the Board of Commissioners of Upper Dublin Township hereby endorses and supports the proposed 2003 Montgomery County Open Space Program.


ADOPTED this 12th day of August, 2003.

Attest:



Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

RESOLUTION

NO. 1830

WHEREAS, the 2003 adopted general fund budgeted expenditures for Township of Upper Dublin totaled \$12,703,428 and anticipated general fund revenues in the 2003 adopted budget totaled \$11,835,188 which included a 5% increase in Real Estate Taxes; and

WHEREAS, the resulting shortfall of \$868,240 was largely due to reductions in the Earned Income Tax revenues; and

WHEREAS, the deficit spending resulting from this shortfall was accommodated by applying a portion of the fund balance in the general fund and a portion of the cash reserve in the sewer operating fund to close the gap; and

WHEREAS, it has been the policy of the Township to maintain a minimum general fund balance of 5% of annual expenditures as a matter of prudent financial management and to contribute to the maintenance of the Township's AA bond credit rating; and

WHEREAS, an essential component of the Township's long-term financial strength has been its policy of providing for the maintenance and improvement of the Township's capital assets on an ongoing basis through the annual Capital Improvement and Community Reinvestment programs; and

WHEREAS, the Township anticipates higher shortfalls in the 2004 budget due to additional losses of Earned Income Tax revenues; and

WHEREAS, prudent financial management requires that immediate steps should be taken in 2004 and in subsequent years to reduce some general fund expenditures, preferably on a permanent basis; and

WHEREAS, it may be necessary to reduce some desirable but non-essential service delivery levels in order to reduce the deficit spending;

NOW THEREFORE, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Board of Commissioners seeks to evaluate reducing budgeted operating expenditures in 2004 while maintaining the highest quality of service delivery and assuring the highest caliber workforce.
2. The Board of Commissioners hereby directs the Township Manager to provide several budget reduction scenarios in the form of a matrix suggesting ongoing operating cost reductions and the effect on the level of services of reducing costs by 0%, 3%, 5%, 10% and 15% relative to the 2003 budget.

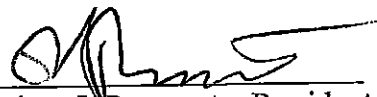
3. The Board of Commissioners directs that all reasonable methods of reducing tax increases shall be considered.
4. The Board of Commissioners hereby immediately places a freeze on the hiring of any full-time staff positions without prior approval by the Board of Commissioners. The hiring freeze will be reconsidered during the 2004 budget process.
5. The Board of Commissioners directs that two Commissioners work with the Finance Director to prepare a report on all options and present it to the Board of Commissioners during the Stated Meeting on Tuesday, October 14, 2003.
6. The Board of Commissioners directs the Township Manager to prepare an informational newsletter to be mailed to all Upper Dublin Township residents by September 9, 2003, identifying the budget situation, announcing the budget meeting schedule and inviting the community to provide input to the budget process by attending the budget meetings which are open to the public.

ADOPTED THIS 12th day of August, 2003

Board of Commissioners
UPPER DUBLIN TOWNSHIP

ATTEST


Paul A. Leonard, Secretary

BY 
Robert J. Pesavento, President

RESOLUTION NO. 1831

WHEREAS, the Board of Commissioners supports the sustainable and renewable sources of energy; and

WHEREAS, the environmental benefits, public health benefits and economic development benefits to the United States, Pennsylvania, and Upper Dublin Township are realized through the purchase of sustainable, safe, healthy and renewable sources of energy, and

WHEREAS, The Constitution of the Commonwealth of Pennsylvania states: "Pennsylvania's public natural resources are the common property of all the people, including generations to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all people." (Article I, Section 27, adopted 1971) and,

WHEREAS, The burning of fossil fuels is contributing a quantifiable excess of carbon dioxide, sulfur dioxide and mercury into the air, and is an indicated cause in increased asthma and other respiratory illnesses, and


WHEREAS, A purchase of some or all of the township's energy needs from wind sources demonstrates Upper Dublin Township's commitment to environmentally sound practices and helps promote the township as an environmentally safe place to live, work, and play, and,

WHEREAS, Purchasing 100% of the township government's energy needs will cost Thirty Thousand One Hundred Fourteen Dollars (\$30,114.00) per year more than Upper Dublin Township currently spends on energy;


NOW, THEREFORE, be it resolved that the Board of Commissioners of Upper Dublin Township commits a minimum of Two Thousand Dollars (\$2,000.00) and a maximum of Fifteen Thousand Dollars (\$15,000.00) over its normal energy purchasing amount as a challenge match to its residents for contributions towards the purchase of NewWind Energy. For every dollar contribution from non-township government funds in excess of Two Thousand Dollars (\$2,000.00), Upper Dublin will contribute one dollar to the maximum of Fifteen Thousand Dollars (\$15,000.00) of township government funds. NewWind Energy meaning energy sources which are 100% wind powered, 100% emissions-free and regionally generated, within the PJM energy grid.

ADOPTED this 9th day of September, 2003.

Board of Commissioners
Upper Dublin Township

By 
Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary

RESOLUTION NO.

1832

**RESOLUTION TO ACCEPT
DEED OF DEDICATION
FOR A PUBLIC STREET KNOWN AS
INVERNESS AVENUE**

WHEREAS, the Board of Commissioners of the TOWNSHIP OF UPPER DUBLIN (hereinafter "Township") has received from HOWARD O. BAILY and ELFREDA L. BAILY, FRANK W. COMFORT, JR., and GRACE ANN COMFORT, and ROY DOUGLASS PIES and KATHLEEN E. PIES (hereinafter "Grantors") a Deed of Dedication for a public street to be known as INVERNESS AVENUE (hereinafter "Street"), extending from Bellaire Avenue to a cul-de-sac as more particularly described in Exhibit "A" attached hereto; and

WHEREAS, the Board of Commissioners has heretofore approved a subdivision plan filed by or on behalf of two of the Grantors, Frank A. and Grace Comfort (hereinafter "Grantor Comfort"), showing the Street and setting forth lots fronting on the Street; and

WHEREAS, the Street has heretofore been improved according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the said Street will be opened and dedicated for public use and passage;

NOW THEREFORE, in consideration of the above, the Board of Commissioners of TOWNSHIP OF UPPER DUBLIN does hereby resolve as follows:

1. That the Deed of Dedication offered to the Township to open and establish as a public right of way a street to be designated Inverness Avenue, extending from Bellaire Avenue the distance of approximately 440.50 feet to a cul-de-sac, as more particularly described in Exhibit "A" attached hereto is hereby accepted.
2. The proper officers of the Township are authorized to incorporate this resolution as an exhibit to the Deed of Dedication and record the same in the Office for the Recording of Deeds, Norristown, Pennsylvania.
3. Inverness Avenue, extending from Bellaire Avenue to a cul-de-sac shall hereafter be designated on the official map of streets in the Township as a public street.

RESOLVED, this 9th day of September, A.D., 2003.

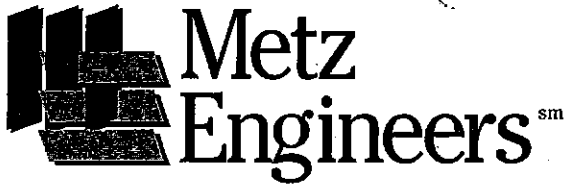
BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary/Township Manager

w:\dev\comfort\Street Deed of Ded-Resolution



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hunley, P.L.S.
Paul D. Erfle, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

September 3, 2003

UD03.000
Upper Dublin Township

Inverness Avenue
Right of Way Description for Dedication

ALL THAT CERTAIN parcel or strip of land situate in Upper Dublin Township, Montgomery County, Pennsylvania, being a portion of Inverness Avenue as more fully described as follows:

BEGINNING at the point of intersection of the northerly legal right-of-way line of Inverness Avenue (50' wide) and the easterly legal right-of-way line of Bellaire Avenue (50' wide); thence, extending along the said northerly legal right-of-way line of Inverness Avenue, South 80°50' East, 415.50 feet to a point of curvature of a cul-de-sac; thence, extending along said cul-de-sac along the arc of a circle curving to the right in a southerly and westerly direction having a radius of 50 feet, the arc distance of ±218.63 feet to a point of reverse curvature; thence, extending along the arc of a circle curving to the left in a northwesterly direction having a radius ±25 of feet, the arc distance of ±30.77 feet to a point of tangency on the southerly legal right-of-way line of Inverness Avenue; thence, extending along said legal right-of-way line, North 80°50' West, ±344.79 feet to a point on the aforementioned easterly legal right-of-way line of Bellaire Avenue; thence, extending along the said legal right-of-way line, North 09°10' East, 50 feet to a point, said point being the point and place of beginning.

CONTAINING 26,740 Sq. Ft. (0.6139 acres) of land area, be the same, more or less.

Exhibit "A"

UD\03000\Inverness Avenue\Legal2

Herbert H. Metz, Inc. Since 1912

RESOLUTION NO. 1833

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR PUBLIC SIDEWALKS IN THE TWINING GROVE SUBDIVISION**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from H.B. Development Company, Inc. (hereinafter "Grantor") Deeds of Dedication for a public sidewalk adjacent to Windsor Avenue, Craig-Y-Nos Avenue and Twining Road, more fully described in Exhibits "A", "B", "C", "D" and "E" attached hereto; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan for the Twining Grove Subdivision filed by or on behalf of Grantor showing the sidewalk easements, which Subdivision Plan was prepared by DiCroce & Leapson Civil Engineers & Surveyors dated June 14, 1996, with last revision dated February 10, 1998, recorded in the Montgomery County Recorder of Deeds office on May 11, 1998 in Plan Book A057, Page 381; and

WHEREAS, Grantor has heretofore improved the sidewalks according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the sidewalks will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Deeds of Dedication offered to the Township for public sidewalks adjacent to Windsor Avenue, Craig-Y-Nos Avenue and Twining Road, more fully described in Exhibits "A", "B", "C", "D" and "E" attached hereto, are accepted.


2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deeds of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 14th day of October, 2003.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hurley, P.L.S.
Paul D. Erle, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

November 21, 2002

UD96.009
Twining Grove

**5' Sidewalk Easement
on and through Lot 1
lands of Louise E. Bray**

ALL THAT CERTAIN 5' wide sidewalk easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Final Subdivision Plan of Twining Grove, prepared by DiCroce & Leapson, Civil Engineers and Surveyors, Southampton, Pennsylvania, dated June 14, 1996, last revised February 10, 1998, and being more fully described as follows:

BEGINNING at a point on the northwesterly legal right-of-way- line of Twining Road (55' wide), said point being a common corner of Lot 1, lands of Louise E. Bray (taxmap block 71, unit 72) and Lot 5, lands of N/L Gennedy Benin (block 71, unit 51) as shown on said plan; thence, extending along the said legal right-of-way line, South 41°31'00" West, 90.00 feet to a common corner of this and Lot 2, lands of N/L Victor & Rosalyn Jordan (block 71, unit 54); thence, extending along the Jordan lands, North 48°29'00" West, 5.00 feet to a point; thence, extending on and through the Bray lands, North 41°31'00" East, 90.00 feet to a point in the line of the said Benin; thence, extending along the Benin lands, South 48°29'00" East, 5.00 feet to a point on the aforementioned legal right-of-way line of Twining Road, being the point and place of beginning.

EXHIBIT "A"

November 21, 2002

UD96.009
Twining Grove

5' Sidewalk Easement
on and through Lot 2
lands of Victor & Rosalyn Jordan

ALL THAT CERTAIN 5' wide sidewalk easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Final Subdivision Plan of Twining Grove, prepared by DiCroce & Leapson, Civil Engineers and Surveyors, Southampton, Pennsylvania, dated June 14, 1996, last revised February 10, 1998, and being more fully described as follows:

BEGINNING at a point on the northwesterly legal right-of-way- line of Twining Road (55' wide), said point being a common corner of Lot 2, lands of Victor & Rosalyn Jordan (taxmap block 71, unit 54) and Lot 1, lands of N/L Louise E. Bray (block 71, unit 72) as shown on said plan; thence, extending along the said legal right-of-way line, South 41°31'00" West, 85.00 feet to a corner on the northeasterly sideline of Craig-Y-Nos Avenue (40' wide); thence, extending along the said sideline of Craig-Y-Nos Avenue, North 48°29'00" West, 120.00 feet to a common corner of this and Lot 3, lands of N/L Steve & Megan Melick (block 71, unit 59); thence, extending along the Melick lands, North 41°31'00" East, 5.00 feet to a point; thence, extending on and through the Jordan lands the following three (3) courses and distances; 1) South 48°29'00" East, 105.00 feet to a point of curvature; 2) along the arc of a circle curving to the left in an easterly direction having a radius of 10.00 feet, the arc distance of 15.71 feet to a point of tangency; 3) North 41°31'00" East, 70.00 feet to a point in the line of the aforementioned Bray lands; thence, extending along the Bray lands, South 48°29'00" East, 5.00 feet to a point on the aforementioned legal right-of-way line of Twining Road, being the point and place of beginning.

EXHIBIT "B"

November 21, 2002

UD96.009
Twining Grove

5' Sidewalk Easement
on and through Lot 3
lands of Steve & Megan Melick

ALL THAT CERTAIN 5' wide sidewalk easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Final Subdivision Plan of Twining Grove, prepared by DiCroce & Leapson, Civil Engineers and Surveyors, Southampton, Pennsylvania, dated June 14, 1996, last revised February 10, 1998, and being more fully described as follows:

BEGINNING at a point on the northeasterly legal right-of-way- line of Craig-Y-Nos Avenue (40' wide), said point being a common corner of Lot 3, lands of Steve & Megan Melick (taxmap block 71, unit 59) and Lot 2, lands of N/L Victor & Rosalyn Jordan (block 71, unit 54) as shown on said plan; thence, extending along the said legal right-of-way line, North 48°29'00" West, 80.00 feet to a corner on the southeasterly sideline of Windsor Avenue (40' wide); thence, extending along the said sideline of Windsor Avenue, North 41°31'00" East, 175.00 feet to a common corner of this and Lot 4, lands of N/L Wayne E. & Dewanna K. Laning, (block 71, unit 73); thence, extending along the Laning lands, South 48°29'00" East, 5.00 feet to a point; thence, extending on and through the Melick lands the following three (3) courses and distances; 1) South 41°31'00" West, 160.00 feet to a point of curvature; 2) along the arc of a circle curving to the left in a southerly direction having a radius of 10.00 feet, the arc distance of 15.71 feet to a point of tangency; 3) South 48°29'00" East, 65.00 feet to a point in the line of the aforementioned Jordan lands; thence, extending along the Jordan lands, South 41°31'00" West, 5.00 feet to a point on the aforementioned legal right-of-way line of Craig-Y-Nos Avenue, being the point and place of beginning.

EXHIBIT "C"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hunley, P.L.S.
Paul D. Erbe, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

November 21, 2002

UD96.009
Twining Grove

5' Sidewalk Easement
on and through Lot 4
lands of Wayne E. & Dewanna K. Laning

ALL THAT CERTAIN 5' wide sidewalk easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Final Subdivision Plan of Twining Grove, prepared by DiCroce & Leapson, Civil Engineers and Surveyors, Southampton, Pennsylvania, dated June 14, 1996, last revised February 10, 1998, and being more fully described as follows:

BEGINNING at a point on the southeasterly legal right-of-way- line of Windsor Avenue (40' wide), said point being a common corner of Lot 4, lands of Wayne E. & Dewanna K. Laning (taxmap block 71, unit 73) and Lot 3, lands of Steve & Megan Melick (block 71, unit 59) as shown on said plan; thence, extending along the said legal right-of-way line, North 41°31'00" East, 125.00 feet to a corner in the line of lands of N/L Carmine & Anna Lombardo (block 71, unit 55); thence, extending along the said Lombardo lands, South 48°29'00" East, 5.00 feet to a point; thence, extending on and through the Laning lands, South 41°31'00" West, 125.00 feet to a point in the line of the said Melick lands; thence, extending along the Melick lands, North 48°29'00" West, 5.00 feet to a point on the aforementioned legal right-of-way line of Windsor Avenue, being the point and place of beginning.

EXHIBIT "D"

November 21, 2002

UD96.009
Twining Grove

5' Sidewalk Easement
on and through Lot 5
lands of Gennedy Benin

ALL THAT CERTAIN 5' wide sidewalk easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Final Subdivision Plan of Twining Grove, prepared by DiCrocce & Leapson, Civil Engineers and Surveyors, Southampton, Pennsylvania, dated June 14, 1996, last revised February 10, 1998, and being more fully described as follows:

BEGINNING at a point on the northwesterly legal right-of-way- line of Twining Road (55' wide), said point being a common corner of Lot 5, lands of Gennedy Benin (taxmap block 71, unit 51 and lands of N/L Carmine and Anna Lombardo (block 71, unit 55) as shown on said plan; thence, extending along the said legal right-of-way line, South 41°31'00" West, 125.00 feet to a common corner of this and Lot 1, lands of N/L Louise E. Bray (block 71, unit 72); thence, extending along the Bray lands, North 48°29'00" West, 5.00 feet to a point; thence, extending on and through the Benin lands, North 41°31'00" East, 125.00 feet to a point in the line of said Lombardo lands; thence, extending along the Lombardo lands, South 48°29'00" East, 5.00 feet to a point on the aforementioned legal right-of-way line of Twining Road, being the point and place of beginning.

EXHIBIT "E"

RESOLUTION NO. 1834

WHEREAS, the Township of Upper Dublin recognizes that the Neshaminy Creek Watershed provides outstandingly remarkable natural, cultural, recreation, and scenic resource values that are important for the quality of life and economic health of our community; and,


WHEREAS, the Township of Upper Dublin recognizes the benefit of forming a partnership with other municipalities and interested parties along the Neshaminy Creek in protection of the Delaware River; and

WHEREAS, Act 1993-50 authorized the Department of Conservation and Natural Resources to provide grant funds to local governments, municipal authorities, and appropriate non-profit organizations for rivers planning, implementation and technical assistance programs;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Upper Dublin, supports the application of the Heritage Conservancy to the Department of Conservation and Natural Resources to create a River Conservation Plan for that section of the Neshaminy Creek from the headwaters of the Little Neshaminy and Park Creeks in Montgomery and Horsham Townships in the County of Montgomery to confluence of the Little Neshaminy Creek with the Neshaminy Creek in the townships of Warwick and Northampton in the County of Bucks.

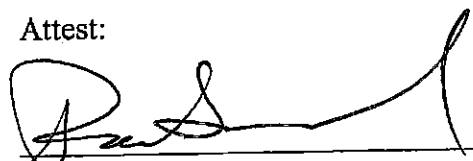
Approved by the Board of Commissioners of the Township of Upper Dublin this 14th day of October, 2003.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



Robert J. Pesavento, President

Attest:



Paul A. Leonard, Secretary



Resolution # 18351

**APPLICATION FOR PERMIT
TO INSTALL AND OPERATE
TRAFFIC SIGNALS**

DATE

WHEREAS, the Township of Upper Dublin, Montgomery County
(CITY, TOWNSHIP, BOROUGH)

desires to erect, operate and maintain traffic signals on Meetinghouse Road & Butler Pike
_____ , and

WHEREAS, The Vehicle Code requires the approval of the Secretary of Transportation before any traffic signals may be legally erected or reconstructed, and

WHEREAS, the Department of Transportation requires an engineering drawing of the location, the Barry Isett & Associates, will prepare such a drawing in conformance with the instructions provided by the Department.

NOW, THEREFORE, BE IT RESOLVED, that traffic signals be erected at the above mentioned location, subject to the approval of the Secretary of the Secretary of Transportation, and that his approval is hereby requested, and

BE IT FURTHER RESOLVED, that, in the event a traffic signal permit is approved after proper investigation, the Township of Upper Dublin
(CITY, TOWNSHIP, BOROUGH)

will be bound by the following provisions:

The traffic signals shall be installed and maintained in accordance with the Vehicle Code and the Regulations for traffic signs, signals and markings of the Department of Transportation, and

Should future highway or traffic conditions, or legal requirements, necessitate alteration of the construction or operation, or hours of operation, or removal of the traffic signals at the above mentioned location, they shall be altered or removed when and as directed by the Secretary of Transportation.

I, Paul A. Leonard Secretary of the Township of Upper Dublin

do certify that the foregoing is a true and correct copy of the resolution legally adopted at the meeting

held, October 14, 2003
(DATE)

(SEAL)

Signed

(SECRETARY)

PAUL A. LEONARD

RESOLUTION

No. 1836

WHEREAS, on the application of Prudential Insurance Company ("Owner") and Fort Washington Phase II Associates, L.P. ("Developer") the Township of Upper Dublin ("Township") approved a plan of development ("Plan") for a property on Welsh Road by Resolution No. 1753 dated September 12, 2000; and

WHEREAS, the parties subsequently entered into a developers agreement (the "Agreement") respecting that Plan; and

WHEREAS, a certificate of occupancy has been issued by the Township for the parking garage and office building constituting Building II of Phase I of the proposed development; and

WHEREAS, the parties desire to amend the Agreement and the Township by virtue of this Resolution wishes to amend certain aspects of Resolution No. 1753 and to authorize certain amendments to the Agreement

NOW THEREFORE, the Board of Commissioners of the Township of Upper Dublin does hereby resolve as follows:

1. Owner heretofore posted security in the form of a performance bond issued by Gulf Insurance Company in the amount of \$364,327.90 to secure the construction of certain parking facilities. The construction of those facilities is being deferred. The Township does therefore hereby release Owner from any further obligation to maintain the said performance bond conditioned upon security being again posted at a future date when this aspect of the project is to be undertaken.
2. The Developer has received a certificate of occupancy for Building II and the improvements associated with it have been completed as certified by the Township Engineer. The Owner has agreed to provide a maintenance bond with respect to these improvements in the amount of \$360,000.00 for a maintenance period to end July 1, 2004. Upon recommendation of the Township Engineer a maintenance bond in this amount and for this period of time is hereby approved, subject to the Owner entering into a maintenance bond agreement in a form approved by the Township Solicitor.
3. As a part of the approved project Developer agreed to install certain timing mechanisms on traffic lights at the intersection of Computer and Welsh Road such mechanisms to be used in association with the upgrading of those lights, at a cost to Developer not to exceed \$14,000.00. The traffic signal upgrade has been deferred. However the timing mechanisms have been purchased and made available for the use of the Township. These mechanisms are readily transferable between traffic light systems. The Township hereby authorizes the Public Works Department to receive and employ these mechanisms where it deems appropriate, it being understood that if and when Owner undertakes to upgrade the traffic lights at Computer and

Welsh Road that the Township will return the mechanisms so that they can be used for this purpose, or will supply to Owner replacement mechanisms for its use.

4. Except as set forth in this Resolution, all other provisions of Resolution 1753, and all provisions of the Developers Agreement other than as specifically modified herein are to remain in full force and effect.


Approved by the Board of Commissioners of the Township of Upper Dublin this *14th* day of *October*, 2003.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary/Township Manager

**TOWNSHIP OF UPPER DUBLIN
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 1837

WHEREAS, the Township of Upper Dublin, Montgomery County, Pennsylvania ("Township"), held a public hearing on Tuesday, November 11, 2003 with respect to the issuance of \$1,550,000 of tax-exempt obligations ("Obligations") by the Hatfield Township Industrial Development Authority ("Authority"), on behalf of Community Ambulance Association, Ambler, Pennsylvania ("Borrower"); and

WHEREAS, the Obligations will be used to finance, *inter alia*, a portion of the project located in the Township ("Project") as described in the Notice of Public Hearing attached hereto as Appendix A; and

WHEREAS, in accordance with the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, a public hearing was held after giving public notice of at least fourteen (14) days in advance thereof, duly published in a newspaper of general circulation in the Township and surrounding areas, at which reasonable opportunity to be heard was provided for all local residents with different views on both the issuance of such tax-exempt financing and the location and nature of such land and facilities; and

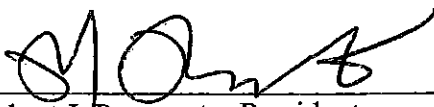
WHEREAS, a copy of the public hearing report is attached hereto as Appendix B;

WHEREAS, the Township has jurisdiction over the area in which the Project is located and the President of the Board of Commissioners of the Township is the Applicable Elected Representative of the Township for purposes of satisfying the requirements of Section 147(f) of the Code; and

NOW, THEREFORE, be it resolved by the President of the Board of Commissioners of the Township, as the Applicable Elected Representative of the Township, that the issuance of the Obligations is hereby approved and this Resolution constitutes the approval pursuant to Section 147(f) of the Code and Treas. Reg. § 5f.103-2 promulgated thereunder.

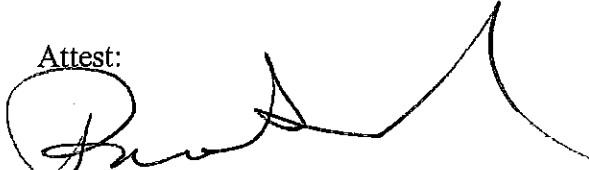
Approved by the Board of Commissioners of Upper Dublin Township this 11th day of November, 2003.

Board of Commissioners of the Township
of Upper Dublin



Robert J. Pesavento, President

Attest:



Paul A. Leonard, Secretary

Appendix A

NOTICE OF PUBLIC HEARING

Appendix B

PUBLIC HEARING REPORT

This report describes in summary form the procedures taken by Township of Upper Dublin, Montgomery County, Pennsylvania, for federal tax compliance purposes and the results of the hearing held with respect to the project ("Project") described below.

Proposed project user: Community Ambulance Association, Ambler, Pennsylvania, an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("Code")

Type of project: Financing of the construction of a community ambulance facility.

Facilities to be financed: The Project will consist of (i) the construction and equipping of an approximately 19,352 square feet emergency response ambulance station on the Site that will provide emergency medical ambulance service for Upper Dublin Township and Hatfield Township and surrounding areas, and (ii) the payment of the costs of issuing the tax-exempt obligations.

Location of project: 1414 East Butler Pike, Ambler, Montgomery County, Pennsylvania ("Site")

Approximate issue size: \$1,550,000

Date notice of public hearing published: Tuesday, October 28, 2003

Newspaper of notice publication: Intelligencer

Date of public hearing: Tuesday, November 11, 2003

Time of hearing: From: ^{7:15} 7:00 p.m. To: ^{7:45}

Location of public hearing: Township of Upper Dublin Municipal Building
801 Loch Alsh Avenue
Fort Washington, PA 19034-0797

Hearing officer:

Persons appearing at hearing:

Summary of views presented:


Name: Robert J. Pesavento
Title: President

**TOWNSHIP OF UPPER DUBLIN
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION CERTIFICATION

The undersigned, Secretary of the Township of Upper Dublin, Montgomery County, Pennsylvania ("Township"), hereby certifies that attached hereto is a true, correct and complete copy of a resolution of said Township, which resolution was duly adopted by the Board of Commissioners of the Township at a public meeting held on November 11, 2003, and that said Resolution has not been modified, amended, repealed or rescinded as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Township this 11th day of November 2003

TOWNSHIP OF UPPER DUBLIN,
MONTGOMERY COUNTY, PENNSYLVANIA

A handwritten signature in black ink, appearing to read 'Paul A. Leonard', written over a horizontal line.

Name: Paul A. Leonard
Title: Secretary

[SEAL]

RESOLUTION NO. 1838

A RESOLUTION ADOPTING THE BUDGET FOR FISCAL YEAR 2004.

WHEREAS, in accordance with the First Class Township Code, the Board of Commissioners have prepared and reviewed an annual budget for the fiscal year 2004 detailing the estimated amounts of money required for the specific purposes of the Upper Dublin Township government for the ensuing fiscal year including estimated receipts, expenditures and appropriations, and,

WHEREAS, the proposed 2004 budget was advertised as required by law and presented at public workshops on November 5, 2003, and on November 12, 2003, and,


WHEREAS, amendments were made to the proposed budget during the public budget hearings legally advertised and held on November 19, 2003, November 25, 2003, and December 3, 2003, and,

WHEREAS, the proposed budget as amended will take effect on January 1, 2004;

THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby adopts the annual budget, detailed in the attached exhibits, for fiscal year 2004.

ADOPTED this 9th day of December 2003.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
Robert J. Pesavento, President

ATTEST: 
Paul A. Leonard, Secretary

RESOLUTION

No. 1839

PRELIMINARY ENDORSEMENT RESOLUTION
MONTGOMERY COUNTY VISION PLAN

Whereas, Upper Dublin Township is one of 62 municipalities in Montgomery County, a growing, diverse, and historic county; and,

Whereas, Montgomery County is preparing a new county comprehensive plan that will guide decision making in the coming years and meet the requirements of Acts 67 and 68 of 2000, which amended the Pennsylvania Municipalities Planning Code; and,

Whereas, local municipalities and the county must work cooperatively to preserve our high quality of life and address common concerns; and,


Whereas, the county and its municipalities face many planning challenges, such as population growth, spreading development, traffic congestion, economic sustainability, revitalization of older communities, open space and farmland preservation, housing needs, and environmental quality;

Now Therefore Be It Resolved, that the Board of Commissioners of Upper Dublin Township hereby:

- Recognizes that protecting the county's high quality of life depends on cooperative planning efforts; and
- Endorses the basic goals, actions, and concepts outlined in the *Vision Plan: Shaping Our Future, a Comprehensive Plan for Montgomery County*; and
- Agrees to work cooperatively with Montgomery County to resolve any concerns with the specifics in the *Vision Plan*, including the location of proposed designated growth areas, rural resource areas, and open space.

RESOLVED this 9th day of December, A.D. 2003.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: 
Robert J. Pesavento, President

Attest:



Paul A. Leonard, Township Secretary/Manager

RESOLUTION NO. 1840

RESOLUTION IN SUPPORT OF HOUSE BILL 1500 OF 2003
SUBURBAN TAX FAIRNESS ACT

WHEREAS, House Bill 1500, known as the "Suburban Tax Fairness Act" has been recently introduced into the Pennsylvania legislation; and

WHEREAS, under current legislation known as Act 511 of 1965, Upper Dublin Township is effectively prohibited from receiving an Earned Income Tax on residents that work within the City of Philadelphia; and

WHEREAS, this restriction is not imposed on Township residents working in any other municipality; and

WHEREAS, the Suburban Tax Fairness Act would allow Upper Dublin Township to receive its fair share of the Earned Income Tax of Township residents that work within the City of Philadelphia; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Upper Dublin Township hereby support House Bill 1500 and encourage the Local Representatives in Pennsylvania State Legislature to vote in support of this bill.

ADOPTED this 9th day of December, 2003.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 

Robert J. Pesavento, President

Attest:



Paul A. Leonard, Secretary

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

RESOLUTION NO. 1891

Resolved by the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, That

WHEREAS, In 1872, Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our township increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, BE IT RESOLVED that the Upper Dublin Township Board of Commissioners does hereby proclaim April 30, 2004 as

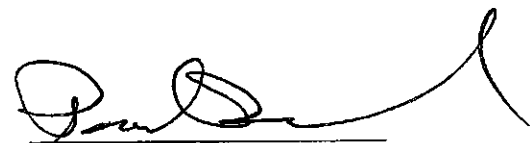
ARBOR DAY

in the Township of Upper Dublin, and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and


FURTHER, we urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Signed this 9th day of March, A.D. 2004.

ATTEST:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert V. Pesavento, President

RESOLUTION

NO. 1842

WHEREAS, Upper Dublin Township is a participant in the Pennsylvania Local Government Investment Trust (the Trust”); and

WHEREAS, the Trust has entered into a Terms and Conditions of Merchant Service Agreement dated as of March 1, 2004 with Global Payment Direct, Inc. (“Global”) and the member bank and the debit sponsor identified therein, under which Global will make available to the Trust ‘s participants a Merchant Service Program (the “Merchant Service Program”); and

WHEREAS, under the Merchant Service Program, Global will offer to Upper Dublin Township the ability to honor at its operational locations certain credit cards and debit cards in connection with the payment of various governmental fees, fines, services and charges by Upper Dublin Township’s customers and citizens using various electronic payment processes; and

WHEREAS, Upper Dublin Township may from time to time enter into additional agreements to provide for the use of additional cards or other enhancements as part of the Merchant Service Program (the “Additional Agreements”); and


NOW THEREFORE, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. Upper Dublin Township is authorized to participate in the Merchant Service Program.
2. The Finance Director of Upper Dublin Township is authorized to take any action and to execute and deliver any documents or agreements as may be necessary or proper to effectuate Upper Dublin Township’s participation in the Merchant Service Program and to carry out the purposes of this resolution.

ADOPTED THIS 13th day of April, 2004

Board of Commissioners
UPPER DUBLIN TOWNSHIP

ATTEST


Paul A. Leonard, Secretary

BY 
Robert J. Pesavento, President

RESOLUTION
NO. 1843

**RESOLUTION TO GRANT FINAL LAND DEVELOPMENT APPROVAL
UPON THE APPLICATION OF CONGREGATION BETH OR
FOR PROPERTY AT BUTLER PIKE AND WELSH ROADS**

WHEREAS, on October 29, 2001, the Zoning Hearing Board of Upper Dublin Township granted a special exception to Congregation Developer (hereinafter "Developer") for the use of the former Spring Lake Farm, a 16.7 acre parcel located at the corner of Welsh Road and Butler Pike (hereinafter the "Property"), as a Synagogue with school and associated parking (hereinafter the "Development"); and

WHEREAS, on September 10, 2002, the Board of Commissioners of Upper Dublin Township (hereinafter "Township") granted conditional use approval for relocation of a detention basin and for site work to be performed within the floodplain on the Property; and

WHEREAS, on April 8, 2003, the Township granted Developer Preliminary Land Development approval to redevelop the Property as a Synagogue with school and associated parking; and

WHEREAS, Developer has submitted a 33 page Land Development Plan set prepared by Charles E. Shoemaker, Inc., identified as drawing number UP. DUB. - 1084 dated June 13, 2002, with the most recent revision date of February 13, 2004 and a 16 page Highway Occupancy Plan set prepared by McMahon Associates dated September 13, 2002, with the most recent revision date of September 26, 2003, (hereinafter the "Plans"); and

WHEREAS, based on reviews by the Township Engineer, Township Sewer Engineer, Township Traffic Engineer, and various Township Advisory Boards, and on representations made during the land development application process at public committee meetings of the Board of Commissioners, the Board of Commissioners finds it appropriate to grant conditional final subdivision approval for the project in accordance with the Plans and pursuant to Section 508 of the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby grant final approval of the Development in accordance with the Plans, conditioned on the following:

1. Prior to the Township's execution of the Plans, Developer agrees to enter into a Development And Escrow Agreement with the Township, in which Developer shall agree to complete all of the improvements shown on the Plans in accordance with Township Codes and specifications, which Agreement shall further incorporate the understandings set forth in this Resolution.
2. Prior to any construction, Developer will post escrows as provided by the Pennsylvania Municipalities Planning Code in a form satisfactory to the Township to cover the cost of improvements including but not limited to demolition, on-site stormwater management, erosion and sediment control, landscaping, road improvements, curb and sidewalk improvements, parking and access improvements and a reasonable escrow to assure payment of professional fees.
3. Prior to the Township's execution of the Plans, Developer shall provide detailed metes and bounds descriptions of all applicable utility easements, shall execute deeds of easement in recordable form to the agency having jurisdiction and shall record the same no later than the date on which the final development plan is recorded. .

4. None of the on-site improvements to be constructed by Developer according to the Site Plans, including sanitary sewer, storm sewer, curbing, sidewalk, paving, parking or roadways are intended to be dedicated to the Township.

5. Site frontage improvements along Butler Pike and Welsh Road including curb, widening, drainage and traffic system improvements are intended to be dedicated to the Township or agency having jurisdiction.

6. Developer shall submit to the Township legal descriptions and construction cost estimates for the project. Said estimates shall include the cost to construct the required public improvements including but not limited to on-site stormwater management, erosion and sediment control, landscaping.

7. Developer shall resolve to the satisfaction of the Township Engineer all issues raised in the Engineer's Review Letter dated April 7, 2004, a copy of which is attached hereto as Exhibit "A" and all issues raised in a memorandum from Gary Smith to Rick Stoneback dated March 16, 2004 concerning Landscape Comments, a copy of which is attached hereto as Exhibit "B".

8. Developer agrees that all traffic improvements will be constructed according to Township performance standards, and all associated equipment will be installed according to Township and PADOT standards.

9. The cost of accomplishing, satisfying, reviewing and meeting all of the terms and conditions and requirements of the Plans, the Notes to the Plans, this approval resolution and the Land Development Agreement shall be borne entirely by Developer and shall be at no cost to the Township. Additionally, Developer shall pay the Township for all outstanding professional fees heretofore incurred or to be incurred with respect to the Project.

10. Developer will obtain all required permits and/or approvals only from those agencies authorized to grant such approvals prior to commencing any construction, including the following:

- a. Bucks County Water & Sewer Authority - Sewer Permits, Fees and Agreements.
- b. Water connection agreements, fees and commitment letter.
- c. Upper Dublin Township Public Works Department review.
- d. Upper Dublin Township Parks and Recreation Department review.
- e. Upper Dublin Township Environmental Protection Advisory Board review.
- f. Upper Dublin Township Planning Agency Advisory Board review.
- g. Upper Dublin Township Shade Tree Commission review and approval.
- h. Upper Dublin Township Traffic Engineer – Orth Rodgers.
- i. Upper Dublin Township Fire Marshall.
- j. Montgomery County Planning Commission review.
- k. Montgomery County Conservation District
 - a. Erosion and Sediment Control Plan Approval
 - b. NPDES Permit for earth disturbance
- l. PADEP
 - a. Planning Modules
 - b. Sanitary Sewer Extension to site
 - c. General Permits
- m. PennDOT
 - a. Highway Occupancy Permit for widening, drainage and roadway improvements.
 - b. Traffic Signal Permit revision for Welsh Road and Butler Pike.
- n. Montgomery County Department of Roads and Bridges
 - a. Highway Occupancy Permit

11. The Board of Commissioners agrees to waive the following provisions of the Township Subdivision and Land Development Ordinance ("SO") as requested by Developer. All waivers shall be noted on the Record Plans:

- a. A partial waiver is granted to permit limited improvements to the area at Butler Pike's intersection with Welsh Road and at the new entrance to the site in lieu of fully widening this area. S.O. 212-15.B, C.
- b. A waiver is granted with respect to the last parking area in the western most corner of the site to exceed thirty-six (36) cars in capacity, without being separated from the next parking area by a ten (10) foot planting strip. S.O. 212-17.C. .

- c. A waiver is granted to construct all interior curbing of Belgian block in lieu of concrete curb, with the exception of the twenty-six (26) space parking area under the eastside of the building which need not be curbed at all. . S.O. 212-19.A
- d. A waiver is granted to install a six (6) foot bituminous sidewalk rather than a concrete sidewalk along the Butler Pike frontage. S.O. 212-18.A(1)
- e. A waiver is granted to provide more than fifteen (15) parking spaces in a row before a landscaped island. S.O. 212-32.F.(4)(c)
- f. A waiver is granted from the requirement that Welsh Road and Butler Pike must be widened to a minimum paved width of four (4) travel lanes. ECS 11.A.(2)(a)(1)(d)
- g. A waiver is granted to permit the disturbance of more than forty (40) percent of existing slopes between 10-15 percent, more than thirty (30) percent of slopes between 15-25 percent and more than fifteen (15) percent of slopes greater than twenty-five (25) percent. Chapter 99-17.D. Virtually all disturbed slopes are within the detention area.
- h. A waiver is granted from § 212-32 E.1 of the Code requiring a schedule of the botanical name, height, spread, caliper, quantity and special remarks with respect to all trees 8" in caliper or greater with respect to those trees which the applicant intends to remove. In lieu thereof applicant has provided a schedule of all existing trees 8" or greater to be removed listing their common name and caliper.

12. Developer shall provide the Township Manager and the Township Engineer with at least 72 hours notice prior to the initiation of any grading or ground clearing so that the Township may certify that all appropriate erosion and sedimentation control facilities have been properly installed and also that boundary markers acceptable to the Township have been installed to protect such trees as are specifically proposed not to be eliminated during the construction of the Development.

13. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended), the payment of all applicable fees and the posting of financial security for improvements under the Land Development and Escrow Agreement must be accomplished within ninety (90) days of the date of this Resolution unless a written extension is granted by Upper Dublin Township. Until the applicable fees have been paid and the financial security posted, the final plat or record plan shall not be signed nor recorded. In the event that the fees have not been paid and the escrow has not been

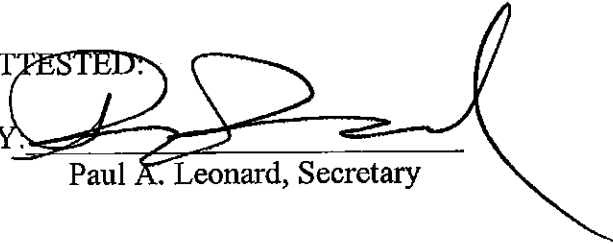
funded within ninety (90) days of this Resolution (or any written extension thereof), this contingent land development approval shall expire and be deemed to have been revoked.

RESOLVED by the Board of Commissioners of Upper Dublin Township this 13th day of April, 2004.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTESTED:

BY:


Paul A. Leonard, Secretary

BY:

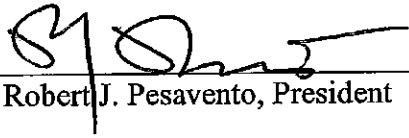

Robert J. Pesavento, President

EXHIBIT A



Barry L. Wert, P.E., P.L.S.
 Jeffrey A. Wert, P.E., P.L.S.
 Robin K. Youmans, P.E.
 Kenneth M. Fretz, Sr., P.L.S.
 Walter E. Hunley, P.L.S.
 Paul D. Erbe, P.E.
 Cynthia H. VanHise, P.E.
 Mark R. Flaherty, Survey Manager
 Joseph J. Fielder, Inspection Manager
 Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

April 7, 2004

Board of Commissioners
 Upper Dublin Township
 801 Loch Alsh Avenue
 Fort Washington, PA 19034



**RE: Final Plan Review – Second Submission
 UD02.021 – Congregation Beth Or**

Dear Members of the Board:

We have reviewed the amended Final Plan set as prepared by Charles E. Shoemaker, Inc. received April 5, 2004, with regard to Chapter 212 – Upper Dublin Township Subdivision and Land Development Ordinance, Chapter 255 – Upper Dublin Township Zoning Ordinance, Chapter 206 – Upper Dublin Township Stormwater Management Ordinance, Chapter 99 – Upper Dublin Grading Ordinance, Upper Dublin Township Engineering and Construction Standards and Improvements Procedures (ECSIP) and principles of currently accepted engineering practice. The ninety (90) day review requirement ends on April 13, 2004. The following comments are offered for your consideration:

Plans Submitted:

<u>Dwg. No.</u>	<u>Description</u>	<u>Date</u>	<u>Last Revision</u>
1 of 34	Cover Sheet	09-13-02	04-01-04
2 of 34	Vicinity Plan	-	04-01-04
3 of 34	Existing Features Plan	06-13-02	04-01-04
4 of 34	Demolition Plan	09-13-02	04-01-04
5 of 34	Land Development Plan	09-13-02	04-01-04
6 of 34	Overall Utility Plan	09-13-02	04-01-04
7 of 34	Grading and Utility Plan (1 of 6)	09-13-02	04-01-04
8 of 34	Grading and Utility Plan (2 of 6)	09-13-02	04-01-04
9 of 34	Grading and Utility Plan (3 of 6)	09-13-02	04-01-04
10 of 34	Grading and Utility Plan (4 of 6)	09-13-02	04-01-04
11 of 34	Grading and Utility Plan (5 of 6)	09-13-02	04-01-04
12 of 34	Grading and Utility Plan (6 of 6)	09-13-02	04-01-04
13 of 34	Erosion Control Plan	09-13-02	04-01-04
14 of 34	Erosion Control Details	09-13-02	04-01-04

15 of 34	Storm Sewer Profiles	09-13-02	04-01-04
16 of 34	Storm Sewer Profiles	09-13-02	04-01-04
17 of 34	Sanitary Sewer Plan and Profiles	09-13-02	04-01-04
18 of 34	Butler Pike Improvement Plan	09-13-02	04-01-04
19 of 34	Butler Pike Improvement Plan	09-13-02	04-01-04
20 of 34	Construction Details	09-13-02	04-01-04
21 of 34	Construction Details	09-13-02	04-01-04
22 of 34	Construction Details	09-13-02	04-01-04
23 of 34	Construction Details	09-13-02	04-01-04
24 of 34	Sanitary Sewer Details	02-13-04	04-01-04
25 of 34	Plan and Profiles – Entrance Drives	09-13-02	02-13-04
26 of 34	Proposed Drive/Construction Baseline Plan	09-13-02	02-13-04
27 of 34	Existing Landscape Plan (L-1)	09-13-02	02-11-04
28 of 34	Landscape Plan (L-2)	09-13-02	02-11-04
29 of 34	Lighting Plan (L-3)	09-15-02	02-11-04
30 of 34	Landscape Specification & Schedules (L-4)	09-13-02	02-11-04
31 of 34	Landscape Details (L-5)	09-13-02	02-11-04
32 of 34	Landscape Details (L-6)	09-13-02	02-11-04
33 of 34	Landscape Details (L-7)	09-13-02	02-11-04
34 of 34	Pond Detail Landscape Plan (L-8)	02-11-04	-

Highway Occupancy Plans – Welsh Road (by McMahon Associates)

<u>Dwg. No.</u>	<u>Description</u>	<u>Date</u>	<u>Last Revision</u>
1 of 16	Cover Sheet	09-13-02	04-02-04
2 of 16	Roadway Improvement Plan	09-13-02	09-26-03
3 of 16	Roadway Improvement Plan	09-13-02	09-26-03
4 of 16	Intersection Grading Plan	09-13-02	09-26-03
5 of 16	Typical Sections	09-13-02	09-26-03
6 of 16	Cross Sections (S.S. 0063)	09-13-02	09-26-03
7 of 16	Cross Sections (S.S. 0063)	09-13-02	09-26-03
8 of 16	Cross Sections (S.S. 0063)	09-13-02	09-26-03
9 of 16	Construction Details	09-13-02	09-26-03
10 of 16	Construction Details	09-13-02	09-26-03
11 of 16	Pavement Marking Plan	09-13-02	09-26-03
12 of 16	Pavement Marking and Signing Plan	09-13-02	09-26-03
13 of 16	Maintenance and Protection of Traffic	09-13-02	09-26-03
14 of 16	Maintenance and Protection of Traffic	09-13-02	09-26-03
15 of 16	Traffic Control Plan	09-13-02	09-26-03
16 of 16	Site Plan	09-13-02	09-26-03
1 of 1	Drainage Area Plan	09-13-02	09-26-03
1 of 1	Site Grading Plan	09-13-02	09-26-03

Reports Included with this or Prior Submissions

1. Conditional Use Narrative – Floodplain District Encroachment prepared by Charles E. Shoemaker, Inc. for Congregation Beth Or and dated June 14, 2002 (not revised).
2. Erosion Control and Stormwater Management Narrative prepared for Congregation Beth Or by Charles E. Shoemaker, Inc. dated September 13, 2002, last revised April 1, 2004.
3. Traffic Impact Study prepared by McMahon Associates, Inc., September 2002 (not revised).
4. Drainage calculations for the Welsh Road Roadway Improvements prepared for Congregation Beth Or by McMahon Associates, Inc. dated October 4, 2002, last revised July 8, 2003.
5. Supplemental Drainage Calculations for PennDOT Highway Occupancy prepared for Congregation Beth Or by Charles E. Shoemaker, Inc. dated June 26, 2003.

Description of Proposed Development

Congregation Beth Or plans to redevelop the former Spring Lake Farm located at the corner of Welsh Road and Butler Pike into a Synagogue with school and associated parking. Conditional Use Approval was granted on September 10, 2002, for relocation of the detention basin and site work in the floodplain. The 16.7 acre site is zoned A-Residential. Religious facilities are permitted by special exception. Public sewer and public water will serve the site.

Zoning Ordinance – Chapter 255

1. A Special Exception for the Synagogue and school within the A-Residential District was granted by the Township Zoning Hearing Board on October 29, 2001. This Special Exception is current to July 29, 2004, as confirmed by Rick Barton, Code Enforcement Official.
2. The Applicant is proposing three hundred thirteen (313) parking spaces. The detailed parking calculation provided was confirmed by the Code Enforcement Official. Z.O. 255-135. Z.O. 255-135.C.(10). Rick Barton, Code Enforcement Official, confirmed this calculation.
3. Details of the off-site parking shuttle arrangement narrative, as referenced in the June 30, 2003, letter from Charles E. Shoemaker should be provided.

4. Proposed signage will need to comply with Article XXI, Signs. A sign for displaying the name of the institution and its activities or services provided that the area on one side of such sign shall not exceed fifteen (15) square feet and provided that not more than one (1) sign shall be erected on any street frontage. A Schematic Location is shown. Z.O. 255-153.C. We defer to the Code Enforcement Official's review.

Subdivision Ordinance – Chapter 212

1. **Waivers** granted with Preliminary Approval that are required to implement the Final Plans:
 - a. Widening along Butler Pike. S.O. 212-15.B, C. Widening has been shown at Butler Pike's intersection with Welsh Road and at the new entrance to the site. A **partial waiver** was granted to limit improvements to this area.
 - b. No one area of off street parking in residential shall exceed thirty-six (36) cars in capacity, unless physically separated from one another by a ten (10) foot planting strip. S.O. 212-17.C. This occurs at the last parking area in the western most corner of the site.
 - c. All proposed interior curb is to be Belgian block in lieu of concrete curb. S.O. 212-19.A
 - d. Concrete sidewalk has not been provided along Butler Pike. A six (6) foot bituminous walk is shown. S.O. 212-18.A(1)
 - e. A maximum of fifteen (15) parking spaces in a row before a landscaped island, which should contain a minimum of three hundred (300) square feet and one (1) shade tree. S.O. 212-32.F.(4)(c)
 - f. Welsh Road and Butler Pike are primary streets that need to be provided with a minimum paved width of four (4) travel lanes. ECS 11.A.(2)(a)(1)(d)
 - g. The Applicant is requesting one (1) additional waiver. The proposed construction will disturb more than forty (40) percent of existing slopes between 10-15 percent, more than thirty (30) percent of slopes between 15-25 percent and more than fifteen (15) percent of slopes greater than twenty-five (25) percent. Chapter 99-17.D. Virtually all disturbed slopes are within the detention area.

Revise Waiver No. 3 (Item "c" above) on the Record Plan to include a waiver from providing concrete curb throughout the entire parking area with Belgian block in lieu of and for the twenty-six (26) space parking area under the eastside of the building not to be curbed with either concrete or Belgian block.

2. Butler Pike and Welsh Road are proposed as Primary Bike Trail routes by the Montgomery County Bike Route Plan of 1998. A six (6) foot wide on-road bike lane is proposed along Butler Pike on the opposite side of the development. A six (6) foot wide bituminous sidewalk is proposed along Butler Pike and a six (6) foot wide concrete sidewalk is proposed along Welsh Road. S.O. 212-18, 34
3. Reference is made to May 13, June 18, and December 22, 2003, letters from the Montgomery County Department of Roads and Bridges requiring curb and drainage installation from the site driveway on Butler Pike to Welsh Road. This curb, widening and drainage may conflict with waivers 1a and 1f referenced above as well as require the removal of the trees along Butler Pike. The December 22, 2003, review was for Stormwater Management and did not reference any specific requirements for improvements along Butler Pike.
4. Review of retaining walls will be conducted through an independent professional with comments addressed separately. S.O. 212-24. We defer to the Code Enforcement Office as to whether railings are required. Preliminary Cross-sections and Details on the Wall Design were provided. A complete structural design for each wall shall be provided with Final Land Development Plans.
5. Landscaping Comments:
 - a. Detailed Cost Estimates have been submitted and are being reviewed. S.O. 212-32.E.(1)(p)
 - b. Additional landscape comments were forwarded under separate letter by memo dated March 16, 2004, and was addressed with our Landscape Consultant. Minor revisions will be addressed with the Landscape Consultant and Designer.
 - c. Retaining walls greater than four (4) feet in height are required to be designed and sealed by a PA Registered Professional Engineer. The design is in process by Earth Engineering, Inc.

Lighting Ordinance – Chapter 158

1. Lighting facilities shall be arranged in a manner, which will protect the highways and neighboring properties from unreasonable direct glare or hazardous

interference of any kind. Z.O. 255-61.R. We defer to Grenald Waldron Associates review letter dated January 22, 2004. Our comments are as follows:

- A. The Lighting Plan has been revised to provide fifteen (15) foot high fixtures along the northwest side of the site. On the residential side of the site, the fixture is approximately twenty-one (21) feet above the existing grade. Applicant previously agreed to set light fixtures in accordance with a field meeting with Township Staff to maximize shielding provided by existing buffers.
- B. Details and information on the building mounted lighting should be provided.
- C. Spacing of the pole-mounted fixtures along the northwest driveway should be reviewed in comparison to the spacing of the existing evergreens. Gaps exist along that buffer line. Reference Item A above.

Stormwater Management Comments

Comments have been addressed.

General Engineering and Drafting Comments

1. The proposed grading adjacent to the existing Verizon manholes along Butler Pike has been approved by Verizon since the manhole structure will need to be raised a minimum of one (1) foot. Reference is made to a February 13, 2002, letter from Verizon.
2. Coordination of timing and pre-emption need to be incorporated into the existing traffic signal at Welsh Road and Butler Pike. Provide notes accordingly. Add necessary wiring and hardware to accomplish pre-emption. Contact the Police Department or Public Works to coordinate equipment types.
3. Controlled fill to a depth of up to nine (9) feet is proposed for substantial areas around the building. Provide details and notes on testing, compaction and lifts. A geo-technical engineer or geologist should provide detailed testing and reporting to the Township and our office. Applicant has indicated depth of rock below has guided building elevation.
4. Downstream pond surveys (hydrographic/silt depth) shall be conducted to verify pre-construction sediment depths.
5. Owner/Developer must comply with the provisions of Article VII, Improvement Construction Requirements, Subdivision Ordinance Section 212-49, by providing a proper guarantee for the construction of all requirement improvements

referenced herein shown on the approved plans or within conditions of permits and approvals of the applicable regulatory agencies. Provide all required cost estimates, legal descriptions, permits and approvals for review prior to final approval.

6. Owner/Developer must comply with the provision of Article VII, Sections 212-50 through 55 inclusive, regarding release from liability, public utilities and laterals, inspections, modifications, fees and costs, and conditions of acceptance.

Review of McMahon Associates Welsh Road Improvement Plans

Detailed review of the McMahon Design Set will be conducted under separate cover as the current Plan Set was received on April 5, 2004.

Permits, Reviews and Approvals:

1. Bucks County Water & Sewer Authority - Sewer Permits, Fees and Agreements.
2. Water connection agreements, fees and commitment letter.
3. Upper Dublin Township Public Works Department review.
4. Upper Dublin Township Parks and Recreation Department review.
5. Upper Dublin Township Environmental Protection Advisory Board review.
6. Upper Dublin Township Planning Agency Advisory Board review.
7. Upper Dublin Township Shade Tree Commission review and approval.
8. Upper Dublin Township Traffic Engineer – Orth Rodgers.
9. Upper Dublin Township Fire Marshall.
10. Montgomery County Planning Commission review.
11. Montgomery County Conservation District
 - a. Erosion and Sediment Control Plan Approval
 - b. NPDES Permit for earth disturbance
12. PADEP
 - a. Planning Modules
 - b. Sanitary Sewer Extension to site
 - c. General Permits
13. PennDOT
 - a. Highway Occupancy Permit for widening, drainage and roadway improvements.
 - b. Traffic Signal Permit revision for Welsh Road and Butler Pike.
14. Montgomery County Department of Roads and Bridges
 - a. Highway Occupancy Permit

Page 8 of 8
Board of Commissioners
UD02.021 -- Congregation Beth Or
April 7, 2004

Please feel free to call should you have any questions regarding this review.

Sincerely,



Jeffrey A. Wert, P.E., P.L.S.
Township Engineer

JAW/dkg

cc: Paul A. Leonard, Upper Dublin Township Manager
Richard Barton, UDT Code Enforcement Director
Chuck Oyler, P.E., UDT Public Works Director
Gilbert High, Esquire, Township Solicitor, via fax #610-275-5290
Liz Rogan, AICP, Township Planner, via Email
Bucks County Water & Sewer Authority, Glen Argue
Bucks County Water & Sewer Authority, Mary Ann Mangini
Montgomery County Planning Commission
Montgomery County Department of Roads and Bridges, Matt Hunsberger
Environmental Protection Advisory Board
Planning Agency Advisory Board
Shade Tree Commission
Adrienne Eiss, Orth-Rodgers & Associates, Inc.
Chief Terry Thompson, Upper Dublin Police Department
Rabbi Gregory S. Marx, Applicant via fax #215-646-0173
Charles E. Shoemaker, Inc., Applicant's Engineer via fax #215-576-7791
Peter S. Friedman, Esquire, Applicant's Attorney via fax #215-635-7212
Steven Katz, Katz Builders and Developers, via fax #215-491-7530

EXHIBIT B

Memorandum

TO: Rick Stoneback
FROM: Gary J. Smith
DATE: March 16, 2004
RE: **Landscape Comments**
UD02-021 - Congregation Beth Or

Rick:

We offer the following landscape comments pertaining to the above referenced project. The review included Sheets L-1 through L-8, last revised February 11, 2004, as prepared by McCloskey & Faber. A hard copy of materials will be forwarded to your office.

Chapter 212-32

Section E. – Information Required on the Landscape Plan

- E. (1) Landscape Plan will show the following existing and proposed information:
- (b) Plans need to show setbacks.
 - (g) Locations of all utility lines (sanitary, electric, communication, gas) need to be shown on the landscape plans to determine any conflicts with landscape.

It is noted that all landscape materials should be a minimum of ten (10) feet from underground utilities. Conflicts on the Plan need to be resolved. In particular, the water line along right side of the main entrance drive and one Red Maple and stormwater lines (4" PVC infiltration pipes) located within in parking islands. Review of the Overall Utility Plan revised 2/13/04 (Sheet 5 of 33) show conflicts with the new sanitary line and several proposed street trees (Red Oak) and with the gas/electric/telephone lines and some of the lot landscaping (Spruce) near service court.

- (h) The Plans need to be sealed by a Professional Surveyor or Registered Landscape Architect. As required, the submitted Tree Survey shows location and caliper and a listing of existing trees. It would be useful to the reviewers and site contractors to have each tree labeled by species on the Plan. As presented, the list of existing trees (Tree Replacement Schedule) cannot be linked to the individual trees.

(i) Existing trees (8" or greater) to be removed needs to be provided in schedule form. Although a listing is provided, it needs to include the required information set forth in this subsection (e.g., botanical name, height, spread, etc.).

(k) Plans are prepared at 1"=50', as required. The use of graphic symbols for all plantings rather than letter coding, plus the background shading makes the plans impossible to read at the scale provided. Many symbols cannot be distinguished from each other and some look the same on the Plant Schedule (e.g., double circle and triangle).

For review purposes, the Applicant is asked to provide a revised set of plans at a larger scale such as 1"=30' or 1"=20'. Larger scale plans for landscaping will also facilitate installation for the contractor and Township inspections.

(l) Planting details

Typical Deciduous Tree Planting Detail

- Add "Do Not Cut Leader".
- Remove reference to paper wrap.
- Change pruning height to 6'8" (vs. 6'6" shown).

(m) Additional existing features need to be added and all must be labeled or the graphic symbol added to the Legend. These include the wetlands adjacent to pond and slopes (>10%). Sloped areas may have landscape requirements according to Section 212-32 F (7).

(p) A detailed Cost Estimate is required for the Final Landscape Plan.

Section F. Specific Planting Requirements

F. (1) Street Trees

(b) [1] For calculation purposes, a 50-foot spacing is used, which is permitted under both Chapter 212 and Chapter 195. Under subsection (b) [5], the option to group or arrange trees informally is permitted. Under this option, street trees shall average one (1) tree every forty (40) feet with no spacing >150 feet. Groups of three (3) are used in this Plan, but the average is less than forty (40) feet and two (2) groups are separated by more than one hundred fifty (150) feet.

The calculation of eighteen (18) trees along Butler Pike needs to be adjusted to round up to nineteen (19). In addition, the calculation should account for a twenty-six (26) foot drive rather than forty-six (46) foot drive on Butler Pike. The result is nineteen (19) street trees with the tree credits adjusted accordingly (Landscape Requirement Table, Sheet L-4).

Eight (8) new trees are shown within the ultimate r-o-w and beneath the overhead wires. All of the existing trees along Butler Road are in the ultimate right-of-way. If the County

chooses to widen this road to the legal r-o-w, the roots of these trees will be damaged. If the widening extends to the ultimate r-o-w, these trees will be removed. If removed, these trees should be replaced along the frontage beyond the ultimate r-o-w according to caliper inches removed.

NOTE: Many of the existing trees proposed for saving are in poor condition from decline and trimming. One (1) proposed to be saved is dead. We are inclined to encourage replacement beyond the r-o-w with new trees to be in a position to provide a similar screen once those close to the Butler Pike do not continue to screen.

(b) [6] Street trees shall not be planted over or less than ten (10) feet from underground utilities or beneath the overhead wires. There are conflicts with the new sanitary line, which can be solved with minor shifts of the trees. Eight (8) new trees are proposed beneath the overhead wires. With the addition to the Plans of the other utilities, including sanitary sewer, electric, gas, and communications, (see Section E (1) (g) above), trees will need to be shifted to meet the ten (10) foot offset requirement.

(c) [1] Reference to the American Standard for Nursery Stock by the American Association of Nurserymen needs to be added to the Plan Notes.

F (3) Screen Buffer

(a) By definition, a “screen buffer” is intended to be an impenetrable visual screen. The screen buffer along the Daisy Lane property line is a combination of existing Scotch Pines and new Spruces. The pines are mature and have few branches at lower levels to effectuate an impenetrable visual screen. Additional evergreen materials need to be added at the lower levels. It is noted that Scotch Pines are susceptible to tip blight (diplovia) and may be lost in the future, thereby eliminating the upper level screening.

(b) [1] The calculation of required evergreens needs to be adjusted to account for twelve (12) foot spacing (not fifteen [15] foot) reflecting the use of Spruce (Table 1, Note 2). The adjustment will result in a requirement of one hundred thirty-eight (138) versus one hundred ten (110) evergreen trees, which must be carried through the table to the quantity proposed, and the tree credits (Landscape Requirement Table, Sheet L-4).

(b) [3] Additional screening is needed to adequately screen the service area from the Butler Pike Drive.

F. (4) Parking Area Landscaping

(f) Any parking lot (>4,000 S.F.) closer than fifty (50) feet to any residential district must have a continuous row of shrubs, fence, wall, earth berm of combination (minimum

installation height 3'6") between the parking area and residential district. This treatment is needed along the length of the large parking lot adjacent to the Harner Drive neighborhood.

F. (5) Detention Basin Landscaping

At least one (1) Willow of the four (4) existing shade trees counted towards the requirement has been damaged and should be removed. The tree credits should be adjusted accordingly.

F. (6) Individual Lot Landscaping

(a) [2] The plan scale and graphic style as noted above make the Plans difficult to decipher especially for the smallest graphic symbols (shrubs). Based on the submitted Plans, the shrub quantity cannot be verified at three hundred seventeen (317) as provided for lot landscaping. (Section E. (1) (k) above.)

(c) [1] Per Section I, Recommended Plant List,
-- Shade Trees must be a minimum spread of 8' and height of 14-18';
-- Ornamental Trees a minimum spread of 5'.
The Plant Schedule (Sheet L-4) needs to be amended.

F. (7) Landscaping on Slopes

This section may apply depending upon the areas of slopes >10% requested to be added to the Plans as noted above (Section E. (1) (m)).

G. Preservation and Protection of Existing Trees

Per Sheet L-1, trees are proposed for preservation along the frontage, fifteen (15), and within the site, one hundred twenty-seven (127). From a recent site visit, it was noted that at least one (1) of the specimen trees to be saved near the pond has been sheared off. It should be removed and possibly replaced.

See note above (F (3) a) regarding Scotch Pines preserved as a screen buffer.

H. Replacing Trees Destroyed by Development

The Tree Replacement Schedule (Sheet L-4) needs to be adjusted to reflect changes in the tree credits noted above.

Additional Comments

Mr. Rick Stoneback

UD02.021 – Congregation Beth Or

March 16, 2004

1. It is not good practice to use one (1) species through a project. If that species becomes prone to disease, the entire population will decline and possibly die. Consideration should be given to using additional evergreen tree species in addition to the Spruce proposed to be used throughout the site.
2. Use of Red Oak is a high-risk choice as it is currently subject to disease and bores. It would be prudent to change some or all to another shade tree.
3. Plants are proposed that are not on the Recommended Plant List (*Crataegus viridis*, *Acer palmatum*, *Cornus sericea*, *Cephalanthus occidentalis*, *Prunus laurocerasus*). Unless these can be identified as in excess of the required trees and replacement trees, they need to be removed from the Plant Schedule or a **waiver** requested.
4. Katsura tree can have a spread of 40-60 feet and will overgrow the spaces proposed.
5. Wetland Habitat Species – A complete List of Plants and more variety than 2-3 species are needed given the number of plants proposed for this pond edge. Reference to “etc.” in the species list is too vague.
6. Wintercreeper is an invasive plant and will overgrow the proposed space. (Note: The common name and botanical name are reversed on the Plant Schedule.)
7. Allegheny Viburnum will reach a spread of 10-12’ and planted at 5’ O.C. will be too tight to each other and the wall.
8. The Compact Winged Euonymus will reach a spread of 8-10’ and planted at 3’ O.C. will be too tight to each other and the wall.
9. Trees are proposed in the islands that will contain 4” perforated drainage pipes. The trees are too close to the pipes at 2-5’ and will result in roots penetrating with future maintenance problems.
10. Notes on Sheet L-4 should include contractor’s responsibility to remove stakes and guy wires at the end of the guarantee period.

The above comments need to be addressed with the Final Plan submission.

GJS/dkg

cc: McCloskey & Faber
Steve Katz, Katz Builders and Developers
Paul A. Leonard, Upper Dublin Township Manager
Richard D. Barton, Code Enforcement Director
Liz Rogan, AICP, Upper Dublin Township Planner, via Email

RESOLUTION NO. 1844


WHEREAS, it is the desire of the Board of Commissioners of Upper Dublin Township Montgomery County, Pennsylvania to enter into a Reimbursement Agreement with the County of Montgomery; and

WHEREAS, these agreements directly relate to the design of the Traffic Signal Improvements of the following intersections:

- No. 27 Butler Pike and Morris Road
- No. 28 Jenkintown Road and Fitzwatertown Road
- No. 29 Jenkintown Road and North Hills Avenue

NOW, THEREFORE, BE IT RESOLVED, by authority of the Board of Commissioners of Upper Dublin Township , Montgomery County, and it is hereby resolved by authority of the same, that the president of said Municipality be authorized and directed to sign the Agreements on its behalf and the Secretary be authorized and directed to attest the same.

**Upper Dublin Township
Board of Commissioners**

BY:  April 13, 2004
ROBERT J. PESAVENTO, PRESIDENT

ATTEST: 
PAUL A. LEONARD, SECRETARY

RESOLUTION TO APPROVE UPPER DUBLIN TOWNSHIP'S PARTICIPATION IN THE MONTOMGERY COUNTY 2004 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, Upper Dublin Township seeks to participate in the 2004 Program Year from the Montgomery County Community Development Block Grant Program (CDBG Program); and

WHEREAS, the Department of Housing and Urban Development has requested that the Township certify through this resolution it's commitment to adhere to the requirements of the CDBG Program should it's participation be approved; and

WHEREAS, the Board of Commissioners has been presented by Montgomery County with an application form for various projects (hereinafter the "Projects") within the Township (hereinafter the "Application"), which it desires hereby to approve for execution.

NOW THEREFORE, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Township hereby confirms its willingness and desire to implement the Projects in accordance with the provisions of the Application, including all understandings and assurances contained therein and hereby authorizes the President of the Board of Commissioners to act in connection with the Application and to provide such additional information as may be required.

2. The Township agrees to expend CDBG Program Funds pursuant to the guidelines as specified in the Application, set forth as follows:

a. Access to Information

The Township assures that it will give the Department of Housing and Community Development, and the U. S. Department of Housing and Urban Development (HUD), through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the activity; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

b. Conflict of Interest

The Township certifies that no persons described as an employee, agent, consultant, officer, or elected official or appointed official of the governing body, or of any designated public agencies, or Subrecipients which are receiving funds under a Subrecipient Agreement, who exercise or have exercised any functions or responsibilities with respect to Community Development Block Grant Activities, HOME Activities or Emergency Shelter Activities assisted under a Subrecipient Agreement; or who are in a

position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

c. Nondiscrimination

The Township certifies that it will comply with all Federal Statutes relating to nondiscrimination. These include but are not limited to:

(a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin;

(b) Title IX of the Education Amendments of 1972, as amended (20 USC "1681-1686), which prohibits discrimination on the basis of sex;

(c) Section 504 of the Rehabilitation Act of 1973, as amended (29 USC '794), which prohibits discrimination on the basis of handicaps;

(d) the Age discrimination Act of 1975, as amended (42 USC " 6101-6107), which prohibits discrimination on the basis of age;

(e) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;

(f) The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;

(g) " 523 and 527 of the Public Health Service Act of 1912 (42 USC 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;

(h) Title VIII of the Civil Rights Act of 1968 (42 USC '3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;

(i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made;

(j) the requirements of any other nondiscrimination statute(s), which may apply to the application.

d. Equal Opportunity

Section 109 of the Housing and Community Development Act of 1974, P.L. 93-383 (42 USC 5309) and the regulations issued pursuant thereto (24 CFR

part 570.602), which provide that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds provided under this Part.

e. Fair Housing

Title VIII of the Civil Rights Act of 1968, as amended by Fair Housing Amendments act of 1988 (42 USC 3601-20) and implementing regulations at 24 CFR part 100, which states that no person shall be subjected to discrimination because of race, color, religion, sex, handicap, familial status, or national origin in the sale, rental, or advertising of dwellings, in the provision of brokerage services, or in the availability or residential real estate-related transactions; and requires that grantees administer all programs and activities related to housing and community development in a manner to affirmatively further fair housing. Actions that the application or subrecipient undertake to affirmatively further fair housing will be consistent with action identified in any locally adopted fair housing analysis.

f. Uniform Relocation Assistance

The Township assures that it will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted program. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in the purchase.

g. Hatch Act

The Township assures that it will comply with the provisions of the Hatch Act (5 USC " 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

h. Labor Standards

The Township assures that it will comply, as applicable, with the provision of the Davis-Bacon Act (40 USC " 276a to 276a-7), the Copeland Act (40 USC '276c and 18 USC " 874), and the Contract Work Hours and Safety Standard Act (40 USC " 327-333), regarding labor standards for federally assisted construction subagreements.

i. Environmental Clearance

The Township will comply with the environmental laws and authorities at 24 CFR parts 50 and 58 and will 1) supply the Department of Housing and Community Development with information necessary for it to perform any necessary environmental review of each activity; 2) carry out mitigating measures required by Housing and Community Development 3) not acquire or otherwise carry out any program activities with respect to any eligible project until Housing and Community Development approval is received.

j. Release of Funds

The Township acknowledges that receipt of any Grant is subject to the release of funds by the U. S. Department of Housing and Urban Development, and that release of payments will be subject to documenting compliance with all requirements listed in the Grant Agreement to be executed with Montgomery County.

k. Environmental Standards

The Township assures that it will comply with environmental standards which may be prescribed pursuant to the following:

- (i) institution of environmental quality control measures under the Nation Environmental Policy act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
- (ii) notification of violating facilities pursuant to EO 11738;
- (iii) protection of wetlands pursuant to EO 11990;
- (iv) evaluation of flood hazards in floodplain in accordance with EO 11988;
- (v) assurance of project consistency with the approved State management program developed un the Coastal Zone Management Act of 1972 (16 USC " 1451 et seq.);
- (vi) conformity of Federal actions to State (Clear Air) Implementation Plan under Section 176(c) of the Clear Air Act of 1955, as amended (42 USC ' 7401 et seq.);
- (vii) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P. L. 93-523); and
- (viii) protection of endangered species under the Endangered Species Act of 1973, as amended, (P. L. 93-205).

l. Historic Preservation

The Township assures that it will assist in assuring compliance with section 106 of the National Historic Preservation Act of 1966, as amended

(16 USC 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 USC 469a-1 et seq.).

m. Lead-Based Paint

The Township assures that it comply with the Lead-Based Paint Poisoning Prevention Act (42 USC " 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation or residence structures.

n. Financial Requirements

The Township assures that it will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

The Township acknowledges that the Federal Programs will not be responsible for any project costs incurred prior to the full execution of a Subrecipient Agreement.

o. Procurement

The Township acknowledges that the Office of Housing and Community Development must approve and verify that all procurement requirements have been meet in accordance with the Program Regulations. The Office of Housing and Community Development must approve any purchases or the awards of any contracts to be funded in full or in part with any Federal funds granted through the CDBG Program/ HOME Program or ESG Program;

p. Other Program Requirements

The Township agrees that implementation of any project funded in full or in part will not proceed without full execution of the program requirements as described in the Subrecipient Agreement.

The Governing Body certifies that it will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

q. Lobbying

The Township certifies that to the best of its knowledge and belief:

(i) No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant,

the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

(ii) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

(iii) It will require that the language of paragraph (n) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly;

r. Drug-Free Workplace

The Governing Body certifies that it will or will continue to provide a drug-free workplace by:

(i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(ii) Establishing an ongoing drug-free awareness program to inform employees about -

- (a) The dangers of drug abuse in the workplace;
- (b) The grantee's policy of maintaining a drug-free workplace;
- (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(iii) Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

(iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -

- (a) Abide by the terms of the statement; and
- (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five

calendar days after such conviction;

(v) Notifying the agency in writing, within ten calendar days, after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v), and (vi).

3. The Board of Commissioners may, at its discretion, submit to Montgomery County a written request for additional monies, should they be needed for the Projects, or for other qualifying undertakings. Such request will be considered and approved at the sole discretion of the Montgomery County Commissioners and shall be considered as addenda to this Application.


ADOPTED this 13th day of April, 2004.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP



Robert J. Pesavento, President

Attest:



Paul A. Leonard, Secretary

U:\M\general\edbg\agreement
4.6.04

RESOLUTION

NO. 1846

A RESOLUTION of the Board of Commissioners of Upper Dublin Township, Montgomery County, authorizing the use of a grinder pump and low pressure lateral or force mains for the connection of an existing residential building at 1624 Dreshertown Road, Dresher, which building is presently being served by a failing on-lot sewage disposal system and adopting a brief sewage facilities plan for the proposed sewage facilities, through the Pennsylvania Act 537 Special Study provisions of Chapter 71.32(a).

WHEREAS, Bruce Shaw and Arlene Shaw ("Owners") are the owners and residents of 1624 Dreshertown Road, Dresher, Upper Dublin Township (the "Property") a property which is presently served by a failing on-lot sewage disposal system; and

WHEREAS, Bucks County Water and Sewage Authority ("BCW&SA") owns and operates a sanitary sewage collection and conveyance system and maintains a sanitary sewer main adjacent to the Property, and

WHEREAS, BCW&SA will permit connection to its system from the Property; and

WHEREAS, the Property can only be serviced to the BCW&SA system by a grinder pump and low pressure lateral; and

WHEREAS, the Township, in accordance with the power vested in it by law, desires to amend its 537 Plan on file with the Pennsylvania Department of Environmental Protection ("PADEP") in order to permit such connection, provided the connection conforms to the rules and regulations concerning the installation and use of grinder pumps and low pressure force mains established by PADEP; and

WHEREAS, PADEP approval requires the preparation of a special study, which has been completed by the Township Engineer; and

WHEREAS, the Township and Owners have agreed upon the terms of a grinder pump operation and maintenance agreement, to be executed and recorded in the Office for the Recording of Deeds, Norristown, Pa.

NOW THEREFORE, the Board of Commissioners of Upper Dublin Township resolve as follows:

Section 1. The Township hereby authorizes the installation and use of a grinder pump and low pressure force main (the "lateral service") to service the property at 1624 Dreshertown Road, Dresher, subject to (a) the provisions of this Resolution, (b) the approval of the Township engineer, and (c) the approval of the PADEP.

Section 2. The installation and maintenance of the lateral service shall comply with the Rules and Regulations of the Township in effect from time to time and with the terms of the Operation and Maintenance Agreement to be entered into between the Township and the Owners and recorded, as aforesaid.

Section 3. The lateral system shall be connected to the sewage collection and conveyance system in full compliance with the Rules and Regulations of the Township and BCW&SA in effect from time to time.

Section 4. The Township reserves control over the type of pumps and force main components used so that full service capability is available locally on short notice.

Section 5. The Owners of the Property, their successors and assigns shall have full responsibility for providing, maintaining, operating, repairing, and replacing the lateral system.

Section 6. The Township shall have no responsibility for the purchase, operation, repair, maintenance, or replacement of the grinder pump or its low pressure force main.

Section 7. The Township hereby adopts and approves the special study for the lateral service installation prepared by the Township Engineer.


Section 8. This Resolution shall become effective immediately.

Section 9. In the event that any provision, section, sentence, clause, or part of this Resolution shall be held invalid, such invalidity shall not affect or impair any remaining provisions, section, clause, or part of this Resolution, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

ADOPTED THIS 13th day of April, 2004.

Upper Dublin Township

By: 
Robert J. Pesavento, President

Attest: 
Paul A. Leonard, Secretary/Township Manager

Narducci, Lorraine

From: High, Gil
Sent: Wednesday, April 07, 2004 12:28 PM
To: Paul Erfle
Cc: Narducci, Lorraine
Subject: Re: Shaw Grinder Pump documents

Paul: Furthering our conversation on the above, Dick Berlinger prepared and faxed to me copies of the maintenance agreement with the Township and the Easement agreement using forms that I provided to him. I am writing him to confirm that the agreements are in good form and to send signature originals to Lorraine at the Township for execution after the Township passes the resolution. The resolution was prepared by me and sent to Lorraine a while ago. A copy is enclosed for your files in case I neglected to copy you at the time I sent it to her. This ought to wrap the whole thing up. Thanks for all your work on this.

Gilbert P. High, Jr.
High, Swartz, Roberts & Seidel
40 E. Airy Street
Norristown, PA 19404
610 275-0700
610 275-5290 (fax)
ghigh@highswartz.com

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4/7/2004

RESOLUTION NO. 1847

APPROVAL OF OPEN SPACE PLANNING GRANT SUBMISSION

THE TOWNSHIP OF UPPER DUBLIN

WHEREAS, on December 18, 2003, the Commissioners of Montgomery County established the Green Fields/Green Towns Program which provides grant funds for open space preservation; and

WHEREAS, the Green Fields/Green Towns Program provides grants may be used by any municipality in Montgomery County for the preparation of an open space plan; and

WHEREAS, the Township of Upper Dublin desires to prepare an open space plan in accordance with guidelines established by the county.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners

- 1) that the Township of Upper Dublin hereby approves the filing of an application for a Montgomery County Open Space Planning Grant, and
- 2) that the secretary is hereby authorized and directed to execute and file the appropriate forms with the Montgomery County Open Space Board.

Duly presented and adopted by the Board of Commissioners in public meeting held May 11, 2004.

Board of Commissioners of
Township of Upper Dublin

By: _____

Robert J. Pesavento, Presavento

Attest: _____

Paul A. Leonard, Secretary

**UPPER DUBLIN TOWNSHIP BOARD OF COMMISSIONERS
MONTGOMERY COUNTY, PA**

RESOLUTION NO. 1848

**LAND DEVELOPMENT APPLICATION NO. U.D. 03-008 FOR
PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL
FOR JOHN WOZNIAK**

WHEREAS, John Wozniak is the owner of premises identified as 1200 Camp Hill Road (the "Property") and has made application for the subdivision of the Property into two residential building lots (Lot 1 and Lot 2) according to the plans prepared by Eastern/Chadrow Associates, Inc. dated July 7, 2003 and last revised on May 21, 2004 (hereinafter the "Plans"); and

WHEREAS, the Township owns land adjacent to the Property which it uses as a public park ("Mondauk Park"), and has proposed that a portion of the Township property be exchanged for a like portion of the Wozniak Property in order to avoid the creation of an irregular lot; and

WHEREAS, the Township property was acquired using funds from a Commonwealth of Pennsylvania bond issue known as "Project 70" and any transfer of property thus acquired can only occur with the approval of the Pennsylvania State Legislature; and

WHEREAS, Wozniak has received conditional use approval to create Lot 1 as a rear lot, the frontage along Camp Hill Road adjacent to Lot 1 being occupied by an abandoned cemetery; and

WHEREAS, the Township Engineer has issued a review letter dated June 7, 2004, attached hereto, setting forth, *inter alia*, his observations as to requirements which the applicant must fulfill in order to complete the development of the Property, the provisions of which are incorporated herein by reference; and

WHEREAS, the owner desires to obtain preliminary/final land development approval of the Plans from Upper Dublin Township in accordance with Section 508 of the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, be it resolved, that Upper Dublin Township hereby grants preliminary/final approval of the land development as shown on the Plans subject, however, to the following conditions:

1. The development shall be constructed in strict accordance with the Plans, the Plan comments, the letter of the Township Engineer dated June 7, 2004, and the terms and conditions of this Resolution.
2. The developer will provide security in a form acceptable to the Township Solicitor and in an amount to be agreed upon by the Township Engineer for the infrastructure and other improvements shown on the Plans.
3. All utilities serving the structures proposed to be built on the property shall be placed underground in accordance with Township Code.
4. The developer shall comply with all conditions set forth in the review letter of the Township Engineer dated June 7, 2004.
5. The developer has requested the waivers/deferrals as set forth below. Waivers or deferrals are hereby granted as noted, the deferral extending to such time as the Township deems

the installation of the improvement to be desirable, in which case the owner of the property shall install the improvement at no cost to the Township:

- A. Widening of Camp Hill Road is not shown on the Plan. A waiver is requested by the Applicant. S.O. 212-15. The Applicant is proposing a three (3) foot stone shoulder. A deferral is granted.
- B. Drainage along Camp Hill Road is not shown. A waiver is requested by the Applicant. S.O. 212-24. A deferral is granted.
- C. Softening buffer has not been provided [S.O. 212-32.F.(2)]. A waiver is requested by the Applicant. The waiver is granted. S.O. 212-32.F.(2)(b)(3)
- D. Curb is not proposed along Camp Hill Road. A deferral is requested by the Applicant. S.O. 212-19. A deferral is granted.

6. The property is not presently served by public water and public sewer and must be thus served prior to occupancy. If the owner seeks to use the existing sanitary sewer and water line easement across Township property, further approvals for such use must be sought from Upper Dublin Township and from the Bucks County Water and Sewer Authority.

7. This approval is specifically conditioned upon the Township obtaining all necessary approvals, including that of the Commonwealth of Pennsylvania regarding the exchange of property acquired with the use of Project 70 funds, with respect to the land swap set forth on the Plans, all at no expense to the Township other than necessary professional fees.

8. The cost of accomplishing, satisfying and meeting all of the terms, conditions and requirements of the Plans, notes to the Plans and the Land Development Agreement, except as specifically noted herein, shall be borne entirely by the applicant and shall be at no cost to the Township.

9. Lot 1 contains approximately 16,800 square feet of its area sloping between 10% and 35%. Per Z.O. 255-34.A, B and C, impervious areas must be limited within those sloped sections, primarily, the land to the rear being acquired from Upper Dublin Township.

10. Lot 2 contains approximately 15,000 square feet of its area sloping between 10% and 35%. Per Z.O. 255-34.A, B and C, impervious coverage must be limited within those sloped sections, primarily the land to the rear being acquired from Upper Dublin Township.

11. A ten foot wide Conservation Easement has been added to the rear of Lot 1 and Lot 2. A covenant shall be prepared by the Township Solicitor and recorded with the plan.


12. Until such time as the applicable fees and contributions have been paid, the escrow is fully funded, the required security provided, and Project 70 approval obtained, the final plat or record plan shall not be signed or recorded. In the event that the fees have not been paid and the escrow has not been funded within ninety (90) days of this Resolution (or any written extension thereof), this contingent subdivision approval shall expire and be deemed to have been revoked. Applicant shall share equally with the Township the costs of appraisal necessary to obtain the Project 70 approval.

Approved by the Board of Commissioners of Upper Dublin Township this ^{8th} day of

June, 2004.

UPPER DUBLIN TOWNSHIP

BY: 
ROBERT J. PESAVENTO, President

Attest: 
PAUL A. LEONARD, Secretary
g:\ud\Developments\Wozniak\Resolution 6.3.04

RESOLUTION

No. 1849

WHEREAS, on the application of Prudential Insurance Company ("Owner") and Fort Washington Phase II Associates, L.P. ("Developer") the Township of Upper Dublin ("Township") approved a plan of development ("Plan") for a property on Welsh Road by Resolution No. 1753 dated September 12, 2000; and

WHEREAS, the parties subsequently entered into a developers agreement (the "Agreement") respecting that Plan; and

WHEREAS, a certificate of occupancy has been issued by the Township for the parking garage and office building constituting Building II of Phase I of the proposed development; and

WHEREAS, the parties desire to amend the Agreement and the Township by virtue of this Resolution wishes to amend certain aspects of Resolution No. 1753 and to authorize certain amendments to the Agreement

NOW THEREFORE, the Board of Commissioners of the Township of Upper Dublin does hereby resolve as follows:

1. Owner has requested that certain improvements scheduled for Phase I of this development be deferred to Phase II. The deferred improvements for which the Township is holding a performance bond consisting in part of \$136,300.63 as security for their completion are as follows:

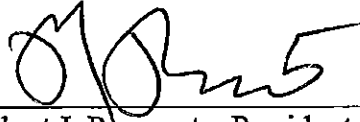
- A. Remaining work Phase 1 (Bike Path) \$18,994.50.
- B. Computer & Welsh Rd. intersection improvements - \$117,306.13 (not built).

2. The Township does therefore hereby release Owner from any further obligation to maintain \$136,300.63 of the said performance bond conditioned upon security being again posted at a future date when this aspect of the project is to be undertaken.

3. Except as set forth in this Resolution, all other provisions of Resolution 1753, and all provisions of the Developers Agreement other than as specifically modified herein are to remain in full force and effect.

Approved by the Board of Commissioners of the Township of Upper Dublin this ^{6th}
day of June, 2004.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



Robert J. Pesavento, President

Attest:



Paul A. Leonard, Secretary/Township Manager

UPPER DUBLIN TOWNSHIP
RESOLUTION NO. 1850

RESOLUTION IN HONOR OF ISRAEL MILNER

WHEREAS, Upper Dublin Township Board of Commissioners learned with regret of the resignation from the Environmental Protection Advisory Board of its distinguished member *Israel Milner*; and

WHEREAS, *Israel Milner* served the Township of Upper Dublin as a member of the EPAB for 27 years, starting as a founding member of the board, served as chairman for many of those years, providing leadership to the board and regular interactions with the Township Commissioners that helped to make the EPAB an effective part of Township government; and

WHEREAS, *Israel Milner* always maintained high standards of awareness of environmental issues in the township and while passionate about preserving environmental quality in the township, he also had a balanced view and sought to find the appropriate middle ground that would protect the environment at the same time as allowing desired development; and

WHEREAS, *Israel Milner* has been committed to environmental education and has been instrumental in the board's interaction with the Upper Dublin High School Environmental Classes and Club, Robbins Park, and other groups while this passion for education was also demonstrated in the public outreach and involvement performed by the EPAB; and

WHEREAS, *Israel Milner* was never hesitant to take on Board assignments and put his own personal energy into EPAB work as well as involvement in activities such as the annual stream cleanup and has had a strong ethic of community service; and

WHEREAS, *Israel Milner* unselfishly shared his energy as a distinguished member of the Environmental Protection Advisory Board,

BE IT THEREFORE RESOLVED, that in appreciation for his contributions, support, and guidance generously given to the Environmental Protection Advisory Board, to Upper Dublin Township, and to the broader general community; the Upper Dublin Township Board of Commissioners hereby enacts this Resolution to be recorded in the official records of the Township to honor the dedicated service of *Israel Milner* and to wish him well in all future endeavors.

RESOLVED, this 13th day of July, 2004 at a public meeting of the Upper Dublin Township Board of Commissioners.

ATTEST:


Paul A. Leonard, Secretary

By: 

Robert J. Pesavento, President

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

RESOLUTION NO. 185

RESOLUTION FOR REVISION TO OFFICIAL SEWAGE FACILITIES PLAN

RESOLUTION OF THE COMMISSIONER'S OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act" as amended, and the Rules and Regulations of the Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, requires the municipality to adopt an Official Sewage Facilities Plan (Facilities Plan), providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said Plan, whenever it is necessary to meet the sewage disposal needs of the municipality; and

WHEREAS, Upper Dublin Township has prepared a report titled, "Act 537 Sewage Facilities Plan for Upper Dublin Township" which provides for the sewage facilities within the Township that are tributary to all sewage treatment facilities except for the Upper Dublin Wastewater Treatment Plant; and

WHEREAS, Upper Dublin Township finds that the Act 537 Plan for Upper Dublin Township described above conforms to zoning, subdivision, other municipal ordinances and plans and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Commissioner's of Upper Dublin Township hereby adopts and submits to the Department of Environmental Protection for its approval as the "Official Facilities Plan" of the municipality, the above referenced sewage facilities plan. The municipality hereby assures the Department of the complete and timely implementation of the said Plan, as required by law. (Section 5, Pennsylvania Sewage Facilities Act as amended).

The proposed Act 537 Plan includes:

1. Wastewater flow projections for the 5-year, 10-year and the ultimate time frames.
2. A recommendation for obtaining of additional treatment capacity at the Abington Wastewater Treatment Plant.
3. A recommendation for construction of the following sewer extensions:

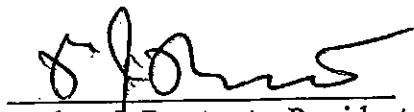
Fort Washington Avenue Sewer Extension Phase 2 (10-year service area)
Butler Pike/Susquehanna Road Area Sewer Extension (10-year service area)
Dreshertown Road Sewer extension (10-year service area)
Twining Road Sewer Extension (10-year service area)

The key implementation activities/dates include:

- Upper Dublin review of the Draft Act 537 Plan (April/May, 2004)
- Public Agency Review of the Draft Act 537 Plan (April/May, 2004)
- Public Notification of Draft Act 537 Plan (May, 2004)
- Upper Dublin finalizes and adopts the Act 537 Plan (July, 2004)
- Act 537 Submittal to PA DEP for review (July, 2004)
- PA DEP approval of The Act 537 Plan (September, 2004)
- Apply to DEP for 50% Planning Grant (October, 2004)

RESOLVED, this 13th day of July, 2004, at a public meeting of the Board of Commissioners.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

RESOLUTION NO. 1852
RESOLUTION FOR REVISION TO OFFICIAL SEWAGE FACILITIES PLAN

RESOLUTION OF THE COMMISSIONER'S OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act" as amended, and the Rules and Regulations of the Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, requires the municipality to adopt an Official Sewage Facilities Plan (Facilities Plan), providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said Plan, whenever it is necessary to meet the sewage disposal needs of the municipality; and

WHEREAS, Upper Dublin Township has prepared a report titled, "Text Amendment No. 2, Act 537 Plan Update, Rapp Run/Pine Run Drainage Basins" which provides for the sewage facilities tributary to the Upper Dublin Wastewater Treatment Plant; and

WHEREAS, Upper Dublin Township finds that the Text Amendment No. 2 described above conforms to zoning, subdivision, other municipal ordinances and plans and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Commissioner's of Upper Dublin Township hereby adopts and submits to the Department of Environmental Protection for its approval as a revision to the "Official Facilities Plan" of the municipality, the above referenced Text Amendment No. 2. The municipality hereby assures the Department of the complete and timely implementation of the said Plan, as required by law. (Section 5, Pennsylvania Sewage Facilities Act as amended).

The proposed amendment to the current Act 537 Plan revises wastewater flow projections for the 5-year, 10-year and the ultimate time frames. In addition, the Plan calls for the following activities to be performed by the Bucks County Water & Sewer Authority, as owner of wastewater collection, conveyance and treatment facilities in Upper Dublin Township:

1. Perform additional wet weather flow monitoring of the Rapp Run, Pine Run and Delaware Drive Interceptors along with Pinetown Road Pump Station, The Pennsylvania Avenue Pump Station, and at the Commerce Drive Pump Station. Based on flow monitoring, perform the following conveyance system upgrades, where justified:
 - A. Either replace Pinetown Road Pump Station and force main with new facilities (first preference) or construct a Rapp Run Interceptor gravity relief sewer in accordance with the alternatives analysis provided in the plan.
 - B. Construct a relief sewer for the Pine Run Interceptor, Section 1.
 - C. Construct a relief sewer for the Pine Run Interceptor, Section 2.

- D. Construct a Bethlehem Pike Relief Sewer between Manhole 12A and 34.
2. Because short term flow projections are less than originally anticipated in the 1998 Text Amendment No.1, and since Total Maximum Daily Load (TMDL) restrictions for the Wissahickon Creek Watershed are not yet finalized by EPA, defer construction upgrade to the Upper Dublin WWTP for 8 to 10 years, when flows are anticipated to approach 1.0 MGD, unless required sooner by DEP.
3. In the interim, continue to improve existing facilities at the UDWWTP. Additional recommended improvements to the Treatment Plant are as follows:
- A. Replace membrane air diffusers to improve fine pore aeration efficiency.
 - B. Install an additional emergency generator for the existing Anaerobic/Oxic (A/O) treatment plant.
 - C. Repair the Trickling Filter Distributors.
 - D. Install flow proportional Chlorine Feed System
 - E. Provide cathodic protection for existing Anaerobic/Oxic treatment plant, in order to minimize corrosion of the buried metal tankage. Also evaluate the condition of protective coatings for all metal tankage; if coatings are deteriorated, recoat tanks accordingly.

The key implementation activities/dates include:

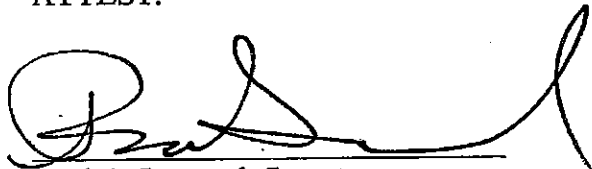
- Upper Dublin review Draft Act 537 Text Amendment No. 2 (April/May, 2004).
- Planning Agency review of Draft Act 537 Text Amendment No. 2 (April/May 2004).
- Public Notification of Draft Act 537 Text Amendment No. 2 (May, 2004).
- Upper Dublin finalize and adopt Act 537 Text Amendment No. 2 (July, 2004).
- Act 537 Text Amendment No. 2 submitted to DEP for review (July, 2004).
- DEP approval of Act 537 Text Amendment No. 2 (September, 2004).
- Apply to DEP for 50% Planning Grant (October, 2004).

RESOLVED, this 13th day of July, 2004, at a public meeting of the Board of Commissioners.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary

*Original to
Mike Murphy*

**THIS RESOLUTION MUST BE COMPLETED BY POLITICAL
SUBDIVISION IF APPLYING FOR A POLICE OFFICER
TO ATTEND A BASIC TRAINING PROGRAM
(NOT NECESSARY WITH WAIVER REQUESTS)**

RESOLUTION

RESOLUTION NO. 1853

AND NOW, this _____ day of _____, 2004, the UPPER DUBLIN TOWNSHIP
YEAR NAME OF POLITICAL SUBDIVISION
_____, of MONTGOMERY
NAME OF COUNTY

County, Pennsylvania, being desirous of obtaining reimbursement of monies for expenses incurred for officer
ANDREW L. LAVENBERG, pursuant to the training provisions of the Municipal Police Officers'
Education and Training Act, Act 120 of 1974, hereby enacts the following RESOLUTION:

BE IT RESOLVED by the UPPER DUBLIN TOWNSHIP, and it is hereby resolved by the
NAME OF POLITICAL SUBDIVISION
authority of same:

THAT the UPPER DUBLIN TOWNSHIP hereby agrees
NAME OF POLITICAL SUBDIVISION
that while receiving any funds from the Commonwealth of Pennsylvania pursuant to said Act, the
UPPER DUBLIN TOWNSHIP shall adhere to the rules,
NAME OF POLITICAL SUBDIVISION
regulations and training standards established by the Municipal Police Officers' Education and Training
Commission.

IN WITNESS WHEREOF the UPPER DUBLIN TOWNSHIP hereby authorizes the
NAME OF POLITICAL SUBDIVISION
execution and attestation of the RESOLUTION and the date first above written.

SEAL

by: *[Signature]*
SIGNATURE - HEAD OF POLITICAL SUBDIVISION

ROBERT P. SAVENTO/PRESIDENT OF BOARD
TITLE - HEAD OF POLITICAL SUBDIVISION

[Signature]
SIGNATURE - CHIEF OF POLICE (IF APPLICABLE)

ATTEST:

[Signature]
SIGNATURE - SECRETARY

PAUL A. LEONARD/TOWNSHIP MANAGER
TYPED NAME

§ 6105(a):

PROHIBITS PERSONS CONVICTED OF ANY OF THE FOLLOWING OFFENSES UNDER 18 P.A.C.S. FROM POSSESSING, USING, CONTROLLING, TRANSFERRING, MANUFACTURING, OR OBTAINING A LICENSE TO POSSESS, USE, CONTROL, TRANSFER OR MANUFACTURE A FIREARM IN THE COMMONWEALTH OF PENNSYLVANIA. A CONVICTION INCLUDES A FINDING OF GUILTY OR THE ENTERING OF A PLEA OF GUILTY OR NOLO CONTENDERE, WHETHER OR NOT JUDGEMENT HAS BEEN IMPOSED, AS DETERMINED BY THE LAW OF THE JURISDICTION IN WHICH THE PROSECUTION WAS HELD. THE TERM DOES NOT INCLUDE A CONVICTION WHICH HAS BEEN EXPUNGED OR OVERTURNED OR FOR WHICH AN INDIVIDUAL HAS BEEN PARDONED UNLESS THE PARDON EXPRESSLY PROVIDES THAT THE INDIVIDUAL MAY NOT POSSESS OR TRANSPORT FIREARMS.

§ 6105(b):

- | | | | |
|---------|--|----------|---|
| § 908 | PROHIBITED OFFENSIVE WEAPONS. | *§ 3701 | ROBBERY. |
| § 911 | CORRUPT ORGANIZATIONS. | § 3702 | ROBBERY OF MOTOR VEHICLE. |
| § 912 | POSSESSION OF WEAPON ON SCHOOL PROPERTY. | § 3921 | THEFT BY UNLAWFUL TAKING OR DISPOSITION, UPON CONVICTION OF THE SECOND FELONY OFFENSE. |
| *§ 2502 | MURDER. | *§ 3923 | THEFT BY EXTORTION, WHEN THE OFFENSE IS ACCOMPANIED BY THREATS OF VIOLENCE. |
| *§ 2503 | VOLUNTARY MANSLAUGHTER. | § 3925 | RECEIVING STOLEN PROPERTY, UPON CONVICTION OF THE SECOND FELONY OFFENSE. |
| § 2504 | INVOLUNTARY MANSLAUGHTER, IF THE OFFENSE IS BASED ON THE RECKLESS USE OF A FIREARM. | § 4912 | IMPERSONATING A PUBLIC SERVANT, IF THE PERSON IS IMPERSONATING A LAW ENFORCEMENT OFFICER. |
| *§ 2702 | AGGRAVATED ASSAULT. | § 4952 | INTIMIDATION OF WITNESSES OR VICTIMS. |
| *§ 2703 | ASSAULT BY PRISONER. | § 4953 | RETALIATION AGAINST WITNESS OR VICTIM. |
| *§ 2704 | ASSAULT BY LIFE PRISONER. | § 5121 | ESCAPE. |
| § 2709 | HARASSMENT AND STALKING, IF THE OFFENSE RELATES TO STALKING. | § 5122 | WEAPONS OR IMPLEMENTS FOR ESCAPE. |
| *§ 2901 | KIDNAPPING. | § 5501 | RIOT, IF THE OFFENSE RELATES TO A FIREARM OR OTHER DEADLY WEAPON. |
| § 2902 | UNLAWFUL RESTRAINT. | § 5515 | PROHIBITING OF PARAMILITARY TRAINING. |
| § 2910 | LURING A CHILD INTO A MOTOR VEHICLE. | § 6110.1 | POSSESSION OF FIREARM BY MINOR. |
| *§ 3121 | RAPE. | § 6301 | CORRUPTION OF MINORS. |
| *§ 3123 | INVOLUNTARY DEVIATE SEXUAL INTERCOURSE. | § 6302 | SALE OR LEASE OF WEAPONS AND EXPLOSIVES. |
| § 3125 | AGGRAVATED INDECENT ASSAULT. | | |
| *§ 3301 | ARSON AND RELATED OFFENSES. | | |
| § 3302 | CAUSING OR RISKING CATASTROPHE. | | |
| *§ 3502 | BURGLARY. | | |
| § 3503 | CRIMINAL TRESPASS, IF THE OFFENSE IS GRADED A FELONY OF THE SECOND DEGREE OR HIGHER. | | |
- ANY OFFENSE EQUIVALENT TO ANY OF THE ABOVE-ENUMERATED OFFENSES UNDER THE PRIOR LAWS OF THIS COMMONWEALTH, OR ANY OFFENSE EQUIVALENT TO ANY OF THE ABOVE-ENUMERATED OFFENSES UNDER THE STATUTES OF ANY OTHER STATE OR OF THE UNITED STATES.


- WARNING TO POLICE OFFICERS AND OFFICIALS -
DO NOT SIGN AND SUBMIT THIS FORM IF ANY OF THE INFORMATION WHICH YOU HAVE PROVIDED IS NOT TRUE AND CORRECT

CERTIFICATION

WE CERTIFY THAT THIS FORM CONTAINS NO MISREPRESENTATION OR FALSIFICATIONS, OMISSIONS OR CONCEALMENT OF MATERIAL FACT AND THAT THE INFORMATION GIVEN IS TRUE AND COMPLETE TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND THAT WE ARE SIGNING THIS DOCUMENT WITH THE FULL UNDERSTANDING THAT ANY FALSE INFORMATION OR STATEMENT WILL SUBJECT US TO THE CRIMINAL PENALTIES OF 18 P.A.C.S.A. § 4904, RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES, AND WILL RESULT IN PERMANENT DISQUALIFICATION OF THE POLICE OFFICER TO POSSESS A MUNICIPAL POLICE CERTIFICATION BY THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION.

by: TERRENCE P. THOMPSON/CHIEF OF POLICE
 PRINT NAME AND TITLE OF POLICE CHIEF

 6/13/04
 SIGNATURE OF POLICE OFFICER (DATE)

 6/14/04
 SIGNATURE OF POLICE CHIEF (DATE)

ROBERT DESAVENTO/PRESIDENT OF BOARD
 PRINT NAME OF HEAD OF POLITICAL SUBDIVISION


 SIGNATURE OF HEAD OF POLITICAL SUBDIVISION (DATE)

PLEASE NOTE THAT ALL SIGNATURES MUST BE ORIGINAL AND MUST BE DATED

RESOLUTION NO. 1854

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A PUBLIC STREET AS SHOWN ON A DEVELOPMENT PLAN**

WHEREAS, the Board of Commissioners of UPPER DUBLIN TOWNSHIP has received from AMERON DEVELOPMENT PARTNERSHIP (hereinafter "Grantor") a Deed of Dedication for a widened portion of a public street known as 1305 Ft. Washington Avenue; and

WHEREAS, Developer has presented to the Board of Commissioners of Upper Dublin Township a final subdivision or land development plat which was conditionally approved by said Board of Commissioners on April 13, 1999, said plan having been prepared by Woodrow & Associates, Inc. and dated October 19, 1998, with latest revision date October 12, 2000, bearing Project No. 98-608D consisting of sheets numbered one through four, (hereinafter referred to as "Site Plans"); and

WHEREAS, Grantor has heretofore improved a portion of the Street according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept the Deed of Dedication so that the Street will be opened and dedicated for its additional width for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Deed of Dedication offered to the Township for the improved portion of the street adjacent to 1305 Ft. Washington Avenue as described in Exhibit "A" attached is accepted on the condition that Grantor provide to the Township the following:

- A. Payment of all outstanding monies owed to the Township pursuant to Developer's Agreement entered into between the parties, covering the cost of the required improvements and professional fees;
- B. Maintenance Bond and Escrow Agreement therefor in proper form to guarantee the upkeep of the improvements for a period of 18 months from the date of this Resolution.

All payments and documentation shall be to the satisfaction of the Township Solicitor.

2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deeds of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

3. The public street as described in the attached Exhibit shall hereafter be designated on the official map of streets in the Township as a public street.

RESOLVED, this 13th day of July, 2004.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this 26th day of October, 2000, between AMERON DEVELOPMENT PARTNERSHIP, a partnership organized pursuant to the laws of the Commonwealth of Pennsylvania located at 3221 Water Street, P. O. Box 779, Worcester, Pennsylvania, Grantor, and TOWNSHIP OF UPPER DUBLIN, a Township of the First Class situate at 801 Loch Alsh Avenue, Fort Washington, in the County of Montgomery and Commonwealth of Pennsylvania, Grantee.

WITNESSETH:

That Grantor, for and in consideration of and for the sum of One Dollar (\$1.00) the advantages to it accruing, as well as for diverse considerations affecting the public welfare, which it seeks to advance, has granted, bargained, sold and confirmed, and by these presents does grant, bargain, sell and confirm unto the Grantee, its successors and assigns, an easement and right-of-way over ALL THAT CERTAIN property situate in the TOWNSHIP OF UPPER DUBLIN, County of Montgomery and Commonwealth of Pennsylvania described as set forth in Exhibit "A".

TO HAVE AND TO HOLD the aforesaid easement over all that certain property above described unto the TOWNSHIP OF UPPER DUBLIN, its successors and assigns, to and for the only proper use on behalf of the Township of Upper Dublin, its successors and assigns, for a public road, street or highway, including the right to construct, maintain and repair streets, sidewalks, and curbing over the lands hereinabove described and to

"EXHIBIT A"

cause others to construct, maintain and repair such streets, sidewalks and curbing together with the right of the Grantee and others to construct, maintain and repair utilities over, under and across the lands hereinabove described, together with the right to construct, maintain and repair gutters, grates and storm drains over, under and across the lands hereinabove described, and the further right to remove trees, bushes, undergrowth, soil, and other obstructions interfering with the location, construction and maintenance of all of the aforesaid.

AND the said Grantor, for itself and its successors and assigns by these presents does covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns shall nor will at any time hereafter ask, demand or recover or receive of or from the said Grantee, its successors and assigns any sum of money as and for damages for or by reason of the physical grading of said street to the grade as now established by the Township of Upper Dublin, Grantee, and if such grade shall not be established at the date of these presents that neither the said Grantor, nor its successors or assigns, shall nor will at any time hereafter ask, demand, recover or receive any such damage by reason of the physical grading of said street to conform to the grade as first thereafter established or confirmed by the said Township of Upper Dublin.

AND the said Grantor, for its successors and assigns, does by these presents further covenant, promise and agree to and with said Grantee, its successors and assigns, that the said easement and the right-of-way described unto the said Grantee, its successors and assigns, against it the said Grantor, its successors and assigns, and against

all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him or them or any of them, shall and will warrant and forever defend.

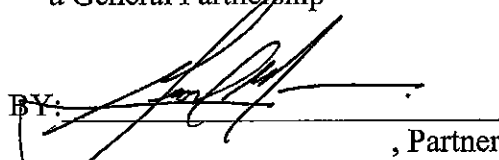
IN WITNESS WHEREOF, Grantor has caused this Deed of Dedication to be duly executed the day and year first above written intending to be legally bound.

ATTEST:

AMERON DEVELOPMENT PARTNERSHIP,
a General Partnership



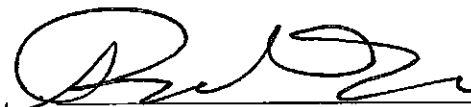
Shana Scanlin
(Please print name and title)

BY:  , Partner

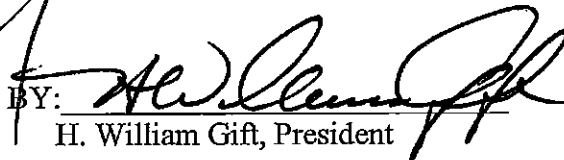
GEORGE C. MARKS, Managing Partner
(Please print name and title)

ATTEST:

COMMISSIONERS OF UPPER DUBLIN



Paul A. Leonard, Secretary

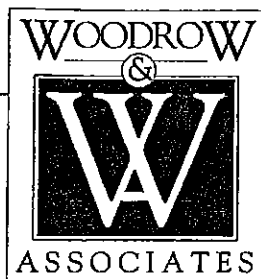
BY: 

H. William Gift, President

Approved as to form:
High, Swartz, Roberts & Seidel, LLP

BY: _____
Solicitor for Upper Dublin Township

Accepted by Resolution of the Board of Commissioners of the TOWNSHIP OF UPPER DUBLIN, _____, A.D., 200__.



Dedication of Ultimate
Right-of-Way Line
1305 Fort Washington
Avenue
March 29, 1999
File No. 98-608D
Revised July 6, 1999

LEGAL DESCRIPTION

All that certain tract of ground with improvements thereon located in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania as described on a Plan prepared by Woodrow & Associates, Inc. dated October 19, 1998 and most recently revised April 27, 1999 indicating an area between existing Title Line of the Tract and the Ultimate Right-of-Way Line of Fort Washington Avenue and more particularly described as follows to wit:

Beginning at a concrete monument located along the Ultimate Right-of-Way Line of Fort Washington Avenue (50 feet wide) describing a common corner between proposed Lot No. 3 of the subdivision and lands of Upper Dublin Township Block 48, Unit 7;

Thence extending into the said Right-of-Way North 44 degrees, 24 minutes, 44 seconds West the distance of 25 and 00/100 feet to a point for a corner;

Thence along the approximate Centerline of Fort Washington Avenue North 44 degrees, 56 minutes, 19 seconds East the distance of 265 and 33/100 feet to a point for a corner;

Thence crossing over the bed of said Fort Washington Avenue and an iron pin found approximately 16 ½ feet South 44 degrees, 13 minutes, 11 seconds East the distance of 25 and 00/100 feet to a point to be set in the field with a concrete monument;

Thence South 44 degrees, 56 minutes, 19 seconds West the distance of 265 and 25/100 feet to the First Mentioned Point and Place of Beginning.

Containing in area .152 Acres of Land More or Less.

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

On this the 30th day of October, 2000, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared H. William Gift, who acknowledged himself to be the President of the Upper Dublin Township Board of Commissioners, a first-class township, and that he as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Township by himself as President.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.


Notary Public

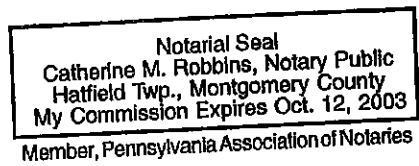
Notarial Seal
Frances S. Amey, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Sept. 23, 2002
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

On this, the 26 day of OCTOBER, 2000, before me the undersigned officer, personally appeared GEORGE E. MARKS, who acknowledged that he/she is a Partner of Ameron Development Partnership, and as such Partner executed the foregoing Easement Agreement for the purposes therein contained and desires the same might be recorded as such.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Catherine M. Robbins
Notary Public



RESOLUTION No. 1855

WHEREAS, the Pennsylvania Department of Transportation (hereinafter "PennDot") requires additional right-of-way for the expansion of the 309 Expressway through Upper Dublin Township; and

WHEREAS, a portion of the required additional right-of-way is property owned by Upper Dublin Township (hereinafter "Township") between Highland Avenue and Loch Alsh Avenue acquired by Deed from the School District of Upper Dublin Township by Deed dated August 8, 1967 and recorded in Deed Book 3438, Page 745; and

WHEREAS, PennDot has advised the Township of their intention to condemn a 0.13 acre portion of the Township property and has made an offer of estimated just compensation in return for a Deed In Lieu of Condemnation; and

WHEREAS, the Township finds the offer of the Commonwealth of Pennsylvania, through PennDot, to be satisfactory.


NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin doth hereby resolve:

1. The proper officers of the Township are hereby authorized to execute an Agreement of Sale with the Commonwealth of Pennsylvania, Department of Transportation, conveying to the Commonwealth a 0.13 acre parcel of ground adjacent to the corridor of the 309 Expressway between Highland Avenue and Loch Alsh Avenue for the consideration of Ten Thousand Four Hundred Dollars (\$10,400.00).


2. The proper officers of the Township are hereby authorized to convey the said parcel to the Commonwealth of Pennsylvania, Department of Transportation by a Deed In Lieu of Condemnation.

RESOLVED the 13th day of July, A.D. 2004.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: 
Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY
UPPER DUBLIN TOWNSHIP
RESOLUTION NO. 1856

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF UPPER DUBLIN
TO APPLY FOR THE
PENNSYLVANIA GROWING GREENER II SAFE STREETS PROGRAM FOR
REIMBURSEMENT FUNDING FOR STREETSCAPE IMPROVEMENTS ALONG
PENNSYLVANIA AVENUE**

WHEREAS, the Board of Commissioners for the Township of Upper Dublin has participated in development of a guidance plan for streetscape improvements for Pennsylvania Avenue between Bethlehem Pike and the Route 309/Pennsylvania Turnpike Interchange that will enhance a Downtown style commercial center character for the "Fort Washington" area of the Township and that will collectively enhance that environment and promote positive interactions with people in this area through the installation of sidewalk improvements, planters and plantings, benches, street lighting, pedestrian crossings, traffic calming, bicycle amenities, signage, and other visual elements; and,

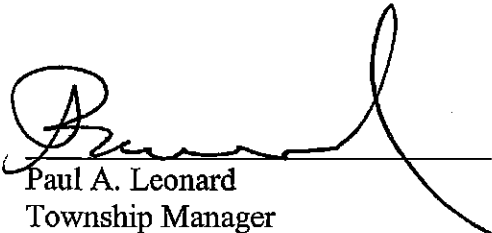
WHEREAS, the Board of Commissioners for the Township of Upper Dublin believe that it would be in the best interest to be involved in the Pennsylvania Growing Greener II Safe Streets Program to promote the health, safety, and welfare of the Upper Dublin community.

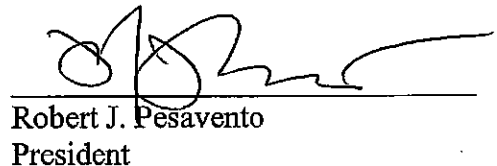
THEREFORE, NOW IT BE RESOLVED, that the Board of Commissioners for the Township of Upper Dublin endorses and authorizes the Township Manager to make such applications as are necessary, on behalf of the Township of Upper Dublin, to apply for funding assistance for streetscape improvements along Pennsylvania Avenue in the Fort Washington area, seeking the authorization for such program reimbursement funds as are available from the Pennsylvania Department of Transportation under such program.

BE IT RESOLVED, this 10th day of August 2004, by the Board of Commissioners for the Township of Upper Dublin.

ATTEST:

**TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS**


Paul A. Leonard
Township Manager


Robert J. Pesavento
President

RESOLUTION

NO. 1857

A RESOLUTION Authorizing The Solicitor Of The Township Of Upper Dublin, Montgomery County, Pennsylvania, And The Proper Officers And Officials Thereof, To File With The Court Of Common Pleas Of Montgomery County, Pennsylvania, A Declaration Of Taking And Such Other Related Documents As May Be Necessary, Including But Not Limited To Entry Of Such Bond As May Be Required, To Proceed With Condemnation, Pursuant To The Eminent Domain Code, Of Easements Across Three Parcels Of Land And Certain Common Areas Located In The Dresherbrooke Townhouse Community, Susquehanna Road, Dresher, For The Purpose Of Installing Storm Water Management Facilities.

WHEREAS, in order to install stormwater management facilities on property owned by Upper Dublin Township adjacent to the multi-family residential development known as the Dresherbrooke Townhouse Community the Township requires certain easements across privately owned properties and common areas; and

WHEREAS, the Board of Commissioners has determined that the construction of the stormwater management facilities will promote the health and welfare of the citizens of the Township of Upper Dublin and will further the Township's goal to mitigate a stormwater condition on property of the Township; and

WHEREAS, the Board of Commissioners has determined that it is necessary to acquire permanent and temporary easements in, on and under certain portions of property, and in, on and under certain existing storm water easements, for the construction, installation, connection and maintenance of the aforementioned facilities; and

WHEREAS, the Board of Commissioners is authorized to institute proceedings in eminent domain pursuant to the First Class Township Code, Article XIX and the Eminent Domain Code.

NOW THEREFORE, The Board of Commissioners of the Township of Upper Dublin does hereby Resolve as follows:

1. The Township Solicitor is authorized to institute proceedings in eminent domain by filing a Declaration of Taking to condemn those certain pieces or parcels of property, and such existing storm water easements, as described and outlined in the Plot Plan attached hereto as Exhibit "A", and the legal descriptions, with detail plans, attached hereto as Exhibits "B" through "J", as temporary and permanent easements over said parcels owned by Amy E. Harrington (parcel no. 54-00-7628-265), Ben R. Pollner (parcel no. 54-00-07628-292), and Jacob and Izabella Wasielak (parcel no. 54-00-07628-328) and those certain portions of existing storm water easements labeled as "B" and "K" on the subdivision plan recorded with the Montgomery County

Recorder of Deeds at Book A57, page 188, which parcels and easements, are needed to complete the construction, installation and connection of the stormwater management facilities to the Upper Dublin Township stormwater management system, and to pursue such proceedings as will accomplish the acquisition of title and the establishment of damages due to the owner, occupiers or tenants of said parcels.

2. The Township Manager is authorized to execute a Declaration of Taking on behalf of the Township of Upper Dublin, and all such other documents deemed necessary by the Township Solicitor to effectuate the condemnation, and to enter into such bond as may be required by law.

3. The plans entitled "15th Hole Easement Plan" and dated August 2, 2004 prepared by Metz Engineers and depicting the aforementioned parcels and easements is hereby approved and shall be executed by the Township Manager, notarized by the Township Secretary and recorded by the Township Solicitor as required by law.

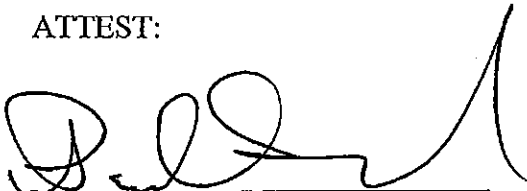
RESOLVED, this day of August, 2004.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



Robert J. Pesavento, President

ATTEST:



Paul Leonard, Secretary

Exhibit "A"

ACKNOWLEDGMENT OF CONDEMNATION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY

ON THIS, THE _____ DAY OF _____, 2004, BEFORE ME,
THE UNDERSIGNED OFFICER, PERSONALLY
APPEARED PAUL A. LEONARD, SECRETARY OF UPPER DUBLIN TOWNSHIP, WHOM
I ACKNOWLEDGED HIMSELF TO BE THE SECRETARY OF UPPER DUBLIN TOWNSHIP AND
THAT HE, AS SUCH OFFICER, BEING AUTHORIZED TO DO SO, AFFIRMS RESOLUTION
_____ WAS PASSED BY THE UPPER DUBLIN TOWNSHIP BOARD OF
COMMISSIONERS ON AUGUST 10TH, 2004, HEREBY CONDEMNATING THE EASEMENTS AS
SHOWN HEREON, IN WITNESS WHEREOF,
I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC (SEAL)

MY COMMISSION EXPIRES _____

AUTHORIZED SIGNATURE

ACKNOWLEDGMENT OF HOME OWNERS ASSOCIATION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY

ON THIS, THE _____ DAY OF _____, 2004, BEFORE ME,
THE UNDERSIGNED OFFICER, PERSONALLY
APPEARED _____ WHO ACKNOWLEDGED
HIMSELF/HERSelf TO BE THE _____
OF OREGON/BROOKME HOMEOWNERS ASSOCIATION, AND THAT HE/SHE AS SUCH
OFFICER, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR
THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE CORPORATION BY
HIMSELF/HERSelf AS _____ IN WITNESS WHEREOF,
I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC (SEAL)

MY COMMISSION EXPIRES _____

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

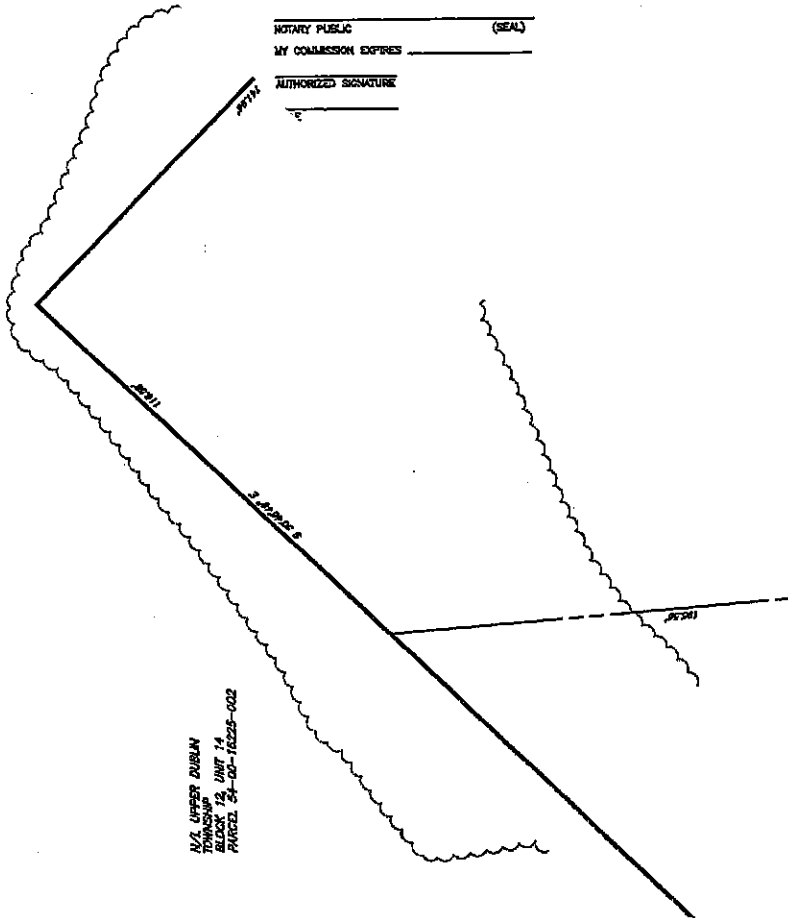
TITLE

TITLE

RECORDER OF DEEDS

RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS IN AND FOR
THE COUNTY OF MONTGOMERY, AT NORRISTOWN, PA, IN PLAN BOOK
NO. _____ PAGE NO. _____ ON _____, 2004.

RECORDER OF DEEDS



PA, UPPER DUBLIN
TOWNSHIP, UNIT 14
PARCEL 14
PARCEL 14-00-16225-002

PLAN OF
MADE BY
CURIEL

Exhibit "B"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hurley, P.L.S.
Paul D. Erle, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

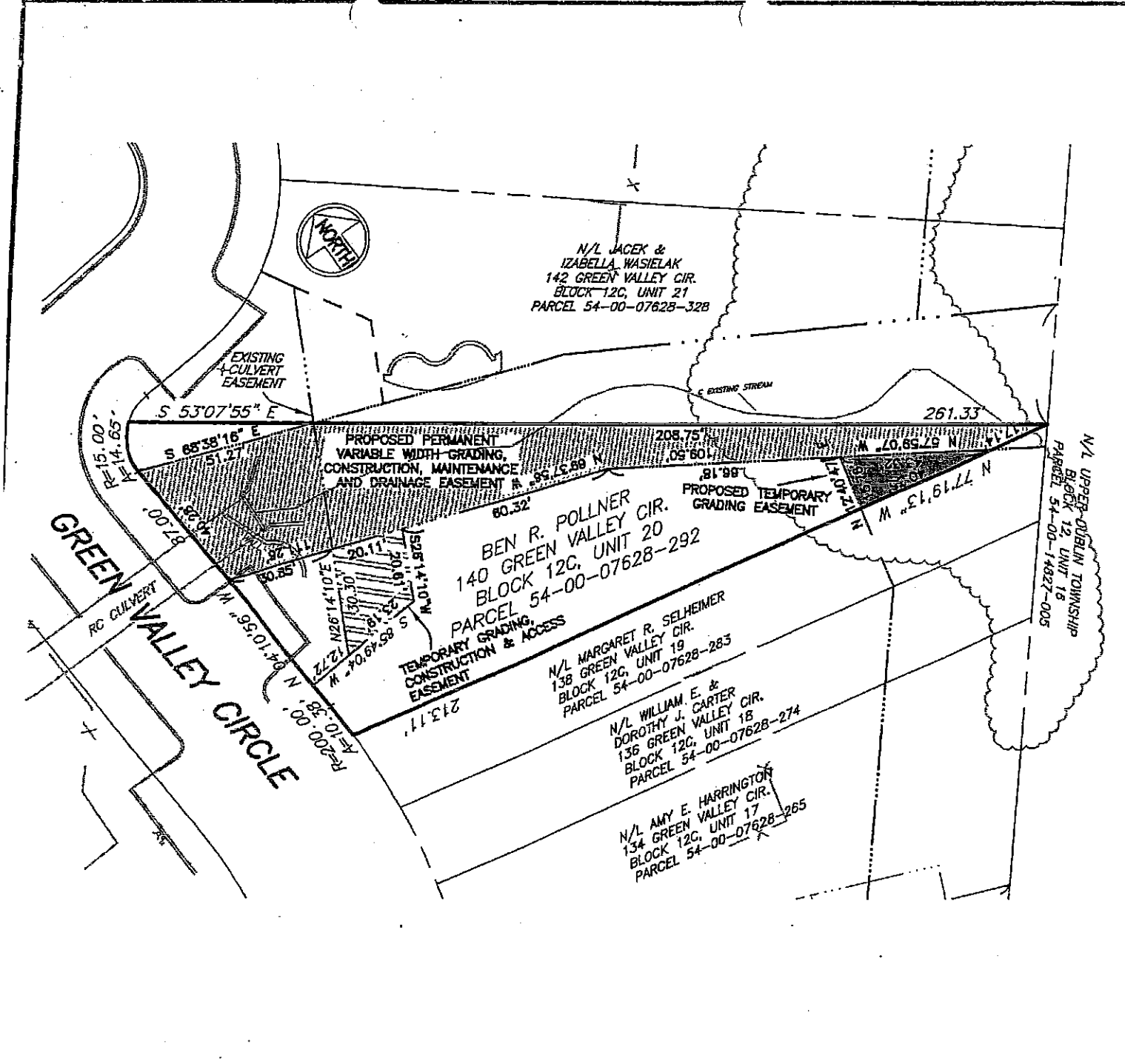
June 26, 2003
Revised August 4, 2003

M6366.1
Upper Dublin Township

**Proposed Temporary Grading, Construction & Access Easement
lands of Ben R. Pollner**

ALL THAT CERTAIN variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as a Temporary Grading, Construction & Access Easement on an Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 4, 2003, and being more fully described as follows:

BEGINNING at a point on the lands of Ben R. Pollner (tax map block 12c, unit 20), said point being located the following two (2) courses and distances from a point of curvature on the right-of-way line of Green Valley Circle; 1) North $04^{\circ}10'56''$ West, 8.00 feet to a point; 2) North $85^{\circ}49'04''$ East, 12.72 feet, as shown on said plan; thence, extending on and through said Pollner lands the following four (4) courses and distances; 1) North $26^{\circ}14'10''$ East, 30.03 feet to a point; 2) South $69^{\circ}37'56''$ East, 20.11 feet to a point; 3) South $26^{\circ}14'10''$ West, 20.61 feet to a point; 4) South $85^{\circ}49'04''$ West, 23.19 feet to a point, said point being the point and place of beginning.



OWNER OF RECORD:

BEN R. POLLNER
140 GREEN VALLEY CIRCLE

MONTGOMERY COUNTY PARCEL DATA:

PARCEL NO. 54-00-07628-292
TAXMAP: BLOCK 12C UNIT 20

PLAN NOTES:

- BOUNDARY TAKEN FROM SUBDIVISION PLAN OF DRESHERBROOK RESIDENTIAL COMMUNITY PREPARED BY BOUCHER & JAMES, INC. DOYLESTOWN, PA AND RECORDED IN PLAN BOOK A57, PAGE 188.

**BLOCK 12C, UNIT 20
POLLNER**

No.		REVISIONS	DATE
—		DATE OF ISSUE	8-4-03
EASEMENT PLAN PREPARED FOR UPPER DUBLIN TOWNSHIP LANDS OF BEN R. POLLNER LAND SITUATE UPPER DUBLIN TWP., MONTGOMERY CO., PA			PROJECT MANAGER KMF
			PROJECT NUMBER M6366.1
			REFERENCE NUMBER
Metz Engineers 410 Dersatine Ave., PO Box 647, Lansdale PA 19446-0647 <i>Civil Engineers & Land Surveyors</i> (215) 855-3111			SCALE 1"=40'
			PLAN SHEET NUMBER 1 of 1

Exhibit "C"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hunley, P.L.S.
Paul D. Erle, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

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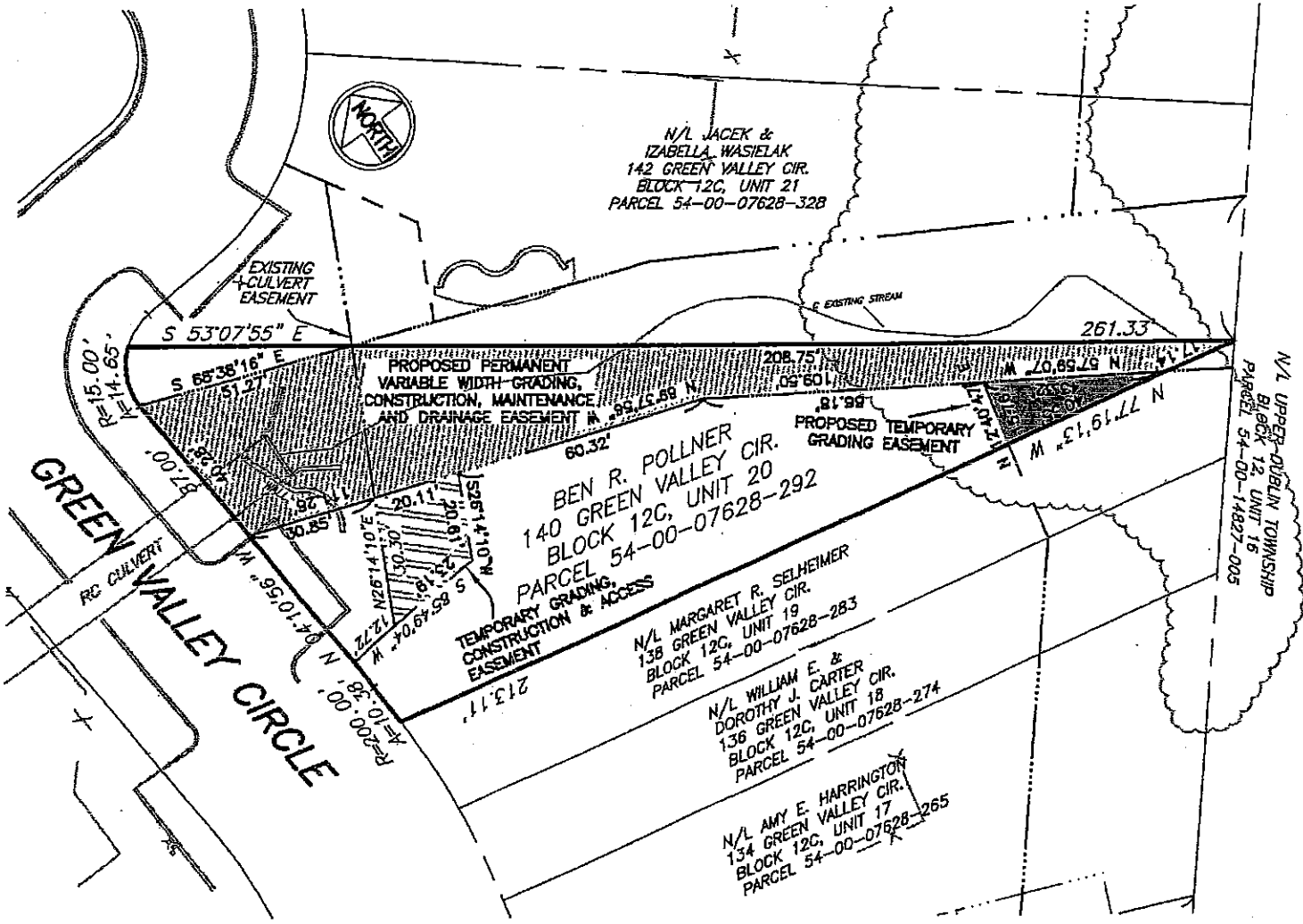
June 26, 2003
Revised August 4, 2003

M6366.1
Upper Dublin Township

**Proposed Permanent Grading, Construction, Maintenance & Drainage Easement
lands of Ben R. Pollner**

ALL THAT CERTAIN variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as a Permanent Variable Width Grading, Construction, Maintenance & Drainage Easement on an Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 4, 2003, and being more fully described as follows:

BEGINNING at a point of curvature on the Green Valley Circle right-of-way line, said point being located from a common line of lands of Ben R. Pollner (tax map block 12c, unit 20) and N/L Margaret R. Selheimer (block 12c, unit 19), by the following two courses; 1) on the arc of a circle curving to the left with a radius of 200 feet, the arc distance of 10.39 feet, 2) North 04°10'56" West, 87.00 feet, as shown on said plan; thence, extending on and through said Pollner lands South 68°38'16" East, 51.27 feet to a point in the line of lands of N/L Jacek & Izabella Wasielak (block 12c, unit 21); thence, extending along said Wasielak lands South 53°07'55" East, 208.75 feet to a corner of said Selheimer line of lands; thence, extending along said Selheimer lands North 77°19'13" West, 17.14 feet to a point; thence, extending on and through said Pollner lands the following two (2) courses and distances; 1) North 57°09'42" West, 109.50 feet to a point; 2) North 69°37'56" West, 111.28 feet to a point on the aforementioned Green Valley Circle right-of-way line; thence, extending along said right-of-way line North 04°10'56" West, 40.28 feet to a point, said point being the point and place of beginning.



OWNER OF RECORD:

BEN R. POLLNER
140 GREEN VALLEY CIRCLE

MONTGOMERY COUNTY PARCEL DATA:

PARCEL NO. 54-00-07628-292
TAXMAP: BLOCK 12C UNIT 20

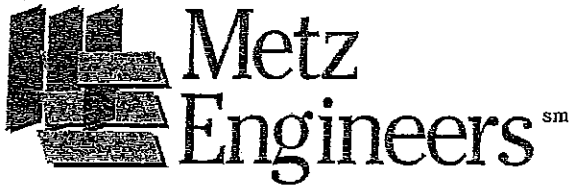
PLAN NOTES:

- BOUNDARY TAKEN FROM SUBDIVISION PLAN OF DRESHERBROOK RESIDENTIAL COMMUNITY PREPARED BY BOUCHER & JAMES, INC. DOYLESTOWN, PA AND RECORDED IN PLAN BOOK A57, PAGE 188.

**BLOCK 12C, UNIT 20
POLLNER**

No.		REVISIONS	DATE
---		DATE OF ISSUE	8-4-03
EASEMENT PLAN PREPARED FOR UPPER DUBLIN TOWNSHIP LANDS OF BEN R. POLLNER LAND SITUATE UPPER DUBLIN TWP, MONTGOMERY CO, PA			PROJECT MANAGER KMF
			PROJECT NUMBER M6366.1
			REFERENCE NUMBER
			SCALE 1"=40'
410 Derflins Ave., PO Box 647, Lansdale PA 19446-0647 <i>Civil Engineers & Land Surveyors</i> (215) 855-3111			PLAN SHEET NUMBER 1 of 1

Exhibit "D"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hunley, P.L.S.
Paul D. Erle, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

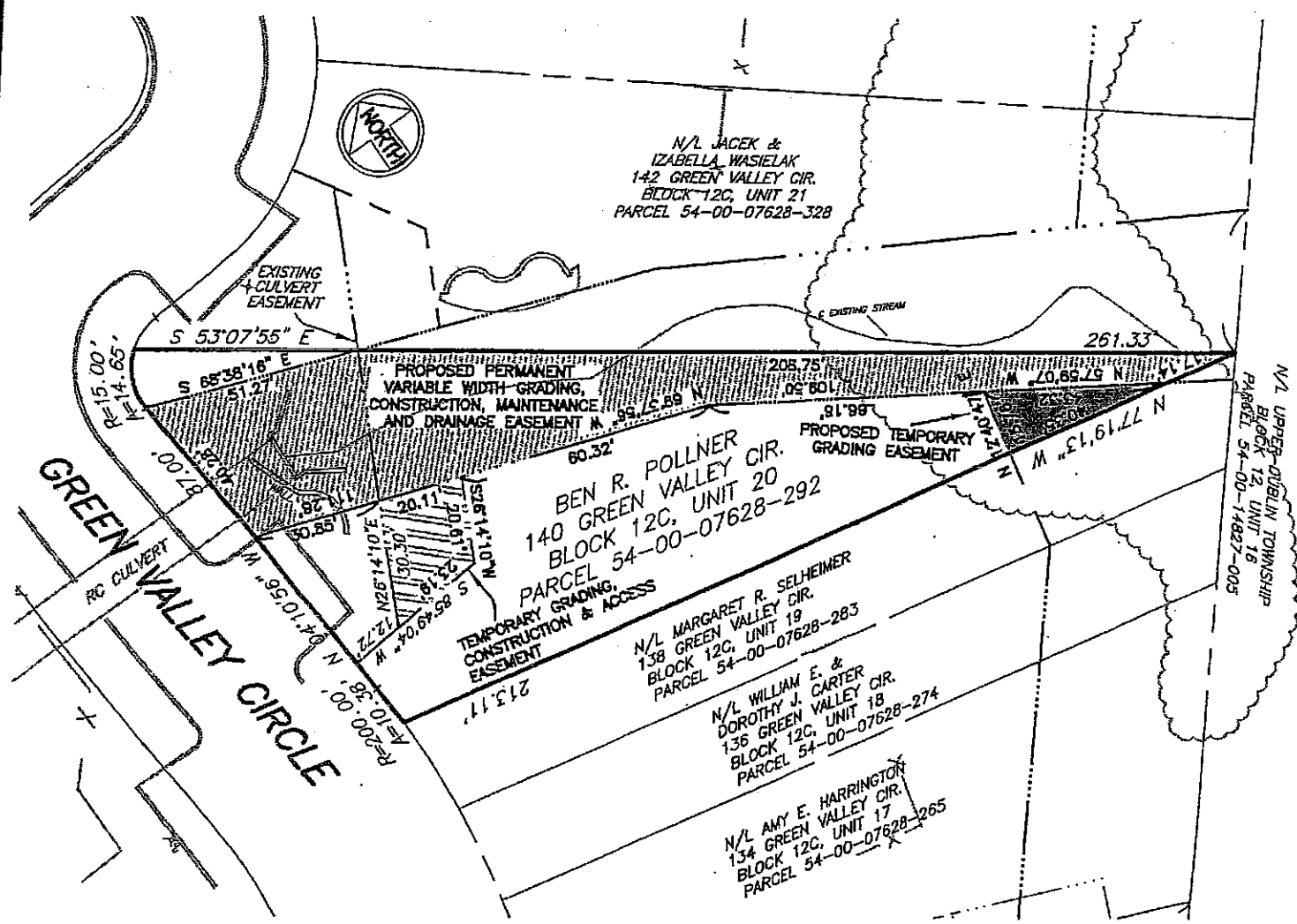
June 26, 2003
Revised August 4, 2003

M6366.1
Upper Dublin Township

**Proposed Temporary Grading & Access Easement
lands of Ben R. Pollner**

ALL THAT CERTAIN variable width temporary easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as an Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 4, 2003, and being more fully described as follows:

BEGINNING at a point on the line of lands of Ben R. Pollner (tax map block 12c, unit 20) and N/L Margaret R. Selheimer (block 12c, unit 19), said point being located the following two (2) courses and distances from a point of curvature on the easterly right-of-way line of Green Valley Circle ; 1) on the arc of a circle curving to the right in a southerly direction having a radius of 200.00 feet, the arc distance of 10.39 feet to a point; 2) South 77°19'13" East, 155.62 feet to the point of beginning; thence, extending on and through said Pollner lands the following two (2) courses and distances; 1) North 12°40'47" East, 15.76 feet to a point; 2) South 57°09'42" East, 43.32 feet to a point on the aforementioned Selheimer line of lands; thence, extending along said Selheimer lands North 77°19'13" West, 40.35 feet to a point, said point being the point and place of beginning.



OWNER OF RECORD:

BEN R. POLLNER
140 GREEN VALLEY CIRCLE

MONTGOMERY COUNTY PARCEL DATA:

PARCEL NO. 54-00-07628-292
TAXMAP: BLOCK 12C UNIT 20

PLAN NOTES:

- BOUNDARY TAKEN FROM SUBDIVISION PLAN OF DRESHERBROOK RESIDENTIAL COMMUNITY PREPARED BY BOUCHER & JAMES, INC. DOYLESTOWN, PA AND RECORDED IN PLAN BOOK A57, PAGE 188.

**BLOCK 12C, UNIT 20
POLLNER**


No.	REVISIONS	DATE
	DATE OF ISSUE	8-4-03
EASEMENT PLAN PREPARED FOR UPPER DUBLIN TOWNSHIP LANDS OF BEN R. POLLNER LAND SITUATE UPPER DUBLIN TWP., MONTGOMERY CO. PA		PROJECT MANAGER KMF PROJECT NUMBER M6366.1 REFERENCE NUMBER
 Metz Engineers 410 Derstine Ave., PO Box 847, Lansdale PA 19446-0847 Civil Engineers & Land Surveyors (215) 855-3111		SCALE 1"=40' Easement.dwg PLAN SHEET NUMBER 1 of 1

Exhibit "E"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hurley, P.L.S.
Paul D. Erle, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

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June 26, 2003
Revised August 4, 2003

M6366.1
Upper Dublin Township

**Proposed Permanent Grading, Construction, Maintenance & Drainage Easement
lands of Jacek & Izabella Wasielek**

ALL THAT CERTAIN variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as a Permanent Variable Width Grading, Construction, Maintenance & Drainage Easement on an Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 4, 2003, and being more fully described as follows:

BEGINNING at a point in the line of lands of N/L Upper Dublin Township (tax map block 12, unit 16), said point being a common line of lands of Jacek & Izabella Wasielek (block 12c, unit 21) and N/L Ben R. Pollner (block 12c, unit 20), as shown on said plan; thence, extending along said Pollner lands North 53°07'55" West, 208.75 feet to a point; thence, extending on and through said Wasielek lands the following two (2) courses and distances; 1) South 68°38'16" East, 72.37 feet to a point; 2) South 58°51'08" East, 141.58 feet to a point on the aforementioned Upper Dublin Township line of lands; thence, extending along said Township lands South 40°04'09" West, 33.51 feet to a point, said point being the point and place of beginning.

Exhibit "F"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Humley, P.L.S.
Paul D. Erie, P.E.
Mark R. Fishery, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

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June 26, 2003
Revised August 4, 2003

M6366.1
Upper Dublin Township

**Proposed Temporary Grading, Construction & Access Easement
lands of Jacek & Izabella Wasielak**

ALL THAT CERTAIN variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as a Temporary Grading, Construction & Access Easement on an Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 4, 2003, and being more fully described as follows:

BEGINNING at a point on the lands of Jacek & Izabella Wasielak (tax map block 12c, unit 21), said point being located the following three (3) courses and distances from a point of curvature on the right-of-way line of Green Valley Circle ; 1) on the arc of a circle curving to the right in a northeasterly direction having a radius of 15.00 feet, the arc distance of 23.57 feet to a point of reverse curvature; 2) on the arc of a circle curving to the left in a northeasterly direction having a radius of 60.00 feet, the arc distance of 27.06 feet to a point; 3) South 30°01'36" East, 10.66 feet, as shown on said plan; thence, extending on and through said Wasielak lands the following four (4) courses and distances; 1) South 30°01'36" East, 24.05 feet to a point; 2) South 26°14'10" West, 23.54 feet to a point; 3) North 68°38'16" West, 20.07 feet to a point; 4) North 26°14'10" East, 38.61 feet to a point, said point being the point and place of beginning.

Exhibit "G"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hunley, P.L.S.
Paul D. Erle, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Felder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

June 26, 2003
Revised August 4, 2003

M6366.1
Upper Dublin Township

Proposed Temporary Grading Easement
lands of Jacek & Izabella Wasielak

ALL THAT CERTAIN temporary variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as an Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 4, 2003, and being more fully described as follows:

BEGINNING at a point on the line of lands of N/L Upper Dublin Township (tax map block 12, unit 16), said point being a common corner of lands of Jacek & Izabella Wasielak (block 12c, unit 21) and N/L Stephen & Pamela Jordan (block 12c, unit 22), as shown on said plan; thence, extending along said Township lands South 40°04'09" West, 21.17 feet to a point; thence, extending on and through said Wasielak lands the following two (2) courses and distances; 1) North 58°51'08" West, 40.49 feet to a point; 2) North 40°04'09" East, 27.55 feet to a point on the aforementioned Jordan line of lands; thence, extending along said Jordan lands South 49°47'15" East, 40.00 feet to a point, said point being the point and place of beginning.

Exhibit "H"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hunley, P.L.S.
Paul D. Erbe, P.E.
Cynthia H. VanHise, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

June 26, 2003
Revised May 19, 2004

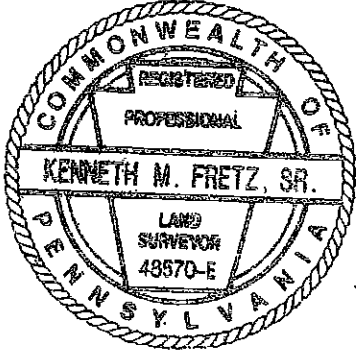
M6366.1
Upper Dublin Township

**Proposed Temporary Grading & Access Easement
lands of Amy E. Harrington**

ALL THAT CERTAIN temporary variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as an Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 4, 2003, last revised May 19, 2004, and being more fully described as follows:

BEGINNING at a point on the line of lands of N/L Upper Dublin Township (tax map block 12, unit 16), said point being a common corner of lands of Amy E. Harrington (block 12c, unit 17) and N/L William E. & Dorothy J. Carter (block 12c, unit 18), as shown on said plan; thence, extending along said Township lands South 40°04'09" West, 74.83 feet to a point in the line of lands of N/L David M. & Jean Isaacs Solly (block 12c, unit 16); thence, extending along said Solly lands North 66°30'38" West, 52.17 feet to a point; thence, extending on and through said Harrington lands North 40°04'09" East, 63.81 feet to a point on the aforementioned Carter line of lands; thence, extending along said Carter lands South 77°19'13" East, 56.31 feet to a point, said point being the point and place of beginning.

Exhibit "I"



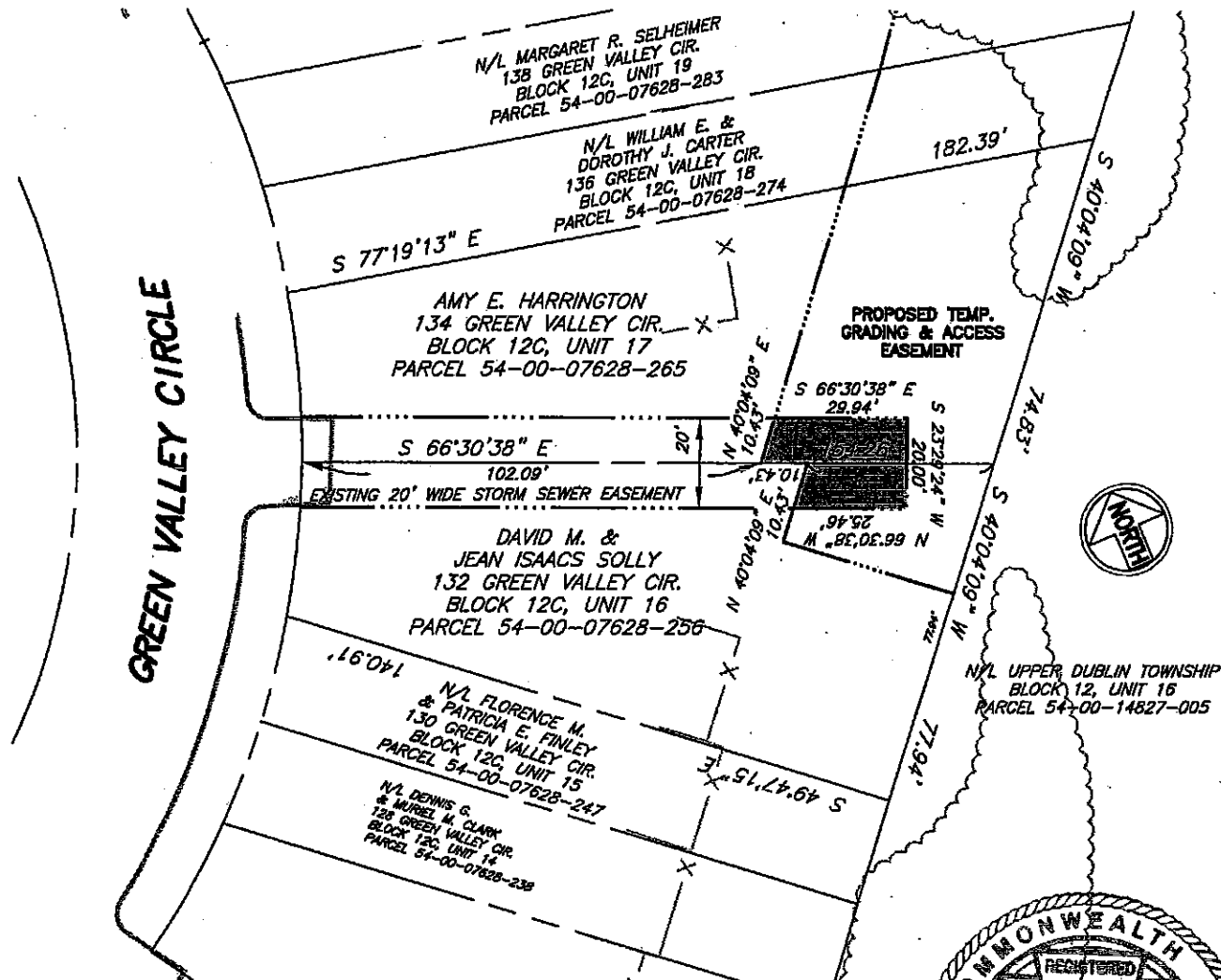
August 3, 2004

M6366.1
Upper Dublin Township

**Storm Sewer Easement within Grading and Access Easement
lands of Amy E. Harrington & David M. and Jean Isaacs Solly**

ALL THAT CERTAIN portion of easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Storm Sewer Easement within Grading & Access Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 3, 2004, and being more fully described as follows:

BEGINNING at a point on the common line of lands of Amy E. Harrington (tax map block 12C, unit 17) and David M. & Jean Isaacs Solly (block 12C, unit 16), said point being located along said line of lands South 66°30'38" East, 102.09 feet from the easterly sideline of Green Valley Circle, as shown on said plan; thence, extending from said beginning point on and through the said Harrington lands, North 40°04'09" East, 10.43 feet to a point on the northerly sideline of an existing 20' wide Storm Sewer Easement; thence, continuing on and through said Harrington lands and lands of said Solly, along said easement sideline the following three (3) courses and distances; 1) South 66°30'38" East, 29.94 feet to a point; 2) South 23°29'24" West, 20.00 feet to a point; 3) North 66°30'38" West, 25.46 feet to a point; thence, crossing said 20' wide easement and continuing on and through said Solly lands, North 40°04'09" East, 10.43 feet to a point on the aforementioned Harrington & Solly common line of lands; thence, extending along said line of lands, North 66°30'38" West, 10.43 feet to a point, said point being the point and place of beginning.



OWNERS OF RECORD:

AMY E. HARRINGTON
134 GREEN VALLEY CIRCLE

DAVID M. & JEAN ISAACS SOLLY
132 GREEN VALLEY CIRCLE

MONTGOMERY COUNTY PARCEL DATA:

PARCEL NO. 54-00-07628-265
TAXMAP: BLOCK 12C UNIT 17

PARCEL NO. 54-00-07628-256
TAXMAP: BLOCK 12C UNIT 16

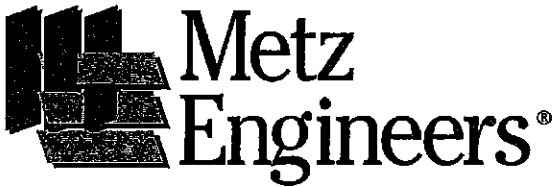
PLAN NOTES:

- BOUNDARY AND EXISTING 20' WIDE STORM SEWER EASEMENT TAKEN FROM SUBDIVISION PLAN OF DRESHERBROOK RESIDENTIAL COMMUNITY PREPARED BY BOUCHER & JAMES, INC. DOYLESTOWN, PA AND RECORDED IN PLAN BOOK A57, PAGE 188.
- PROPOSED TEMPORARY GRADING AND ACCESS EASEMENT TAKEN FROM A 15TH HOLE EASEMENT PLAN PREPARED BY METZ ENGINEERS, DATED 6-26-03, LAST REVISED 8-2-04.

BLOCK 12C, UNIT 17
BLOCK 12C, UNIT 16

No.	REVISIONS	DATE
	DATE OF ISSUE	6-3-04
STORM SEWER EASEMENT WITHIN GRADING & ACCESS EASEMENT PREPARED FOR UPPER DUBLIN TOWNSHIP LAND SITUATE UPPER DUBLIN TWP., MONTGOMERY CO. PA		PROJECT MANAGER KMF PROJECT NUMBER M6366.1 REFERENCE NUMBER
Metz Engineers 410 Darstino Ave., PO Box 647, Lansdale PA 19446-0647 Civil Engineers & Land Surveyors (215) 855-3111		SCALE 1"=40' Easements.dwg PLAN SHEET NUMBER 1 of 1

Exhibit "J"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hunley, P.L.S.
Paul D. Erfle, P.E.
Cynthia H. VanHise, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

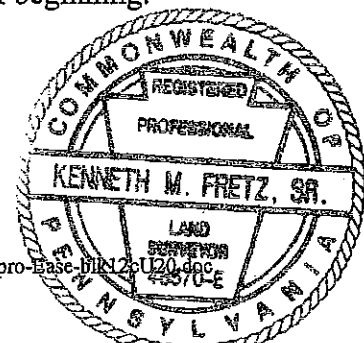
August 3, 2004

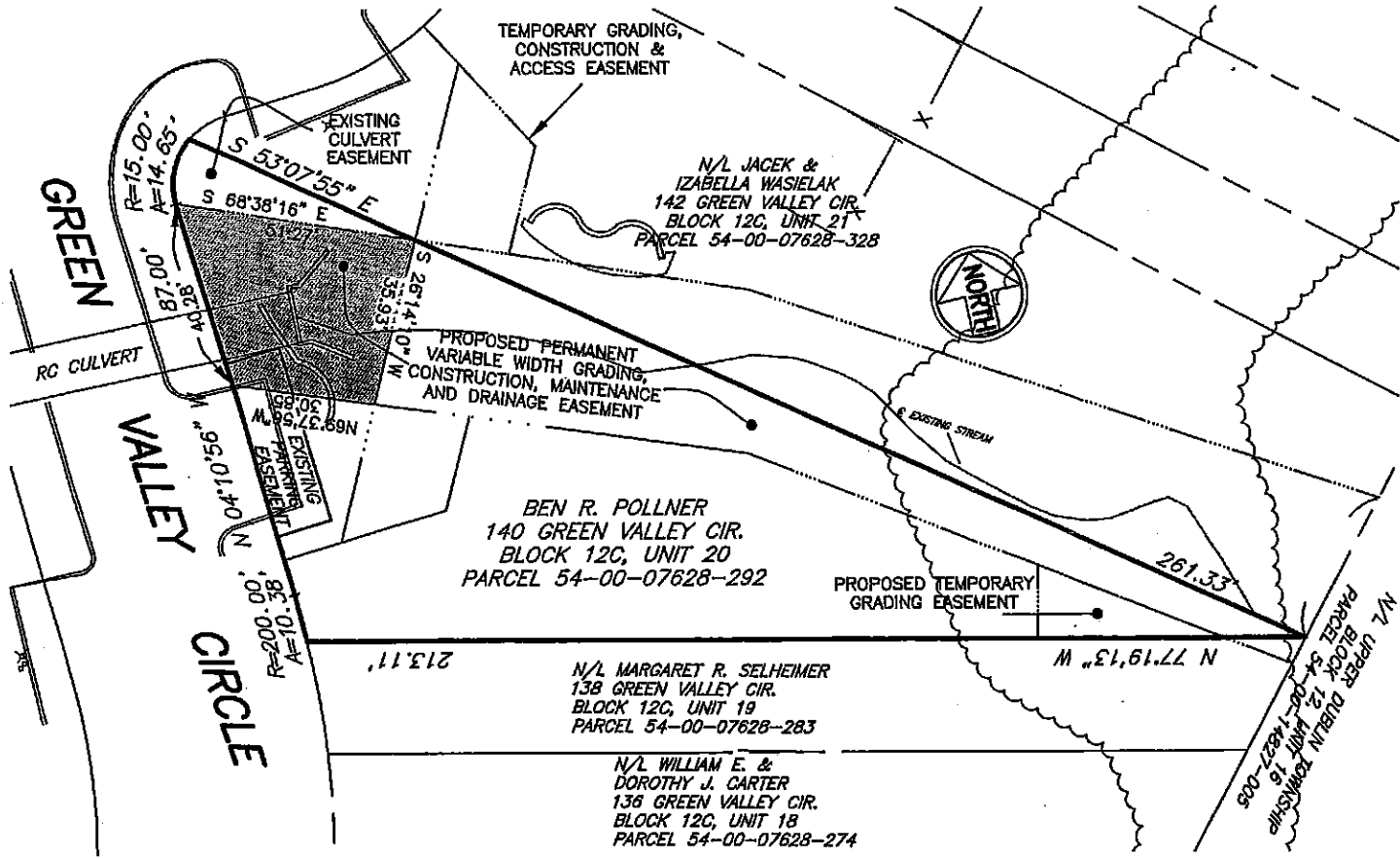
M6366.1
Upper Dublin Township

**Proposed Permanent Variable Width Grading, Construction, Maintenance
and Drainage Easement within Existing Culvert Easement
lands of Ben R. Pollner**

ALL THAT CERTAIN portion of easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Portion of Grading, Construction, Maintenance and Drainage Easement within Culvert Easement plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 3, 2004, and being more fully described as follows:

BEGINNING at a point of tangency on the easterly sideline of Green Valley Circle, said point being located along said sideline on the arc of a circle curving to the left in a southwesterly direction having a radius of 15.00 feet, the arc distance of 14.65 feet to a point from a corner of the common lands of Ben R. Pollner (taxmap block 12C, unit 20) and N/L Jacek & Izabella Wasielak (block 12C, unit 21), as shown on said plan; thence, extending from said point of beginning on and through said Pollner lands and an existing Culvert Easement, South 68°38'16" East, 51.27 feet to a point in the line of said Wasielak lands; thence, continuing on and through said Pollner lands and along the easterly sideline of said Culvert Easement, South 26°14'10" West, 35.93 feet to a point; thence, on and through said Pollner lands and an existing Culvert Easement, North 69°37'56" West, 30.85 feet to a point on the aforementioned Green Valley Circle sideline; thence, extending along said sideline, North 04°10'56" West, 40.28 feet to a point, said point being the point and place of beginning.





OWNER OF RECORD:

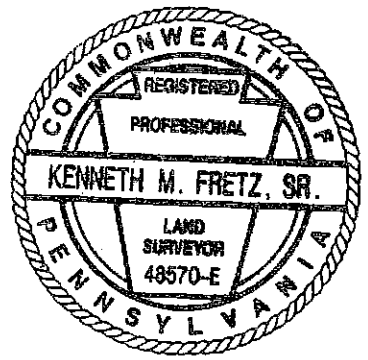
BEN R. POLLNER
140 GREEN VALLEY CIRCLE

MONTGOMERY COUNTY PARCEL DATA:

PARCEL NO. 54-00-07628-292
TAXMAP: BLOCK 12C UNIT 20

PLAN NOTES:

1. BOUNDARY AND EXISTING CULVERT EASEMENT TAKEN FROM A SUBDIVISION PLAN OF DRESHERBROOK RESIDENTIAL COMMUNITY PREPARED BY BOUCHER & JAMES, INC. DOYLESTOWN, PA AND RECORDED IN PLAN BOOK A57, PAGE 188.
2. PROPOSED PERMANENT VARIABLE WIDTH GRADING, CONSTRUCTION, MAINTENANCE AND DRAINAGE EASEMENT TAKEN FROM A 15TH HOLE EASEMENT PLAN PREPARED BY METZ ENGINEERS, DATED 6-26-03, LAST REVISED 8-2-04.



No.	REVISIONS	DATE
	DATE OF ISSUE	8-3-04
PORTION OF GRADING, CONSTRUCTION, MAINTENANCE & DRAINAGE EASEMENT WITHIN CULVERT EASEMENT PREPARED FOR UPPER DUBLIN TOWNSHIP LAND SITUATE UPPER DUBLIN TWP., MONTGOMERY CO. PA		PROJECT MANAGER KMF PROJECT NUMBER M6366.1 REFERENCE NUMBER
Metz Engineers 410 Deratins Ave., PO Box 647, Lansdale PA 19446-0647 Civil Engineers & Land Surveyors (215) 855-3111		SCALE 1"=40' Essemnts.dwg PLAN SHEET NUMBER 1 of 1

**BLOCK 12C, UNIT 20
POLLNER**

RESOLUTION No: 1858

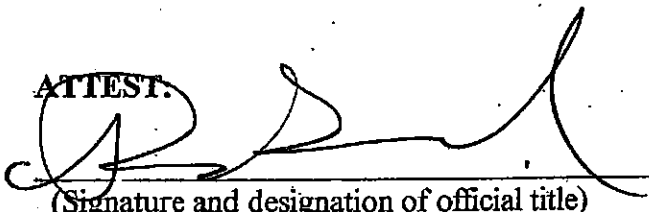
orig sent to Penn Dot

BE IT RESOLVED, by authority of the Board of Commissioners
of the Township of Upper Dublin Montgomery
(Name of governing bod)
(Name of MUNICIPALITY)

is hereby resolved by authority of the same, that the President of
(designate official title)

said MUNICIPALITY be authorized and directed to sign the attached Agreement on its behalf.

ATTEST.

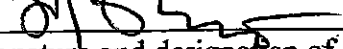


(Signature and designation of official title)
Paul A. Leonard, Secretary

I, Robert J. Pesavento
(Name)

Upper Dublin Township

(Name of MUNICIPALITY)

By: 
(Signature and designation of official title)
Robert J. Pesavento, President

President

(Official title)

of the Township of Upper Dublin, do hereby certify that the foregoing
(Name of governing body and MUNICIPALITY)

is a true and correct copy of the Resolution adopted at a regular meeting of the

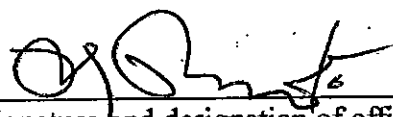
Board of Commissioners

(Name of governing body)

held the 14 day of September, 2004.

DATE:

9/14/04


(Signature and designation of official title)
ROBERT J. PESAVENTO, PRESIDENT

NOTE: Signature on the Department signature page of this Agreement must conform with signature on this Resolution.

Contract Form 18-K-244

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

WINTER TRAFFIC SERVICES 5 - YEAR

AGREEMENT NO 064187
FID/SSN # _____
SAP VENDOR # _____

THIS AGREEMENT, fully executed and approved this _____ day of _____, by and between the COMMONWEALTH of Pennsylvania, acting through the Department of Transportation ("COMMONWEALTH").

the Upper Dublin Township **AND** _____ of the COMMONWEALTH of Pennsylvania, acting through its authorized officials ("MUNICIPALITY").

WITNESSETH;

WHEREAS, certain public highways, including bridges with their approaches, in the MUNICIPALITY have been adopted and taken over as part of the State Highway System, to be constructed, improved and maintained by the COMMONWEALTH, upon the terms and conditions and subject to the limitations contained in the Act of May 29, 1945, P.L. 1108; the Act of June 1, 1945, P.L. 1242; and the Act of September 18, 1961, P.L. 1389; all as supplemented and amended; and,

WHEREAS, the MUNICIPALITY has the equipment, materials and personnel available and ready to perform snow and ice clearance together with the application of anti-skid and/or de-icing materials for certain State Highways, including bridges with their approaches, within the MUNICIPALITY, in a prompt and efficient manner and has signified its willingness to furnish these winter traffic services for the COMMONWEALTH during the Winter Season(s) of 04 - 05; 05 - 06; 06 - 07; 07 - 08; and 08 - 09. (the "Winter Season" for the purpose of this Agreement shall be the period from October 15 to April 30 of each season), subject to payment by the COMMONWEALTH to the MUNICIPALITY as described in this Agreement; and

WHEREAS, the MUNICIPALITY shall conduct its winter traffic services in a manner satisfactory to the COMMONWEALTH, in order to facilitate the safe and unimpeded flow of vehicular traffic over said State Highways within the MUNICIPALITY in accordance with the terms, covenants and conditions hereinafter set forth in this Agreement; and

WHEREAS, the MUNICIPALITY shall conduct the winter traffic services for and in the agreed amount during the term of this Agreement, regardless of the amount of work required.

NOW, THEREFORE, the parties hereto, for and in consideration of the foregoing premises and of the mutual promises set forth below, with the intention of being legally bound, agree as follows:

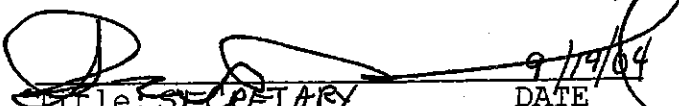
1. The MUNICIPALITY shall undertake and accomplish the required snow and ice clearance together with the application of anti-skid and/or de-icing materials for the State Highways, including bridges and their approaches, as indicated in Exhibit "A" attached to and made part of this Agreement. The MUNICIPALITY shall perform all work in accordance with all applicable PennDOT Specifications ("Publication 408"), policies and procedures set forth in the PennDOT MORIS Highway Maintenance Foreman Manual ("Publication 113") and the PennDOT Maintenance Manual ("Publication 23"), which all are incorporated by reference into this Agreement as though physically attached. This work shall be performed in a prompt and efficient manner so as to facilitate the safe and unimpeded flow of vehicular traffic over the State Highways within the MUNICIPALITY.

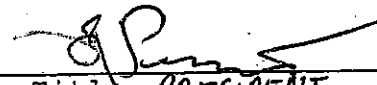
2. If, to undertake and accomplish the duties required in Paragraph (1.), the MUNICIPALITY'S forces must traverse a bridge with a posted weight restriction, the MUNICIPALITY agrees to file a permit application with the posting authority and obtain a permit to traverse the bridge pursuant to 67 Pa. Code Chapter 191. The MUNICIPALITY agrees to refile needed permit applications and obtain permits for each succeeding winter season for which this Agreement is renewed. Failure to obtain such permits shall be grounds for termination of this Agreement.
3. The COMMONWEALTH shall pay to the MUNICIPALITY, as reimbursement for the services contracted for in this Agreement, the total sum of the rate established for each particular season, payable on or before November 15th, for each successive Winter Season through the termination of the Agreement. The starting date of this Agreement shall be the date on which the Agreement has been fully executed and approved by the COMMONWEALTH, or the date agreed to by both the MUNICIPALITY and the COMMONWEALTH, whichever comes later. Further, the MUNICIPALITY shall not be permitted to start any work until notified by the COMMONWEALTH that the Agreement has been fully executed and approved. The MUNICIPALITY shall perform all services for this amount, regardless of the amount of work required. The COMMONWEALTH is not responsible for paying additional amounts when the MUNICIPALITY incurs costs for the work in excess of the established amount or does not otherwise meet the guidelines contained in the "Severe Winter Adjustment" set forth in Exhibit "A" of this Agreement.
4. The MUNICIPALITY undertakes the responsibilities as an independent contractor and its employees and/or lessors or contractors shall not be considered employees of the COMMONWEALTH for any purpose. The COMMONWEALTH shall not be liable, nor shall it indemnify, defend, or save harmless the MUNICIPALITY for the negligent acts of the MUNICIPALITY'S employees and/or lessors or contractors during the performance of, or resulting from, the performance under this Agreement.
5. The obligations of the MUNICIPALITY under this Agreement shall terminate and end as of midnight on April 30th for each Winter Season.
6. Work performed by the MUNICIPALITY under this Agreement shall be done to the satisfaction of the COMMONWEALTH. Such work shall be subject to inspection by the Secretary of Transportation, the District Engineer, and/or their duly authorized representatives.
7. If the MUNICIPALITY fails to comply with the terms of this Agreement to the satisfaction of the COMMONWEALTH, the COMMONWEALTH may terminate the Agreement upon giving ten (10) days written notice to the MUNICIPALITY. If the Agreement is so terminated, then the COMMONWEALTH shall not be further obligated to pay any amount of money to the MUNICIPALITY and the MUNICIPALITY shall be entitled to funds from the COMMONWEALTH in proportion to the period of the Agreement for which services were provided.
8. Incorporated by reference as part of this Agreement, as though physically attached to it, are the COMMONWEALTH Nondiscrimination / Sexual Harassment Clause (dated June 30, 1999), the Contractor Integrity Provisions (dated December 20, 1991), the Provisions Concerning the Americans with Disabilities Act (January 16, 2001) and the Contractor Responsibility Provisions (dated April 16, 1999).
9. The MUNICIPALITY agrees that the COMMONWEALTH may offset the amount of any state tax or COMMONWEALTH liability of the MUNICIPALITY or its affiliates and subsidiaries that is owed to the COMMONWEALTH against any payments due the MUNICIPALITY under this or any other contract with the COMMONWEALTH.
10. The Agreement constitutes the entire agreement between the parties. No amendment or modifications of this Agreement shall be valid unless it is in writing and duly executed and approved by both parties.
11. This Agreement shall automatically renew for succeeding Winter Seasons at the rate established for each particular season unless either party shall terminate upon written notice to the other on or before September 15th of the Winter Season in question.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST

MUNICIPALITY


Title: SECRETARY DATE 9/19/04
PAUL A. LEONARD

BY 
Title: PRESIDENT DATE
ROBERT J. PESAVENTO

If a Corporation, the president or Vice-president must sign and the Secretary, Treasurer, Assistant Secretary or Assistant Treasurer must attest; if a sole proprietorship, only the owner must sign; if a partnership, only one partner need sign; if a limited partnership, only the general partner must sign. If a MUNICIPALITY, Authority or other entity, please attach a resolution.

DO NOT WRITE BELOW THIS LINE - FOR COMMONWEALTH USE ONLY

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

BY _____
District Executive Date

APPROVED AS TO LEGALITY
AND FORM

for Chief Counsel Date

Certified Funds Available Under
SAP DOCUMENT NO. _____
SAP FUND _____
SAP COST CENTER _____
GL. ACCOUNT _____
AMOUNT _____
BY _____
for Comptroller Date

Contract No. _____, is split _____%, expenditure amount of _____ for federal funds and _____%, expenditure amount of _____ for state funds. The related federal assistance program name and number is _____; _____ The state assistance program name and SAP Fund is _____;

Preapproved Form: OGC No. 18-K-244
Appv'd OAG

NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE

Each contract entered into by a governmental agency shall contain the following provisions by which the Contractor agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the contract or any subcontract, the contractor, subcontractor, or any person acting on behalf of the contractor or subcontractor shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.

2. Neither the contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against or intimidate any employee involved in the manufacture of supplies, the performance of work, or any other activity required under the contract on account of gender, race, creed, or color.

3. Contractors and subcontractors shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.

4. Contractors shall not discriminate by reason of gender, race, creed, or color against any subcontractor or supplier who is qualified to perform the work to which the contracts relates.

5. The contractor and each subcontractor shall furnish all necessary employment documents and records to and permit access to their books, records, and accounts by the contracting agency and the Bureau of Contract Administration and Business Development, for purposes of investigation, to ascertain compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. If the contractor or any subcontractor does not possess documents or records reflecting the necessary information requested, the contractor or subcontractor shall furnish such information on reporting forms supplied by the contracting agency or the Bureau of Contract Administration and Business Development.

6. The contractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subcontract so that such provision will be binding upon each subcontractor.

7. The Commonwealth may cancel or terminate the contract, and all money due or to become due under the contract may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the agency may proceed with debarment or suspension and may place the contractor in the Contractor Responsibility File.

Exhibit " "

CONTRACTOR INTEGRITY PROVISIONS

1. For purposes of this clause only, the words "confidential information," "consent," "contractor," "financial interest," and "gratuity" shall have the following definitions.
 - a. Confidential information means information that is not public knowledge, or available to the public on request, disclosure of which would give an unfair, unethical, or illegal advantage to another desiring to contract with the Commonwealth.
 - b. Consent means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by prequalification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of execution of this agreement.
 - c. Contractor means the individual or entity that has entered into the Contract with the Commonwealth, including directors, officers, partners, managers, key employees and owners of more than a five percent interest.
 - d. Financial interest means:
 - 1) Ownership of more than a five percent interest in any business; or
 - 2) Holding a position as an officer, director, trustee, partner, employee, or the like, or holding any position of management.
 - e. Gratuity means any payment of more than nominal monetary value in the form of cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind.
2. The Contractor shall maintain the highest standards of integrity in the performance of the Contract and shall take no action in violation of state or federal laws, regulations, or other requirements that govern contracting with the Commonwealth.
3. The Contractor shall not disclose to others any confidential information gained by virtue of the Contract.
4. The Contractor shall not, in connection with this or any other agreement with the Commonwealth, directly, or indirectly, offer, confer, or agree to confer any pecuniary benefit on anyone as consideration for the decision, opinion, recommendation, vote, other exercise of discretion, or violation of a known legal duty by any officer or employee of the Commonwealth.
5. The Contractor shall not, in connection with this or any other agreement with the Commonwealth, directly or indirectly, offer, give, or agree or promise to give to anyone any gratuity for the benefit of or at the direction or request of any officer or employee of the Commonwealth.
6. Except with the consent of the Commonwealth, neither the Contractor nor anyone in privity with him or her shall accept or agree to accept from, or give or agree to give to, any person, any gratuity from any person in connection with the performance of work under the Contract except as provided therein.
7. Except with the consent of the Commonwealth, the Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material on this project.
8. Contractor, upon being informed that any violation of these provisions has occurred or may occur, shall immediately notify the Commonwealth in writing.

9. The Contractor, by execution of the Contract and by the submission of any bills or invoices for payment pursuant thereto, certifies, and represents that he or she has not violated any of these provisions.
10. The Contractor, upon the inquiry or request of the Inspector General of the Commonwealth or any of that official's agents or representatives, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Inspector General to the Contractor's integrity or responsibility, as those terms are defined by the Commonwealth's statutes, regulations, or management directives. Such information may include, but shall not be limited to, the Contractor's business or financial records, documents or files of any type or form which refers to or concern the Contract. Such information shall be retained by the Contractor for a period of three years beyond the termination of the Contract unless otherwise provided by law.
11. For violation of any of the above provisions, the Commonwealth may terminate this and any other agreement with the Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these provisions, claim damages for all expenses incurred in obtaining another Contractor to complete performance hereunder, and debar and suspend the Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or nonuse of any one shall not preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.

(12/20/91)

P:\PennDOT Shared\EXHIBITS FOR AGREEMENTS\Contractor Integrity Provision.doc

PROVISIONS CONCERNING *THE AMERICANS WITH DISABILITIES ACT*

During the term of this contract, the Contractor agrees as follows:

1. Pursuant to federal regulations promulgated under the authority of *The Americans With Disabilities Act*, 28 C.F.R. § 35.101 et seq., The Contractor understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from participation in this contract or from activities provided for under this contract. As a condition of accepting and executing this contract, the Contractor agrees to comply with the "General Prohibitions Against Discrimination," 28 C.F.R. § 35.130, and all other regulations promulgated under *Title II of The Americans With Disabilities Act* which are applicable to the benefits, services, programs, and activities provided by the Commonwealth of Pennsylvania through contracts with outside contractors.
2. The Contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth of Pennsylvania from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth of Pennsylvania as a result of the Contractor's failure to comply with the provisions of paragraph 1.

EXHIBIT "D"

CONTRACTOR RESPONSIBILITY PROVISIONS

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, grantee, or subgrantee, who has furnished or seeks to furnish goods, supplies, services, or leased space, or who has performed or seeks to perform construction activity under contract, subcontract, grant, or subgrant with the Commonwealth, or with a person under contract, subcontract, grant, or subgrant with the Commonwealth or its state-affiliated entities, and state-related institutions. The term contractor may include a permittee, licensee, or any agency, political subdivision, instrumentality, public authority, or other entity of the Commonwealth.

1. The contractor must certify, in writing, for itself and all its subcontractors, that as the date of its execution of any Commonwealth contract, that neither the contractor, nor any subcontractors, nor any suppliers are under suspension or debarment by the Commonwealth or any government entity, instrumentality, or authority and, if the contractor cannot so certify, then it agrees to submit, along with the bid/proposal, a written explanation of why such certification cannot be made.

2. The contractor must also certify, in writing, that as of the date of its execution, of any Commonwealth contract it has no tax liabilities or other Commonwealth obligations.

3. The contractor's obligations pursuant to these provisions are ongoing from and after the effective date of the contract through the termination date thereof. Accordingly, the contractor shall have an obligation to inform the contracting agency if, at any time during the term of the contract, it becomes delinquent in the payment of taxes, or other Commonwealth obligations, or if it or any of its subcontractors are suspended or debarred by the commonwealth, the federal government, or any other state or governmental entity. Such notification shall be made within 15 days of the date of suspension or debarment.

4. The failure of the contractor to notify the contracting agency of its suspension or debarment by the Commonwealth, any other state, or the federal government shall constitute an event of default of the contract with the Commonwealth.

5. The contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of State Inspector General for investigations of the contractor's compliance with the terms of this or any other agreement between the contractor and the Commonwealth, which results in the suspension or debarment of the contractor. Such costs shall include, but shall not be limited to, salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. The contractor shall not be responsible for investigative costs for investigations that do not result in the contractor's suspension or debarment.

6. The contractor may obtain a current list of suspended and debarred Commonwealth contractors by either searching the Internet at <http://www.dgs.state.pa.us/debarment.htm> or contacting the:

Department of General Services
Office of Chief Counsel
603 North Office Building
Harrisburg, PA 17125
Telephone No: (717) 783-6472

RESOLUTION
NO. 1859

RESOLUTION TO DENY FINAL SUBDIVISION APPROVAL
UPON THE APPLICATION OF ANTHONY AMENDOLIA
AND LOUIS PETRO WALLOCO, INC.

WHEREAS, a minor subdivision –lot line change prepared by Woodrow & Associates, Inc. was filed by Anthony Amendolia & Louis Petro Walloco, Inc. with respect to property at the corner of North Hills Avenue and Jenkintown Road (609 N. Hills Avenue and 3101 Jenkintown Road); and

WHEREAS, the Applicants, Anthony Amendolia (residential property owner) and Louis Petro Walloco, Inc. (19th Hole Tavern owner) proposed to reconfigure the property line between their two (2) properties, both of which are zoned B-Residential; and

WHEREAS, the Subdivision Plan includes existing Right-of-Way to be vacated by the Township, while additional Right-of-Way will be offered to the Township along North Hills Avenue and Jenkintown Road; and

WHEREAS, the Township Boundary Line with Abington Township bisects Lot 2, 3101 Jenkintown Road (business site) and is the rear property line of Lot 1, 609 N. Hills Avenue (residential site); and

WHEREAS, applicant waived the ninety (90) day review requirement; and

WHEREAS, based on reviews by the Township Engineer the plan is not in conformity with Township Codes; and

WHEREAS, applicant has failed to pursue the plan by making revisions thereto which would bring it into compliance with Township Codes.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby deny approval of the proposed subdivision plan for the following reasons:

1. The proposed subdivision violates §255-44.A of the Zoning Code which requires a front yard setback of 35 feet. The building on Lot 2 (Tavern) is currently located approximately twenty-two (22) feet from the existing Right-of-Way, and is considered an existing non-conforming use.

However, the front yard setback will be reduced to thirteen (13) feet due to the proposed Right-of-Way dedication of North Hills Avenue. The pertinent code provision is as follows:

§ 255-44. B Residential Districts. In a B Residential District the following regulations shall apply:

A. Lot, yard and bulk requirements.

Front yard (minimum) 35 feet

2. The proposed subdivision violates § 255-44.A of the Zoning Code which permits a maximum building coverage of twenty (20) percent. The current building coverage on Lot 2 is approximately 14.5% based on the area of the lot within Upper Dublin Township. The building coverage percentage will increase to twenty-four (24) percent due to the reduction in lot area from this subdivision to Lot 1 and due to dedication of Right-of-Way. The pertinent code provision is as follows:

§ 255-44. B Residential Districts. In a B Residential District the following regulations shall apply:

A. Lot, yard and bulk requirements.

Building coverage (maximum) 20% of total lot area

3. There are eight (8) parking spaces along Jenkintown Road that currently back directly onto Jenkintown Road for means of egress. If the right-of-way is dedicated to twenty-five (25) feet

from the center as shown, approximately seven (7) feet of the nineteen (19) foot parking space depth will be within the dedicated right-of-way and therefore on Township lands. These spaces are unsafe and represent a driveway closer than forty (40) feet to an intersection. These eight (8) spaces should be eliminated with the area returned to lawn and landscaping. S.O. 212-16.A

§ 212-16. Driveways.

A. Location and design.

(1) Intersections. Driveways shall be located not less than 40 feet from the street intersection and shall provide access to the street of a lesser classification when there are streets of different classes involved.

4. Parking areas do not conform to S.O. 212-17 because they are not physically separated from the cartway.

§ 212-17. Parking areas.

B. At no time shall angle or perpendicular parking along the curbs of local, public or private access roads or streets be permitted. All parking lots and bays allowing any parking other than parallel shall be physically separated from the cartway by a minimum of seven feet and confined by barrier curbing.

5. Sidewalks have not been shown on either road frontage in violation of S.O. § 212-18.

Sidewalk exists along Jenkintown Road except along this frontage and on North Hills Avenue on the opposite side of the street.

§ 212-18. Sidewalks.

A. Where required.

(1) Sidewalks shall be provided along all streets excepting where, in the opinion of the Board, they are unnecessary for the public safety and convenience.

6. Curb has not been shown on either road frontage in violation of S.O. § 212-19.

§ 212-19. Curbs.

- A. Concrete curbs shall be installed along each side of every residential, secondary or primary street and along every private street, access driveways and parking areas in land developments.

7. Drainage along both road frontages has not been shown in violation of S.O. § 212-24.

§ 212-24. Drainage.

- B. Requirements.

(1) When required. Storm drains and appurtenances shall be required to be constructed by the subdivider to take surface water from the bottom of vertical grades, the grades of which slope on both sides toward the bottom; to lead water away from springs; and to avoid excessive use of cross gutters at street intersections and elsewhere.

8. Existing utility connections should be added to the Plan. None are currently shown in violation of S.O. §212-28

§ 212-28. Utilities.

A. All electric, telephone and communication service facilities, both main and service lines, shall be provided by underground cables, installed in accordance with the prevailing standards and practices of the utility or other companies providing such services, except where it is demonstrated to the satisfaction of the Board of Commissioners that the underground installation herein required is not feasible because of the physical condition of the lands involved. All main underground cables which are within the right-of-way of a street shall be located as specified by the Board of Commissioners.

9. No street trees exist nor are any shown on the plan in violation of S.O. § 212-32.

§ 212-32. Landscaping.

F. Specific planting requirements. Street trees, softening buffers, screen buffers, general on-site screening, parking area landscaping, detention basin landscaping and individual lot landscaping shall be provided according to the following standards:

- (1) Street trees.

(a) As part of the design and construction of new streets, street trees shall be required for any subdivision or land development where suitable street trees do not exist. Areas requiring such street trees shall include:

[3] Existing streets, sidewalks, pedestrian ways, highways, bicycle trails or pathways when they abut or lie within the subdivision or land development.

[5] Access driveways to nonresidential developments.

10. Proposed monuments and lot pins need to be identified in order to conform to S. O.

§212-30.

§ 212-30. Survey monuments.

A. Monuments shall be of stone or concrete and located on the right-of-way lines at corners, angle points, beginning and end of curves and as otherwise required. Monuments shall be indicated on all plans. They shall be placed after a new street has been completed. A certified copy of this referenced information shall be given to the Township Engineer. Permanent reference monuments of case concrete or durable stone 20 inches by 4 inches by 4 inches with forty-five-degree beveled edges shall be set by the subdivider, developer or builder at all corners and angle points of the boundaries of the original tract to be subdivided and at all street intersections and intermediate points as may be required.

11. The existing sign for the business on Lot 2 will be located within the proposed Right-of-Way if accepted. The sign may not be located within the Township Right-of-Way. S. O. 212-33 B (2)

§ 212-33. Reserve strips; rights-of-way and/or easements; deeds.

B. Rights-of-way and/or easements for sanitary utilities, road construction or maintenance or for drainage purposes, public utilities or for any specific purpose shall be required by the Board of Commissioners as needed, the location and width in each case to be as determined by the governing body.

(2) Nothing shall be permitted to be placed, planted, set or put within the area of an easement. The area shall be kept as lawn.

12. The name and address of both Applicants are not clearly shown in violation of S.O. § 212-42 B and § 212-44.B.

§ 212-42. Tentative sketch requirements. Applicants desiring to submit a tentative sketch shall show the following information:

B. The name and address of the owner, engineer and/or surveyor.

§ 212-44. Minor subdivision plan (final). It is the purpose of this section to provide for simplified plan submission and processing requirements by which minor subdivisions may be

submitted and approved. Plans submitted under the provisions of this section must meet the following criteria, conform to established standards and provide the required information:

B. Drafting standards. The drafting standards in § 212-42 shall apply for minor subdivisions.

13. The property owner name for property located to the east of Lot 1 has not been shown in violation of S.O. § 212-42.E and § 212-44.B.

§ 212-42. Tentative sketch requirements. Applicants desiring to submit a tentative sketch shall show the following information:

E. The location of the tract to surrounding tracts and to at least two existing streets. The surrounding tracts shall be shown along with the current property owners' names.

§ 212-44. Minor subdivision plan (final). It is the purpose of this section to provide for simplified plan submission and processing requirements by which minor subdivisions may be submitted and approved. Plans submitted under the provisions of this section must meet the following criteria, conform to established standards and provide the required information:

B. Drafting standards. The drafting standards in § 212-42 shall apply for minor subdivisions.

14. A Key Map at a scale of not less than 1"=800' has not been provided in violation of S.O. § 212-43.B (5).

§ 212-43. Preliminary plan requirements. Applicants submitting a preliminary plan for subdivision shall conform to the following standards:

B. Location and identification. Each plan shall provide:

(5) A key map relating the subdivision to at least three existing intersections of township roads, at a scale not less than 800 feet to the inch.

15. Existing features within one hundred (100) feet of the site have not been identified in violation of S.O. § 212-44.D (1).

§ 212-44. Minor subdivision plan (final). It is the purpose of this section to provide for simplified plan submission and processing requirements by which minor subdivisions may be submitted and approved. Plans submitted under the provisions of this section must meet the following criteria, conform to established standards and provide the required information:

D. Existing features.

(1) Within 100 feet of any part of the tract being subdivided, the plan shall show:

(a) The location, name, width (cartway and right-of-way), radii and surface conditions of existing roads and alleys.

(b) The location, size and ownership of sanitary sewers, water and gas mains, private wells, storm drains, fire hydrants, pipelines and electric transmission lines.

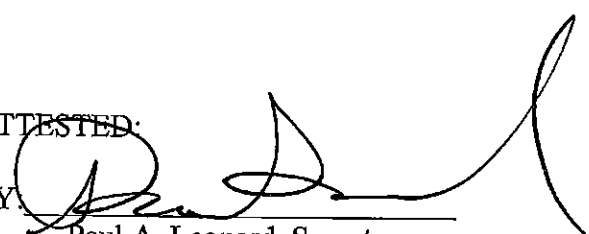
(c) Any significant man-made or natural feature which impacts the tract being subdivided.

RESOLVED by the Board of Commissioners of Upper Dublin Township this *14th* day of

September, 2004.


ATTESTED:

BY:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY:


Robert J. Pesavento, President

RESOLUTION NO. 1860

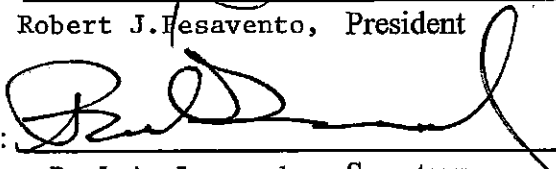
WHEREAS, Article XIII., Section 1301 of the Rules and Regulations for the Civil Service Commission provides for timely and appropriate Amendments to the Rules and Regulations for the Civil Service Commission of Upper Dublin Township; and

WHEREAS, pursuant to Section 55635 of the First Class Township Code, the Civil Service Commission is required to make rules and regulations to be approved by the Upper Dublin Board of Commissioners providing for the examinations, practical in character, for positions in the Upper Dublin Police Force, relating to such matters as fairly test the merit and fitness of the persons examined.

NOW, THEREFORE, be it resolved that the Commissioners of Upper Dublin Township do hereby endorse and approve Amendment No. 3 to the Rules and Regulations of the Civil Service Commission, a copy of which is attached hereto and made a part of this Resolution.

ADOPTED this 9th day of November, 2004 at a regular stated meeting of the Board of Commissioners.

By: 
Robert J. Fesavento, President

Attest: 
Paul A. Leonard, Secretary

AMENDMENT NO. 3
RULES AND REGULATIONS
FOR THE
CIVIL SERVICE COMMISSION
UPPER DUBLIN TOWNSHIP

In accordance with Article XIII., Section 1301 of the Rules and Regulations For The Civil Service Commission as approved by the Board of Commissioners on January 12, 1999, the Civil Service Commission hereby proposes the following amended regulations:

1. Article VII. Examination Process, Section 701. Examinations for Police Positions, Subsection A. Examination for the Position of Patrol Officer, Subsection (3) Physical Agility Test, shall be amended in its entirety as follows:

(3) Physical Agility Test - Upon completion of the written and oral examinations by qualified applicants and following the determination of scores, those applicants having been selected for further processing and passing both the written and oral examinations shall be eligible to take the following physical agility test. The Commission shall appoint the Police Department or its representative to conduct the physical agility test and report the results to the Commission. The order of testing shall be within the discretion of the test administrator, but the same test order shall be used for all applicants.

Instructions:

This test has been designed to determine whether applicants have the minimal physical abilities required to handle situations often encountered in police work. This is a pass-fail test. Failure to meet one (1) of the minimums shall result in the failure of the agility test and the elimination of the applicant from the examination process.

Test 1: 1.5 Mile Run (min/sec) - 14:36

Test 2: 300 Meter Run (seconds) - 63.0

Test 3: Push-Ups (number) - 25

Test 4: 1 Minute Sit-Ups (number) - 29

Test 5: Vertical Jump (inches) - 16.0

Test 6: Applicant shall be required to swim 100 ft. in 60 seconds using any stroke desired to pass this test.

2. Article VII. Examination Process, Section 701. Examinations for Police Positions, Subsection B. Examinations for the Positions of Corporal, Sergeant and Lieutenant, Subsection (1), shall be amended in its entirety as follows:

B. Examination for the Positions of Corporal, Sergeant and Lieutenant.

(1) The following parts comprise the examination process for the aforementioned position:

	<u>Element</u>	<u>Passing Score</u>	<u>Weighting</u>
Step 1	Written Examination	Ref: Section 703	50%
Step 2	Oral Examination	Ref: Section 703	50%

3. Article IX. Certification and Appointments, Section 906. Probationary Period, shall be amended in its entirety as follows:

906. Probationary Period.

All original appointments to any position in the Police Department shall be for a probationary period of the later of eighteen (18) months from the date of hire or twelve (12) months after the certification of the appointee under the Municipal Police Education and Training Act, Act No. 177 of 1996, formerly known as Act No. 120 of 1974, or any successor Act. During the probationary period, a probationer may be dismissed only for a cause specified in Section 310. If at the close of a probationary period the conduct or fitness of the probationer has not been satisfactory to the Municipal Governing Body, the probationer shall be notified in writing that he will not receive a permanent appointment. Thereupon, his appointment shall cease; otherwise, he shall be retained as a patrol officer.

In cases where an individual's performance during the probationary period is satisfactory, within the sole discretion of the Municipal Governing Body, the following events shall occur:

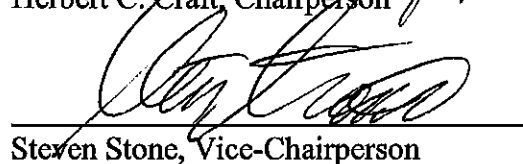
The Chief of Police shall make a report to the Municipal Governing Body recommending that he shall be retained as a patrol officer and/or shall submit a performance evaluation report and recommendation, not less than sixty (60) days before the next regular meeting of the Municipal Governing Body immediately preceding the end of the probationary period. Each report shall be submitted in writing to the Municipal Governing Body. Within thirty (30) calendar days after receiving a probationary report from the Chief of Police, the Municipal Governing Body shall notify the probationer, in writing, of its decision to retain the probationer.

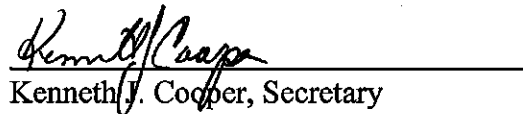
In cases where an individual's performance during the probationary period has not been satisfactory, within the sole discretion of the Municipal Governing Body, the following events shall occur:

The Chief of Police shall make a report to the Municipal Governing Body recommending termination of employment of any probationer found not to be acceptable in his position and/or shall submit a final probationary report, not less than sixty (60) days before the next regular meeting of the Municipal Governing Body immediately preceding the end of the probationary period. Each report shall be submitted in writing to the Municipal Governing Body. Within thirty (30) calendar days after receiving a probationary report from the Chief of Police, and in no event beyond the last day of the probationary period, the Municipal Governing Body shall notify the probationer, in writing, of its decision to remove the probationer.

Approved by a majority of the Commission this 7th day of October, 2004 at a special meeting of the Commission.


Herbert C. Craft, Chairperson


Steven Stone, Vice-Chairperson


Kenneth J. Cooper, Secretary

RESOLUTION NO. 1861

A RESOLUTION ^{ESTABLISH} ADOPTING THE BUDGET FOR FISCAL YEAR 2005.

WHEREAS, in accordance with the First Class Township Code, the Board of Commissioners have prepared and reviewed an annual budget for the fiscal year 2005 detailing the estimated amounts of money required for the specific purposes of the Upper Dublin Township government for the ensuing fiscal year including estimated receipts, expenditures and appropriations, and,

WHEREAS, the proposed 2005 budget was advertised as required by law and presented at public workshops on November 3, 2004, and on November 8, 2004, and,

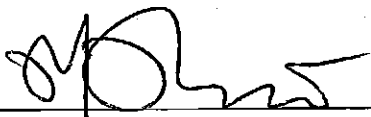
WHEREAS, amendments were made to the proposed budget during the public budget hearings legally advertised and held on November 15, 2004, November 22, 2004, November 30, 2004 and December 7, 2004, and,

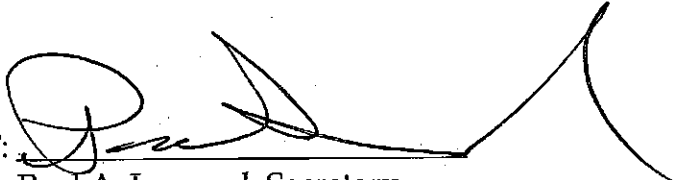
WHEREAS, the proposed budget as amended will take effect on January 1, 2005;

THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby adopts the annual budget, detailed in the attached exhibits, for fiscal year 2004.

ADOPTED this 14th day of December 2004.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
Robert J. Pesavento, President

ATTEST: 
Paul A. Leonard, Secretary

THIS RESOLUTION MUST BE COMPLETED BY POLITICAL SUBDIVISION IF APPLYING FOR A POLICE OFFICER TO ATTEND A BASIC TRAINING PROGRAM (NOT NECESSARY WITH WAIVER REQUESTS)

Original to Commonwealth of PA

RESOLUTION

RESOLUTION NO. 1862

AND NOW, this 14th day of DECEMBER, 2001, the UPPER DUBLIN TOWNSHIP, of MONTGOMERY County, Pennsylvania...

County, Pennsylvania, being desirous of obtaining reimbursement of monies for expenses incurred for officer ANDREW J. BOCHANSKI, pursuant to the training provisions of the Municipal Police Officers' Education and Training Act, Act 120 of 1974, hereby enacts the following RESOLUTION:

BE IT RESOLVED by the UPPER DUBLIN TOWNSHIP, and it is hereby resolved by the authority of same:

THAT the UPPER DUBLIN TOWNSHIP hereby agrees that while receiving any funds from the Commonwealth of Pennsylvania pursuant to said Act, the UPPER DUBLIN TOWNSHIP shall adhere to the rules, regulations and training standards established by the Municipal Police Officers' Education and Training Commission.

IN WITNESS WHEREOF the UPPER DUBLIN TOWNSHIP hereby authorizes the execution and attestation of the RESOLUTION and the date first above written.



by: [Signature] SIGNATURE - HEAD OF POLITICAL SUBDIVISION

ROBERT PESAVENTO / PRESIDENT OF BOARD TITLE: HEAD OF POLITICAL SUBDIVISION

[Signature] SIGNATURE - CHIEF OF POLICE (IF APPLICABLE)

ATTEST: [Signature] SIGNATURE - SECRETARY

PAUL A. LEONARD TYPED NAME

RESOLUTION NO. 1863

**RESOLUTION ADOPTING THE NATIONAL INCIDENT
MANAGEMENT SYSTEM AS PART OF UPPER DUBLIN TOWNSHIP'S
EMERGENCY MANAGEMENT PLAN**

WHEREAS, Upper Dublin Township presently has an Emergency Management Plan that requires all incidents within the township be managed by nationally recognized Incident Command System guidelines; and

WHEREAS, on February 28, 2003 President Bush issued Homeland Security Presidential Directive 5, which requires all Federal, State, and Local governments to adopt and use the National Incident Management System for all domestic hazards, including terrorist attacks, natural disasters, and other emergencies; and

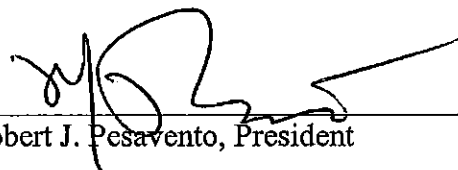
WHEREAS, on March 1, 2004, the Director of Homeland Security issued the National Incident Management System guidelines.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Upper Dublin Township, Pennsylvania:

That Upper Dublin Township hereby adopts as part of its Emergency Management Plan, (Section C - NIMS) the Homeland Security Department's National Incident Management System (NIMS).

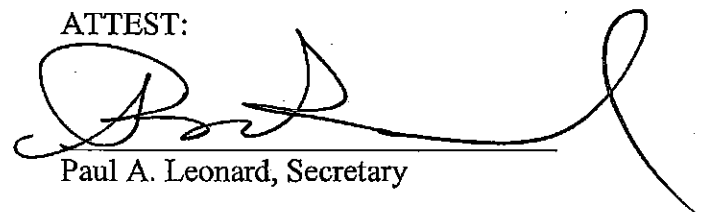
RESOLVED, this *14th* day of *December*, 2004.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



Robert J. Pesavento, President

ATTEST:



Paul A. Leonard, Secretary

RESOLUTION NO. 1864

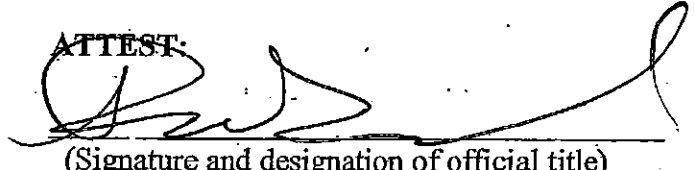
BE IT RESOLVED, by authority of the BOARD OF COMMISSIONERS
(Name of governing body)

of the TOWNSHIP OF UPPER DUBLIN, MONTGOMERY County, and it
(Name of Municipality)

is hereby resolved by authority of the same, that the PRESIDENT OF BOARD OF COMMISSIONERS of
(designate official title)

said Municipality be authorized and directed to sign the attached Agreement on its behalf.

ATTEST:


(Signature and designation of official title)

PAUL A. LEONARD, SECRETARY

UPPER DUBLIN TOWNSHIP

(Name of Municipality)

By: 

(Signature and designation of official title)
ROBERT J. PEŠAVENTO, PRESIDENT

I, PAUL A. LEONARD
(Name)

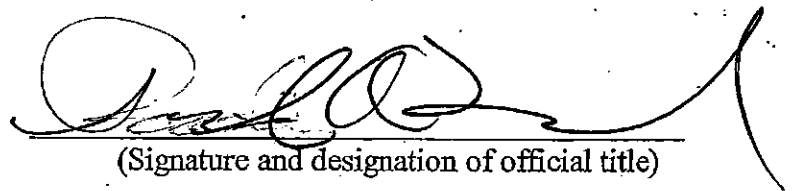
SECRETARY
(Official title)

of the TOWNSHIP OF UPPER DUBLIN, do hereby certify that the foregoing
(Name of governing body and Municipality)

is a true and correct copy of the Resolution adopted at a regular meeting of the

BOARD OF COMMISSIONERS, held the 14th day of December, 2004.
(Name of governing body)

DATE: 12/14/04


(Signature and designation of official title)

PAUL A. LEONARD, SECRETARY

NOTE: Signature on the Department signature page of this Agreement must conform

*original
Resolution
sent to
PennDOT*

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

MAINTENANCE SERVICES

AGREEMENT NO 064163
FID #: 23-6003042-000

THIS AGREEMENT, fully executed and approved this day of , by and between the COMMONWEALTH of Pennsylvania, acting through the Department of Transportation ("COMMONWEALTH"),

AND

the UPPER DUBLIN TOWNSHIP of the COMMONWEALTH of Pennsylvania, acting through its authorized officials ("MUNICIPALITY").

WITNESSETH:

WHEREAS, certain public highways, including bridges with their approaches, located in the MUNICIPALITY have been adopted and taken over as part of the State Highway System, to be constructed, improved and maintained by the COMMONWEALTH, upon the terms and conditions and subject to the limitations contained in the Act of May 29, 1945, P.L. 1108; the Act of June 1, 1945, P.L. 1242; and the Act of September 18, 1961, P.L. 1389, all as supplemented and amended; and,

WHEREAS, under the provisions of Section 561 of the State Highway Law, 36 P.S. Section 670-561, added by Act 1985-92, the COMMONWEALTH may, at the discretion of the Secretary of Transportation, enter into agreements with municipalities for the latter to perform minor routine maintenance work on the roadway and shoulders of any State Highway, or portion thereof, located within the boundaries of the MUNICIPALITY; and,

WHEREAS, the COMMONWEALTH desires to obtain the assistance of the MUNICIPALITY to carry out minor routine maintenance on the State Highways listed on Exhibit "A", which is attached to and made a part of this Agreement; and,

WHEREAS, the MUNICIPALITY has the equipment, materials, and personnel available and ready to perform all the items of repair and maintenance within the MUNICIPALITY listed on Exhibit "B", which is attached to and made part of this Agreement, in a prompt and efficient manner and has signified its willingness to furnish these repair and maintenance functions, subject to payment by the COMMONWEALTH as set forth in the List of Prices in Exhibit "B".

NOW, THEREFORE, the parties hereto, for and in consideration of the foregoing premises and of the mutual promises set forth below, with the intention of being legally bound, agree as follows:

1. The MUNICIPALITY shall, in a good and workmanlike manner, perform the minor routine maintenance items at the amounts set forth in the List of Prices, all as set forth in Exhibit "B", on the State Highways located within the boundaries of the MUNICIPALITY, as listed on Exhibit "A". The MUNICIPALITY shall use equipment owned or leased by it and its own materials and personnel to perform the work. All work shall be completed in accordance with all applicable Department of Transportation Specifications ("Publication 408"), and with the policies and procedures set forth in the MORIS Highway Maintenance Foreman Manual ("Publication 113"), which are incorporated by reference into this Agreement as if physically attached.
2. The COMMONWEALTH shall pay the MUNICIPALITY for all authorized work performed on the items contracted for in Exhibit "B" as follows:
 - (a) Lump sum items shall be paid on a quarterly basis.
 - (b) Items performed on a unit price basis shall be paid in accordance with Paragraph 11 below.
 - (c) The starting date of this Agreement shall be either the date on which the Agreement has been fully executed and approved by the COMMONWEALTH, or another date agreed to by both the MUNICIPALITY and the COMMONWEALTH, whichever is later. Further, the MUNICIPALITY shall not be permitted to start any work until notified by the COMMONWEALTH that the Agreement has been fully executed and approved.

3. The MUNICIPALITY undertakes these responsibilities as an independent contractor, and its employees and/or lessors and/or contractors are not to be considered employees of the COMMONWEALTH for any purposes. The COMMONWEALTH shall not be liable, nor shall it indemnify, defend, or save harmless the MUNICIPALITY for the negligent acts of the MUNICIPALITY'S employees and/or lessors and/or contractors during the performance of, or resulting from the performance under, this Agreement.
4. This Agreement shall be effective for the period commencing upon written notice by the COMMONWEALTH to the MUNICIPALITY and terminating on JUNE 30, 2007, unless sooner terminated for cause upon thirty (30) days' written notice by either party to the other. Upon termination for cause, all obligations, except liability for claims arising from the MUNICIPALITY'S performance and damages incurred by the COMMONWEALTH, shall cease. In the event of termination, the MUNICIPALITY shall be paid for the work performed to the date of termination, to the extent such work has been performed in accordance with the requirements of this Agreement.
5. Work performed by the MUNICIPALITY under this Agreement shall be subject to inspection by the Secretary of Transportation, the District Engineer, and/or their duly authorized representatives within sixty (60) days of completion of the work. If, upon inspection, certain work is found not to be in conformance with the specifications, policies and procedures of the COMMONWEALTH, or is not performed in a good and workmanlike manner, the work shall be corrected or re-performed, as necessary, by the MUNICIPALITY, at no cost to the COMMONWEALTH. The COMMONWEALTH shall not be obligated to conduct an inspection program. Spot inspection or inspection of a particular project will be conducted at the discretion of the COMMONWEALTH.
6. Incorporated by reference, as part of this Agreement as though physically attached to it, are the COMMONWEALTH Nondiscrimination / Sexual Harassment Clause (dated June 30, 1999), the Contractor Integrity Provisions (dated December 20, 1991), the Provisions Concerning the Americans with Disabilities Act (dated January 16, 2001) and the Contractor Responsibility Provisions (dated April 16, 1999).
7. The MUNICIPALITY agrees that the COMMONWEALTH may offset the amount of any state tax or COMMONWEALTH liability of the MUNICIPALITY or its affiliates and subsidiaries that is owed to the COMMONWEALTH against any payments due the MUNICIPALITY under this or any other contract with the COMMONWEALTH.
8.
 - (a) Within ten (10) days after the effective date of this Agreement and every ninety (90) days thereafter, the MUNICIPALITY shall submit a proposed work program to the COMMONWEALTH, addressed to the Department of Transportation's local County Maintenance Manager. The MUNICIPALITY may proceed to work five (5) working days after submitting its proposed work program to the COMMONWEALTH, unless notified to the contrary.
 - (b) The MUNICIPALITY may, at any time during the progress of a quarterly work program, submit, for the COMMONWEALTH'S approval, a supplemental or amended work program and may proceed to work five (5) working days after submitting such amended work program, unless notified to the contrary.
 - (c) If an emergency situation arises, the Department of Transportation's local County Maintenance Manager, who shall be responsible for declaring such an emergency situation, may give verbal authorization to perform necessary additional work. The MUNICIPALITY shall promptly confirm any emergency authorization in writing. Any emergency work authorized pursuant to this paragraph shall be limited to the categories of work for which the MUNICIPALITY has assumed responsibility under this Agreement.
9. The MUNICIPALITY shall be responsible for maintenance and protection of traffic at all times during the performance of its responsibilities under this Agreement. This shall be performed in accordance with the Department of Transportation's Publication 203, entitled Work Zone Traffic Control, current edition, which the COMMONWEALTH shall make available to the MUNICIPALITY upon request.
10. The MUNICIPALITY may submit invoices at various intervals, but in no event shall invoices be submitted more frequently than on a monthly basis. Invoices shall be accompanied by a written statement certifying that the work listed in the invoice was performed properly, specifically in accordance with the specifications, policies and procedures set forth in this Agreement.
11. It is understood between the parties that the maximum amount payable under this Agreement by the COMMONWEALTH to the MUNICIPALITY shall not exceed the sum of NINE THOUSAND (\$ 9,000.00) dollars, without a

NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE

Each contract entered into by a governmental agency shall contain the following provisions by which the Contractor agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the contract or any subcontract, the contractor, subcontractor, or any person acting on behalf of the contractor or subcontractor shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.
2. Neither the contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against or intimidate any employee involved in the manufacture of supplies, the performance of work, or any other activity required under the contract on account of gender, race, creed, or color.
3. Contractors and subcontractors shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.
4. Contractors shall not discriminate by reason of gender, race, creed, or color against any subcontractor or supplier who is qualified to perform the work to which the contracts relates.
5. The contractor and each subcontractor shall furnish all necessary employment documents and records to and permit access to their books, records, and accounts by the contracting agency and the Bureau of Contract Administration and Business Development, for purposes of investigation, to ascertain compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. If the contractor or any subcontractor does not possess documents or records reflecting the necessary information requested, the contractor or subcontractor shall furnish such information on reporting forms supplied by the contracting agency or the Bureau of Contract Administration and Business Development.
6. The contractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subcontract so that such provision will be binding upon each subcontractor.
7. The Commonwealth may cancel or terminate the contract, and all money due or to become due under the contract may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the agency may proceed with debarment or suspension and may place the contractor in the Contractor Responsibility File.

Exhibit " "

CONTRACTOR INTEGRITY PROVISIONS

- 1: For purposes of this clause only, the words "confidential information," "consent," "contractor," "financial interest," and "gratuity" shall have the following definitions.
 - a. Confidential information means information that is not public knowledge, or available to the public on request, disclosure of which would give an unfair, unethical, or illegal advantage to another desiring to contract with the Commonwealth.
 - b. Consent means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by prequalification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of execution of this agreement.
 - c. Contractor means the individual or entity that has entered into the Contract with the Commonwealth, including directors, officers, partners, managers, key employees and owners of more than a five percent interest.
 - d. Financial interest means:
 - 1) Ownership of more than a five percent interest in any business; or
 - 2) Holding a position as an officer, director, trustee, partner, employee, or the like, or holding any position of management.
 - e. Gratuity means any payment of more than nominal monetary value in the form of cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind.
2. The Contractor shall maintain the highest standards of integrity in the performance of the Contract and shall take no action in violation of state or federal laws, regulations, or other requirements that govern contracting with the Commonwealth.
3. The Contractor shall not disclose to others any confidential information gained by virtue of the Contract.
4. The Contractor shall not, in connection with this or any other agreement with the Commonwealth, directly, or indirectly, offer, confer, or agree to confer any pecuniary benefit on anyone as consideration for the decision, opinion, recommendation, vote, other exercise of discretion, or violation of a known legal duty by any officer or employee of the Commonwealth.
5. The Contractor shall not, in connection with this or any other agreement with the Commonwealth, directly or indirectly, offer, give, or agree or promise to give to anyone any gratuity for the benefit of or at the direction or request of any officer or employee of the Commonwealth.
6. Except with the consent of the Commonwealth, neither the Contractor nor anyone in privity with him or her shall accept or agree to accept from, or give or agree to give to, any person, any gratuity from any person in connection with the performance of work under the Contract except as provided therein.
7. Except with the consent of the Commonwealth, the Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material on this project.
8. Contractor, upon being informed that any violation of these provisions has occurred or may occur, shall immediately notify the Commonwealth in writing.

9. The Contractor, by execution of the Contract and by the submission of any bills or invoices for payment pursuant thereto, certifies, and represents that he or she has not violated any of these provisions.
10. The Contractor, upon the inquiry or request of the Inspector General of the Commonwealth or any of that official's agents or representatives, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Inspector General to the Contractor's integrity or responsibility, as those terms are defined by the Commonwealth's statutes, regulations, or management directives. Such information may include, but shall not be limited to, the Contractor's business or financial records, documents or files of any type or form which refers to or concern the Contract. Such information shall be retained by the Contractor for a period of three years beyond the termination of the Contract unless otherwise provided by law.
11. For violation of any of the above provisions, the Commonwealth may terminate this and any other agreement with the Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these provisions, claim damages for all expenses incurred in obtaining another Contractor to complete performance hereunder, and debar and suspend the Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or nonuse of any one shall not preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.

(12/20/91)

P:\PennDOT Shared\EXHIBITS FOR AGREEMENTS\Contractor Integrity Provision.doc

PROVISIONS CONCERNING *THE AMERICANS WITH DISABILITIES ACT*

During the term of this contract, the Contractor agrees as follows:

1. Pursuant to federal regulations promulgated under the authority of *The Americans With Disabilities Act*, 28 C.F.R. § 35.101 et seq., The Contractor understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from participation in this contract or from activities provided for under this contract. As a condition of accepting and executing this contract, the Contractor agrees to comply with the "General Prohibitions Against Discrimination," 28 C.F.R. § 35.130, and all other regulations promulgated under Title II of *The Americans With Disabilities Act* which are applicable to the benefits, services, programs, and activities provided by the Commonwealth of Pennsylvania through contracts with outside contractors.
2. The Contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth of Pennsylvania from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth of Pennsylvania as a result of the Contractor's failure to comply with the provisions of paragraph 1.

EXHIBIT "D"

CONTRACTOR RESPONSIBILITY PROVISIONS

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, grantee, or subgrantee, who has furnished or seeks to furnish goods, supplies, services, or leased space, or who has performed or seeks to perform construction activity under contract, subcontract, grant, or subgrant with the Commonwealth, or with a person under contract, subcontract, grant, or subgrant with the Commonwealth or its state-affiliated entities, and state-related institutions. The term contractor may include a permittee, licensee, or any agency, political subdivision, instrumentality, public authority, or other entity of the Commonwealth.

1. The contractor must certify, in writing, for itself and all its subcontractors, that as the date of its execution of any Commonwealth contract, that neither the contractor, nor any subcontractors, nor any suppliers are under suspension or debarment by the Commonwealth or any government entity, instrumentality, or authority and, if the contractor cannot so certify, then it agrees to submit, along with the bid/proposal, a written explanation of why such certification cannot be made.

2. The contractor must also certify, in writing, that as of the date of its execution, of any Commonwealth contract it has no tax liabilities or other Commonwealth obligations.

3. The contractor's obligations pursuant to these provisions are ongoing from and after the effective date of the contract through the termination date thereof. Accordingly, the contractor shall have an obligation to inform the contracting agency if, at any time during the term of the contract, it becomes delinquent in the payment of taxes, or other Commonwealth obligations, or if it or any of its subcontractors are suspended or debarred by the commonwealth, the federal government, or any other state or governmental entity. Such notification shall be made within 15 days of the date of suspension or debarment.

4. The failure of the contractor to notify the contracting agency of its suspension or debarment by the Commonwealth, any other state, or the federal government shall constitute an event of default of the contract with the Commonwealth.

5. The contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of State Inspector General for investigations of the contractor's compliance with the terms of this or any other agreement between the contractor and the Commonwealth, which results in the suspension or debarment of the contractor. Such costs shall include, but shall not be limited to, salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. The contractor shall not be responsible for investigative costs for investigations that do not result in the contractor's suspension or debarment.

6. The contractor may obtain a current list of suspended and debarred Commonwealth contractors by either searching the Internet at <http://www.dgs.state.pa.us/debarment.htm> or contacting the:

Department of General Services
Office of Chief Counsel
603 North Office Building
Harrisburg, PA 17125
Telephone No: (717) 783-6472

RESOLUTION NO. 1865

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A WIDENED PORTION OF DRESHERTOWN ROAD, A PUBLIC STREET**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Trueblood Construction Company (hereinafter "Grantor") a Deed of Dedication for a widened portion of a public street known as Dreshertown Road; and

WHEREAS, the Board of Commissioners on November 9, 1999, approved a Plan of Subdivision titled "Kauffman Subdivision" (the "Plan") filed by or on behalf of Grantor, which Subdivision Plan was prepared by Woodrow & Associates, Inc., Project No. 98-909D, dated April 29, 1999, with last revision dated October 11, 1999, and Recorded in the Office of the Recording of Deeds, Norristown, PA in Plan Book A59, Page 33, and which plans set forth that portion of the Street hereby dedicated; and

WHEREAS, the Street has heretofore been improved according to Township specifications; and


WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the widened portion of the Street will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

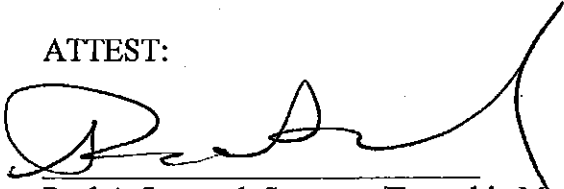
1. The Deed of Dedication offered to the Township for the widened portion of Dreshertown Road more fully described as set forth on the Plan is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.
3. The widened portion of this public street as described in the attached Exhibit shall hereafter be designated on the official map of streets in the Township.

RESOLVED, this 14th day of December, 2004.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this 14th day of December, 2004, between TRUEBLOOD CONSTRUCTION COMPANY, a corporation organized pursuant to the laws of the Commonwealth of Pennsylvania, with offices located at 904 Sumneytown Pike, Springhouse, Montgomery County, Pennsylvania 19477, Grantor, and TOWNSHIP OF UPPER DUBLIN, a Township of the First Class situate at 801 Loch Alsh Avenue, Fort Washington, in the County of Montgomery and Commonwealth of Pennsylvania, Grantee.

WITNESSETH:

That Grantor, for and in consideration of and for the sum of One Dollar (\$1.00) the advantages to it accruing, as well as for diverse considerations affecting the public welfare, which it seeks to advance, has granted, bargained, sold and confirmed, and by these presents does grant, bargain, sell and confirm unto the Grantee, its successors and assigns, an easement and right-of-way over ALL THAT CERTAIN property situate in the TOWNSHIP OF UPPER DUBLIN, County of Montgomery and Commonwealth of Pennsylvania described as set forth in Exhibit "A", being tax parcel number 54-00-05080-005.

TO HAVE AND TO HOLD the aforesaid easement over all that certain property above described unto the TOWNSHIP OF UPPER DUBLIN, its successors and

assigns, to and for the only proper use on behalf of the Township of Upper Dublin , its successors and assigns, for a public road, street or highway, including the right to construct, maintain and repair streets, sidewalks, and curbing over the lands hereinabove described and to cause others to construct, maintain and repair such streets, sidewalks and curbing together with the right of the Grantee and others to construct, maintain and repair utilities over, under and across the lands hereinabove described, together with the right to construct, maintain and repair gutters, grates and storm drains over, under and across the lands hereinabove described, and the further right to remove trees, bushes, undergrowth, soil, and other obstructions interfering with the location, construction and maintenance of all of the aforesaid.

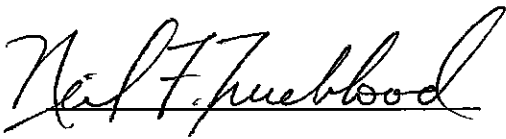
AND the said Grantor, for itself and its successors and assigns by these presents does covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns shall nor will at any time hereafter ask, demand or recover or receive of or from the said Grantee, its successors and assigns any sum of money as and for damages for or by reason of the physical grading of said street to the grade as now established by the Township of Upper Dublin, Grantee, and if such grade shall not be established at the date of these presents that neither the said Grantor, nor its successors or assigns, shall nor will at any time hereafter ask, demand, recover or receive any such damage by reason of the physical grading of said street to conform to the grade as first thereafter established or confirmed by the said Township of Upper Dublin.

AND the said Grantor, for its successors and assigns, does by these presents further covenant, promise and agree to and with said Grantee, its successors and assigns, that the said easement and the right-of-way described unto the said Grantee, its successors and assigns, against it the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him or them or any of them, shall and will warrant and forever defend.

IN WITNESS WHEREOF, Grantor has caused this Deed of Dedication to be duly executed the day and year first above written intending to be legally bound.

TRUEBLOOD CONSTRUCTION
COMPANY

ATTEST:

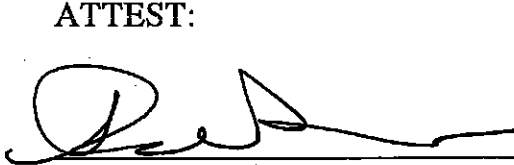

Neil F. Trueblood

By:

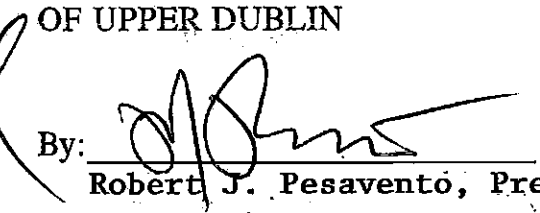

Jonathan B. Trueblood, President

COMMISSIONERS OF THE TOWNSHIP
OF UPPER DUBLIN

ATTEST:


Paul A. Leonard, Secretary

By:


Robert J. Pesavento, President

Accepted by Resolution of the Board of Commissioners of the TOWNSHIP OF UPPER
DUBLIN, December 14, A.D., 2004.

ud\dev\kauffman\right-of-way deed of ded



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter E. Hunley, P.L.S.
Paul D. Erle, P.E.
Cynthia H. VanHise, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Felder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

November 3, 2004

Pixton Place
UD96.010

Dreshertown Road
ultimate right-of-way

ALL THAT CERTAIN strip or portion of roadway situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Record Plan of Pixton Place Subdivision prepared for Trueblood Company., by DiCroce and Leapson, Southampton, Pennsylvania, dated July 15, 1996, last revised July 8, 1997, as recorded in plan book A57, page 116, and being more fully described as follows:

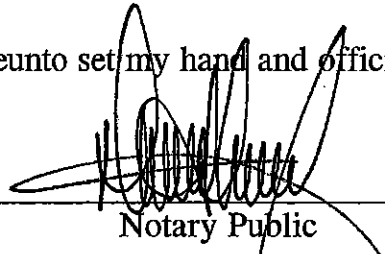
BEGINNING at a point on the centerline of Dreshertown Road, (S.R. 2028, 50' ultimate width), said point being a corner of the Pixton Place subdivision tract and lands of N/L David and June Kauffman (taxmap block 54, unit 22); thence, extending along the said Kaufman lands, South $10^{\circ}50'$ East, 25.00 feet to a point on the southerly ultimate right-of-way- line; thence, extending along said ultimate right-of-way line and along Lot 1 of the said subdivision, South $79^{\circ}10'$ West, 200.00 feet to a common corner of Lots 2 and 3 as shown on said plan; thence, extending along Lot 3, North $10^{\circ}50'$ West, 25.00 feet to a point on the aforementioned centerline of Dreshertown Road; thence, extending along the centerline, North $79^{\circ}10'$ East, 200.00 feet a point, said point being the point and place of beginning.

CONTAINING 5,000 Sq. Ft. of land area, be the same, more or less.

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

On the 28TH day of JANUARY, A.D., 2000, before me, the subscriber,
a Notary Public for the Commonwealth of Pennsylvania, in and for the County of
Montgomery, personally appeared Jonathan B. Trueblood, who being duly sworn
according to law, says that he is the President of Trueblood Construction Company,
and executed the foregoing instrument as the act and deed of the corporation, being
duly authorized to do so, for the purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Notary Public

Notarial Seal
Denise M. Schulz, Notary Public
Lower Gwynedd Twp., Montgomery County
My Commission Expires May 31, 2003
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

On the 14th day of December, A.D., 2004, before me, the subscriber, a Notary Public for the Commonwealth of Pennsylvania, in and for the County of Montgomery, personally appeared Robert J. Pesavento, who being duly sworn according to law, says that he is the President of The Upper Dublin Board of Commissioners, and executed the foregoing instrument as the act and deed of the corporation, being duly authorized to do so, for the purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Lorraine Narducci

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Lorraine Narducci, Notary Public

Upper Dublin Twp., Montgomery County

My Commission Expires NOV. 30, 2008

Member, Pennsylvania Association Of Notaries



RESOLUTION

NO. 1866

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY,
COMMONWEALTH OF PENNSYLVANIA,
APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE NO. 11489
INTO UPPER DUBLIN TOWNSHIP FROM ROYERSFORD BOROUGH**

WHEREAS, Act 141 of 2000 ("the Act"), which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license: and

WHEREAS, the Act requires the receiving municipality to issue a resolution approving the inter-municipal transfer of the liquor license from the transferring municipality prior to an applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested individuals residing within the municipality to make comments and recommendations regarding applicant's intent to transfer a liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a restaurant liquor license into the municipality.

NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin, does hereby RESOLVE:


1. That Ruby Tuesday, Inc. has requested the approval of the Upper Dublin Township Board of Commissioners for the proposed transfer of a Pennsylvania restaurant liquor license to its facilities to be located at I-276 and Virginia Drive, Upper Dublin Township, Pennsylvania, with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

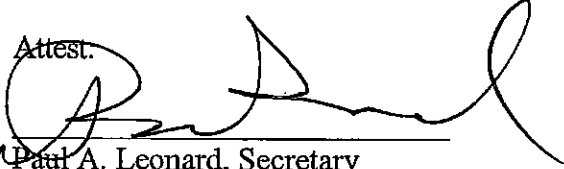
2. That the Upper Dublin Township Board of Commissioners has held a public hearing to receive comments on the proposed liquor license transfer and, after consideration of the issues, finds that the transfer of a restaurant liquor license into Upper Dublin Township by the applicant will not be detrimental to the welfare, health, peace and morals of Upper Dublin Township or its inhabitants; and

3. That the Upper Dublin Township Board of Commissioners approves, by adoption of this Resolution, the proposed transfer of restaurant liquor license No. R-11489 into Upper Dublin Township by Ruby Tuesday, Inc., subject to the representations made and set forth at the public hearing on this matter.

Approved by the Board this 11th day of January, 2005

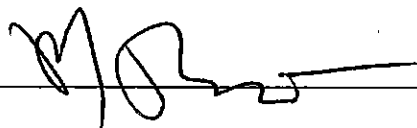
BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


Robert J. Pesavento, President

Attest.

Paul A. Leonard, Secretary
rd liquor license ruby tuesday

I HEREBY CERTIFY THAT this Resolution was adopted by the Upper Dublin Township Board of Commissioners at its meeting on 11 Jan, 2005.

BOARD OF COMMISSIONERS



UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

RESOLUTION
NO. 1867

WHEREAS, the Township has a website to provide information concerning matters of interest to the public pertaining to the Township; and

WHEREAS, the Board of Commissioners deems it necessary and desirable to promulgate regulations for the use of the Township's website.

NOW THEREFORE, IT IS HEREBY RESOLVED that the Board of Commissioners of Upper Dublin Township adopts and approves the following operating policy for the Township's website:

**TOWNSHIP OF UPPER DUBLIN
WEB SITE
OPERATING POLICY
www.upperdublin.net**

PURPOSE

The purpose of the Upper Dublin Township Web Site (hereinafter referred to as "website") is to provide information to the public about the work, actions and ordinances of local government in Upper Dublin and government-related community programs, activities, services, meetings, events, and issues. The website should also provide:

- convenient transaction options for a variety of Township pay-services
- on-line access to various Township forms and applications.
- downloadable copies of Township documents, reports and informational publications.
- links to related websites that will better connect Upper Dublin residents to the broader community.

The content and appearance of this 24 hour per day internet information website will originate at and be the responsibility of the Township of Upper Dublin. This

website is not a public forum, but rather is maintained for the exclusive use of the Township in communicating matters of general public interest.

OBJECTIVES

1. To provide timely public information about government meetings, services, programs and events.
2. To provide information which will enable the residents of Upper Dublin to have more effective access to local government.
3. To educate residents about government procedures and processes.
4. To provide residents with information on various Township functions and departments.
5. To expand community awareness of the decision-making processes of local government.
6. To provide accurate, up-to-date information to residents during emergencies.
7. To assist Township departments in the delivery of services, programs and information.
8. To provide access (via hyperlinks) to information concerning:
 - historical, cultural and educational institutions (including the Upper Dublin School District)
 - economic development and opportunities within the Township as well as facts about the Township's business districts
 - other organizations which provide services to the citizens of the Township (e.g., public transportation, healthcare, etc.)

CONTENT

1. The website will include information directly supporting the above stated objectives. Examples include a welcome from the President of the Board of Commissioners and the Township Manager, the President of the Board of Commissioners Vision for the Township, biographies of each Commissioner, schedule of public meetings of Boards and Commissions, frequently asked questions, history, etc.

2. The Township strives to present current and accurate information on this website, but cannot guarantee it. In the event of a discrepancy between the information on this website and official information available at Township offices, the official information shall prevail.
3. Materials and information on the website are provided as a public service and intended to afford general guidelines on matters of public interest. Accordingly, the information on this website is not intended to serve as legal, accounting, tax or other professional advice. Except for the third party materials described herein, the materials and information on this website were generated, compiled, or assembled at public expense and are freely available for non-commercial, non-profit making use, provided the user keeps intact all associated copyright, trademark, and other proprietary notices.
4. Unauthorized attempts to modify any information stored on this system, to defeat or circumvent security features, or to utilize this system for other than its intended purposes are prohibited and may result in reporting the offense to the appropriate legal authorities.

WEB LINK GUIDELINES

The Upper Dublin Township website will be used primarily to provide information by and about Township government. Local municipalities and Civic Associations, which are recognized in the community, may request a web link in writing to:

Township Manager
801 Loch Alsh Avenue
Fort Washington, Pennsylvania 19034

Any registered non-profit agency may be linked to the Township website. All non-profit requests must be accompanied by a written request and must include tangible evidence of non-profit status. Requests should be written to the above address.

Links to personal websites (those created by individuals), links to commercial websites, links to sites associated with, sponsored by or serving a candidate for any political office, by a non-municipal political party or organization, or any ballot proposal not initiated by the Township or School District, and links to websites with obscene or objectionable images or text are prohibited.

Web link requests not covered by any of the above statements will be considered upon written request only, and will be approved only upon an affirmative vote of the Board of Commissioners. Links from the Township's website to other sites on the Internet do not constitute an endorsement by the Township. The Township is not responsible for the content, quality, or accuracy of any off-site materials referenced or linked through the Township's website. All approved web links can take up to six weeks to complete.

The Township provides links and pointers solely for our users' information and convenience. The inclusion of links on this website should not be construed as an endorsement by the Township of those links or their contents. When users select a link to an outside website, they are leaving the Township website and are subject to the privacy and security policies of the owners/sponsors of the outside website.

ACCESSIBILITY POLICY

It is the policy of the Township that information and services on this site are designed to be accessible to people with disabilities.

PRIVACY POLICY

Users are not asked to provide personal information to visit the Township website, download Township publications, or use Township email communications. (no longer true). Personal information may be required in order to transact business with the Township. Information secured through connections to the Township website may be used to conduct statistical analyses of user activities, such as measuring interest in Township information and how it is provided.. The Township may collect and store non-personal information including but not limited to:

- name of the domain from which you access the Internet
- type of browser and operating system used to access the site
- date and time you access the site
- page from which you came and the pages that you access
- your system's IP address

NOTICE TO TOWNSHIP

Communications made through the Township website shall not be deemed to constitute legal or official notice to the Township, its agencies, officers, employees, representatives, or agents with respect to any existing, pending, or future claim or cause of action against the Township or any of its agencies,

officers, employees, representatives, or agents where notice is required by federal, state, or local law. No communication to the Township made through this website shall be deemed to constitute legal or official notice for any purpose.

DISCLAIMER

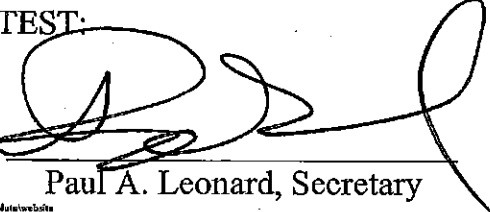
Neither the Board of Commissioners of the Township of Upper Dublin, the Township Manager, the officers, employees nor agents of the Township, warrant the accuracy or timeliness of any information provided and, they are not responsible for information contained in third party hyper links. Upper Dublin provides this website as a public service. Users of this website are responsible for checking the accuracy, completeness, content, currency, suitability, and timeliness of all information. The Township makes no representations, guarantees, or warranties, expressed or implied, as to the accuracy, completeness, content, currency, suitability, or timeliness of the information provided via this website. The Township specifically disclaims any and all liability for any claims or damages that may result from providing the website or the information it contains, including any websites maintained by third parties and linked to this website.

RESOLVED, this 11th day of January, 2005, at a public meeting of the Board of Commissioners.

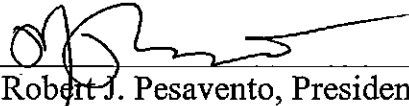
BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:

BY:


Paul A. Leonard, Secretary

BY:


Robert J. Pesavento, President

http://www.upperdublinpa.gov
1.11.05

RESOLUTION
NO. 1868

**RESOLUTION TO ACCEPT DEEDS OF DEDICATION FOR
WIDENED PORTION OF PUBLIC STREETS AND STORM SEWER EASEMENTS
AS SHOWN ON APPROVED SUBDIVISION PLAN FOR THE PILEGGI TRACT**

WHEREAS, on June 12, 2003, the Board of Commissioners of Upper Dublin Township approved a five lot subdivision plan (the "Plan") presented by JOHN G. EICHENLAUB, INC. (hereinafter "**Grantor**") for the Pileggi Tract, a parcel of ground bounded by Broad Street, Twin Pond Road and Catlin Way, improved public streets in Upper Dublin Township; and

WHEREAS, the Plan was recorded on June 25, 2003 in the office of the Recorder of Deeds, Norristown, Pennsylvania in Plan Book A-61, Page 293; and

WHEREAS, the Township has received from Grantor Deeds of Dedication for a widened portion of Broad Street, Twin Pond Road and Catlin Way as shown on the Plan (hereinafter together "**Streets**"); and

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Grantor Deeds of Dedication for storm sewer easements (hereinafter "**Storm Sewer Easements**"), as shown on the Plan; and

WHEREAS, all public improvements as shown on the Plan having been constructed and installed, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the widened portion of the Streets and the Storm Sewer Easements will be dedicated for public use.

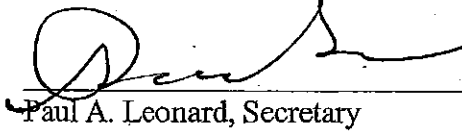
NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Deeds of Dedication offered to the Township for the Streets and the Storm Sewer Easements are accepted.
2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deeds of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.
3. The widened portion of the public streets shall hereafter be designated on the official map of streets in the Township as public streets.

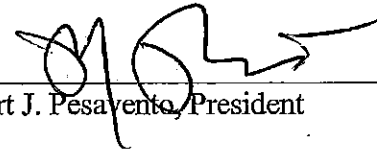
RESOLVED, this 17th day of January, 2005.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:



Paul A. Leonard, Secretary

By: 

Robert J. Pesavento, President

\\do\Eckelrob-Reggi\Twd\Resolution-12.17.04

RESOLUTION NO. 1869

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A WIDENED PORTION OF A PUBLIC STREET**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Robert Wagner D/B/A Better Living Homes, Inc. (hereinafter "Grantor") a Deed of Dedication for a widened portion of a public street known as Highland Avenue more fully described in Exhibit "A" attached hereto; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan (the "Plan") filed by or on behalf of Grantor showing the Street, which Subdivision Plan was prepared by Cowan Associates, Inc., dated December 11, 2000, with last revision dated July 27, 2001, with Improvement Construction Plans consisting of three drawings, which plans set forth that portion of the Street hereby dedicated; and

WHEREAS, the Street has heretofore been improved according to Township specifications; and

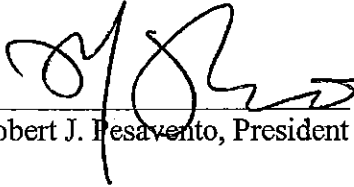
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the widened portion of the Street will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

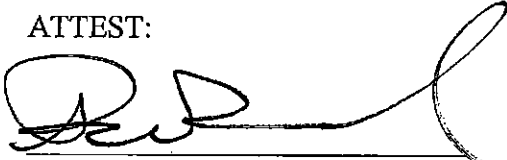
1. The Deed of Dedication offered to the Township for the widened portion of Highland Avenue more fully described as set forth on the Plan is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.
3. The widened portion of this public street as described in the attached Exhibit shall hereafter be designated on the official map of streets in the Township.

RESOLVED, this 8th day of February, 2005.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager



RESOLUTION NO. 1870
APPLICATION FOR PERMIT
TO INSTALL AND OPERATE
TRAFFIC SIGNALS

DATE

WHEREAS, the TOWNSHIP OF UPPER DUBLIN, MONTGOMERY County
(CITY, TOWNSHIP, BOROUGH)

desires to erect, operate and maintain traffic signals on SUSQUEHANNA ROAD (S.R. 2017) &
PA ROUTE 309 RAMP AA & PRIVATE DRIVEWAY, and

WHEREAS, the Vehicle Code requires the approval of the Secretary of Transportation before any
traffic signals may be legally erected or reconstructed, and

WHEREAS, the Department of Transportation requires an engineering drawing of the location,
the consultant, Orth-Rodgers & Assoc., Inc. will prepare such a drawing in conformance with
the instructions provided by the Department.

NOW, THEREFORE, BE IT RESOLVED, that traffic signals be erected at the above mentioned location,
subject to the approval of the Secretary of Transportation, and that his approval is hereby requested, and

BE IT FURTHER RESOLVED, that, in the event a traffic signal permit is approved after proper
investigation, the TOWNSHIP OF UPPER DUBLIN
(CITY, TOWNSHIP, BOROUGH)

will be bound by the following provisions;

The traffic signals shall be installed and maintained in accordance with the Vehicle Code and
the Regulations for traffic signs, signals and markings of the Department of Transportation, and

Should future highway or traffic conditions, or legal requirements, necessitate alteration of the
construction or operation, or hours of operation, or removal of the traffic signals at the above mentioned
location, they shall be altered or removed when and as directed by the Secretary of Transportation.

I, PAUL A. LEONARD, Secretary of the TOWNSHIP OF UPPER DUBLIN

do certify that the foregoing is a true and correct copy of the resolution legally adopted at a meeting held

2-8-05
DATE

(SEAL)

Signed 
(SECRETARY)

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

RESOLUTION NO. 1871

Resolved by the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, That

WHEREAS, In 1872, Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our township increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, BE IT RESOLVED that the Upper Dublin Township Board of Commissioners does hereby proclaim April 29, 2005 as

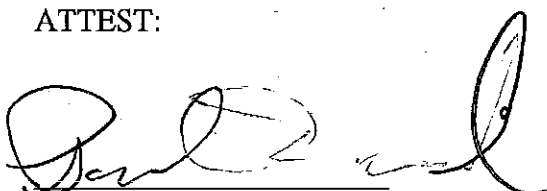
ARBOR DAY

in the Township of Upper Dublin, and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, we urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Signed this 8th day of March, A.D. 2005.

ATTEST:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

RESOLUTION TO APPROVE UPPER DUBLIN TOWNSHIP'S PARTICIPATION IN THE MONTGOMERY COUNTY 2005 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, Upper Dublin Township seeks to participate in the 2005 Program Year from the Montgomery County Community Development Block Grant Program (CDBG Program); and

WHEREAS, the Department of Housing and Urban Development has requested that the Township certify through this resolution it's commitment to adhere to the requirements of the CDBG Program should it's participation be approved; and

WHEREAS, the Board of Commissioners has been presented by Montgomery County with an application form for various projects (hereinafter the "Projects") within the Township (hereinafter the "Application") which it desires hereby to approve for execution.

NOW THEREFORE, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Township hereby confirms its willingness and desire to implement the Projects in accordance with the provisions of the Application, including all understandings and assurances contained therein and hereby authorizes the President of the Board of Commissioners to act in connection with the Application and to provide such additional information as may be required.
2. The Township agrees to expend CDBG Program Funds pursuant to the guidelines as specified in the Application, set forth as follows:

a. Access to Information

The Township assures that it will give the Department of Housing and Community Development, and the U. S. Department of Housing and Urban Development (HUD), through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the activity; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

b. Conflict of Interest

The Township certifies that no persons described as an employee, agent, consultant, officer, or elected official or appointed official of the governing body, or of any designated public agencies, or Subrecipients which are receiving funds under a Subrecipient Agreement, who exercise or have exercised any functions or responsibilities with respect to Community Development Block Grant Activities, HOME Activities or Emergency Shelter Activities assisted under a Subrecipient Agreement; or who are in a

position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

c. Nondiscrimination

The Township certifies that it will comply with all Federal Statutes relating to nondiscrimination. These include but are not limited to:

- (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin;
- (b) Title IX of the Education Amendments of 1972, as amended (20 USC "1681-1686), which prohibits discrimination on the basis of sex;
- (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 USC '794), which prohibits discrimination of the basis of handicaps;
- (d) the Age discrimination Act of 1975, as amended (42 USC " 6101-6107), which prohibits discrimination on the basis of age;
- (e) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
- (f) The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
- (g) " 523 and 527 of the Public Health Service Act of 1912 (42 USC 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
- (h) Title VIII of the Civil Rights Act of 1968 (42 USC '3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;
- (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made;
- (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

d. Equal Opportunity

Section 109 of the Housing and Community Development Act of 1974, P.L. 93-383 (42 USC 5309) and the regulations issued pursuant thereto (24 CFR

part 570.602), which provide that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds provided under this Part.

e. Fair Housing

Title VIII of the Civil Rights Act of 1968, as amended by Fair Housing Amendments act of 1988 (42 USC 3601-20) and implementing regulations at 24 CFR part 100, which states that no person shall be subjected to discrimination because of race, color, religion, sex, handicap, familial status, or national origin in the sale, rental, or advertising of dwellings, in the provision of brokerage services, or in the availability or residential real estate-related transactions; and requires that grantees administer all programs and activities related to housing and community development in a manner to affirmatively further fair housing. Actions that the application or subrecipient undertake to affirmatively further fair housing will be consistent with action identified in any locally adopted fair housing analysis.

f. Uniform Relocation Assistance

The Township assures that it will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted program. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in the purchase.

g. Hatch Act

The Township assures that it will comply with the provisions of the Hatch Act (5 USC " 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

h. Labor Standards

The Township assures that it will comply, as applicable, with the provision of the Davis-Bacon Act (40 USC " 276a to 276a-7), the Copeland Act (40 USC '276c and 18 USC " 874), and the Contract Work Hours and Safety Standard Act (40 USC " 327-333), regarding labor standards for federally assisted construction subagreements.

i. Environmental Clearance

The Township will comply with the environmental laws and authorities at 24 CFR parts 50 and 58 and will 1) supply the Department of Housing and Community Development with information necessary for it to perform any necessary environmental review of each activity; 2) carry out mitigating measures required by Housing and Community Development 3) not acquire or otherwise carry out any program activities with respect to any eligible project until Housing and Community Development approval is received.

j. Release of Funds

The Township acknowledges that receipt of any Grant is subject to the release of funds by the U. S. Department of Housing and Urban Development, and that release of payments will be subject to documenting compliance with all requirements listed in the Grant Agreement to be executed with Montgomery County.

k. Environmental Standards

The Township assures that it will comply with environmental standards which may be prescribed pursuant to the following:

(i) institution of environmental quality control measures under the Nation Environmental Policy act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;

(ii) notification of violating facilities pursuant to EO 11738;

(iii) protection of wetlands pursuant to EO 11990;

(iv) evaluation of flood hazards in floodplain in accordance with EO 11988;

(v) assurance of project consistency with the approved State management program developed un the Coastal Zone Management Act of 1972 (16 USC " 1451 et seq.);

(vi) conformity of Federal actions to State (Clear Air) Implementation Plan under Section 176(c) of the Clear Air Act of 1955, as amended (42 USC ' 7401 et seq.);

(vii) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P. L. 93-523); and

(viii) protection of endangered species under the Endangered Species Act of 1973, as amended, (P. L. 93-205).

l. Historic Preservation

The Township assures that it will assist in assuring compliance with section 106 of the National Historic Preservation Act of 1966, as amended

(16 USC 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 USC 469a-1 et seq.).

m. Lead-Based Paint

The Township assures that it comply with the Lead-Based Paint Poisoning Prevention Act (42 USC " 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation or residence structures.

n. Financial Requirements

The Township assures that it will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

The Township acknowledges that the Federal Programs will not be responsible for any project costs incurred prior to the full execution of a Subrecipient Agreement.

o. Procurement

The Township acknowledges that the Office of Housing and Community Development must approve and verify that all procurement requirements have been meet in accordance with the Program Regulations. The Office of Housing and Community Development must approve any purchases or the awards of any contracts to be funded in full or in part with any Federal funds granted through the CDBG Program/ HOME Program or ESG Program;

p. Other Program Requirements

The Township agrees that implementation of any project funded in full or in part will not proceed without full execution of the program requirements as described in the Subrecipient Agreement.

The Governing Body certifies that it will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

q. Lobbying

The Township certifies that to the best of its knowledge and belief:

(i) No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant,

the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

(ii) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

(iii) It will require that the language of paragraph (n) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly;

r. Drug-Free Workplace

The Governing Body certifies that it will or will continue to provide a drug-free workplace by:

(i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(ii) Establishing an ongoing drug-free awareness program to inform employees about -

- (a) The dangers of drug abuse in the workplace;
- (b) The grantee's policy of maintaining a drug-free workplace;
- (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(iii) Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

(iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -

- (a) Abide by the terms of the statement; and
- (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five

calendar days after such conviction;

(v) Notifying the agency in writing, within ten calendar days, after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

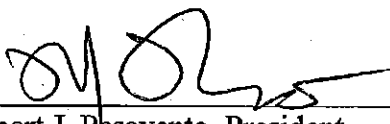
(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v), and (vi).

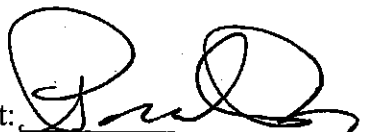
3. The Board of Commissioners may, at its discretion, submit to Montgomery County a written request for additional monies, should they be needed for the Projects, or for other qualifying undertakings. Such request will be considered and approved at the sole discretion of the Montgomery County Commissioners and shall be considered as addenda to this Application.

ADOPTED this day of March, 2005.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP



Robert J. Pesavento, President

Attest: 

Paul A. Leonard, Secretary

U:\general\edbg\agreement
3.1.05

RESOLUTION NO. 1873

**RESOLUTION TO ACCEPT FROM CONGREGATION BETH OR A
DEED OF DEDICATION FOR A WIDENED PORTION OF
WELSH ROAD AND BUTLER PIKE
AND A DEED OF DEDICATION FOR A DRAINAGE CHANNEL
AND RETENTION POND EASEMENT**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from CONGREGATION BETH OR (hereinafter "Grantor") a Deed of Dedication for a widened portion of two public streets known as Welsh Road and Butler Pike adjacent to the property of the Grantor at 239 E. Butler Pike, Spring House, PA; and

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from CONGREGATION BETH OR (hereinafter "Grantor") a Deed of Dedication for a drainage channel and retention pond easement across the property of the Grantor at 239 E. Butler Pike, Spring House, PA; and

WHEREAS, the Board of Commissioners on April 13, 2004, approved a Plan of Land Development titled "Congregation Beth Or Synagogue" (the "Plan") filed by or on behalf of Grantor, which Land Development Plan was prepared by Charles E. Shoemaker, Inc., Job No. 24785, dated September 13, 2002, with last revision dated September 1, 2004, and intended to be forthwith recorded in the Office of the Recording of Deeds, Norristown, PA, and which plans set forth that portion of the Streets and the drainage channel and retention pond easement hereby dedicated; and

WHEREAS, the Streets will be further improved according to Township specifications and security has been received to guarantee the further improvement of the widened portion hereby dedicated; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the widened portion of the Street will be opened and dedicated for public use and so that the Township will have access to the drainage channel and retention pond if required for future maintenance and/or improvement.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Deed of Dedication offered to the Township for the widened portions of Welsh Road and Butler Pike more fully described as set forth on the Plan is hereby accepted.

2. The Deed of Dedication offered to the Township for the drainage channel and retention pond easement more fully described as set forth on the Plan is hereby accepted.

3. The proper officers of the Township are authorized to reference this Resolution in the Deeds of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

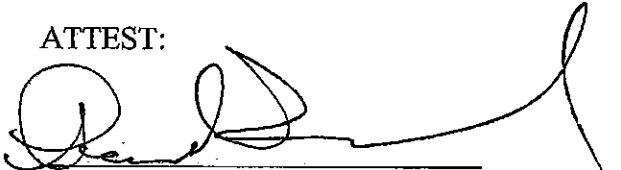
4. The widened portion of the public street shall hereafter be designated on the official map of streets in the Township.

RESOLVED, this 12th day of April, 2005.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

RESOLUTION NO. 1874

**RESOLUTION TO ACCEPT DEEDS OF DEDICATION FROM
NEW LIFE PRESBYTERIAN CHURCH OF FORT WASHINGTON
FOR A WIDENED PORTION OF A PUBLIC STREET
KNOWN AS LIMEKILN PIKE AND FOR VARIOUS EASEMENTS**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from New Life Presbyterian Church of Fort Washington (hereinafter "Grantor") Deeds of Dedication for a widened portion of a public street known as Limekiln Pike and for Drainage, Utility and Detention Basin Maintenance Easements; and

WHEREAS, the Board of Commissioners has heretofore approved a Land Development Plan (the "Plan") filed by or on behalf of Grantor showing the Street and the Easements, which Land Development Plan was prepared by Knudsen Engineering, Inc., Horsham, PA and dated October 15, 2002, last revised June 4, 2004, bearing Job No. 435, which plans set forth that portion of the Street and those Easements hereby dedicated; and

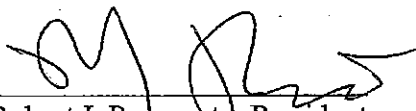
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the widened portion of the Street will be opened and dedicated for public use and so that it will have access if need be to the easement areas.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:


1. The Deed of Dedication offered to the Township for the widened portion of Limekiln Pike more fully described as set forth on the Plan is hereby accepted.
2. The Deeds of Dedication for the Utility Easement, the Drainage Easement and the Detention Basin Maintenance Easement more fully described as set forth on the Plan are hereby accepted.
3. The proper officers of the Township are authorized to reference this Resolution in the Deeds of Dedication and to record same in the Office for the Recording of Deeds, Norristown, Montgomery County, Pennsylvania.
4. The widened portion of the public street shall hereafter be designated on the official map of streets in the Township.

RESOLVED, this 12th day of April, 2005.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

RESOLUTION NO. 1875

**A RESOLUTION TO ACCEPT A DEED OF DEDICATION
FOR A PUBLIC STREET KNOWN AS THE
"ARTHUR AVENUE EXTENSION"**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from John G. Eichenlaub, Inc. (hereinafter "Grantor") a Deed of Dedication for a public street known as Arthur Avenue Extension, more fully described in Exhibit "A" attached hereto; and

WHEREAS, the Board of Commissioners on June 12, 2001 approved a Subdivision Plan for a residential development known as "Hidden Pines" filed by or on behalf of Grantor showing the Street, which Subdivision Plan was prepared by Woodrow & Associates, Inc., with Plan No. UD 00-01, dated November 16, 2000, with last revision dated May 10, 2001, which Plan was recorded in the office of the Recorder of Deeds, Norristown, PA on June 19, 2001 in Plan Book A60, page 089; and

WHEREAS, Grantor has heretofore improved the Street according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept the Deed of Dedication so that the Street will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

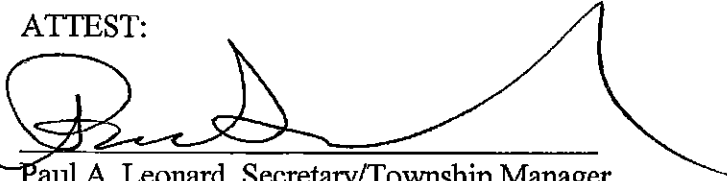
1. The Deed of Dedication offered to the Township for the Arthur Avenue Extension, more fully described in Exhibit "A" attached hereto, is accepted.
2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.
3. The public street as described in the attached Exhibit shall hereafter be designated on the official map of streets in the Township as a public street.

RESOLVED, this 12th day of April, 2005.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

g:\od\Developments\Eichenlaub-Arthur C\Documents\Eichenlaub\Resolution Accepting Dedication

EXHIBIT "A"

Prepared By: Gilbert P. High, Jr., Esquire
High, Swartz, Roberts & Seidel LLP
40 East Airy Street
Norristown, PA 19404

Return to: Gilbert P. High, Jr., Esquire
High, Swartz, Roberts & Seidel LLP
40 East Airy Street
Norristown, PA 19404

Parcel No.:

DEED OF DEDICATION
OFFERED BY DEVELOPER FOR THE EXTENSION OF
A PUBLIC STREET KNOWN AS ARTHUR AVENUE IN A
RESIDENTIAL SUBDIVISION KNOWN AS "HIDDEN PINES"

BETWEEN: John G. Eichenlaub, Inc., Grantor

and

TOWNSHIP: Township of Upper Dublin, Grantee

DATED: June 20, 2001

DEED OF DEDICATION
OFFERED BY DEVELOPER FOR THE EXTENSION OF
A PUBLIC STREET KNOWN AS ARTHUR AVENUE IN A
RESIDENTIAL SUBDIVISION KNOWN AS "HIDDEN PINES"

THIS INDENTURE, made this 20 day of June, 2001, by and between **JOHN G. EICHENLAUB, INC.** (hereinafter called "Grantor"), and **TOWNSHIP OF UPPER DUBLIN**, a municipal corporation duly organized under the laws of the Commonwealth of Pennsylvania, with offices at 801 Loch Alsh Avenue, Fort Washington, in the County of Montgomery and Commonwealth of Pennsylvania, (hereinafter called "Grantee").

W I T N E S S E T H:

That the said Grantor, for and in consideration of the sum of One Dollar (\$1.00), as well as for diverse other considerations affecting the public welfare which it seeks to advance, has granted, bargained and sold, and by these presents does grant, bargain and sell unto the said Grantee, its successors and assigns, the free and uninterrupted use, liberty and privilege of, and passage in and through all that certain tract or parcel of ground situate in the **TOWNSHIP OF UPPER DUBLIN**, Montgomery County, Pennsylvania, bounded and described as is set forth on Exhibit "A" attached hereto.

CONTAINING 0.7440 acres, more or less.

TO HAVE AND TO HOLD all and singular the privileges aforesaid unto the said Grantee to and for only the proper use and behoof of the said Grantee, its successors and assigns forever, as and for a public road and the installation of public utilities and related public services, including but not limited to sanitary and storm sewers, water mains, street lights, electrical and gas service and cable television lines, etc.

AND THE SAID GRANTOR, for itself, its successors and assigns, does by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that the said Grantor, its successors and assigns, shall maintain the surface of the tract or parcel over which the said right of way does pass, until such time as Grantee, or its successors and assigns, shall construct or shall have constructed a public cartway thereupon, at which time said maintenance obligation shall forever cease and terminate as to the cartway so constructed. Nothing herein stated, however, shall limit, modify or invalidate any contractual duties or obligations now or hereafter binding Grantor, its successors and assigns.

AND THE SAID GRANTOR, for itself, its successors and assigns, by these presents, covenants, promises, and agrees to and with the said Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns, shall nor will at any time hereafter ask, demand, or recover or receive of or from the said Grantee, its successors and assigns, any sum or sums of money as and for damages for or by reason of the physical grading of the said street to the grade as now established by the **TOWNSHIP OF UPPER DUBLIN**, Grantee hereunder, and if such grade shall not be established at the day of the date of these presents that neither the said Grantor, nor its successors and assigns, shall nor will at any time hereafter ask, demand, recover or receive any such damage by reason of the physical grading of said street to conform to the

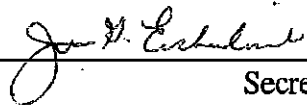
grade as first thereafter established or confirmed by the said **TOWNSHIP OF UPPER DUBLIN.**

AND THE SAID GRANTOR, for itself, its successors and assigns, does by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that it, the said Grantor, its successors and assigns, the said lot of ground above-described and granted or mentioned, and intended so to be, unto the said Grantee, its successors and assigns, against it, the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under it, them, or any of them, shall and will warrant and forever defend.

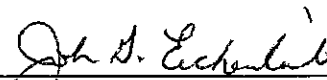
IN WITNESS WHEREOF, the Grantor has caused this instrument to be properly executed the day and year first above written.

Attest:

JOHN G. EICHENLAUB, INC.



Secretary

By: 

John G. Eichenlaub, President

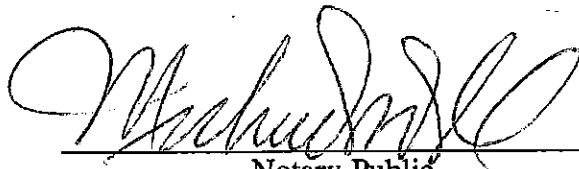
Accepted by Resolution of the Board of Commissioners of the TOWNSHIP OF UPPER DUBLIN, _____, A.D., 2005.

COMMONWEALTH OF PENNSYLVANIA :
 : SS
COUNTY OF MONTGOMERY :

On this the 20 day of JUNE, A.D., 2001 before me the undersigned officer, personally appeared JOHN G. EICHENLAUB who acknowledged himself to be the President of JOHN G. EICHENLAUB, INC., and that he as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

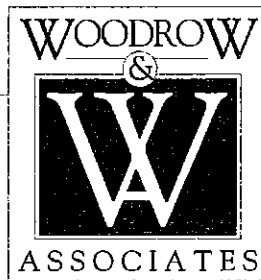
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

NOTARIAL SEAL
MICHAEL R. DICERBO, Notary Public
Lower Gwynedd Twp., Montgomery County
My Commission Expires October 7, 2005



Notary Public

Job Number: 99-201 d
Job Name: Hidden Pines
Date: 05/11/2001 11:05 AM
File Name: G:\990201d\Legals\Legals.doc



Legal Description of Arthur Avenue Extension

DESCRIPTION OF THE ARTHUR AVENUE CUL-DE-SAC EXTENSION LOCATED IN THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA.

ALL THAT CERTAIN tract of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania bounded and described according to a subdivision plan entitled "Hidden Pines Subdivision" as prepared by Woodrow & Associates, Inc., dated November 16, 2000, last revised May 10, 2001 and recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT, being an existing concrete monument at a common corner of Proposed Lot 10 and lands now or formerly of Francis M & Beverly L McPoyle, as shown on the above referenced plans;

Commencing from the Point of Beginning;

Thence, in and through the bed of Arthur Avenue, South $41^{\circ}52'00''$ West, a distance of 50.00 feet to a point, a corner of lands of Proposed Lot 1 and lands now or formerly of Terrence P & Donna McGeehan;

Thence North $47^{\circ}54'59''$ West, a distance of 351.26 feet to the beginning of a curve tangent to said line;

Thence along an arc of a circle curving to the left with a radius of 40.00 feet, an arc distance of 50.64 feet and a central angle of $72^{\circ}32'33''$ to a point of reverse curvature;

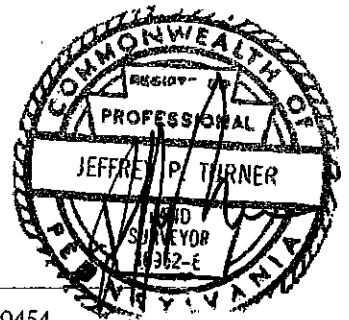
Thence along an arc of a circle curving to the right with a radius of 60.00 feet, an arc distance of 170.14 feet and a central angle of $162^{\circ}28'31''$;

Thence North $42^{\circ}00'59''$ East tangent to said curve, a distance of 60.07 feet to a point, a corner of Proposed Lot 7 and a point along the line dividing Proposed Lot 7 and lands now or formerly of William C & Ronni D Ridgway;

Thence South $47^{\circ}54'59''$ East, a distance of 506.53 feet to the Point of Beginning.

Containing in area 32,408.15 Sq. Ft. / 0.7440 ACRES, more or less.

EXHIBIT "A"



RESOLUTION
NO. 1876

**RESOLUTION AUTHORIZING THE CONSTRUCTION
OF THE ARDSLEY DRAINAGE CHANNEL FLOOD CONTROL PROJECT
IN THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY,
AND AUTHORIZING THE FILING OF A DECLARATION OF TAKING AS TO THE
CERTAIN PREMISES AND PROPERTY APPROPRIATED
FOR THE COMPLETION OF THE PROJECT**

WHEREAS, the Township of Upper Dublin, in conjunction with Abington Township is about to proceed with a project for construction of a storm water drainage channel flood control project in the Township of Upper Dublin, Ardsley, Montgomery County, Pennsylvania (the "Project"); and

WHEREAS, in order to carry out the Project, it is necessary that the Township of Upper Dublin acquire access and construction easements, as the case may be, upon and across four properties separately owned by Josephine M. Johnston, Richard and Theresa R. Wigand, Francis and Elizabeth Mitchell, and William F. and Ann C. Coyne located within or near the vicinity of North Hills Avenue, Spear Avenue, Avenue "G", Avenue "H", and Avenue "J", Ardsley, Upper Dublin Township, Pennsylvania, which construction and access easements are more fully described in Exhibits "A", "B", "C" and "D" attached hereto; and

WHEREAS, the Township of Upper Dublin has been unable to agree with the owners of said properties to be acquired and as set forth below and described in the legal descriptions attached hereto and made a part hereof by reference as to an amicable transfer of the required easements; and

WHEREAS, in accordance with the First Class Township Code, § 1901, the Township of Upper Dublin is authorized to acquire title to said property hereinafter scheduled through eminent domain proceedings; and

WHEREAS, it is the intention of the Township of Upper Dublin to acquire easements over the real estate presently owned by the condemnees in the area of the project necessary to satisfy the required access and construction easements, as the case may be.

NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin hereby resolves as follows:

Section 1. The Township hereby authorizes the condemnation, in accordance with the law, of easements across a portion of the following properties, as designated on the attached Exhibits "A", "B", "C" and "D":

- A. 815 Avenue "H"
Ardsley, PA 19038
Parcel No.: 54-00-01327-005

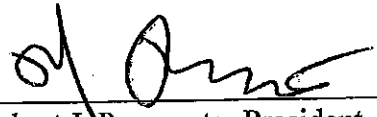
- B. 785 Avenue "H"
Ardsley, PA 19038
Parcel Nos.: 54-00-01273-005, 54-00-01270-008
54-00-01324-008, 54-00-01267-002
- C. 795 Avenue "G"
Ardsley, PA 19038
Parcel Nos.: 54-00-01204-002
54-00-01207-008
- D. 805 North Hills Avenue
Glenside, PA 19038
Parcel No.: 54-00-12379-005

Section 2. The title to be acquired shall be permanent easements and temporary easements, as the case may be, and as set forth on the attachments to this resolution. The Township Manager is hereby authorized to execute a Declaration of Taking on behalf of the Township of Upper Dublin pursuant to the provisions of the Eminent Domain Code of 1964 and the First Class Township Code to effectuate the condemnation and to enter into such bond as may be necessary by law. The Solicitor for the Township of Upper Dublin is hereby authorized to prepare and file such Declaration of Taking as may be required by law, and to notify the owner and occupiers or tenants of the same, and to pursue such proceedings as will accomplish the acquisition of title and the establishment of damages due to the owner, occupiers or tenants of said properties, if any.

RESOLVED, this 10th day of May, 2005.

TOWNSHIP OF UPPER DUBLIN

BY: _____


Robert J. Pesavento, President
Board of Commissioners

ATTEST:

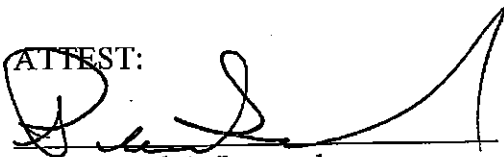
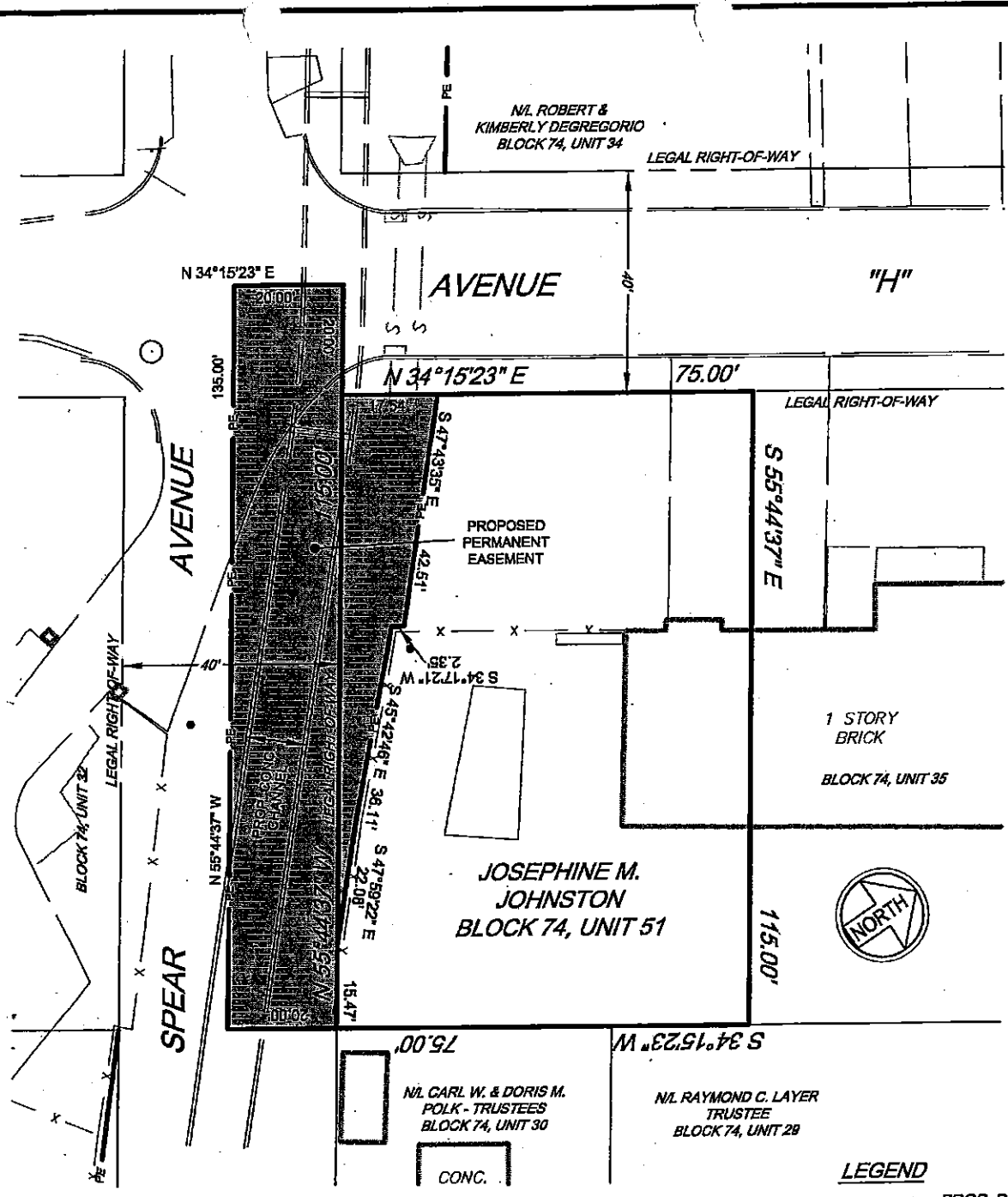

Paul A. Leonard
Township Secretary/Manager

EXHIBIT "A"



OWNER OF RECORD:

JOSEPHINE M. JOHNSTON
815 AVENUE H
ARDSLEY, PA 19038

MONTGOMERY COUNTY PARCEL DATA:

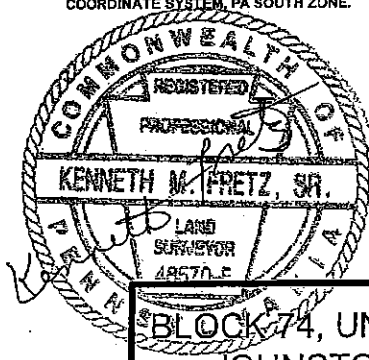
PARCEL NO. 54-00-01327-005
TAXMAP: BLOCK 74 UNIT 51
DEED BK. 5202 PAGE 161

LOT AREAS:

TOTAL LOT AREA: 40.1980 AC
PERMANENT EASEMENT: 28625 SF
3564 SF

PLAN NOTES:

- TOPOGRAPHIC AND PHYSICAL FEATURES TAKEN FROM RIGHTS-OF-WAY ACQUISITION PLANS PREPARED BY THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF WATER MANAGEMENT FOR THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF GENERAL SERVICES (D.G.S. PROJECT NO. 181-15) DATED 8/15/02 LAST REVISED 12/06/02.
- BOUNDARY INFORMATION AND ROADWAY RIGHTS-OF-WAY INFORMATION SHOWN FROM DEEDS, PLANS OF RECORD. NO RETRACEMENT SURVEY WAS PERFORMED FOR THE COMPILEMENT OF THIS PLAN.
- BEARING BASE ON DEP PROJECT MERIDIAN. ORIGIN FROM PA STATE PLANE COORDINATE SYSTEM, PA SOUTH ZONE.



BLOCK 74, UNIT 51
JOHNSTON

LEGEND

- PE ——— PROP. PERMANENT EASEMENT LINE
- TE ——— PROP. TEMPORARY EASEMENT LINE
- X — X — X — EX. FENCE LINE
- S — S — EX. STORM SEWER

2.	REVISED EASEMENT	6-2-04
1.	EASEMENT AREA EDIT	11-17-03
No.	REVISIONS	DATE
—	DATE OF ISSUE	8-7-03

EASEMENT PLAN
PREPARED FOR
UPPER DUBLIN TOWNSHIP
ARDSLEY DRAINAGE CHANNEL
FLOOD CONTROL PROJECT
LANDS OF
JOSEPHINE M. JOHNSTON
LAND SITUATE
UPPER DUBLIN TWP., MONTGOMERY CO. PA

PROJECT MANAGER
MRF
PROJECT NUMBER
UD98.128.01
REFERENCE NUMBER

Metz Engineers
410 Derstine Ave., PO Box 847, Lansdale PA 19446-0847
Civil Engineers & Land Surveyors
(215) 855-3111

SCALE
1"=30'
EASEMENTS.dwg
PLAN SHEET NUMBER
1 of 1



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Cynthia H. VanHise, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Felder, Inspection Manager
Wendy L. Clair, Business Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors - 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

August 7, 2003
Revised June 2, 2004

UD98.128.01
Ardsley Flood Control Project

Permanent Easement
lands of Josephine M. Johnston

ALL THAT CERTAIN variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on an Easement Plan, lands of Josephine M. Johnston prepared for Upper Dublin Township, by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 7, 2003, last revised June 2, 2004, and being more fully described as follows:

BEGINNING at a point, an easterly corner of lands of Josephine M. Johnston (tax map block 74, unit 51), said point being the intersection of legal right-of-way lines of Spear Avenue and Avenue "H" (both 40' feet wide); thence, extending along said Avenue "H" legal right-of-way line North 34°15'23" East, 17.54 feet to a point; thence, extending on and through said Johnston lands the following four (4) courses and distances: 1) South 47°43'35" East, 42.51 feet to a point; 2) South 34°17'21" West, 2.35 feet to a point; 3) South 45°42'46" East, 36.11 feet to a point; 4) South 47°59'22" East, 22.08 feet to a point on the said Spear Avenue legal right-of-way line; thence, extending along the said Spear Avenue legal right-of-way line South 55°44'37" East, 15.47 feet to a point in the line of lands of N/L Carl W. & Doris M. Polk (trustees, block 74, unit 30), thence, extending on and through the bed of said Spear Avenue South 34°15'23" West, 20.00 feet to a point on the centerline of said Spear Avenue, thence, extending along said centerline North

55°44'37" West, 135.00 feet to a point of intersection with the centerline extended of said Avenue "H", thence, extending along said Avenue "H" centerline North 34°15'23" East, 20.00 feet to a point on the aforesaid legal right-of-way line of Spear Avenue extended, thence, extending along said legal right-of-way line South 55°44'37" East, 20.00 feet to a point, said point being the point and place of beginning.

Containing 3564 Sq. Ft. (0.0818 acres) of land area, be the same, more or less.

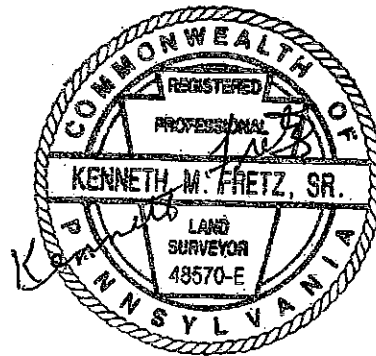
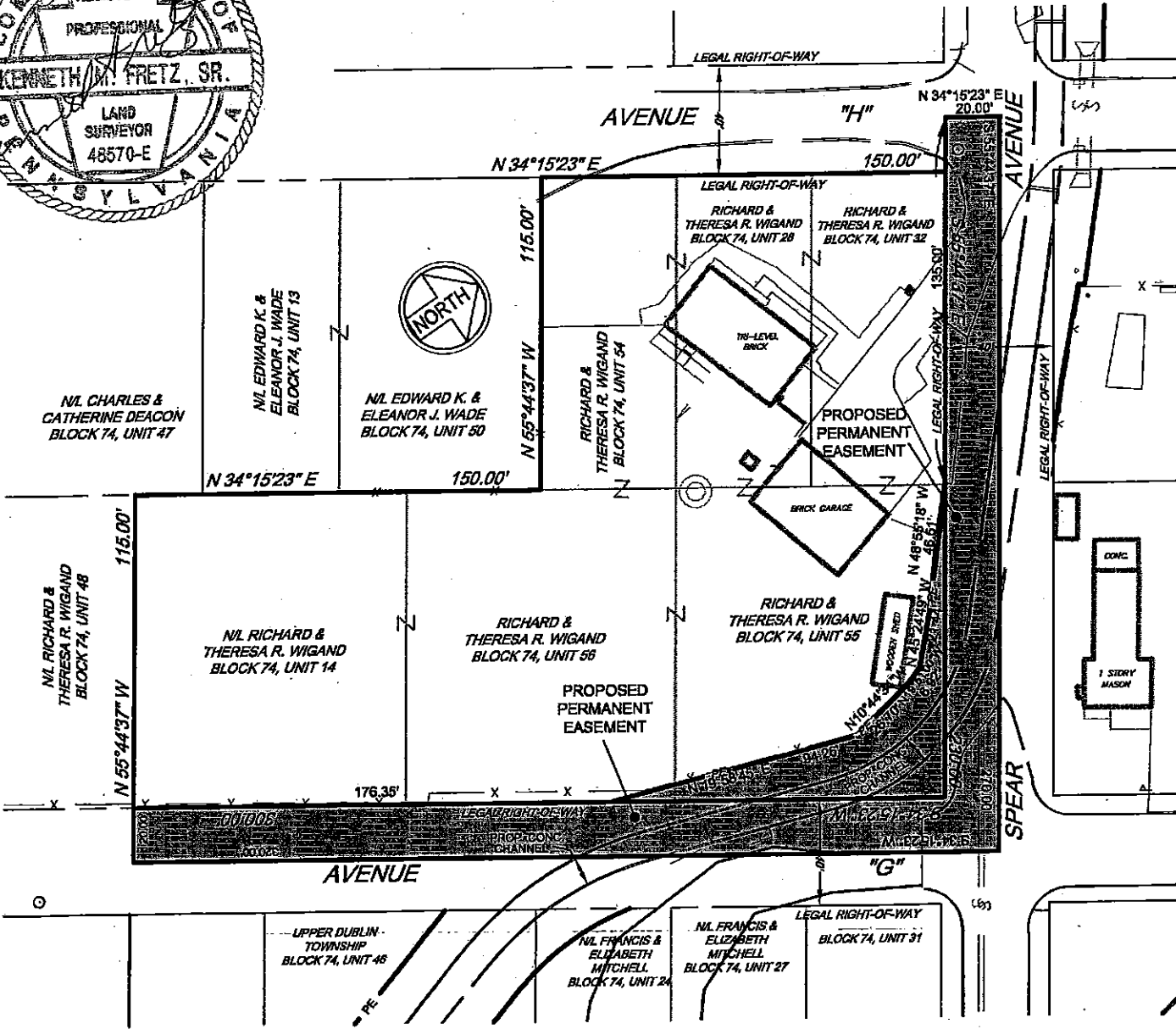
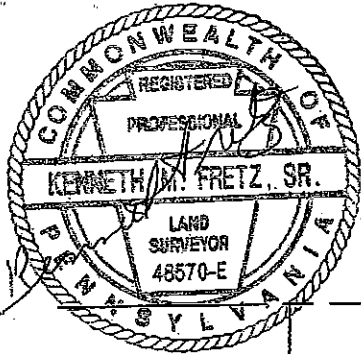


EXHIBIT "B"



LEGEND

- PE — PROPOSED PERMANENT EASEMENT LINE
- TE — PROPOSED TEMPORARY EASEMENT LINE
- x — x — EX. FENCE LINE
- S — S — EX. STORM SEWER

OWNER OF RECORD:

RICHARD & THERESA R. WIGAND
785 AVENUE H
ARDSLEY, PA 19038

MONTGOMERY COUNTY PARCEL DATA:

PARCEL NO. 54-00-01273-005
TAXMAP: BLOCK 74 UNIT 55
DEED BOOK 3505 PAGE 457
SITE ADDRESS: 794 AVENUE G

PARCEL NO. 54-00-01270-008
TAXMAP: BLOCK 74 UNIT 58
DEED BOOK 3514 PAGE 1089
SITE ADDRESS: 784 AVENUE G

PARCEL NO. 54-00-01324-008
TAXMAP: BLOCK 74 UNITS 28, 32, 54
DEED BOOK 3363 PAGE 440
SITE ADDRESS: 785 AVENUE H

PARCEL NO. 54-00-01267-002
TAXMAP: BLOCK 74 UNIT 14
DEED BOOK 3583 PAGE 1096
SITE ADDRESS: 785 AVENUE H

LOT AREAS:

TOTAL LOT AREA: 21,1880 AC
PERMANENT EASEMENT 251750 SF
13983 SF

PLAN NOTES:

1. TOPOGRAPHIC AND PHYSICAL FEATURES TAKEN FROM RIGHTS-OF-WAY ACQUISITION PLANS PREPARED BY THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF WATER MANAGEMENT FOR THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF GENERAL SERVICES (D.G.S. PROJECT NO. 181-15) DATED 8/15/02 LAST REVISED 12/06/02.
2. BOUNDARY INFORMATION AND ROADWAY RIGHTS-OF-WAY INFORMATION SHOWN FROM DEEDS, PLANS OF RECORD. NO RETRACTION SURVEY WAS PERFORMED FOR THE COMPILED OF THIS PLAN.
3. BEARING BASE ON DEP PROJECT MERIDIAN. ORIGIN FROM PA STATE PLANE COORDINATE SYSTEM, PA SOUTH ZONE.

**BLOCK 74
UNITS 14, 28, 32, 54, 55, 58
WIGAND**

3.	REVISED EASEMENT	11-24-04
2.	REVISED EASEMENT	9-2-04
1.	EASEMENT BEARING & DISTANCE EDIT	11-17-03
No.	REVISIONS	DATE
—	DATE OF ISSUE	8-7-03

EASEMENT PLAN
PREPARED FOR
UPPER DUBLIN TOWNSHIP
ARDSLEY DRAINAGE CHANNEL
FLOOD CONTROL PROJECT
LANDS OF
RICHARD & THERESA R. WIGAND
LAND SITUATE
UPPER DUBLIN TWP., MONTGOMERY CO. PA

PROJECT MANAGER
MRF
PROJECT NUMBER
UD98.128.01
REFERENCE NUMBER

Metz Engineers
410 Denstine Ave., PO Box 847, Lansdale PA 19446-0847
Civil Engineers & Land Surveyors
(215) 655-3111

SCALE
1" = 60'
EASEMENTS.dwg
PLAN SHEET NUMBER
1 of 1

EXHIBIT "B"



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Cynthia H. VanHise, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Wendy L. Clair, Business Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143

August 7, 2003
Revised November 24, 2004

UD98.128.01
Ardasley Flood Control Project

Permanent Easement
Lands of Richard & Theresa R. Wigand

ALL THAT CERTAIN variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on an Easement Plan, lands of Richard & Theresa R. Wigand prepared for Upper Dublin Township, by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 7, 2003, last revised November 24, 2004, and being more fully described as follows:

BEGINNING at a point on the northwesterly legal right-of-way line of Avenue "G" (40' wide), said point being a common corner of lands of Richard & Theresa R. Wigand (tax map block 74, unit 14) and other Wigand lands (block 74, unit 48); thence, extending along said Avenue "G" legal right-of-way line, along said Wigand lands (block 74, unit 14) and other Wigand lands (block 74, unit 56) North 34°15'23" East, 176.35 feet to a point; thence, extending on and through said Wigand lands and other Wigand lands (block 74, unit 55) the following five (5) courses and distances; 1) North 19°58'45" East, 94.26 feet to a point; 2) North 10°44'34" West, 26.70 feet to the point; 3) North 19°51'00" West, 6.92 feet to a point; 4) North 45°24'49" West, 21.44 feet to a point; 5) North 48°55'18" West 46.51 to a point on the southwesterly legal right-of-way line of Spear Avenue (40' wide); thence, extending along said legal right-of-way line and along other Wigand lands (block 74, unit 32) North 55°44'37" West, 135.00 feet to a point on the centerline of Avenue "H" (40' wide); thence, extending along said centerline North

34°15'23" East, 20.00 feet to a point in the centerline of said Spear Avenue; thence, extending along said centerline South 55°44'37" East, 270.00 feet to a point on the centerline of said Avenue "G" extended; thence, extending along said Avenue "G" centerline South 34°15'23" West, 320.00 feet to a point; thence, extending on and through said Avenue "G" bed North 55°44'37" West ⁷⁵ feet to a point, said point being the point and place of beginning. _N

Containing 13,993 Sq. Ft. (0.3212 acres) of land area, be the same, more or less.

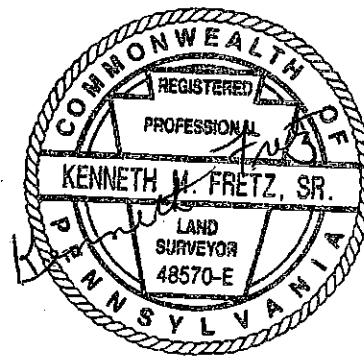
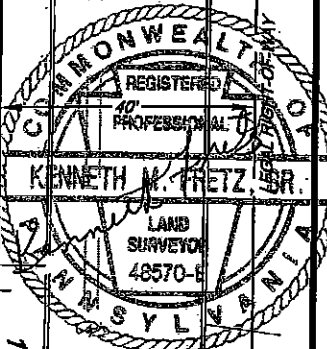
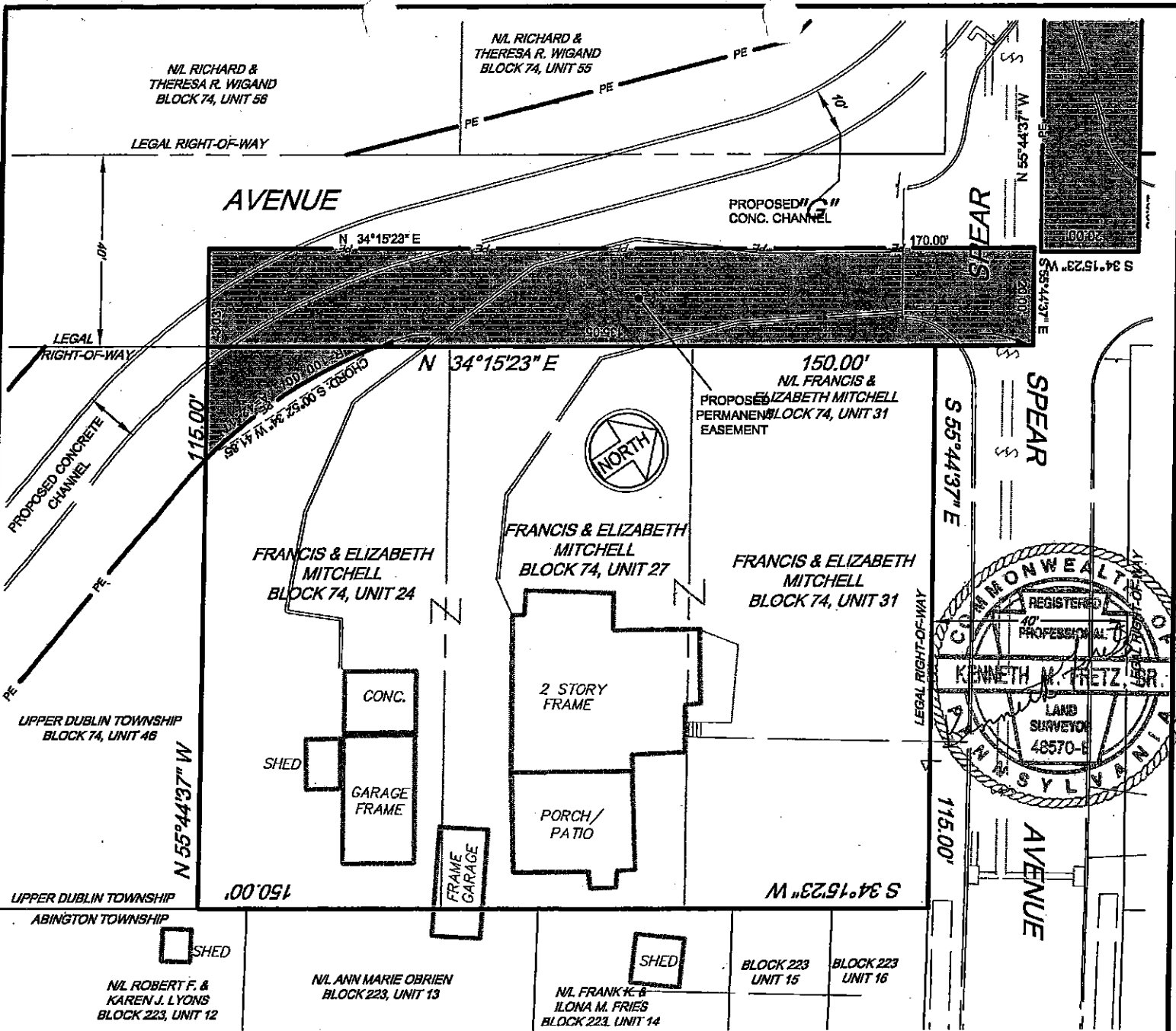


EXHIBIT "C"



LEGEND

- PE — PROP. PERMANENT EASEMENT LINE
- TE — PROP. TEMPORARY EASEMENT LINE
- x — x — EX. FENCE LINE
- S — S — EX. STORM SEWER

OWNER OF RECORD:

FRANCIS & ELIZABETH MITCHELL
795 AVENUE G
ARDSLEY, PA 19038

GENERAL SERVICES (D.G.S. PROJECT NO. 181-15) DATED 8/15/02 LAST REVISED 12/06/02.

MONTGOMERY COUNTY PARCEL DATA:

PARCEL NO. 54-00-01204-002
TAXMAP: BLOCK 74 UNIT 24
DEED BOOK. 4898 PAGE 2267

PARCEL NO. 54-00-01207-008
TAXMAP: BLOCK 74 UNITS 27 & 31
DEED BOOK 4805 PAGE 1289

2. BOUNDARY INFORMATION AND ROADWAY RIGHTS-OF-WAY INFORMATION SHOWN FROM DEEDS, PLANS OF RECORD. NO RETRACMENT SURVEY WAS PERFORMED FOR THE COMPLETION OF THIS PLAN.
3. BEARING BASE ON DEP PROJECT MERIDIAN. ORIGIN FROM PA STATE PLANE COORDINATE SYSTEM, PA SOUTH ZONE.

LOT AREAS:

TOTAL LOT AREA: 40.3960 AC
PERMANENT EASEMENT 3740 SF

PLAN NOTES:

1. TOPOGRAPHIC AND PHYSICAL FEATURES TAKEN FROM RIGHTS-OF-WAY ACQUISITION PLANS PREPARED BY THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF WATER MANAGEMENT FOR THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF

BLOCK 74, UNIT 24
BLOCK 74, UNIT 27
BLOCK 74, UNIT 31
MITCHELL

2.	REVISED EASEMENT	6-2-04
1.	CHORD BEARING & DISTANCE ADDED	11-17-03
No.	REVISIONS	DATE
—	DATE OF ISSUE	8-7-03

EASEMENT PLAN
PREPARED FOR
UPPER DUBLIN TOWNSHIP
ARDSLEY DRAINAGE CHANNEL
FLOOD CONTROL PROJECT
LANDS OF
FRANCIS & ELIZABETH MITCHELL
LAND SITUATE
UPPER DUBLIN TWP., MONTGOMERY CO. PA

PROJECT MANAGER	MRF
PROJECT NUMBER	UD98.128.01
REFERENCE NUMBER	

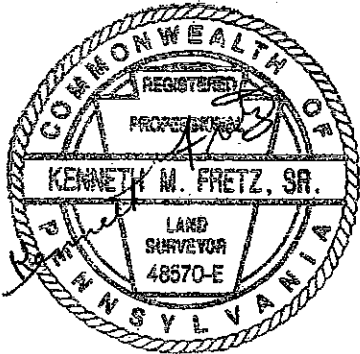
Metz Engineers
410 Doretine Ave., PO Box 847, Lansdale PA 19448-0847
Civil Engineers & Land Surveyors
(215) 855-3111

SCALE	1"=30'
EASEMENTS.dwg	
PLAN SHEET NUMBER	1 of 1



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Cynthia H. VanHise, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Wendy L. Clair, Business Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 855-5143



August 7, 2003
Revised June 2, 2004

UD98.128.01
Ardsley Flood Control Project

Permanent Easement
lands of Francis & Elizabeth Mitchell

ALL THAT CERTAIN variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on an Easement Plan, lands of Francis & Elizabeth Mitchell prepared for Upper Dublin Township, by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 7, 2003, last revised June 2, 2004, and being more fully described as follows:

BEGINNING at a point on the centerline of Avenue "G" (40' wide), said point being in the line of lands extended of Francis & Elizabeth Mitchell (tax map block 74, unit 24) and N/L Upper Dublin Township (block 74, unit 46); thence, extending along said centerline North 34°15'23" East, 170.00 feet to a point on the centerline intersection of said Avenue "G" and Spear Avenue (40' wide); thence, extending along said Spear Avenue centerline South 55°44'37" East, 20.00 feet to a point on the legal right-of-way line of said Avenue "G" extended; thence, extending on and through the bed of said Spear Avenue and along said legal right-of-way line South 34°15'23" West, 135.05 feet to a non-tangential point on the arc of a circle; thence, extending on and through the said Mitchell lands on the arc of a circle curving to the left in a southerly direction having a radius of 100.00 feet, and the arc distance of 42.17 feet (chord: S 00°52'34" W, 41.85') to a point on the line of said Upper Dublin Township lands; thence, extending along said Township lands North 55°44'37" West, 43.03 feet to the point, said point being the point and place of beginning.

Containing: 3740 sq.ft. (0.0859 acres) of land area, be the same, more or less.

EXHIBIT "D"

NL NICHOLAS J. &
JOAN L. WRIGHT
BLOCK 70-A, UNIT 53

NL STEVEN D. &
JULIE A. CARVALHO
BLOCK 70-A, UNIT 15

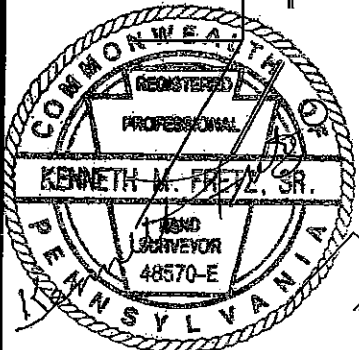
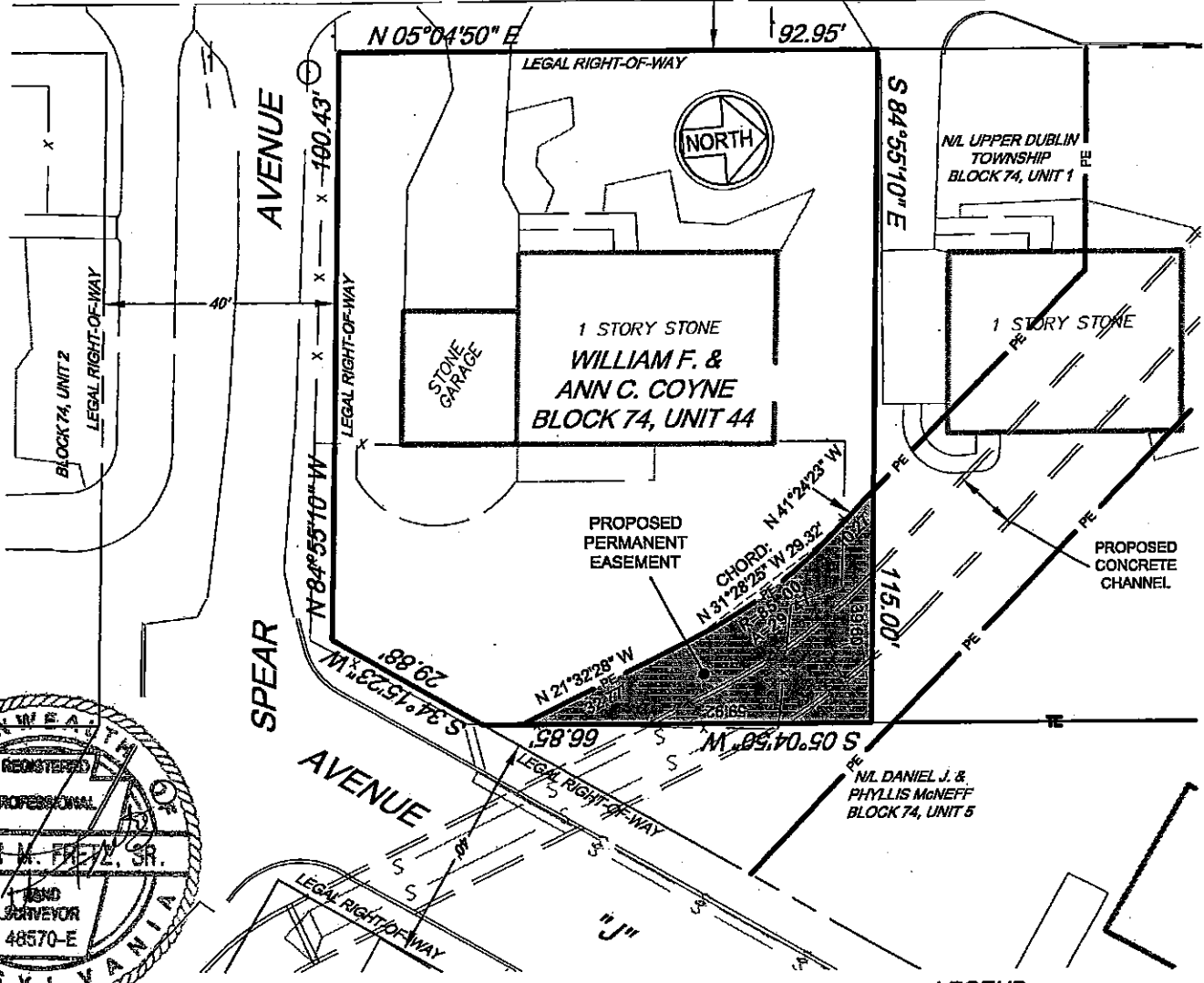
NL ROBERT J.
FILTON JR.
BLOCK 70-A, UNIT 16

LEGAL RIGHT-OF-WAY

NORTH

HILLS

AVENUE



OWNER OF RECORD:

WILLIAM F. & ANN C. COYNE
805 NORTH HILLS AVE
GLENSIDE, PA 19038

MONTGOMERY COUNTY PARCEL DATA:

PARCEL NO. 54-00-12379-005
TAXMAP: BLOCK 74 UNIT 44
DEED BK. 4897 PAGE 349

LOT AREAS:

TOTAL LOT AREA: ±0.2410 AC
PERMANENT EASEMENT ±10499 SF
995 SF

PLAN NOTES:

- TOPOGRAPHIC AND PHYSICAL FEATURES TAKEN FROM RIGHTS-OF-WAY ACQUISITION PLANS PREPARED BY THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF WATER MANAGEMENT FOR THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF GENERAL SERVICES (D.G.S. PROJECT NO. 181-15) DATED 8/15/02 LAST REVISED 12/06/02.

- BOUNDARY INFORMATION AND ROADWAY RIGHTS-OF-WAY INFORMATION SHOWN FROM DEEDS, PLANS OF RECORD. NO RETRACEMENT SURVEY WAS PERFORMED FOR THE COMPILATION OF THIS PLAN.
- CONTROL SURVEY FOR THIS PROJECT WAS PERFORMED BY METZ ENGINEERS IN APRIL 2003.
- BEARING BASE ON DEP PROJECT MERIDIAN. ORIGIN FROM PA STATE PLANE COORDINATE SYSTEM, PA SOUTH ZONE.

BLOCK 74, UNIT 44
COYNE

LEGEND

- PE — PROP. PERMANENT EASEMENT LINE
- TE — PROP. TEMPORARY EASEMENT LINE
- x — x — x — EX. FENCE LINE
- S — S — EX. STORM SEWER

1.	CHORD BEARING & DISTANCE ADDED	11-17-03
No.	REVISIONS	DATE
	DATE OF ISSUE	8-7-03

EASEMENT PLAN
PREPARED FOR
UPPER DUBLIN TOWNSHIP
ARDSLEY DRAINAGE CHANNEL
FLOOD CONTROL PROJECT
LANDS OF
WILLIAM F. & ANN C. COYNE
LAND SITUATE
UPPER DUBLIN TWP., MONTGOMERY CO. PA

PROJECT MANAGER
MRF
PROJECT NUMBER
UD98.128.01
REFERENCE NUMBER

Metz Engineers

410 Deratine Ave., PO Box 647, Lansdale PA 19446-0647
Civil Engineers & Land Surveyors
(215) 855-3111

SCALE
1"=30'
EASEMENTS.dwg
PLAN SHEET NUMBER

1 of 1

August 7, 2003

Revised November 24, 2004

UD98.128.01

Ardasley Flood Control Project

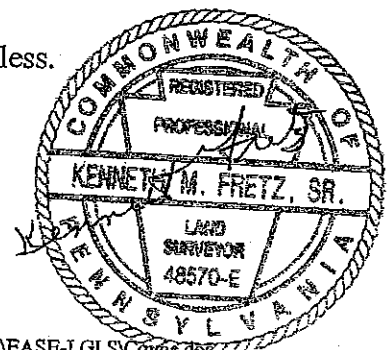
Permanent Easement

lands of William F. & Ann C. Coyne

ALL THAT CERTAIN variable width easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on an Easement Plan, lands of William F. & Ann C. Coyne prepared for Upper Dublin Township, by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 7, 2003, last revised November 17, 2003, and being more fully described as follows:

BEGINNING at a common rear corner of lands of William F. & Ann C. Coyne (tax map block 74, unit 44) and N/L Upper Dublin Township (block 74, unit 1), said point being located North 05°04'50" East, 66.85 feet from the northwesterly legal right-of-way line of Avenue "J" (40' feet wide); thence, extending from said point of beginning along the lands of N/L Daniel J. & Phyllis McNeff, (block 74, unit 5) South 05°04'50" West, 59.92 feet to a point; thence, extending on and through said Coyne lands the following three courses; 1) North 21°32'28" West, 32.77 feet to a point of curvature; 2) along the arc of a circle curving to the left in a northwesterly direction, having a radius of 85.00 feet, the arc distance of 29.47 feet (chord: N 31°28'25" W, 29.32') to a point of tangency; 3) North 41°24'23" West, 10.27 feet to a point on the line of said Township lands; thence, along said Township lands, South 84°55'10" East, 39.60 feet to the point and place of beginning

.Containing: 995 sq.ft. (0.0229) acre of land area be the same more or less.



RESOLUTION
NO. 1877

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN AUTHORIZING THE ACQUISITION OF A PROPERTY SITUATED OFF DRESHERTOWN ROAD CONTAINING 11.32 ACRES OF LAND WITHIN THE TOWNSHIP FOR PARK AND OTHER PUBLIC PURPOSES OF THE TOWNSHIP.

WHEREAS, the Township of Upper Dublin (the "Township") has adopted a plan for the recreational and open space needs of the Township; and

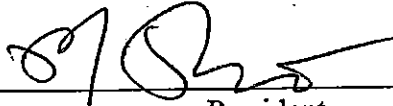
WHEREAS, the Township is authorized to acquire real estate by right of eminent domain for public purposes, including, among other things, for park, recreational and open space purposes; and

WHEREAS, there are approximately 11.32 acres of vacant land situated off Dreshertown Road that would be suitable as open space and recreational land which the Township desires to acquire for such purposes:

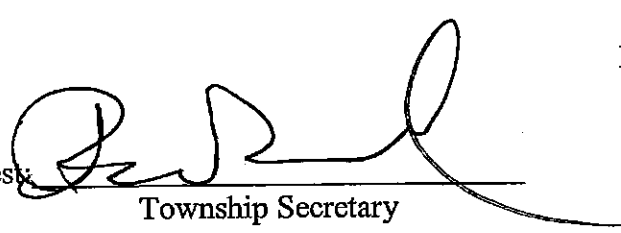
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the acquisition of the 11.32 acres of vacant land off of Dreshertown Road, being Parcel No. 54-00-05168-007 (the "Premises"), is hereby authorized, at a purchase price cost not to exceed \$170,000.00 (exclusive of normal costs of closing), by eminent domain, if necessary, and that the appropriate officers of the Township are authorized to take such actions as may be necessary to carry out the intent of this resolution, including executing and delivering on behalf of the Township an Agreement for the acquisition of the Premises by deed in lieu of condemnation and all other necessary actions for closing.

DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this 14th of June, 2005.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

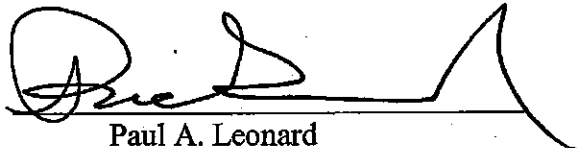
By: 
President

Attest:


Township Secretary

I, Paul A. Leonard, Township Secretary, do hereby certify that the attached is a true and correct copy of Resolution No. 1877 of the Township of Upper Dublin.

0/21/05
Date


Paul A. Leonard
Township Secretary

**UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 1878

**RESOLUTION TO ACCEPT
EASEMENTS AS SHOWN ON APPROVED SUBDIVISION PLAN FOR
"PHEASANT KNOLL"**

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan for "Pheasant Knoll" which shows a 40' storm sewer easement located on Lot 8, also known as Parcel No. 54-00-13858-27-2, also known as 1404 Ringneck Loop, which Subdivision Plan was prepared by Benchmark Consulting Engineers and Surveyors of Plymouth Meeting, PA, dated October 16, 1992, as last revised November 9, 1995, bearing Plan No. 92037, and recorded on January 25, 1996, in the Office for Recording of Deeds, Norristown, Pennsylvania at Book A056, page 0384 (hereinafter referred to as the "Recorded Plan"); and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows a 40' storm sewer easement located on Lot 9, also known as Parcel No. 54-00-13858-28-1, also known as 1400 Ringneck Loop; and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows an easement for a storm sewer located on Lot 16, also known as Parcel No. 54-00-13858-33-5, also known as 1413 Ringneck Loop; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept the easements appearing on the Recorded Plan so that Upper Dublin Township can provide maintenance to the underground piping and inlets located on Lots 8 and 9; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept the easements appearing on the Recorded Plan so that Upper Dublin Township can provide maintenance to the storm sewer located on Lot 16; and

WHEREAS, the Board of Commissioners has received a Deed of Dedication from Tanya Chavis for an easement for a storm sewer located on Lot 15, also known as Parcel No. 54-00-13858-31-4, also known as 1477 Golden Drive, on the Recorded Plan; and

WHEREAS, the Board of Commissioners has received a Deed of Dedication from Tod M. Gomer and Merle L. Gomer for an easement for a storm sewer located on Lot 18, also known as Parcel No. 54-00-13858-30-8, also known as 1401 Ringneck Loop, on the Recorded Plan; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the storm sewers may be maintained to benefit the public.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:


1. The storm sewer easements located on Lots 8, 9, and 16 as described in the Recorded Plan are hereby accepted.
2. The Deeds of Dedication for the storm sewer easements on Lots 15 and 18 as described in the Recorded Plan are hereby accepted.
3. The proper officers of the Township are authorized to record this Resolution in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

Approved by the Board of Commissioners of Upper Dublin Township this 14th day of JUNE, 2005.

UPPER DUBLIN TOWNSHIP

BY: 
ROBERT J. PESAVENTO, President

Attest:


PAUL A. LEONARD, Secretary

RESOLUTION

NO. 1879

A RESOLUTION To Provide For The Rates Of Compensation For The Upper Dublin Township Engineer

WHEREAS, Jeffrey A. Wert of the firm of Metz Engineers is the Township Engineer appointed by the Board of Commissioners; and,

WHEREAS, the compensation of the Township Engineer shall be fixed by the Board of Commissioners;


NOW, THEREFORE, BE IT RESOLVED, that the compensation paid for duties performed by the Township Engineer commencing July 1, 2005 shall be as set forth on the following fee schedule:

METZ PROFESSIONAL SERVICES FEE SCHEDULE									
FOR UPPER DUBLIN TOWNSHIP									
PROPOSED EFFECTIVE DATE - JULY 1, 2005									
Principal Engineer (Expert Testimony)							\$112.00	/	hour
Principal Engineer/Township Engineer							\$90.00	/	hour
Sr. Project Manager							\$86.00	/	hour
Project Manager							\$80.00	/	hour
Sr. Project Engineer/Surveyor							\$76.00	/	hour
Project Engineer/Surveyor							\$70.00	/	hour
Inspection Manager							\$72.00	/	hour
Engineer/Surveyor							\$64.00	/	hour
Sr. Engineering Technician/CAD Operator							\$58.00	/	hour

Engineering Technician					\$48.00	/	hour
Administrative Assistant					\$40.00	/	hour
Engineering Aide					\$34.00	/	hour
Sr. Construction Observer					\$62.00	/	hour
(Premium - After 4:00 P.M. & Weekends)					\$80.00	/	hour
Construction Observer					\$52.00	/	hour
(Premium - After 4:00 P.M. & Weekends)					\$66.00	/	hour
3-Man Survey Corps					\$124.00	/	hour
2-Man Survey Corps					\$104.00	/	hour
3-Man GPS Survey Corps (w/GPS Equipment)					\$140.00	/	hour
2-Man GPS Survey Corps (w/GPS Equipment)					\$124.00	/	hour
1-Man GPS Survey (w/GPS Equipment)					\$96.00	/	hour
These rates include all vehicle and phone charges, and all CAD Systems and Automated Data Collection Systems. Printing and reproduction charges are billed at cost to H.H. Metz, Inc. The services of our associate firms or consultants when required for a project are billed at cost to H.H. Metz, Inc.							

ADOPTED this 14th day of June, 2005.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Attest: 
Paul A. Leonard, Secretary


Robert J. Pesavento, President

UDT Resolutions Prof Fees Engineer 2005
5.25.05

**TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS**

**RESOLUTION
NO. 1880**

**A RESOLUTION TO AUTHORIZE EXTENSION OF THE EXISTING CABLE
TELEVISION FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP OF UPPER
DUBLIN AND COMCAST OF SOUTHEAST PENNSYLVANIA, INC.**

WHEREAS, cable services are highly desired and at times necessary services for the people, businesses, schools, and other institutions and organizations in the Township of Upper Dublin (hereinafter "the Township"); and

WHEREAS, the provision of cable services necessitates an agreement for use of public rights-of-way between the Township and all cable providers desiring to offer services in the Township; and

WHEREAS, cable service franchises in the Township are governed by the Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer Protection Act of 1992 (hereinafter collectively "the Cable Act") and the Township Cable Communications Regulatory Code (hereinafter "the Cable Code"); and

WHEREAS, Comcast of Southeast Pennsylvania, Incorporated (hereinafter "Comcast") provides cable services in the Township through an existing cable services franchise established by the existing Cable Television Franchise Agreement with the Township effective July 1, 1995 (hereinafter "the Franchise Agreement"); and

WHEREAS, the Franchise Agreement expires on June 30, 2005; and

WHEREAS, the Township and Comcast are currently negotiating a renewal of Comcast's cable services franchise; and

WHEREAS, the negotiations between the Township and Comcast will not be complete before the expiration of the Franchise Agreement on June 30, 2005; and

WHEREAS, it is in the common interest of the Township, Comcast, and the public for Comcast's customers in the Township to continue to receive cable services under the existing Franchise Agreement until a new franchise and agreement are approved;

NOW, THEREFORE BE IT RESOLVED by the Board as follows:

1. The Township shall continue to negotiate with Comcast to approve a new franchise and agreement for the provision of cable services in the Township.

2. The President of the Board is authorized to execute for the Township an extension agreement with Comcast to extend the Franchise Agreement and its existing terms and conditions through June 30, 2006, or until a new cable franchise and agreement are approved by the Township and Comcast, whichever occurs first, subject to, and conditioned upon, the following terms and conditions:

A. All terms and conditions of the Franchise Agreement shall remain in full force and effect during the extension period.

B. The extension of the Franchise Agreement shall have no adverse effect on Comcast's compliance, nor shall the extension be grounds for any change or modification in the terms, conditions, and obligations of the franchise.

C. The extension of the Franchise Agreement will not affect, diminish, impair or supercede the binding nature the existing laws, ordinances, resolutions, and agreements applicable to operation of cable systems in the Township.

D. The Township's agreement to extend the Franchise Agreement shall not be construed in any manner whatsoever to constitute a waiver or release of any rights the Township may have under the Franchise Agreement, the Cable Code, or the Cable Act.

RESOLVED, this 14th day of June 2005, at a public meeting of the Board of Commissioners.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: 

Robert J. Pesavento, President

Attest: 

Paul A. Leonard, Secretary

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 1881

MAPLE GLEN VILLAGE MOBILE HOME COMMUNITY

UPPER DUBLIN REALTY PARTNERSHIP, L.P., OWNER

GOODMAN PROPERTIES, APPLICANT/DEVELOPER

DENIAL OF PRELIMINARY LAND DEVELOPMENT APPLICATION

WHEREAS, UPPER DUBLIN REALTY PARTNERSHIP, L.P. ("Owner") and GOODMAN PROPERTIES (Applicant/Developer) are the Owner and Developer (hereinafter, collectively referred to as "Owner," "Applicant" or "Developer") of a certain tract of land situate in Upper Dublin Township (the "Development"), which is more particularly shown on plans prepared by Charles E. Shoemaker, Inc., being plans consisting of twenty-six (26) sheets dated December 1, 2004 (the "Plan" or "Plans"), setting forth the proposed development of a mobile home community in accordance with those Plans (a complete schedule of the Plans and all supporting Plans is attached hereto as Exhibit "A" and expressly made a part hereof); and

WHEREAS, the Plans described in Exhibit "A" attached hereto are being incorporated into this Denial of Land Development Application by reference; and

WHEREAS, the Plans have been the subject of review letters submitted by the Township Engineer, the Township Traffic Engineer and were reviewed at a meeting of the Commissioners Planning Committee; and

WHEREAS, in order to be able to address comments by the Township Engineer, the Township Traffic Engineer and the Commissioners Planning Committee and arrange a meeting

with Township staff, Developer granted an extension of time to the Board of Commissioners for action on the application; and

WHEREAS, the Township staff subsequently met with Developer and has been available to address Developer's questions in order to revise the Plans and resubmit them to Township; and

WHEREAS, despite the opportunity to revise the Plans and resubmit them to Township, Developer has failed to submit any Plan revisions to Township.

NOW, THEREFORE, BE IT RESOLVED, that Upper Dublin Township hereby denies the Preliminary Land Development Application for the Maple Glen Village Mobile Home Community as shown on the Plans described on Exhibit "A" attached hereto, for the following reasons:

Zoning Ordinance Violations

1. Stormwater Management structures are located closer than twenty (20) feet from the front, side or rear property line (Lot Nos. 65, 68, 70, 36, 35, 1, 60) in violation of Z.O. 255-24.1.
2. Applicant fails to verify compliance with the development requirements of Z.O. 255-121.H pertaining to demonstration of the ability of mobile home navigation within the site and access to feeder roads. No turning templates were provided to demonstrate access to the home sites. Only right-out egress movements are proposed onto Limekiln Pike and no access is provided onto Welsh Road.
3. The total number of permitted lots shall not exceed a maximum of five per developable acre. Applicant fails to include the density calculation on the plan in violation of Z.O. 255-122.A.
4. In the event a doublewide unit is at least twenty-four (24) feet wide, and in some cases twenty-six (26) feet or twenty-eight (28) feet wide, the lot widths per Z.O. 255-122.D will have to be increased.
5. The Plans do not depict the required distance between structures from side to side which is thirty (30) feet minimum in accordance with Z.O. 255-122.E. Furthermore, if doublewide units are twenty-four (24) foot in lieu of the twenty (20) feet shown, additional lots will need to be revised.
6. The proposed Service Building has a five (5) foot offset from the lot line when a minimum of twenty-four (24) feet is required. Parking is required to be a minimum of

twenty-five (25) feet from the cartway. The Plans depict the parking to be five (5) feet or less from the cartway in violation of Z.O. 255-122.M.

7. Buffer areas may not count toward the minimum common open space requirements and the minimum common open space appears to be deficient in violation of Z.O. 255-123.A.
8. The common open space must have paved pedestrian accessibility and visual accessibility to all residents of the mobile home development. Common open space on the Plans is not contiguous and paved pedestrian accessibility is not shown in violation of Z.O. 255-123.
9. At least ten percent (10%) of the site area of the mobile home development must be in common space other than parking and roadways, including recreation space, space for laundry and storage facilities. Buffer areas may not count towards the minimum common space requirements and the minimum common open space appears deficient in violation of Z.O. 255-123.A.
10. The common space shall be designed as a contiguous area unless the applicant demonstrates to the satisfaction of the Board of Commissioners that two or more separate areas would be preferable. The open space shall also have paved pedestrian and visual accessibility to all residents of the mobile home development in accordance with Z.O. 255-123.B. The proposed common open space is deficient.
11. Recreation areas and facilities shall be provided to meet the anticipated needs of the residents of the development. Not less than 5% of the usable site area exclusive of lands within the required setback area shall be devoted to recreation. Recreation area should be of a size, shape and relief that is conducive to active and passive recreation in accordance with Z.O. 255-123.C. The proposed recreation area appears to be deficient.
12. After the successful completion of the development, provisions acceptable to the Township Board of Commissioners and Solicitor for the maintenance and/or ownership of the common open space shall be provided. These provisions have not been submitted for review.
13. All mobile home developments shall provide safe, convenient, all-season pedestrian access of adequate width for the intended use, durable and convenient to maintain, between individual mobile homes, the park streets and all community facilities provided for the resident. Sidewalks and trails are not shown on the Plan in violation of Z.O. 255-124.B.
14. Ten percent (10%) of all common parking areas on each lot shall be devoted to green areas that must be interspersed within the paved parking areas to channel traffic or divide parking areas in accordance with Z.O. 255-125.B. The Plans fail to depict the required green area for common parking areas.
15. The Plans fail to depict one (1) Handicapped Accessible Parking Space with "Van Accessible" Aisle at the Community/Maintenance Building in accordance with the dimensional criteria of Z.O. 255-141.1.

16. Along the NW side of the property, the underground detention/infiltration facility No. 1A is located within required fifty (50) foot buffer in violation of Z.O. 255-126.A.
17. A Conditional Use Hearing is required to utilize existing wooded areas as buffer in accordance with Z.O. 255-126.C. Applicant has failed to obtain conditional use approval. Existing wooded areas that are being re-graded will need to have new buffer plantings installed and cannot be shown on the Plans as preserved.
18. The Plans fail to depict a required screen buffer adjacent to Limekiln Pike (A Residential), Norristown Road (CR and A Residential) and the Multi Dwelling Residential area (Meadow View Estates) in violation of Z.O. 255-126.
19. The Plans fail to depict driveways constructed to permit turning of vehicles on the lot so as to avoid the necessity of backing out into the street in violation of Z.O. 255-139.

Subdivision and Land Development Ordinance Violations

20. The Plans depict stormwater management facilities and other utilities within the 25-foot landscape buffer area in violation of S.O. 212-5.
21. Improvement construction requirements are not depicted in accordance with the Engineering and Construction Standards of Upper Dublin Township, the Specifications of the PennDOT, Pennsylvania DEP, Montgomery County Conservation District or other appropriate agencies in violation of S.O. 212-14.M.
22. Road widening is not depicted along Welsh Road, Limekiln Pike and Norristown Road in violation of S.O. 212-15.
23. The Plans depict fences, trees and/or other obstructions which are located within or permitted to grow into the right-of-way in violation of S.O. 212-15.A(9).
24. Access to public and private streets does not conform to S.O. 212.15.D.
25. The Plans depict parking lots and bays (other than parallel) which fail to be separated from the cartway by a minimum of seven (7) feet and confined by barrier curbing in violation of S.O. 212-17.B.
26. Sidewalks have not been provided along Limekiln Road, Norristown Road, Welsh Road, or along the proposed interior roads in violation of S.O. 212-18.A.
27. The Applicant proposes swales instead of a system of curbs and inlets in violation of S.O. 212-19.B. Furthermore, the quantity of stormwater gutter flow is not provided.
28. Concrete curb has not been shown along Norristown Road, Limekiln Pike, Welsh Road and the internal Roads A, B and C in violation of S.O. 212-19.A & B.
29. The Plans do not have a note that no topsoil should be removed from the site or used as spoil in violation of S.O. 212-23.A.

30. The Plans fail to verify that proposed fill does not encroach on watercourses or stormwater management facilities (S.O. 212-23.C) and have suitable protection against erosion and sedimentation (S.O. 212-23.D and S.O. 212-25.C).
31. The Plans fail to depict drainage facilities included with the design of the existing road widening requirements in violation of S.O. 212-24.B (1).
32. The Plans fail to depict drainage easements along natural watercourses to a minimum of twenty-five (25) feet from the centerline in violation of S.O. 212-24.B.2.
33. The Plans depict discharge from roof drains onto sidewalks, driveways or parking areas or into gutters is in violation of S.O. 212-24.C.4.
34. A DEP Permit for regrading the stormwater conveyance swale/wetlands has not been submitted in violation of S.O. 212-24.C.6. Additionally, hydraulic computations have not been submitted.
35. The Plans fail to depict all drainage facilities, including pipes, inlets, manholes, endwalls, trenches, swales, ditches and incidental items of work which must be constructed in accordance with the Standards of Upper Dublin Township in accordance with S.O. 212-24.C.8.
36. The Plans fail to depict street lighting and streetscape improvements in violation of S.O. 212-29B.
37. A "Limit of Contract " (clearing and staking) is not depicted on the Plans to ensure preservation of open space area of scenic importance in violation of S.O. 212-31.
38. The Plans fail to give consideration to the preservation of natural features, including large trees, groves, waterways and scenic points. S.O. 212-34.
39. The Plans fail to depict the appropriate variety of trees for screen buffers in excess of fifty (50) trees in violation of S.O. 212-34.F.
40. Applicant has failed to submit a Transportation Impact Study containing documentation and plans of the proposed Internal Transportation System in violation of S.O. 212-35.1D.
41. Applicant has failed to provide rights-of-way and easements for stormwater management facilities, drainage and utilities in violation of S.O. 212-43.D.
42. The Plans fail to depict cross-sections and profiles for street cartways; profiles for sanitary sewers, stormwater management facilities in violation of S.O. 212-43.D.
43. The Plans fail to depict a street lighting plan for both the frontage streets and the interior streets in violation of S.O. 212-43.D.
44. Applicant has failed to submit to Township permits or approvals from the Pennsylvania Department of Environmental Protection for the following:
 - A. Planning Module for Land Development;

- B. Water Quality Management Plan;
 - C. Stream Encroachment Permit; and
 - D. Wetlands Encroachment Permit.
45. Applicant failed to obtain a Soil Erosion and Sedimentation Control Permit from the Montgomery County Conservation District in violation of S.O. 212-47.1(3).
 46. Applicant failed to provide approval from the appropriate water authority for water source, extension, and connections.
 47. Applicant has failed to provide a key map where there are two (2) or more sheets provided to show their relationship in violation of S.O. 212-43.A(5).
 48. The Plans fail to depict the location of all existing watercourses, floodplains and drainage flows in violation of S.O. 212-43.C(1)(6).
 49. The Plans fail to depict the layout, dimensions, and net area of all lots, including consecutive lot and house numbers in violation of S.O. 212-43.D(2).
 50. The Plans fail to depict the soil erosion and sediment control facilities during and after construction and stormwater management facilities, including the layout of water detention structures, bridges and culverts in violation of S.O. 212-43.D(10).
 51. The Plans fail to include the minimum, maximum and average lot size information in violation of S.O. 212-43.D(12).
 52. The Plans fail to depict all landscaping facilities for screening, buffering, conservation, shade and aesthetics in violation of S.O. 212-43.D(11).
 53. The Plans fail to include the words "Preliminary Plan – Not to be Recorded" in violation of S.O. 212-43.E(3).
 54. Applicant has failed to comply with the provisions of Article VII, Improvement Construction Requirements, Subdivision Ordinance Section 212-49, by providing a proper guarantee for the construction of all required improvements referenced on the approved plans or within conditions of permits and approvals of the applicable regulatory agencies. Applicant has failed to provide all required cost estimates, legal descriptions, permits and approvals for review prior to final approval. Applicant has failed to provide a copy of the escrow submitted to PennDOT (if required).
 55. Applicant has failed to comply with the provision of Article VII, Sections 212-50 through 55 inclusive, regarding release from liability, public utilities and laterals, inspections, modifications, fees and costs, and conditions of acceptance.

Chapter 206 Violations

56. The Plans fail to depict proper management of anticipated peak discharge from the property being developed and existing runoff being contributed from all land at a higher elevation in the same watershed in violation of Section 206-31.I.(2).
57. The Applicant has failed to demonstrate that the Storm Pipe System leaving this site is capable of handling the flow in violation of Section 206-31.I.(4)(a) and (b).
58. Applicant has failed to demonstrate compliance for discharging roof runoff in violation of Section 206-31.I.(4)(c).
59. Applicant has failed to obtain PennDOT approval for the on-site stormwater drainageway adjacent to a state highway right-of-way in violation of Section 206-31.L.
60. Applicant has failed to submit DEP and NRCS correspondence, reviews and approval (as required) to the Township. Furthermore, a Wetland Delineation and Certification has not been submitted in violation of Section 206-31.K.
61. Applicant has failed to submit a permit from DEP to Township in order to locate a stormwater management facility in or adjacent to surface waters of the Commonwealth, including wetlands in violation of Section 206-32.
62. Applicant has failed to submit permits for the Erosion and Sedimentation Control Plan from NRCS to Township in violation of Section 206-33.
63. Applicant has failed to submit water quality calculations assuming a one (1) year, twenty-four (24) hour rainfall event in violation of Section 206-34.
64. Applicant has failed to submit calculations for groundwater recharge assuming a 0.75 inch, twenty-four (24) hour rainfall event for infiltration in violation of Section 206-35.
65. Applicant has failed to provide details and specify locations of BMP's which supplement the below grade infiltration galleries in violation of Section 206-35.F.
66. Applicant has failed to submit results of field measurements of infiltration rates using a method approved by the Township Engineer in violation of Section 206-36.B.
67. Applicant has failed to provide the hydraulic conductivity of soils and bedrock and depth to the seasonal high water table and bedrock at each Infiltration System location in violation of Section 206-37.B.
68. Applicant has failed to provide maintenance provisions for the BMP's and Stormwater Management Systems after construction is completed in violation of Section 206-43.A.
69. Applicant has failed to provide the location of sanitary sewers, storm drains and similar features within four hundred (400) feet of any part of the land to be subdivided or developed in violation of Section 206-43.B.(3)(b).

70. Applicant has failed to provide a plan showing the location of all trees eight (8) inches in diameter or larger and location of tree masses in violation of Section 206-43.B.(3)(h) and (i).
71. Applicant has failed to provide final proposed contours along the drainage conveyance channel/wetlands and at each proposed stormwater management structure in violation of Section 206-43.B.(4)(d).
72. Applicant has failed to provide profiles of the Stormwater System for all pipes and structures. Additionally, Applicant has failed to clarify invert elevations, locations of orifices and pipes, etc. for each stormwater structure in violation of Section 206-43.B.(4)(e).
73. The natural drainage swale traversing from the inlet pipe at Norristown Road to the existing headwall at the northeast corner of the site adjacent to Welsh Road and Limekiln Pike is proposed to be regraded. Applicant has failed to provide an Encroachment Map illustrating the amount of trees and wetlands/waters of the Commonwealth to be disturbed in violation of Section 206-43.B.(4)(h).
74. Applicant has failed to provide a description of the Ownership and Maintenance Program for Stormwater Management Facilities and a Plan with stormwater easements clearly shown in violation of Section 206-43.C.
75. Applicant has failed to provide a Stormwater Management Operations and Maintenance Plan and a twenty (20') foot wide access easement to all stormwater management facilities for access and egress from a public right-of-way in violation of Section 206-51.B. Furthermore, Applicant has failed to provide a Stormwater Management Operations and Maintenance Plan (s) that can be recorded at the offices of the Recorder of Deeds of Montgomery County. Chapter 206-51
76. Applicant has failed to revise the side slopes at Detention Basin No. 3A to a 3 horizontal to 1 vertical slope in violation of Section 206-102.D.2.
77. The Plans fail to depict a perforated riser or similar sediment control device at each outlet of all detention basins during construction for sediment control in violation of Section 206-102.D.17.
78. The Plans fail to depict a minimum drop across junctions of the stormwater system of at least two (2") inches in violation of Section 206-103.B.3.
79. The Plans fail to depict a minimum cover of two (2') feet from finished grade to outside of pipe bell in violation of Section 206-103.B.13.
80. Applicant has failed to calculate the quantity of stormwater in the swale adjacent to the proposed roads in violation of Section 206-115.
81. The pre-development offsite area draining through the site to the headwall must be considered for pipe sizing. Tc measured from the highest point in the D.A. to the natural swale provides a longer travel time than the time within the swale as shown. Applicant

has failed to run the hydrographs based on the revised existing Tc and adjust the basin accordingly in violation of Section 206-43.B(3)(g).

82. Applicant has failed to revise the Detail of UD/R/ Basin #3 and #4 for the direction of flow at the upstream inlet.
83. Applicant has failed to demonstrate the water elevation during storm events within the wetland area in Open Space Parcel "B" and the area upstream of Welsh Road and Limekiln Pike.
84. Applicant has failed to revise D.A.'s #26, Basin 3A, 5 and 6 to reflect the proposed grading in violation of S.O. 212-24.C(1).
85. The Plans fail to depict storm pipes with a minimum slope of one-half percent ($\frac{1}{2}\%$) in violation of S.O. 212-24.C(2).
86. Applicant has failed to verify slope of 38" x 24" RCP pipe crossing Norristown Road in violation of S.O. 212-24.C(2)..

General Comments

87. The Plans fail to provide the actual height of the service building in violation of Z.O. 255-B.
88. The Plans fail to depict all storm pipes with the same line type on the drawings in violation of Section 206.43.B(1).
89. Applicant has failed to provide road details for proposed Roads A, B and C in violation of ECSIP II.A.2 (b)
90. Applicant has failed to demonstrate the method of stormwater management for the proposed State Highway improvements in violation of EX-99-15.
91. The Maple Glen Road Concept Plan prepared by Orth-Rodgers & Associates, Inc. dated February 27, 2004 depicts a proposed driveway entrance to this site from Welsh Road. This driveway may be advisable from the perspective of reducing traffic to and from the site from the adjoining streets, one (1) of which (Norristown Road) is residential in nature. The driveway has not been shown.
92. The Plans fail to depict existing sidewalks to the intersection of Chaucer Drive on the opposite side of Norristown Road. Sidewalks also exist within the Meadow Wood development, adjoining to the northwest, along Hood Lane to the intersection of Norristown Road. Extension of the sidewalks along Norristown Road for this site would link the Hood Lane sidewalks, Chaucer Drive sidewalks across Norristown Road to the Maple Glen area. This would facilitate one hundred twenty-five (125) units with walking access to the Maple Glen area in accordance with S.O. 212-18.

93. Open Space Parcel "B" and area at corner of Welsh Road and Limekiln Pike are to be regraded and Applicant has failed to obtain DEP approval for disturbing wetlands in violation of Z.O. 255-121.E.
94. Applicant must demonstrate the ability of emergency vehicle navigation within the site and access to feeder roads in violation of Z.O. 255-121.H.
95. Applicant has failed to correct all sheets to reflect the proposed name of the community in violation of S.O. 212-43.B.
96. Applicant has failed to obtain a Highway Occupancy Permit for construction within a State Road in violation of Section 206-32.D.
97. The Plans fail to depict the speed limit along Welsh Road (sheet 5).
98. The Plans fail to clearly label the cartway width and shoulder area along Welsh Road at the adjacent Meadow View Estates property frontage (sheet 2) in violation of S.O. 212-43.C.1(a).
99. The existing features plan fails to identify woodlands and wetlands. These items need to be added to the legend. (sheet 2) in accordance with S.O. 212-42.C.2(d).
100. A sanitary sewer manhole is noted as the benchmark for the site (note 6 – sheet 3). The note fails to include the datum on which the benchmark is based in violation of Section 212-43.C.3(a).
101. The Plans fail to extend EW-8 such that the discharge does not cross over the sanitary sewer lines.
102. The Plans depict underground detention/infiltration beds within ten (10') feet of the mobile homes.
103. Applicant fails to provide insurances and/or protection measures in order to keep hazardous materials from entering the underground detention/infiltration facility since the mobile homes are proposed within ten (10) feet of the systems inlets?
104. The Plans fail to depict high point and low point spot elevations along the front yard areas. Applicant must provide one foot contours and additional spots elevations to clearly define direction of stormwater runoff. Some areas show swales directed towards a mobile home (example: Lot 64).
105. Applicant has failed to revise storm inlet grates to be in sumped conditions (example IN-12).
106. Applicant has failed to clarify grading on each lot. Contours and spot elevations are not consistent (Example: Lot 62).
107. Entrance road C should not be superelevated.

108. HW1 should be deleted and the proposed storm pipe should be extended to connect to the existing 38"x24" RCP.
109. Applicant has failed to revise the Plans to depict storm crossing from HW6-In26 within profile (sheet 9).
110. The Plans fail to depict concrete encasements at all pipe crossings where there is less than 18-inches of clearance.
111. The Plans fail to depict a vertical curve on Road B which is required due to the change in roadway grade between Sta. 0+15 and Sta. 2+16. (ECSIP II.A.2.b(1) (sheet 11)).
112. Applicant has failed to revise note 5 within the typical state highway half-section detail to reference PennDOT and not the Montgomery County Roads and Bridge Standards (sheet 18) in violation of S.O. 212-14.M.
113. The Plans fail to depict a bike lane along Welsh Road and Norristown Road (Primary Bicycle Route) and along Limekiln Pike (Secondary Bicycle Route) in accordance with the Montgomery County On-road Bike Route 1998 Comprehensive Park and Recreation Plan.
114. The Plans fail to depict adequate visitor parking.
115. Open Space Parcel "B" and area at corner of Welsh Road and Limekiln Pike are to be regarded and Applicant has failed to obtain DEP approval for disturbing wetlands in accordance with S.O. 212-24.C(6).

Engineering and Construction Standards, Improvement Procedures

116. The Plans fail to depict a minimum horizontal radius at the centerline of the proposed residential road of one hundred fifty (150') feet in violation of ESSIP.II.A.b.4(a).
117. The Plans fail to depict a Right-of-Way width for a residential road of fifty (50') feet in violation of ECSIP #A.2.(1)b.
118. The Plans fail to depict required driveway Details in violation of S.O. 212-16.A(2).
119. The Plans depict CMP storm drainage pipe which is not permitted in accordance with ECSIP.IV.C.1.
120. The Plans fail to depict headwalls, endwalls, inlets, manholes and energy dissipaters in accordance with PennDOT Design Manual, Part IV, latest revision.
121. The Plans fail to depict the minimum radius of arc at the intersection of pavement edge or curb line of twenty-five (25') feet in violation of EXSIP.II.A.2.C(7).

DENIED at the public meeting of the Upper Dublin Township Board of Commissioners
held on July 19, 2005.

UPPER DUBLIN TOWNSHIP

By:



ROBERT J. PESAVENTO, President
Board of Commissioners

Attest:



PAUL LEONARD, Secretary

EXHIBIT "A"

Plans Submitted:

<u>Dwg. No.</u>	<u>Description</u>	<u>Date</u>	<u>Last Revision</u>
1 of 26	Cover Sheet	12-01-04	-
2 of 26	Existing Features Plan	12-01-04	-
3 of 26	Land Development Plan	12-01-04	-
4 of 26	Overall Grading and Utility Plan	12-01-04	-
5 of 26	Grading and Utility Plan	12-01-04	-
6 of 26	Grading and Utility Plan	12-01-04	-
7 of 26	Grading and Utility Plan	12-01-04	-
8 of 26	Erosion Control Plan	12-01-04	-
9 of 26	Plan & Profile: Road "A"	12-01-04	-
10 of 26	Plan & Profile: Road "A"	12-01-04	-
11 of 26	Plan & Profile: Road "B"	12-01-04	-
12 of 26	Plan & Profile: Road "C"	12-01-04	-
13 of 26	Plan & Profile: Welsh Road	12-01-04	-
14 of 26	Plan & Profile: Welsh Road	12-01-04	-
15 of 26	Plan & Profile: Limekiln Pike	12-01-04	-
16 of 26	Plan & Profile: Norristown Road	12-01-04	-
17 of 26	Storm Sewer Profiles	12-01-04	-
18 of 26	Construction Details	12-01-04	-
19 of 26	Construction Details (Unused)	12-01-04	-
20 of 26	Construction Details	12-01-04	-
21 of 26	Erosion Control Details	12-01-04	-
22 of 26	Erosion Control Details	12-01-04	-
23 of 26	Sanitary Sewer Details	12-01-04	-
24 of 26	Sanitary Sewer Details	12-01-04	-
25 of 26	Landscape Plan (L 1)	12-01-04	-
26 of 26	Landscape Details (L-2)	12-01-04	-

RESOLUTION NO. 1882

**RESOLUTION TO ACCEPT PUBLIC STREETS AS SHOWN ON APPROVED
SUBDIVISION PLAN FOR "PHEASANT KNOLL"**

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan for "Pheasant Knoll" which shows a Right-of-Way on a street known as Golden Drive, which Subdivision Plan was prepared by Benchmark Consulting Engineers and Surveyors of Plymouth Meeting, PA, dated October 16, 1992, as last revised November 9, 1995, bearing Plan No. 92037, and recorded on January 25, 1996, in the Office for Recording of Deeds, Norristown, Pennsylvania at Book A056, page 0384 (hereinafter referred to as the "Recorded Plan"); and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows a Right-of-Way on a street known as Ringneck Loop; and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows an Ultimate Right-of-Way on a highway known as Limekiln Pike; and

WHEREAS, the improvements to Golden Drive, Ringneck Loop and Limekiln Pike (hereinafter referred to as "Streets") have been completed according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Streets as described on the Recorded Plan and further described in Exhibit "A" to this Resolution so that the Streets will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Golden Drive Right-of-Way, Ringneck Loop Right-of-Way, and Limekiln Pike Ultimate Right-of-Way as described in the Recorded Plan and further described in Exhibit "A" to this Resolution are hereby accepted.


2. The proper officers of the Township are authorized to record this Resolution in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

Approved by the Board of Commissioners of Upper Dublin Township this 9th day of August 2005.

UPPER DUBLIN TOWNSHIP

BY: 
ROBERT J. PESAVENTO, President

Attest:


PAUL A. LEONARD, Secretary



Metz Engineers

Bary L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Walter B. Hundley, P.L.S.
Cynthia H. VanFise, P.E.
Mark Flaherty, Survey Manager
Joseph J. Fielder, Inspection Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

Civil Engineers & Land Surveyors · 410 Derstine Avenue, PO Box 647, Lansdale, PA 19446-0608 · 215-855-3111 · Fax 215-855-5143

July 27, 2004

UD 92.009
Arbour Hill

Golden Drive Right-of-Way lands of Pheasant Knoll

ALL THAT CERTAIN strip of land situate in Upper Dublin Township., Montgomery County, Pennsylvania, being shown on an Amended Subdivision Plan of Pheasant Knoll, by Benchmark Consulting Engineers and Surveyors, Plymouth Meeting, Pennsylvania, dated October 16, 1992, last revised November 9, 1995, and recorded in deed book A-56, page 84, and being more fully described as follows:

BEGINNING at a point of curvature of a radial corner on the westerly ultimate right-of-way line of Limekiln Pike (S.R. 152, 40' half width from the centerline thereof), said point being on the terminus of Golden Drive (50' wide) in the line of lands of Pheasant Knoll (Lot 15), and being located the following three (3) courses and distances from Dreshertown Road; 1) along the legal right-of-way line of said Limekiln Pike northwesterly, $\pm 1,069$ feet to a point in the said lands of Tai; 2) along said Tai lands, South $42^{\circ}56'15''$ West, 25.48 feet to the point on the aforementioned Limekiln Pike ultimate right-of-way line; 3) along said ultimate right-of-way line North $12^{\circ}50'45''$ West, 65.94 feet to the point of beginning; thence, extending along said Lot 15 and other said Pheasant Knoll lands (Lots 13, 12, 11, and 10) the following four (4) courses and distances; 1) on the arc of a circle curving to the left in a northwesterly to westerly direction having a radius of 30.00 feet, the arc distance of 47.12 feet to a point of tangency; 2) South $77^{\circ}09'15''$ West, 112.76 feet to a point of curvature; 3) on the arc of a circle curving to the left in a southwesterly direction having a radius of 125.00 feet, the arc distance of 74.65 feet to a point of tangency; 4) South $42^{\circ}56'15''$ West, 590.46 feet to a point in the line of lands of N/L Walter P. & Isabella Nelson; thence, extending along said Nelson lands North $48^{\circ}30'00''$ West, 50.02 feet to a point, a corner of other said Pheasant Knoll lands (Lot 9);

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EXHIBIT "A"

/UD/92009/Legals/Golden-ROW.doc

thence, extending along said Lot 9 lands, along the southerly terminus of Ringneck Loop and along other said Pheasant Knoll lands (Lots 18 and 16) North $42^{\circ}56'15''$ East, 591.71 feet to a point of curvature at the northerly terminus of said Ringneck Loop; thence, continuing along said terminus and along the lands of other said Pheasant Knoll lands (Lot 1) the following three (3) courses and distances; 1) on the arc of a circle curving to the right in a northeasterly direction having a radius of 175.00 feet, the arc distance of 104.51 feet to a point of tangency; 2) North $77^{\circ}09'15''$ East, 112.76 feet to a point of curvature of a radial corner; 3) on the arc of a circle curving to the left in a northeasterly to northerly direction having a radius of 30.00 feet, the arc distance of 47.12 feet to a point of tangency on the aforementioned Limekiln Pike ultimate right-of-way line; thence, extending along said ultimate right-of-way line along the terminus of said Golden Drive South $12^{\circ}50'45''$ East, 110.00 feet to a point, said point being the point and place of beginning.

Containing 41,558 Sq. Ft. (0.9540 acres) of land area, be the same, more or less.



Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
Cynthia H. VanHise, P.E.
Mark R. Flaherty, Survey Manager
Joseph J. Felder, Inspection Manager
Wendy L. Clair, Business Manager
Ralph A. Wert, P.E., P.L.S. 1956-1994

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July 27, 2004

UD 92.009
Arbour Hill

Ringneck Loop Right-of-Way
lands of Pheasant Knoll

ALL THAT CERTAIN strip of land situate in Upper Dublin Township., Montgomery County, Pennsylvania, being shown on an Amended Subdivision Plan of Pheasant Knoll, by Benchmark Consulting Engineers and Surveyors, Plymouth Meeting, Pennsylvania, dated October 16, 1992, last revised November 9, 1995, and recorded in deed book A-56, page 84, and being more fully described as follows:

BEGINNING at a point of reverse curvature at a radial corner of Pheasant Knoll (Lot 1) on the northerly sideline of Golden Drive (50' wide), said point being at the terminus of Ringneck Loop (50' wide), and being located the following three (3) courses and distances from a point of curvature of a radial corner of said Lot 1 on the westerly ultimate right-of-way line of Limekiln Pike (S.R. 152, 40' from the centerline thereof) at the terminus of said Golden Drive; 1) on the arc of a circle curving to the right in a southerly to southwesterly direction having a radius of 30.00 feet, the arc distance of 47.12 feet to a point of tangency on the said northerly sideline of Golden Drive; 2) South 77°09'15" West, 112.76 feet to a point of curvature; 3) on the arc of a circle curving to the left in a southwesterly direction having a radius of 175.00 feet, the arc distance of 66.34 feet to the said point of beginning; thence, extending along the terminus of said Ringneck Loop along the said sideline of Golden Drive the following two (2) courses and distances; 1) on the arc of a circle curving to the left in a southwesterly direction having a radius of 175.00 feet, the arc distance of 38.17 feet to a point of tangency; 2) South 42°56'15" West, 39.06 feet to a point on the radial corner of other Pheasant Knoll (Lot 16) lands; thence, extending along said Lot 16 and other said Pheasant Knoll lands (Lots 14, 17, and 18) the following eight (8) courses and distances; 1) on the arc of a circle curving to the left in a

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METZ ENGINEERS

July 27, 2004

Ringneck Loop

Page 2

northwesterly direction having a radius of 15.00 feet, the arc distance of 24.03 feet to a point of tangency; 2) North 48°51'00" West, 243.03 feet to a point of curvature; 3) on the arc of a circle curving to the left in a westerly to southwesterly direction having a radius of 80.00 feet, the arc distance of 123.72 feet to a point of tangency; 4) South 42°32'30" West, 175.15 feet to a point of curvature; 5) on the arc of a circle curving to the left in a southerly to southeasterly direction having a radius of 80.00 feet, the arc distance of 175.37 feet to a point of reverse curvature; 6) on the arc of a circle curving to the right in a southeasterly direction having a radius of 175.00 feet, the arc distance of 105.55 feet to a point of tangency; 7) South 48°30'00" East, 94.59 feet to a point of curvature of a radial corner of said Lot 18; 8) on the arc of a circle curving to the left in an easterly direction having a radius of 15.00 feet, the arc distance of 23.19 feet to a point of tangency on the aforementioned Golden Drive sideline; thence, extending along the Golden Drive sideline, being the terminus of said Ringneck Loop South 42°56'15" West, 80.00 feet to a non-tangential point of curvature of a radial corner of other Pheasant Knoll (Lot 9) lands, as shown on said plan; ; thence, extending along said Lot 9 and other Pheasant Knoll lands (Lot 8, Parcel A, Lots 7, 6, 5, 4, 3, 2 and 1) the following eight (8) courses and distances; 1) along the aforementioned radial corner of Lot 9 on the arc of a circle curving to the left in a northerly to northwesterly direction having a radius of 15.00 feet, the arc distance of 23.94 feet to a point of tangency; 2) North 48°30'00" West, 92.58 feet to a point of curvature; 3) on the arc of a circle curving to the left in a northwesterly direction having a radius of 125.00 feet, the arc distance of 75.39 feet to a point of reverse curvature; 4) on the arc of a circle curving to the right in a northerly to northeasterly direction having a radius of 130.00 feet, the arc distance of 284.98 feet to a point of tangency; 5) North 42°32'30" East, 175.15 feet to a point of curvature; 6) on the arc of a circle curving to the right in a northeasterly to southeasterly direction having a radius of 130.00 feet, the arc distance of 201.05 feet to a

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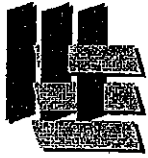
July 27, 2004

Ringneck Loop

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point of tangency; 7) South 48°51'00" West, 250.03 feet to a point of curvature of a radial corner of other Pheasant Knoll (Lot 1) lands; 8) along said radial corner on the arc of a circle curving to the left in a southeasterly direction having a radius of 15.00 feet, the arc distance of 19.82 feet to a point, said point being the point and place of beginning.

Containing 59,637 Sq. Ft. (1.3692 acres) of land area, be the same, more or less.



Metz Engineers

Barry L. Wert, P.E., P.L.S.
Jeffrey A. Wert, P.E., P.L.S.
Robin K. Youmans, P.E.
Kenneth M. Fretz, Sr., P.L.S.
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July 27, 2004

UD 92.009
Arbour Hill

Limekiln Pike Ultimate Right-of-Way

ALL THAT CERTAIN strip of land situate in Upper Dublin Township., Montgomery County, Pennsylvania, being shown on an Amended Subdivision Plan of Pheasant Knoll, by Benchmark Consulting Engineers and Surveyors, Plymouth Meeting, Pennsylvania, dated October 16, 1992, last revised November 9, 1995, and recorded in deed book A-56, page 84, and being more fully described as follows:

BEGINNING at a point on the westerly ultimate right-of-way line of Limekiln Pike (S.R. 152, 40' from the physical centerline thereof), said point being in the common line of lands of Pheasant Knoll (Lot 15) and N/L Joseph & Ann W. Tai, and being located the following two (2) courses and distances from Dreshertown Road; 1) along the legal right-of-way line of said Limekiln Pike, northwesterly, $\pm 1,069$ feet to a point in the line of said Tai; 2) South $42^{\circ}56'15''$ West, 25.48 feet to the point of beginning; thence, extending from said point of beginning along said ultimate right-of-way line and passing along the terminus of Golden Drive (50' wide) North $12^{\circ}50'45''$ West, 356.03 feet to a point in the line of lands of N/L Ernest Duff; thence, crossing the bed of said Limekiln Pike along the said Duff lands, North $58^{\circ}03'30''$ East, 43.80 feet to a point on the deed title line; thence, extending along said deed title line in the bed of Limekiln Pike the following two (2) courses and distances; 1) South $13^{\circ}36'00''$ East, 295.67 feet to a point; 2) South $48^{\circ}51'00''$ East, 36.35 feet to a point the line of said Tai lands extended; thence, extending along said Tai lands South $42^{\circ}56'15''$ West, 80.59 feet to a point on the aforementioned ultimate right-of-way line; thence, extending, said point being the point and place of beginning.

Containing 15,671 Sq. Ft. (0.3597 acres) of land area, be the same, more or less.

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RESOLUTION NO. 1883

**RESOLUTION TO ACCEPT OFFER OF DEDICATION
FOR DRESHERTOWN ROAD PUBLIC RIGHT-OF-WAY**

WHEREAS, the Board of Commissioners on July 24, 1997, approved a Plan of Subdivision titled "Pixton Place" (the "Plan"), which Plan was submitted by the Trueblood Company and prepared by DiCroce & Leapson, Project No. M97-048XA, dated July 15, 1996, with last revision dated July 8, 1997; and

WHEREAS, the Plan was Recorded in the Office of the Recorder of Deeds, Norristown, Montgomery County, Pennsylvania in Plan Book A57, Page 116; and

WHEREAS, the Plan offers by General Note No. 7 and depicts a twenty-five foot (25') wide by two-hundred (200') long right-of-way of Dreshertown Road for dedication to the Township; and

WHEREAS Laurama P. Pixton, as the owner of record of Montgomery County Tax Assessment Parcel 54-00-05077-00-8 and the area of right-of-way offered for dedication by the Plan, adopted the Plan on July 11, 1997 by certifying so on the Plan; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this offer of dedication of Dreshertown Road right-of-way so that the road will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

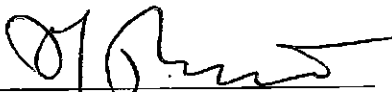
1. The right-of-way offered to the Township for Dreshertown Road, as set forth on the Plan and more fully described by the legal description attached hereto as Exhibit "A," is hereby accepted.
2. The proper officers of the Township are authorized to record this Resolution in the Office

of Recorder of Deeds, Norristown, Montgomery County, Pennsylvania.


3. The widened portion and right-of-way of Dreshertown Road as described by the Plan and the attached Exhibit shall hereafter be designated on the official map of streets in the Township.

RESOLVED, this 9th day of August, 2005.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

November 3, 2004

Pixton Place
UD96.010

Dreshertown Road
ultimate right-of-way

ALL THAT CERTAIN strip or portion of roadway situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Record Plan of Pixton Place Subdivision prepared for Trueblood Company., by DiCroce and Leapson, Southampton, Pennsylvania, dated July 15, 1996, last revised July 8, 1997, as recorded in plan book A57, page 116, and being more fully described as follows:

BEGINNING at a point on the centerline of Dreshertown Road, (S.R. 2028, 50' ultimate width), said point being a corner of the Pixton Place subdivision tract and lands of N/L David and June Kauffman (taxmap block 54, unit 22); thence, extending along the said Kaufman lands, South 10°50' East, 25.00 feet to a point on the southerly ultimate right-of-way- line; thence, extending along said ultimate right-of-way line and along Lot 1 of the said subdivision, South 79°10' West, 200.00 feet to a common corner of Lots 2 and 3 as shown on said plan; thence, extending along Lot 3, North 10°50' West, 25.00 feet to a point on the aforementioned centerline of Dreshertown Road; thence, extending along the centerline, North 79°10' East, 200.00 feet a point, said point being the point and place of beginning.

CONTAINING 5,000 Sq. Ft. of land area, be the same, more or less.

EXHIBIT A

RESOLUTION
NO. 1889

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN AUTHORIZING THE ACQUISITION OF A PROPERTY LOCATED ON KENYON DRIVE BEING PARCEL NO. 54-00-09664-002 WITHIN THE TOWNSHIP FOR PARK AND OTHER PUBLIC PURPOSES OF THE TOWNSHIP.

WHEREAS, the Township of Upper Dublin (the "Township") has adopted a plan for the recreational and open space needs of the Township; and

WHEREAS, the Township is authorized to acquire real estate for public purposes, including, among other things, for park, recreational and open space purposes; and

WHEREAS, there is approximately 49,441 square feet of vacant land situated on Kenyon Drive that would be suitable as open space and recreational land which the Township desires to acquire for such purposes; and

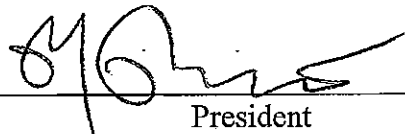
WHEREAS, the Borough of Ambler has maintained an observation well on the Parcel for its Water Department.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the acquisition of the 49,441 square feet of vacant land on Kenyon Drive, being Parcel No. 54-00-09664-002 (the "Premises"), is hereby authorized, at a purchase price cost not to exceed \$150,000.00 (exclusive of normal costs of closing and the cost of closing the observation well), and that the appropriate officers of the Township are authorized to take such actions as may be necessary to carry out the intent of this resolution, including executing and delivering on behalf of the Township an Agreement for the acquisition of the Premises and all other necessary actions for closing.

DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this 9th of August, 2005.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: _____


President

Attest: _____


Township Secretary

RESOLUTION

NO. 1885

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN AUTHORIZING THE ACQUISITION OF A TRIANGULAR PIECE OF PROPERTY WITHIN THE TOWNSHIP COMPRISING THAT PORTION OF PARCEL NO. 54-00-10780-002 WHICH IS LOCATED EAST OF SR 0309 WITHIN THE TOWNSHIP FOR PARK AND OTHER PUBLIC PURPOSES OF THE TOWNSHIP.

WHEREAS, the Township of Upper Dublin (the "Township") has adopted a plan for the recreational and open space needs of the Township; and

WHEREAS, the Township is authorized to acquire real estate for public purposes, including, among other things, for park, recreational and open space purposes; and

WHEREAS, the Township desires to acquire vacant land situated east of SR 0309 as set forth on Exhibit "A" attached hereto and made a part hereof and referred to as the "subject" property. The subject property comprises a portion of Parcel No. 54-00-10780-002 that would be suitable as open space and recreational land;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the acquisition of the subject property east of SR 0309 which comprises a portion of Parcel No. 54-00-10780-002 is hereby authorized, at a purchase price cost not to exceed \$15,000.00 (exclusive of normal costs of closing), and that the appropriate officers of the Township are authorized to take such actions as may be necessary to carry out the intent of this resolution, including executing and delivering on behalf of the Township an Agreement for the acquisition of the subject property, providing engineering services including but not limited to services relating to a lot line change, authorizing a deed restriction of up to twenty (20) years to preclude the installation of a cell tower and all other necessary actions for closing.

DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this 9th of August, 2005.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: _____

President

Attest: _____

Township Secretary

**TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS**

**RESOLUTION
NO. 1886**

RESOLUTION TO ACCEPT DEED OF DEDICATION FOR A PUBLIC STREET

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Geoffrey Pinney and Sean O'Reilly (collectively "Grantor") a Deed of Dedication for a public right-of-way at the intersection of Butler Pike and Morris Road in the Township of Upper Dublin, said right-of-way being fully described in Exhibit "A" attached hereto; and

WHEREAS, the Board of Commissioners has heretofore approved a Grading Plan filed by or on behalf of Grantor showing the right-of-way, which Grading Plan was prepared by Pahutski Land Surveying and dated June 3, 2004; and

WHEREAS, the Board of Commissioners finds acceptance of the Deed of Dedication to be in the public interest so that Butler Pike and Morris Road may be improved for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:


1. The said Deed of Dedication offered to the Township by the Grantor is accepted.
2. The proper officers of the Township are authorized to record the Deed of Dedication in the Office of Recorder of Deeds, Norristown, Montgomery County, Pennsylvania.
3. The right-of-way as described in the attached Exhibit shall hereafter be designated on the official map of streets in the Township as a public street.

RESOLVED, this 13th day of September, 2005.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this 13th day of *September*, A.D., 2005, between Geoffrey Pinney and Sean O'Reilly (collectively "Grantor"), and the TOWNSHIP OF UPPER DUBLIN, a Township of the First Class situate at 801 Loch Alsh Avenue, Fort Washington, in the County of Montgomery and Commonwealth of Pennsylvania ("Grantee").

WITNESSETH:

That Grantor, for and in consideration of and for the sum of One Dollar (\$1.00), the advantages to it accruing, as well as for diverse considerations affecting the public welfare, which it seeks to advance, has granted, bargained, sold and confirmed, and by these presents does grant, bargain, sell and confirm unto the Grantee, its successors and assigns, an easement and right-of-way over ALL THAT CERTAIN property at the western corner of the intersection of Butler Pike and Morris Road in the TOWNSHIP OF UPPER DUBLIN, County of Montgomery and Commonwealth of Pennsylvania as described by a Description of Property for Dedication to Upper Dublin Township prepared by Pahutski Land Surveying and dated August 4, 2004, attached as Exhibit "A," and as depicted on a Grading Plan prepared by Pahutski Land Surveying and dated June 3, 2004, a portion of which is attached as Exhibit "B," being part of Montgomery County parcel number 54-00-02998-008

TO HAVE AND TO HOLD the aforesaid easement and right-of-way over all that certain property above described unto the Grantee, its successors and assigns, to and for the only proper use on behalf of the Grantee its successors and assigns, for a public road, street or highway, including the right to construct, maintain and repair streets, sidewalks, and curbing over the lands hereinabove described and to cause others to construct, maintain and repair such streets, sidewalks and curbing

together with the right of the Grantee and others to construct, maintain and repair utilities over, under and across the lands hereinabove described, together with the right to construct, maintain and repair gutters, grates and storm drains over, under and across the lands hereinabove described, and the further right to remove trees, bushes, undergrowth, soil, and other obstructions interfering with the location, construction and maintenance of all of the aforesaid.

AND the Grantor, for itself and its successors and assigns by these presents does covenant, promise and agree to and with the Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns shall nor will at any time hereafter ask, demand or recover or receive of or from the Grantee, its successors and assigns any sum of money as and for damages for or by reason of the physical grading of said street to the grade as now established by the Grantee, and if such grade shall not be established at the date of these presents that neither the Grantor, nor its successors or assigns, shall nor will at any time hereafter ask, demand, recover or receive any such damage by reason of the physical grading of said street to conform to the grade as first thereafter established or confirmed by the Grantee.

AND the Grantor, for its successors and assigns, does by these presents further covenant, promise and agree to and with Grantee, its successors and assigns, that the said easement and the right-of-way described unto the Grantee, its successors and assigns, against it the Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him or them or any of them, shall and will warrant and forever defend.

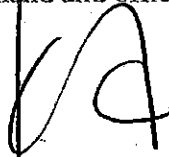
COMMONWEALTH OF PENNSYLVANIA:

: SS.

COUNTY OF MONTGOMERY :

On this the 17th day of August A.D., 2005, before me the undersigned personally appeared Geoffrey Pinney, known to me or satisfactorily proven to be an owner of property at 24 Morris Road, Upper Dublin Township, Montgomery County, PA, parcel number 54-00-02998-008, and the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



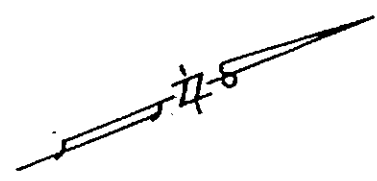
Notary Public

NOTARIAL SEAL
JENNIFER A. EHINGER, Notary Public
Whitemarsh, Montgomery County
My Commission Expires October 10, 2005

PAHUTSKI LAND SURVEYING

Professional Land Surveyor

500 BRADFORD ROAD
ORELAND, PA 19075-2411
(215) 233-3822



4 August 2004

Description of Property
For
Dedication to Upper Dublin Township

Prepared for

WHITEMARSH RESTORATIONS

403 E. Butler Pike
Upper Dublin Township ~ Montgomery County
Pennsylvania

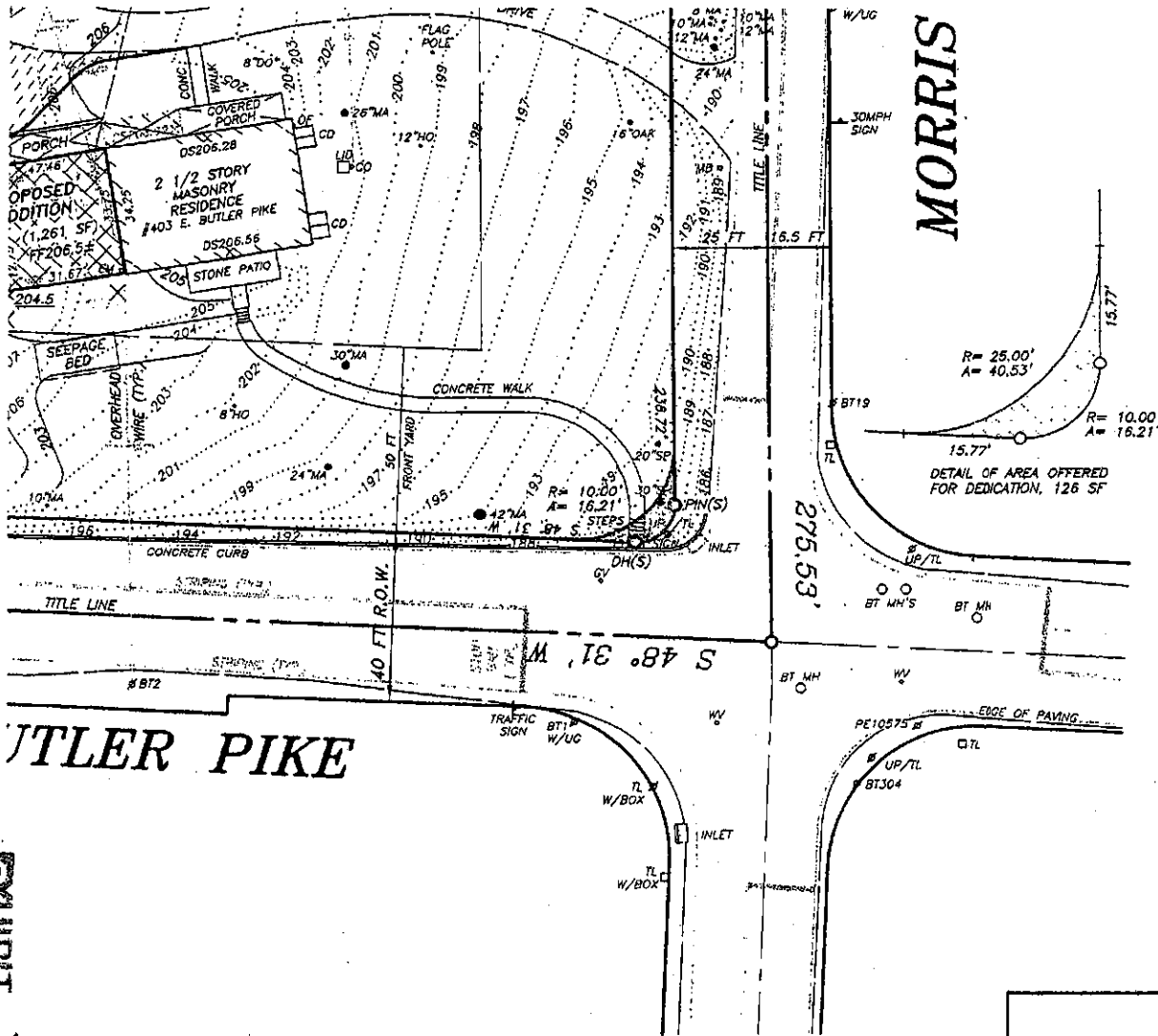
All that certain parcel of land designated as area to be dedicated to Upper Dublin Township, situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania bounded and described in accordance with a Grading Plan prepared for Whitemarsh Restorations dated 3 June 2004 and last revised 4 August 2004 as prepared by Pahutski Land Surveying, Oreland, Pennsylvania.

Beginning at a drill hole set on the northwesterly side of Butler Pike, 40 feet wide, said point being at the arc distance of 16.21 feet measured along the arc of a circle curving to the right having a radius of 10.00 feet from a pin set on the southwesterly side of Morris Road, 41.5 feet wide, Thence from the said POINT OF BEGINNING along the said northwesterly side of Butler Pike South 48 degrees 31 minutes West 15.77 feet to a point, a corner; Thence in and through lands of 403 E. Butler Pike, of which this was a part, along the arc of a circle curving to the left having a radius of 25.00 feet the arc distance of 40.53 feet to a point, a corner on the aforesaid southwesterly side of Morris Road; Thence along the said southwesterly side of Morris Road South 44 degrees 22 minutes East 15.77 feet to a pin set, a corner; Thence partly along the same, along the arc of a circle curving to the right having a radius of 10.00 feet the arc distance of 16.21 feet to the first mentioned point and place of beginning on the said northwesterly side of Butler Pike.

Containing 126 square feet, being the same more or less.

Kenneth Pahutski
KENNETH PAHUTSKI

EXHIBIT A



MAX HEIGHT (FRONT)	30 FT	34 FT	34 FT
MAX HEIGHT (ACCESS)	20 FT	N/A	N/A
MAX BLDG COVER	15 %	5 %	10 %
ACCESSORY YARD	20 FT	N/A	N/A

6. SITE COVERS
- | | EXISTING | PROPOSED |
|------------|---------------|----------------|
| BUILDING | 3,448 SF, 6% | 6,239 SF, 10% |
| IMPERVIOUS | 8,965 SF, 14% | 12,995 SF, 21% |
- (BUILDING AREAS INCLUDE PORCHES)
7. STORMWATER COMPUTATIONS:
- PROPOSED INCREASE IN IMPERVIOUS COVER = 4,030 SF
 - REQUIRED STORAGE (4,030 SF/24) = 168 CF
 - STONE SEEPAGE BED (40% VOIDS) = 420 CF
 - PROVIDE STONE BED 2' DEEP, 10' WIDE, 21' LONG
 - PROVIDED STORAGE VOLUME = 168 CF
 - ALL RUNOFF FROM NEW ROOF AREAS TO BE PIPED TO PROPOSED STONE SEEPAGE BED.
8. ALL CONSTRUCTION ON THIS PROJECT TO BE PERFORMED IN ACCORDANCE WITH UPPER DUBLIN TOWNSHIP STANDARDS AND SPECIFICATIONS.

4 AUGUST 2004 - REVISED PER TOWNSHIP ENGINEER COMMENTS
 14 JULY 2004 - REVISED FOR NEW HOUSE FOOTPRINT PER CLIENT

© COPYRIGHT PAHUTSKI LAND SURVEYING JUNE 2004

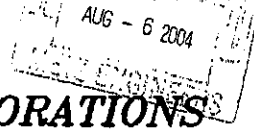
ALL RIGHTS RESERVED. NO ALTERATIONS, REPRODUCTIONS OR USE OF ANY PORTION OF THE CONTENTS OF THIS PLAN MAY BE MADE WITHOUT THE EXPRESS WRITTEN CONSENT OF KENNETH W. PAHUTSKI, PLS.

GRADING PLAN

PREPARED FOR :

WHITEMARSH RESTORATIONS

403 E. BUTLER PIKE
 UPPER DUBLIN TOWNSHIP
 MONTGOMERY COUNTY
 PENNSYLVANIA



SHEE.
 1 OF 2

PREPARED BY :

PAHUTSKI LAND SURVEYING

Professional Land Surveyor

500 BRADFORD ROAD
 ORELAND, PENNSYLVANIA 19075
 (215) 233-3822, FAX 233-4845

SCALE :
 1" = 30'

DATE:
 3 JUNE 2004

PLAN NO. :
 M-54-35-33

Kenneth W. Pahutski
 KENNETH W. PAHUTSKI

PA LC. #SU-36947-E

ONLY THOSE PLANS WITH ORIGINAL SIGNATURE IN RED ACROSS IMPRESSION SEAL SHOULD BE CONSIDERED OFFICIAL AND RELIED UPON BY THE USER.

EXHIBIT B

EXHIBIT B

RESOLUTION NO. 1887

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A WIDENED PORTION OF A PUBLIC STREET**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from John Wozniak (hereinafter "Grantor") a Deed of Dedication for a widened portion of a public street known as Camp Hill Road more fully described in Exhibit "A" attached hereto; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan (the "Plan") filed by or on behalf of Grantor showing the Street, which Subdivision Plan was prepared by Eastern/Chadrow Associates, Inc., with Plan No. E1903-1 dated July 7, 2003 , with last revision dated June 30, 2004 , with Improvement Construction Plans consisting of seven drawings, which plans set forth that portion of the Street hereby dedicated; and

WHEREAS, the Street has heretofore been improved according to Township specifications; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the widened portion of the Street will be opened and dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Deed of Dedication offered to the Township for the widened portion of Camp Hill Road more fully described as set forth on the Plan is hereby accepted.

2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

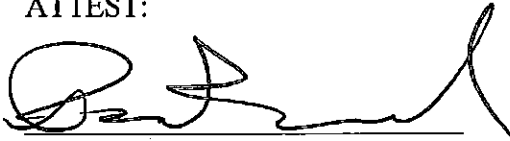
3. The widened portion of this public street as described in the attached Exhibit shall hereafter be designated on the official map of streets in the Township.

RESOLVED, this 17th day of October, 2005.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

RESOLUTION NO. 1888

A RESOLUTION ESTABLISHING THE BUDGET FOR FISCAL YEAR 2006.

WHEREAS, in accordance with the First Class Township Code, the Board of Commissioners have prepared and reviewed an annual budget for the fiscal year 2006 detailing the estimated amounts of money required for the specific purposes of the Upper Dublin Township government for the ensuing fiscal year including estimated receipts, expenditures and appropriations, and,

WHEREAS, the proposed 2006 budget was advertised as required by law and presented at a public hearing on November 19, 2005, and,

WHEREAS, amendments were made to the proposed budget during the public budget hearings legally advertised and held on November 30, December 6 2005, and December 13, 2005, and,


WHEREAS, the proposed budget as amended will take effect on January 1, 2006;

THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby adopts the annual budget, detailed in the attached exhibits, for fiscal year 2006.

ADOPTED this 13th day of December 2005.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
Robert J. Pesavento, President

ATTEST: 
Paul A. Leonard, Secretary



RESOLUTION NO. 1889
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER SUPPLY AND WASTEWATER MANAGEMENT

DEP Code No.

**RESOLUTION FOR PLAN REVISION
FOR NEW LAND DEVELOPMENT**

RESOLUTION OF THE (~~SUPERVISORS~~) (COMMISSIONERS) (~~COUNCILMEN~~) of Upper Dublin Township
(TOWNSHIP) (~~BOROUGH~~) (~~CITY~~), Montgomery COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS Michael Evans has proposed the development of a parcel of land identified as
land developer

Drexel Avenue, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

proposes that such subdivision be served by: (check all that apply), sewer tap-ins, sewer extension, new treatment facility, individual onlot systems, community onlot systems, spray irrigation, retaining tanks, other, (please specify).

WHEREAS, Upper Dublin Township finds that the subdivision described in the attached
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the (~~Supervisors~~) (Commissioners) (~~Councilmen~~) of the (Township)

(~~Borough~~) (~~City~~) of Upper Dublin hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

[Signature], Secretary, UPPER DUBLIN
(Signature)

Township Board of ~~Supervisors~~ (~~Borough Council~~) (~~City Councilmen~~), hereby certify that the foregoing is a true copy of the Township (~~Borough~~) (~~City~~) Resolution # 1889, adopted, DECEMBER 13, 2005

Municipal Address:

801 Loch-Alsh Avenue
Fort Washington, PA 19034
Telephone 215-643-1600

Seal of
Governing Body

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

RESOLUTION
NO. 1890

**A RESOLUTION TO AUTHORIZE EXTENSION OF THE EXTENDED CABLE
TELEVISION FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP OF UPPER
DUBLIN AND COMCAST OF PENNSYLVANIA, LLC**

WHEREAS, cable services are highly desired and at times necessary services for the people, businesses, schools, and other institutions and organizations in the Township of Upper Dublin (hereinafter "the Township"); and

WHEREAS, the provision of cable services necessitates an agreement for use of public rights-of-way between the Township and all cable providers desiring to offer services in the Township; and

WHEREAS, cable service franchises in the Township are governed by the Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer Protection Act of 1992 (hereinafter collectively "the Cable Act") and the Township Cable Communications Regulatory Code (hereinafter "the Cable Code"); and

WHEREAS, Comcast of Pennsylvania, LLC (hereinafter "Comcast") provides cable services in the Township through an existing cable services franchise established by the existing Cable Television Franchise Agreement with the Township effective July 1, 1995, as extended by the Cable Franchise Extension Agreement between the Township and Comcast effective June 30, 2005 (hereinafter "the Extended Franchise Agreement"); and

WHEREAS, the Extended Franchise Agreement expires on December 31, 2005; and

WHEREAS, the Township and Comcast are currently negotiating a renewal of Comcast's cable services franchise; and

WHEREAS, Verizon Pennsylvania Incorporated ("Verizon") has made a proposal to offer cable services in the Township and has requested a cable franchise agreement with the Township; and

WHEREAS, Verizon's proposal to offer cable services in the Township has complicated the Township's negotiations with Comcast because of concerns about competitive equity; and

WHEREAS, the negotiations between the Township and Comcast will not be complete before the expiration of the Extended Franchise Agreement on December 31, 2005; and

WHEREAS, it is in the common interest of the Township, Comcast, and the public for Comcast's customers in the Township to continue to receive cable services under the existing

Extended Franchise Agreement until a new franchise and agreement are approved;

WHEREAS, Comcast has agreed to a further extension of the Extended Franchise Agreement to September 30, 2006

NOW, THEREFORE BE IT RESOLVED by the Board as follows:

1. The Township shall continue to negotiate with Comcast to approve a new franchise and agreement for the provision of cable services in the Township.

2. The President of the Board is authorized to execute for the Township an extension agreement with Comcast to extend the Extended Franchise Agreement and its existing terms and conditions through September 30, 2006, or until a new cable franchise and agreement are approved by the Township and Comcast, whichever occurs first, subject to, and conditioned upon, the following terms and conditions:

A. All terms and conditions of the Extended Franchise Agreement shall remain in full force and effect during the second extension period.

B. The extension of the Extended Franchise Agreement shall have no adverse effect on Comcast's compliance, nor shall the extension be grounds for any change or modification in the terms, conditions, and obligations of the franchise.

C. The extension of the Extended Franchise Agreement will not affect, diminish, impair or supercede the binding nature of the existing laws, ordinances, resolutions, and agreements applicable to operation of cable systems in the Township.

D. The Township's agreement to extend the Extended Franchise Agreement shall not be construed in any manner whatsoever to constitute a waiver or release of any rights the Township may have under the Extended Franchise Agreement, the Cable Code, or the Cable Act.

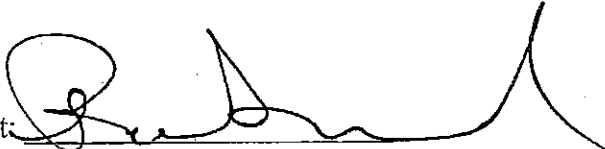
RESOLVED, this 10th day of January, 2006, at a public meeting of the Board of Commissioners.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY:


Robert J. Resavento, President

Attest:


Paul A. Leonard, Secretary

RESOLUTION

NO. 1891

**RESOLUTION TO ACCEPT DEEDS OF DEDICATION FOR
STORMWATER MANAGEMENT
TWIN POND (PILEGGI TRACT) DEVELOPMENT**

WHEREAS, on June 12, 2003, the Board of Commissioners of Upper Dublin Township approved a five lot subdivision plan (the "Plan") presented by JOHN G. EICHENLAUB, INC. for the Pileggi Tract, a parcel of ground bounded by Broad Street, Twin Pond Road and Catlin Way, all improved public streets in Upper Dublin Township; and

WHEREAS, the Plan was recorded on June 25, 2003 in the office of the Recorder of Deeds, Norristown, Pennsylvania in Plan Book A-61, Page 293; and

WHEREAS, the Plan shows a Stormwater Management Easement; and

WHEREAS, IAN M. COMISKY and MARGI COMISKY (collectively "Grantor Lot 2") are the successors to John G. Eichenlaub, Inc. as the owner of Lot 2, 1454 Catlin Way, Montgomery County Tax Parcel No. 54-00-02701-017; and

WHEREAS, RANDY M. FRIED and JULIE FRIED (collectively "Grantor Lot 4") are the successors to John G. Eichenlaub, Inc. as the owner of Lot 4, 1404 Twin Pond Road, Montgomery County Tax Parcel No. 54-00-02701-026; and

WHEREAS, the Township has received Deeds of Dedication for Stormwater Management Easements from Grantor Lot 2 and Grantor Lot 4; and

WHEREAS, all public improvements as shown on the Plan having been constructed and installed, the Board of Commissioners deems it to be in the public interest to accept the said Deeds of Dedication so that the Stormwater Management Easement will be dedicated for public use.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

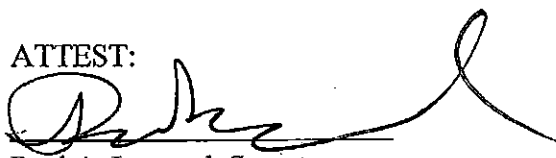
1. The said Deeds of Dedication offered to the Township for the Stormwater Management Easement are accepted.

2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deeds of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 10th day of January, 2006.

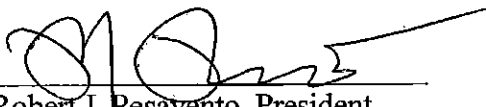
BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:



Paul A. Leonard, Secretary

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By: 
Robert J. Pesavento, President

THIS RESOLUTION MUST BE COMPLETED BY POLITICAL SUBDIVISION IF APPLYING FOR A POLICE OFFICER TO ATTEND A BASIC TRAINING PROGRAM (NOT NECESSARY WITH WAIVER REQUESTS)

RESOLUTION

RESOLUTION NO. 1892

AND NOW, this 10th day of JANUARY, 2006, the TOWNSHIP OF UPPER DUBLIN, of MONTGOMERY County, Pennsylvania, being desirous of obtaining reimbursement of monies for expenses incurred for officer DOUGLAS KYLE RUBY, pursuant to the training provisions of the Municipal Police Officers' Education and Training Act, Act 120 of 1974, hereby enacts the following RESOLUTION:

BE IT RESOLVED by the TOWNSHIP OF UPPER DUBLIN and it is hereby resolved by the authority of same THAT the TOWNSHIP OF UPPER DUBLIN hereby agrees that while receiving any funds from the Commonwealth of Pennsylvania pursuant to said Act, the TOWNSHIP OF UPPER DUBLIN shall adhere to the rules, regulations and training standards established by the Municipal Police Officers' Education and Training Commission.

IN WITNESS WHEREOF the TOWNSHIP OF UPPER DUBLIN hereby authorizes the execution and attestation of the RESOLUTION and the date first above written.

by: [Signature] ROBERT PESAVENTO, PRESIDENT OF BOARD

SEAL

ATTEST

[Signature] SIGNATURE - SECRETARY

PAUL A. LEONARD

TYPED NAME



APPLICATION FOR PERMIT TO INSTALL AND OPERATE TRAFFIC SIGNALS

DATE

RESOLUTION NO. 1893

WHEREAS, the Township of Upper Dublin, in Montgomery County

desires to erect, operate, and maintain traffic signals at the intersection of S. Limekiln Pike (S.R. 0152) and Dreshertown Road

WHEREAS, the Vehicle Code requires the approval of the Secretary of Transportation before any traffic signals may be legally erected or reconstructed, and

WHEREAS, the Department of Transportation requires an engineering drawing of the location, the Township of Upper Dublin will prepare such a drawing in conformance with the instructions provided by the Department.

NOW, THEREFORE, BE IT RESOLVED, that traffic signals be erected at the above mentioned location, subject to the approval of the Secretary of Transportation, and that his approval is hereby requested, and

BE IT FURTHER RESOLVED, that, in the event a traffic signal permit is approved after proper investigation, the Township of Upper Dublin will be bound by the following provisions:

The traffic signals shall be installed and maintained in accordance with the Vehicle Code and the Regulations for traffic signs, signals, and markings of the Department of Transportation and Should future highway or traffic conditions, or legal requirements, necessitate alteration of the construction or operation, or hours of operation, or removal of the traffic signals at the above mentioned location, they shall be altered or removed when and as directed by the Secretary of Transportation.

I, PAUL A. LEONARD, Secretary of the Township of Upper Dublin

do certify that the foregoing is a true and correct copy of the resolution legally adopted at the meeting held

2/14/06 (DATE)

SEAL

Signed [Signature]

**UPPER DUBLIN TOWNSHIP BOARD OF COMMISSIONERS
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 1894

**RESOLUTION TO ACCEPT EASEMENTS AND STREETS
AS SHOWN ON APPROVED SUBDIVISION PLAN FOR
"TALL OAKS"**

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan for "Tall Oaks" which shows a storm sewer easement located on Lot 1, also known as Parcel No. 54-00-07218-009, also known as 101 Gift Circle, which Subdivision Plan was prepared by Woodrow & Associates, Inc., dated June 15 2000, as last revised May 17, 2001, bearing Job No. 99-1202 D, and recorded on July 2, 2001, in the Office for Recording of Deeds, Norristown, Pennsylvania at Book A060, page 0106 (hereinafter referred to as the "Recorded Plan"); and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows a storm sewer easement located on Lot 3, also known as Parcel No. 54-00-07218-027, also known as 109 Gift Circle; and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows a storm sewer easement located on Lot 4, also known as Parcel No. 54-00-07218-036, also known as 113 Gift Circle; and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows a storm sewer easement located on Lot 5, also known as Parcel No. 54-00-07218-045, also known as 117 Gift Circle; and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows a storm sewer easement located on Lot 9, also known as Parcel No. 54-00-07218-207, also known as 108 Gift Circle; and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows a snow removal easement located on Lot 6, also known as Parcel No. 54-00-07218-063, also known as 120 Gift Circle; and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows a snow removal easement located on Lot 7, also known as Parcel No. 54-00-07218-072, also known as 116 Gift Circle; and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows that Gift Circle will be dedicated as a public street; and

WHEREAS, the Board of Commissioners has heretofore approved the Recorded Plan which shows that the Tennis Avenue Right-of-Way will be dedicated to the Township; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept the easements appearing on the Recorded Plan so that Upper Dublin Township can provide maintenance to the underground piping and inlets located on Lots 1, 3, 4, 5, and 9; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept the easements appearing on the Recorded Plan so that Upper Dublin Township can provide maintenance to the snow removal areas located on Lots 6 and 7; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept Gift Circle as a public street; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept the Tennis Avenue Right-of-Way.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The storm sewer easements located on Lots 1, 3, 4, 5, and 9 as described in the Recorded Plan are hereby accepted.
2. The snow removal easements located on Lots 6 and 7 as described in the Recorded Plan are hereby accepted.
3. The dedication of Gift Circle as described in the Recorded Plan is hereby accepted.
4. The dedication of the Tennis Avenue Right-of-Way as described in the Recorded Plan is hereby accepted.
5. The proper officers of the Township are authorized to record this Resolution along with any related deeds of dedication which the Township may acquire in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

Approved by the Board of Commissioners of Upper Dublin Township this 14th day of February, 2006.

UPPER DUBLIN TOWNSHIP

BY:


ROBERT J. PESAVENTO, President

Attest:


PAUL A. LEONARD, Secretary

RESOLUTION

NO. 1895

A RESOLUTION Of The Township Of Upper Dublin Authorizing The Acquisition Of A Property Situated Off Jarrettown Road Containing Approximately 12.2 Acres Of Land Within The Township For Park And Other Public Purposes Of The Township.

WHEREAS, the Township of Upper Dublin (the "Township") has adopted a plan for the recreational and open space needs of the Township; and

WHEREAS, the Township is authorized to acquire real estate for public purposes, including, among other things, for park, recreational and open space purposes; and

WHEREAS, there is a parcel of approximately 19.2 acres of land situated at 1701 Jarrettown Road being Parcel Number 54-00-09085-005. Approximately 12.2 acres of that parcel would be suitable as open space and recreational land which the Township desires to acquire for such purposes:

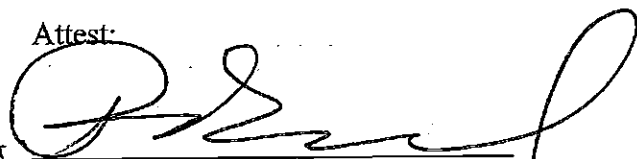
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the acquisition of the approximately 12.2 acres of vacant land off of Jarrettown Road, as set forth on Exhibit A, being part of Parcel No. 54-00-09085-005 (the "Premises"), together with an appropriate easement of access from the Premises to Jarrettown Road across property now of Philadelphia Montgomery Christian Academy, is hereby authorized, at a purchase price cost not to exceed \$1,150,000.00 (exclusive of normal costs of closing and subdivision costs), and that the appropriate officers of the Township are authorized to take such actions as may be necessary to carry out the intent of this resolution, including executing and delivering on behalf of the Township an Agreement for the acquisition of the Premises and all other necessary actions for closing.

DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this 14th of February, 2006.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 
Robert J. Pesavento, President

Attest:


Paul A. Leonard, Township Secretary

TOWNSHIP OF UPPER DUBLIN

RESOLUTION NO. 1896

**A RESOLUTION TO AUTHORIZE AN INTERGOVERNMENTAL AGREEMENT
WITH OTHER MONTGOMERY COUNTY MUNICIPALITIES
FOR LEGAL SERVICES TO NEGOTIATE A MODEL AGREEMENT WITH VERIZON
FOR CABLE SERVICES**

WHEREAS, the First Class Townships pursuant to the provisions of the "First Class Township Code", 53 P.S. §55101, et seq., when not inconsistent with state or federal law, are authorized to oversee and regulate trade, commerce, and the use of public streets, ways and property within their jurisdictions; and

WHEREAS, "The First Class Township Code", supra., as well as the provisions of 53 Pa. C.S.A. §2301, et. seq., provide for intergovernmental cooperation between and among municipalities in the exercise or performance of their respective governmental functions, powers, and responsibilities and authorize joint agreements as may be deemed appropriate for such purposes; and

WHEREAS, numerous townships and boroughs in the Montgomery County Consortium of Communities have determined that it is in the best interests of their residents to cooperate in obtaining legal services for the negotiation of a Model Cable Franchise Agreement ("Model Agreement") with Verizon Pennsylvania Incorporated ("Verizon") for the provision of cable television services ("cable services") to the respective municipalities; and

WHEREAS, the Governing Body of the Township of Upper Dublin has determined that it is in the best interests of the residents of Upper Dublin Township to cooperate with other Montgomery County municipalities in obtaining legal services for the negotiation of the Model Agreement with Verizon; and

WHEREAS, the Governing Body of the Township of Upper Dublin desires to authorize its appropriate officers to enter into an Intergovernmental Agreement with other Montgomery County municipalities for obtaining legal services for the negotiation of a Model Agreement with Verizon for cable services pursuant to the terms of the Intergovernmental Agreement;

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NOW, THEREFORE, BE IT RESOLVED as follows:

The appropriate officers of the Township of Upper Dublin are hereby authorized to enter into an Intergovernmental Agreement with other Montgomery County municipalities to obtain legal services for the negotiation of a Model Agreement with Verizon for cable services. A true and correct copy of the Intergovernmental Agreement, which is authorized hereby, is attached hereto as Exhibit "A" and incorporated herein by reference.


RESOLVED this 14th day of February, 2006 at a public meeting.

Upper Dublin Township

BY: _____


Robert J. Pesavento
President

ATTEST:



Paul A. Leonard
Manager / Secretary

INTERGOVERNMENTAL AGREEMENT

LEGAL SERVICES FOR NEGOTIATION OF A MODEL AGREEMENT WITH VERIZON FOR THE PROVISION OF CABLE SERVICES

THIS AGREEMENT, by and between UPPER DUBLIN TOWNSHIP (hereinafter the "Participating Municipalities").

BACKGROUND

WHEREAS, the Boroughs pursuant to the provisions of "The Borough Code", 53 P.S. §45101, et seq., and the Second Class Townships pursuant to the provisions of "The Second Class Township Code", 53 P.S. §65101, et seq., and the First Class Townships pursuant to the provisions of the "First Class Township Code", 53 P.S. §55101, et seq., when not inconsistent with state or federal law, are authorized to oversee and regulate trade, commerce, and the use of public streets, ways and property within their jurisdictions; and

WHEREAS, the Participating Municipalities as cable television franchising authorities pursuant to the provisions of the "Cable Communications Policy Act" of 1984, October 30, P.L. 98-549, 98 Stat. 2779, 47 USC 601 et seq., as amended by the "Cable Television Consumer Protection and Competition Act" of 1992, October 5, P.L. 102-385, 106 Stat. 14 (collectively the "Cable Act"), have the authority, as provided for therein, to franchise, and regulate cable television service ("cable service") within their jurisdictions; and

WHEREAS, Verizon Pennsylvania Incorporated ("Verizon") is in the process of installing fiber optic lines known as "fiber to the premises" to provide broadband service to residents of the Participating Municipalities including, inter alia, cable service; and

WHEREAS, the Participating Municipalities wish to negotiate a Model Cable Franchise Agreement ("Model Agreement") with Verizon for the provision of cable service to the respective municipalities; and

WHEREAS, the Participating Municipalities submitted a request for proposals for legal services to negotiate a Model Agreement with Verizon for cable service to the Participating Municipalities, such legal services and negotiation being hereinafter referred to as the "Project"; and

WHEREAS, the Participating Municipalities wish to accept the proposal submitted by Daniel S. Cohen, Esquire, of Cohen Telecommunications Law; and

WHEREAS, "The Borough Code", supra., and "The Second Class Township Code", supra., and the "First Class Township Code", supra., as well as the provisions of 53 Pa. C.S.A. §2301, et seq., provide for intergovernmental cooperation between and among municipalities in the exercise or performance of their respective governmental functions, powers, and

EXHIBIT "A"

responsibilities and authorize joint agreements as may be deemed appropriate for such purposes; and

WHEREAS, the Participating Municipalities wish to enter into an Intergovernmental Agreement providing for intergovernmental cooperation for the negotiation of a Model Agreement with Verizon for cable service in the best interests of the residents of the Participating Municipalities and to set forth the terms and conditions thereof;

NOW, THEREFORE, in consideration of the premises set forth above and intending to be legally bound hereby, the Participating Municipalities do agree as follows:

WITNESSETH:

1. The Participating Municipalities hereby appoint Daniel S. Cohen, Esquire, of Cohen Telecommunications Law Group (hereinafter referred to as the "Special Counsel") to negotiate a Model Agreement between Verizon and the Participating Municipalities on the basis of the terms and conditions set forth in the proposal dated _____, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.
2. A Negotiating Committee shall be comprised of six (6) members from the Participating Municipalities, appointed by majority vote of the Participating Municipalities.
3. The Negotiating Committee shall appoint a person from the committee as Chairperson.
4. Participating Municipalities shall communicate through the Negotiation Committee.
5. The Negotiation Committee, via the Chairperson, shall communicate directly with the Special Counsel.
6. The Special Counsel shall communicate directly with Verizon.
7. The Participating Municipalities hereby establish an initial budget of Twenty Thousand Dollars (\$20,000.00) for the Project. The Montgomery County Consortium of Communities ("MCCC") will contribute 50% or up to \$10,000.00 of the project cost. The balance of the Project shall be shared proportionally by the Participating Municipalities based on their population as set forth in the 2000 Census. A list of the Participating Municipalities, their 2000 population, and their respective costs for the Project is attached hereto as Exhibit "B" and incorporated herein by reference.
8. Each Participating Municipality shall pay the cost set forth in Exhibit "B" to Lower Merion Township, the MCCC Treasurer, which will maintain an escrow account, pay the Special Counsel for the Project, and provide an accounting of the expenditures made for the Project at the request of any Participating Municipality.

9. The Participating Municipalities acknowledge that there may be additional costs associated with the Project. If additional funds are required for the Project, each Participating Municipality will contribute funds based on the percentage set forth in Exhibit "B"

10. All additional work and costs associated with the Project shall be approved by the Negotiating Committee.

11. Each Participating Municipality shall be responsible for its own out-of-pocket costs and its own solicitor's fees with regard to review of the Model Agreement with Verizon, direct communication with the Special Counsel, and any revisions to the Model Agreement ultimately distributed by the Special Counsel to the Participating Municipalities.

12. If at any time, a Participating Municipality wishes to end its participation in the Project, it shall give thirty (30) days written notice to the President of the Montgomery County Consortium of Communities that it no longer wishes to participate; however, in no event shall any funds already paid for the Project be refunded to any Participating Municipality.

13. Any additional municipality that requests to become a party to this Agreement and participate in the Project shall be admitted by a two-thirds (2/3) vote of the Participating Municipalities. Any new Participating Municipality shall contribute its share of the cost of this project based on its 2000 population plus an additional one thousand dollars (\$1,000), and shall be subject to all terms and conditions of this Agreement.

14. Any funds remaining upon the completion of the Project shall be refunded to the Participating Municipalities according to the percentages set forth in Exhibit "B" hereto.

15. This Agreement shall be construed in accordance with the laws of the Commonwealth of Pennsylvania.

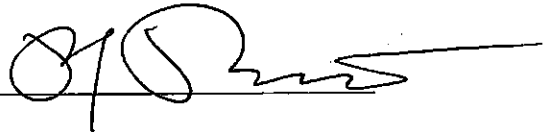
16. This Agreement represents the entire agreement between the parties hereto. Any amendment to this Agreement shall be in writing and must be signed by all parties hereto in order to be valid and enforceable.

17. This Agreement may be executed in counterparts, each Intergovernmental Agreement signed by a Participating Municipality shall become a part of the whole Intergovernmental Agreement and shall bind that Participating Municipality to the terms of this Agreement.

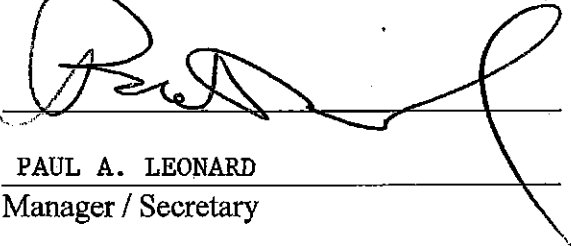
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INTENDING to be legally bound hereby, UPPER DUBLIN TOWNSHIP as approved by Resolution the 14th day of FEBRUARY, 2006, agrees to be a Participating Municipality under the terms and conditions of this Agreement by setting forth the hand and seal of its Chairman/President and Manager/Secretary this 14th day of FEBRUARY, 2006.

UPPER DUBLIN TOWNSHIP
MUNICIPALITY

BY: 
ROBERT J. PESAVENTO
Chairman / President

ATTEST:


PAUL A. LEONARD
Manager / Secretary

RESOLUTION

NO. 1897

**RESOLUTION TO ACCEPT DEEDS OF DEDICATION FOR
STORMWATER MANAGEMENT
TWIN POND (PILEGGI TRACT) DEVELOPMENT**

WHEREAS, on June 12, 2003, the Board of Commissioners of Upper Dublin Township approved a five lot subdivision plan (the "Plan") presented by JOHN G. EICHENLAUB, INC. for the Pileggi Tract, a parcel of ground bounded by Broad Street, Twin Pond Road and Catlin Way, all improved public streets in Upper Dublin Township; and

WHEREAS, the Plan was recorded on June 25, 2003 in the office of the Recorder of Deeds, Norristown, Pennsylvania in Plan Book A-61, Page 293; and

WHEREAS, the Plan shows a Stormwater Management Easement; and

WHEREAS, RUDOLPH A. LUTTERSCHMIDT and FLORENCE S. LUTTERSCHMIDT (collectively "Grantor Lot 3") are the successors to John G. Eichenlaub, Inc. as the owner of Lot 3, 1400 Twin Pond Road, Montgomery County Tax Parcel No. 54-00-02698-011; and

WHEREAS, the Township has received a Deed of Dedication for Stormwater Management Easement from Grantor Lot 3; and

WHEREAS, all public improvements as shown on the Plan having been constructed and installed, the Board of Commissioners deems it to be in the public interest to accept the said Deed of Dedication so that the Stormwater Management Easement will be dedicated for public use.

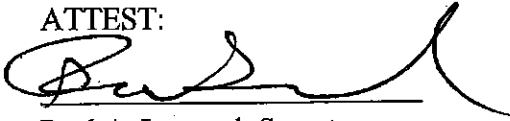
NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The said Deed of Dedication offered to the Township for the Stormwater Management Easement is accepted.
2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 14th day of February, 2006.

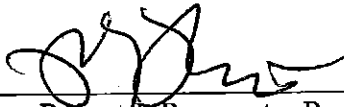
BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:



Paul A. Leonard, Secretary

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By: 
Robert J. Pesavento, President

RESOLUTION NO. 1898

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF UPPER DUBLIN
TOWNSHIP ADOPTING CERTAIN POLICIES TOWARD
THE POTENTIAL DEVELOPMENT OF THE BUB FARM**

WHEREAS, Upper Dublin Township appreciates the enthusiasm and energy of the Upper Dublin Junior Athletic Association (UDJAA) and the Upper Dublin Youth Football Booster Association (UDYFBA); and

WHEREAS, those groups in conjunction with the Township and our various State Representatives and Senators are seeking funding for development of portions of the Bub Farm; and

WHEREAS, the Board of Commissioners would like to articulate certain issues and policies which would be applied to the planning, design and operations of those potential improvements.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Upper Dublin Township would establish the following positions regarding funding, design and operations of such improvements to the Bub Farm which may occur.

1. Funding – the Township would consider funding from the Commonwealth of Pennsylvania as funds to be credited in addition to the original commitments made by the UDJAA and the UDYFBA (\$200,000).

Whereas, such improvements would likely be covered under the State's Prevailing Wage Law, that all associated budgets should contemplate paying prevailing wages.

2. Design – potential design should anticipate the possibility or interest in sport lighting. The Board of Commissioners would like to establish that such improvements would only take place with sensitivity to the incursion of light on adjacent properties in compliance with all associated ordinances. Further, that the Township will set forth a limitation to the use of the sport lighting to 9:30 PM.

Further, given the volume and speed of traffic on Susquehanna Road, the design should anticipate that there will not be public parking permitted along Susquehanna Road particularly in the acceleration and deceleration lanes being constructed by Fort Washington Estates/ACTS.

Further that the Township is concerned about the potential construction of above-ground structures, particularly bleachers and press boxes, which might have a negative aesthetic impact on adjacent properties. Permanent buildings will be limited in height to one story with a peaked roof not to exceed 18 ft from ground level unless the Board of Commissioners takes specific action to alter this requirement.

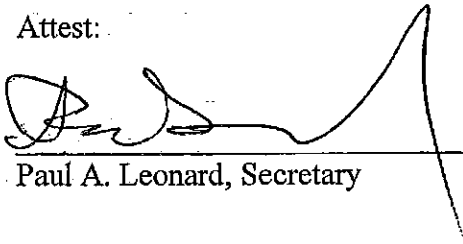
Further that the Township has negotiated for significant stormwater improvements on portions of the Bub Farm property and would ask that the potential design make use of pervious or gravel parking wherever legally possible.

3, Operations- Further, the Board of Commissioners would remind all groups associated with raising funds and planning for the potential use of this property, that it is to be multi-use in nature and that the Township would consider, within its standard permitting practices, priorities to encourage for the best use the improvements by the most number of residents practical. Additionally, the cost of water for irrigation and electricity for field lighting will be paid for by the primary users of the field.

Finally, the Township would like to meet and discuss full operational agreements regarding mowing schedules prior to the completion of the final design.

ADOPTED this ^{14th} day of March, 2006.

Attest:



Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 

Robert J. Pesavento, President

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

RESOLUTION NO. 1899

Resolved by the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, That

WHEREAS, In 1872, Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our township increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, BE IT RESOLVED that the Upper Dublin Township Board of Commissioners does hereby proclaim April 28, 2006 as

ARBOR DAY

in the Township of Upper Dublin, and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

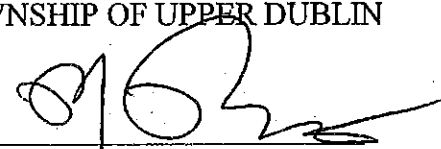
FURTHER, we urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Signed this 14th day of March, A.D. 2006.

IN WITNESS WHEREOF:
OFFICE OF UPPER DUBLIN


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President