

TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA
ORDINANCE NO. 77

AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WASHINGTON, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING AND APPROVING AN AGREEMENT AND THE FORM THEREOF BETWEEN THIS TOWNSHIP, ON THE ONE HAND, AND WASHINGTON TOWNSHIP MUNICIPAL AUTHORITY, ON THE OTHER HAND, WHEREBY SAID AUTHORITY WILL COVENANT TO ACQUIRE AND TO CONSTRUCT CERTAIN ADDITIONS, EXTENSIONS, ALTERATIONS AND IMPROVEMENTS TO THE WATER SYSTEM PRESENTLY OWNED AND OPERATED BY SAID AUTHORITY, AND WHEREBY THIS TOWNSHIP WILL MAKE CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT TO SUCH WATER SYSTEM, INCLUDING INTER ALIA, THE GRANTING OF CERTAIN EASEMENTS, RIGHTS OF WAY, RIGHTS AND PRIVILEGES TO SAID AUTHORITY AND OTHER RELATED MATTERS; AUTHORIZING AND DIRECTING EXECUTION, ACKNOWLEDGMENT AND DELIVERY OF SAID AGREEMENT IN BEHALF OF THIS TOWNSHIP; AND AUTHORIZING AND DIRECTING OTHER NECESSARY AND PROPER ACTION.

The Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania (the "Township"), enacts and ordains as follows:

SECTION 1. This Township shall enter into an Agreement (the "Agreement") with Washington Township Municipal Authority (the "Authority"), whereby inter alia, the Authority will covenant and agree to acquire and to construct certain additions, extensions, alterations and improvements to the water production, transmission, storage and distribution system facilities of the Authority, required for rendering water service in and for portions of this Township, and this Township will make certain covenants and agreements with respect to such water system, including, inter alia, the granting of certain easements, rights of way, rights and privileges to the Authority and other related matters. The Agreement shall be substantially in the form presented to this meeting, which Agreement and the form thereof is approved.

SECTION 2. A copy of the Agreement, in the form so presented to this meeting and so approved, shall be filed with the Secretary of this Township and shall be made available for inspection at reasonable times by interested persons requesting such inspection.

SECTION 3. The Chairman or Vice Chairman of the Board of Supervisors and Secretary of this Township, as applicable, are authorized and directed to execute, to attest, to acknowledge and to deliver the Agreement, in behalf of this Township, in the form so approved.

SECTION 4. Proper officers of this Township are authorized and directed to execute all documents and to do all other acts that may be necessary and proper to carry out this Ordinance and the undertakings of this Township in the Agreement.

SECTION 5. This Ordinance shall become effective as provided by law.

SECTION 6. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder of this Ordinance shall be and shall remain in full force and effect.

SECTION 7. It is declared that enactment of this Ordinance and the execution, acknowledgment and delivery of the Agreement is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Township.

SECTION 8. All ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

DULY ENACTED AND ORDAINED, this 16th. day of August, 1982, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WASHINGTON,
Franklin County, Pennsylvania

ATTEST:

Shirley J. Grow
Secretary

By: Larry S. Luce
Chairman of the Board of Supervisors

(SEAL)

CERTIFICATE

I, the undersigned, Secretary of the Township of Washington, Franklin County, Pennsylvania, (the "Township"), certify: that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which duly was enacted by affirmative vote of a majority of all members of the Board at a meeting of the Board duly convened and held according to law on August 16, 1982, at which meeting a quorum was present; that said Ordinance duly has been published as required by law; and that said Ordinance is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Board met the advance notice requirements of Act No. 175 of the General Assembly of the Commonwealth of Pennsylvania, approved July 19, 1974, by advertising the date of said meeting and by posting prominently a notice of said meeting at the public building in which said meeting was held.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 16th. day of August, 1982.

Shirley J. Grow
Secretary

(SEAL)