

UPPER DUBLIN TOWNSHIP RESOLUTIONS

<u>No.</u>	<u>Date</u>	<u>Description</u>
1900	03/14/06	Authorize Funding for New Horizons Montessori School Land Purchase
1901	04/11/06	Adopt Open Space and Environmental Resource Protection Plan
1902	04/11/06	Approve Final Subdivision Plan – Highlands at Fort Washington (Penna)
1903	04/11/06	Adopt Montgomery County Comprehensive Plan "Shaping our Future"
1904	04/11/06	Adopt 537 Plan Revision – Loeb Tract
1905	04/11/06	Approve Final Subdivision Plan – Loeb Tract
1906	04/11/06	Accept Permanent Drainage and Temporary Construction Easements – Inverness and Highland Avenues
1907	04/11/06	Approve Township's Participation in CDBG Phase 6 Application
1908	04/11/06	Approve Reimbursement Agreement between Upper Dublin Township and Abington Township for Ardsley Drainage Project
1909	05/09/06	Approve Amendment No. 4 to Rules and Regulations of Civil Service Commission
1910	06/13/06	Support the Limited Development of the Portion of Piszek Estate
1911	06/13/06	Sewage Facilities Plan Revision – Highlands at Fort Washington – Penna
1912	06/13/06	Accept Deed of Dedication Storm Sewer Easement Reilly – Dublin Woods
1913	06/13/06	Authorize Funding for Acquisition of Property at 1245 Fort Washington Avenue
1914	07/11/06	Oppose Cable Franchising Legislation
1915	07/11/06	Authorize Street Deed of Dedication Logan Avenue
1916	07/11/06	Accept Street Deed of Dedication Logan Avenue
1917	08/08/06	Declare Property at 456 Renfrew Avenue a Nuisance and Hazard
1918	09/12/06	Authorize Federal Court Order – Drescher Estates Permit 112 Units

1919	09/12/06	Authorize Referendum Electoral Debt Question
1920	10/10/06	Support Clean Energy
1921	11/14/06	Approve Verizon Cable Franchise Agreement
1922	11/14/06	Deny Preliminary Subdivision Plan – Kasser – 3212 and 3216 Woodland Road
1923	11/14/06	Advertise Sale of Unused Land – Kenyon Drive
1924	12/12/06	Budget Adoption 2007
1925	01/09/07	Accept Deed of Dedication Virginia Drive
1926	01/09/07	Accept Deed of Dedication Camp Hill Road
1927	01/09/07	State Highway Maintenance
1928	01/09/07	Accept Deed of Dedication 418 Logan Avenue
1929	01/09/07	Accept Deed of Dedication 420 Logan Avenue
1930	01/09/07	Accept Deed of Dedication 427/431 Logan Avenue
1931	02/13/07	Accept Deed of Dedication 420, 450 and 470 Ambler Road
1932	02/13/07	Accept Deed of Dedication 420 Delaware Avenue
1933	02/13/07	Accept Deed of Dedication 400 Logan Avenue
1934	02/13/07	Earned Income Tax Collection
1935	02/13/07	Authorize Disposition of Records
1936	02/13/07	Approve PennDOT Reimbursement Agreement – Stainless Steel Poles
1937	02/13/07	Approve and Adopt Standard of Response Cover Ft. Washington Fire Co.
1938	02/13/07	Authorize Internet Bandwidth Agreement Borough of Kutztown
1939	03/13/07	Accept Deed of Dedication 428 Logan Avenue
1940	03/13/07	Accept Deed of Dedication Butler Pike – Sycamore Run
1941	03/13/07	Proclaim April 27, 2007 as Arbor Day

1942	03/13/07	Sewage Facilities Planning Module – BT Limekiln
1943	05/10/07	Accept Snow Placement Easement – 521 and 535 Limekiln Pike.
1944	05/10/07	Accept Deed of Stormwater Management Easement – Lot 2 - 521 and 535 Limekiln Pike.
1945	05/10/07	Accept Deed of Stormwater Management Easement – Lot 3 - 521 and 535 Limekiln Pike.
1946	05/10/07	Accept Deed of Stormwater Management Easement – Lot 5 - 521 and 535 Limekiln Pike.
1947	05/10/07	Accept Deed of Stormwater Management Easement – Lot 7 - 521 and 535 Limekiln Pike.
1948	05/10/07	Authorize Robert J. Pesavento and Paul A. Leonard to execute Extension of Collective Bargaining Agreement with Upper Dublin Township Police Benevolent Association.
1949	06/12/07	Authorize Easement Encroachment Agreement – 1287 Tressler Drive
1950	06/12/07	Authorize Communications Tower Facility Use & Management Agreement
1951	06/12/07	Application for Traffic Signals – Virginia Drive and Eastern Access to 1100 Virginia Drive
1952	06/12/07	Application for Traffic Signals – Virginia Drive and Western Access to 1100 Virginia Drive
1953	06/12/07	Authorize Condemnation of Virginia Drive Right-of-Way
1954	07/10/07	Deny Land Development Plan – Danny Jake – Celebrations
1955	07/10/07	Authorize Execution of Extinguishment of Reversion Rights between Upper Dublin School District and Upper Dublin Township
1956	07/10/07	Authorize Execution of Easement Agreement – 1239 Tressler Drive
1957	08/14/07	Authorize Execution of Traffic Signal Maintenance Agreement – Susquehanna Road and Route 309
1958	08/14/07	Approve Police Officer Attendance at Basic Training Program

1959	08/28/07	Discontinue, Abandon and Vacate a Portion of Golden Circle
1960	09/11/07	Dissolve the Upper Dublin Township Board of Health
1961	09/11/07	Adopt the Montgomery County Natural Hazard Mitigation Plan
1962	10/09/07	Accept Deed of Dedication for 25' Utility Easement – Nadell Golden Circle
1963	10/09/07	Accept Deed of Dedication for Traffic Signal Easement Virginia Drive
1964	10/09/07	Accept Permanent Storm Sewer Easement – 721 Castlewood Drive
1965	11/13/07	Establishment of 401(a) Money Purchase Plan
1966	11/13/07	Support Little Neshaminy Creek River Conservation Plan
1967	11/13/07	Authorize Acquisition of Dillon Road Woodland
1968	12/11/07	Budget Adoption 2008
1969	12/11/07	Approve Police Officer Attendance at Basic Training Program
1970	12/11/07	Establish Police Employee Pension Contributions 2008
1971	12/11/07	Open Space Purchase Reimbursements
1972	12/11/07	Approve Preliminary Land Development Plan – Piszek Tract
1973	12/11/07	Approve Purchase of 2008 Rescue Pumper
1974	12/11/07	Application for Traffic Signals – Susquehanna Road and Upper Dublin Sports Park Drive
1975	12/11/07	Authorize Execution of Comcast Cable Franchise Agreement
1976	01/08/08	Authorize Execution of First Amendment to Communications Site Lease Agreement – SBC Tower Holdings and American Tower
1977	01/08/08	Rates of Compensation Township Engineer 2008
1978	02/19/08	Enforcement and Administration of Pennsylvania Construction Act
1979	02/19/08	Authorize Submission of County Trail Grant Application
1980	03/11/08	Approve Preliminary Land Development – Upper Dublin High School

1981	03/11/08	Authorize Acquisition of Strip of Land – 1625 Dillon Road
1982	03/11/08	Accept Street Deed of Dedication – 415 Dreshertown Road
1983	03/11/08	Endorse U.S. Mayors' Climate Protection Agreement
1984	03/11/08	Proclaim April 25, 2008 as Arbor Day
1985	03/11/08	Approve Updated Emergency Management Plan
1986	04/08/08	Authorize Disposition of Records
1987	04/08/08	Deny Preliminary Land Development – Penmark Auto Group – Dreshertown Road
1988	04/08/08	Authorize Acquisition of 29.5 Acres – Butler Pike
1989	05/13/08	Approve Final Land Development Plan – Upper Dublin High School
1990	05/13/08	Determine Not to Proceed with Warm Water Pool Expansion – Upper Dublin High School
1991	05/13/08	Accept Deed of Dedication Traffic Signal Easement – Twining Road
1992	06/10/08	Sewage Facilities Planning Module – BT Limekiln
1993	06/10/08	Authorize Acquisition of 1.9 Acres – 1255 Fort Washington Avenue
1994	06/10/08	Authorize Reimbursement of Prior Expenditures of Funds from Proceeds of Bonds for Financing of Land Acquisition
1995	06/10/08	Initiate Township Fire Station Improvements
1996	06/24/08	Allow Change of Use at 275 New Jersey Drive for Temporary Bus Storage for School District
1997	07/08/08	Authorize Execution of Settlement Agreement – Eastern Construction
1998	08/12/08	Accept Deed of Dedication – 175 Commerce Drive
1999	08/12/08	Authorize 2008 Electoral Debt Question

RESOLUTION NO. 1900
UPPER DUBLIN TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN CONDITIONALLY APPROVING THE ISSUANCE OF AN INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE NOTE BY THE HATFIELD TOWNSHIP INDUSTRIAL DEVELOPMENT AUTHORITY FOR A FACILITY IN THE TOWNSHIP OF UPPER DUBLIN; THE FOREGOING BEING CONDITIONED UPON THE OCCURRENCE OF A PUBLIC TEFRA HEARING FOR THE PROJECT WHERE THERE IS NO MATERIAL PUBLIC OBJECTION TO THE ISSUANCE OF AN INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE NOTE BY THE HATFIELD TOWNSHIP INDUSTRIAL DEVELOPMENT AUTHORITY; APPOINTING FOX ROTHSCHILD LLP TO CONDUCT AND ATTEND THE TEFRA PUBLIC HEARING WITH RESPECT TO THE APPROVAL OF THE TOWNSHIP OF UPPER DUBLIN WITH RESPECT TO THE ISSUANCE OF AN INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE NOTE BY THE HATFIELD TOWNSHIP INDUSTRIAL DEVELOPMENT AUTHORITY

WHEREAS, the Hatfield Township Industrial Development Authority (the "Authority") has approved the application of New Horizons Montessori School, a non-profit corporation (the "Applicant") for aid in financing of a project pursuant to Pennsylvania Economic Development Financing Law (formerly the Industrial and Commercial Development Law), Act of 1957, as amended; and

WHEREAS, the project (the "Project") consists of (i) the purchase of property located at 1701 Jarrettown Road, Upper Dublin Township, Montgomery County, Pennsylvania (the "Site"); and (ii) the payment of the costs of issuing the tax-exempt obligations; and

WHEREAS, the Applicant has applied to the Authority for assistance in financing the Project through the issuance of a revenue note not to exceed \$2,500,000; and

WHEREAS, the Authority and the Applicant have requested the Board of Commissioners of the Township of Upper Dublin to approve the issuance of said revenue note for the Project which is located in the Township of Upper Dublin; and

WHEREAS, the Board of Commissioners of the Township of Upper Dublin desires to appoint a representative to attend and conduct a public hearing, as permitted by 26 C.F.R. §5f.103-2(g)(2).

NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin hereby RESOLVES, subject to the occurrence of a public hearing, at which hearing there is no material public objection to the approval of the financing of the Project by the Authority, as determined by Fox Rothschild LLP, as bond counsel, as follows:

1. The issuance by the Authority of an industrial development revenue note to assist the Applicant in the financing of the Project located at the Site, is hereby approved.

2. The Board of Commissioners of the Township of Upper Dublin is authorized and directed to execute and deliver this Resolution on behalf of the Township of Upper Dublin and to do all other acts as may be necessary to carry this Resolution into effect, provided, however, that the Township of Upper Dublin shall incur no liability hereby.

3. The Chairman of the Board of Commissioners, is hereby appointed as the Applicable Elected Representative of the Board of Commissioners of the Township of Upper Dublin for purposes of signing a Certification of Applicable Representative pursuant to the Pennsylvania Economic Development Financing Law and the Internal Revenue Code of 1986, as amended. The said Applicable Representative is authorized to execute such approvals, certifications and/or other documents necessary or desirable to facilitate the Project as contemplated herein.

4. The Board of Commissioners of Upper Dublin Township hereby appoints Fox Rothschild LLP, as bond counsel, to attend and conduct a public hearing with respect to the approval of the financing of the Project by the Authority, as permitted by 26 C.F.R. §5f.103-2(g)(2), and to advise the Board of Commissioners of Upper Dublin Township in the event that Fox Rothschild LLP finds that there is a material objection to the approval by the Board of Commissioners of Upper Dublin Township of the financing of the Project by the Authority.

5. Nothing herein shall cause the Township of Upper Dublin to incur any liability, general or otherwise, by reason of the Project or the obligation of the Authority to assist in the financing of the same; nor shall the same be deemed to pledge the general credit or taxing power of the Township of Upper Dublin.

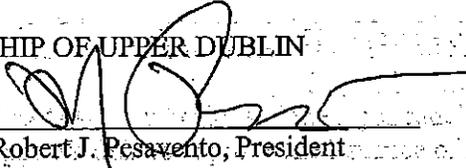
6. This approval is for the sole and exclusive purpose of designating the Applicable Representative of the Township of Upper Dublin and providing the approval of an industrial development authority project located in the Township of Upper Dublin by the governing body thereof as required by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Pennsylvania Economic Development Financing Law (formerly the Industrial and Commercial Development Law), Act of 1957, as amended.

ADOPTED this 14th day of March, 2006.

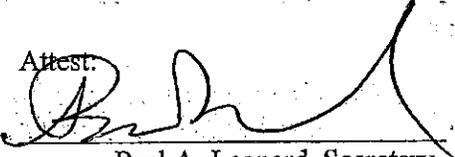
TOWNSHIP OF UPPER DUBLIN

[TOWNSHIP SEAL]

By:


Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary

Resolution No. 1901

A resolution by the Upper Dublin Township Board of Commissioners adopting the *Open Space and Environmental Resource Protection Plan (2005)* as approved by the Montgomery County Open Space Board, Resolution per #2006-4 dated January 10, 2006.

WHEREAS, the Upper Dublin Township Board of Commissioners desires to provide a solid framework and recommendations for short-term and long-range plans and strategies for acquisition, development and maintenance of open space and environmental resources within the community and with neighboring communities; and

WHEREAS, through the efforts of a Citizen's Advisory Committee (CAC), Township staff and professional planners, the *Open Space and Environmental Resource Protection Plan (2005)* has been developed in accordance with guidelines established for the Montgomery County Green Fields / Green Towns Program providing grant funds for open space preservation; and

WHEREAS, the draft and final plans of this planning document have been presented publicly and been available for public review and comment;

NOW, THEREFORE, BE IT RESOLVED that the Upper Dublin Township Board of Commissioners hereby adopts the final draft of the *Open Space and Environmental Resource Protection Plan (2005)*.

Signed this 17th day of April A.D. 2006.



Paul A. Leonard
Upper Dublin Township
Manager / Secretary



Robert J. Pesavento, President
Upper Dublin Township
Board of Commissioners

RESOLUTION
NO. 1962

**RESOLUTION TO GRANT FINAL APPROVAL
TO APPLICATION OF
PETER PENNA
FOR FINAL SUBDIVISION APPROVAL FOR
ESTATES OF FORT WASHINGTON**

WHEREAS, PETER PENNA (hereinafter "Applicant") submitted to Upper Dublin Township (hereinafter "Township") on June 29, 2004 an application for approval of a four lot Subdivision Plan (U.D. 04-08) entitled "Estates of Fort Washington" on a tract zoned A-Residential at the intersection of Bethlehem Pike and Ambler Road; and

WHEREAS, the Plans have been reviewed and approved by the Upper Dublin Planning Advisory Committee and the Montgomery County Planning Commission; and

WHEREAS, the Peter Penna and Peter F. Penna are the owners of said Property by virtue of a deed recorded in Deed book 4898, Page 835, et.seq.; and

WHEREAS, the aforementioned subdivision plan consists of a 3.4 acre property designated on the Montgomery County Tax Parcel Map as 54-00-02398-005, and on the Montgomery County Board of Assessment map as Block 37, Unit 15, with a street address at 222 N. Bethlehem Pike, Fort Washington, PA. (hereinafter the "Property"); and

WHEREAS, the last set of Preliminary/Final plans for the subdivision are dated 12/15/04, with the last revision being 3/9/06, prepared by ProTract Engineering, Inc., Project No. H1724, consisting of sheets 1 through 10 (hereinafter the "Site Plan"); and

WHEREAS, Lot # 1 on the Site Plan is improved with a residence currently used as a two-family residence, with the remaining lots being vacant; and

WHEREAS, the proposed development requires no zoning relief; and

WHEREAS, based on reviews by the Township Engineer, and various Township Advisory Boards, and on representations made during the subdivision and 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 Lots 1-4 in accordance with the Site Plan.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby grant final subdivision plan approval for the Site Plan.

All development shall be in accordance with the Site Plan, and this final plan approval is conditioned on the following:

1. Applicant shall enter into a Development Agreement with the Township, in recordable form, which Agreement shall incorporate the understandings set forth in this Resolution and certain requirements of the Upper Dublin Township Code.
2. Prior to recording the Site Plan, Applicant will enter into a security agreement with the Township and post escrows in a form satisfactory to the Township Solicitor to cover the cost of public improvements including but not limited to on-site stormwater management, erosion and sediment control, road improvements; landscaping and a reasonable escrow for the payment of professional fees
3. Prior to any construction, Applicant will provide the Township with a minimum of 10 complete plan sets for construction purposes.
4. Applicant shall execute and record a Declaration of Covenants, Easements and Restrictions, approved by the Township Solicitor, imposing obligations, rights and privileges on

individual property owners and on a Homeowners Association to be established by Applicant, which Declaration shall govern, *inter alia* the maintenance of the stormwater management facilities on the Property, and will grant an easement in favor of the Township to be used by the Township at its discretion should access to any storm sewer, or utility facilities become necessary for the purpose of emergency access or maintenance.

5. Applicant shall execute cross easements amongst and between all four new Lots for storm sewer, sanitary sewer, utilities, and access, including but not limited to roadways and walkways, as required.

6. Applicant shall execute an agreement with the Township respecting continued use of the residence on Lot #1 as a two family residence.

7. None of the stormwater management facilities to be constructed by Applicant according to the Site Plans are intended to be dedicated to the Township.

8. Post-Construction Stormwater Management Operations and Maintenance Procedures shall be submitted to the Township Engineer for review and approval and shall then be attached to the Declaration of Covenants, Easements and Restrictions to set forth therein the maintenance obligation for such facilities. The stormwater infrastructure proposed for the site must be shown on the Post-Construction Maintenance Plan with the Operation and Maintenance Schedule of Permanent Stormwater BMP's noted.

9. Site frontage improvements along abutting roads, including Bethlehem Pike and Ambler Road shall be constructed by Applicant and additional right-of-way granted to the jurisdiction having authority to the ultimate right-of-way as shown on the Site Plans.

10. Applicant shall offer to the Township in a form acceptable to the Township Solicitor, Deeds of Dedication for those areas along Bethlehem Pike and Ambler Road, together with the improvements thereon.

11. An easement and drainage release from the downstream or adjoining property owners is needed for the outfall from the storm sewer system. Applicant shall secure the release/easement in a recordable form suitable to the Township Solicitor. In lieu of the easement, the proposed pipe will connect within Ambler Road for which a Township Street Opening Permit will be required.

12. Applicant shall submit to the Township legal descriptions and construction cost estimates for the project, and 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, road improvements, landscaping and a reasonable escrow for the payment of professional fees incurred by the Township.

13. Applicant shall address all comments in the Township Engineer's Review Letter dated April 6, 2006, a copy of which is attached hereto as Exhibit "A".

14. At the time each building permit is taken out, Applicant will pay for the purchase and maintenance of open space, parks, and recreation areas, a fee in the amount of \$1,500 for each dwelling unit.

15. The following waivers have been requested and are hereby granted:

- a. Sections 212-15.B, 212-18.A.(1) and 212-19.A to allow no improvements, sidewalks or curbs along Bethlehem Pike.
 - i. No widening is proposed along Bethlehem Pike. A 150-foot centerline radius curve with flattening/widening and shoulder construction is proposed along Ambler Road. The current centerline radius is approximately one hundred fifteen (115) feet and will be increased to one hundred fifty (150) feet.
- b. Sections 212-15.B, 212-18.A.(1) and 212-19.A to permit limited widening, no sidewalks and no curbs along Ambler Road.

- i. A curbed radius will be provided at the intersection of Bethlehem Pike and Ambler Road with appropriate paved tapers. Curb should be offset to the centerline of Ambler Road fifteen (15) feet and offset to the curbline of Bethlehem Pike twenty-four (24) feet with paved tapers.
- c. Section 212-21.C to allow the corner lot (#2) to be less than 1.5 times the minimum width of interior lots. One hundred fifty-five (155) feet average is provided. One hundred eighty (180) feet would be the requirement.
16. Applicant shall pay the Township for all outstanding professional fees.
17. Applicant will obtain all required permits and/or approvals only from those agencies

authorized to grant such approvals from 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
- l. Erosion and Sediment Control Plan Approval,
- m. NPDES Permits - PADEP - Planning Modules
- n. PENNDot Highway Occupancy Permit for widening, drainage and roadway improvements

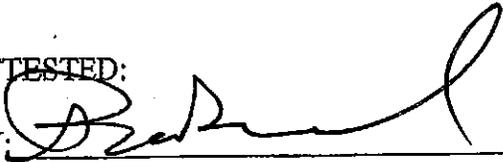
This Plan approval is further conditioned upon acceptance of the conditions contained herein by the Applicant and signifying acceptance there by signing a copy of this Resolution. In the event that the execution of this Resolution is not delivered to the Township within ten (10) days from receipt, it shall be deemed that the Applicant does not accept these conditions. This conditional approval shall then be automatically be revoked, and the aforementioned plan shall be considered denied for the reasons set forth above.

RESOLVED, this 11th day of April, 2006 at a public meeting.

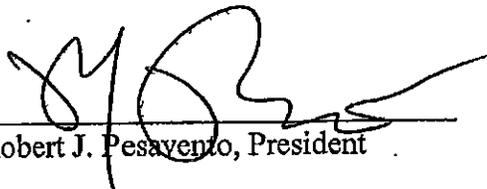
BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTESTED:

BY:


Paul A. Leonard, Secretary

BY:


Robert J. Pesavento, President

ACCEPTANCE OF CONDITIONS:

The undersigned Applicant does hereby acknowledge and accept the Preliminary/Final Plan Approval issued by the Board of Commissioners of Upper Dublin Township and accept the conditions contained therein as recited above.

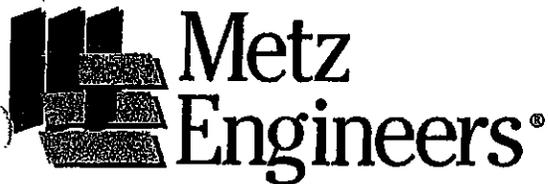
Witness:




Peter Penna

Date: 4-18-06, 2006

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.
 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

April 6, 2006

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

RE: Final Plan Review, Fourth Submission
UD04.008 – Estates of Ft. Washington/Penna

Dear Members of the Board:

We have reviewed the Final Plan Set as prepared by ProTract Engineering, Inc., Sheets 1 through 10 of 10, with regard to Chapter 158 – Lighting, 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 period expires on June 19, 2006. 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 10	Preliminary/Final Plan of Subdivision	12-15-04	03-09-06
2 of 10	Existing Features Plan	12-15-04	03-09-06
3 of 10	Construction Plan	12-15-04	03-09-06
4 of 10	Erosion and Sediment Control Plan	12-15-04	03-09-06
5 of 10	Utilities and Road Widening Plan	12-15-04	03-09-06
6 of 10	Ambler Road Plan and Profile	12-15-04	03-09-06
7 of 10	Landscape Plan	12-15-04	03-09-06
8 of 10	Profile Plan	12-15-04	03-09-06
9 of 10	Detail Plan	12-15-04	03-09-06
10 of 10	Detail Plan	12-15-04	03-09-06

Reports Included with this Submission

Stormwater Management Report prepared for Peter Penna by ProTract Engineering, Inc., dated December 15, 2004, last revised September 27, 2005. A revised report was not submitted with this application.

Proposed Development

The subject property is a 3.4-acre tract of land located in the A-Residential Zoning District on Ambler Road and Bethlehem Pike. The Applicant is proposing to subdivide the property into four (4) single-family lots with Lot 1 containing an existing two-family dwelling (to be converted to a single). Public water and sewer will be provided. The subject tract is wooded and contains steep slopes.

Zoning Ordinance – Chapter 255

1. The unobstructed view down and across lands located at the intersection of Bethlehem Pike and Ambler Road as well as at the curve along Ambler Road must be shown on the Land Development Plans. We calculate a required distance of one hundred ninety-three (193) feet for ten (10) mph above the proposed speed limit on the curve (20 mph). Z.O. 255-14. Plans must clearly demonstrate available horizontal sight distance around the curve.
2. Lot 1 is to be converted to a single-family dwelling as referenced in Note 22 on Sheet 1 of 9.

Subdivision Ordinance – Chapter 212

1. The Applicant has requested confirmation of the following waivers:
 - A. Sections 212-15.B, 212-18.A.(1) and 212-19.A to allow no improvements, sidewalks or curbs along Bethlehem Pike.

No widening is proposed along Bethlehem Pike. A 150-foot centerline radius curve with flattening/widening and shoulder construction is proposed along Ambler Road. The current centerline radius is approximately one hundred fifteen (115) feet and will be increased to one hundred fifty (150) feet.
 - B. Sections 212-15.B, 212-18.A.(1) and 212-19.A to permit limited widening, no sidewalks and no curbs along Ambler Road.

Provide a curbed radius at the intersection of Bethlehem Pike and Ambler Road with appropriate paved tapers. Curb should be offset to the centerline of Ambler Road fifteen (15) feet and offset to the curblines of Bethlehem Pike twenty-four (24) feet with paved tapers.
 - C. Section 212-21.C to allow the corner lot (#2) to be less than 1.5 times the minimum width of interior lots. One hundred fifty-five (155) feet average is provided. One hundred eighty (180) feet would be the requirement.
2. Retaining walls are shown on Lots 2 and 4. Final Review of Design Details, Cross-Sections, Type of Walls and Limits of Geo-Grid will be conducted with the Grading Permit Reviews. S.O. 212-23.B. The Applicant needs to contact the Code Enforcement Office to obtain information on railing requirements with regard to the retaining walls.

3. A total of two hundred twenty-three (223) trees exist greater than eight (8) inches in diameter. Sixty-one (61) of those are field verified to be dead. The twenty-five (25) percent removal allowable without replacement is fifty-six (56). Only nine (9) viable trees are to be removed. Replacements are not needed. S.O. 212-32.H
4. Special care must be taken to preserve trees over twenty (20) inches in caliper and trees standing in groves. S.O 212-32.G.(1). Lot 2 contains eight (8) trees greater than twenty (20) inches and Lot 4 contains two (2) including a forty-eight (48) inch tree in poor condition.
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.

Stormwater Management Ordinance – Chapter 206

Stormwater management comments shall be addressed directly with the Developer's engineer.

ECSIP

Detail comments will be addressed under separate cover.

General Comments

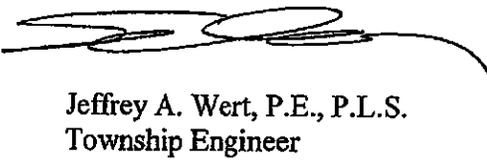
1. An easement and drainage release from the downstream or adjoining property owners is needed for the outfall from the storm sewer system. Owner should make contact and secure the release/easement in a form suitable to the Township Solicitor. Show easement with Deed Book and Page. In lieu of the easement, the proposed pipe will connect within Ambler Road for which a Township Street Opening Permit will be required.
2. The Plan will need to provide approximately sixteen (16) feet of widening/softening to the curve to establish a one hundred fifty (150) foot centerline radius. We defer to the Police Department and Public Works Department for their review of needed traffic control signage. As a minimum the following items should be added:
 - A. Gore area striping on outside of curve.
 - B. Four (4) inch white lane edge linesAdd these items to Sheet 5 of 9.
3. A Homeowners' Association shall be required to handle all mandated maintenance issues including the Storm Sewer System. Final form shall be approved by the Township Solicitor.

Permits, Reviews and Approvals that may be required:

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, NPDES Permits.
12. PADEP - Planning Modules
13. PennDOT
 - a. Highway Occupancy Permit for widening, drainage and roadway improvements.

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

Very truly yours,



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, Anne O'Toole
Montgomery County Planning Commission
Environmental Protection Advisory Board
Planning Agency Advisory Board
Shade Tree Commission
Adrienne Eiss, Orth-Rodgers & Associates, Inc.
Chief Terry Thompson, Upper Dublin Police Department
Peter Penna, Owner via USPS
ProTract Engineering, Inc., Applicant's Engineer via fax #215-442-9238

RESOLUTION

NO. 1903

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF UPPER DUBLIN
TOWNSHIP ADOPTING THE MONTGOMERY COUNTY
COMPREHENSIVE PLAN: "SHAPING OUR FUTURE"**

WHEREAS, Montgomery County adopted a new county comprehensive plan on September 22, 2005, which was prepared in accordance with Sections 209.1 and 301 of the Pennsylvania Municipalities Planning Code as amended by Acts 67 and 68 of 2000, with said plan titled *Shaping Our Future – A Comprehensive Plan for Montgomery County*; 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; and

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

WHEREAS, the Township of Upper Dublin's own comprehensive plan, which will be retained and used in conjunction with the county plan, is generally consistent with and compatible with *Shaping Our Future – A Comprehensive Plan for Montgomery County*.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Upper Dublin, recognizing that protecting the county's high quality of life depends on cooperative planning efforts, hereby accepts and adopts, in accordance with Section 302 of the Pennsylvania Municipalities Planning Code, a comprehensive plan for Montgomery County,

containing eight (8) volumes and titled *Shaping Our Future – A Comprehensive Plan for Montgomery County*.

RESOLVED, this 11th day of April, 2006.

ATTEST:



Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY:



Robert J. Pesavento, President



**RESOLUTION FOR PLAN REVISION
FOR NEW LAND DEVELOPMENT**

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Upper Dublin
(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 Sal Paone/Michael Evans has proposed the development of a parcel of land identified as
land developer

Loeb Tract, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

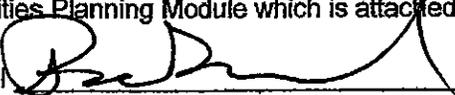
proposes that such subdivision be served by: (check all that apply), sewer tap-ins, sewer extension, new treatment facility, individual onlot systems, community onlot systems, spray irrigation, retaining tanks, other, (please specify).

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 Township 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, PAUL A. LEONARD UPPER DUBLIN

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # 1904, adopted, April 11, 2006.

Municipal Address:

Upper Dublin Township
701 Loch-Aish Avenue
Fort Washington, PA 19034
telephone 215-643-1600

Seal of
Governing Body

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.
 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

April 6, 2006

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

**RE: Final Land Development Plan
 UD04.015 – Loeb Tract (Limekiln/Thornbury Drive)**

Dear Members of the Board:

We have reviewed the Final Plan Set as prepared by Woodrow & Associates, Inc. with regard to Chapter 158 – Lighting, 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 Township 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 June 19, 2006. The following comments are offered for your consideration:

Plans Submitted:

<u>Drawing No.</u>	<u>Description</u>	<u>Date</u>	<u>Last Revision</u>
1 of 20	Cover Sheet	12-22-04	01-13-06
2 of 20	Record Plan	12-22-04	01-13-06
3 of 20	Existing Features Demolition Plan	12-22-04	01-13-06
4 of 20	Grading and Drainage Plan	12-22-04	01-13-06
5 of 20	Erosion and Sedimentation Control Plan	12-22-04	01-13-06
6 of 20	Erosion Control Specifications	12-22-04	01-13-06
7 of 20	Erosion Control Drainage Boundary Plan	12-22-04	01-13-06
8 of 20	Post-Construction Maintenance Plan	12-22-04	01-13-06
9 of 20	Landscaping and Lighting Plan	12-22-04	01-13-06
10 of 20	Landscaping Specifications	12-22-04	01-13-06
11 of 20	Plan and Profile: Proposed Cul-de-Sac	12-22-04	01-13-06
12 of 20	Plan and Profile: Lewisville Drive Ext.	12-22-04	01-13-06
13 of 20	Plan and Profile: Cross Lot Utilities	12-22-04	01-13-06
14 of 20	Construction Details- Sheet A	12-22-04	01-13-06
15 of 20	Construction Details- Sheet B	12-22-04	01-13-06
16 of 20	Construction Details- Sheet C	12-22-04	01-13-06

17 of 20	Drainage Area Boundary Plan Pre-Development	12-22-04	01-13-06
18 of 20	Drainage Area Boundary Plan Post-Development Areas	12-22-04	01-13-06
19 of 20	Drainage Area Boundary Plan Post-Development Inlet Areas	12-22-04	01-13-06
20 of 20	Lewisville Drive cul-de-sac Renewal Plan	12-22-04	01-13-06

Reports Included with this Submission

Stormwater Management Report dated December 2004 and last revised January 2006.

Proposed Development

The Applicant proposes to develop an 11.08 acre tract located along Limekiln Pike and Thornbury Drive in Maple Glen. A one (1) story commercial building and parking lot currently occupy the tract. The majority of the property is zoned "A" Residential; a portion along Limekiln Pike is zoned CR-L Commercial. It was recently rezoned with the Maple Glen Overlay.

The Applicant is proposing to build eleven (11) single-family homes with access to Thornbury Drive and retain the existing commercial building on Limekiln Pike on a 12th lot. The parking lot for the commercial building will be expanded and above-ground/underground detention basin will be built below it. The Plan also includes connecting an extension of Lewisville Drive to the proposed cul-de-sac road with a proposed name of Herold Court.

Zoning Ordinance

1. The Applicant is requesting a portion of the A-Residential Zoning be changed to CR-L to locate the existing and proposed commercial parking entirely in the CR-L Commercial District. A hearing to change the Zoning should be held by the Board of Commissioners. Z.O. 255-135.C
2. Right-of-way is shown to be dedicated to forty (40) feet from the center for Limekiln Pike. The thirteen (13) spaces along Limekiln Pike will then become non-conforming and will remain.

Subdivision Ordinance

1. The Applicant has requested confirmation of the following waivers:
 - A. To exceed the minimum stormwater pipe slope from 0.005 to zero for the underground storage system. S.O. 206-103.B.(2).
 - B. From providing a minimum two (2) inch drop across junction boxes. S.O. 206-103.B.(3). The stormwater system is designed with no drop.

- C. From providing sidewalk along the Limekiln Pike frontage of the Commercial area. S.O. 212-18.A. Applicant has shown a sidewalk connection to the building front and across the building face. An easement for the temporary sidewalk to and across the building's frontage should be shown. I defer to the Township Solicitor's review.
 - D. Relief from the requirement to provide the botanical name, height, spread, etc. of existing trees to be removed. S.O.212-32.E.(1)(i)
 - E. Relief from the required three (3) street trees along the commercial property frontage. S.O. 212-32.F.(1)(a)[3]
 - F. The use of softening plantings along the rear of the proposed Lot 5 and requests the use of fence in lieu of the plantings. S.O. 212-32.F.(2)
 - G. Relief from full tree replacement requirements. The existing site has three hundred twenty-seven (327) trees with eight (8) inch diameter caliper or greater, as it was a nursery. Sheet 2 notes 87 trees of 260 to be replaced with a waiver requested for the remaining 173 trees. In lieu of a waiver, the Board of Commissioners has accepted equivalent monetary donations for trees to be planted elsewhere. Developer proposes relocation of existing mature trees on site to offset the replacements. S.O. 212-32.H.(1)
 - H. Relief from showing all existing utilities, sanitary sewers and waterlines within one hundred (100) feet of the property line. S.O. 212-51.B
2. Fire Hydrants shall be in accordance with the Upper Dublin Fire Marshall. S.O. 212-27.F
 3. 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. Provide a copy of the escrow submitted to PENNDOT (if required by PennDOT).
 4. 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.
 5. Applicant shall seek and obtain approval of the Township Solicitor for all wording of acknowledgements and certifications on the Record Plan.

Stormwater Management Ordinance

1. Post-Construction Stormwater Management Operations and Maintenance Procedures shall be submitted to this office for review and approval. The stormwater infrastructure proposed for the site must be shown on the Post-Construction Maintenance Plan with the Operation and Maintenance Schedule of Permanent Stormwater BMP's noted. S.O. 206-31.
2. The Applicant shall provide the Township with evidence of any and all necessary permits for regulated earth disturbance activities prior to any final approval. S.O. 206-33.D
3. Provide a de-watering time for the water quality design storm (one-year, 24-hour rainfall event). S.O.206-35.B
4. The Percolation Test Report results must coordinate with the Location Map. We could not correlate the tests with the locations. S.O. 203-36.B. Revise the Report and show the test locations on the Plan set.

Landscape Comments

1. A Landscape Architect registered in Pennsylvania should sign and seal all Plans. S.O. 212-32.B.(4)
2. In lieu of a waiver of Item 1G above, a monetary donation of \$400.00 per tree may be in keeping with past Upper Dublin Township practices. This is an average cost per tree of recently submitted Engineer's Estimates.
3. A Screen Buffer is proposed where the residential development will abut the commercial component. S.O. 212-32.F.(3). Fifty-three (53) evergreens should be provided within the buffer. Forty-seven (47) have been shown at an approximate spacing of ten (10) feet off center.

General Comments

1. A Temporary Construction Easement from the Soloman property may be required to connect to the sanitary sewer manhole located on the property line. For future maintenance purposes, a permanent easement is suggested.
2. The waterline is shown within four (4) feet of the curblin and directly adjacent to proposed sidewalk, as proposed by the North Wales Water Authority. The waterline should be relocated to avoid future settlement of sidewalk and future sidewalk removal. In lieu of relocation, full stone backfill and proper compaction will be required.

3. Provide Legal Descriptions for all proposed easements and rights-of-way.
4. Revise the pipe material from ADS N-12 to RCP (O-ring type) for the two (2) pipes running through the basin berm (ST-15 to ST-16 and ST-17 to ST-18). Revise Profiles and Pipe Schedules accordingly, Sheets 4 and 11.
5. Clarify the Applicant's name within the Certification Notes. The record Owner and Applicant is listed as Bethel Associates, Inc. in the Title Block and S. Paone, Inc. within the Owner's Certification and Notary signing blocks.
6. A Detailed Design of the retaining wall along the detention basin is to be provided.
7. Lots 10 and 11 are proposed to take across to Herold Court across Lot 6. Lot 10 will have an access easement across Lot 11.
8. Provide information on the Covenant to Upper Dublin Township listed at Deed Book 3687, Page 438.
9. A hearing is needed for the re-zoning of the CR-L and "A" Residential acres on Lot 12.
10. A Homeowners Association will be needed for maintenance of the detention basin and stormwater management areas. Final form shall be approved by the Township Solicitor.
11. Provide lighting on the walkway from the cul-de-sac to the Commercial area.
12. Lighting for the Commercial lot has been shown. The photometric plans should be checked for the fixture type and height. Add a Note to the Plan that all reasonable lighting level adjustments will be made upon request of the Township.
13. Streetlights shall be as required by S.O. 212-29 and the Engineering Standards. Approval of the Township's Public Works Department is required.
14. Minor drafting and engineering revisions will be addressed directly with the engineer.

Permits, Reviews and Approvals:

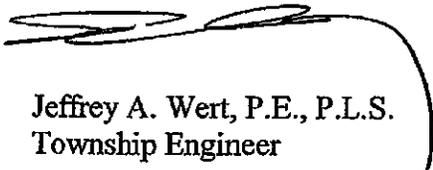
1. Bucks County Water & Sewer Authority - Sewer Permits, Fees and Agreements.
2. Water connection agreements, fees and commitment letter.
3. Upper Dublin Township Public Works Department review.
4. Upper Dublin Township Parks and Recreation Department review.
5. Upper Dublin Township Environmental Protection 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.

Page 6 of 6
Board of Commissioners
UD04.015 - Loeb Tract
April 6, 2006

10. Montgomery County Planning Commission review.
11. Montgomery County Conservation District
12. PADEP - Planning Modules.

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

Very truly yours,



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



JAW/gjs/dkg

Attachments

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, Anne O'Toole
Montgomery County Planning Commission
Environmental Protection Advisory Board
Planning Agency Advisory Board
Shade Tree Commission
Chief Terry Thompson, Upper Dublin Police Department
Bethel Associates, Inc., Applicant, via fax #215-672-9758
Woodrow & Associates, Applicant's Engineer, via fax #215-542-5679

**RESOLUTION
NO. 1905**

**RESOLUTION TO GRANT FINAL APPROVAL
TO APPLICATION OF
BETHEL ASSOCIATES, INC.
FOR FINAL SUBDIVISION APPROVAL FOR THE
LOEB TRACT**

WHEREAS, BETHEL ASSOCIATES, INC. (hereinafter "Applicant") submitted to Upper Dublin Township (hereinafter "Township") an application for final approval of a twelve lot Subdivision Plan (U.D. 04-015) entitled "Loeb Tract" on a tract zoned A-Residential with frontage on Limekiln Pike and Thornbury Drive, Maple Glen; and

WHEREAS, the Plans have been reviewed and approved by the Upper Dublin Planning Advisory Committee and the Montgomery County Planning Commission; and

WHEREAS, the BETHEL ASSOCIATES, INC. are the owners of said Property by virtue of a deed recorded in Deed book 5440, Page 956, et.seq.; and

WHEREAS, the aforementioned subdivision plan consists of a 11.0832 gross acre property on two separate tracts designated on the Montgomery County Tax Parcel Map as 54-00-10396-008 and 54-00-10399-005, and on the Montgomery County Board of Assessment map as Block 4A, Unit 6 and Block 4A Unit 26 respectively (hereinafter the "Property"); and

WHEREAS, the last set of Final plans for the subdivision are dated 12/22/04, with the last revision being 1/13/06, prepared by Woodrow & Associates, Inc., Job No. 97-1007 D consisting of sheets 1 through 20 (hereinafter the "Site Plan"); and

WHEREAS, Lot # 12 on the Site Plan is improved with a commercial building currently used as a shopping center, with the remaining lots being vacant; and

WHEREAS, the proposed development requires no zoning relief in the form of the expansion of that portion of the commercially used area of the tract in order to accommodate additional parking; and

WHEREAS, based on reviews by the Township Engineer, and various Township Advisory Boards, and on representations made during the subdivision and 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 Lots 12 in accordance with the Site Plan.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby grant final subdivision plan approval for the Site Plan.

All development shall be in accordance with the Site Plan, and this final plan approval is conditioned on the following:

1. Applicant shall enter into a Development Agreement with the Township, in recordable form, which Agreement shall incorporate the understandings set forth in this Resolution and certain requirements of the Upper Dublin Township Code.
2. Prior to recording the Site Plan, Applicant will enter into a security agreement with the Township and post escrows in a form satisfactory to the Township Solicitor to cover the cost of public improvements including but not limited to on-site stormwater management, erosion and sediment control, road improvements; landscaping and a reasonable escrow for the payment of professional fees
3. Prior to any construction, Applicant will provide the Township with a minimum of 10 complete plan sets for construction purposes.
4. Applicant shall execute and record a Declaration of Covenants, Easements and Restrictions, approved by the Township Solicitor, imposing obligations, rights and privileges on individual property owners and on a Homeowners Association to be established by Applicant, which

Declaration shall govern, *inter alia* the maintenance of the stormwater management facilities on the Property, and will grant an easement in favor of the Township to be used by the Township at its discretion should access to any storm sewer, or utility facilities become necessary for the purpose of emergency access or maintenance.

5. Applicant shall execute cross easements amongst and between all four new Lots for storm sewer, sanitary sewer, utilities, and access, including but not limited to roadways and walkways, as required.

6. Post-Construction Stormwater Management Operations and Maintenance Procedures shall be submitted to the Township Engineer for review and approval and shall then be attached to the Declaration of Covenants, Easements and Restrictions to set forth therein the maintenance obligation for such facilities. The stormwater infrastructure proposed for the site must be shown on the Post-Construction Maintenance Plan with the Operation and Maintenance Schedule of Permanent Stormwater BMP's noted.

7. None of the stormwater management facilities to be constructed by Applicant according to the Site Plans are intended to be dedicated to the Township except those within the bed of a dedicated street.

8. Site frontage improvements along abutting roads, including Limekiln Pike and Thornbury Drive shall be constructed by Applicant and additional right-of-way granted to the jurisdiction having authority to the ultimate right-of-way as shown on the Site Plans.

9. Applicant shall offer to the Township in a form acceptable to the Township Solicitor, Deeds of Dedication for those areas along Limekiln Pike and Thornbury Drive, together with the new cartways as shown on the plans, and together with the improvements thereon.

10. Applicant shall submit to the Township legal descriptions and construction cost estimates for the project, and 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, road improvements, landscaping and a reasonable escrow for the payment of professional fees incurred by the Township.

11. Applicant shall address all comments in the Township Engineer's Review Letter dated April 6, 2006, a copy of which is attached hereto as Exhibit "A", to the extent they are not otherwise disposed of herein.

12. At the time each building permit is taken out, Applicant will pay for the purchase and maintenance of open space, parks, and recreation areas, a fee in the amount of \$1,500 for each dwelling unit.

13. The following waivers or deferrals have been requested and are hereby granted:

- a. To exceed the minimum stormwater pipe slope from 0.005 to zero for the underground storage system. S.O. 206-103.B.(2).
- b. From providing a minimum two (2) inch drop across junction boxes. S.O. 206-103.B.(3). The stormwater system is designed with no drop.
- c. From providing sidewalk along the Limekiln Pike frontage of the Commercial area. S.O. 212-18.A. The construction of sidewalks along the Limekiln Pike frontage is deferred, not waived, until such time as the Board of Commissioners determines that such sidewalks are needed for the public convenience, at which time the owner of the property shall be required to install such sidewalks at its sole cost.
- d. Relief from the requirement to provide the botanical name, height, spread, etc. of existing trees to be removed. S.O.212-32.E.(1)(i)
- e. Relief from the required three (3) street trees along the commercial property frontage. S.O. 212-32.F.(1)(a)[3]
- f. The use of softening plantings along the rear of the proposed Lot 5 and requests the use of fence in lieu of the plantings. S.O. 212-32.F.(2)

- g. Relief from full tree replacement requirements. The existing site has several hundred trees with eight (8) inch diameter caliper or greater, as it was a nursery. Developer will either keep in place or relocate on the site 77 of these trees in full satisfaction of the tree replacement requirements in the Code. Should any of these trees die up to the date which is 18 months following acceptance of the public improvements on the site, Developer will pay the Township \$400 for each such tree in lieu of replacing it. S.O. 212-32.H.(1)
- h. Relief from showing all existing utilities, sanitary sewers and waterlines within one hundred (100) feet of the property line. S.O. 212-51.B

14. Applicant shall pay the Township for all outstanding professional fees incurred to date in the processing of this application.

15. Applicant will obtain all required permits and/or approvals only from those agencies authorized to grant such approvals 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
- l. PADEP - Planning Modules.

16. The grant of final development plan approval is contingent upon the Board of Commissioners hereafter revising the zoning map to provide that Lot 12 shall in its entirety be included in a commercial zoning district.

This Plan approval is further conditioned upon acceptance of the conditions contained herein by the Applicant and signifying acceptance there by signing a copy of this Resolution. In the event that the execution of this Resolution is not delivered to the Township within ten (10) days from receipt, it shall be deemed that the Applicant does not accept these conditions. This conditional approval shall then be automatically be revoked, and the aforementioned plan shall be considered denied for the reasons set forth above.

RESOLVED, this 13th day of July, 2006 at a public meeting.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTESTED:

BY: _____

Paul A. Leonard, Secretary

BY: _____

Robert J. Pesavento, President

ACCEPTANCE OF CONDITIONS:

The undersigned Applicant does hereby acknowledge and accept the Preliminary/Final Plan Approval issued by the Board of Commissioners of Upper Dublin Township and accept the conditions contained therein as recited above.

Attest:

BETHEL ASSOCIATES, INC.

By: _____

Date: _____, 2006

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

RESOLUTION NO. 1906

**RESOLUTION TO ACCEPT PERMANENT DRAINAGE
EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS
ACROSS PRIVATE PROPERTIES ADJACENT
TO INVERNESS AVENUE AND HIGHLAND AVENUE**

WHEREAS, Township has undertaken to erect, install, maintain and repair a Storm Sewer Drainage System from property of the Township, being an unopened 16 foot wide alley located 65 feet, more or less, south of Inverness Avenue to Highland Avenue, Upper Dublin Township (hereinafter the "Project"); and

WHEREAS, in order to access the said Storm Sewer Drainage System, the Township must obtain and maintain a permanent drainage easement over lands and property of a number of Township residents located within the area of the Project; and

WHEREAS, the Project further requires a temporary construction easement to permit access for the Township, its contractors, agents, workmen and employees to the lands and property of a number of Township residents to permit the construction of the Project; and

WHEREAS, the Board of Commissioners has received a Deed of Dedication from BOSHENG LIN and YANZHI AN for a permanent drainage easement and temporary construction easement located on Parcel No. 54-00-08796-042, also known as 518 Inverness Avenue; and

WHEREAS, the Board of Commissioners has received a Deed of Dedication from SHOSHANNA AMI BERKOWITZ for a permanent drainage easement and temporary construction easement located on Parcel No. 54-00-07591-005, also known as 521 Inverness Avenue; and

WHEREAS, the Board of Commissioners has received a Deed of Dedication from FRANK W. COMFORT and GRACE ANN COMFORT for a permanent drainage easement and temporary construction easement located on Parcel No. 54-00-08470-008, also known as 521 Highland Avenue; and

WHEREAS, the Board of Commissioners has received a Deed of Dedication from WILLIAM W. WEBBER and NORMA M. WEBBER for a permanent drainage easement and temporary construction easement located on Parcel No. 54-00-08795-007, also known as 514 Inverness Avenue; and

WHEREAS, the Board of Commissioners has received a Deed of Dedication from the ESTATE OF ELSIE C. HARRIS for a permanent drainage easement and temporary construction easement located on Parcel No. 54-00-08473-005, also known as 515 Highland Avenue; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the Storm Sewer Drainage System may be constructed and 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 Deeds of Dedication for the permanent drainage easements and temporary construction easements located on Parcel Numbers 54-00-08796-042, 54-00-07591-005, 54-00-08470-008, 54-00-08795-007, and 54-00-08473-005 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.

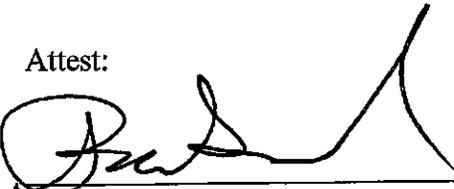
Approved by the Board of Commissioners of Upper Dublin Township this 11th day of April, 2006.

UPPER DUBLIN TOWNSHIP

BY:


ROBERT J. PESAVENTO, President

Attest:


PAUL A. LEONARD, Secretary

RESOLUTION
NO. 1907

**RESOLUTION TO APPROVE UPPER DUBLIN TOWNSHIP'S
PARTICIPATION IN THE MONTOMGERY COUNTY 2006
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, Upper Dublin Township seeks to participate in the 2006 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 1960, 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

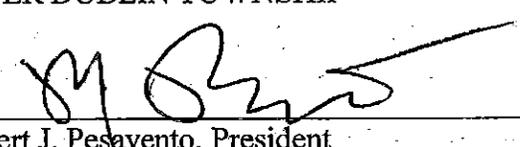
(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(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).

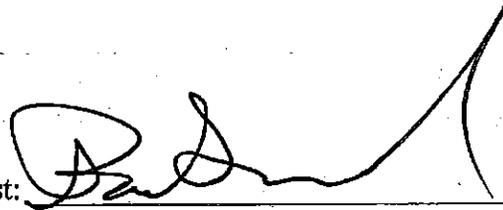
3. The Board of Commissioners may, at its discretion, submit to Montgomery County a written request for additional monies, should they be needed for the Projects, or for other qualifying undertakings. Such request will be considered and approved at the sole discretion of the Montgomery County Commissioners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

ADOPTED this 11th day of April, 2006.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP


Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary

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3.19.06

**TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS**

**RESOLUTION
NO. 1908**

**A RESOLUTION TO APPROVE A REIMBURSEMENT AGREEMENT BETWEEN
THE TOWNSHIP OF UPPER DUBLIN AND
THE TOWNSHIP OF ABINGTON FOR WORK ASSOCIATED WITH THE ARDSLEY
DRAINAGE CHANNEL FLOOD CONTROL PROJECT**

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

WHEREAS, the aforementioned unnamed tributary to Sandy Run is known locally in Upper Dublin as the Ardsley Drainage Channel; and

WHEREAS, the Ardsley Drainage Channel originates in the Township of Abington ("Abington") and flows along the boundary between Upper Dublin and Abington through the backyards of several properties situated along Penn Avenue in Abington; and

WHEREAS, the Ardsley Drainage Channel drains stormwater from Abington; and

WHEREAS, the Department of Environmental Protection of the Commonwealth of Pennsylvania ("DEP") has proposed and designed, and Upper Dublin 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 ("the Project"); and

WHEREAS, by Upper Dublin Resolution Number 1702 dated September 14, 1999, the Board of Commissioners of Upper Dublin approved Upper Dublin as Sponsor for the Project, and agreed that Upper Dublin would accept certain local responsibilities at its cost, including the acquisition of all lands, easements and rights-of-entry required for the design, construction, and maintenance of the Project, and the removal of buildings and other structures that interfere with the construction of the Project, and the relocation of utilities as may be required, and any changes to the Project design requiring additional construction work not accepted as essential to the Project by DEP; and

WHEREAS, by Upper Dublin Resolution Number 1812 dated February 11, 2003, Upper Dublin approved a Sponsorship Agreement between Upper Dublin and DEP; and

WHEREAS, Upper Dublin and DEP entered into a Sponsorship Agreement on April 21, 2003; said Sponsorship Agreement setting forth the Project responsibilities of DEP and Upper Dublin; and

WHEREAS, Upper Dublin has requested DEP to provide, as part of the Project, additional items of construction not referenced by the Sponsorship Agreement ("Additional Construction"); and

WHEREAS, Upper Dublin and DEP added certain items of Additional Construction (e.g. 335 L.F. of concrete box culvert) to the Project at the request of and on behalf of Abington ("Abington Additional Construction"); and

WHEREAS, Upper Dublin must reimburse the Commonwealth of Pennsylvania for the Additional Construction, including the Abington Additional Construction; and

WHEREAS, Upper Dublin is responsible for completing, at its own cost and expense, certain items of work identified on the Project plans as "Sponsor Adjustments", such Sponsor Adjustments to include work benefiting Abington ("Abington Adjustments"); and

WHEREAS, the Abington Adjustments and Abington Additional Construction (collectively, "Abington Work") may be apportioned from the Additional Construction and Sponsor Adjustments to determine the cost of the Abington Work; and

WHEREAS, Upper Dublin has drafted, and Abington has reviewed, a Reimbursement Agreement between Upper Dublin and Abington providing for Abington's payment of the costs of the Abington Work; and

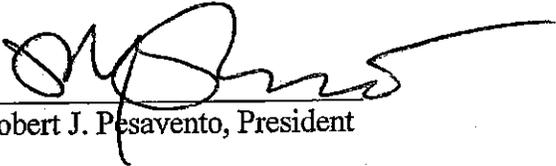
WHEREAS, by Abington Resolution Number 06-006 dated March 9, 2006, Abington agreed to reimburse Upper Dublin for the actual cost of the Abington Work and approved the Reimbursement Agreement between Upper Dublin and Abington.

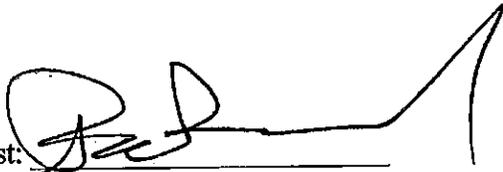
NOW, THEREFORE, in consideration of the Project and of the benefits to be derived by Abington from the Project, **BE IT RESOLVED** by the Board as follows:

1. Upper Dublin shall accept reimbursement from Abington for the actual cost of the Abington Work performed as part of the Project.
2. The Reimbursement Agreement, as drafted by Upper Dublin and reviewed by Abington and approved by Abington is approved.
3. The President of the Upper Dublin Board of Commissioners is authorized to execute the Reimbursement Agreement for Upper Dublin.

RESOLVED, this 17th day of April 2006, 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

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RESOLUTION NO. 1909

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.4 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 *May*, 2006 at a regular stated meeting of the Board of Commissioners.

By: _____

[Signature]
ROBERT J. PESAMENTO, President

Attest: _____

[Signature]
PAUL A. LEONARD, Secretary

AMENDMENT NO. 4

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

A. Each applicant shall be evaluated to determine physical fitness using the standards developed by the Cooper Institute for Aerobics Research in Dallas, Texas used by the Municipal Police Officers Education and Training Commission under Act 120 at the time of the physical agility test. Each applicant shall score no lower than the 30th percentile of the Cooper Standards, which coincides with the 30th percentile of the general population, in each of the following four (4) required evaluations. An applicant shall not pass the physical agility test unless the applicant has obtained a score in the 30th percentile or higher for the person's age and gender as specified in the Cooper Standards for each of the four (4) evaluations. The four (4) required evaluations are as follows:

1. 1.5 mile run.
2. 300 meter run.
3. 1 repetition bench press.
4. 1 minute sit-ups.

B. An applicant shall be required to swim 100 feet in 60 seconds using any stroke desired to pass this test.

C. This is a pass/fail test. Failure to meet one of the minimums shall result in the failure of the physical agility test and the elimination of the applicant from the examination process.

2. Article VII. Examination Process, Section 701. Examinations for Police Positions, Subsection C. Examination for the Position of Deputy Chief, shall be amended in its entirety as follows:

C. Examination for the Position of Deputy Chief.

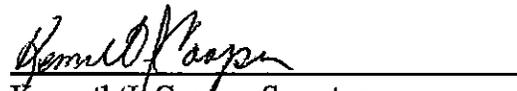
(1) The following parts comprise the examination process for the aforementioned position:

	<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%

Approved by a majority of the Commission this 7th day of February, 2006 at a special meeting of the Commission.


Herbert C. Craft, Chairperson


Frances F. Biedlingmaier, Alternate Member


Kenneth J. Cooper, Secretary

RESOLUTION NO. 1910

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF UPPER DUBLIN TOWNSHIP SUPPORTING THE
LIMITED DEVELOPMENT OF THE PORTION OF THE
PISZEK ESTATE PROPERTY LOCATED WITHIN UPPER
DUBLIN TOWNSHIP.**

WHEREAS, Homsher Hill, LLC has submitted for the consideration of the Board of Commissioners a Concept Master Plan for the portion of the Piszek Estate property bounded by Pennsylvania Avenue, Camp Hill Road and Dreshertown Road (the "Piszek Property") prepared by E. Van Rieker, AICP and McCloskey & Faber, P.C. dated April 6, 2006, identified as Plan SP-1.1 (the "Concept Plan");

WHEREAS, the Concept Plan proposes the development of the Piszek Property with nine (9) single-family residences on estate lots located in the interior of the tract and twenty-five (25) carriage homes located along Dreshertown Road;

WHEREAS, the Concept Plan proposes to maintain over seventy-five percent (75%) of the Piszek Property within Upper Dublin Township as open space;

WHEREAS, the Concept Plan proposes to maintain the Copernicus Society House and the Emlen House which are buildings of historic significance;

WHEREAS, the Concept Plan was proposed by the developer in consultation with the Montgomery County Lands Trust and the Wissahickon Valley Watershed Association which have identified key environmentally-sensitive areas of the Piszek Property for permanent preservation as open space for the benefit of Upper Dublin Township and the surrounding communities;

WHEREAS, the trustees of the Piszek Estate controlling the Piszek Property are required to liquidate the real estate to generate funds to benefit a charitable foundation and, in consultation with the Montgomery County Lands Trust and the Wissahickon Valley Watershed Association, have attempted to balance their fiduciary obligation to obtain fair market value for the land with the desire to preserve open space for the benefit of the community;

WHEREAS, the involvement of the Montgomery County Lands Trust in the disposition of the Piszek Property is contingent upon the preservation of seventy-five percent (75%) open space;

WHEREAS, the developer, Montgomery County Lands Trust and Wissahickon Valley Watershed Association have demonstrated to the satisfaction of the Board of Commissioners that alternative concept plans for the development of the Piszek Property will have adverse environmental impact on Sandy Run and its adjoining floodplain;

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Commonwealth of Pennsylvania hereby resolve as follows:

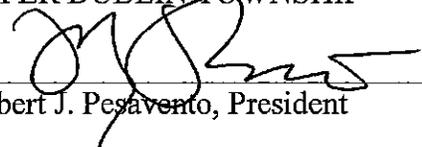
Section 1. The Board of Commissioners hereby affirms its support for the development of the Piszek Property in Upper Dublin Township in a manner that is substantially similar to that proposed in the Concept Plan.

Section 2. The Board of Commissioners affirms that it will support, subject to hearings and review as required by the Municipalities Planning Code, amendments to the Upper Dublin Township Zoning Ordinance and Zoning Map, necessary to permit the Piszek Property to be developed in a manner substantially similar to that proposed in the Concept Plan.

Section 3. Nothing in this Resolution will be construed to waive the requirement of Homsher Hill, LLC to otherwise submit plans for review by Upper Dublin Township in accordance with the provisions of the Municipalities Planning Code and the Upper Dublin Township Subdivision and Land Development Ordinance.

THIS RESOLUTION is adopted this 13th day of June, 2006.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP



Robert J. Pesavento, President

ATTESTED:



Paul A. Leonard, Secretary



DEP Code No.
1-46951-185-3J

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 Peter Penna has proposed the development of a parcel of land identified as
land developer

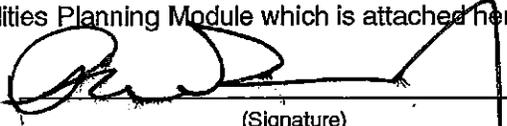
Highlands at Fort Washington, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

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

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # 1911, adopted, June 13, 2006.

Municipal Address:

801 Loch Alsh Ave.

Fort Washington, PA 19034

Telephone 215-643-1600

Seal of
Governing Body

RESOLUTION NO. 1912

**RESOLUTION TO ACCEPT DEDICATION
FOR PORTION OF STREET
ACCORDING TO SUBDIVISION PLAN FOR DUBLIN WOODS
AND TO ACCEPT DEED OF DEDICATION
FOR 20 FOOT WIDE STORM SEWER EASEMENT**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from James Reilly and Brenda Reilly (hereinafter "Reilly") a Deed of Dedication for a 20 foot wide storm sewer easement and the facilities existing therein ("Storm Sewer Easement"), as depicted on Exhibit "A" as Detail 'A' and more fully described on Exhibit "B," both attached hereto;

WHEREAS, the storm sewer located within the Storm Sewer Easement is part of the existing storm water management facilities for the subdivision known as Dublin Woods;

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the Storm Sewer Easement will be open and dedicated for public use and used for storm water management in the subdivision known as Dublin Woods and in connecting the storm water management facilities of Dublin Woods with those of the Township;

WHEREAS, the Board of Commissioners also has before it a certain subdivision plan for Dublin Woods, prepared by Urwiler & Walter, Inc., for The Cutler Group, Inc., ("Cutler") dated February 3, 1995, last revised December 5, 1995, bearing Plan No. 93111, being a total of 14 sheets, and recorded in the office of the Montgomery County, Pennsylvania, Recorder of Deeds in plan book A-56, page 164;

WHEREAS, Cutler has heretofore improved the Dublin Woods subdivision according to Township specifications, including the laying out and paving of certain streets;

WHEREAS, the Township at this time desires to accept a certain portion of a former cul-de-sac within the right-of-way of Catlin Way located northeast on Catlin Way from its intersection with Twin Pond Drive, ("Street") depicted on Exhibit "A" as Detail 'B' and more specifically described on Exhibit "C," both attached hereto;

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Street so that it will be open 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 Storm Sewer Easement by Reilly is accepted.

2. The Street depicted by Exhibit "A" Detail 'B' and as described on Exhibit "C," and offered to the Township by subdivision plan recorded by Cutler in the Office of Recorder of Deeds of Montgomery County, Pennsylvania, plan book A-56, page 164, is accepted.

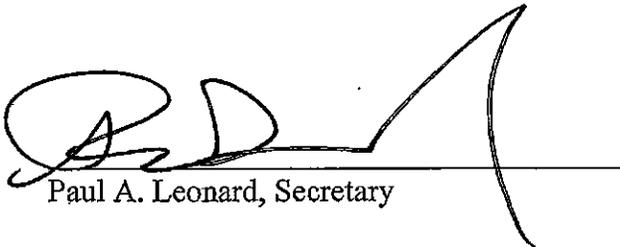
3. The Township, except to the extent it has accepted the Storm Sewer Easement and the Street, as set forth herein, specifically does not accept the portion of the former cul-de-sac located along Catlin Way northeast from its intersection with Twin Pond Drive, as depicted on Exhibit "A" Detail 'C' and as described on the attached Exhibit "D."

4. 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.

RESOLVED, this 13th day of June, 2006.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:


Paul A. Leonard, Secretary

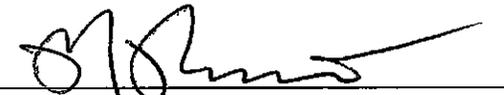
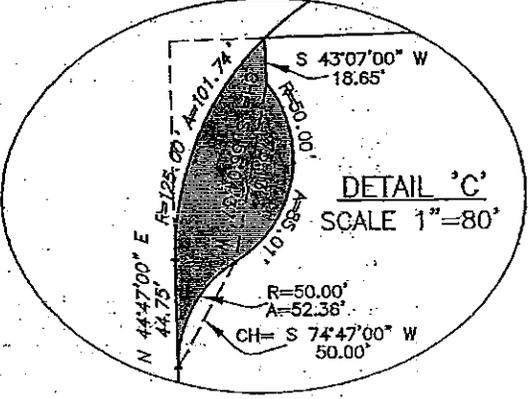
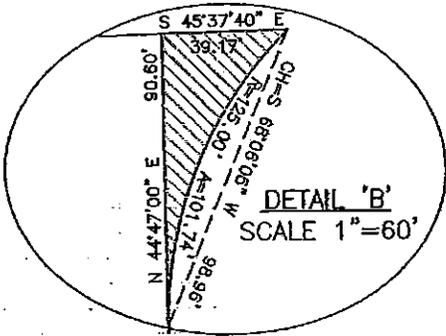
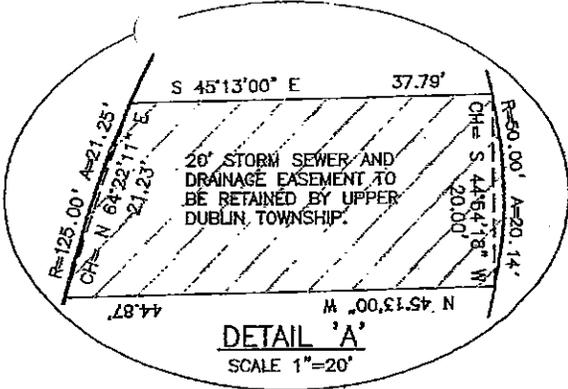
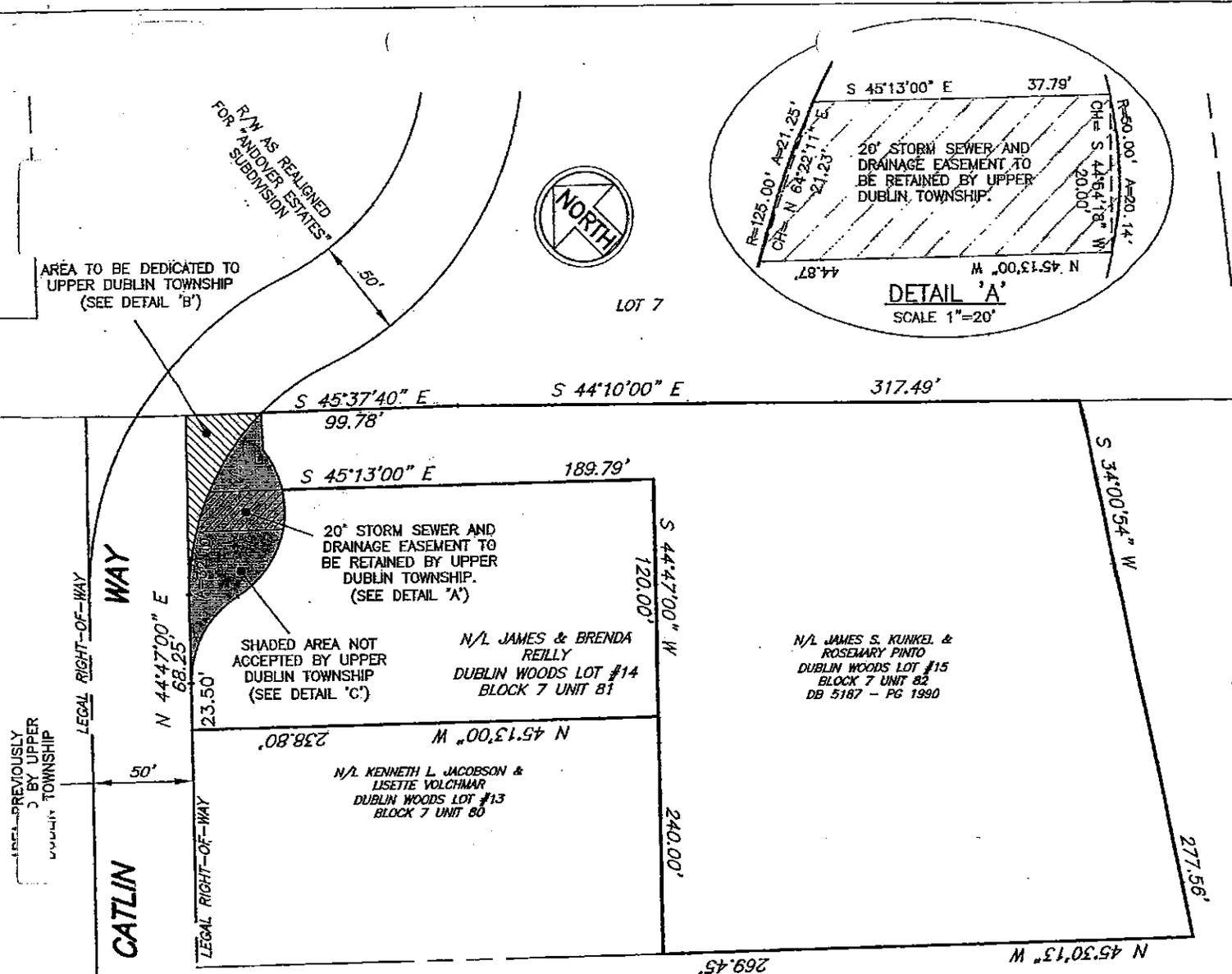
By: 
Robert J. Pesavento, President

EXHIBIT "A"



1.	DETAIL 'C' ADDED	9-2-04
No.	REVISIONS	DATE
—	DATE OF ISSUE	8-31-04

**ROAD RIGHT-OF-WAY DEDICATION
& STORM SEWER EASEMENT PLAN**
 PREPARED FOR
UPPER DUBLIN TOWNSHIP
 LAND SITUATE
 UPPER DUBLIN TWP., MONTGOMERY CO. PA

PROJECT MANAGER
KMF
 PROJECT NUMBER
UD96.002
 REFERENCE NUMBER

Metz Engineers
 410 Dersline Ave., PO Box 647, Lansdale PA 19446-0647
 Civil Engineers & Land Surveyors
 (215) 855-3111

SCALE
1"=80'
 RW-essdEDCIN.dwg
 PLAN SHEET NUMBER
1 of 1

EXHIBIT "B"

November 4, 2003
Revised September 2, 2004

UD96.002
Catlin Way cul-de-sac

**20' Wide Storm Sewer Easement
lands of James & Brenda Reilly**

ALL THAT CERTAIN easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Road Right-of-Way Dedication & Storm Sewer Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 31, 2004, as revised September 2, 2004 and being more fully described as follows:

BEGINNING at a point on the southerly legal right-of-way line of Catlin Way, as relocated (50' wide), said point being in the line of lands of James & Brenda Reilly (taxmap block 7, unit 81) and located the following two (2) courses and distances from a common corner of lands of said Reilly and N/L Kenneth L. Jacobson & Lisette Volchmar (block 7, unit 80); 1) North 44°47'00" East, 68.25 feet to a point of curvature; 2) on the arc of a circle curving to the right in a northeasterly direction having a radius of 125.00 feet, the arc distance of 32.10 feet to a point, as shown on said plan; thence, extending along said relocated legal right-of-way line, on the arc of a circle curving to the right in a northeasterly direction having a radius of 125.00 feet, the arc distance of 21.25 feet (chord= N 64°22'11" E, 21.23') to a corner of lands of N/L James S. Kunkel & Rosemary Pinto (block 7, unit 82); thence, extending along said Pinto lands South 45°13'00" East, 37.79 feet to a non-tangential point on the arc of a circle on the southerly sideline of a portion of a certain cul-de-sac bulb conveyed to the grantors; thence, extending on and through said Reilly lands, along the said cul-de-sac bulb sideline, the following two (2) courses and distances; 1) on the arc of a circle curving to the right in a southwesterly direction having a radius of 50.00 feet, the arc distance of 20.14 feet (chord= S 44°54'18" W, 20.00') to a point; 2) North 45°13'00" West, 44.87 feet to a point, said point being the point and place of beginning.

EXHIBIT "C"

September 2, 2004

UD96.002

**Road Right-of-Way Dedication
Catlin Way**

ALL THAT CERTAIN portion of right-of-way situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Road Right-of-Way Dedication & Storm Sewer Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 31, 2004, as revised September 2, 2004 and being more fully described as follows:

BEGINNING at a point on the southerly legal right-of-way line of Catlin Way as originally laid out (50' wide) said point being located North 44°47'00" East, 68.25 feet from a common corner of lands of N/L James & Brenda Reilly (taxmap block 7, unit 81) and N/L Kenneth L. Jacobson & Lisette Volchmar (block 7, unit 80), as shown on said plan; thence, extending along said original legal right-of-way line, on and through Catlin Way as relocated, the following two (2) courses and distances; 1) North 44°47'00" East, 90.60 feet to a point in the line of 'Andover Estates' subdivision; 2) along said subdivision line, South 45°37'40" East, 39.17 feet to a non-tangential point on the arc of a circle on the southerly legal right-of-way line of Catlin Way as relocated, said point also being a corner of lands of N/L James Kunkel & RoseMary Pinto (block 7, unit 82); thence, extending along said legal right-of-way line, along the Pinto and Reilly lands, 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 101.74 feet (chord = S 68°06'05" W, 98.96') to a point on the original legal right-of-way line, said point being the point and place of beginning.

CONTAINING 1095 Sq. Ft.(0.0251 acres) of land area, be the same, more or less.

EXHIBIT "D"

September 2, 2004

UD96.002

Catlin Way Cul-De-Sac

**Road Right-of-Way Not To Be Accepted For Dedication
by Upper Dublin Township
adjoining lands of**

James & Brenda Reilly and James S. Kunkel & Rosemary Pinto

ALL THAT CERTAIN portion of cul-de-sac right-of-way situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Road Right-of-Way Dedication & Storm Sewer Easement Plan, prepared for Upper Dublin Township by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated August 31, 2004, as revised September 2, 2004 and being more fully described as follows:

BEGINNING at a point on the southerly legal right-of-way line of Catlin Way as originally laid out (50' wide), along the lands of James & Brenda Reilly (taxmap block 7, unit 81), said point being located North 44°47'00" East, 23.50 feet from a common corner of lands of said Reilly and N/L Kenneth L. Jacobson & Lisette Volchnar (block 7, unit 80), as shown on said plan; thence, extending along the said legal right-of-way line and along the lands of said Reilly and James S. Kunkel & Rosemary Pinto (block 7, unit 82), North 44°47'00" East, 44.75 feet to a point of curvature; thence, extending along the legal right-of-way line, as realigned for the 'Andover Estates' subdivision, on the arc of a circle curving to the right in a northeasterly direction having a radius of 125.00 feet, the arc distance of 101.74 feet (chord= N 68°06'05" E, 98.96') to a point, a corner of lands of said Pinto and Lot 7 of the 'Andover Estates' subdivision; thence, extending along the southerly sideline of a portion of a certain cul-de-sac about to be conveyed to said Kunkle & Pinto and Reilly, on and through said Kunkle & Pinto and Reilly lands the following three (3) courses and distances; 1) South 43°07'00" West, 18.65 feet to a non-tangential point on the arc of a circle; 2) on the arc of a circle curving to the right in a southwesterly direction

having a radius of 50.00 feet, the arc distance of 85.01 feet (chord= S. 56°04'37" W, 75.13') to a point of reverse curvature; 3) on the arc of a circle curving to the left in a southwesterly direction having a radius of 50.00 feet, the arc distance of 52.36 feet (chord= S 74°47'00" W, 50.00') to a point, said point being the point and place of beginning.

CONTAINING 3219 Sq. Ft.(0.0739 acres) of land area, be the same, more or less.

RESOLUTION
NO. 1913

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN AUTHORIZING THE ACQUISITION OF A PROPERTY SITUATE AT 1245 FORT WASHINGTON AVENUE, CONTAINING 4.27 ACRES OF LAND WITHIN THE TOWNSHIP FOR PUBLIC PURPOSES OF THE TOWNSHIP.

WHEREAS, the Township of Upper Dublin (the "Township") has a need of additional land for public purposes of the Township; and

WHEREAS, the Township is authorized to acquire real estate for public purposes; and

WHEREAS, the Township desires to acquire the property situate at 1245 Fort Washington Avenue consisting of 4.27 acres of land that would be suitable for public purposes;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the acquisition of the subject property located at 1245 Fort Washington Avenue, being Parcel No. 54-00-06628-005 (the "Premises") is hereby authorized, at a purchase price cost not to exceed \$800,000.00 (exclusive of normal costs of closing) and including the right of the present owners to remain in possession of the Premises for one year after 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 Premises by deed and all other necessary actions for closing.

DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this 13th of June, 2006.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 

President

Attest: 

Township Secretary

RESOLUTION NO. 1914

**RESOLUTION OPPOSING
CABLE FRANCHISING LEGISLATION**

WHEREAS, for decades, municipalities across America have had the legal right to enter into franchise agreements with cable operators; and

WHEREAS, the local franchising process has benefited municipalities and consumers by ensuring that cable operators respond to local needs and interests; and

WHEREAS, these benefits include, but are not limited to:

- a. Municipal management of the public rights-of-way;
- b. Requirements that cable operators serve the entire community;
- c. Customer service standards;
- d. Public, educational and governmental ("PEG") access channels;
- e. Complimentary cable and internet services to community facilities; and
- f. Franchise fee revenue for use of the public rights-of-way; and

WHEREAS, both the Pennsylvania Legislature and the United State Congress are considering legislation that would eliminate municipal franchising authority; and

WHEREAS, the legislation as drafted would:

- a. Eliminate local enforcement of customer service standards;
- b. Repeal the current requirement that cable operators must serve the entire community;
- c. Reduce PEG channel obligations, including local control and PEG support;
- d. Abolish the granting of complimentary services, such as two-way bandwidth for public service purposes;
- e. Limit local authority over the public rights-of-way; and
- f. Significantly reduce franchise fee revenue by narrowing the definition of "gross revenues" subject to the franchise fee; and

WHEREAS, such legislation would radically alter the regulatory framework for cable operators that has been in place for decades and would remove local needs and interests from the franchising process; and

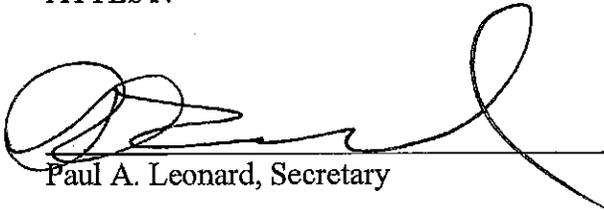
WHEREAS, municipalities welcome and invite competition in the cable industry and stand ready, willing, and able to negotiate franchise agreements with new cable operators in a timely fashion and the current law encourages this;

NOW THEREFORE BE IT RESOLVED, that Upper Dublin Township hereby opposes both state and national franchising legislation currently being considered by the Pennsylvania State Legislature and the United States Congress; and

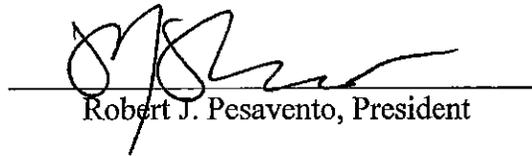
BE IT FURTHER RESOLVED that Upper Dublin Township will send copies of this resolution to all Pennsylvania State Representatives, all Pennsylvania State Senators, the Pennsylvania Congressional delegation, and the two U.S. Senators from Pennsylvania.

RESOLVED, this *11th* day of *July*, 2006.

ATTEST:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN


Robert J. Pesavento, President

RESOLUTION NO. 1915
FOR LOGAN AVENUE

RESOLUTION AUTHORIZING EXECUTION
BY THE BOARD OF COMMISSIONERS OF A
STREET DEED OF DEDICATION FOR
A 25 FOOT WIDE RIGHT-OF-WAY

WHEREAS, the Township of Upper Dublin is opening a paper street known as Logan Avenue in the North Hills area of the Township; and

WHEREAS, the Township owns a parcel of land along the line of Logan Avenue for which a right-of-way is required through the parcel; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to grant the right-of-way required by Logan Avenue.

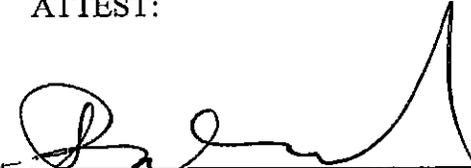
NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

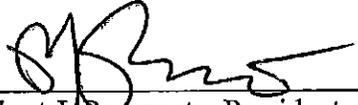
The Board of Commissioners of Upper Dublin Township hereby authorizes its President and Secretary to execute a Street Deed of Dedication for a 25 foot wide right-of way for Logan Avenue through the Lands of Upper Dublin Township, Tax Map Block 69, Unit 10, Montgomery County Tax Parcel No. 54-00-10699-002.

RESOLVED, this 11th day of July, 2006.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:


Paul A. Leonard, Secretary

By: 
Robert J. Pesavento, President

RESOLUTION NO. 1916
FOR LOGAN AVENUE

RESOLUTION TO ACCEPT STREET DEED OF
DEDICATION FOR A 25 FOOT WIDE RIGHT OF WAY
FOR LOGAN AVENUE

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from the Township of Upper Dublin a Deed of Dedication for a 25 foot wide right of way as more fully described on Exhibit "A" attached hereto;

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that Logan Avenue will be open 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 Logan Avenue right-of-way is accepted.
2. The proper officers of the Township are authorized to record the Deed of Dedication in the Office of the Recorder of Deeds, Norristown, Montgomery County, Pennsylvania.

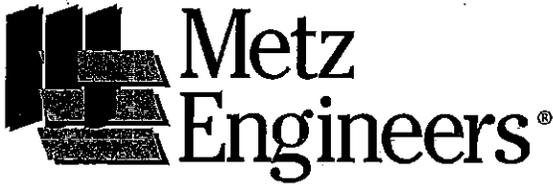
RESOLVED, this 11th day of July, 2006.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:


Paul A. Leonard, Secretary

By: 
Robert J. Pesavento, President



Barry L. Wert, P.E., P.L.S.
 Jeffrey A. Wert, P.E., P.L.S.
 Robln K. Youmans, P.E.
 Kenneth M. Fretz, Sr., P.L.S.
 Cynthia H. Vanfise, 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

April 6, 2006

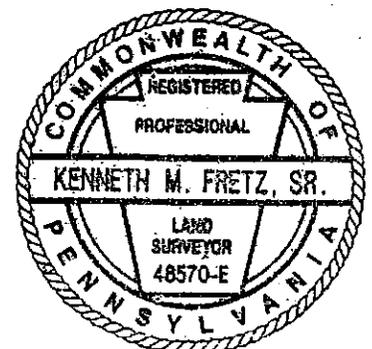
M6483.05
 North Hills CDBG Phase 5

Logan Ave. Right of Way Dedication
 Lands of Upper Dublin Township
 Taxmap Block 69, Unit 10

ALL THAT CERTAIN strip of land or portion of roadway situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as the Ultimate Right of Way, on a Logan Ave. Right of Way Dedication Plan, lands of Upper Dublin Township, prepared by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated April 6, 2006 being more fully described as follows:

BEGINNING at a point in the centerline of Logan Avenue (50' wide), said point being in the common line of lands of Upper Dublin Township, (taxmap block 69, unit 10) and N/L Kevin Dougherty (block 69, unit 18) extended, and being located along said centerline, northeasterly, 300 feet from the centerline of Summit Avenue (50' wide); thence, extending along the common line of lands extended of said Township and Dougherty, South 46°37'00" East, the distance of 25.00 feet to a point on the southeasterly sideline of Logan Avenue; thence, extending along the said sideline South 43°23'00' West, 275.00 feet to a point on the sideline of Summit Ave; thence, extending along said sideline extended, North 46°37'00" West, 25.00 feet to a point on the said centerline of Logan Avenue; thence, extending along the said centerline North 43°23'00' East, 275.00 feet to the point and place of beginning.

Containing 6,875 S. F. of land area, be the same, more or less.



RESOLUTION
NO. 1917

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN
DECLARING THE PROPERTY AT 456 RENFREW AVENUE
TO BE A PUBLIC NUISANCE AND HAZARD; AND
ORDERING THE CORRECTION AND/OR ABATEMENT OF
SAID PUBLIC NUISANCE AND HAZARD; AND
AUTHORIZING THE USE OF TOWNSHIP FUNDS OR
TOWNSHIP PERSONNEL TO ACCOMPLISH SAID
CORRECTION AND/OR ABATEMENT; AND AUTHORIZING
THE COST THEREOF TO BE CHARGED TO THE PROPERTY
OWNER, SAID COST TO BE COLLECTED BY LIEN OR
OTHER METHODS AS MAY BE AUTHORIZED BY LAW

WHEREAS, the Code Enforcement Officer of the Township of Upper Dublin has found the property at 456 Renfrew Avenue, Ambler, Pennsylvania 19002 ("the Subject Property") to have a deteriorated front porch; and

WHEREAS, by visual inspection it is evident that the front porch is in such disrepair that it is structurally unsound and in danger of imminent collapse; and

WHEREAS, the Owner of the Subject Property is identified through the Montgomery County Recorder of Deeds Records as Joseph M. Mazzeo and Janet M. Mazzeo of 456 Renfrew Avenue, Ambler, Pennsylvania 19002; and

WHEREAS, collapse of the Subject Property's front porch not only endangers the occupants of and visitors to the Subject Property, but it also endangers the occupants of and visitors to the adjoining property that is physically attached to and is the twin of the Subject Property; and

WHEREAS, the Code Enforcement Officer has made repeated attempts without success to contact the Owner of the Subject Property to direct the Owner to make repairs to the porch to abate the hazard; and

WHEREAS, the Code Enforcement Officer has sent a Notice of Violation in reference to the condition of the Subject Property to the Owner and has physically posted a Notice of Violation on the Subject Property; and

WHEREAS, the Owner has not responded to or acknowledged the Notices of Violation; and

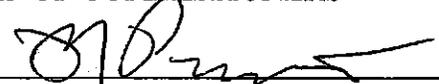
WHEREAS, the Upper Dublin Township Code, Chapter 180, Property Maintenance, Section 180-2, Amendments, PM-101.8.5, Abatement of Violations, authorizes the Board of Commissioners to declare property maintenance violations to constitute public nuisances and/or hazards and to order such violations, nuisances and hazards to be abated through the use of Township funds or Township personnel with the cost thereof to be charged to the violator;

NOW, THEREFORE, in consideration of the public health, safety, and welfare of the Township of Upper Dublin, BE IT RESOLVED by the Board as follows:

1. The deteriorated condition of the front portion of 456 Renfrew Avenue constitutes a public nuisance and hazard which must be corrected and/or abated.
2. The deteriorated condition of the front porch of 456 Renfrew Avenue is a violation of Chapter 180, Property Maintenance, of the Code of the Township of Upper Dublin.
3. The Owner of 456 Renfrew Avenue shall take action to correct the violation and abate the public nuisance and hazard within ten (10) days of the date of this Resolution. Such action must constitute a good faith effort to correct the violation and nuisance.
4. If the Owner does not take action and make a good faith effort to correct the violation and abate the public nuisance and hazard within ten (10) days of this Resolution, the use of Township funds and/or Township personnel to correct the violation and abate the public nuisance and hazard is authorized, with the cost thereof to be charged to the Owner.
5. A copy of this Resolution shall be delivered to the Owner via certified mail.

RESOLVED, this 8 day of August, 2006, at a meeting of the Board of Commissioners.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 
Robert V. Pesavento, President

Attest:


Paul A. Leonard, Secretary

RESOLUTION

NO. 1918

WHEREAS, Brandywine Senior Care of Upper Dublin, LLC (the "Applicant") is the owner of the property located at 1405 North Limekiln Pike, Dresher, Upper Dublin Township ("Township"), Pennsylvania 19025, consisting of 8.6 acres ("Property"), upon which is located Dresher Estates, a senior assisted living facility; and

WHEREAS, on July 16, 1998, the Applicant and the Township entered into a Consent Order in the United States District Court for the Eastern District of Pennsylvania in which, *inter alia*, the Court approved a settlement of an action filed by the Applicant against the Township under the Fair Housing Act, 42 U.S.C. §3601, et seq. and the Americans with Disabilities Act, 42 U.S.C. §12131, et seq., a true and correct copy of which is attached hereto, made a part hereof and marked as Exhibit "A" (the "Consent Order"); and

WHEREAS, as part of the Consent Order, the Court entered an affirmative injunction directing, *inter alia*, the development of the Property in accordance with the land development criteria set forth in Exhibit "1" to the Consent Order; and

WHEREAS, Exhibit "1" to the Consent Order establishes, *inter alia*, in Paragraph A(3), the density for the development of the Property at "104 units, determined as 14 units per acre. No more than twenty five percent (25%) of the allowable unit(s) shall be provided for double occupancy"; and

WHEREAS, neither the Consent Order nor Exhibit "1" thereto defines the term "acre"; and

WHEREAS, the facility is currently licensed by the Pennsylvania Department of Public Welfare for 108 beds; and

WHEREAS, Applicant has now filed a Sketch Plan Application with the Township, seeking to increase the number of units to 112 and the total number of beds to 125.

WHEREAS, Applicant desires to petition the United States District Court for the Eastern District of Pennsylvania, pursuant to the retention of jurisdiction clause set forth in Paragraph 30 of the Consent Order, for a modification of the Consent Order to allow for the above relief; at its own cost and expense; and

WHEREAS, Applicant has requested that the Township not oppose and/or join in the said Application to the Court; and

WHEREAS, the Township has determined that the calculations used to form the basis for the Consent Order were incorrect, and that the area of the Property as it existed at the time of the application would have permitted 112 units at the rate of 14 units per acre, which is the standard otherwise employed in the Township Zoning Code for this type of development.

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

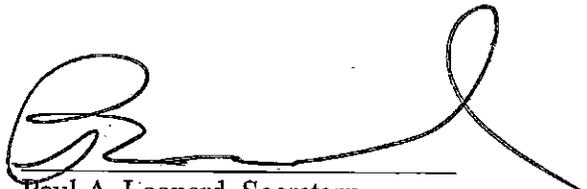
1. Upper Dublin Township does not oppose the application of the Applicant that the Consent Order be amended to permit 112 units, no more than 25% of which will be double units, this being the relief as requested by the Applicant and as set forth in the above Recitals.

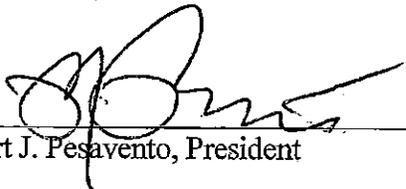
2. The Applicant and Township retain any and all rights not otherwise affected by the Court Order including the right to review the proposed relief and to process Applicant's development plan application to assure compliance with the Upper Dublin Township Codes, except to the extent modified by the Consent Order.

RESOLVED, this 12th day of September, 2006

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTEST:


Paul A. Leonard, Secretary

By: 
Robert J. Pesavento, President

RESOLUTION NO. 1919

A RESOLUTION AUTHORIZING A REFERENDUM TO BE HELD IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, ON THE QUESTION: "SHALL DEBT IN THE SUM OF THIRTY MILLION DOLLARS FOR FINANCING THE ACQUISITION OF LAND AND/OR EASEMENTS TO PROTECT RECREATIONAL, NATURAL, SCENIC, HISTORICAL, AND CULTURAL RESOURCES BE AUTHORIZED TO BE INCURRED DEBT APPROVED BY THE ELECTORS."

WHEREAS, the Commissioners of the Township of Upper, Dublin, Montgomery County, Pennsylvania desire to protect land with recreational, natural, scenic, historical, and cultural value for the benefit of the residents of Upper Dublin Township; and

WHEREAS, in furtherance thereof, the Commissioners desire Upper Dublin Township to incur electoral debt in the amount of Thirty Million Dollars (\$30,000,000.00) for the purpose of financing the acquisition of land and/or easements to protect recreational, natural, scenic, historical, and cultural resources; and

WHEREAS, Upper Dublin Township is authorized to incur electoral debt by the Act of December 19, 1996, P.L. 1158, No. 177, § 1, as amended, 53 Pa.C.S.A. § 8041, *et seq.*; and

WHEREAS, the Commissioners desire that the qualified voters of the Township of Upper Dublin have the opportunity to provide their assent for the Township to incur electoral debt for the purpose described herein; and

WHEREAS, the Commissioners desire to approve the content and substantial form of a notice of election and question as provided herein; and

WHEREAS, the Commissioners consider this "desire resolution" pursuant to 53 Pa.C.S.A. § 8041, *et seq.*

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

1. It is advisable to increase the debt of the Township of Upper Dublin with the assent of the qualified voters of the Township, in the amount of Thirty Million Dollars (\$30,000,000.00), to be used to finance the acquisition of land and/or easements to protect recreational, natural, scenic, historical, and cultural resources for the benefit of the residents of Upper Dublin Township.
2. That a referendum be conducted in the Township of Upper Dublin, Montgomery County, Pennsylvania, at the general election scheduled for November 7, 2006, so that the qualified voters of the Township may advise the Commissioners as to whether the Township should incur electoral debt in an amount not to exceed

Thirty Million Dollars (\$30,000,000.00) to finance the acquisition of land and/or easements to protect recreational, natural, scenic, historical, and cultural resources for the benefit of the residents of Upper Dublin Township.

3. That the following content and substantial form of notice of the election is approved:

"The qualified voters of the Township of Upper Dublin shall have the opportunity at the general election on November 7, 2006 to provide their assent for the Township to incur electoral debt in the amount of Thirty Million Dollars (\$30,000,000.00) to finance the acquisition of land and/or easements to protect recreational, natural, scenic, historical, and cultural resources for the benefit of the residents of the Township of Upper Dublin. The estimated total cost of the acquisitions is Thirty Million Dollars (\$30,000,000.00). The question to be submitted to the qualified voters is:

"Shall debt in the sum of Thirty Million Dollars (\$30,000,000.00) for the purpose of financing the acquisition of land and/or easements to protect recreational, natural, scenic, historical, and cultural resources be authorized to be incurred as debt approved by the electors?"

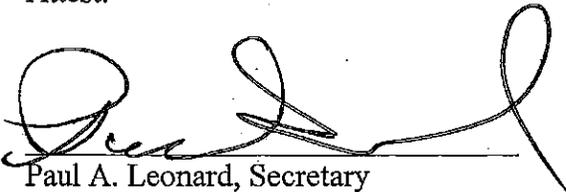
YES

NO"

4. The Township Secretary shall forthwith file a certified copy of this Resolution with the Montgomery County Board of Elections, together with a copy of the question to be submitted to the electors.
5. The Commissioners hereby authorize the appropriate Township officials and employees to take the necessary steps to obtain the assent of the qualified voters to incur the debt set forth in Section 1 hereof.

ADOPTED AND RESOLVED this 12th day of September, 2006.

Attest:


Paul A. Leonard, Secretary

Board of Commissioners
Township of Upper Dublin


Robert J. Pesavento, President

RESOLUTION NO. 1920

Supporting the Goal of 20% Clean Energy by the Year 2010

WHEREAS, electricity generation from fossil fuels produces harmful air pollution which contributes to asthma, respiratory illness, as well as increased levels of carbon dioxide in the atmosphere which is suspected to be a cause of global warming; and

WHEREAS, Upper Dublin Township seeks to take measures to improve air quality standards because of its importance to public health; and

WHEREAS, clean energy resources, such as wind and solar energy, constantly replenishing themselves, do not cause the buildup of global warming gases and health damaging pollutants, and, if properly managed, will be available to serve our energy needs forever, and

WHEREAS, the Pennsylvania Clean Energy Communities Campaign is a non-for-profit initiative being undertaken to encourage community action in support of clean energy in an effort to improve public health, create a clean energy market, improve the environment and create jobs in these technologies; and

WHEREAS, many cities throughout the nation, both large and small are reducing global warming pollutants through programs that provide economic and quality of life benefits such as, green space preservation, air quality improvements, reduced traffic congestion, improved transportation choices and economic development and job creation through energy conservation and new energy technologies; and

WHEREAS, the Upper Dublin Board of Commissioners have endorsed the goals of the Pennsylvania Clean Energy Communities Campaign; and

WHEREAS, the Upper Dublin Board of Commissioners have researched and made reservations for the Township of Upper Dublin to reach the 20% by 2010 clean energy goal; and

WHEREAS, the Township of Upper Dublin endorses the citizens of Upper Dublin and their municipal government energy conservation and energy efficiency.

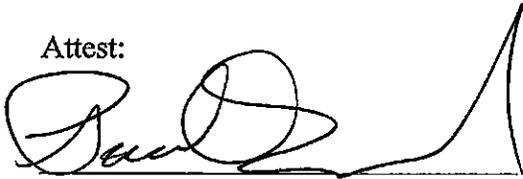
NOW, THEREFORE, BE IT RESOLVED that the Township of Upper Dublin commit to offsetting at least 20% of its electricity usage with clean energy sources by the year 2010, with clean energy purchase beginning fiscal year 2006-2007 and increasing over time to meet the 2010 goal; and

BE IT FURTHER RESOLVED that the Township of Upper Dublin will designate the Environmental Protection Advisory Board to make recommendations that will ensure that the 20% by 2010 goal is met, and will also continue to research and make recommendations so that Upper Dublin can reach the 20% by 2010 goal. The Environmental Protection Advisory Board will in part investigate clean energy options; including purchasing Renewable Energy Certificates (RECs) and/or on-site renewable energy installations and funding opportunities; and

RESOLVED, that the Board of Commissioners shall encourage all businesses, institutions and households within Upper Dublin Township to adopt the goals and purpose of promoting clean energy in our Township by purchasing clean energy through one of the Pennsylvania based clean energy suppliers to advance this program.

ADOPTED this *10th* day of *October*, 2006.

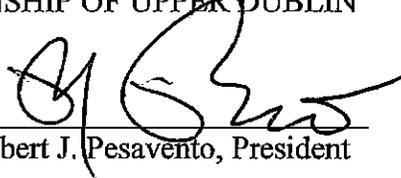
Attest:



Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:



Robert J. Pesavento, President

**TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS**

**RESOLUTION
NO. 1921**

**A RESOLUTION TO AUTHORIZE EXECUTION OF A CABLE
FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP OF
UPPER DUBLIN AND VERIZON PENNSYLVANIA, INC.**

WHEREAS, pursuant to Title VI of the Communications Act (*see* 47 U.S.C. § 601 *et seq.*), the Cable Television Consumer Protection and Competition Act of 1992, and the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Pennsylvania law, the Township of Upper Dublin ("the Township") is authorized to grant franchises to construct, operate and maintain cable systems utilizing public rights-of-way and properties within the Township's jurisdiction; and

WHEREAS, Verizon Pennsylvania, Inc. ("Verizon") is upgrading its existing telecommunications system under Title II of the Communications Act (*see* 47 U.S.C. § 201 *et seq.*) and has applied for a non-exclusive cable franchise agreement from the Township to operate a cable system under Title VI of the Communications Act (*see* 47 U.S.C. § 521 *et seq.*); and

WHEREAS, the Township is willing to grant non-exclusive franchises to construct, install, maintain, extend, and operate cable systems in the Township; and

WHEREAS, Verizon is in the process of installing a Fiber to the Premise Telecommunications Network ("FTTP Network") in the Township for the transmission of non-cable services pursuant to authority granted by the Commonwealth of Pennsylvania; and

WHEREAS, the FTTP Network will occupy the public rights-of-way within the Township, and Verizon desires to use portions of the FTTP Network once installed to provide cable services in the Township; and

WHEREAS, the Township desires to protect and manage the public rights-of-way, require high standards of customer service, receive financial compensation for Verizon's use of the public rights-of-way as provided by federal law, obtain complimentary services for its public buildings, obtain educational and governmental channels, establish certain reporting requirements, and provide for the future cable-related needs of its residents; and

WHEREAS, the Township has determined Verizon to be financially, technically and legally qualified to operate a cable system to provide cable services in the Township; and

WHEREAS, the Township has determined that the public interest would be served by granting a franchise to Verizon according to the terms and conditions contained in a Cable Franchise Agreement negotiated with Verizon.

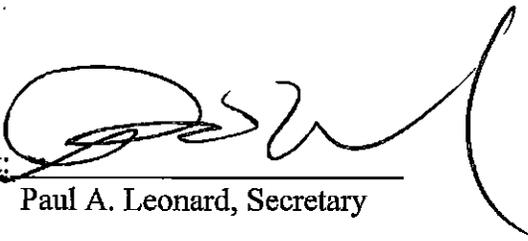
NOW THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Township approves the Cable Franchise Agreement negotiated with Verizon, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement and associated documents.

2. The President of the Board is authorized to execute for the Township the Cable Franchise Agreement and all associated documents.

RESOLVED this 14th day of November 2006, at a public meeting of the Board of Commissioners.

Attest:



Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:



Robert J. Pesavento, President

RESOLUTION
NO. 1922

RESOLUTION TO DENY PRELIMINARY SUBDIVISION PLAN
FOR KASSER SUBDIVISION
UPON THE APPLICATION OF FOX ROTHCHILD, LLP

WHEREAS, a preliminary subdivision plan titled Kasser Subdivision prepared by Bursich Associates, Inc. ("the Plan") was filed by Fox Rothchild, LLP ("Applicant") with respect to property at 3212 and 3216 Woodland Road, said property being commonly known as the Burn Brea Day Camp property ("the Property"); and

WHEREAS, the owner of the Property is LDK Holding Co., LLC ("Owner"); and

WHEREAS, the Applicant proposed to subdivide the Property, which has a total area of 6.09 acres, into thirteen (13) single-family residential building lots and associated improvements; and

WHEREAS, the Plan proposes the construction of a street named Paul Avenue from the intersection of Malcolm Drive and Woodland Road into the Property and terminating in a cul-de-sac; and

WHEREAS, the Plan proposes the construction of a stormwater management basin near the Property boundary with the Upper Dublin Township Twining Valley Golf Course; and

WHEREAS, the Property fronts on Woodland Road, but also has direct access to Twining Road with a boundary of the Property in Twining Road; and

WHEREAS, Applicant has granted an extension of the ninety (90) day plan review requirement under Section 508 of the Municipalities Planning Code, 53 P.S. §10508 until December 15, 2006, but it must be acted upon before that date; and

WHEREAS, based on reviews by the Township Engineer, the Plan is not in conformity with the Upper Dublin Township Code, specifically the Township Zoning Ordinance, the

Subdivision and Land Development Ordinance ("Subdivision Ordinance"), and the Stormwater Management Ordinance ("Stormwater Ordinance"); and

WHEREAS, the Township Engineer provided Applicant with a review letter dated December 15, 2005 and a review memorandum dated February 15, 2006; and

WHEREAS, Applicant has failed to pursue the Plan by making revisions thereto which would bring it into compliance with the Township Code.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township hereby denies the application of Fox Rothchild, LLP for approval of the Kasser Subdivision preliminary subdivision plan for the following reasons:

1. The Plan violates § 255-34 of the Zoning Ordinance pertaining to steep slopes. No more than forty (40) percent of slopes between ten (10) percent to fifteen (15) percent, no more than thirty (30) percent of slopes between fifteen (15) percent to twenty-five (25) percent or no more than fifteen (15) percent of slopes greater than twenty-five (25) percent may be regraded and/or stripped of vegetation. The Applicant failed to identify the total area of each slope range, proposed area of disturbance and percentage of disturbance of each slope range.

2. The Plan violates § 255-24.1.A of the Zoning Ordinance pertaining to stormwater management structures. The detention basin embankment is shown within twenty (20) feet of the property line. Stormwater management structures may not be located within twenty (20) feet of any front, side, or rear property line.

3. The Plan violates § 255-135.A of the Zoning Ordinance pertaining to parking spaces for dwellings. Two (2) all-weather parking spaces per family are required in addition to an enclosed garage space. A minimum of thirty-eight (38) feet behind the sidewalk must be

provided for sufficient space for two (2) vehicles. Most driveways are shown at approximately thirty-five (35) feet.

4. The Plan violates § 255-139 of the Zoning Ordinance pertaining to driveways. The Applicant has failed to show driveways constructed to permit the turning of vehicles on the lot so as to avoid the necessity of backing out into the street.

5. The Plan violates § 212-14.C of the Subdivision Ordinance pertaining to natural, cultural and historic resources. Wherever possible, Applicant shall preserve trees, groves and other community assets and landmarks. The Applicant's plan to remove ninety-two (92) trees and clear the Property is inconsistent with this Code section.

6. The Plan violates § 212-15.A.(8) of the Subdivision Ordinance pertaining to street names and signs. A new public cul-de-sac street is proposed with the name of "Paul Avenue." This road is not a continuation of the existing Paul Avenue located approximately five hundred fifty (550) feet from the site. The road name must be changed from Paul Avenue to Malcolm Drive (Plan Sheet 1) to be consistent with the actual geometric configuration of the roads.

7. The Plan violates § 212-16.A.(1) of the Subdivision Ordinance pertaining to location and design of driveways. Driveways shall be located not less than forty (40) feet from the street intersection. The driveways for Lots 1 and 13 are proposed to be closer than forty (40) feet to the intersection of Woodland Road and Malcolm Drive.

8. The Plan violates §212-20.A of the Subdivision Ordinance pertaining to street blocks. Blocks in a subdivision shall have a minimum length of five hundred (500) feet. Paul Avenue is proposed at only approximately four hundred twenty-five (425) feet.

9. The Plan violates § 212-21.E of the Subdivision Ordinance pertaining to lot sidelines. The Applicant has failed to design all lot sidelines at right angles or radial to the right-of-way line.

10. The Plan violates § 212-21.H of the Subdivision Ordinance prohibiting excessively irregular lots. A lot may not be created which is excessively irregular. Lot 7 is proposed with a long pole leg (355+ feet) to Twining Road making the lot excessively irregular.

11. The Plan violates § 212-22.A of the Subdivision Ordinance prohibiting lot lines through existing structures. No subdivision of land will be approved with the property line extending through any portion of any existing structure. Applicant shows lot lines through existing structures on the Plan.

12. The Plan violates § 212-23.A of the Subdivision Ordinance pertaining to topsoil. Applicant failed to show that all areas of the site shall be stabilized by seeding or planting on slopes of less than ten (10) percent and shall be stabilized by sodding on slopes of ten (10) percent or more and planted in ground cover on slopes of twenty (20) percent.

13. The Plan violates §§ 212-24.B(2) and 212-25.A.(4) of the Subdivision Ordinance pertaining to drainage. The proposed discharge point of the detention basin, a concentrated point of discharge, is directly into a wooded area, close to the lands of Upper Dublin Township. No defined watercourse exists to accommodate the drainage and no drainage easement is shown.

14. The Plan violates § 212-26.C of the Subdivision Ordinance pertaining to design and construction of sanitary sewers. The sanitary sewer shall be designed in accordance with the standards of the Bucks County Water & Sewer Authority. The sanitary sewer is designed with approximately 2.7 feet of cover at Station 2+05. The sanitary sewer should have a minimum of

9. The Plan violates § 212-21.E of the Subdivision Ordinance pertaining to lot sidelines. The Applicant has failed to design all lot sidelines at right angles or radial to the right-of-way line.

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14. The Plan violates § 212-26.C of the Subdivision Ordinance pertaining to design and construction of sanitary sewers. The sanitary sewer shall be designed in accordance with the standards of the Bucks County Water & Sewer Authority. The sanitary sewer is designed with approximately 2.7 feet of cover at Station 2+05. The sanitary sewer should have a minimum of

four (4) feet of cover. A terminal sanitary sewer line with a grade of 0.005 as shown is not recommended.

15. The Plan violates § 212-27 of the Subdivision Ordinance pertaining to water supply. The proposed water system terminates at Lot 6, however, Applicant failed to identify the fixture that is proposed to terminate the line (fire hydrant, blow off, valve). Also there appear to be existing wells located on Lots 5 and 7. Applicant failed to provide information on capping the existing wells.

16. The Plan violates § 212-28.A of the Subdivision Ordinance pertaining to utilities. All electric, telephone and communication service facilities shall be installed underground. Applicant failed to identify the location of these utilities.

17. The Plan violates § 212-32.E.(1)(i) of the Subdivision Ordinance pertaining to landscaping. Ninety-two (92) trees are noted to be removed during construction. Consequently, the Applicant must provide a tree removal schedule with the botanical name, height, spread and special remarks for all trees proposed for destruction.

18. The Plan violates § 212-32.E.(1)(m) of the Subdivision Ordinance pertaining to landscaping. The existing steep slopes in excess of ten percent (10%) must appear on the Landscape Plan (Plan Sheet 4).

19. The Plan violates § 212-32.F.(1)(b)[1] of the Subdivision Ordinance pertaining to street trees. The planting requirements indicate four (4) street trees are required along Woodland Road. Two (2) trees are proposed and a note states there are existing eight (8) inch trees to remain that will account for the other two (2) trees. The Applicant failed to identify these trees and they are not shown on the Landscape Plan (Plan Sheet 4) or the Existing Features Plan (Plan Sheet 2). The Applicant also failed to identify measures to protect these trees.

20. The Plan violates § 212-32.F(1)(b)[3] of the Subdivision Ordinance pertaining to street trees. Trees shall be located no closer than fifty (50) feet from the intersection of the curbs. One (1) of the Honey Locust (GT) trees proposed on Lot 1 along Paul Avenue fails to comply with this requirement.

21. The Plan violates §§ 212-32.F(1)(b)[1] and 212-32.F.(1)(b)[5] of the Subdivision Ordinance pertaining to street trees. Trees shall not be planted closer than fifty (50) feet on center. Trees in an informal arrangement may be grouped if appropriate to the area at an equal or greater quantity per Township Standards. If this method of planting is chosen, street trees shall average one (1) tree every forty (40) feet with no spacing or gaps between tree groupings greater than one hundred fifty (150) feet. A few groups of trees are proposed at twenty (20) feet and thirty (30) feet on center.

22. The Plan violates § 212-32.F.(1)(b)[6] of the Subdivision Ordinance pertaining to street trees. The Applicant failed to ensure street trees are located a distance of not less than ten (10) feet away from the centerline of underground utilities.

23. The Plan violates § 212-32.F.(2)(d)[1] of the Subdivision Ordinance pertaining to plant material requirements. Eighteen (18) shrubs are required per the Planting Requirement Table. The Planting Schedule identifies only seventeen (17) shrubs.

24. The Plan violates § 212-32.F.(2)(b)[1] of the Subdivision Ordinance pertaining to softening buffers. A softening buffer requires two (2) trees per one hundred (100) feet of property line as noted in the Planting Requirements. The Applicant proposed three (3) trees, but six (6) are required.

25. The Plan violates § 212-32.B.(4) of the Subdivision Ordinance requiring a Registered Landscape Architect. A Registered Landscape Architect must prepare and sign the Plan.

26. The Plan violates § 212-33 of the Subdivision Ordinance pertaining to reserve strips and easements. A forty (40) foot wide strip of land identified as Paul Avenue (not open) currently bisects the property and extends to Twining Road. Applicant failed to identify the restrictions, if any, placed on the Property by this unopened street.

27. The Plan violates § 212-33.B of the Subdivision Ordinance pertaining to rights-of-way. Five (5) utility poles, with overhead wires, are shown on the site, but the Applicant failed to identify any existing easements.

28. The Plan violates § 212-33.B of the Subdivision Ordinance pertaining to rights-of-way. The Applicant failed to provide Metes and Bounds for the stormwater easement and the emergency access and stormwater easement on the Plan.

29. The Plan violates § 212-43.C.(1)(c) of the Subdivision Ordinance pertaining to existing features. The Applicant failed to provide the size and ownership of existing utility lines, and the Applicant failed to provide verification of existing on-site septic system or public sanitary sewer.

30. The Plan violates § 212-43.C.(3)(a) of the Subdivision Ordinance pertaining to benchmarks. The applicant failed to clearly label the benchmark and its location on the Plan.

31. The Plan violates § 206-31.L of the Stormwater Ordinance pertaining to discharge to a state highway. The Applicant failed to document that stormwater management facilities that will discharge to a state highway right-of-way have approval of the Pennsylvania Department of Transportation (PennDOT).

32. The Plan violates § 206-35.B of the Stormwater Ordinance pertaining to water quality. The Applicant failed to document its methodology appropriate for the drainage area under consideration and approved by the Township Engineer to detain, for extended periods of time, runoff from the water quality design storm (one-year, twenty-four hour rainfall event).

33. The Plan violates § 206-35.D of the Stormwater Ordinance pertaining to water quality. The Applicant failed to address underdrains when detention basins are used to satisfy the water quality requirement, the invert of the water quality orifice may be placed at the invert of the basin. In soils nonconductive to infiltration, the addition of an underdrain is required, although this requirement can be waived upon determination by the Township Engineer that conditions warrant such a waiver.

34. The Plan violates § 206-36.B of the Stormwater Ordinance pertaining to groundwater recharge. The Applicant failed to properly address infiltration. BMP's shall be designed to infiltrate retained runoff within a forty-eight hour period. Infiltration rate shall be based on field measurements using a method approved by the Township Engineer. A test shall be conducted at the proposed depth of the bottom of the infiltration device. A factor of safety of 3 or greater shall be used when computing infiltration potential of a BMP from field measurements of infiltration rate.

35. The Plan violates § 206-43.B.(3)(f) of the Stormwater Ordinance pertaining to existing features. The Applicant failed to provide an overlay showing soil limitations for proposed uses and a statement as to how the soils data was obtained.

36. The Plan violates § 206-102.D.(13) of the Stormwater Ordinance pertaining to detention facility design. The Applicant failed to properly address outlet pipes. All outlet pipes through a basin berm shall be reinforced concrete pipe designed to withstand the loading caused

by a fully saturated berm and shall have watertight joints using o-ring joint pipe. Outlet pipes shall be backfilled with material similar to the core material (semi-pervious).

RESOLVED by the Board of Commissioners of Upper Dublin Township this 14th day of November, 2006.

Attested:

By:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:


Robert J. Pesavento, President

g:\udt\developments\kasser subdivision\ - resolution - denial of subdiv plan.doc

RESOLUTION

NO. 1923

THE TOWNSHIP OF UPPER DUBLIN RESOLVES TO ADVERTISE FOR THE SALE OF APPROXIMATELY 1.135 ACRES OF UNUSED LANDS OF THE TOWNSHIP OF UPPER DUBLIN LOCATED ON KENYON DRIVE, UPPER DUBLIN TOWNSHIP, BEING PARCEL NO. 54-00-09664-00-2 AND AS MORE FULLY DESCRIBED BY THE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

WHEREAS, the Township of Upper Dublin (hereinafter referred to as the "Township") purchased Kenyon Drive, Parcel No. 54-00-09664-00-2 (hereinafter referred to as the "Premises") from the Borough of Ambler on or about October 27, 2005;

WHEREAS, the Township has determined that it is not in the Township's interest to continue to own and maintain the Premises;

WHEREAS, the Township has determined that it will accept sealed bids at a public sale at the Township Building for the sale of the Premises;

WHEREAS, the Township will advertise the sale of the Premises in accordance with law;

WHEREAS, the Township will require restrictions in the Deed of Conveyance to the Purchaser which will permanently run with the land that prohibit the construction of a residence and any building or structure other than an accessory building or structure on the Premises. Garages and barns are acceptable accessory buildings under this clause as long as they otherwise comply with zoning;

WHEREAS, the Township will establish a minimum purchase bid before the Board of Commissioners will approve the proposed sale of the Premises;

WHEREAS, the purchaser at the public sale must make a down payment of ten percent (10%) of the purchase price and, upon acceptance of the bid by the Township, execute an offer to purchase the Premises in accordance with the terms hereof with settlement to take place within sixty (60) days of the Commissioners' acceptance of the bid at its next regular or special meeting after the public sale;

NOW, THEREFORE,

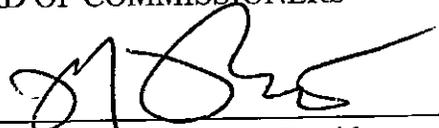
1. The Township incorporates by reference the above recitation as if fully set forth herein;
2. The written bids must refer to this Resolution and contain a provision accepting the restrictions placed against development of the Premises including but not limited to the prohibition against construction of a residence and any building or structure other than an accessory building, such as a garage and barn so long as the accessory building complies with zoning.
3. The decision to accept or reject the highest bid which complies with the terms hereof shall be made by public announcement at the next regular or special meeting of the Board of the Commissioners after the public sale.
4. Settlement shall take place no later than sixty (60) days from the date of acceptance of the bid by the Board of Commissioners. An agreement of sale prepared by the Township Solicitor must be entered into with a deposit of at least ten percent (10%) of the purchase price within twenty (20) days of the Commissioners' decision to accept the bid.
5. The Board of Commissioners shall have the authority to reject all bids if such bids are deemed to be less than the minimum purchase price for the Premises.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the advertisement for sale of approximately 1.135 acres of unused lands of the Township of Upper Dublin located on Kenyon Drive, Upper Dublin Township, being Parcel No. 54-00-09664-002 (the "Premises"), is hereby authorized, 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 sale of the approximately 1.135 acres of unused lands and all other necessary actions for sale.

DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this 14th of November, 2006.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 
Robert A. Pesavento, President

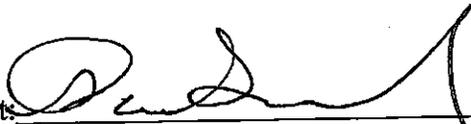
Attests: 
Paul A. Leonard, Township Secretary

EXHIBIT "A"

ALL THAT CERTAIN lot or tract of land **SITUATE** in the Township of Upper Dublin, County of Montgomery, and Commonwealth of Pennsylvania, as shown on a lot location plan prepared for Victor N. and Earl T. Potts, dated June 18, 1964, prepared by C. Raymond Weir Associates, Inc., Ambler, PA, recorded in the Office of the Recorder of Deeds, etc., Norristown, PA, in Plan Book No. C-3, Page No. 77 on the 29th day of June, 1964, bounded and described as follows, to wit:

BEGINNING at a point on the Southwest side of Wallace Drive fifty feet wide, said point of beginning being located North forty-three degrees fifty-three minutes West two hundred eleven and eighty one-hundredths feet to the point of intersection of the aforesaid Southwest side of Wallace Drive extended with the Northwest side of Haddon Place, fifty feet wide, extended; thence from the point of beginning along land now or late of James H. Oeste Land Development Co., Inc. South forty-seven degrees fifty-one minutes thirty seconds West three hundred seventy-nine and thirty-six one-hundredths feet to a point a corner of land now or late of Thomas Flynn; thence partly along the same and partly along land now or late of Frederick H. Gerkenmeyer North forty degrees three minutes West two hundred six and eighty-five one-hundredths feet to a point a corner of Lot "A" of land of which this was once a part; thence along Lot "A" North forty-five degrees forty-eight minutes East one hundred sixty-one and sixty-three one-hundredths feet to a point a corner of land of Victor N. Potts; thence along the same North forty-four degrees forty-five minutes East eighty-two and seventy one-hundredths feet to a point a corner in the rear lot line of Lot No. 11 of the Fort Washington Farms Subdivision; thence along the same South ten degrees forty-five minutes East seventy-four and sixty-four one-hundredths feet to a point a corner of Lot No. 12 of the aforesaid Fort Washington Farms Subdivision; thence along the same the two following courses and distances to wit: (1) South thirty-four degrees twenty-three minutes twenty seconds East one hundred thirty-nine and sixty one-hundredths feet to a point a corner (2) North forty-seven degrees fifty-one minutes thirty seconds East one hundred eighty-five feet to a point a corner on the aforesaid Southwest side of Wallace Drive; thence along the same South forty-three degrees fifty-three minutes East fifteen feet to the point and place of beginning. **CONTAINING** in area 1.064 acres of land be the same more or less.

Should the party of the second part, or its successors, utilize the within tract as a well site, it is understood that no above-ground storage tank facilities shall be installed in connection therewith.

BEING COUNTY PARCEL NO. 54-00-09664-002.

BEING THE SAME PREMISES WHICH Victor N. Potts and Earl Thomas Potts and Helen E. Potts by Deed dated August 12, 1964 and recorded August 13, 1964 in the Office for the Recorder of Deeds in and for the County of Montgomery, and Commonwealth of Pennsylvania, in Deed Book Volume 3341, Page 334, granted and conveyed unto Borough of Ambler, in fee.

RESOLUTION NO. 1924

A RESOLUTION ESTABLISHING THE BUDGET FOR FISCAL YEAR 2007.

WHEREAS, in accordance with the First Class Township Code, the Board of Commissioners have prepared and reviewed an annual budget for the fiscal year 2007 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 2007 budget was advertised as required by law and presented at a public hearing on November 18, 2006, and,

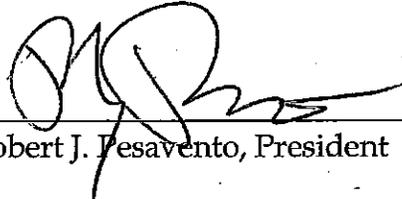
WHEREAS, amendments were made to the proposed budget during the public budget hearings legally advertised and held on November 28, December 5, and December 12, 2006, and,

WHEREAS, the proposed budget as amended will take effect on January 1, 2007;

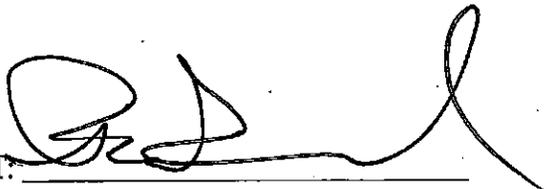
THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby adopts the annual budget, detailed in the attached exhibits, for fiscal year 2007.

ADOPTED this 12th day of December 2006.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 

Robert J. Pesavento, President

ATTEST: 

Paul A. Leonard, Secretary

RESOLUTION NO. 1925

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A WIDENED PORTION OF VIRGINIA DRIVE
ADJACENT TO 1100 VIRGINIA DRIVE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from LIBERTY PROPERTY LIMITED PARTNERSHIP (hereinafter "Grantor") a Deed of Dedication for a widened portion of Virginia Drive adjacent to premises known as 1100 Virginia Drive, Upper Dublin Township, more fully described in Exhibit "A" attached hereto; and

WHEREAS, the Board of Commissioners has heretofore approved a Development Plan (the "Plan") filed by or on behalf of Grantor showing the widened portion of the street, which Development Plan was prepared by Fore Site Land Services, Inc., June 13, 2006, with last revision dated October 23, 2006, with Improvement Construction Plans consisting of 25 drawings, which plans set forth that portion of the Street hereby dedicated; and

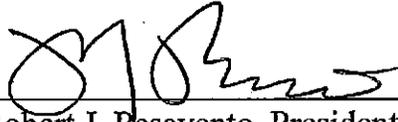
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the widened portion of the Street will be opened and dedicated for public use.

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 Virginia Drive 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 9th day of January, 2006.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

EXHIBIT "A"

FORE SITE

Land Services, Inc.

Description of the Virginia Drive Ultimate Right-Of-Way GMAC - 1100 Virginia Drive

UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA
Fore Site Project No. 2164
November 1, 2006

ALL THAT CERTAIN strip of land along Virginia Drive on lands of Liberty Property Limited Partnership (Tax Map Block 52, Unit 15) situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a plan entitled "Record Plan GMAC - 1100 Virginia Drive" prepared for Liberty Property Limited Partnership by Fore Site Land Services, Inc. dated March 13, 2006, last revised October 23, 2006 and being more particularly described as follows:

BEGINNING at a point in line of lands of WFP Pennland Co. L.P. (Tax Map Block 52 Unit 10) on the northwest sideline of Virginia Drive (widened to 50 feet on the northwest side);

Thence from said point of beginning, along the northwest sideline of Virginia Drive, North $59^{\circ}02'23''$ East, 1420.00 feet to a point in line with lands of BR Properties Owner L.P. (Tax Map Block 52 Unit 33);

Thence along lands of BR Properties Owner L.P. (Tax Map Block 52 Unit 33) South $30^{\circ}57'37''$ East, 50.00 to the title line in the bed of Virginia Drive;

Thence along the title line in the bed of Virginia Drive South $59^{\circ}02'23''$ West 1420.00 feet to a corner of lands of WFP Pennland Co. L.P. (Tax Map Block 52 Unit 10);

Thence along lands of WFP Pennland Co. L.P. (Tax Map Block 52 Unit 10) North $30^{\circ}57'37''$ West, 50.00 feet to the northwest sideline of Virginia Drive, the point and place of beginning.

CONTAINING 1.6299 acres of land area, be the same, more or less.



CIVIL ENGINEERS • LAND SURVEYORS

214 N. Main Street P.O. Box 1218 North Wales, PA 19454 215-699-2700 215-699-2730 Fax

RESOLUTION NO. 1926

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A WIDENED PORTION OF CAMP HILL ROAD
ADJACENT TO 1100 VIRGINIA DRIVE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from LIBERTY PROPERTY LIMITED PARTNERSHIP (hereinafter "Grantor") a Deed of Dedication for a widened portion of Camp Hill Road adjacent to premises known as 1100 Virginia Drive, Upper Dublin Township, 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 Fore Site Land Services, Inc., dated March 13, 2006, with last revision dated October 23, 2006, with Improvement Construction Plans consisting of 25 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 9th day of January, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: 
Robert J. Pesavento, President

ATTEST:

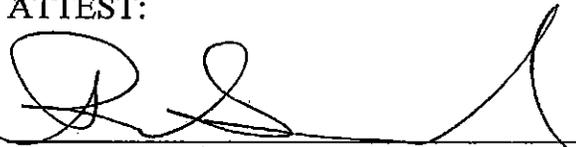

Paul A. Leonard, Secretary/Township Manager

EXHIBIT "A"

FORE SITE

Land Services, Inc.

Description of the Camp Hill Road Ultimate Right-Of-Way GMAC - 1100 Virginia Drive

UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA
Fore Site Project No. 2164
November 1, 2006

ALL THAT CERTAIN strip of land along Camp Hill Road on lands of Liberty Property Limited Partnership (Tax Map Block 52, Unit 15) situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a plan entitled "Record Plan GMAC - 1100 Virginia Drive" prepared for Liberty Property Limited Partnership by Fore Site Land Services, Inc. dated March 13, 2006, last revised October 23, 2006 and being more particularly described as follows:

BEGINNING at a point on the centerline of Camp Hill Road (widened to 40 feet wide on the southeast side), a corner of lands of Parec 1060 Associates (Tax Map Block 52 Unit 12);

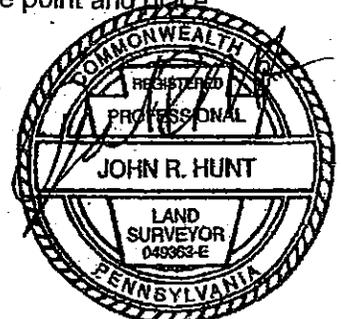
Thence from said point of beginning, along the title line in the bed of Camp Hill Road the following six courses: (1) North 25°44'33" East, 10.83 feet, (2) North 37°23'18" East, 820.33 feet, (3) North 45°15'18" East, 138.18 feet, (4) North 34°53'07" East, 415.64 feet, (5) North 36°40'07" East, 311.53 feet, (6) North 38°47'37" East, 96.84 feet to a corner of lands of BR Properties Owner L.P. (Tax Map Block 52 Unit 33)

Thence along lands of BR Properties Owner L.P. (Tax Map Block 52 Unit 33) South 51°12'23" East, 40.00 feet to the southeast sideline of Camp Hill Road;

Thence along the southeast sideline of Camp Hill Road the following six courses: (1) South 38°47'37" West, 96.10 feet, (2) South 36°40'07" West, 310.17 feet, (3) South 34°53'07" West 418.65 feet, (4) South 45°15'18" West 139.06 feet, (5) South 37°23'18" West 813.50 feet, (6) South 25°44'33" West 14.97 to a point in line of lands of Parec 1060 Associates (Tax Map Block 52 Unit 12);

Thence along of lands of Parec 1060 Associates (Tax Map Block 52 Unit 12) North 52°38'42" West, 40.84 feet to a point in the centerline of Camp Hill Road, the point and place of beginning.

CONTAINING 1.6464 acres of land area, be the same, more or less.



CIVIL ENGINEERS • LAND SURVEYORS

214 N. Main Street P.O. Box 1218 North Wales, PA 19454 215-699-2700 215-699-2730 Fax

RESOLUTION

NO. 1927

A RESOLUTION Of The Board Of Commissioners Of Upper Dublin Township, County Of Montgomery, Commonwealth Of Pennsylvania, Calling Upon Pennsylvania Department Of Transportation (Penn-Dot) And The Secretary Of Transportation Of The Commonwealth Of Pennsylvania To Undertake The Repair And Maintenance Of All State Highways And Their Appurtenances Within Upper Dublin Township At The Sole Cost And Expense Of The Commonwealth Of Pennsylvania

WHEREAS, pursuant to §670-401 of the State Highway Act of 1945, 36 P.S. §670-401, the Department of Transportation (hereinafter referred to as "PennDOT"), is mandated to maintain and repair all the State highways (hereinafter referred to as "State Highways") forming part of the State-mandated system of State highways within the counties and townships of the Commonwealth of Pennsylvania, at the cost and expense of the Commonwealth; and

WHEREAS, as part of the responsibility of such maintenance is the maintenance and repair of the appurtenances constructed as part of the State Highways along the corridors of the State Highways, said appurtenances included but not limited to the cartways, road surface, curbs, sidewalks, stormwater management structures and basins, bridges, culverts and swales forming a part of the design of the State Highway at their various locations and positions within local municipalities and political subdivisions within the Commonwealth of Pennsylvania; and

WHEREAS, PennDOT retains unto itself the prerogative of review and approval of all proposed entries upon State Highways by requiring any entrant to obtain a PennDOT Highway Occupancy Permit; and

WHEREAS, PennDOT has retained control over the installation of all Traffic Control devices proposed in any State Highway in all of the various municipalities and townships within the Commonwealth of Pennsylvania; and

WHEREAS, within Upper Dublin Township (a political subdivision of the Commonwealth of Pennsylvania organized and existing under the First Class Township Code of the Commonwealth of Pennsylvania) there are several State Highways, including SR 2022 (Ft. Washington Avenue); SR Route 2017 (Susquehanna Road); SR Route 152 (Limekiln Pike); SR Route 2027 (Pennsylvania Avenue); SR Route 2018 (Bethlehem Pike); SR 63 (Welsh Road); SR 2024 (Dreshertown Road); and SR 2007 (Norristown Road); and

WHEREAS, Upper Dublin Township does not have the financial ability or the manpower and material at its disposal to undertake the repair and maintenance of the State Highways and their appurtenances situate within Upper Dublin Township, nor does it believe that it is the responsibility of Upper Dublin Township, by law, to perform those services to State Highways and the infrastructure supporting those highways, situate within the Township;

NOW THEREFORE, The Board Of Commissioners Of Upper Dublin Township does hereby resolve:

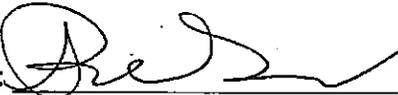
That Upper Dublin Township calls upon the Commonwealth of Pennsylvania, Department of Transportation (**PennDOT**), to undertake all the necessary repairs and maintenance to the various State Highways and their appurtenances situate within Upper Dublin Township, County of Montgomery, Commonwealth of Pennsylvania, at the sole and exclusive cost and expense of the Commonwealth of Pennsylvania.

RESOLVED this *9th* day of *January*, 200~~6~~*7*.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP

By: 

Robert J. Pesavento, President

Attest: 

Paul A. Leonard, Secretary/Township Manager

RESOLUTION NO. 1928

RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A PORTION OF LOGAN AVENUE

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Clarence E. Herder (Deceased) and Georgiana Herder (hereinafter "Grantor") a Deed of Dedication for a public street known as Logan Avenue more fully described in Exhibit "A" attached hereto; and

WHEREAS, the portion of Logan Avenue dedicated for public use was a so called paper street in the North Hills neighborhood; and

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

WHEREAS, the Board of Commissioners deems it to be in the public interest to this Deed of Dedication so that Logan 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:

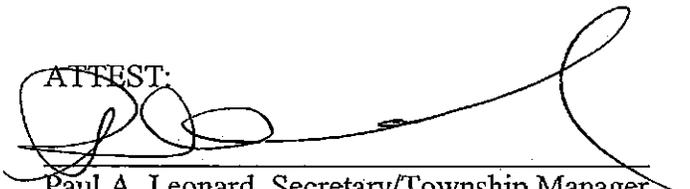
1. The Deed of Dedication offered to the Township for a portion of Logan Avenue more fully described in Exhibit "A" attached hereto, is accepted.
2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deed of Dedication and to record same in the Office of Recorder 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 9th day of January, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

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.: 54-00-11203-002

**STREET DEED OF DEDICATION
FOR LOGAN AVENUE RIGHT OF WAY**

BETWEEN: CLARENCE E. HERDER (Deceased) and GEORGIANA
HERDER

AND

TOWNSHIP: UPPER DUBLIN TOWNSHIP

DATED: August /8 , 2006

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this 18th day of August, A.D., 2006, between CLARENCE E. HERDER (Deceased) and GEORGIANA HERDER, Grantors, 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 Grantors, 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 Montgomery County Tax Parcel No. 54-00-11203-002, and described as set forth in Exhibit "A" and as shown by Exhibit "B" attached hereto.

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 Grantors, for themselves and their successors and assigns by these presents does covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantors nor their 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 Grantors, nor their 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 Grantors, for their 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 Grantors, their 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, Grantors have caused this Deed of Dedication to be duly executed the day and year first above written intending to be legally bound.

GRANTORS:

Deceased.

Clarence E. Herder

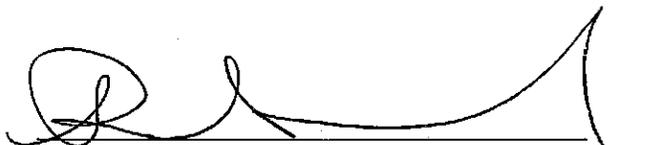
Georgiana Herder

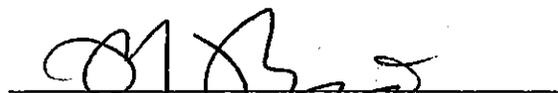
Georgiana Herder

Accepted and approved by Resolution of the Board of Commissioners of the Township of Upper Dublin
the 9th day of January A.D. ~~2006~~ 2007.

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 :

On this the *18th* day of *August*, A.D., 2006, before me the undersigned personally appeared GEORGIANA HERDER, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

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

Lorraine Narducci
Notary Public

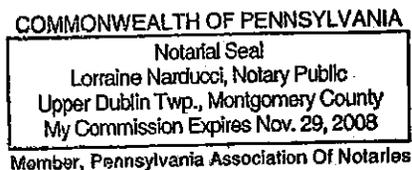


EXHIBIT "A"

April 6, 2006

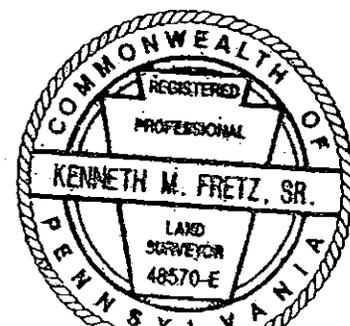
M6483.05
North Hills CDBG Phase 5

Logan Avenue Right of Way Dedication
Lands of Clarence E. & Georgiana Herder
Taxmap Block 69, Unit 22

ALL THAT CERTAIN strip of land or portion of roadway situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as the Ultimate Right of Way, on a Logan Avenue Right of Way Dedication Plan, lands of Clarence E. & Georgiana Herder, prepared by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated April 6, 2006 being more fully described as follows:

BEGINNING at a point on the northwesterly sideline of Logan Avenue (50' wide), said point being a common corner of lands of Clarence E. & Georgiana Herder, (taxmap block 69, unit 22) and N/L Joseph Scott Sr. (69, unit 23) and being located along said sideline ± 150 feet from the northeasterly sideline of Summit Avenue (50' wide); thence, extending along said Logan Avenue sideline, North $43^{\circ}23'00''$ East, the distance of 25.00 feet to a point, a common corner of said Herder lands and lands of N/L Albert Leroy & Marian M. Herder (block 69, unit 58); thence, extending along the aforementioned Herder lands South $46^{\circ}37'00''$ East, 25.00 feet to a point in the centerline of said Logan Avenue; thence, extending along the said Logan Avenue centerline South $43^{\circ}23'00''$ West, 25.00 feet to a point in the common line of said Herder and Scott lands extended; thence, extending along the said Scott lands extended, North $46^{\circ}37'00''$ West, 25.00 feet to the point and place of beginning.

Containing 1,250 S.F. area of land, be the same, more or less.



RESOLUTION NO. 1929

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A PORTION OF LOGAN AVENUE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Albert Leroy Herder and Marian M. Herder (hereinafter "Grantor") a Deed of Dedication for a public street known as Logan Avenue more fully described in Exhibit "A" attached hereto; and

WHEREAS, the portion of Logan Avenue dedicated for public use was a so called paper street in the North Hills neighborhood; and

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

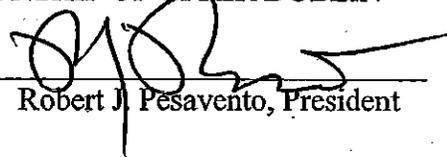
WHEREAS, the Board of Commissioners deems it to be in the public interest to this Deed of Dedication so that Logan Avenue will be opened and dedicated for public use.

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

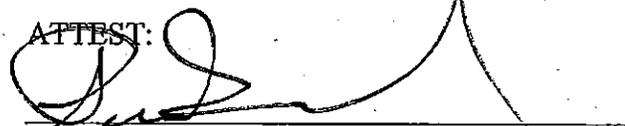
1. The Deed of Dedication offered to the Township for a portion of Logan Avenue more fully described in Exhibit "A" attached hereto, is accepted.
2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deed of Dedication and to record same in the Office 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 9th day of January, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

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.: 54-00-11206-008

**STREET DEED OF DEDICATION
FOR LOGAN AVENUE RIGHT OF WAY**

BETWEEN: ALBERT LEROY HERDER and MARIAN M. HERDER

AND

TOWNSHIP: UPPER DUBLIN TOWNSHIP

DATED: August 24, 2006

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this *24th* day of *August*, A.D., 2006,
between ALBERT LEROY HERDER and MARIAN M. HERDER, Grantors, 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 Grantors, 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 Montgomery County Tax Parcel No. 54-00-11206-008, and described as set forth
in Exhibit "A" and as shown by Exhibit "B" attached hereto.

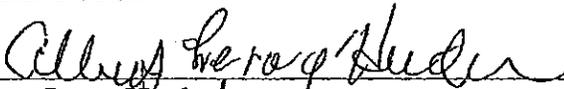
TO HAVE AND TO HOLD the aforesaid easement over all that certain property above described
unto the TOWNSHIP OF UPPER DUBLIN, its successors and assigns, to and for the only proper use on
behalf of the TOWNSHIP OF UPPER DUBLIN its successors and assigns, for a public road, street or
highway, including 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 Grantors, for themselves and their successors and assigns by these presents does covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantors nor their 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 Grantors, nor their 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.

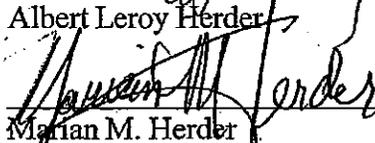
AND the said Grantors, for their successors and assigns, does by these presents further covenant, promise and agree to and with said Grantee, its successors and assigns, that the said easement and the right-of-way described unto the said Grantee, its successors and assigns, against it the said Grantors, their 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, Grantors have caused this Deed of Dedication to be duly executed the day and year first above written intending to be legally bound.

GRANTORS:



Albert Leroy Herder



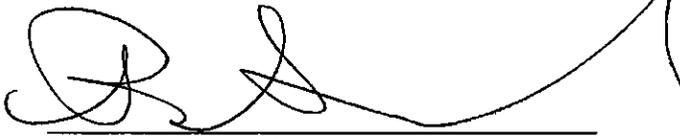
Marian M. Herder



Accepted and approved by Resolution of the Board of Commissioners of the Township of Upper Dublin
the 9th day of January A.D. ~~2006~~
2007.

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 :

On this the *24th* day of *August*, A.D., 2006, before me the undersigned personally appeared ALBERT LEROY HERDER, known to me or satisfactorily proven to be 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.

Lorraine Narducci
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2008
Member, Pennsylvania Association Of Notaries

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF MONTGOMERY :

On this the ~~24th~~ day of *August*, A.D., 2006, before me the undersigned personally appeared MARIAN M. HERDER, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

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

Lorraine Narducci
Notary Public

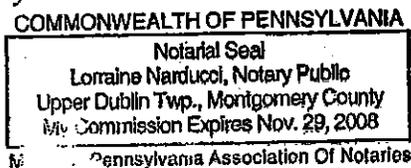


EXHIBIT "A"

N/L GOLF VIEW PROPERTIES, LP
BLOCK 69, UNIT 27

N 43°23'00" E

25.00'

110.00'

S 46°37'00" E

N/L CLARENCE E. &
GEORGIANA HERDER
BLOCK 69, UNIT 22

ALBERT LEROY &
MARIAN M. HERDER
BLOCK 69, UNIT 58

N/L JOSEPH &
PAULINE SCOTT
BLOCK 69, UNIT 21

N 46°37'00" W

110.00'

25.00'

ULT. R.O.W. LINE

±175' TO SIDE
OF SUMMIT AVENUE
(50' WIDE)

25.00'

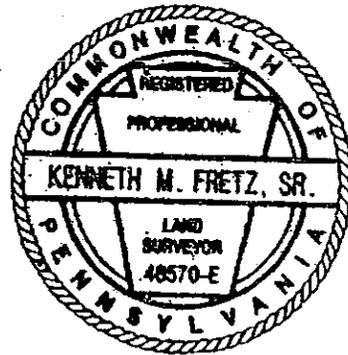
M 43°23'00" W CENTERLINE

LOGAN AVENUE (50' WIDE)

ULT. R.O.W. LINE

NOTES:

- OWNER OF RECORD:
ALBERT LEROY & MARIAN A. HERDER
420 LOGAN AVE.
NORTH HILLS, PA 19038
PARCEL# 54-00-11206-008
TAXMAP BLOCK 69, UNIT 58
DEED BOOK 4366, PAGE 82
- BOUNDARY AND ULTIMATE RIGHT OF WAY LINE TAKEN DEEDS AND PLANS OF RECORD. NO BOUNDARY RETRACEMENT SURVEY PERFORMED.



20 10 0 20 40



SCALE IN FEET

No.	REVISIONS	DATE

LOGAN AVENUE RIGHT OF WAY DEDICATION LANDS OF ALBERT LEROY & MARIAN A. HERDER PREPARED FOR UPPER DUBLIN TOWNSHIP LAND SITUATE UPPER DUBLIN TWP., MONTGOMERY CO. PA.	PROJECT NUMBER JAW PROJECT NUMBER M6483.05 REFERENCE NUMBER M6483
---	---

<p>Metz Engineers 410 Derrifone Ave., PO Box 647, Lansdale PA 19446-0647 Civil Engineers & Land Surveyors (215) 855-3111</p>	SCALE 1"=20' PLANSHEET NUMBER 1 1 of
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RESOLUTION NO. 1930

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A PORTION OF LOGAN AVENUE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Kevin P. Dougherty (hereinafter "Grantor") a Deed of Dedication for a public street known as Logan Avenue more fully described in Exhibit "A" attached hereto; and

WHEREAS, the portion of Logan Avenue dedicated for public use was a so called paper street in the North Hills neighborhood; and

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

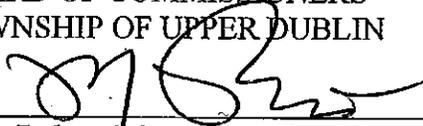
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that Logan Avenue will be opened and dedicated for public use.

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

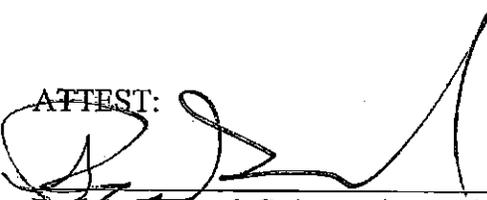
1. The Deed of Dedication offered to the Township for a portion of Logan Avenue more fully described in Exhibit "A" attached hereto, is accepted.
2. The proper officers of the Township are authorized to incorporate this Resolution as an exhibit to the Deed of Dedication and to record same in the Office 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 9th day of January, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

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.: 54-00-11065-005

**STREET DEED OF DEDICATION
FOR LOGAN AVENUE RIGHT OF WAY**

BETWEEN: KEVIN P. DOUGHERTY

AND

TOWNSHIP: UPPER DUBLIN TOWNSHIP

DATED: August 25, 2006

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this *25th* day of *August*, A.D., 2006, between KEVIN P. DOUGHERTY, 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, 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 Montgomery County Tax Parcel No. 54-00-11065-005, and described as set forth in Exhibit "A" and as shown by Exhibit "B" attached hereto.

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,

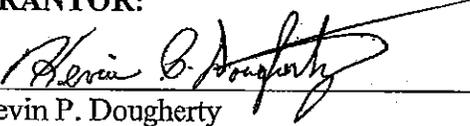
bushes, undergrowth, soil, and other obstructions interfering with the location, construction and maintenance of all of the aforesaid.

AND the said Grantor, for himself and his 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 his 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 his 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 his 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, his 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.

GRANTOR:



Kevin P. Dougherty

Accepted and approved by Resolution of the Board of Commissioners of the Township of Upper
Dublin the 9th day of January A.D. ~~2008~~
2007

COMMISSIONERS OF TOWNSHIP OF
UPPER DUBLIN

Attest:



Paul A. Leonard, Secretary/Township Manager



By: Robert L. Pesavento, President

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF MONTGOMERY :

On this the *25th* day of *August*, A.D., 2006, before me the undersigned personally appeared KEVIN P. DOUGHERTY, known to me or satisfactorily proven to be 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.

Lorraine Narducci
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2008
Member, Pennsylvania Association Of Notaries

RESOLUTION NO. 1931

**RESOLUTION TO ACCEPT DEEDS OF DEDICATION
FOR A WIDENED PORTION OF AMBLER ROAD,
AND FOR A WIDENED PORTION OF BETHLEHEM PIKE AND FOR A STORM
SEWER EASEMENT
PROPERTY KNOWN AS 420 AMBLER ROAD, 450 AMBLER ROAD AND 470 AMBLER
ROAD**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Peter F. Penna and Peter Penna, individuals and Holley Development Group, LLC, a New Jersey State Limited Liability Company (hereinafter "Grantor"). Deeds of Dedication for a widened portion of a public street known as Ambler Road, for a widened portion of a public street known as Bethlehem Pike and for a storm sewer easement owned by Grantor located at 420 Ambler Road, 450 Ambler Road and 470 Ambler Road; and

WHEREAS, the Board of Commissioners on April 11, 2006 approved a Subdivision Plan (the "Plan") filed by or on behalf of Grantor showing the areas encompassed in the Deeds of Dedication, which Subdivision Plan was prepared by ProTract Engineering, Inc., Project Number H1724 dated December 15, 2004, with last revision dated June 15, 2006, and recorded in the Office of the Recorder of Deeds, Norristown, PA in Plan Book 27, Page 0014; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the areas thus dedicated 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 a widened portion of Ambler Road more fully described as set forth on the Plan is hereby accepted and shall hereafter be designated on the official map of streets in the Township.
2. The Deed of Dedication offered to the Township for a widened portion of Bethlehem Pike more fully described as set forth on the Plan is hereby accepted and shall hereafter be designated on the official map of streets in the Township.
3. The Deed of Dedication offered to the Township for a Storm Sewer Easement across the side portion of Lot 4 also known as 420 Ambler Road and more fully described as set forth on the Plan is hereby accepted.
4. 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.

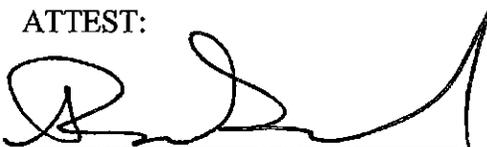
RESOLVED, this 13th day of February, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: _____


Robert J. Pesavento, President

ATTEST:



Paul A. Leonard, Secretary/Township Manager

RESOLUTION NO. 1932

**RESOLUTION TO ACCEPT DEEDS OF DEDICATION
FOR A WIDENED PORTION OF DELAWARE DRIVE,
AND FOR A STORM SEWER EASEMENT AND
A PEDESTRIAN AND BICYCLE TRAIL ACROSS
PROPERTY KNOWN AS 420 DELAWARE DRIVE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Liberty Property Limited Partnership (hereinafter "Grantor") Deeds of Dedication for a widened portion of a public street known as Delaware Drive, for a storm sewer easement and for a pedestrian and bicycle trail across property owned by Grantor located at 420 Delaware Drive; and

WHEREAS, the Board of Commissioners on June 14, 2005 approved a Land Development Plan (the "Plan") filed by or on behalf of Grantor showing the areas encompassed in the Deeds of Dedication, which Land Development Plan was prepared by Fore Site Land Services, Inc., Drawing No. 1991-LD-S1-REC dated March 6, 2005, with last revision dated July 5, 2005, and recorded in the Office of the Recorder of Deeds, Norristown, PA in Plan Book 27, Page 0015; and

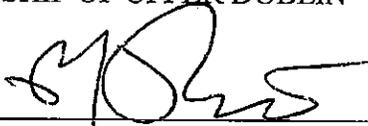
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept these Deeds of Dedication so that the areas thus dedicated will be opened and dedicated for public use.

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 a widened portion of Delaware Drive more fully described as set forth on the Plan is hereby accepted and shall hereafter be designated on the official map of streets in the Township.
2. The Deed of Dedication offered to the Township for a Storm Sewer Easement across the rear portion of 420 Delaware Drive and more fully described as set forth on the Plan is hereby accepted.
3. The Deed of Dedication offered to the Township for a Pedestrian and Bicycle Trail Easement across the front portion of 420 Delaware Drive and more fully described as set forth on the Plan is hereby accepted.
4. 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.

RESOLVED, this 13th day of February, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 

Robert J. Pesavento, President

ATTEST:



Paul A. Leonard, Secretary/Township Manager

RESOLUTION NO. 1933

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A PORTION OF LOGAN AVENUE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from David Cottom and Eleanor Cottom (hereinafter "Grantor") a Deed of Dedication for a public street known as Logan Avenue more fully described in Exhibit "A" attached hereto; and

WHEREAS, the portion of Logan Avenue dedicated for public use was a so called paper street in the North Hills neighborhood; and

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

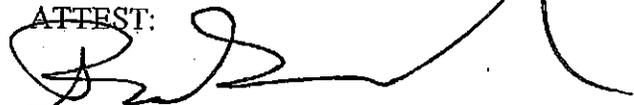
WHEREAS, the Board of Commissioners deems it to be in the public interest to this Deed of Dedication so that Logan Avenue will be opened and dedicated for public use.

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 a portion of Logan Avenue 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 Recorder 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 February, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN
By: 
Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

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.: 54-00-11194-002

**STREET DEED OF DEDICATION
FOR LOGAN AVENUE RIGHT OF WAY**

BETWEEN: DAVID COTTOM and ELEANOR COTTOM

AND

TOWNSHIP: UPPER DUBLIN TOWNSHIP

DATED:

January 9, 2007

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this 9th day of January, A.D., 2007, between DAVID COTTOM and ELEANOR COTTOM, Grantors, 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 Grantors, 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 Montgomery County Tax Parcel No. 54-00-11194-002, and described as set forth in Exhibit "A" and as shown by Exhibit "B" attached hereto.

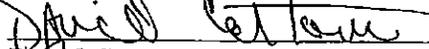
TO HAVE AND TO HOLD the aforesaid easement over all that certain property above described unto the TOWNSHIP OF UPPER DUBLIN, its successors and assigns, to and for the only proper use on behalf of the TOWNSHIP OF UPPER DUBLIN its successors and assigns, for a public road, street or highway, including 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 Grantors, for themselves and their successors and assigns by these presents does covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantors nor their 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 Grantors, nor their 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 Grantors, for their 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 Grantors, their 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, Grantors have caused this Deed of Dedication to be duly executed the day and year first above written intending to be legally bound.

GRANTORS:



David Cottom



Eleanor Cottom

Accepted and approved by Resolution of the Board of Commissioners of the Township of Upper Dublin
the _____ day of _____ A.D. ~~2006~~
2007

COMMISSIONERS OF TOWNSHIP OF
UPPER DUBLIN

Attest:

By: Robert J. Pesavento, President

Paul A. Leonard, Secretary/Township Manager

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF MONTGOMERY :

On this the *9th* day of *Jan*, A.D., 200*6*[?], before me the undersigned personally appeared DAVID COTTOM, known to me or satisfactorily proven to be 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.

Lorraine Narducci
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2008
Member, Pennsylvania Association Of Notaries

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF MONTGOMERY :

On this the *9th* day of *Jan*, A.D., 200*8*, before me the undersigned personally appeared ELEANOR COTTOM, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

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. 29, 2008
Member, Pennsylvania Association Of Notaries

RESOLUTION

NO: 1934

WHEREAS, Upper Dublin Township and the Upper Dublin School District impose and collect an Earned Income Tax payable by those of its 27,000 residents who are subject to the tax; and

WHEREAS, the Upper Dublin Township Finance Department has an outstanding staff responsible for the collection of the various taxes levied by the Township pursuant to the Local Tax Enabling Act and collects those taxes efficiently and inexpensively; and

WHEREAS, Upper Dublin Township has observed that inefficient and illegal collection efforts can result when responsibility for the collection of taxes imposed by a local municipality is placed in the hands of private, for profit tax collectors, or others not familiar with the policies of the local municipality; and

WHEREAS, the Amendment to House Bill 1427 places responsibility for the collection of Earned Income Taxes imposed by local government in the hands of a county-wide administration created by an appointed body which has no administrative infrastructure and which has virtually no experience in the collection of taxes; and

WHEREAS, there is no model to demonstrate the potential for efficiency where taxes imposed by a local municipality are entirely collected by a remote administrative body over whom the local municipality has no regulatory control; and

WHEREAS, there is no evidence that imposing on a county-wide committee the responsibility for collecting Earned Income Taxes, while leaving responsibility for the collection of other taxes authorized by the Local Tax Enabling Act on local government, has any potential for efficiency, since the local collection staff must still be retained to collect taxes other than the Earned Income Tax; and

WHEREAS, Upper Dublin Township is not experiencing problems with the collection of its Earned Income Tax and does not regard the county-wide collection efforts proposed by the Secretary of Community Affairs and Development as viable or desirable.

NOW THEREFORE, the Board of Commissioners of Upper Dublin Township does hereby resolve that the collection scheme set forth in the proposed amendment to House Bill 1427 presently before the House of Representatives of the Commonwealth of Pennsylvania be rejected and that the manner in which Earned Income Tax is collected by local municipalities remain the option of the local government units that impose the tax.

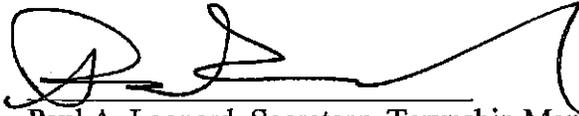
Resolved by the Board of Commissioners of Upper Dublin Township this 13th day
of *February*, 2007.

Board of Commissioners of
Upper Dublin Township

By:


Robert J. Pesavento, President

ATTEST:



Paul A. Leonard, Secretary, Township Manager

RESOLUTION NO. 1935

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

WHEREAS, BY VIRTUE OF Resolution No. 1519 adopted February 8, 1994, the Township of Upper Dublin declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved on July 16, 1993, and,

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Upper Dublin Township, Montgomery Township, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Parks & Recreation

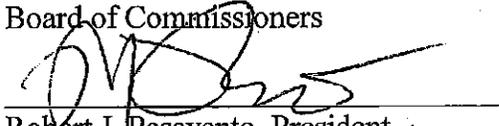
- Parks Permits, 2003 and earlier
- Registration Forms, 2003 and earlier
- Payment Receipts, 2003 and earlier
- Pool Daily Maintenance/Chlorine Checks, 2003 and earlier
- Program Vendor Contracts, 2003 and earlier
- Audio Tapes/Committee Meetings, 1984 and earlier

Signed this 13th day of February A.D. 2007

Attest


Paul A. Leonard, Secretary

Township of Upper Dublin
Board of Commissioners


Robert J. Pesavento, President

RESOLUTION

NO. 1936

A RESOLUTION Of The Board of Commissioners Of The Township Of Upper Dublin Authorizing The Installation Of Stainless Steel Poles And Mast Arms At The Intersection Of Susquehanna Road And Route 309 Ramp And Authorizing The Reimbursement To PennDOT Of A Portion Of The Cost Thereof.

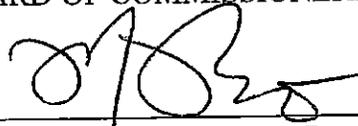
WHEREAS, the Township of Upper Dublin (the "Township") has requested the Pennsylvania Department of Transportation ("PennDOT") to install additional improvements in the form of stainless steel poles and mast arms in conjunction with the reconstruction of S.R. 309 at the intersection of Susquehanna Road and the Route 309 Ramp; and

WHEREAS, PennDOT has agreed to the additional construction in consideration for the Township agreeing to partial reimbursement for the cost of such additional improvements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Upper Dublin that in consideration for the installation by PennDOT of additional improvements in the form of stainless steel poles and mast arms at the intersection of Susquehanna Road and the Route 309 Ramp, the Township will make reimbursement to PennDOT for twenty percent (20%) of the total actual cost thereof in an amount estimated to be nine thousand three hundred ten dollars and no cents (\$9,310.00), and that the appropriate officers of the Township are authorized to enter into a reimbursement agreement with PennDOT in furtherance of this authorization, the form of the reimbursement agreement being attached hereto.

DULY adopted by the Board of Commissioners of the Township of Upper Dublin this 13th day of February, 2007.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 

Robert J. Pesavento, President

Attest: 

Paul A. Leonard, Secretary

RESOLUTION

NO. 1937

A RESOLUTION Of The Board Of Commissioners Of The Township Of Upper Dublin Approving And Adopting A Standard Of Response Cover For The Fire Suppression Forces Of Upper Dublin Township.

WHEREAS, the Board of Commissioners of the Township of Upper Dublin (the "Township") has established the Fire Department of Upper Dublin Township and designated the Fort Washington Fire Company as the officially designated Fire Company for the Township; and

WHEREAS, the Board of Commissioners is empowered by the First Class Township Code to adopt regulations regarding the method to be followed in the extinguishment of fires; and

WHEREAS, the Board of Commissioners deems it appropriate to establish a standard level of service and response to determine the distribution, concentration, and reliability of fixed and mobile response forces for firefighting, emergency medical services, hazardous materials and other forces of technical response; and

WHEREAS, the Board of Commissioners has asked the Fort Washington Fire Company to review, comment and provide input upon a study of the level of service establishing a Standards of Response Coverage for the Fire Department and has now received the Fire Company's comments, with appreciation.

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Township of Upper Dublin that:

1. It is consistent with recognized best practices for fire suppression that a Standard of Response Cover be adopted as a Township objective for responses to structure fires and rescues, where there is the potential of a grave threat to human life.
2. The Board of Commissioners has received, reviewed and hereby accepts that document entitled Standards of Response Coverage, which analyzes identified risks in the Township in the event of a fire emergency.
3. The Township has entered into mutual aid agreements with abutting communities whereby the Township and the abutting communities have agreed to respond to calls to and from one another for assistance in the suppression of fires, this being an important factor in the determination by the Board of Commissioners of an appropriate Standard of Response Cover in the event of fire and rescue emergencies.
4. The Township affirms that the Chief Fire Officer at the scene is responsible for determining the need for additional apparatus and/or personnel to respond to the scene of an incident.

5. The Board of Commissioners, in consideration of the above and in consideration of the resources currently available and the risk to human life from structure fires and rescue calls as currently perceived, hereby adopts as an objective the following Standard of Response Cover:

One unit shall respond by leaving the fire station within six (6) minutes of dispatch and by mustering a crew of four (4) qualified firefighters to the scene of the incident, upgrading for additional apparatus and personnel as appropriate. This standard should be maintained for 90% of structure fires & rescue calls.

Approved and adopted by the Board of Commissioners of the Township of Upper Dublin this 13th day of February, 2007.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 
Robert J. Pesavento, President

Attest: 
Paul A. Leonard, Township Secretary

RESOLUTION NO. 1938

A RESOLUTION TO AUTHORIZE EXECUTION OF AN INTERNET BANDWIDTH AGREEMENT BETWEEN THE TOWNSHIP OF UPPER DUBLIN AND THE BOROUGH OF KUTZTOWN

WHEREAS, The Township of Upper Dublin ("Township") is developing a Community Broadband system to provide Internet Services to its community ("Upper Dublin Internet Service");

WHEREAS, the Borough of Kutztown ("Kutztown") owns a fiber optic cable distribution system for the purpose, among others, of providing Internet Service to its community ("Kutztown Internet Service");

WHEREAS, Kutztown, through its service mark, Hometown Utilities, is willing to provide wholesale Internet Bandwidth to the Township ("Internet Bandwidth");

WHEREAS, Kutztown has entered into an Ethernet Service Agreement and a Broadband ISP Services Agreement with TelCove of Eastern Pennsylvania ("TelCove") for TelCove to provide TelCove Internet Service to Kutztown and to equip and construct a system for the provision of Internet Bandwidth to Upper Dublin (the "Kutztown TelCove Agreement");

WHEREAS, the Township and Kutztown have entered into a letter of intent dated October 17, 2006, providing in general terms for the provision of Internet Bandwidth by Kutztown to Upper Dublin;

WHEREAS, the Township has determined that the public interest would be served by Kutztown's provision of Internet Bandwidth to the Township according to the terms of an Internet Bandwidth Agreement negotiated between the Township and Kutztown;

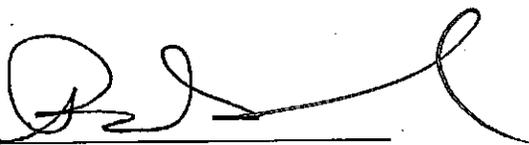
NOW THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Township approves the Internet Bandwidth Agreement negotiated with Kutztown, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement and associated documents.

2. The President of the Board is authorized to execute for the Township the Internet Bandwidth Agreement and all associated documents.

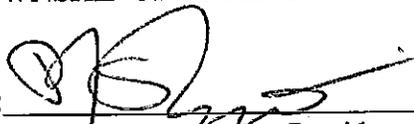
RESOLVED this 13th day of February 2007, at a public meeting of the Board of Commissioners.

Attest:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:


Robert J. Pesavento, President

RESOLUTION NO. 1939

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A PORTION OF LOGAN AVENUE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from Payton Scott and Jessie Scott (deceased) (hereinafter collectively, "Grantor") a Deed of Dedication for a public street known as Logan Avenue more fully described in Exhibit "A" attached hereto; and

WHEREAS, the portion of Logan Avenue dedicated for public use was a so called paper street in the North Hills neighborhood; and

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

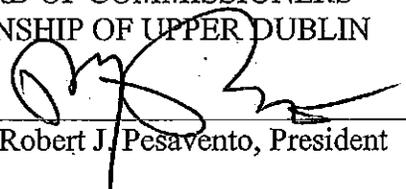
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that Logan Avenue will be opened and dedicated for public use.

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 a portion of Logan Avenue 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 Recorder 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.

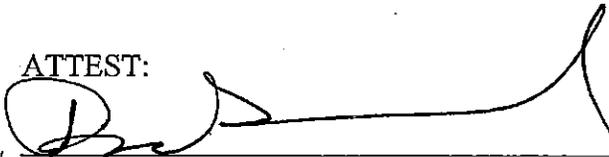
RESOLVED, this 13th day of March, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 

Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

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.: 54-00-11212-002

**STREET DEED OF DEDICATION
FOR LOGAN AVENUE RIGHT OF WAY**

BETWEEN: PAYTON SCOTT and JESSIE SCOTT

AND

TOWNSHIP: UPPER DUBLIN TOWNSHIP

DATED:

February 21, 2007

STREET DEED OF DEDICATION

THIS DEED OF DEDICATION made this *21st* day of *February*, A.D., 2007, between PAYTON SCOTT and JESSIE SCOTT, Grantors, 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 Grantors, 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 Montgomery County Tax Parcel No. 54-00-11212-002, and described as set forth in Exhibit "A" and as shown by Exhibit "B" attached hereto.

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 Grantors, for themselves and their successors and assigns by these presents does covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantors nor their 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 Grantors, nor their 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 Grantors, for their 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 Grantors, their 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, Grantors have caused this Deed of Dedication to be duly executed the day and year first above written intending to be legally bound.

GRANTORS:

Sara Greene, Guardian

Payton Scott

By and through his Guardian, Sara Greene

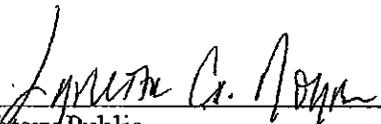
Deceased

Jessie Scott

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF MONTGOMERY :

On this the 21st day of February, A.D., 2007, before me the undersigned personally appeared SARA GREENE, known to me or satisfactorily proven to be the Guardian of Payton Scott and the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

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



Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lynette A. Noyes, Notary Public
Norristown Boro, Montgomery County
My Commission Expires June 14, 2010
Member, Pennsylvania Association of Notaries

This is to certify that this is a true of the record which is on file in the Pennsylvania Division of Vital Records in accordance with Act 66, P.L. 304, approved by the General Assembly, June 29, 1953.

WARNING: It is illegal to duplicate this copy by photostat or photograph.

Robert S. Zimmerman, Jr.
Robert S. Zimmerman, Jr., MPH
Secretary of Health



Charles Hardester
Charles Hardester
State Registrar

1500902

No.

MAY 4 2001

Date

H105, 143 Rev. 2007

COMMONWEALTH OF PENNSYLVANIA - DEPARTMENT OF HEALTH - VITAL RECORDS
CERTIFICATE OF DEATH

TYPEPRINT IN PERMANENT BLACK INK
 51
 BESSIE SCOTT
 NAME OF DECEDENT

NAME OF DECEDENT (Last, Middle, First) <i>Bessie Mae Scott</i>		SEX <i>F</i>	SOCIAL SECURITY NUMBER <i>2-182-24-8657</i>	DATE OF DEATH (Month, Day, Year) <i>MAY 2, 2001</i>	
AGE (Last 0-99999) <i>68 Yrs.</i>	UNDER 1 YEAR Months: <i>0</i> Days: <i>0</i>	UNDER 1 DAY Hours: <i>0</i> Minutes: <i>0</i>	DATE OF BIRTH (Month, Day, Year) <i>4-21-33</i>	BIRTHPLACE (City and State or Foreign Country) <i>Columbia, S.C.</i>	
COUNTY OF DEATH <i>Phila.</i>	CITY, BORO, TWP. OF DEATH <i>Phila.</i>	FACILITY NAME (If not in hospital, give street and number) <i>Hahnemann University Hospital</i>	PLACE OF DEATH (Check one - see instructions on other side) HOSPITAL: <input checked="" type="checkbox"/> HOME: <input type="checkbox"/> OTHER: <input type="checkbox"/>	WAS DECEDENT OF HISpanic ORIGIN? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (Specify race by Census, Mexican, Puerto Rican, etc.)	
DECEDENT'S USUAL OCCUPATION <i>Teacher</i>	KIND OF BUSINESS/INDUSTRY <i>Public School Teacher</i>	WAS DECEDENT EVER IN U.S. ARMED FORCES? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>	DECEDENT'S EDUCATION Elementary School (0-12) <i>13</i> College (13-16) <i>1</i>	MARITAL STATUS - Married: <input checked="" type="checkbox"/> Never Married: <input type="checkbox"/> Widowed: <input type="checkbox"/> Divorced: <input type="checkbox"/>	
DECEDENT'S MARITAL ADDRESS (Street, City/Town, State, Zip Code) <i>1608 Logan Ave. No. Phila. PA 19108</i>	DECEDENT'S ACTUAL RESIDENCE (Street, City/Town, State, Zip Code) <i>1608 Logan Ave. No. Phila. PA 19108</i>	17a. State <i>PA</i>	17b. County <i>Mont</i>	17c. Dis. decedent from his township? <i>No</i>	
FATHER'S NAME (First, Middle, Last) <i>James Dawson</i>	MOTHER'S NAME (First, Middle, Last) <i>Ma. Hillis</i>	INFORMANT'S NAME (If Informant is Informant's Spouse, Informant's Address (Street, City/Town, State, Zip Code) <i>1608 Logan Ave. No. Phila. PA 19108</i>			
METHOD OF DISPOSITION <i>Interment</i>	DATE OF DISPOSITION (Month, Day, Year) <i>3-7-01</i>	PLACE OF DISPOSITION (Name of Cemetery, Crematorium, or Other Place) <i>White Chapel Cemetery, Feast. PA</i>	LOCATION (Street, City/Town, State, Zip Code) <i>1608 Logan Ave. No. Phila. PA 19108</i>		
SIGNATURE OF MEDICAL SERVICE LICENSEE OR PERSON ACTING AS SUCH <i>Chad Echeverri</i>	LICENSE NUMBER <i>0103101</i>	DATE SIGNED (Month, Day, Year) <i>5/1/2001</i>	WAR CASE REFERRED TO MEDICAL EXAMINER/ORDNER? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
27. PART I: Enter the diseases, injuries or complications which caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock or heart failure. Use only one cause on each line. IMMEDIATE CAUSE (Final disease or condition resulting in death) <i>Cardiac Arrest</i> DUE TO (OR AS A CONSEQUENCE OF) <i>Cardiac Arrest</i> DUE TO (OR AS A CONSEQUENCE OF) <i>End stage renal disease</i> DUE TO (OR AS A CONSEQUENCE OF) <i>End stage renal disease</i>					
WAS AN AUTOPSY PERFORMED? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	MANNER OF DEATH Natural <input checked="" type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined <input type="checkbox"/>	DATE OF INJURY (Month, Day, Year)	TIME OF INJURY
CERTIFIER (Check one only) CERTIFYING PHYSICIAN (Physician certifying cause of death when another physician has pronounced death and completed item 22) *PRONOUNCING AND CERTIFYING PHYSICIAN (Physician both pronouncing death and certifying cause of death) *MEDICAL EXAMINER/CORONER (On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.)		SIGNATURE AND TITLE OF CERTIFIER <i>Chad Echeverri MD</i> DATE SIGNED (Month, Day, Year) <i>5/1/2001</i> NAME AND ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 27) Type of Print <i>Chad Echeverri, MD</i> Hahnemann University Hosp., Phila., PA 19102			
REGISTRAR'S SIGNATURE AND NUMBER <i>6 Dawson - 51001</i>		DATE FILED (Month, Day, Year) <i>MAY 03 2001</i>			

15

Accepted and approved by Resolution of the Board of Commissioners of the Township of Upper Dublin
the 13th day of March A.D. 2007.

COMMISSIONERS OF TOWNSHIP OF
UPPER DUBLIN

Attest:


Paul A. Leonard, Secretary/Township Manager


By: Robert J. Pesavento, President

EXHIBIT "A"

April 6, 2006

M6483.05
North Hills CDBG Phase 5

Logan Avenue Right of Way Dedication
Lands of Payton & Jessie Scott
Taxmap Block 69, Unit 57

ALL THAT CERTAIN strip of land or portion of roadway situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as the Ultimate Right of Way, on a Logan Avenue Right of Way Dedication Plan, lands of Payton & Jessie Scott, prepared by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated April 6, 2006 being more fully described as follows:

BEGINNING at a point on the northwesterly sideline of Logan Avenue (50' wide), said point being a common corner of lands of Payton & Jessie Scott, (taxmap block 69, unit 57) and N/L Joseph & Pauline Scott (block 69, unit 21) and being located northeasterly, ± 250 feet from the sideline of Summit avenue (50' wide); thence, extending along said Logan Avenue sideline, North $43^{\circ}23'00''$ East, the distance of 50.00 feet to a point, a common corner of said Scott lands and lands of N/L Joseph & Willens Cottingham (block 69, unit 20); thence, extending along the aforementioned Cottingham lands extended South $46^{\circ}37'00''$ East, 25.00 feet to a point in the centerline said Logan Avenue; thence, extending along the said Logan Avenue centerline South $43^{\circ}23'00''$ West, 50.00 feet to a point on the common line of said Scott and Scott lands extended; thence, extending along the said Scott lands extended, North $46^{\circ}37'00''$ West, 25.00 feet to the point and place of beginning.

Containing 1,250 S.F. area of land, be the same, more or less.



EXHIBIT "B"

RESOLUTION NO. 1940

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A WIDENED PORTION OF BUTLER PIKE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from John G. Eichenlaub, Inc. (hereinafter "Grantor") a Deed of Dedication for a widened portion of a public street known as Butler Pike (hereinafter "the Street") 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 Woodrow & Associates, Inc., with Plan No. 01-1204-D dated December 13, 2002, with last revision dated September 5, 2003, and recorded in the Office of the Recorder of Deeds of Montgomery County, Norristown, Pennsylvania in Plan Book A61 Page 387, which plans set forth that portion of the Street hereby dedicated; and

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

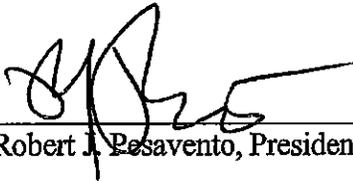
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that the widened portion of the Street will be opened and dedicated for public use.

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

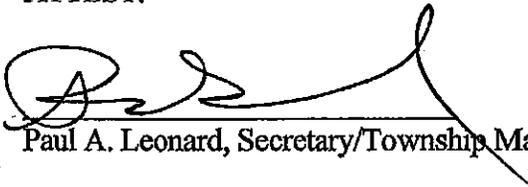
1. The Deed of Dedication offered to the Township for the widened portion of Butler Pike, more fully described as set forth on the Plan is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Dedication and to record same in the Office of 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 13th day of March, 2007.

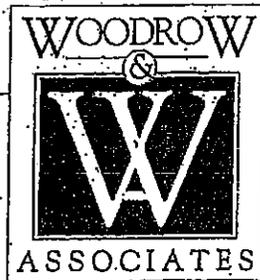
BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

Job Number: 01-1204 d
Job Name: 1818 Butler Pike
Date: 7/18/2003 9:02 AM
File Name: Ult. Right of Way Dedication



Legal Description of Ultimate Right of Way Dedication

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 Record Plan entitled Sycamore Run, formerly known as "1818 Butler Pike", prepared by Woodrow & Associates, Inc., dated December 13, 2002, last revised August 26, 2003 and recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT, an intersection of the southeasterly legal right of way line of Butler Pike, a county highway being 55.00 feet wide at this point, and the common property line between lands now or late of Trevor K. and Dawn A. Kelley (Block 4B, Unit 17) and lands now or late of Elizabeth Homes, Inc. (Block 4B, Unit 18), upon which this parcel is located;

THENCE, along said southeasterly legal right of way line of Butler Pike, being 27.50 feet distant and parallel to the centerline, the following two (2) courses and distances:

- (1.) North 43 degrees 32 minutes 30 seconds East, a distance of 225.06 feet, to a point;
- (2.) North 43 degrees 38 minutes 30 seconds East, a distance of 107.79 feet to a point, in line of lands now or late of Evelyn M. Nugent, (Block 4H, Unit 141);

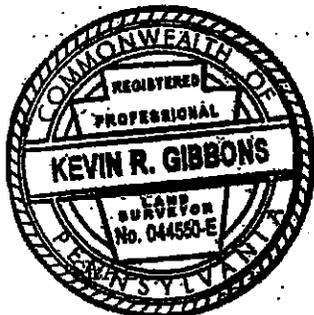
THENCE, along said lands of Nugent, South 28 degrees 00 minutes 00 seconds East, a distance of 13.17 feet to a point, on the southeasterly ultimate right of way line of Butler Pike, a county highway being 67.50 feet wide at this point;

THENCE, along said southeasterly ultimate right of way line of Butler Pike, being 40 feet distant and parallel to the centerline, the following two (2) courses and distances:

- (1.) South 43 degrees 38 minutes 30 seconds West, a distance of 103.63 feet, to a point;
- (2.) South 43 degrees 32 minutes 30 seconds West, a distance of 227.23 feet to a point, in line of said lands of Kelley;

THENCE, along said lands of Kelley, North 36 degrees 36 minutes 00 seconds West, a distance of 12.69 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

Containing in area 4,148.20 Square Feet / 0.0952 Acres.



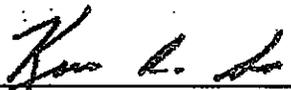

Kevin R. Gibbons
Professional Land Surveyor
Commonwealth of Pennsylvania
License No. SU-044550-E

Exhibit "A"

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

RESOLUTION NO. 1941

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 27, 2007 as

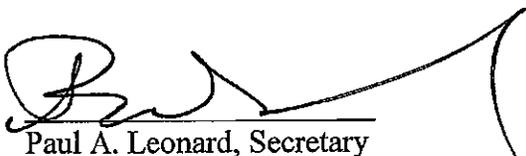
ARBOR DAY

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 13th day of March, A.D. 2007.

ATTEST:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President



DEP Code No.
1-46951-186-3J

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Upper Dublin
(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

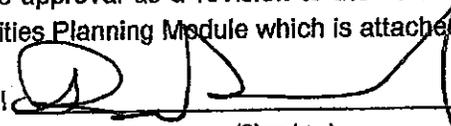
WHEREAS BT Limekiln, LP has proposed the development of a parcel of land identified as
land developer

BT Limekiln, LP, 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). Pump Station

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 Township 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.

 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 # 1942, adopted, March 13, 2007.

Municipal Address:

Upper Dublin Township
301 Loch Alsh Avenue
Fort Washington, PA 19034
Telephone 215-643-1600

Seal of
Governing Body



COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF WATER STANDARDS AND FACILITY REGULATION

TRANSMITTAL LETTER
 FOR SEWAGE FACILITIES PLANNING MODULE

DEP USE ONLY				
DEP CODE #	APS ID #	CLIENT ID #	SITE ID #	AUTH. ID #

TO: Approving Agency (DEP or delegated local agency)
Southeast Regional Office
2 East main Street
Norristown, PA 19401

Date _____

Dear Sir:

Attached please find a completed Sewage Facilities Planning Module prepared by Edwin Freedman
(Name)
Project Manager, Ebert Engineering, Inc for BT Limekiln, LP Development
(Name)
 a subdivision, commercial, or industrial facility located in Upper Dublin Township
(Title) (Name)

Montgomery County.
(City, Borough, Township)

Check one

- (i) The Planning Module, as prepared and submitted by the applicant, is approved by the municipality as a proposed revision supplement for new land development to its "Official Sewage Facilities Plan", and is adopted for submission to the Department of Environmental Protection transmitted to the delegated local agency for approval in accordance with the requirements of Chapter 71 and the Sewage Facilities Act, OR
- (ii) The Planning Module will not be approved by the municipality as a proposed revision or supplement for new land development to its "Official Sewage Facilities Plan" because the project described therein is unacceptable for the reason(s) checked below.

Check Boxes

- Additional studies are being performed by or on behalf of this municipality which may have an effect on the Planning Module as prepared and submitted by the applicant. Attached hereto is the scope of services to be performed and the time schedule for completion of said studies.
- The Planning Module as submitted by the applicant fails to meet limitations imposed by other laws or ordinances, officially adopted comprehensive plans and/or environmental plans (e.g., zoning, land use, Chapter 71). Specific reference or applicable segments of such laws or plans are attached hereto.
- Other (attach additional sheet giving specifics)

Municipal Secretary: Indicate below by checking appropriate boxes which components are being transmitted to the Approving Agency.

- 2. Individual Onlot Disposal Adoption Resolution
- 3. Sewage Collection/Treatment
- 3s Small Flow Treatment Facility
- 4.A. Municipal Planning Agency Review
- 4.B. County Planning Agency Review
- 4.C. Health Department Review

PAUL A. LEONARD
 Municipal Secretary (print)

Signature

3/13/07
 Date

RESOLUTION NO. 1943

RESOLUTION TO ACCEPT
SNOW PLACEMENT EASEMENT AGREEMENT

WHEREAS, the Board of Commissioners of Upper Dublin Township ("Grantee") has received from BETHEL ASSOCIATES, INC., a Pennsylvania corporation (hereinafter "Grantor") a Snow Placement Easement Agreement dated March 9, 2007, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan (the "Plan") filed by or on behalf of Grantor, and showing Grantor's property located at 521 and 535 North Limekiln Pike, Upper Dublin Township, Montgomery County, Pennsylvania (the "Property"), which Subdivision Plan was prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, and last revised January 16, 2006, titled "Loeb Tract," which divides the Property into a number of lots, one being Lot Number 12 ("Lot 12"); and

WHEREAS, Grantor is providing access to the Property by way of a public street known as Herold Court; which street shall be dedicated to Grantee; and

WHEREAS, Grantor desires to grant an easement upon, across, through and over a portion of Lot 12 for the purpose of providing Grantee an area to stockpile excess snow created by plowing Herold Court during snowstorms; and

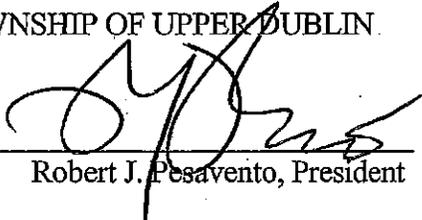
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Snow Placement Easement Agreement so that excess snow may be stockpiled safely during snowstorms.

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

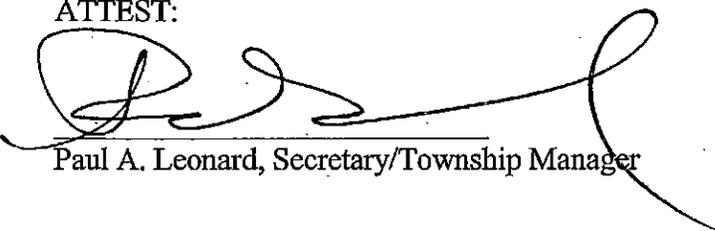
1. The Snow Placement Easement Agreement offered to the Township for the stockpiling of excess snow plowed on Herold Court is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Snow Placement Easement Agreement and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 8th day of May, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN.

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

116060706.2 (13,275-108) (Lot#12)

Prepared by, record and return to:
HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN
375 Morris Road
Lansdale, PA 19446
Attn: Diane L. Barnes, Paralegal
(215) 661-0400

Part of County Tax Parcel #:

SNOW PLACEMENT EASEMENT AGREEMENT

This EASEMENT AGREEMENT is made this 9th day of MARCH, 2007, by and between **BETHEL ASSOCIATES, INC.**, a Pennsylvania corporation (the "Grantor"), and the **TOWNSHIP OF UPPER DUBLIN**, a Pennsylvania municipality (the "Grantee").

BACKGROUND

A. Grantor is the owner of those certain tracts of land situate at 521 and 535 North Limekiln Pike, Upper Dublin Township, Montgomery County, Pennsylvania (hereinafter collectively the "Property"), which will be subdivided according to a plan prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, last revised January 16, 2006, titled "Preliminary Land Development Plan - Loeb Tract", and to be forthwith recorded in the Office for the Recording of Deeds in and for Montgomery County at Norristown, Pennsylvania (hereinafter the "Plan"), creating, among other lots, Lot Number 12 (hereinafter referred to as "Lot 12").

B. Grantor is providing access to the Property by way of a public street, known as Herold Court (hereinafter "Herold"), which street shall be dedicated to Grantee.

C. Grantor desires to grant an easement upon, across, through and over a portion or portions of Lot 12 for the purpose of providing Grantee an area or areas to stockpile excess snow created by the plowing of Herold during snowstorms.

NOW, THEREFORE, in consideration of the foregoing and intending to be legally bound, Grantor hereby imposes the following perpetual easement restrictions upon the Property.

1. Grantor hereby grants to Grantee the uninterrupted right, right-of-way, privilege, easement and authority to enter upon, across, through and over a portion or portions of Lot 12 of the Property (the "Easement Area") for the sole purpose of stockpiling excess snow created by the plowing of Herold during snowstorms.

2. The Easement Area hereby granted by Grantor to Grantee is described in the legal description attached hereto and incorporated herein as Exhibit "A", and shown on the Plan, a portion of this is marked Exhibit "B".

3. The creation of this easement shall not be deemed to constitute an agreement on behalf of Grantee to improve, alter, repair or maintain said Easement Area, except that Grantee shall reasonably restore said Easement Area following any disturbance of surface conditions for the purpose herein given.

4. No barriers, fences, signs or other obstructions to the free and unhampered use of the Easement Area shall hereafter be permitted, nor shall any motor vehicles, personal property, buildings or other structures be permitted or constructed within any portion of said Easement Area without the express written approval of Grantee.

5. This easement is for the benefit of Grantee, its successors and assigns, and is appurtenant thereto and shall run with the Property.

6. This easement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns and the terms Grantor and Grantee herein shall include their respective successors and assigns.

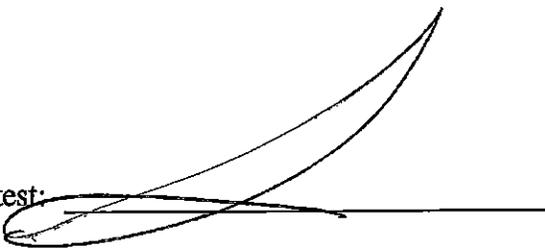
7. This Easement Agreement shall be construed in accordance with the Laws of the Commonwealth of Pennsylvania.

8. This Easement Agreement shall be recorded in the Office of the Recorder of Deeds in and for the County of Montgomery, Commonwealth of Pennsylvania.

9. If any term or provision of this Easement Agreement, or any part of such term or provision, or the application thereof to any person or circumstance shall to any extent be held invalid or unenforceable, the remainder of this Easement Agreement or the application of such term or provision or remainder thereof shall not be affected thereby and each term and provision of this Easement Agreement shall be valid and enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF, the undersigned has executed and delivered this Easement Agreement as of the year and date first written above.

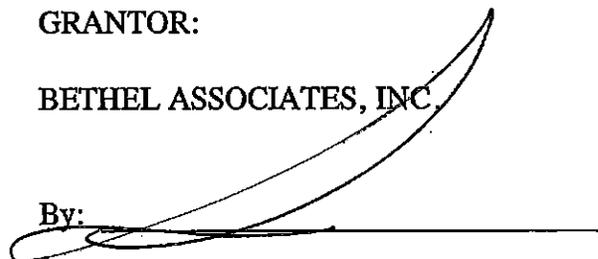
Attest:



GRANTOR:

BETHEL ASSOCIATES, INC.

By:



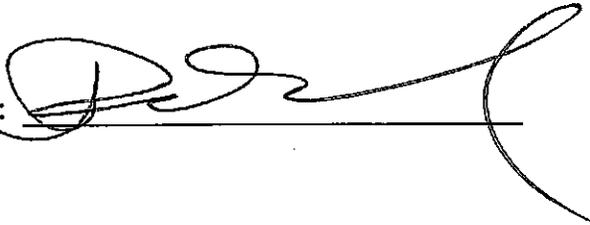
[Signatures continued on following page]

[Signatures continued from previous page]

GRANTEE:

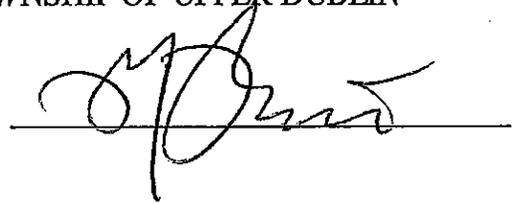
TOWNSHIP OF UPPER DUBLIN

Attest:



A handwritten signature in black ink, written over a horizontal line. The signature is highly stylized and cursive, starting with a large loop and ending with a long, sweeping tail that extends below the line.

By:



A handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be a name, possibly 'M. D. ...', with a distinct loop at the end.

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery : ^{SS}

On the 9th day of March A.D., 2007 before me, the subscriber, a Notary Public, personally appeared Michael J. Evans, who acknowledges himself/herself to be the Secretary/Treasurer of BETHEL ASSOCIATES, INC., a Pennsylvania corporation ("Corporation"), and that he/she, as such, being authorized to do so, executed the foregoing instrument by signing the name of the Corporation by himself/herself as and for the act and deed of said Corporation for the uses and purposes therein contained and that he/she desires the same might be recorded as such.

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

Jill K. Wilson
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JILL K. WILSON, NOTARY PUBLIC
LOWER GWYNEDD TWP., MONTGOMERY CO.
MY COMMISSION EXPIRES JUNE 28, 2008

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery : ^{SS}

On this 8th day of May A.D., 2007, before me, the subscriber, a Notary Public, personally appeared Robert J. Pesereto, who acknowledges that he/she was personally present at the execution of the above Agreement and saw the common or corporate seal of the said Township duly affixed thereto; that the said seal so affixed thereto is the common or corporate seal of the Township; that the said Agreement was duly sealed and delivered by the Chairman and the Township Secretary of said Township as and for the Act and Deed of said Township for the uses and purposes therein mentioned and that they desire the same to be recorded as such.

Lorraine Narducci

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2008

Member, Pennsylvania Association Of Notaries

Exhibit "A"

Legal Description of a 25 feet wide Snow Removal Easement
Upon Lot 12

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 Record Plan entitled Loch Tract, prepared by Woodrow & Associates, Inc., dated December 22, 2004, last revised January 13, 2006 and to be recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT, on the right of way line cul-de-sac bulb of the northerly terminus of Proposed Herold Court, being 50 feet wide, said point being the common lot corner of Lots 5 & 12;

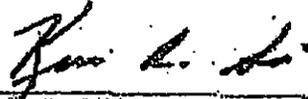
THENCE, leaving said beginning point and along the common lotline between Lots 5 & 12, North 9 degrees 33 minutes 26 seconds East, a distance of 25.00 feet, to a point;

THENCE, leaving said common lotline between Lots 5 & 12 and through Lot 12, the following two (2) courses and distances:

1. South 71 degrees 53 minutes 25 seconds East, a distance of 25.28 feet, to a point;
2. South 9 degrees 33 minutes 26 seconds West, a distance of 26.70 feet, to a point on the right of way line cul-de-sac bulb of Proposed Herold Court;

THENCE, along said right of way line of the cul-de-sac bulb of Proposed Herold Court, along an arc of a circle curving to the left, having a radius of 60.00 feet, an arc distance of 25.79 feet, being subtended by a chord bearing of North 68 degrees 07 minutes 50 seconds West and a chord distance of 25.59 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

Containing in area 622.61 Square Feet / 0.0143 Acres.

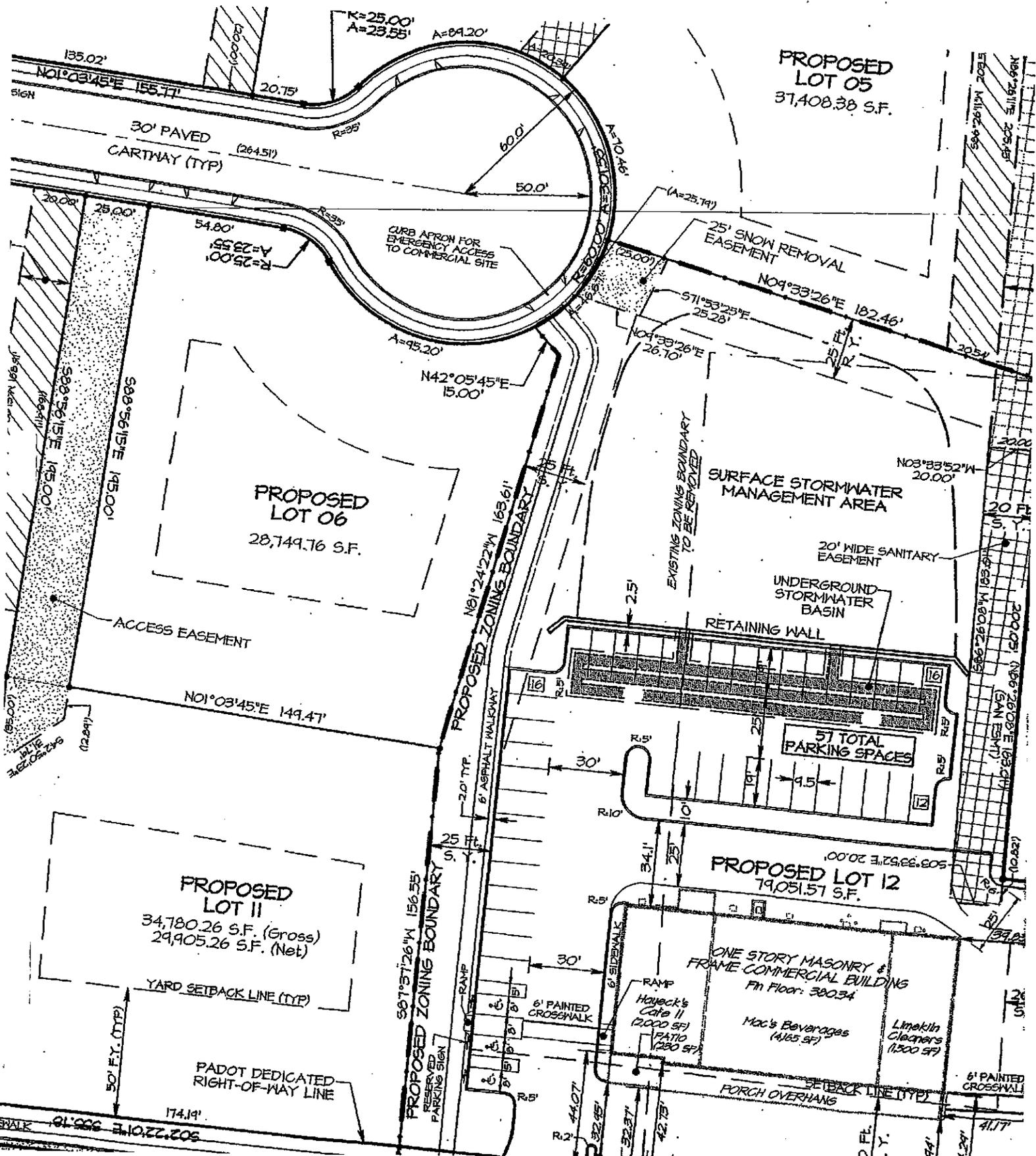


Kevin R. Gibbons
Professional Land Surveyor
Commonwealth of Pennsylvania
License No. SU-044550-E



Exhibit "B"

Plan



RESOLUTION NO. 1944

**RESOLUTION TO ACCEPT
DEED OF STORMWATER MANAGEMENT EASEMENT – LOT 2**

WHEREAS, the Board of Commissioners of Upper Dublin Township (“Grantee”) has received from BETHEL ASSOCIATES, INC., a Pennsylvania corporation (hereinafter “Grantor”) a Deed of Stormwater Management Easement dated March 9, 2007, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan (the “Plan”) filed by or on behalf of Grantor, and showing Grantor’s property located at 521 and 535 North Limekiln Pike, Upper Dublin Township, Montgomery County, Pennsylvania (the “Property”), which Subdivision Plan was prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, and last revised January 16, 2006, titled “Loeb Tract,” which divides the Property into a number of lots, one being Lot Number 2 (“Lot 2”); and

WHEREAS, Grantor desires to grant an easement upon, across, through and over a portion of Lot 2 for the purpose of allowing Grantee, its successors and assigns to construct, install, reconstruct, operate, use, inspect, replace, remove, relocate, repair and maintain any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances necessary for stormwater distribution services or other necessary public improvements and to make connections therewith; and

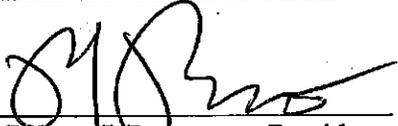
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Stormwater Management Easement.

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

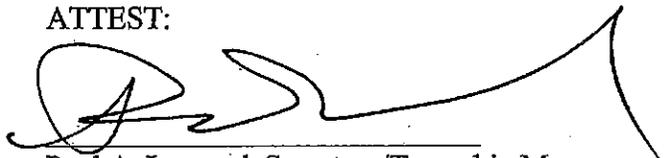
1. The Deed of Stormwater Management Easement offered to the Township for Lot #2 of the “Loeb Tract” Subdivision is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Stormwater Management Easement and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 8th day of May, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Resavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

UDT/Loeb/SMRes2

116071006.3 (13,275-108) (Lot #2)

Prepared by, record and return to:

HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN

375 Morris Road

Lansdale, PA 19446

Attn: Diane L. Barnes, Paralegal

(215) 661-0400

Part of County Tax Parcel #:

DEED OF STORMWATER MANAGEMENT EASEMENT

THIS INDENTURE made this 9th day MARCH, 2007 between **BETHEL ASSOCIATES, INC.**, a Pennsylvania corporation, with a principal office at 1120 Bethlehem Pike, Spring House, Pennsylvania, hereinafter referred to as Grantor, and the **TOWNSHIP OF UPPER DUBLIN**, a Pennsylvania municipality, hereinafter referred to as the Grantee;

WITNESSETH: THAT the said Grantor for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States unto Grantor well and truly paid by the said Grantee, receipt of which is hereby acknowledged, has granted, bargained, and sold and by these presents doth grant, bargain, and sell unto the Grantee, its successors and assigns, the free and uninterrupted use, liberty, and privilege of and passage in and along that certain parcel or parcels of ground situate in the Township of Upper Dublin, Montgomery County, Pennsylvania, being more specifically described in the legal description attached hereto as Exhibit "A", and shown on a plan, prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, last revised January 16, 2006, titled "Loeb Tract – Preliminary Land Development Plan", and to be forthwith recorded in the Office for the Recording of Deeds in and for Montgomery County at Norristown, Pennsylvania (hereinafter referred to as the "Plan"), a portion of which is marked Exhibit "B", all attached hereto and

incorporated herein by reference.

Such use, liberty, and privilege being hereby granted to the Grantee for the sole purpose of permitting the Grantee, its successors and assigns, to construct, install, reconstruct, operate, use, inspect, replace, remove, relocate, repair and maintain any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances and for any other purpose related to the provision of stormwater distribution services or other necessary public improvement along and under the said parcel or parcels of ground, together with any necessary appurtenances which shall not be extended beyond the aforesaid parcel or parcels of ground to which the easement herein granted appertains.

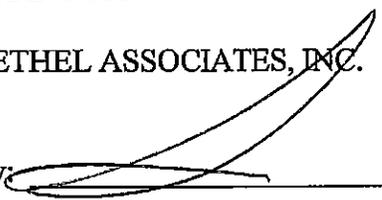
TO HAVE AND TO HOLD the same perpetually to the Grantee, its successors and assigns, so long as a stormwater distribution system or other necessary public improvement is used and maintained upon the aforesaid parcel or parcels of ground, together with the right and privilege at any and all times to enter the aforesaid parcel or parcels of ground or any part thereof, for the purpose of constructing, installing, reconstructing, operating, using, inspecting, replacing, removing, relocating, repairing and maintaining any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances or other necessary public improvement, and for making connections therewith; all upon the condition that the Grantee, its successors and assigns, will at all times, after doing any work in connection with the construction, installation, reconstruction, operation, use, inspection, replacement, removal, relocation, repair and maintenance of any stormwater distribution pipes, lines, laterals, facilities and appurtenances or other necessary public improvement, restore the premises to the condition in which same were found before such work was undertaken, it being understood that no trees, shrubs, fences, or anything other than grass will be restored, the Grantee will not create any nuisance or do any act that will be detrimental to the

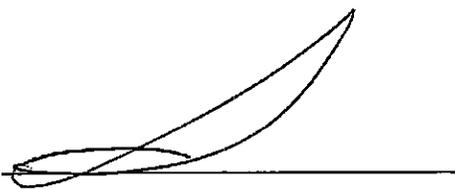
owners, tenants, or occupants of land abutting the parcel or parcels of ground aforesaid.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed the day and year first above-written.

GRANTOR:

BETHEL ASSOCIATES, INC.

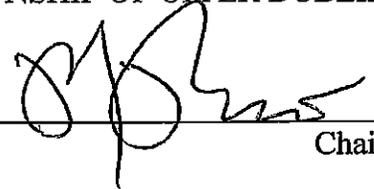
By: 

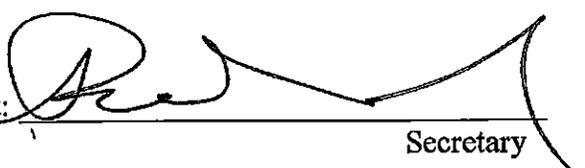
Attest: 

The foregoing Deed of Stormwater Management Easement is accepted.

GRANTEE:

TOWNSHIP OF UPPER DUBLIN

By:  Chairman

Attest:  Secretary

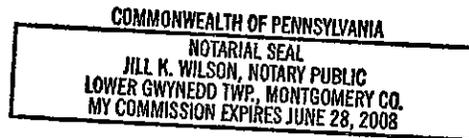
COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery : ^{SS}

On the 9th day of March A.D., 2007, before me, the subscriber, a Notary Public, personally appeared Michael J. Evans, who acknowledges himself ~~herself~~ to be the Secretary/Treasurer of BETHEL ASSOCIATES, INC., and that he ~~she~~, as such officer, being authorized to do so, executed the foregoing instrument by signing the name of the Corporation by himself ~~herself~~ as and for the act and deed of said Corporation for the uses and purposes therein contained and that he desires the same might be recorded as such.

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

Jill K. Wilson
Notary Public



COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery SS :

On this 8th day of May A.D., 2007, before me, the subscriber, a Notary Public, personally appeared Robert J. Pesapento, who acknowledges that he/she was personally present at the execution of the above Agreement and saw the common or corporate seal of the said Township duly affixed thereto; that the said seal so affixed thereto is the common or corporate seal of the Township; that the said Agreement was duly sealed and delivered by the Chairman and the Township Secretary of said Township and for the Act and Deed of said Township for the uses and purposes therein mentioned and that they desired the same to be recorded as such.

Lorraine Narducci
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2008
Member, Pennsylvania Association Of Notaries

Exhibit "A"

Legal Description of a 20 feet wide Storm Sewer Easement
Upon Lot 2

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 Record Plan entitled Loeb Tract, prepared by Woodrow & Associates, Inc., dated December 22, 2004, last revised January 13, 2006 and to be recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

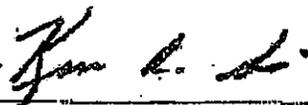
BEGINNING AT A POINT, on the southerly right of way line of Lewisville Drive, being 50 feet wide at this point, said point being further located along an arc of a circle curving to the left, having a radius of 175.00 feet, an arc distance of 11.47 feet, being subtended by a chord bearing of South 67 degrees 31 minutes 51 seconds East and a chord distance of 11.47 feet from the intersection of the said southerly right of way line of Lewisville Drive with the common property line between Lot 2 and lands now or formerly of Neil H. & Ellen Feinstein (Block 4G, Unit 29);

THENCE, leaving said beginning point and along the southerly right of way line of Lewisville Drive, along an arc of a circle curving to the left, having a radius of 175.00 feet, an arc distance of 20.01 feet, being subtended by a chord bearing of South 72 degrees 41 minutes 04 seconds East and a chord distance of 20.00 feet, to a point;

THENCE, leaving said southerly right of way line of Lewisville Drive and through Lot 2 the following three (3) courses and distances:

1. South 17 degrees 19 minutes 35 seconds West, a distance of 20.15 feet, to a point;
2. North 72 degrees 40 minutes 25 seconds West, a distance of 20.00 feet, to a point;
3. North 17 degrees 19 minutes 35 seconds East, a distance of 20.15 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

Containing in area 399.14 Square Feet / 0.0092 Acres.



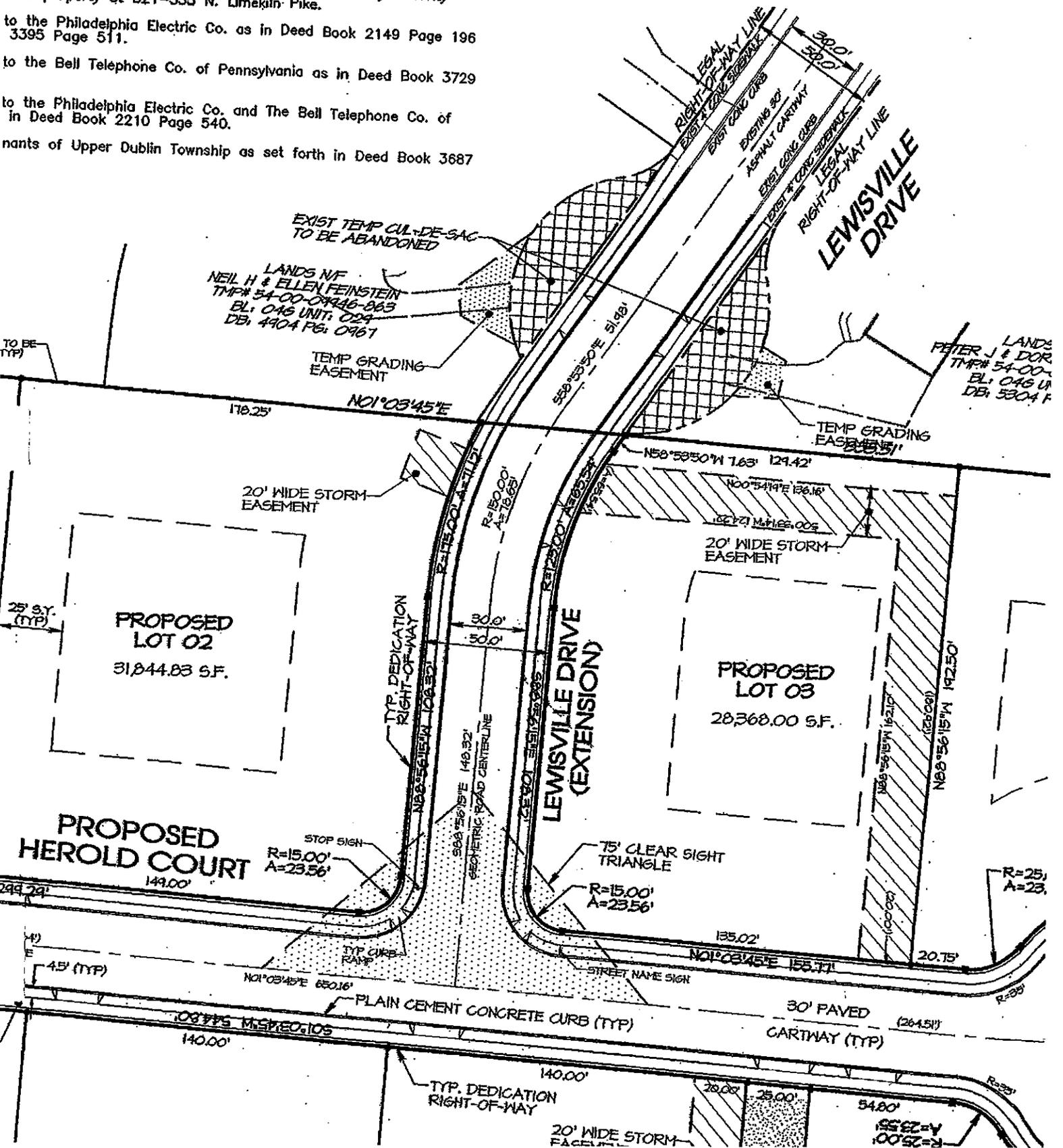
Kevin R. Gibbons
Professional Land Surveyor
Commonwealth of Pennsylvania
License No. SU-044550-E



Exhibit "B"

Plan

to the Philadelphia Electric Co. as in Deed Book 2149 Page 196
 3395 Page 511.
 to the Bell Telephone Co. of Pennsylvania as in Deed Book 3729
 to the Philadelphia Electric Co. and The Bell Telephone Co. of
 in Deed Book 2210 Page 540.
 nants of Upper Dublin Township as set forth in Deed Book 3687



RESOLUTION NO. 1945

**RESOLUTION TO ACCEPT
DEED OF STORMWATER MANAGEMENT EASEMENT – LOT 3**

WHEREAS, the Board of Commissioners of Upper Dublin Township (“**Grantee**”) has received from **BETHEL ASSOCIATES, INC.**, a Pennsylvania corporation (hereinafter “**Grantor**”) a Deed of Stormwater Management Easement dated March 9, 2007, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan (the “**Plan**”) filed by or on behalf of Grantor, and showing Grantor’s property located at 521 and 535 North Limekiln Pike, Upper Dublin Township, Montgomery County, Pennsylvania (the “**Property**”), which Subdivision Plan was prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, and last revised January 16, 2006, titled “Loeb Tract,” which divides the Property into a number of lots, one being Lot Number 3 (“**Lot 3**”); and

WHEREAS, Grantor desires to grant an easement upon, across, through and over a portion of Lot 3 for the purpose of allowing Grantee, its successors and assigns to construct, install, reconstruct, operate, use, inspect, replace, remove, relocate, repair and maintain any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances necessary for stormwater distribution services or other necessary public improvements and to make connections therewith; and

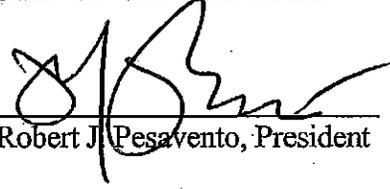
WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Stormwater Management Easement.

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

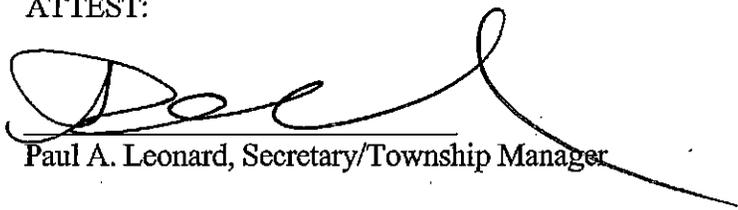
1. The Deed of Stormwater Management Easement offered to the Township for Lot #3 of “Loeb Tract” is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Stormwater Management Easement and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 8th day of May, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

UDT/Loeb/SMRes-3

116071006.3 (13,275-108) (Lot#3)

Prepared by, record and return to:

HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN

375 Morris Road

Lansdale, PA 19446

Attn: Diane L. Barnes, Paralegal

(215) 661-0400

Part of County Tax Parcel #:

DEED OF STORMWATER MANAGEMENT EASEMENT

THIS INDENTURE made this 9th day MARCH, 2007 between **BETHEL ASSOCIATES, INC.**, a Pennsylvania corporation, with a principal office at 1120 Bethlehem Pike, Spring House, Pennsylvania, hereinafter referred to as Grantor, and the **TOWNSHIP OF UPPER DUBLIN**, a Pennsylvania municipality, hereinafter referred to as the Grantee;

WITNESSETH: THAT the said Grantor for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States unto Grantor well and truly paid by the said Grantee, receipt of which is hereby acknowledged, has granted, bargained, and sold and by these presents doth grant, bargain, and sell unto the Grantee, its successors and assigns, the free and uninterrupted use, liberty, and privilege of and passage in and along that certain parcel or parcels of ground situate in the Township of Upper Dublin, Montgomery County, Pennsylvania, being more specifically described in the legal description attached hereto as Exhibit "A", and shown on a plan, prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, last revised January 16, 2006, titled "Loeb Tract – Preliminary Land Development Plan", and to be forthwith recorded in the Office for the Recording of Deeds in and for Montgomery County at Norristown, Pennsylvania (hereinafter referred to as the "Plan"), a portion of which is marked Exhibit "B", all attached hereto and

incorporated herein by reference.

Such use, liberty, and privilege being hereby granted to the Grantee for the sole purpose of permitting the Grantee, its successors and assigns, to construct, install, reconstruct, operate, use, inspect, replace, remove, relocate, repair and maintain any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances and for any other purpose related to the provision of stormwater distribution services or other necessary public improvement along and under the said parcel or parcels of ground, together with any necessary appurtenances which shall not be extended beyond the aforesaid parcel or parcels of ground to which the easement herein granted appertains.

TO HAVE AND TO HOLD the same perpetually to the Grantee, its successors and assigns, so long as a stormwater distribution system or other necessary public improvement is used and maintained upon the aforesaid parcel or parcels of ground, together with the right and privilege at any and all times to enter the aforesaid parcel or parcels of ground or any part thereof, for the purpose of constructing, installing, reconstructing, operating, using, inspecting, replacing, removing, relocating, repairing and maintaining any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances or other necessary public improvement, and for making connections therewith; all upon the condition that the Grantee, its successors and assigns, will at all times, after doing any work in connection with the construction, installation, reconstruction, operation, use, inspection, replacement, removal, relocation, repair and maintenance of any stormwater distribution pipes, lines, laterals, facilities and appurtenances or other necessary public improvement, restore the premises to the condition in which same were found before such work was undertaken, it being understood that no trees, shrubs, fences, or anything other than grass will be restored, the Grantee will not create any nuisance or do any act that will be detrimental to the

owners, tenants, or occupants of land abutting the parcel or parcels of ground aforesaid.

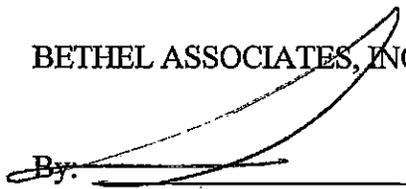
IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed the day and year first above-written.

GRANTOR:

BETHEL ASSOCIATES, INC.

Attest:



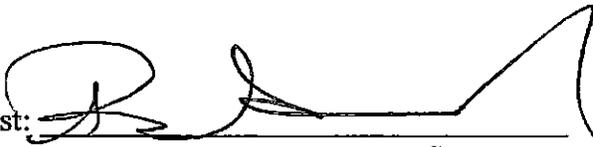
By: 

The foregoing Deed of Stormwater Management Easement is accepted.

GRANTEE:

TOWNSHIP OF UPPER DUBLIN

Attest:



Secretary

By: 

Chairman

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery : ^{SS}

On the 9th day of March A.D., 2007, before me, the subscriber, a Notary

Public, personally appeared Michael J. Evans, who acknowledges

himself/herself to be the Secretary/Treasurer of BETHEL ASSOCIATES, INC., and that

he/she, as such officer, being authorized to do so, executed the foregoing instrument by signing

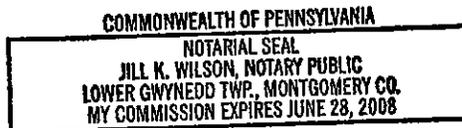
the name of the Corporation by himself/herself as and for the act and deed of said Corporation

for the uses and purposes therein contained and that he desires the same might be recorded as

such.

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

Jill K. Wilson
Notary Public



COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery SS :

On this 8th day of May A.D., 2007, before me, the subscriber, a Notary Public, personally appeared Robert J. Resposito, who acknowledges that he/she was personally present at the execution of the above Agreement and saw the common or corporate seal of the said Township duly affixed thereto; that the said seal so affixed thereto is the common or corporate seal of the Township; that the said Agreement was duly sealed and delivered by the Chairman and the Township Secretary of said Township as and for the Act and Deed of said Township for the uses and purposes therein mentioned and that they desired the same to be recorded as such.

Lorraine Narducci
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2008
Member, Pennsylvania Association Of Notaries

Exhibit "A"

Legal Description of a 20 feet wide Storm Sewer Easement
Upon Lot 3

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 Record Plan entitled Loeb Tract, prepared by Woodrow & Associates, Inc., dated December 22, 2004, last revised January 13, 2006 and to be recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT, on the westerly right of way line of Proposed Herold Court, being 50 feet wide at this point, said point being the common lot corner of Lots 3 & 4;

THENCE, leaving said beginning point and along the westerly right of way line of Proposed Herold Court, South 1 degree 03 minutes 45 seconds West, a distance of 20.00 feet, to a point;

THENCE, leaving said westerly right of way line of Proposed Herold Court and through Lot 3 the following two (2) courses and distances:

1. North 88 degrees 56 minutes 15 seconds West, a distance of 162.10 feet, to a point;
2. South 0 degrees 33 minutes 14 seconds West, a distance of 124.22 feet, to a point on the northerly right of way line of Lewisville Drive, Being 50 feet wide at this point;

THENCE, along the said northerly right of way line of Lewisville Drive, along an arc of a circle curving to the right, having a radius of 125.00 feet, an arc distance of 21.16 feet, being subtended by a chord bearing of North 66 degrees 32 minutes 47 seconds West and a chord distance of 21.14 feet, to a point;

THENCE, through Lot 3, North 0 degrees 54 minutes 19 seconds East, a distance of 136.16 feet, to a point on the common lotline between Lots 3 & 4;

THENCE, along said common lotline, South 88 degrees 56 minutes 15 seconds East, a distance of 180.92 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

Containing in area 5,923.27 Square Feet / 0.1360 Acres.



Kevin R. Gibbons
Professional Land Surveyor
Commonwealth of Pennsylvania
License No. SU-044550-E

RESOLUTION NO. 1946

**RESOLUTION TO ACCEPT
DEED OF STORMWATER MANAGEMENT EASEMENT – LOT 5**

WHEREAS, the Board of Commissioners of Upper Dublin Township (“Grantee”) has received from BETHEL ASSOCIATES, INC., a Pennsylvania corporation (hereinafter “Grantor”) a Deed of Stormwater Management Easement dated March 9, 2007, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan (the “Plan”) filed by or on behalf of Grantor, and showing Grantor’s property located at 521 and 535 North Limekiln Pike, Upper Dublin Township, Montgomery County, Pennsylvania (the “Property”), which Subdivision Plan was prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, and last revised January 16, 2006, titled “Loeb Tract,” which divides the Property into a number of lots, one being Lot Number 5 (“Lot 5”); and

WHEREAS, Grantor desires to grant an easement upon, across, through and over a portion of Lot 5 for the purpose of allowing Grantee, its successors and assigns to construct, install, reconstruct, operate, use, inspect, replace, remove, relocate, repair and maintain any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances necessary for stormwater distribution services or other necessary public improvements and to make connections therewith; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Stormwater Management Easement.

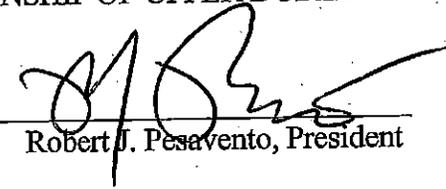
NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Deed of Stormwater Management Easement offered to the Township for Lot #5 of the “Loeb Tract” Subdivision is hereby accepted.

2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Stormwater Management Easement and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 8th day of May, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

UDI/Loeb/SMRes-5

116071006.3 (13,275-108) (Lot#5)

Prepared by, record and return to:

HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN

375 Morris Road

Lansdale, PA 19446

Attn: Diane L. Barnes, Paralegal

(215) 661-0400

Part of County Tax Parcel #:

DEED OF STORMWATER MANAGEMENT EASEMENT

THIS INDENTURE made this 9th day MARCH, 2007 between **BETHEL ASSOCIATES, INC.**, a Pennsylvania corporation, with a principal office at 1120 Bethlehem Pike, Spring House, Pennsylvania, hereinafter referred to as Grantor, and the **TOWNSHIP OF UPPER DUBLIN**, a Pennsylvania municipality, hereinafter referred to as the Grantee;

WITNESSETH: THAT the said Grantor for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States unto Grantor well and truly paid by the said Grantee, receipt of which is hereby acknowledged, has granted, bargained, and sold and by these presents doth grant, bargain, and sell unto the Grantee, its successors and assigns, the free and uninterrupted use, liberty, and privilege of and passage in and along that certain parcel or parcels of ground situate in the Township of Upper Dublin, Montgomery County, Pennsylvania, being more specifically described in the legal description attached hereto as Exhibit "A", and shown on a plan, prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, last revised January 16, 2006, titled "Loeb Tract - Preliminary Land Development Plan", and to be forthwith recorded in the Office for the Recording of Deeds in and for Montgomery County at Norristown, Pennsylvania (hereinafter referred to as the "Plan"), a portion of which is marked Exhibit "B", all attached hereto and

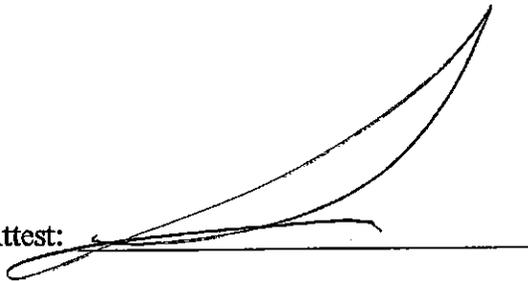
incorporated herein by reference.

Such use, liberty, and privilege being hereby granted to the Grantee for the sole purpose of permitting the Grantee, its successors and assigns, to construct, install, reconstruct, operate, use, inspect, replace, remove, relocate, repair and maintain any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances and for any other purpose related to the provision of stormwater distribution services or other necessary public improvement along and under the said parcel or parcels of ground, together with any necessary appurtenances which shall not be extended beyond the aforesaid parcel or parcels of ground to which the easement herein granted appertains.

TO HAVE AND TO HOLD the same perpetually to the Grantee, its successors and assigns, so long as a stormwater distribution system or other necessary public improvement is used and maintained upon the aforesaid parcel or parcels of ground, together with the right and privilege at any and all times to enter the aforesaid parcel or parcels of ground or any part thereof, for the purpose of constructing, installing, reconstructing, operating, using, inspecting, replacing, removing, relocating, repairing and maintaining any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances or other necessary public improvement, and for making connections therewith; all upon the condition that the Grantee, its successors and assigns, will at all times, after doing any work in connection with the construction, installation, reconstruction, operation, use, inspection, replacement, removal, relocation, repair and maintenance of any stormwater distribution pipes, lines, laterals, facilities and appurtenances or other necessary public improvement, restore the premises to the condition in which same were found before such work was undertaken, it being understood that no trees, shrubs, fences, or anything other than grass will be restored, the Grantee will not create any nuisance or do any act that will be detrimental to the

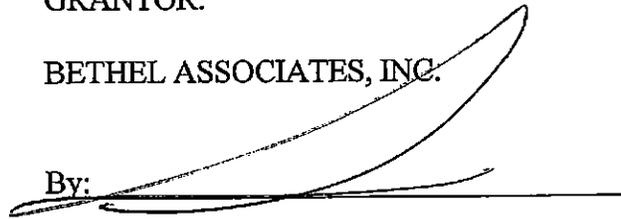
owners, tenants, or occupants of land abutting the parcel or parcels of ground aforesaid.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed the day and year first above-written.

Attest: 

GRANTOR:

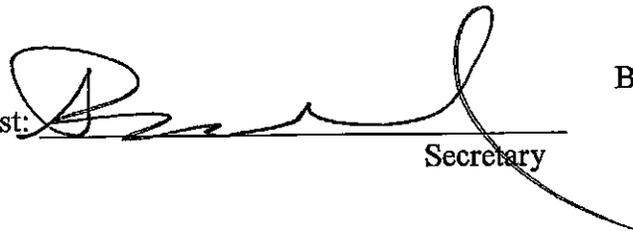
BETHEL ASSOCIATES, INC.

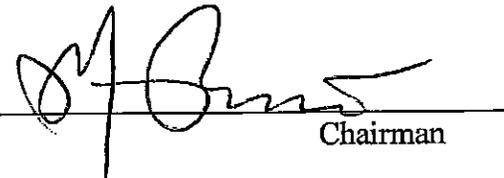
By: 

The foregoing Deed of Stormwater Management Easement is accepted.

GRANTEE:

TOWNSHIP OF UPPER DUBLIN

Attest: 
Secretary

By: 
Chairman

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery : ^{SS}

On the 9th day of March A.D., 2007, before me, the subscriber, a Notary

Public, personally appeared Michael J. Evans, who acknowledges

himself/herself to be the Secretary/Treasurer of BETHEL ASSOCIATES, INC., and that

he/she, as such officer, being authorized to do so, executed the foregoing instrument by signing

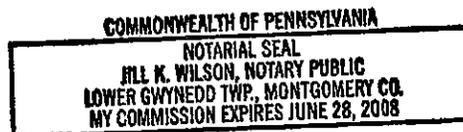
the name of the Corporation by himself/herself as and for the act and deed of said Corporation

for the uses and purposes therein contained and that he desires the same might be recorded as

such.

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

Jill K. Wilson
Notary Public



COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery SS :

On this 8th day of May A.D., 2007, before me, the subscriber, a Notary Public, personally appeared Robert J. Pesapento, who acknowledges that he/she was personally present at the execution of the above Agreement and saw the common or corporate seal of the said Township duly affixed thereto; that the said seal so affixed thereto is the common or corporate seal of the Township; that the said Agreement was duly sealed and delivered by the Chairman and the Township Secretary of said Township as and for the Act and Deed of said Township for the uses and purposes therein mentioned and that they desired the same to be recorded as such.

Lorraine Narducci

Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2008
Member, Pennsylvania Association Of Notaries

Exhibit "A"

Legal Description of a 20 feet wide Storm Sewer Easement
Upon Lot 5

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 Record Plan entitled Loeb Tract, prepared by Woodrow & Associates, Inc., dated December 22, 2004, last revised January 13, 2006 and to be recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT, on the common lotline between Lots 5 & 12, said point being further located along said common lotline between Lots 5 & 12, North 9 degrees 33 minutes 26 seconds East, a distance of 141.39 feet from the common lot corner of Lots 5 & 12 on the right of way cul-de-sac bulb of the northerly terminus of Proposed Herold Court, being 50 feet wide;

THENCE, leaving said beginning point and through Lot 5 the following two (2) courses and distances:

1. South 86 degrees 26 minutes 11 seconds West, a distance of 203.52 feet, to a point;
2. North 77 degrees 56 minutes 05 seconds West, a distance of 45.23 feet, to a point in line of lands now or formerly of Stuart & Elyse Schatz (Block 4G, Unit 32);

THENCE, along said lands of Schatz, North 1 degree 03 minutes 45 seconds East, a distance of 20.37 feet, to a point;

THENCE, through Lot 5 and crossing an existing 20 feet wide Utility Easement, the following two (2) courses and distances:

1. South 77 degrees 56 minutes 05 seconds East, a distance of 46.37 feet, to a point;
2. North 86 degrees 26 minutes 11 seconds East, a distance of 205.43 feet, to a point on said common lotline between Lots 5 & 12;

THENCE, along said common lotline between Lots 5 & 12, South 9 degrees 33 minutes 26 seconds West, a distance of 20.54 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

Containing in area 5,005.47 Square feet / 0.1149 Acres.



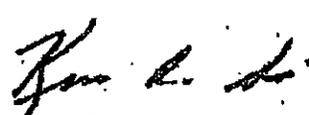
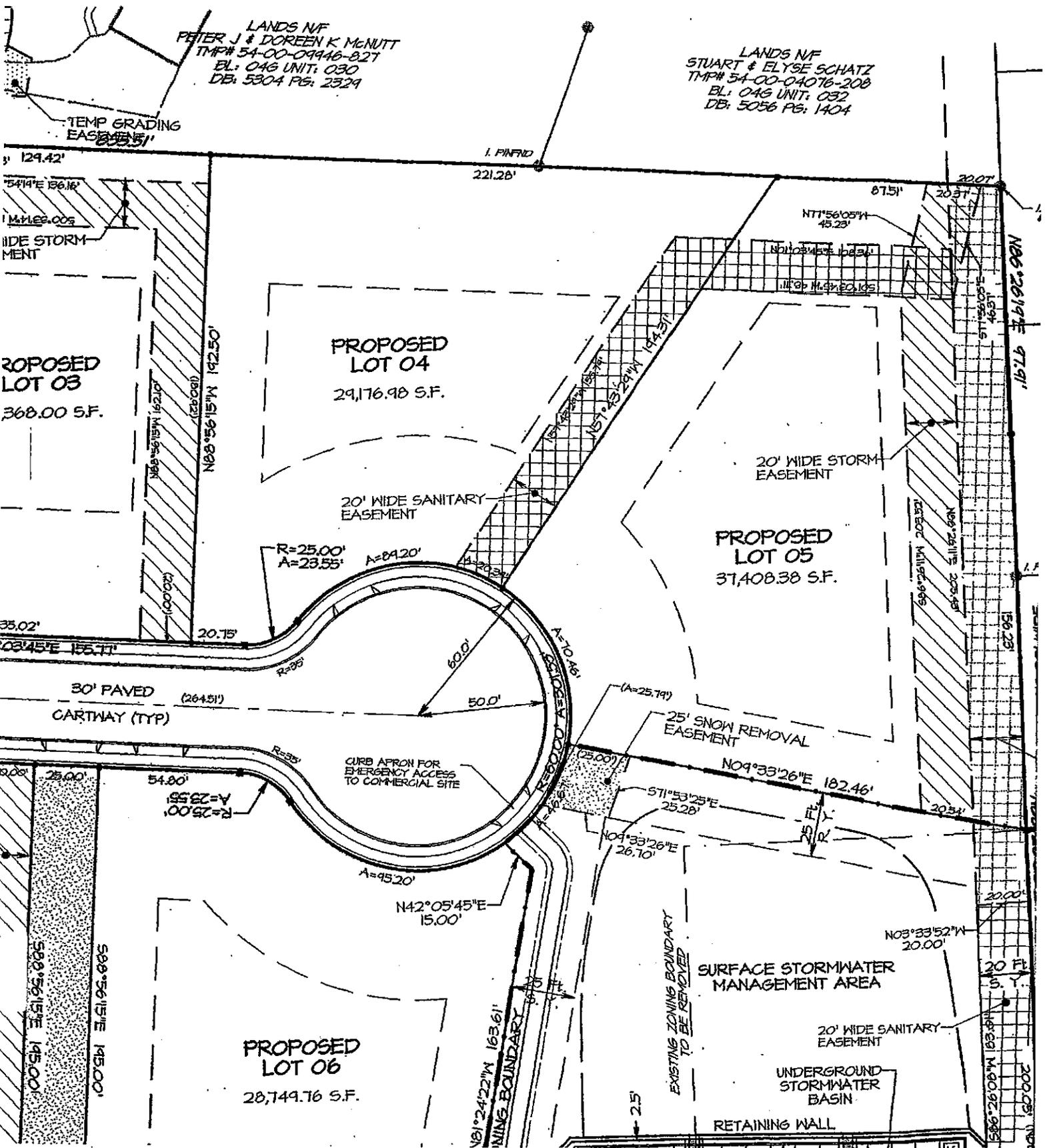

Kevin R. Gibbons
Professional Land Surveyor
Commonwealth of Pennsylvania
License No. SU-044550-E

Exhibit "B"

Plan



RESOLUTION NO. 1947

**RESOLUTION TO ACCEPT
DEED OF STORMWATER MANAGEMENT EASEMENT – LOT 7**

WHEREAS, the Board of Commissioners of Upper Dublin Township (“Grantee”) has received from BETHEL ASSOCIATES, INC., a Pennsylvania corporation (hereinafter “Grantor”) a Deed of Stormwater Management Easement dated March 9, 2007, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision Plan (the “Plan”) filed by or on behalf of Grantor, and showing Grantor’s property located at 521 and 535 North Limekiln Pike, Upper Dublin Township, Montgomery County, Pennsylvania (the “Property”), which Subdivision Plan was prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, and last revised January 16, 2006, titled “Loeb Tract,” which divides the Property into a number of lots, one being Lot Number 7 (“Lot 7”); and

WHEREAS, Grantor desires to grant an easement upon, across, through and over a portion of Lot 7 for the purpose of allowing Grantee, its successors and assigns to construct, install, reconstruct, operate, use, inspect, replace, remove, relocate, repair and maintain any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances necessary for stormwater distribution services or other necessary public improvements and to make connections therewith; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Stormwater Management Easement.

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

1. The Deed of Stormwater Management Easement offered to the Township for Lot #7 of the “Loeb Tract” Subdivision is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Stormwater Management Easement and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 9th day of May, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

UDT/Loeb/Res-SMEasement7

116071006.3 (13,275-108) (Lot #7)

Prepared by, record and return to:

HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN

375 Morris Road

Lansdale, PA 19446

Attn: Diane L. Barnes, Paralegal

(215) 661-0400

Part of County Tax Parcel #:

DEED OF STORMWATER MANAGEMENT EASEMENT

THIS INDENTURE made this 9th day MARCH, 2007 between **BETHEL ASSOCIATES, INC.**, a Pennsylvania corporation, with a principal office at 1120 Bethlehem Pike, Spring House, Pennsylvania, hereinafter referred to as Grantor, and the **TOWNSHIP OF UPPER DUBLIN**, a Pennsylvania municipality, hereinafter referred to as the Grantee;

WITNESSETH: THAT the said Grantor for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States unto Grantor well and truly paid by the said Grantee, receipt of which is hereby acknowledged, has granted, bargained, and sold and by these presents doth grant, bargain, and sell unto the Grantee, its successors and assigns, the free and uninterrupted use, liberty, and privilege of and passage in and along that certain parcel or parcels of ground situate in the Township of Upper Dublin, Montgomery County, Pennsylvania, being more specifically described in the legal description attached hereto as Exhibit "A", and shown on a plan, prepared by Woodrow & Associates, Inc., Municipal/Civil Consulting Engineers, Ambler, Pennsylvania, dated December 22, 2004, last revised January 16, 2006, titled "Loeb Tract - Preliminary Land Development Plan", and to be forthwith recorded in the Office for the Recording of Deeds in and for Montgomery County at Norristown, Pennsylvania (hereinafter referred to as the "Plan"), a portion of which is marked Exhibit "B", all attached hereto and

incorporated herein by reference.

Such use, liberty, and privilege being hereby granted to the Grantee for the sole purpose of permitting the Grantee, its successors and assigns, to construct, install, reconstruct, operate, use, inspect, replace, remove, relocate, repair and maintain any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances and for any other purpose related to the provision of stormwater distribution services or other necessary public improvement along and under the said parcel or parcels of ground, together with any necessary appurtenances which shall not be extended beyond the aforesaid parcel or parcels of ground to which the easement herein granted appertains.

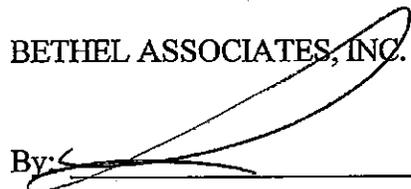
TO HAVE AND TO HOLD the same perpetually to the Grantee, its successors and assigns, so long as a stormwater distribution system or other necessary public improvement is used and maintained upon the aforesaid parcel or parcels of ground, together with the right and privilege at any and all times to enter the aforesaid parcel or parcels of ground or any part thereof, for the purpose of constructing, installing, reconstructing, operating, using, inspecting, replacing, removing, relocating, repairing and maintaining any stormwater distribution pipes, lines, laterals, basins, facilities and appurtenances or other necessary public improvement, and for making connections therewith; all upon the condition that the Grantee, its successors and assigns, will at all times, after doing any work in connection with the construction, installation, reconstruction, operation, use, inspection, replacement, removal, relocation, repair and maintenance of any stormwater distribution pipes, lines, laterals, facilities and appurtenances or other necessary public improvement, restore the premises to the condition in which same were found before such work was undertaken, it being understood that no trees, shrubs, fences, or anything other than grass will be restored, the Grantee will not create any nuisance or do any act that will be detrimental to the

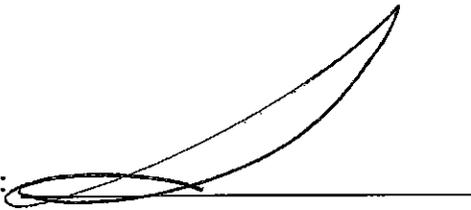
owners, tenants, or occupants of land abutting the parcel or parcels of ground aforesaid.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed the day and year first above-written.

GRANTOR:

BETHEL ASSOCIATES, INC.

By: 

Attest: 

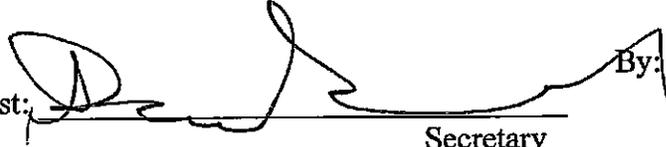
The foregoing Deed of Stormwater Management Easement is accepted.

GRANTEE:

TOWNSHIP OF UPPER DUBLIN

By: 

Chairman

Attest: 

Secretary

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery : ^{SS}

On the 9th day of March A.D., 2007, before me, the subscriber, a Notary

Public, personally appeared Michael J. Evans, who acknowledges

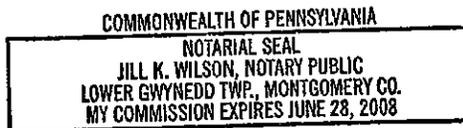
himself/herself to be the Secretary/Treasurer of BETHEL ASSOCIATES, INC., and that

he/she, as such officer, being authorized to do so, executed the foregoing instrument by signing the name of the Corporation by himself/herself as and for the act and deed of said Corporation

for the uses and purposes therein contained and that he desires the same might be recorded as such.

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

Jill K. Wilson
Notary Public



COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Montgomery SS :

On this 8th day of May A.D., 2007, before me, the subscriber, a Notary Public, personally appeared Robert J. Penavento, who acknowledges that he/she was personally present at the execution of the above Agreement and saw the common or corporate seal of the said Township duly affixed thereto; that the said seal so affixed thereto is the common or corporate seal of the Township; that the said Agreement was duly sealed and delivered by the Chairman and the Township Secretary of said Township as and for the Act and Deed of said Township for the uses and purposes therein mentioned and that they desired the same to be recorded as such.

Lorraine Narducci
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2008
Member, Pennsylvania Association Of Notaries

Exhibit "A"

Legal Description of a 20 feet wide Storm Sewer Easement
Upon Lot 7

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 Record Plan entitled Loeb Tract, prepared by Woodrow & Associates, Inc., dated December 22, 2004, last revised January 13, 2006 and to be recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT, on the easterly right of way line of Proposed Herold Court, being 50 feet wide at this point, said point being the common lot corner of Lots 7 & 6;

THENCE, leaving said beginning point and along the said common lotline between Lots 6 & 7, South 88 degrees 56 minutes 15 seconds East, a distance of 168.91 feet, to a point;

THENCE, leaving said common lotline and through Lot 7, the following two (2) courses and distances:

1. South 1 degree 03 minutes 45 seconds West, a distance of 20.00 feet, to a point;
2. North 88 degrees 56 minutes 15 seconds West, a distance of 168.91 feet, to a point on the said easterly right of way line of Proposed Herold Court;

THENCE, along said easterly right of way line of Proposed Herold Court, North 1 degree 03 minutes 45 seconds East, a distance of 20.00 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

Containing in area 3,378.20 Square Feet / 0.0776 Acres.

Kevin R. Gibbons

Kevin R. Gibbons
Professional Land Surveyor
Commonwealth of Pennsylvania
License No. SU-044550-E



TOWNSHIP OF UPPER DUBLIN

RESOLUTION NO. 1948

A RESOLUTION OF UPPER DUBLIN TOWNSHIP BOARD OF COMMISSIONERS GRANTING AUTHORITY ROBERT J. PESAVENTO, PRESIDENT AND PAUL A. LEONARD, TOWNSHIP SECRETARY, TO EXECUTE ON BEHALF OF UPPER DUBLIN TOWNSHIP AN EXTENSION OF THE COLLECTIVE BARGAINING AGREEMENT WITH THE UPPER DUBLIN TOWNSHIP POLICE BENEVOLENT ASSOCIATION

WHEREAS, Upper Dublin Township is authorized and obligated under Act 111 to negotiate a Collective Bargaining Agreement with the duly recognized Police Officers Association; and

WHEREAS, the existing Collective Bargaining Agreement was negotiated in good faith and provides for agreeable terms and conditions for employment of sworn police officers in Upper Dublin Township; and

WHEREAS, the Upper Dublin Police Association has affirmatively voted to approve a two year extension of the existing Collective Bargaining Agreement, subject to the amendment of certain provisions.

NOW, THEREFORE, BE IT RESOLVED that the President of the Board of Commissioners and Township Secretary are duly authorized to execute a Memorandum of Agreement to extend the terms of the Collective Bargaining Agreement between Upper Dublin Township and the Upper Dublin Police Association for two (2) years, effective January 1, 2008 through December 31, 2009 with the following amendments:

A. Wages

All employees shall receive wage increases during the extended term as follows: effective January 1, 2008 – 4.0%; Effective January 1, 2009 - 4.0%.

B. Pensions

Article III, Section XI of the existing Collective Bargaining Agreement shall be amended by deleting the existing second paragraph of this Section and adding the following language:

Effective July 1, 2007, the Township shall amend the Police Pension Ordinance (No. 891) to provide for a service increment payable to officers who retire after providing years of service beyond twenty-five (25) years. An officer who completes 26 years of service shall receive a \$100 service increment. Officers completing years of service over 26 years shall receive an additional \$100/full year of completed service up to a maximum monthly service increment of \$500 for 30 or more years of completed service.

The service increment shall be paid monthly in addition to any other pension benefit otherwise due to the retired officer. In addition, the service increments set forth above shall only be applicable to members of the department who retire on or after July 1, 2007.

- C. As Is.
Any contractual provision contained in the existing Collective Bargaining Agreement which is not addressed by or which is not in conflict with this Memorandum of Agreement shall be deemed to remain in full force.

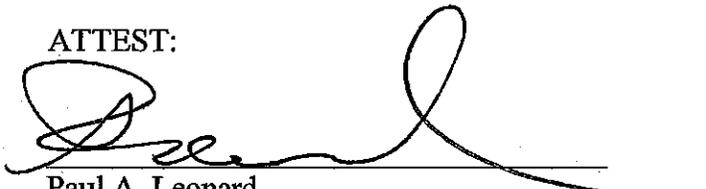
RESOLVED this 8th day of May, 2007 at a public meeting.

Upper Dublin Township

BY: 

Robert J. Pesavento
President

ATTEST:



Paul A. Leonard
Manager / Secretary

RESOLUTION
NO. 1949

A RESOLUTION TO AUTHORIZE EXECUTION OF
AN EASEMENT ENCROACHMENT AGREEMENT BETWEEN
THE TOWNSHIP OF UPPER DUBLIN AND THE BRINK FAMILY TRUST

WHEREAS, the Brink Family Trust ("Owner") holds title to property situated at 1287 Tressler Drive, Upper Dublin Township, Montgomery County, Pennsylvania, being Montgomery County Parcel No. 54-00-15815-30-4 (the "Property"); and

WHEREAS, the Township of Upper Dublin ("Township") possesses a Detention Basin Easement across the property of Owner within which is constructed a stormwater detention basin (the "Easement"), said Easement being more fully described by the Deed of Dedication of Easements recorded at Montgomery County Recorder of Deeds, Book 5129, Page 0986; and

WHEREAS, Owner desires to encroach upon the Easement by maintaining nine (9) trees on the berm of the said stormwater detention basin; and

WHEREAS, the Township desires to protect and manage its stormwater facilities and the Easement for the benefit of the public; and

WHEREAS, the Township is willing to permit the Owner to encroach upon the Easement provided that the Owner agrees to comply with the terms and conditions of the Easement Encroachment Agreement prepared by the Township and attached hereto as Exhibit "A"; and

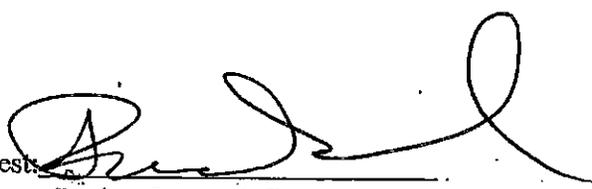
WHEREAS, the Township has determined that the public interest would be protected by the terms and conditions of the Easement Encroachment Agreement.

NOW THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Township approves the Easement Encroachment Agreement, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.
2. The President of the Board is authorized to execute for the Township the Easement Encroachment Agreement.

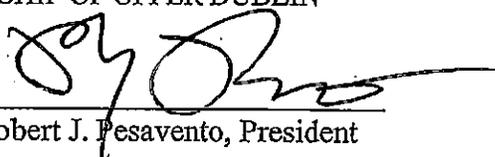
RESOLVED this 12th day of June 2007, at a public meeting of the Board of Commissioners.

Attest:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:


Robert J. Pesavento, President

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.: 54-00-15815-30-4

EASEMENT ENCROACHMENT AGREEMENT

BETWEEN: THE BRINK FAMILY TRUST

AND

TOWNSHIP: UPPER DUBLIN TOWNSHIP

DATED: _____

EXHIBIT "A"

EASEMENT ENCROACHMENT AGREEMENT

THIS AGREEMENT made this _____ day of _____ 2007, between **THE BRINK FAMILY TRUST**, formed by a Declaration of Trust executed at Los Angeles, California on June 4, 1993, by Timothy J. Brink and Amy L. Brink, jointly as Trustees and collectively as Trustees ("Owner"), and the **TOWNSHIP OF UPPER DUBLIN**, a Township of the First Class, with its administrative offices at 801 Loch Alsh Avenue, Fort Washington, Pennsylvania 19034 ("Township"); and

WHEREAS, the Owner holds title to property situated at 1287 Tressler Drive, being Parcel No. 54-00-15815-30-4 (the "Property"), said Property being more fully described by the plan attached hereto as Exhibit "A"; and

WHEREAS, Township possesses a Detention Basin Easement across the property of Owner within which is constructed a stormwater detention basin (the "Easement"), said Easement being more fully described by the plan attached hereto as Exhibit "B" and the Deed of Dedication of Easements recorded at Montgomery County Recorder of Deeds, Book 5129, Page 0986, and attached hereto as Exhibit "C"; and

WHEREAS, Owner desires to encroach upon the Easement by maintaining nine (9) trees on the berm of the said stormwater detention basin as shown by Exhibit "A" (the "Use").

NOW, THEREFORE this agreement witnesseth that the parties hereto, each intending to be legally bound hereby, covenant and agree as follows:

1. Township will permit Owner to continue the Use partially within the Easement as shown by Exhibit "A."
2. Owner agrees to comply with the terms and conditions of this Agreement and the terms and conditions of the Deed of Dedication of Easements attached hereto as Exhibit "C."

3. Owner hereby agrees to indemnify and hold the Township harmless for any expense, injury and/or damage resulting from Owner's Use and/or occupancy of the Easement.

4. With the exception of the nine trees permitted by this Agreement, Owner hereby agrees that nothing but grass will be planted or permitted to grow within the Easement and that plantings or vegetation that are not authorized in the Easement shall be trimmed or removed to prevent damage to the Easement and the stormwater detention basin.

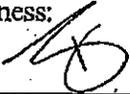
5. Owner hereby agrees that if at any time in the course of maintenance or use of the Easement by the Township, the Use, or any other encroachment impedes the Township's maintenance or use of the Easement or function of the stormwater detention basin, Owner will, upon request from the Township, immediately remove the impediment or obstruction, or does hereby authorize removal of same by the Township, at the expense of the Owner.

[Continued on Next Page]

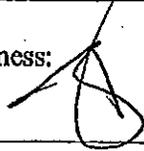
THIS AGREEMENT shall bind Owner, the Owner's executors, administrators, personal representatives, heirs, successors and assigns, and all future owners of the Property.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly executed the day and year first above written.

Witness:

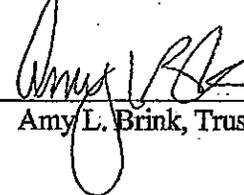


Witness:



THE BRINK FAMILY TRUST

By: 
Timothy John Brink, Trustee

By: 
Amy L. Brink, Trustee

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: _____
Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary

g:\ud\general\public works\stormwater management\A-Dirlok Encasement Encroachment 04.17.07.doc

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF MONTGOMERY :

ACKNOWLEDGMENT

On this, the _____ day of _____, 2007, before me the undersigned officer, personally appeared Robert J. Pesavento, who acknowledged himself to be the President of the Township of Upper Dublin Board of Commissioners, and that he, as such President, being authorized to do so, executed the foregoing instrument on behalf of the Township 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

:

ACKNOWLEDGMENT

On this, the 16th day of May, 2007, before me the undersigned officer, personally appeared Timothy J. Brink, who acknowledged himself to be a Trustee of The Brink Family Trust, and that he, as such Trustee, being authorized to do so, executed the foregoing instrument on behalf of The Brink Family Trust 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.

[Handwritten Signature]

Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
BERNADETTE G. POZZI, NOTARY PUBLIC
TOWNSHIP OF WHITPAIN, MONTGOMERY COUNTY
MY COMMISSION EXPIRES SEPT. 29, 2007

COMMONWEALTH OF PENNSYLVANIA

:

COUNTY OF

Montgomery

:

SS

:

ACKNOWLEDGMENT

On this, the 16th day of *May*, 2007, before me the undersigned

officer, personally appeared Amy L. Brink, who acknowledged herself to be a Trustee of The Brink Family Trust, and that she, as such Trustee, being authorized to do so, executed the foregoing instrument on behalf of The Brink Family Trust 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.

Bernadette G. Pozzi

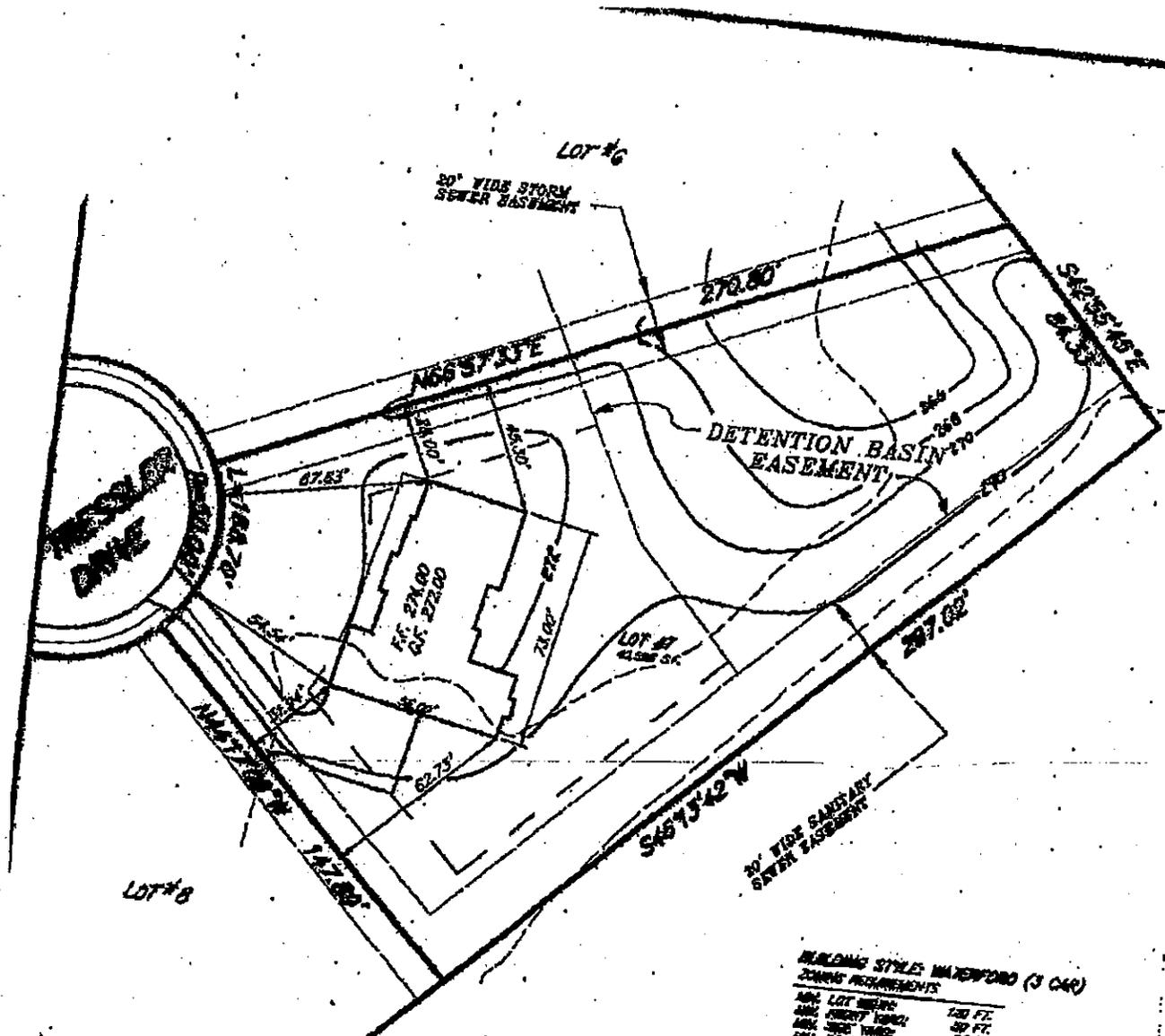
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
BERNADETTE G. POZZI, NOTARY PUBLIC
TOWNSHIP OF WHITPAIN, MONTGOMERY COUNTY
MY COMMISSION EXPIRES SEPT. 29, 2007

Exhibit "A"

Exhibit "B"

Exhibit "C"



BUILDING STYLE: MANORFORD (3 040)
ZONING REQUIREMENTS

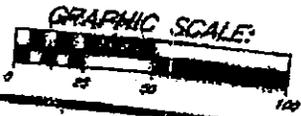
MIN. LOT WIDTH	120 FT.
MIN. FRONT YARD	30 FT.
MIN. SIDE YARD	25 FT.
MIN. REAR YARD	30 FT.
LOT AREA	41,400 S.F.
BUILDING AREA	8,800 S.F.
LOT MAX. COVERAGE	22 %

PLOT PLAN
LOT 7 (1287 TRESSLER DRIVE)
 PREPARED FOR:
MARLIN ESTATES
 SITUATE:
 TWP. DUBLIN TOWNSHIP
 ONTARIO COUNTY, PA.
 TR NO.: 92105-7
 SCALE: 1"=50'
 DATE: OCT. 24, 1994



Alan C. Breyer

PREPARED BY:
WALTER & WALTER, INC.
 7 WEST BROAD STREET
 FORD, PA. 18969



"K", attached hereto and all of which are made a part hereof and all as are depicted upon the record Plan.

2. Grantor hereby grants and conveys to Grantee, its successors and assigns, all the facilities, but not including sewer connection laterals, constructed or to be constructed by Grantor.

3. In furtherance of the Easement Rights hereby granted, Grantor and Grantee, as well as their successors and assigns, shall each have the right of reasonable access to the areas of easement for such construction, repair and maintenance as is necessary for the establishment of and subsequent utilization of the easement rights.

4. The Grantor and its successors shall have the right to occupy and use the surface of the ground of the areas of easement for any purposes in any manner consistent with this deed of easement and right-of-way and not injurious to the facilities nor interfering with the rights herein granted; but no buildings or structures of any kind (other than paving) shall be located within the areas of easement.

5. The Grantee shall at the completion of any work by it in the areas of easement restore the surface, to the extent reasonably practicable, to the same condition as it was just prior to the commencement of work by Grantee.

✓
CFA2/14

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50.50
50.50
98.00
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016610

DEED OF DEDICATION OF EASEMENTS
PUBLIC SANITARY SEWER AND PUBLIC STORM SEWER
DUBLIN ESTATES

THIS INDENTURE, made this 13th day of October, 1993, by and between THE CUTLER GROUP, INC., a Pennsylvania corporation (hereinafter referred to as "Grantor") and UPPER DUBLIN TOWNSHIP (hereinafter referred to as "Grantee").

BACKGROUND

A. Grantor is the owner of a certain tract of real property located in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said tract having been conveyed to Grantor by deed dated September 30, 1993, recorded in Montgomery County, Pennsylvania in Deed Book , page (the "Property").

B. Grantee is Upper Dublin Township, a municipal corporation, with offices located at 801 Loch Alsh Avenue, Fort Washington, PA 19034, which Township is responsible for operating and maintaining public storm sewer and public sanitary sewer facilities within the Township of Upper Dublin.

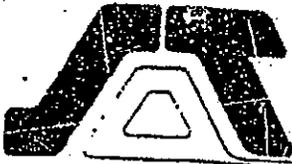
C. Grantor shall construct certain sanitary sewer facilities and storm sewer facilities, including manholes, inlets, lines, fixtures, equipment, headwalls and appurtenant facilities (all of which are collectively referred to as "the facilities") the ownership of which

95 OCT 24 PM 12:44

REALTY TRANS. TAX PAID
STATE
LOCAL
PER: <i>GLB</i>

REGISTERED

DB5129PG0986



Stout, Tacconelli & Associates, Inc.

1744 Summeytown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19443
(215) 855-5146
Fax: (215) 855-5686

158 West Main Street
P.O. Box 447
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

LEGAL DESCRIPTION 20 FOOT WIDE STORM SEWER EASEMENT LOT 6 & LOT 7 PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a 20 foot wide Storm Sewer Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

BEGINNING at a point on the arc of a cul-de-sac, said cul-de-sac being the Southeasterly most terminus of Tressler Drive (50.00 feet wide), said point also being a corner in the line dividing the lands of Lot 6 and Lot 7; thence from the said beginning point and extending along a line curving to the left in a Northwesterly direction having a radius of 50.00 feet, for an arc distance of 10.07 feet to a point; thence extending on and through the lands of Lot 6 the following three (3) courses: (1) North 66°57'33" East, 214.95 feet to an angle point; (2) North 43°11'31" West, 63.33 feet to an angle point; (3) North 03°18'20" West, 78.95 feet to a point on the Southwest sideline of Susquehanna Road, S.R. 2017 (80.00 feet wide); thence extending along the said sideline South 42°55'45" East, 31.36 feet to a point; thence extending on and through the lands of Lot 6 the following three (3) courses: (1) South 03°18'20" East, 47.55 feet to an angle point; (2) South 43°11'31" East, 63.41 feet to an angle point; (3) North 66°57'33" East, 31.94 feet to a point on the Southwest sideline of Susquehanna Road, aforesaid; thence extending along the said sideline South 42°55'45" East, 21.26 feet to a point; thence extending on and through the lands of Lot 7 South 66°57'33" West, 275.43 feet to a point on the arc of a cul-de-sac, said cul-de-sac being the aforementioned terminus of Tressler Drive; thence extending along a line curving to the left in a Northwesterly direction having a radius of 50.00 feet, for an arc distance of 10.07 feet to the point of beginning.

DBS129PC.NQ9N

54-00 - 15815-13-3
54-00 - 15815-30-4

EXHIBIT "A"

REGISTERED

Professional Engineering Land Surveying

facilities, other than sewer connection laterals, Grantor desires to grant to the Grantee by this document.

D. Grantor desires also to grant to Grantee an easement concerning a certain portion of the Property in which the facilities are located.

E. There is attached hereto as Exhibits "A" through "K" descriptions of the various portions of the Property which are subject to easements within which the facilities are to be located, operated and maintained (hereinafter called "the easements").

F. This Deed shall incorporate by reference the plans for Dublin Estates, as recorded in the Office of the Recorder of Deeds for Montgomery County, Pennsylvania at Plan Book _____, page _____ (hereinafter "Record Plan").

GRANT OF EASEMENT

1. NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00), the receipt of which is hereby acknowledged, Grantor does hereby grant and convey to Grantee, its successors and assigns, the perpetual right-of-way, easement and privilege to install, operate, inspect, replace, add to, maintain and repair the facilities, necessary or desirable in connection with Grantee's operation of its sewer system and storm sewer system (hereinafter called the "Easement Rights") on, over, through and within the easement areas described upon Exhibits "A" through



Stout, Tacconelli & Associates, Inc.

1744 Sumneytown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19443
(215) 855-5146
Fax: (215) 855-5686

158 West Main Street
P.O. Box 447
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

20 FOOT WIDE
SANITARY SEWER EASEMENT
LOTS 13, 17 & 18
PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a 20 foot wide Sanitary Sewer Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

BEGINNING at a point in the line dividing the lands of Lot 12 and Lot 13, said point also being on the Southwest sideline of Tressler Drive (50.00 feet wide); thence from the said beginning point and extending along the Northwest line of lands of Lot 12, South 47°06'27" West, 261.79 feet to an angle point; thence extending partly through the lands of Lot 17 and partly through the lands of Lot 18, South 89°01'29" West, 180.96 feet to a point on the Southeast sideline of Tressler Drive, aforesaid; thence extending along the said sideline the following two (2) courses: (1) North 01°41'29" East, 9.54 feet to a point of curvature; thence extending along a line curving the left in a Northerly direction having a radius of 225.00 feet, for an arc distance of 10.47 feet to a point, a corner in the line dividing the lands of Lot 17 and Lot 18; thence extending partly along the said dividing line and partly on and through the lands of Lot 17 and Lot 13 the following two (2) courses: (1) North 89°01'29" East, 172.61 feet to an angle point; (2) North 47°06'27" East, 252.57 feet to a point on the Southwest sideline of Tressler Drive, aforesaid; thence extending along the said sideline South 47°21'56" East, 20.06 feet to the point of beginning.

54-00-15815-24-1-
-20-5
-19-6

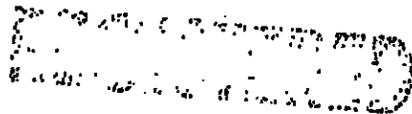
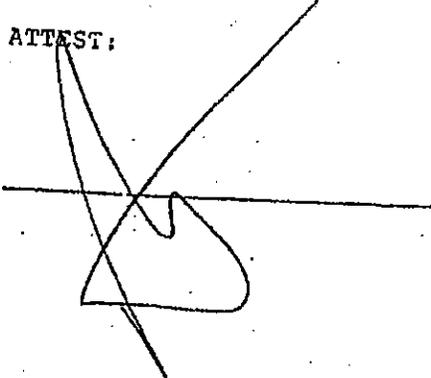


EXHIBIT "C"

IN WITNESS WHEREOF, the Grantor has hereunto
set its hand and seal the day and year first above written.

ATTEST:

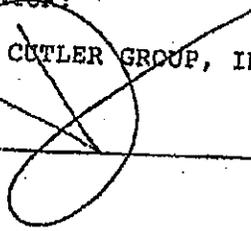


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GRANTOR:

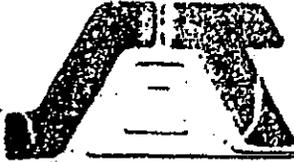
THE CUTLER GROUP, INC.

BY:



A handwritten signature is written over a horizontal line. The signature is stylized and appears to be a cursive or semi-cursive name.





Stout, Tacconelli & Associates, Inc.

1744 Sumneytown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19143
(215) 855-3124
Fax: (215) 855-0000

158 West Main Street
P.O. Box 417
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

20 FOOT WIDE
STORM SEWER EASEMENT
LOT 23
PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a 20 foot wide Storm Sewer Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

BEGINNING at a point on the Northwest sideline of Tressler Drive (50.00 feet wide), said point also being a corner in the line dividing the lands of Lot 22 and Lot 23; thence from the said beginning point, and extending along the said dividing line, South $63^{\circ}35'00''$ West, 152.23 feet to a point; thence extending on and through the lands of Lot 23 the following two (2) courses: (1) North $26^{\circ}25'00''$ West, 20.00 feet to an angle point; (2) North $63^{\circ}35'00''$ East, 51.84 feet to a point on the Northwest sideline of Tressler Drive, aforesaid; thence extending along the said sideline along a line curving to the left in a Southerly direction having a radius of 125.00 feet, for an arc distance of 20.09 feet to the point of beginning.

54-00-15815-12-3

REGISTERED

EXHIBIT "E" 085129PG0994



Stout, Tacconelli & Associates, Inc.

1744 Summeytown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19443
(215) 855-5146
Fax: (215) 855-2000

158 West Main Street
P.O. Box 417
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

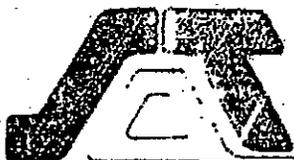
20 FOOT WIDE STORM SEWER EASEMENT LOTS 10, 11, & 12 PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a 20 foot wide Storm Sewer Easement on a plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

BEGINNING at a point on the Southwest sideline of Tressler Drive (50.00 feet wide), said point also being a corner in the line dividing the lands of Lot 11 and Lot 12; thence from the said beginning point, and extending along the said dividing line, South 47°25'51" West, 139.03 feet to a point; thence extending on and through the lands of Lot 11 the following three (3) courses: (1) South 13°29'56" West, 33.29 feet to an angle point; (2) South 36°26'07" East 105.07 feet to an angle point; (3) South 00°13'33" West, 60.59 feet to a point in the line dividing the lands of Lot 11 and Lot 10; thence extending on and through the lands of Lot 10 the following three (3) courses: (1) South 00°13'33" West, 34.57 feet to an angle point; (2) North 89°46'27" West, 20.00 feet to an angle point; (3) North 00°13'33" East, 27.42 feet to a point in the line dividing the lands of Lot 10 and Lot 11; aforesaid; thence extending on and through the lands of Lot 11 the following three (3) courses: (1) North 00°13'33" East, 61.12 feet to an angle point; (2) North 36°26'07" West, 107.75 feet to an angle point; (3) North 13°29'56" East, 12.87 feet to a point in the line dividing the lands of Lot 11 and Lot 12; thence extending on and through the lands of Lot 12 the following two (2) courses: (1) North 13°29'56" East, 35.83 feet to an angle point; (2) North 47°25'51" East 143.44 feet to a point on the Southwest sideline of Tressler Drive, aforesaid; thence extending along the said sideline the following two (2) courses: (1) South 47°21'56" East, 17.34 feet to a point of curvature; (2) extending along a line curving to the left in a Southeasterly direction having a radius of 225.00 feet, for an arc distance of 2.73 feet to the point of beginning.

54-00-15815-27-7
-26-8
-25-8
DB5129PG0991

EXHIBIT "B" and Enclosures Land Survey



Stout, Tacconelli & Associates, Inc.

1744 Sumneytown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19443
(215) 855-5146
Fax: (215) 855-5056

158 West Main Street
P.O. Box 447
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

LEGAL DESCRIPTION 20 FOOT WIDE STORM SEWER EASEMENT LOTS 27, 28 & 29 PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a 20 foot wide Storm Sewer Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

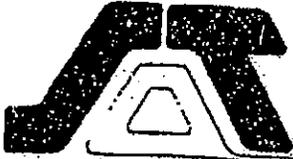
BEGINNING at a point on the Northwest sideline of Ascot Drive (50.00 feet wide), said point also being a corner in the line dividing the lands of Lot 28 and Lot 29; thence from the said beginning point, and extending along the said sideline of Ascot Drive, along a line curving to the left in a Southwesterly direction having a radius of 175.00 feet, for an arc distance of 11.09 feet to a point; thence extending on and through the lands of Lot 28 and the lands of Lot 27 North 42°53'33" West, 223.98 feet to a point in the Southeast line of lands of Joseph W. and Carol S. Shaw; thence extending along the said Shaw lands North 46°59'21" East, 20.00 feet to a point; thence extending on and through the lands of Lot 29 South 42°53'33" East, 213.20 feet to a point on the Northwest sideline of Ascot Drive, aforesaid; thence extending along the said sideline and along a line curving to the left in a Southwesterly direction having a radius of 175.00 feet, for an arc distance of 10.78 feet to the point of beginning.

54-00-15815-12-7
01024-22-7
01024-21-8

RECORDED

EXHIBIT "G"

DB5129PG0996



Stout, Tacconelli & Associates, Inc.

1744 Sumneytown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19443
(215) 855-5146
Fax: (215) 855-5686

158 West Main Street
P.O. Box 447
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

**20 FOOT WIDE
STORM SEWER EASEMENT
LOT 19
PROJECT #2176**

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a 20 foot wide Storm Sewer Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

BEGINNING at a point on the Southeast sideline of Tressler Drive (50.00 feet wide), said point also being a corner in the line dividing the lands of Randall L. and Susan M. Slopek and the lands of Lot 19; thence extending along the said sideline of Tressler Drive, aforesaid, along a line curving to the left in a Northeasterly direction having a radius of 175.00 feet, for an arc distance of 20.04 feet to a point; thence extending on and through the lands of Lot 19 the following two (2) courses: (1) South 43°04'32" East, 183.04 feet to an angle point; (2) South 46°55'28" West, 20.00 feet to a point in the Northeast line of lands of Randall L. and Susan M. Slopek, aforesaid; thence extending along the said Slopek lands North 43°04'32" West, 181.89 feet to the point of beginning.

54-00-15815-18-7

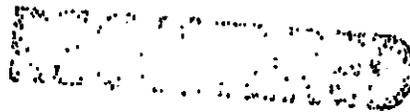
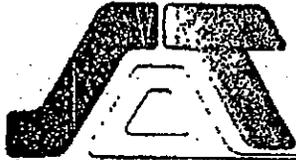


EXHIBIT "D"

DB5129PG0993



Stout, Tacconelli & Associates, Inc.

1744 Sunnyside Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19443
(215) 855-5146
Fax: (215) 855-5656

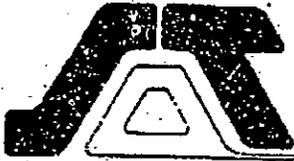
158 West Main Street
P.O. Box 447
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

20 FOOT WIDE
SANITARY SEWER EASEMENT
LOTS 23, 24, 25 & 26
PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a 20 foot wide Sanitary Sewer Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

BEGINNING at a point, a corner in the line dividing the lands of Lot 25 and Lot 26, said point being located on the Northwest sideline of Tressler Drive (50.00 feet wide); thence from the said beginning point and extending along the said sideline along a line curving to the left in a Westerly direction having a radius of 125.00 feet, for an arc distance of 20.09 feet to a point; thence extending on and through the lands of Lot 25 the following three (3) courses: (1) North 31°31'44" West, 60.84 feet to an angle point; (2) North 43°05'30" West, 86.85 feet to an angle point; (3) South 45°53'27" West, 163.28 feet to a point in the line dividing the lands of Lot 24 and Lot 25; thence extending on and through the lands of Lot 24, South 45°53'27" West, 225.22 feet to a point in the line dividing the lands of Lot 23 and Lot 24; thence extending on and through the lands of Lot 23, South 45°53'27" West, 141.05 feet to a point in the Northeast line of lands of Frank P. and Maria O. Scalzo; thence extending along the said Scalzo lands North 43°04'32" West, 20.00 feet to a point, a corner in the line dividing the lands of Virginia A. Twiford and Charles S. and Lillian V. Arnold; thence extending partly along the said Arnold lands and partly along the lands of Carter F. and Patricia C. Johns, North 45°53'27" East, 549.55 feet to a point in the Southwest line of lands of Harold R. and Diana S. Gifford; thence extending partly along the said Gifford lands and partly along the lands of Robert Self the following two (2) courses: (1) South 43°05'30" East, 109.23 feet to an angle point; (2) North 46°59'31" East, 230.99 feet to a point in the Southwest line of lands of Joseph W. and Carol S. Shaw; thence extending along the said



Stout, Tacconelli & Associates, Inc.

1744 Sumneytown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19443
(215) 855-5146
Fax: (215) 855-5686

158 West Main Street
P.O. Box 347
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

20 FOOT WIDE
STORM SEWER EASEMENT
LOT 26
PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a 20 foot wide Storm Sewer Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

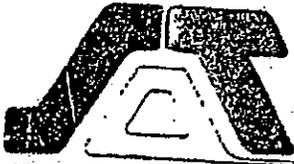
BEGINNING at a point on the Northwest sideline of Tressler Drive (50.00 feet wide), said point also being a corner in line dividing the lands of Lot 25 and Lot 26; thence from the said beginning point, and extending along the said dividing line, North $31^{\circ}31'44''$ West, 22.29 feet to a point; thence extending on and through the lands of Lot 26 the following two (2) courses: (1) North $58^{\circ}28'16''$ East, 20.00 feet to an angle point; (2) South $31^{\circ}31'44''$ East, 23.90 feet to a point on the Northwest sideline of Tressler Drive, aforesaid; thence extending along the said sideline along a line curving to the left in a Westerly direction having a radius of 125.00 feet, for an arc distance of 20.09 feet to the point of beginning.

54-00-15815-12-4

RECORDED

EXHIBIT "F"

085129PC0005



Stout, Tacconelli & Associates, Inc.

1744 Sumnerstown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19413
(215) 855-5146
Fax: (215) 855-5680

158 West Main Street
P.O. Box 447
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

DETENTION BASIN EASEMENT LOT 11 AND LOT 12 PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a Detention Basin Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

BEGINNING at a point in the line dividing the lands of Lot 11 and Lot 12, said point being located, South 47°25'51" West, 139.03 feet from a point marking the intersection of the said dividing line and the Southwest sideline of Tressler Drive (50.00 feet wide); thence from the said beginning point and extending on and through the lands of Lot 11, South 59°12'40" East, 172.50 feet to a point in the Northwest line of lands of Lot 10; thence extending along the said Lot 10 lands the following two (2) courses: (1) South 12°43'14" West, 62.45 feet to an angle point; (2) South 70°32'45" West, 128.33 feet to a point, a corner in the Northeast line of lands of Lot 20; thence extending along the said Lot 20 lands North 55°19'58" West, 154.27 feet to a point, a corner in the line dividing the lands of Lot 11 and Lot 12; thence extending on and through the lands of Lot 12 the following three (3) courses: (1) North 09°59'21" East, 138.37 feet to an angle point; (2) North 47°06'27" East, 43.70 feet to an angle point; (3) South 42°53'33" East, 84.37 feet to the point of beginning.

5400-15815-26-8

25-9

RECORDED

EXHIBIT "J"

085129PG1000



Stout, Tacconelli & Associates, Inc.

1744 Sumneytown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19413
(215) 855-5146
Fax: (215) 855-5686

158 West Main Street
P.O. Box 447
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1655

September 21, 1993

20 FOOT WIDE SANITARY SEWER EASEMENT LOT 7 AND LOT 8 PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a 20 foot wide Sanitary Sewer Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

BEGINNING at a point, a corner in line dividing the lands of Lot 7 and Lot 8, said point also being located on the arc of a cul-de-sac, said cul-de-sac being the southeasterly most terminus of Tressler Drive (50.00 feet wide); thence from the said beginning point and extending along the said cul-de-sac along a line curving to the left in a Northeasterly direction having a radius of 50.00 feet, for an arc distance of 10.07 feet to a point; thence extending on and through the lands of Lot 7 the following two (2) courses: (1) South 44°17'06" East, 128.96 feet to an angle point; (2) North 46°13'42" East, 287.49 feet to a point on the Southwest sideline of Susquehanna Road, S.R. 2017 (80.00 feet wide); thence extending along the said sideline South 42°55'45" East, 20.00 feet to a point, a corner in the Northwest line of lands of Upper Dublin Township; thence extending along the said Township lands South 46°13'42" West, 307.01 feet to a point; thence extending on and through the lands of Lot 8 North 44°17'06" West, 148.78 feet to a point on the arc of a cul-de-sac, said cul-de-sac being the aforementioned terminus of Tressler Drive; thence extending along the said cul-de-sac along a line curving to the left in a Northeasterly direction having a radius of 50.00 feet, for an arc distance of 10.07 feet to the point of beginning.

54-00 -15815-30-4
-29-5

REGISTERED

EXHIBIT "H"

085129PG0997

COMMONWEALTH OF PENNSYLVANIA: : ss
COUNTY OF MONTGOMERY :

ON THIS, the 13th day of October, 1993
before me, a Notary Public, the undersigned officer,
personally appeared David Cutler, who acknowledged himself
to be the President of The Cutler Group, Inc., and that
he as such officer executed the foregoing Deed of Dedication
of Easements for the purposes therein contained.

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

Amy B. Huster
NOTARY PUBLIC

Notarial Seal
Amy B. Huster, Notary Public
Horseshoe Lane, Montgomery County
My Commission Expires 12/22, 1998
Member, Pennsylvania Association of Notaries



Margaine Ryckimbach

085129PG1002

Shaw lands South 43°03'00" East, 20.00 feet to a point; thence extending on and through the lands of Lot 26 South 46°59'21" West, 235.07 feet to a point in the Northeast line of lands of Lot 25; thence extending along the said Lot 25 lands South 31°31'44" East, 40.85 feet to the point of beginning.

54-00 -15815 -12-3
-12-4
-12-5
-12-6

REGISTERED



Stout, Tacconelli & Associates, Inc.

1744 Sumneytown Pike
P.O. Box 1191
Kulpsville, Pennsylvania 19443
(215) 855-5146
Fax: (215) 855-5686

158 West Main Street
P.O. Box 447
Silverdale, Pennsylvania 18962
(215) 257-5000
Fax: (215) 257-1635

September 21, 1993

DETENTION BASIN EASEMENT LOT 6 AND LOT 7 PROJECT #2176

ALL THAT CERTAIN tract or strip of ground situate in Upper Dublin Township, Montgomery County, Pennsylvania being shown as a Detention Basin Easement on a Plan of Subdivision of Dublin Estates prepared for the Cutler Group, Inc. by Stout, Tacconelli & Associates, Inc. dated January 15, 1993 as last revised September 20, 1993 and being more fully described as follows:

BEGINNING at a point on the Southwest sideline of Susquehanna Road, S.R. 2017 (80.00 feet wide), said point also being a corner in the line dividing the lands of Lot 6 and Lot 7; thence from the said beginning point, and extending along the said sideline, South 42°55'45" East, 64.30 feet to a point; thence extending on and through the lands of Lot 7 the following three (3) courses: (1) South 46°13'42" West, 158.80 feet to an angle point; (2) North 43°03'00" West, 53.84 feet to an angle point; (3) North 27°15'37" West, 66.27 feet to a point in the line dividing the lands of Lot 6 and Lot 7; thence extending on and through the lands of Lot 6 the following two (2) courses: (1) North 27°15'37" West, 124.09 feet to an angle point; (2) North 47°06'27" East, 107.49 feet to a point on the Southwest sideline of Susquehanna Road, aforesaid; thence extending along the said sideline South 42°55'45" East, 170.42 feet to the point of beginning.

54-00 -15815-13-3
-30-4

REGISTERED

EXHIBIT "K"

28.00
10-24-95

Professional Engineering Land Surveying 085129PG1001

RESOLUTION NO. 1950

A RESOLUTION TO AUTHORIZE EXECUTION OF
A COMMUNICATIONS TOWER FACILITY USE AND MANAGEMENT AGREEMENT
BETWEEN THE TOWNSHIP OF UPPER DUBLIN
AND SKYWAY TOWERS, LLC.

WHEREAS, the Township of Upper Dublin ("Township") is developing a Community Broadband system to provide Internet Services to its community ("Upper Dublin Internet Service"); and

WHEREAS, the Township requires a telecommunications tower as part of the infrastructure to support the Upper Dublin Internet Service and other public communications requirements ("Tower"); and

WHEREAS, the Tower can support more telecommunications equipment than what is required for the Township's needs; and

WHEREAS, the Township has determined that it would be cost-wise to permit a private sector entity to erect the Tower on Township property and to share space on the Tower with the private sector entity; and

WHEREAS, the Township requested proposals from qualified entities to lease a portion of Township owned land at 801 Loch Alsh Avenue, Fort Washington, Pennsylvania 19034 for the purpose of erecting the Tower ("Tower Site"); and

WHEREAS, the Township issued a Request for Proposals ("RFP") providing that the lessee, also referred to as the Tower Provider, would enter into an Agreement with the Township to lease the Tower Site from the Township in consideration for reserving space at the top of the Tower for Township use and payment of rent to the Township; and

WHEREAS, four entities responded to the RFP; and

WHEREAS, the Township found Skyway Towers, LLC ("Skyway") to be the most responsive to the RFP and to offer the best value to the Township considering responsiveness, technical competence, site management experience, and financial benefit to the Township; and

WHEREAS, based upon Skyway's response to the RFP, the Township and Skyway have negotiated a Communications Tower Facility Use and Management Agreement ("Tower Agreement"); and

WHEREAS, the Township has determined that the public interest would best be served by Skyway's provision of the Tower according to the terms of the Tower Agreement;

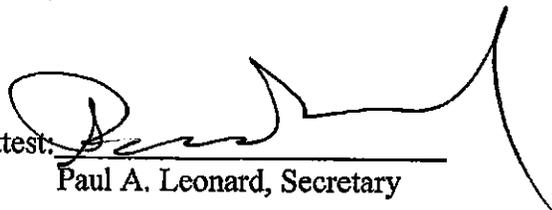
NOW THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Township approves the Tower Agreement negotiated with Skyway, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement and associated documents.

2. The President of the Board is authorized to execute the Tower Agreement for the Township.

RESOLVED this 12th day of June, 2007, at a public meeting of the Board of Commissioners.

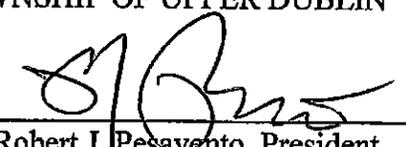
Attest:



Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:



Robert J. Pesavento, President



APPLICATION FOR PERMIT TO INSTALL AND OPERATE TRAFFIC SIGNALS

DATE

RESOLUTION NO.

1951

WHEREAS, the Township of Upper Dublin, in Montgomery County desires to erect, operate, and maintain traffic signals at the intersection of Virginia Drive and Eastern Access TO 1100 VIRGINIA DRIVE, 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 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

June 12, 2007 (DATE)

SEAL

Signed [Signature]



APPLICATION FOR PERMIT
TO INSTALL AND OPERATE
TRAFFIC SIGNALS

DATE _____

RESOLUTION NO. 1952

WHEREAS, the Township of Upper Dublin, in Montgomery County
(CITY/TOWNSHIP/BOROUGH)
desires to erect, operate, and maintain traffic signals at the intersection of Virginia Drive
and Western Access TO 1100 VIRGINIA DRIVE, 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 Township of Upper Dublin will prepare such a drawing in conformance with the instructions
(CITY/TOWNSHIP/BOROUGH)
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:
(CITY/TOWNSHIP/BOROUGH)

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
(TYPE/PRINT NAME OF OFFICIAL) (CITY/TOWNSHIP/BOROUGH)

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

June 12, 2007
(DATE)

SEAL

Signed 

RESOLUTION

NO. 1953

A RESOLUTION AUTHORIZING THE WIDENING OF VIRGINIA DRIVE ALONG ITS NORTHEASTERLY BOUNDARY WITH THE PROPERTY OF FWEC CONDOMINIUM, 600 – 602 OFFICE CENTER DRIVE, ADJACENT TO PROPERTY OF LIBERTY PROPERTY LIMITED PARTNERSHIP, 1100 VIRGINIA DRIVE, AND SELECTING AND APPROPRIATING FOR TAKING PREMISES APPROXIMATELY 9,413 SQ.FT. OF REQUIRED RIGHT OF WAY AND APPROXIMATELY 2,506 SQ.FT. OF TEMPORARY CONSTRUCTION EASEMENT, IN UPPER DUBLIN TOWNSHIP, COUNTY OF MONTGOMERY, AND AUTHORIZING THE FILING OF A DECLARATION OF TAKING AS TO THE SAID PREMISES

WHEREAS, Virginia Drive, a Township street, is in need of widening along its northeasterly boundary with the property of FWEC Condominium at 600-602 Office Center Drive to accommodate increased traffic along the public thoroughfare by reason of the improvement of the premises of Liberty Property Limited Partnership at 1100 Virginia Drive; and

WHEREAS, in order to complete the widening it is necessary that Upper Dublin Township acquire a permanent right-of-way over approximately 9,413 sq.ft. of the FWEC Condominium property and in addition acquire a temporary construction easement over approximately 2,506 sq.ft. of the same property, both areas being set forth on a plan of Fore Site Land Services, Inc. dated 6/4/07 attached hereto as Exhibit "A"; and

WHEREAS, in accordance with the First Class Township Code, § 1901, Upper Dublin Township is authorized to acquire the said easements through eminent domain proceedings, or by an agreement in lieu of condemnation, for the purposes stated herein; and

WHEREAS, it is the intention of Upper Dublin Township to acquire by eminent domain proceedings, or by an agreement in lieu of condemnation, the right-of-way and easements described herein above.

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

Section 1. The Township shall undertake the widening of Virginia Drive as set forth on Exhibit "A" pursuant to an agreement by and between the Township, Liberty Property Limited Partnership, FWEC Condominium Owners Association, B.R. Properties Owner, L.P., B&R Investments (PA) L.P., and Bressler & Reiner, Inc..

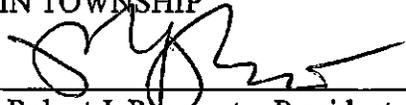
Section 2. The Township hereby authorizes for such purposes the acquisition by eminent domain or by agreement in lieu of condemnation of the Right-of-way and easement areas shown on Exhibit "A", the area of the Right-of-way being described on Exhibit "B"

attached, and the area of the temporary construction easement being described on Exhibit "C" attached (together the "Property").

Section 3. The Township Manager be, and he is hereby authorized, to execute a Declaration of Taking on behalf of Upper Dublin Township pursuant to the provisions of the Eminent Domain Code of 1964 and the First Class Township Code to effectuate the condemnation of the Property; to enter into such bond as may be necessary by law; and to enter into an agreement in lieu of condemnation, as the case may be. The Township Solicitor 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 the Property, and, as the case may be, to prepare the agreements necessary to obtain title to the Property in lieu of condemnation.

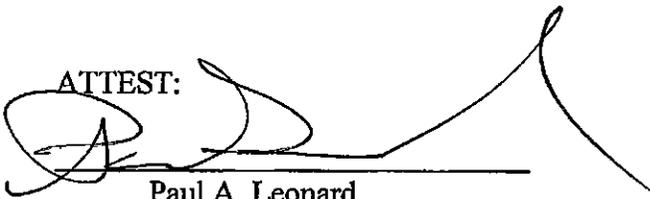
RESOLVED, this 12th day of June, 2007.

BOARD OF COMMISSIONERS OF UPPER
DUBLIN TOWNSHIP

BY: 

Robert J. Pesavento, President
Board of Commissioners

ATTEST:



Paul A. Leonard
Secretary/Township Manager

FORE SITE

Land Services, Inc.

Description of a Required Right-of-Way for Virginia Drive

**FWEC Condominium
600 - 602 Office Center Drive**

UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA
Fore Site Project No. 2164
June 4, 2007

ALL THAT CERTAIN strip of land along Virginia Drive on lands of FWEC Condominium Owners Association situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as a "Required Right-of-Way" on a plan entitled "Plan of Required Right-of-Way FWEC Condominium 600 - 602 Office Center Drive" prepared for Liberty Property Limited Partnership by Fore Site Land Services, Inc. dated June 4, 2007 and being more particularly described as follows:

BEGINNING at a point on the northwest sideline of Virginia Drive (60 feet wide), a corner of lands of FWEC Condominium Owners Association in line with lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 17), said point being South 59°02'23" West, 332.00 feet along said northwest sideline of Virginia Drive (60 feet wide) from the southwest sideline of Office Center Drive (60 feet wide);

Thence from said point of beginning, along the northwest sideline of Virginia Drive (60 feet wide) South 59°02'23" West, 500.00 feet to a point in line with other lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 15);

Thence along other lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 15) North 30°57'37" West, 27.00 feet;

Thence on and through lands of FWEC Condominium Owners Association the following three courses: (1) North 59°02'23" East, 170.54 feet, (2) North 69°36'48" East, 76.30 feet, (3) North 59°02'23" East, 254.46 feet to a point in line with lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 17),

Thence along lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 17) South 30°57'37" East, 13.00 feet to the northwest sideline of Virginia Drive (60 feet wide), the point and place of beginning.

CONTAINING 9,413 square feet of land area, be the same, more or less.

CIVIL ENGINEERS • LAND SURVEYORS

214 N. Main Street P.O. Box 1218 North Wales, PA 19454 215-699-2700 215-699-2730 Fax

EXHIBIT "B"

FORE SITE

Land Services, Inc.

Description of a Temporary Construction Easement

FWEC Condominium 600 - 602 Office Center Drive

UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA
Fore Site Project No. 2164
June 4, 2007

ALL THAT CERTAIN easement on land of FWEC Condominium Owners Association situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown as a "Temporary Construction Easement" on a plan entitled "Plan of Required Right-of-Way FWEC Condominium 600 - 602 Office Center Drive" prepared for Liberty Property Limited Partnership by Fore Site Land Services, Inc. dated June 4, 2007 and being more particularly described as follows:

BEGINNING at a point on a line common to lands of FWEC Condominium Owners Association and lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 17) on the northwest side of the Required Right-of-Way for Virginia Drive, said point being the following two courses from the southwest sideline of Office Center Drive (60 feet wide): (1) along the northwest sideline of Virginia Drive (60 feet wide) South 59°02'23" West, 332.00 feet, (2) along a line common to lands of FWEC Condominium Owners Association and lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 17) North 30°57'37" West, 13.00;

Thence from said point of beginning, on and through lands of FWEC Condominium Owners Association, along the northwest side of the Required Right-of-Way for Virginia Drive, the following three courses: (1) South 59°02'23" West, 254.46 feet, (2) South 69°36'48" West, 76.30 feet, (3) South 59°02'23" West, 170.54 feet to a point in line with other lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 15);

Thence along other lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 15) North 30°57'37" West, 5.00 feet;

Thence on and through lands of FWEC Condominium Owners Association the following three courses: (1) North 59°02'23" East, 171.00 feet, (2) North 69°36'48" East, 76.30 feet, (3) North 59°02'23" East, 254.00 feet to a point in line with lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 17);

Thence along lands of Liberty Property Limited Partnership (Tax Map Block 52 Unit 17) South 30°57'37" East, 5.00 feet to the point and place of beginning.

CONTAINING 2,506 square feet of land area, be the same, more or less.

CIVIL ENGINEERS • LAND SURVEYORS

214 N. Main Street P.O. Box 1218 North Wales, PA 19454 215-699-2700 215-699-2730 Fax

EXHIBIT "C"

**RESOLUTION
NO. 1954**

**RESOLUTION TO DENY PRELIMINARY LAND DEVELOPMENT PLAN APPROVAL
UPON APPLICATION # UD06.008 OF DANNY JAKE CORPORATION
FOR PROPERTY ON CAMP HILL ROAD, DRESHER**

WHEREAS, a preliminary land development plan prepared by Schlosser & Clauss, Consulting Engineers was dated and filed on March 31, 2006 by Danny Jake Corporation ("Applicant"), with respect to two tracts (the "West Tract" and the "East Tract") of ground totaling 50.35 acres on the west and east sides respectively of Camp Hill Road, Dresher (the "Plan"); and

WHEREAS, the Applicant proposed to construct 418 age restricted condominium dwelling units in eight residential buildings with four accessory buildings on the two tracts, both of which are currently vacant; and

WHEREAS, the property was zoned in the MD-Multiple Dwelling District at the time the Plan was filed and subsequently has been rezoned to the EC Employment District; and

WHEREAS, Applicant waived the ninety (90) day review requirement; and

WHEREAS, the Township Engineer reviewed the Plan and issued a review report dated June 30, 2006 setting forth numerous zoning and subdivision and land development code violations; and

WHEREAS, Applicant subsequently filed two amended plans showing revision dates of July 11, 2006 and November 10, 2006 (the latter hereinafter called the "Amended Plan") in an effort to correct the violations; and

WHEREAS, the Amended Plan shows 300 age restricted condominium dwelling units in two residential buildings with one accessory building (the "Clubhouse") and a swimming pool on the West Tract and three residential buildings and three tennis courts on the East Tract; and

WHEREAS, the Township Engineer issued two further review reports, one dated November 6, 2006 and the other dated March 27, 2007 detailing numerous Code violations that continue to exist; 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 land development plan as submitted as the Plan and revised as the Amended Plan for the following reasons:

1. No aboveground stormwater management structures shall be located within twenty (20) feet of any existing or proposed building or structure. Z.O. 255-24.1.B. Stormwater management structures are currently located within twenty (20) feet of Buildings #1, #3, #4 and the swimming pool.

2. The development plan for multiple dwellings must include evidence and facts showing that the development is to be executed in substantial accordance with the provisions of the Zoning Code. The plans fail to set forth essential information to determine if the two individual tracts are in compliance with the zoning code provisions related to steep slopes, impervious surface, building area, net lot area and area of disturbance. Thus the plan violates Z.O. § 255-53.A. It also violates S.O § 212-46.B.(2), which provides that tract statistics be shown on a preliminary land development plan.

3. There was no slope plan nor were slope calculations presented within the plan set. It is apparent from the topographic information that there are slopes on the East and West Tracts that exceed 10%. The average slopes of the two tracts are required to be shown on the preliminary plan where any slope of 10% or greater exists. The failure to show the average slopes violates S.O. § 212-43.D(12).

4. Steep slopes between 10%-15%, 15%-25% and greater than 25% have not been identified on the Existing Features Plan. However, based on the topographic information provided, the following analysis of the areas that will be regraded and/or stripped of vegetation was determined for the West Tract:

<u>Slope</u>	<u>% Disturbed</u>	<u>% Allowed</u>
10-15%	71%	40%
15-25%	68%	30%
25% and greater	62%	15%

Accordingly, the West Tract does not comply with the site disturbance limitations set forth in § 99-17 of the Township Code.

5. Maximum building height is thirty-five (35) feet per Z.O. 255-50. The Applicant proposes five (5) buildings with heights from grade ranging from 54.25 feet to 42.6 feet. The Applicant indicates that they qualify for building height of forty-seven (47) feet (35' + 12'). This increase in building height is allowed provided:

- (A) The site topography is such that the building's ground floor elevation is ten (10) feet or more below the mean elevation of the adjacent public right-of-way closest to the frontage of the building.

This site exists above the grade of the adjacent Pennsylvania Turnpike, not below. Z.O. 255-50.B.(1). Therefore maximum building height remains at thirty-five (35) feet.

6. The retaining walls located in the yards on the three (3) buildings closest to the Turnpike violate the forty (40) foot setback required. Z.O. § 255-49.D.(1)(b) and 255-7. Retaining walls are structures under Z.O. § 255-7.

7. Full widening, concrete curb and sidewalks have not been provided along Camp Hill Road in violation of Z.O. § 255-53.E.

8. A portion of Building #4 (200E) is located on HrA soils. This is a hydric soil, subject to periodic flooding. As such the location of the building violates Z.O. § 255-53.G.

9. Detailed information, location and design of community areas, laundry facilities, playground, tot lots or other amenities has not been provided per Z.O. § 255-53.I. A tennis court and pool have been shown. All community areas must be clearly labeled. The Board of Commissioners should review the location of the recreational facilities proposed. The clubhouse and pool are located on the west lot adjacent to Camp Hill Road while the tennis courts are located one thousand eight hundred (1800) feet away on the east lot.

10. Provisions for safe ingress or egress to Camp Hill Road need to be provided to demonstrate available sight distance, required sight distance and speed limits. Z.O. § 255-53.K. Actual profiles of the proposed sight lines have not been provided reflecting existing topographic conditions, proposed topographic conditions, bridges or other possible impediments. Provide actual profile of the lines of sight to verify.

11. Lighting Plans have not been provided as required by Z.O. § 255-53.L.

12. Locations for waste disposal, screened from view, have not been shown on the plans as required by Z.O. § 255-53.M.

13. Each tract must contain a minimum recreation area at least equal to the number of dwelling units multiplied by one hundred (100) square feet. The plans do not delineate the size of the recreation areas being provided, with two exceptions. Under "Parking Requirements" on Sheet 1, the Community Center on the West Tract is stated as having 2700 sq.ft. of meeting and lounge areas and the swimming pool and deck as having 7241 sq.ft. for a total of 9,941 sq.ft. on the West Parcel, but no dimensions are set forth on the plan. Assuming this is correct, and that a meeting room could be considered a "recreation area", this is less than 100 sq.ft. for each of the 132 units on the West Parcel in violation of Z.O. 255-53.N.

14. Each dwelling unit shall have a minimum eighty (80) square feet of indoor or outdoor common areas and facilities. These areas are not labeled nor are there any dimensions on the plan in violation of Z.O. § 255-53.1.B and S.O § 212-46.B(4).

15. No Outdoor Lighting Plan was submitted in violation of S.O. § 212-46.B(9), which specifically requires that such a plan be provided meeting the requirements of § 158-14 of the Upper Dublin Code.

16. The underground parking spaces are shown as 9 ft. wide by 18 feet deep, which does not meet the minimum of 9.5 feet wide and 19 feet long required by Z.O. § 255-140

17. The parking aisles within the lot at the end of each row are less than the required width of 22 feet wide in violation of Z.O. § 255-141.

18. Handicapped parking shall be provided in accordance with all current Federal and State regulations. Handicapped parking has not been provided in any of the lots outside of the garages in violation of Z.O. § 255-141.1. Additionally no handicap accessible routes have been provided to the building.

19. The site is traversed by eight (8) drainage courses subject to periodic inundation. Details have not been provided on the Plans indicating the site of the culverts, type of material, condition of the culverts or if the culverts are open and operating properly under the Norfolk Southern Rail Line in violation of S.O. § 212-43C(1)(b).

20. It is obvious that some of the drainage courses that traverse the property are within the Floodplain Conservation District. However, the boundaries of the Floodplain Conservation District and the floodplain area(s) are not labeled on the plans nor were any Hydraulic and Hydrologic Calculations provided to determine those boundaries, in violation of S.O. § 212-43.B(6) and S.O. § 212-43.C (1)(b) and (d).

21. Many of the storm pipes that will convey the existing streams are not shown in the Profiles or Plan View in violation of S.O. § 212-43.D(5).

22. Drainage easements along natural watercourses are required to a minimum width of twenty-five (25) feet by S.O. § 212-24.B. (2). No such drainage easements are shown on the plans in violation of S.O. § 212-43.D(8).

23. The Plan shows roadways, curb, sidewalk and filling of earth within the apparent floodplain and within the apparent one (1) foot horizontal buffer in violation of Z.O. § 255-161.E and S.O § 212-23.C.

24. The Camp Hill Road Profile does not contain any existing utility information or any proposed features including proposed centerline, cross-section of proposed road centerline as required by S.O. § 212-28. The failure to provide this information is in violation of S.O. § 212- 43.C.2. (a) and (c).

25. A landscape plan in accordance with S.O. § 212-32 is required as part of the preliminary land development plan filing by S.O. § 212-46.B(7). The landscape plan submitted is not in accordance with S. O. § 212-32 in the following respects:

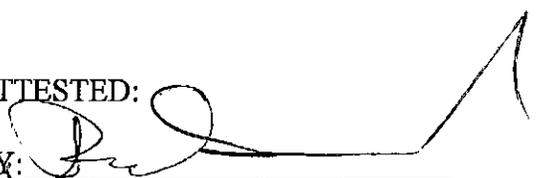
- a. A Location Map with Zoning District designations for the site and adjacent properties has not been provided on the Landscape Plan. S.O. § 212-32.E. (1) (a)
- b. Adjacent Zoning Districts have not been shown on the Landscape Plan. S.O. § 212-32.E. (1) (b)
- c. Site lighting has not been shown on the Landscape Plan. S.O. § 212-32.E. (1) (f)
- d. Existing slopes in excess of ten (10) percent have not been delineated on the Plans. S.O. § 212-32.E. (1) (n)

26. A Conditional Use approval is needed to construct the storm sewer culverts, Pageant Drive, proposed utilities and associated grading through the Floodplain Conservation District. The Board of Commissioners has declined to grant that conditional use, and thus the Plan is in violation of Z.O. §§ 255-165.C, E, F and G.

RESOLVED by the Board of Commissioners of Upper Dublin Township this *10th* day of *July*, 2007.

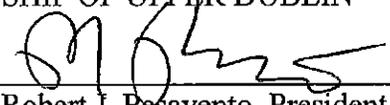
ATTESTED:

BY:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY:


Robert J. Pesavento, President

RESOLUTION
NO. 1955

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN
AUTHORIZING THE EXTINGUISHMENT BY THE UPPER DUBLIN
SCHOOL DISTRICT OF THE SCHOOL DISTRICT'S RIGHTS OF
REVERSION TO THREE TOWNSHIP PROPERTIES.

WHEREAS, the Township of Upper Dublin (the "Township") owns the following properties (collectively, the "Properties") which were conveyed to it by the School District of Upper Dublin:

1. East Oreland Elementary
Montgomery County Parcel No. 54-00-17212-00-5;
2. Fort Washington Elementary
Montgomery County Parcel Nos. 54-00-11386-00-8
and 54-00-11488-00-5; and
3. North Hills Community Center
Montgomery County Parcel No. 54-00-07387-00-2; and

WHEREAS, the School District of Upper Dublin, pursuant to law, retained the right of reversion in the event that any of the Properties ceased being used for municipal purposes; and

WHEREAS, the School District of Upper Dublin, with the approval of the Pennsylvania Department of Education, as required by the Public School Code, has agreed to the extinguishment of the reversion rights for the Properties; and

WHEREAS, the Township of Upper Dublin desires to own the Properties free and clear of the School District of Upper Dublin's right of reversion.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the Township hereby authorizes and approves the extinguishment of the reversion rights otherwise retained by the School District of Upper Dublin for the Properties and authorizes the appropriate officers of the Township to take such actions as may be necessary to carry out the intent of this Resolution, including executing, delivering and recording on behalf of the Township the extinguishment of reversion rights for the Properties.

DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this 10th day of July, 2007.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 
Robert J. Pesavento, President

Attest: 
Paul A. Leonard, Township Secretary

RESOLUTION
NO. 1956

**A RESOLUTION TO AUTHORIZE EXECUTION OF
AN EASEMENT AGREEMENT FOR DRAINAGE AND STORMWATER MANAGEMENT**

WHEREAS, Tek C. Mak and Chui K. Mak-Tham (collectively, "Owner") hold title to property situated at 1239 Tressler Drive, Upper Dublin Township, Montgomery County, Pennsylvania, being Montgomery County Parcel No. 54-00-15815-18-7 (the "Property"); and

WHEREAS, the Property was developed as Lot 19 in the Dublin Estates subdivision with certain public stormwater management facilities as shown by the Plan of Subdivision for Dublin Estates recorded in Montgomery County Plan Book A-54, Page 290 ("Plan"), including a stormwater detention basin discharge apron, a storm sewer inlet, a storm sewer pipe, and a vegetated stormwater drainage swale (collectively "Stormwater Management Facilities"); and

WHEREAS, Upper Dublin Township ("Township") presently possesses a twenty-foot (20') wide storm sewer easement across a portion of the Property for the stormwater detention basin discharge apron, storm sewer inlet and storm sewer pipe, said storm sewer easement being described by a Deed of Dedication of Easements, Public Sanitary Sewer and Public Storm Sewer, Dublin Estates, recorded in Montgomery County Deed Book 5129, Page 0986; and

WHEREAS, Township now requires an extension of the existing easement for a portion of the existing discharge apron and the existing vegetated stormwater drainage swale on the Property; and

WHEREAS, Owner agrees to dedicate to the Township a Drainage and Stormwater Management Easement for the existing discharge apron and the existing vegetated stormwater drainage swale on the Property as described by the Easement Agreement for Drainage & Stormwater Management Easement attached hereto as Exhibit "A"; and

WHEREAS, the Township has determined that the public interest would be served by accepting Owner's dedication of the Drainage and Stormwater Management Easement.

NOW THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Township approves the Easement Agreement for Drainage & Stormwater Management Easement attached hereto as Exhibit "A", including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.
2. The President of the Board is authorized to execute for the Township the Easement Agreement for Drainage & Stormwater Management Easement.

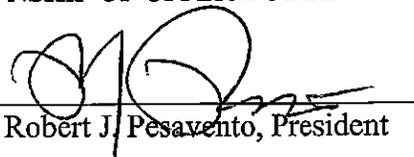
RESOLVED this 10th day of July 2007, at a public meeting of the Board of Commissioners.

Attest:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:


Robert J. Pesavento, President

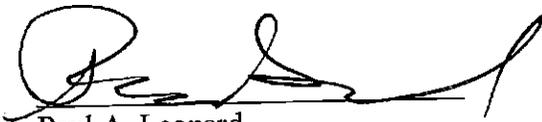
RESOLUTION NO. 1957

BE IT RESOLVED by the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, that Robert J. Pesavento, President of the Board of Commissioners be and he is hereby authorized to sign the attached Traffic Signal Maintenance Agreement for the proposed traffic signal at Susquehanna Road and the Route 309 Expressway Off-Ramp, and that Paul A. Leonard, Secretary of the Board of Commissioners, be and he is hereby authorized and directed to attest and seal the same.

Date : August 14, 2007

ATTEST :

Board of Commissioners of
Upper Dublin Township



Paul A. Leonard
Title : Secretary

By:



Robert J. Pesavento
Title : President

(SEAL)

CERTIFICATION

I, Paul A. Leonard, Secretary of the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted at a regular meeting of the Board of Commissioners held on Tuesday, Aug. 14, 2007.

(SEAL)

By



Paul A. Leonard
Title : Secretary

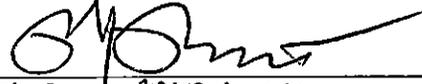
Date :

IN WITNESS WHEREOF, the parties have executed this Agreement
the date first above written.

ATTEST


Title: SECRETARY
8/20/07
DATE

SUBDIVISION

BY 
Title: PRESIDENT
8/14/07
DATE

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 _____
for District Engineer DATE

APPROVED AS TO LEGALITY
AND FORM

BY _____
for Chief Counsel DATE

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

BY _____
for Comptroller DATE

Preapproved Form:
OGC NO. 18-K-392
Appv'd OAG 12/14/98

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 _____; and _____. The
State assistance program name and number is
_____; and _____.

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. 1958

AND NOW, this _____ day of _____, the TOWNSHIP OF UPPER DUBLIN, of MONTGOMERY County, Pennsylvania, being desirous of obtaining reimbursement of monies for expenses incurred for officer BRIAN G. FARINELLA, 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] SIGNATURE - HEAD OF POLITICAL SUBDIVISION ROBERT PESAVENTO, PRESIDENT OF BOARD TITLE - HEAD OF POLITICAL SUBDIVISION [Signature] SIGNATURE - CHIEF OF POLICE (IF APPLICABLE)

SEAL

WITNESSES: [Signature] SIGNATURE - SECRETARY PAUL A. LEONARD TYPED NAME

RESOLUTION NO. 1959

**RESOLUTION TO DECLARE INTENT TO DISCONTINUE,
ABANDON AND VACATE A PORTION OF THE RIGHT-
OF-WAY OF GOLDEN DRIVE (aka GOLDEN CIRCLE)
FROM THE TERMINUS OF GOLDEN DRIVE AT THE
LINE OF THE LANDS OF SUNRISE AT DRESHER TO A
POINT APPROXIMATELY 30 FEET NORTHEAST ON
GOLDEN DRIVE.**

WHEREAS, the Board of Commissioners of Upper Dublin Township, on its own motion, finds that the subject street right-of-way of Golden Drive (aka Golden Circle) can be vacated without detriment to the public interests; and

WHEREAS, it appears to the Board of Commissioners to be in the best interests of Upper Dublin Township and the residents therein that said right-of-way be vacated, provided that said vacation does not affect the right of any public utility to continue to maintain its plant and equipment in said 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 Board of Commissioners of Upper Dublin Township intend to vacate the street right-of-way for a portion of Golden Drive, more particularly described as follows:

BEGINNING at a point of intersection for the former centerline terminus of Golden Circle (50' wide) and the line of lands of Sunrise of Dresher Subdivision; thence, extending along the said former centerline of Golden Circle, North 44°56'15" East, 29.08 feet to a point; thence, extending along a portion of the terminus of Golden Circle as vacated, South 45°03'45" East, 25.00 feet to a point in the line of lands of N/L Jordan R. Nadell & Amy L. Corson-Nadell (taxmap block 9 unit 34); thence, extending along the former line of lands of said Nadell, South 44°56'15" West, 28.45 feet to a point on the aforementioned lands of Sunrise of Dresher Subdivision; thence, extending along the said Subdivision, North 46°30'00" West, 25.01 feet to point, being the point and place of beginning.

CONTAINING 719 square feet of land area, more or less.

2. The vacation shall not negatively affect any existing right-of-ways or easements of any property owners or the right of any public utility to continue to maintain existing plant and equipment in the street right-of-way.

3. A Public Hearing shall be held in the Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, on September 11, 2007 at 7:15 p.m., when and where all parties interested may meet and be heard with respect to the vacating of said street right-of-way.

4. Notice of said Hearing shall be published as is customary and mailed to the affected property owners, which notice shall state the time and place of the Hearing.

RESOLVED, this 28th day of August, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:


ROBERT J. PESAVENTO, President

ATTEST.

By:


PAUL A. LEONARD, Secretary

RESOLUTION

NO. 1960

**RESOLUTION TO DISSOLVE THE
UPPER DUBLIN TOWNSHIP BOARD OF HEALTH**

WHEREAS, in 1951, the Commonwealth of Pennsylvania, pursuant to the Local Health Administration Law, Act 315, 1951 P.L. 1304, 16 P.S. §§ 12001 to 12028 ("Act 315"), provided for the establishment of local health departments, and whereas pursuant thereto Upper Dublin Township established a Board of Health; and

WHEREAS, subsequent thereto, pursuant to Act 315, the Pennsylvania Legislature authorized counties to establish a health department that would assume responsibility for administering the customary duties of a health department for all municipalities within that county, except for those municipalities which had their own municipal boards of health or health officers at the time the county health department was created; and

WHEREAS, following the creation of the Montgomery County Health Department, Upper Dublin Township determined to retain its Board of Health and Health Officer independent of the County Health Department and remains so to this date; and

WHEREAS, Upper Dublin Township and the County of Montgomery have agreed that Upper Dublin Township will now come under the jurisdiction of the Montgomery County Health Department, with Upper Dublin Township continuing to maintain certain health responsibilities and duties for its citizens as set forth in an agreement to be executed between the parties.

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

1. Effective January 1, 2008, Upper Dublin Township hereby dissolves its Board of Health and the position of Health Officer in favor of the Montgomery County Health Department assuming jurisdiction and responsibility for providing public health services to Upper Dublin Township. This transfer of responsibility is contingent upon the County of Montgomery and Upper Dublin Township executing an agreement outlining the conditions of the transfer.

2. The Township Manager is hereby authorized to enter into an agreement with the County of Montgomery for the Montgomery County Health Department to provide health services to Upper Dublin Township, with the Township retaining responsibility for specific services as outlined in the agreement.

3. The Township Manager shall coordinate a review of the Township Code to identify chapters and sections of the Code that must be amended or deleted to remain consistent with the transfer of public health responsibilities as agreed upon by the County of Montgomery and Upper Dublin Township.

Approved by the Board of Commissioners of Upper Dublin Township this 11th day of September, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: 
Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary/Township Manager

RESOLUTION NO. 1962

RESOLUTION ADOPTING THE MONTGOMERY COUNTY
NATURAL HAZARD MITIGATION PLAN

WHEREAS, natural hazards including flooding periodically threaten the safety of people in Upper Dublin Township and result in property damage; and

WHEREAS, the vulnerability of Upper Dublin Township to some natural hazard events may be reduced through various mitigation measures; and

WHEREAS, Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5165, enacted under paragraph 104 of the Disaster Mitigation Act of 2000, provides new approaches to mitigation planning and requires local government to prepare and adopt mitigation plans as a condition for receiving certain federal disaster grant and loans; and

WHEREAS, a natural hazard mitigation plan has been prepared by the Montgomery County Planning Commission and Public Safety Department working with each municipality in Montgomery County; and

WHEREAS, the plan was prepared in accordance with appropriate federal guidelines established under the Stafford Act; and

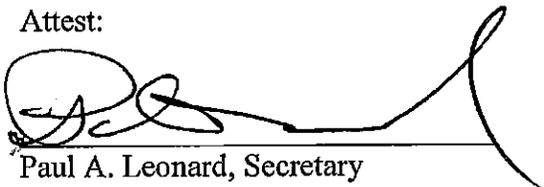
WHEREAS, Upper Dublin Township fully participated in the preparation of the Montgomery County Natural Hazard Mitigation Plan; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Upper Dublin Township hereby adopts the Montgomery County Natural Hazard Mitigation Plan; and

BE IT FURTHER RESOLVED, that Upper Dublin Township will send this resolution to the Montgomery County Public Safety Office for formal submission with the plan to the Pennsylvania Emergency Management Agency (PEMA) and Federal Emergency Management Agency (FEMA) to enable the plan's final approval.

ADOPTED this 11th day of September, 2007.

Attest:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Desavento, President

RESOLUTION NO. 1962

**RESOLUTION TO ACCEPT
DEED OF DEDICATION FOR 25' WIDE UTILITY EASEMENT**

WHEREAS, the Board of Commissioners of Upper Dublin Township (hereinafter "Township" or "Grantee") has received from JORDAN R. NADELL and AMY CORSON-NADELL (collectively hereinafter "Grantor") a Deed of Dedication for 25' Wide Utility Easement dated January 22, 2007, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, Grantor is the owner of a certain parcel of real property situate in Upper Dublin Township, Montgomery County, Pennsylvania, identified as Montgomery County Tax Parcel No. 54-00-13858-404 in a residential subdivision known as "Pheasant Knoll"; and

WHEREAS, the Township has adopted Ordinance 1186 to vacate a 28.45 foot portion of Golden Drive (a/k/a Golden Circle) located adjacent to the Grantor's property; and

WHEREAS by the Township vacating this portion of Golden Drive, Grantor obtains additional real estate in the amount of 719 square feet more or less which represents the area to be vacated between the original property line and the center line of the former portion of Golden Drive (hereinafter the "Land"); and

WHEREAS utility systems exist underneath the Land; and

WHEREAS the Township desires an easement for the portion of the utilities which extend underneath the Land; and

WHEREAS Grantors are willing to allow for the continued maintenance of the utilities located underneath the Land.

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 for 25' Wide Utility Easement offered to the Township by Grantor is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Dedication for 25' Wide Utility Easement and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 9th day of OCTOBER, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

ATTEST:

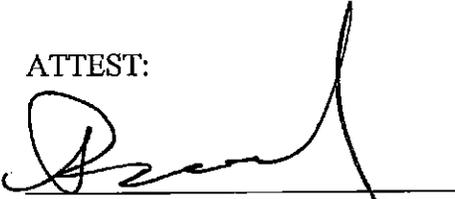

Paul A. Leonard, Secretary/Township Manager

EXHIBIT "A"

DEED OF DEDICATION

**DEED OF DEDICATION FOR
25' WIDE UTILITY EASEMENT**

THIS DEED OF DEDICATION made this 22nd day of January, 2007,
between JORDAN R. NADELL and AMY L. CORSON-NADELL ("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").

WHEREAS, Grantor is the owner of a certain parcel of real property situate in Upper
Dublin Township, Montgomery County, Pennsylvania, identified as Montgomery County Tax
Parcel No. 54-00-13858-404 in a residential subdivision known as "Pheasant Knoll"; and

WHEREAS, the Township intends to vacate a 28.45 foot portion of Golden Drive (a/k/a
Golden Circle) within "Pheasant Knoll" located adjacent to the Grantor's property; and

WHEREAS by the Township vacating this portion of Golden Drive, Grantor will obtain
additional real estate in the amount of 719 square feet more or less which represents the area to
be vacated between the original property line and the center line of the former portion of Golden
Drive (hereinafter the "Land"); and

WHEREAS utility systems exist underneath the Land; and

WHEREAS the Township desires an easement for the portion of the utilities which
extend underneath the Land; and

WHEREAS Grantors are willing to allow for the continued maintenance of the utilities
located underneath the Land after Golden Drive has been vacated.

NOW, THEREFORE, Grantor, for and in consideration of and for the sum of One Dollar (\$1.00) the advantages to them accruing, as well as for diverse considerations affecting the public welfare, which they seek to advance, have granted, bargained, sold and confirmed, and by these presents do grant, bargain, sell and confirm unto the Grantee, its successors and assigns, permanent easements and rights-of-way over ALL THAT CERTAIN property situate in the Township of Upper Dublin, County of Montgomery and Commonwealth of Pennsylvania being fully described by Exhibit "A" attached hereto and shown by the plan for Golden Circle Vacation prepared for Upper Dublin Township by Metz Engineers attached hereto as Exhibit "B."

WITNESSETH:

TO HAVE AND TO HOLD the aforesaid easements and rights-of-way 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 utility systems, including the right to construct, maintain and repair the utility systems constructed underneath the lands hereinabove described and any such utility systems hereinafter constructed in the said easement and to cause others to construct, maintain and repair such utility systems under 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 them and their successors and assigns by these presents do covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantors nor their 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 construction, maintenance or repair of said utility systems as

now established or to be established or permitted by the Township of Upper Dublin, Grantee, utility systems shall not be established at the date of these presents that neither the said Grantor, nor their successors or assigns, shall at any time hereafter ask, demand, recover or receive any such damage by reason of the construction, maintenance or repairs of said utility systems to conform to the codes and regulations thereafter established or confirmed by the said Township of Upper Dublin.

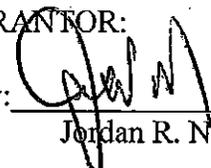
AND the said Grantor, for their successors and assigns, do by these presents further covenant, promise and agree to and with said Grantee, its successor and assigns, that the said easements described unto the said Grantee, its successors and assigns, against it the said Grantor, their successors and assigns, and against any or all person or persons whomsoever lawfully claiming 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.

WITNESS:



GRANTOR:

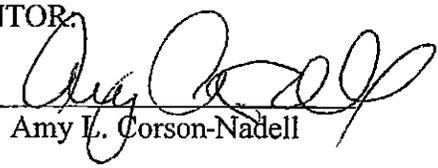
By: 

Jordan R. Nadell

WITNESS:



GRANTOR:

By: 

Amy L. Corson-Nadell

g:\development\golden dedication of golden circle - new easement(s) (nadell).doc

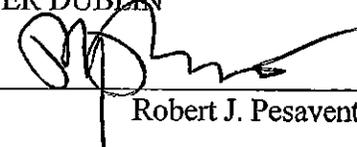
Accepted by Resolution No. 1962 of the Board of Commissioners of the TOWNSHIP OF UPPER DUBLIN, on the 9th day of OCTOBER, 2007.

Attest:



Paul A. Leonard, Secretary/Township Manager

COMMISSIONERS OF TOWNSHIP OF
UPPER DUBLIN

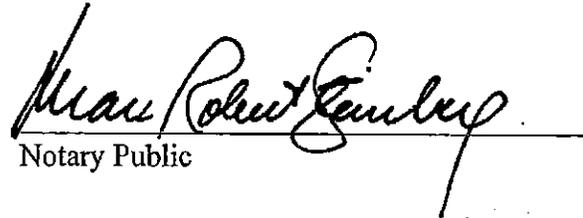
By: 

Robert J. Pesavento, President

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

On this the 22nd day of January, A.D., 2007,
before me the undersigned personally appeared Jordan R. Nadell, known to me or satisfactorily
proven to be a 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



COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

On this the 22nd day of January, A.D., 2007,

before me the undersigned personally appeared Amy L. Corson-Nadell, known to me or satisfactorily proven to be a person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

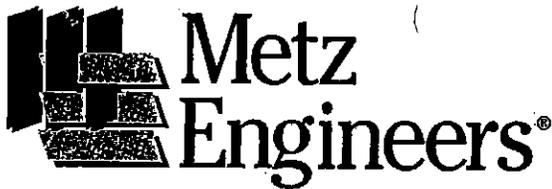
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Notary Public

NOTARIAL SEAL
MARC ROBERT STEINBERG, Notary Public
Hatfield Township, Montgomery County, PA
My Commission Expires October 1, 2009.

Exhibit "A"
Legal Description



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, SPHR, 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

December 20, 2006
Ref. UD04.004

Upper Dublin Township

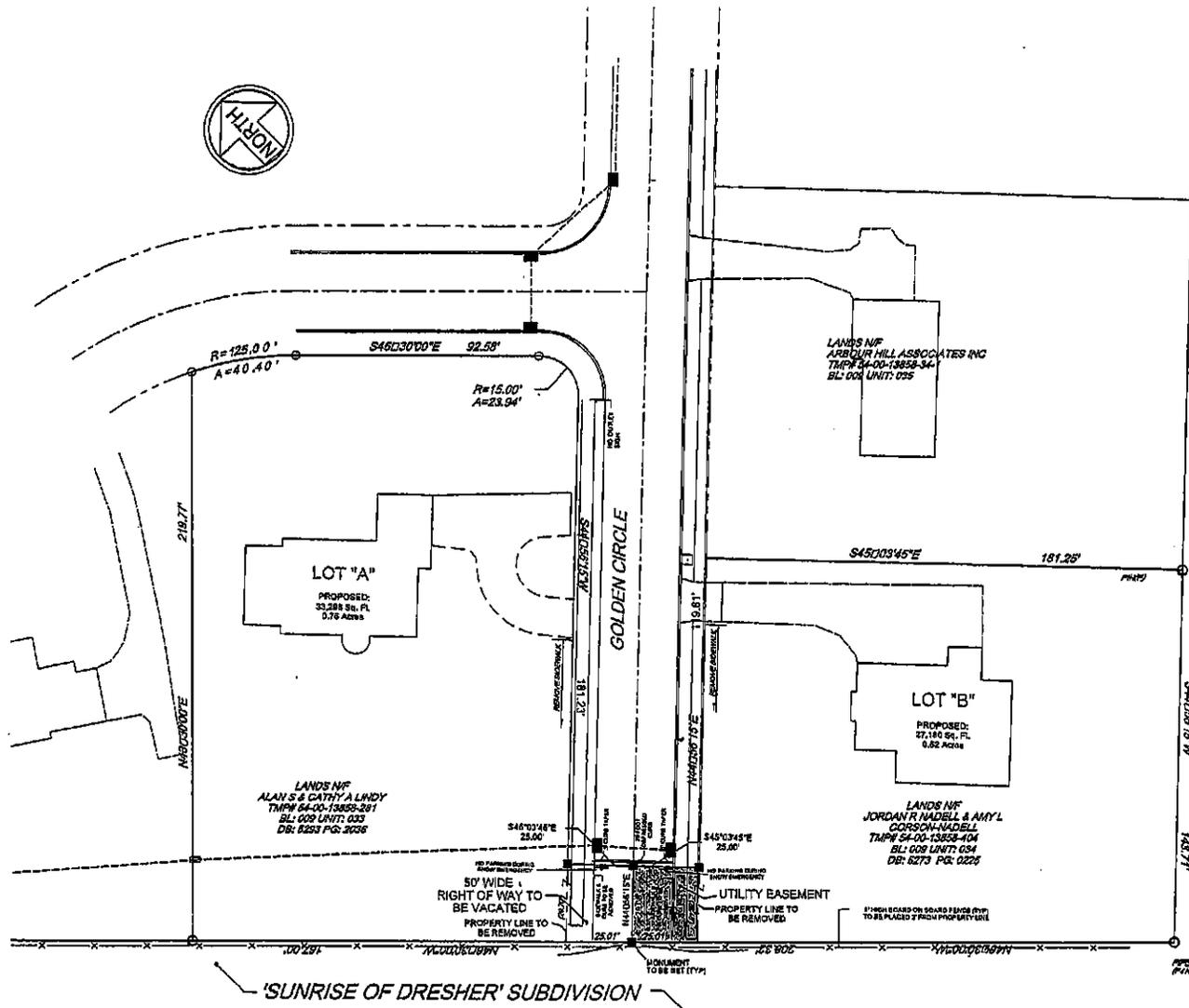
25' Wide Utility Easement
in Golden Circle (to be vacated)

ALL THAT CERTAIN easement situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Plan of Golden Circle Vacation prepared for Upper Dublin Township, by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated December 20, 2006, and being more fully described as follows:

BEGINNING at a point of intersection of the former centerline terminus of Golden Circle (50' wide) and the line of lands of Sunrise of Dresher Subdivision; thence, extending along the said former centerline of Golden Circle, North $44^{\circ}56'15''$ East, 29.08 feet to a point; thence, extending along a portion of the terminus of Golden Circle as vacated, South $45^{\circ}03'45''$ East, 25.00 feet to a point in the line of lands of N/L Jordan R. Nadell & Amy L. Corson-Nadell (taxmap block 9 unit 34); thence, extending along the former line of lands of said Nadell, South $44^{\circ}56'15''$ West, 28.45 feet to a point on the aforementioned lands of Sunrise of Dresher Subdivision; thence, extending along the said Subdivision, North $46^{\circ}30'00''$ West, 25.01 feet to point, being the point and place of beginning.

Exhibit "B"

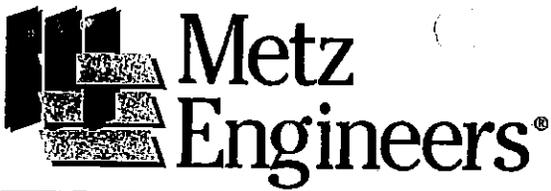
Plan



REDUCTION
NOT TO SCALE



GOLDEN CIRCLE VACATION		PROJECT NUMBER
PREPARED FOR		KMF
UPPER DUBLIN TOWNSHIP		PROJECT NUMBER
LAND SURVEY		5004-004
UPPER DUBLIN TOWNSHIP, MONTGOMERY CO, PA		PREPARED FOR
Metz Engineers		DATE
210 DUBLIN PIKE, PO BOX 647, LEBANON, PA 17040-0647		02-20-08
Steve Metzger & John Metzger		SCALE
2140 608-6111		1"=20'
		DATE PLOTTED
		11-20-08
		1:1



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, SPHR, 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

December 20, 2006
Ref. UD04.004

Upper Dublin Township

Portion of Golden Circle To Be Vacated
and annexed to Jordan R. Nadell & Amy L. Corson-Nadell
taxmap block 9 unit 34

ALL THAT CERTAIN portion of roadway situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a Plan of Golden Circle Vacation prepared for Upper Dublin Township., by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated December 20, 2006, and being more fully described as follows:

BEGINNING at a point of intersection of the former centerline terminus of Golden Circle (50' wide) and the line of lands of Sunrise of Dresher Subdivision; thence, extending along the said former centerline of Golden Circle, North 44°56'15" East, 29.08 feet to a point; thence, extending along a portion of the terminus of Golden Circle as vacated, South 45°03'45" East, 25.00 feet to a point in the line of lands of N/L Jordan R. Nadell & Amy L. Corson-Nadell (taxmap block 9 unit 34); thence, extending along the former line of lands of said Nadell, South 44°56'15" West, 28.45 feet to a point on the aforementioned lands of Sunrise of Dresher Subdivision; thence, extending along the said Subdivision, North 46°30'00" West, 25.01 feet to point, being the point and place of beginning.

CONTAINING 719 square feet of land area, be the same, more or less.

RESOLUTION NO. 1963

**RESOLUTION TO ACCEPT DEED OF DEDICATION
OF ADP, INC. FOR A TRAFFIC SIGNAL EASEMENT
ADJACENT TO VIRGINIA DRIVE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from ADP, Inc. (hereinafter "Grantor") a Deed of Dedication for a traffic signal easement adjacent to Virginia Drive and across Virginia Drive from premises known as 1100 Virginia Drive, Upper Dublin Township; and

WHEREAS, the Board of Commissioners has heretofore approved a Development Plan (the "Plan") filed by or on behalf of LIBERTY PROPERTY LIMITED PARTNERSHIP, which Development Plan was prepared by Fore Site Land Services, Inc., June 13, 2006, with last revision dated October 23, 2006, with Improvement Construction Plans consisting of 25 drawings, which plans set forth the installation of a traffic signal in the area described in the Deed of Dedication; and

WHEREAS, the Board of Commissioners deems it to be in the public interest to accept this Deed of Dedication so that a traffic signal can be installed and thereafter maintained for public use.

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

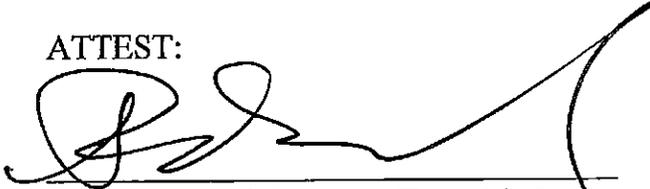
1. The Deed of Dedication offered to the Township for the traffic signal easement more fully described as set forth on the Plan is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown, Montgomery County, Pennsylvania.

RESOLVED, this 9th day of OCTOBER, 2007.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: 
Robert J. Pesavento, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

Prepared by and return to:
Gilbert P. High, Jr., Esquire
40 East Airy Street
Norristown, PA 19404

Parcel No.: 54-00-16404-20-1

**DEED OF DEDICATION
FOR TRAFFIC SIGNAL EASEMENT**

THIS DEED OF DEDICATION made this 24th day of September, 2007,
between ADP, Inc., a corporation organized pursuant to the laws of the State of Delaware, with
offices located at 1125 Virginia Drive, Upper Dublin Township, Montgomery County,
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 as
follows:

*ALL THAT CERTAIN easement on lands of ADP, Inc (Tax Map Block 52, Unit
29) situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown
on a plan entitled "Traffic Signal Easement Plan - 1125 Virginia Drive" prepared for
Liberty Property Limited Partnership by Fore Site Land Services, Inc. dated September*

6, 2007, attached hereto as Exhibit "A," and being more particularly described as follows:

BEGINNING at a point on the southeast sideline of Virginia Drive (thirty feet wide on the southeast side), said point being South 59°02'23" West, 472.55 feet from a corner of lands of Pennland Properties Corp. (Tax Map Block 52 Unit 6);

Thence, from said point of beginning, on and through lands of ADP, Inc the following three courses:

(1) South 30°57'37" East, 6.00 feet,

(2) South 59°02'23" West, 6.00 feet,

(3) North 30°57'37" West, 6.00 feet to the southeast sideline of Virginia Drive.

Thence, along the southeast sideline of Virginia Drive North 59°02'23" East, 6.00 feet to the point and place of beginning.

CONTAINING 36 square feet of land area, be the same, more or less.

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, as and for the construction and maintenance of a traffic signal and associated facilities, including the right to construct, maintain and repair the easement area and the traffic signal facilities erected therein or to be erected therein, and to cause others to do the same, 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

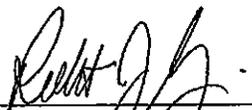
established by the Township of Upper Dublin, Grantee, and if such grade shall not be established at the date of these presents that neither the said Grantor, nor its successors or assigns, shall nor will at any time hereafter ask, demand, recover or receive any such damage by reason of the physical grading of said easement area to conform to the grade of the adjacent street as 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 traffic signal easement above 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.

ADP, Inc.

ATTEST:



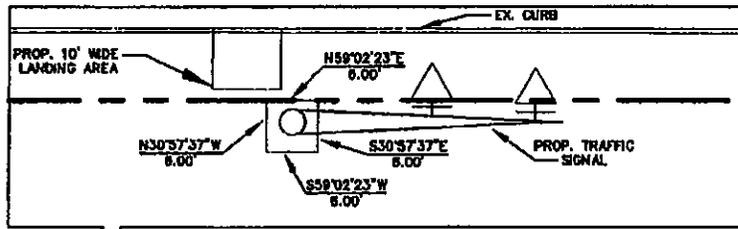
Robert J. Singer
Assistant Secretary

By: 

James B. Benson
President

Accepted by Resolution of the Board of Commissioners of the TOWNSHIP OF UPPER
DUBLIN, OCTOBER 9, A.D., 2007.

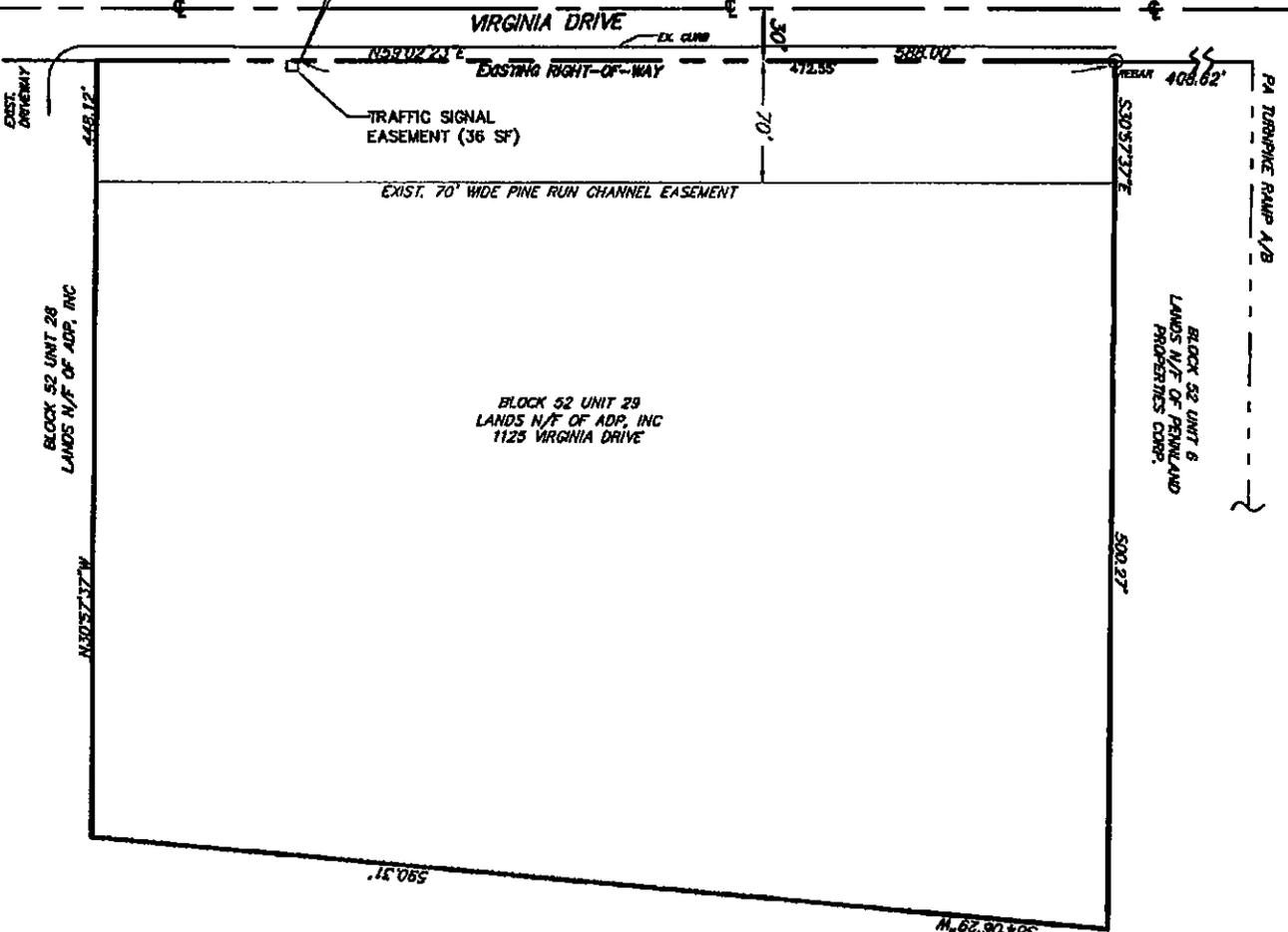
EXHIBIT "A"



Easement Detail
Scale: 1"=20'

BLOCK 52 UNIT 15
LANDS N/F OF LIBERTY PROPERTY
LIMITED PARTNERSHIP

BLOCK 52 UNIT 33
LANDS N/F OF BR PROPERTIES
OWNER L.P.



Scale: 1"=100'

NOTES
1. Boundary information obtained from a plan entitled "Site Plan" dated July 1, 1990, last revised to March 12, 1999, prepared by Bohler Engineering Inc for ADP, Inc.

TITLE: Traffic Signal Easement Plan 1125 Virginia Drive	SHEET NO. 1 of 1	DATE 09-06-07	REVISIONS		
	CLIENT NO: Easement Plan.dwg		NO.	DATE	DESCRIPTION
STARTED AT: Upper Dublin Township, Montgomery County, PA	SCALE: As Noted		FORE SITE Land Services, Inc. CIVIL ENGINEERS & LAND SURVEYORS		
PREPARED FOR: Liberty Property Limited Partnership			210 E. Main Street P.O. Box 1318 North Wales, PA 19454 610-400-2700 610-400-2720 Fax		

RESOLUTION

NO. 1964

**A RESOLUTION TO AUTHORIZE EXECUTION OF
AN EASEMENT AGREEMENT FOR DRAINAGE AND STORMWATER
MANAGEMENT**

WHEREAS, Robert J. Schlackman and Ellen S. Schlackman (collectively, "Owner") hold title to property situated at 721 Castlewood Drive, Fort Washington, Upper Dublin Township, Montgomery County, Pennsylvania, being Montgomery County Parcel No. 54-00-03864-46-5 (the "Property"); and

WHEREAS, the Property was developed as part of the Dublin Hunt II subdivision as shown by a plan of subdivision as recorded in Montgomery County Plan Book A-52, Page 310 ("Plan"); and

WHEREAS, the Property was developed in accordance with the Plan with a six-inch (6") PVC pipe connecting a two foot by two foot (2' x 2') yard drain to the Township storm sewer in Castlewood Drive (the "Schlackman Pipe"); and

WHEREAS, subsequent to development of the Property, the land behind and above the property was developed as part of the Prudential Insurance Company of America Eastern Home Office subdivision as shown by a plan of subdivision recorded in Montgomery County Plan Book L5, Page 364 ("Prudential Plan"); and

WHEREAS, the Schlackman Pipe is now not large enough to convey the volume of stormwater flowing to and accumulating on the Property thereby causing stormwater to inundate the Property and neighboring properties; and

WHEREAS, Owner and Township agree that it would be in the best interest of the public to extend the public storm sewer system from Castlewood Road on to the Property by replacing the Schlackman Pipe with a fifteen inch (15") corrugated plastic pipe (C.P.P.) connecting a two foot by two foot (2' x 2') yard drain on the Property to the Township storm sewer in Castlewood Drive (the proposed pipe of the Property is hereinafter referred to as "the Storm Sewer Pipe"); and

WHEREAS, Township requires an easement across a portion of the Property through which to install the Storm Sewer Pipe on to the Property; and

WHEREAS, Owner now agrees to dedicate to the public a Drainage and Stormwater Management Easement as described by the Easement Agreement attached hereto as Exhibit "A" to facilitate installation of the Storm Sewer Pipe; and

WHEREAS, the Township has determined that the public interest would be served by accepting Owner's dedication of the Drainage and Stormwater Management Easement.

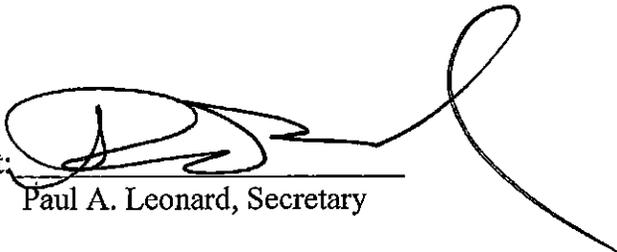
NOW THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Township approves the Easement Agreement for Drainage and Stormwater Management Easement attached hereto as Exhibit "A", including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

2. The President of the Board is authorized to execute for the Township the Easement Agreement for Drainage and Stormwater Management Easement.

RESOLVED this 9th day of October 2007, at a public meeting of the Board of Commissioners.

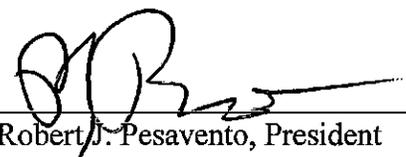
Attest:



Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:



Robert J. Pesavento, President

Exhibit "A"

Easement Agreement

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.: 54-00-03864-46-5

EASEMENT AGREEMENT

BETWEEN: ROBERT J. SCHLACKMAN and ELLEN S. SCHLACKMAN

AND

TOWNSHIP: UPPER DUBLIN TOWNSHIP

DATED: _____

**EASEMENT AGREEMENT
FOR
DRAINAGE AND STORMWATER MANAGEMENT EASEMENT**

THIS AGREEMENT is entered into this day of , 2007,
between ROBERT J. SCHLACKMAN and ELLEN S. SCHLACKMAN, the owners of property
situate at 721 Castlewood Drive, Fort Washington, Upper Dublin Township, Montgomery
County, Pennsylvania (hereinafter collectively "GRANTORS"), and the TOWNSHIP OF UPPER
DUBLIN, a Township of the First Class, situate at 801 Loch Alsh Avenue, Fort Washington,
Montgomery County, Pennsylvania (hereinafter "GRANTEE").

WHEREAS, GRANTORS are the owners of a certain parcel of real property situate in the
Township of Upper Dublin, Montgomery County, Pennsylvania, such parcel being described in a
deed recorded in Montgomery County Deed Book 5248, Page 00161, and identified as
Montgomery County Tax Parcel No. 54-00-03864-46-5 (hereinafter referred to as the
"Property"); and

WHEREAS, the Property was developed as part of the Dublin Hunt II subdivision as
shown by a plan of subdivision as recorded in Montgomery County Plan Book A-52, Page 310
("Plan"); and

WHEREAS, the Property was developed in accordance with the Plan with a six-inch (6")
PVC pipe connecting a two foot by two foot (2' x 2') yard drain to the Township storm sewer in
Castlewood Drive (the "Schlackman Pipe"); and

WHEREAS, subsequent to development of the Property, the land behind and above the
property was developed as part of the Prudential Insurance Company of America Eastern Home
Office subdivision as shown by a plan of subdivision recorded in Montgomery County Plan
Book L5, Page 364 ("Prudential Plan"); and

WHEREAS, the Schlackman Pipe is now not large enough to convey the volume of stormwater flowing to and accumulating on the Property thereby causing stormwater to inundate the Property and neighboring properties; and

WHEREAS, GRANTORS and GRANTEE agree that it would be in the best interest of the public to extend the public storm sewer system from Castlewood Road on to the Property by replacing the Schlackman Pipe with a fifteen inch (15") corrugated plastic pipe (C.P.P.) connecting a two foot by two foot (2' x 2') yard drain on the Property to the Township storm sewer in Castlewood Drive (the proposed pipe of the Property is hereinafter referred to as "the Storm Sewer Pipe"); and

WHEREAS, GRANTEE requires an easement across a portion of the Property through which to install the Storm Sewer Pipe on to the Property; and

WHEREAS, GRANTORS desire to facilitate installation of the Storm Sewer Pipe by granting an easement; and

WHEREAS, GRANTORS and GRANTEE agree that any costs associated with drafting and recording this Agreement shall be borne by the GRANTEE; and

WHEREAS, GRANTORS and GRANTEE agree that if after entering the Property under this Agreement, GRANTEE disturbs the property, GRANTEE must restore, at its own cost, the Property to substantially the same condition that existed prior to the disturbance; and

WHEREAS, GRANTORS now wish to dedicate to the public a Drainage and Stormwater Management Easement.

W I T N E S S E T H:

For and in consideration of the sum of One Dollar (\$1.00) and other diverse considerations affecting the public health and welfare which they seek to advance, GRANTORS

do hereby grant to GRANTEE a Drainage and Stormwater Management Easement to include a temporary construction easement and a non-exclusive perpetual easement and right to enter upon, in, on, across and through and to use a section of the Property as described by the description and plan attached hereto, incorporated herein, and respectively identified as Exhibit "A" and Exhibit "B" ("the Easement Area"), for the purpose of constructing, installing, inspecting, removing, repairing, operating, maintaining, replacing and using the Storm Sewer Pipe.

TO HAVE AND TO HOLD all and singular the rights, liberties, privileges, and easement rights described above, unto said GRANTEE forever, for the purpose of operating the Storm Sewer Pipe, including the right to construct, maintain and repair the Storm Sewer Pipe, or to cause others to do so, including the right and obligation of GRANTEE, upon notice, to clear the accumulation of obstructions, filth, and debris that might impede the flow of water in the Storm Sewer Pipe, and to cause others to prevent the accumulation of obstructions, filth, and debris that might impede the flow of stormwater, and the further right to remove trees, bushes, undergrowth, soil, and other obstructions interfering with the location, construction and maintenance of the Storm Sewer Pipe;

GRANTORS by these presents do covenant, promise and agree to and with the said GRANTEE, its successors and assigns, that neither the GRANTORS nor their 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 maintenance, clearing, or cleaning of the Storm Sewer Pipe to allow for the free flow of water, except as to negligent acts on the part of the GRANTEE, and if such drainage shall not be established at the date of these presents, that the said GRANTORS will not hereafter ask,

demand, recover or receive any such damage by reason of the maintenance, clearing, or cleaning of the Storm Sewer Pipe to allow for the free flow of draining surface waters as first thereafter established or confirmed by the GRANTEE, except as aforesaid.

RESERVING UNTO THE SAID GRANTORS the right and obligation to keep the Easement Area and yard drain and inlet of the Storm Sewer Pipe free and clear of debris and obstructions, and the right to use and enter upon the Easement Area at any time for all purposes not inconsistent with the grant of the easement rights hereunder. GRANTORS agree not to erect any building, fence, or other structure within the Easement Area, nor to plant any trees or other landscaping within the Easement Area, and not to change the grade of the Easement Area.

GRANTEE may construct, maintain, repair or replace the Storm Sewer Pipe. However, GRANTEE agrees to not construct any building, fence, or other structure within the Easement Area, except that which is contemplated by and consistent with this Agreement or is otherwise established through the legal powers accruing to GRANTEE as a Township of the First Class.

GRANTEE promises to use all reasonable means to avoid inconvenience to the GRANTORS or damage or injury to the Property, or any property of the GRANTORS located thereon, during the course of construction, maintenance, repair, replacement or use of the Storm Sewer Pipe and Easement Area. Upon completion of such construction, maintenance, repair, or replacement, GRANTEE shall restore the Property to substantially the same condition that existed prior to the disturbance, including, without limitation: reseeded of turf grass; and, in the event that GRANTEE must excavate through GRANTORS paved driveway, which event is expected to be necessary for construction of the Storm Sewer Pipe, GRANTEE shall replace the base and wearing course of the driveway in the area of the excavation and resurface the entire

driveway so as to create a smooth and uniform surface within the accepted standards for bituminous asphalt driveway pavement.

GRANTEE shall indemnify and hold the GRANTORS harmless from any liability, cost or expense incurred by the GRANTORS by reason of injury to persons or damage to property arising out of or in connection with GRANTEE's failure to properly construct, maintain, repair, replace or use the Easement Area and Storm Sewer Pipe, except for such liability, cost or expense caused by the negligence of the GRANTORS, their contractors, agents, heirs, successors and assigns.

GRANTORS and GRANTEE do hereby acknowledge and agree that an important purpose of the design and installation of the Storm Sewer Pipe is to alleviate the negative effects of stormwater runoff generated by and flowing onto and through the Property.

The grant of the Temporary Construction Easement herein shall expire and the Temporary Construction Easement shall be extinguished upon completion of the work by GRANTEE to install the Storm Sewer Pipe and restore the Property.

This Grant and all of the covenants herein contained shall inure to the benefit of and shall be binding upon ROBERT J. SCHLACKMAN and ELLEN S. SCHLACKMAN, their successors and assigns, and the TOWNSHIP OF UPPER DUBLIN, its successors and assigns.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed
the day and year first above written intending to be legally bound.

Witness:

Andrew Fowler

Andrew Fowler

GRANTORS

Robert J. Schlackman
Robert J. Schlackman

Ellen S. Schlackman
Ellen S. Schlackman

GRANTEE
TOWNSHIP OF UPPER DUBLIN

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

ATTEST:

Paul A. Leonard
Paul A. Leonard, Manager/Secretary

g:\d\general\public works\interim\manager management\ca - schlackman stormwater easement 721 castlewood drive.doc

COMMONWEALTH OF PENNSYLVANIA

:
: SS.

COUNTY OF MONTGOMERY

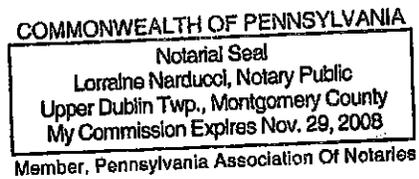
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ACKNOWLEDGMENT

On this the *8th* day of *Oct*, 2007, before me the undersigned officer, personally appeared Robert J. Schlackman who acknowledged ownership of Montgomery County Tax Parcel No. 54-00-03864-46-5 and that as such owner, 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.

Lorraine Narducci
Notary Public



COMMONWEALTH OF PENNSYLVANIA

:
: SS.
:

COUNTY OF MONTGOMERY

ACKNOWLEDGMENT

On this the *9th* day of *Oct*, 2007, before me the undersigned officer, personally appeared Ellen S. Schlackman who acknowledged ownership of Montgomery County Tax Parcel No. 54-00-03864-46-5 and that as such owner, 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.

Lorraine Narducci
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lorraine Narducci, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires Nov. 29, 2008
Member, Pennsylvania Association Of Notaries

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

ACKNOWLEDGMENT

On this the *9th* day of *October*, A.D., 2007, before me the undersigned officer, personally appeared ROBERT J. PESAVENTO, President of the Board of Commissioners of UPPER DUBLIN TOWNSHIP, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, who, being authorized to do so, executed the same on behalf of the UPPER DUBLIN TOWNSHIP for the purposes therein contained.

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. 29, 2008
Member, Pennsylvania Association Of Notaries

Exhibit "A"

Easement Plot Plan

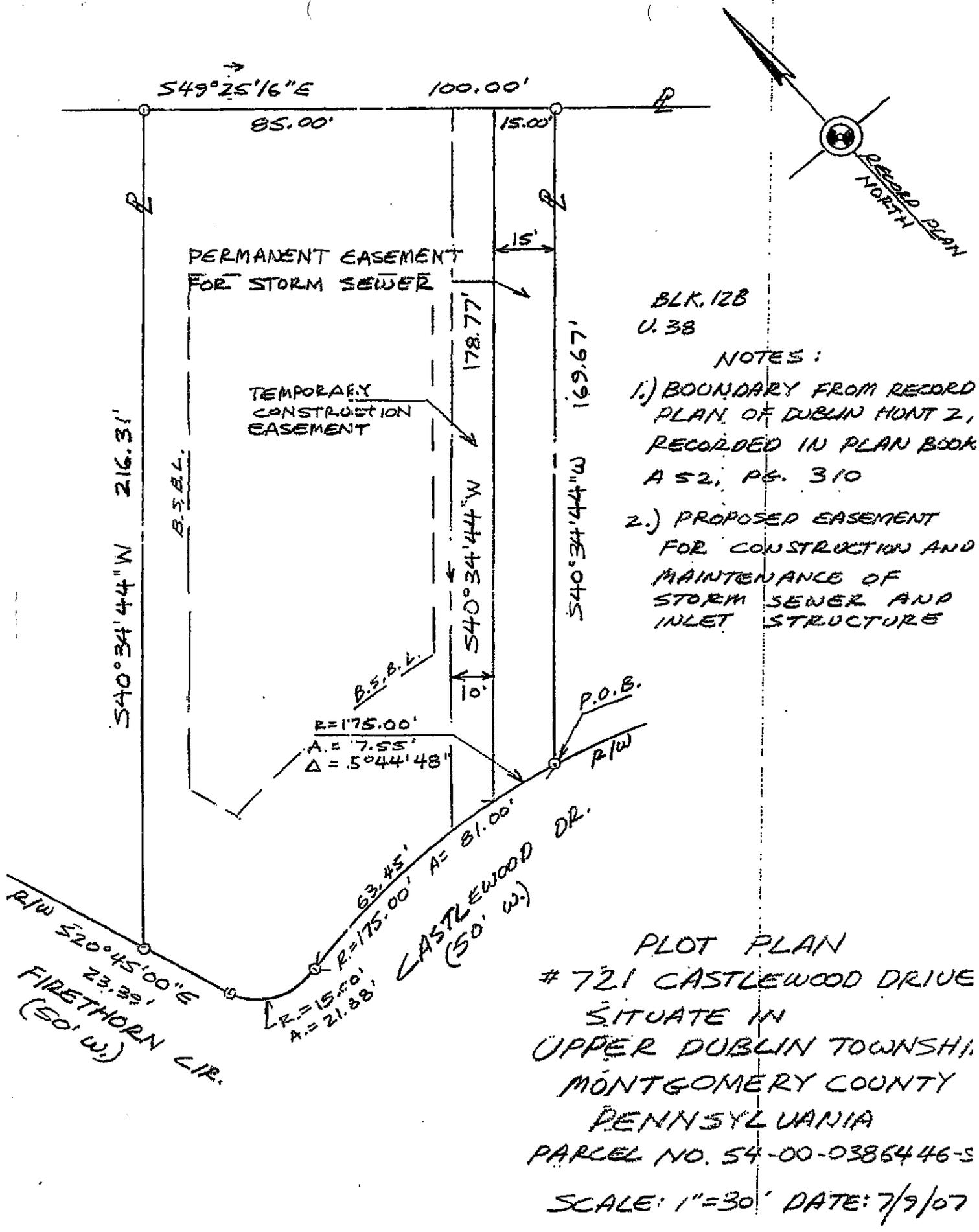


Exhibit "B"

Easement Description

**PERMANENT EASEMENT FOR
STORM SEWER
Block # 12B Unit # 39
MONTGOMERY COUNTY
Parcel No. 54-00-0386446-5**

ALL THAT CERTAIN, lot or strip of land known as "Permanent Easement for Storm Sewer" on lands of Block 12 B, Unit 39, as shown on Plot plan 721 Castlewood Drive, Prepared by Upper Dublin Township, Montgomery County, Pennsylvania, bound and described as follows.

BEGINNING at a point on the north side of Castlewood Drive, said point being the point of intersection of the easterly property line of Block 12B, Unit 39, the westerly property line of Block 12B, unit 38 and the aforementioned north side of Castlewood Drive,
THENCE the following four (4) courses and distances:

- 1) North forty degrees, thirty four minutes, forty four seconds East (N 40° 34' 44" W) one hundred sixty nine and sixty seven one hundredths feet (169.67')
- 2) North forty nine degrees, twenty five minutes, sixteen seconds West (N 49° 25' 26" W) fifteen and no one hundredths feet (15.00')
- 3) South forty degrees, thirty four minutes, forty four seconds West (S 40° 34' 44" E) one hundred seventy eight and seventy seven one hundredth feet (178.77')
- 4) Along the arc of a circle curving right, radius of one hundred seventy five and no one hundredths feet (175.00') the arc distance of seventeen and fifty five one hundredths feet (17.55')

Intending to describe a 15 foot wide permanent easement for storm sewer on Upper Dublin Township block 12B Unit 39 for access and maintenance.

RESOLUTION # 1965

RESOLUTION FOR THE ESTABLISHMENT OF A 401(a) MONEY PURCHASE PLAN

WHEREAS, Upper Dublin Township has employees rendering valuable services; and

WHEREAS, the establishment of a money purchase retirement plan benefits employees by providing funds for retirement and funds for their beneficiaries in the event of death; and

WHEREAS, Upper Dublin Township desires that its money purchase retirement plan be administered by the ICMA Retirement Corporation and that the funds held in such plan be invested in the Vantage Trust, a trust established by public employers for the collective investment of funds held under their retirement and deferred compensation plans:

NOW THEREFORE BE IT RESOLVED that Upper Dublin Township hereby establishes a money purchase retirement plan (the "Plan") in the form of:

- o The ICMA Retirement Corporation Governmental Money Purchase Plan & Trust, pursuant to the specific provisions of the Adoption Agreement (executed copy attached hereto).

The Plan shall be maintained for the exclusive benefit of eligible employees and their beneficiaries; and

BE IT FURTHER RESOLVED that Upper Dublin Township hereby executes the Declaration of Trust of the Vantage Trust, and attached hereto as Appendix B, intending this execution to be operative with respect to any retirement or deferred compensation plan subsequently established by Upper Dublin Township, if the assets of the plan are to be invested in the Vantage Trust.

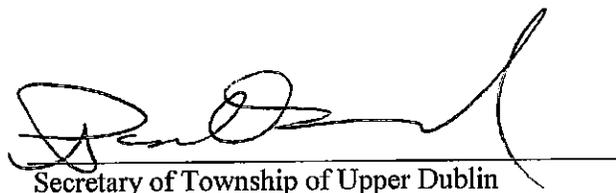
BE IT FURTHER RESOLVED that Upper Dublin Township hereby agrees to serve as trustee under the Plan and to invest funds held under the Plan in the Vantage Trust; and

BE IT FURTHER RESOLVED that the Assistant Township Manager shall be the coordinator for the Plan; shall receive reports, notices, etc., from the ICMA Retirement Corporation or the Vantage Trust; shall cast, on behalf of the Employer, any required votes under the Vantage Trust; may delegate any administrative duties relating to the Plan to appropriate departments; and

BE IT FURTHER RESOLVED that Upper Dublin Township hereby authorizes the Township Secretary to execute all necessary agreements with the ICMA Retirement Corporation incidental to the administration of the Plan.

I, Paul A. Leonard, of the Township of Upper Dublin, do hereby certify that the foregoing resolution proposed by the Board of Commissioners of Upper Dublin Township was duly passed and adopted by the Board at a regular meeting thereof assembled this 13th day of November, 2007.

(SEAL)


Secretary of Township of Upper Dublin

RESOLUTION NO. 1966

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF UPPER DUBLIN
SUPPORTING THE LITTLE NESHAMINY CREEK RIVER CONSERVATION PLAN
AND LISTING OF THE LITTLE NESHAMINY CREEK WATERSHED ON THE
PENNSYLVANIA RIVERS REGISTRY**

WHEREAS, the Upper Dublin Township Board of Commissioners ("the Board") recognizes the importance of conserving the Little Neshaminy Creek Watershed and its tributaries to foster the quality of life in Upper Dublin Township ("Township"); and

WHEREAS, the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, Bureau of Recreation and Conservation ("DCNR"), has established a Pennsylvania Rivers Conservation Program to conserve and enhance river resources through locally initiated planning; and

WHEREAS, Heritage Conservancy has completed a River Conservation Plan ("RCP") for the Little Neshaminy Creek and its tributaries, which RCP contains a number of conservation recommendations suitable for implementation in the Little Neshaminy Creek Watershed; and

WHEREAS, the northern corner of Upper Dublin Township is within the Little Neshaminy Creek Watershed; and

WHEREAS, the Little Neshaminy Creek Watershed RCP has been reviewed and found to be an acceptable planning document by the Board; and

WHEREAS, the Pennsylvania Stormwater Management Act, 32 P.S. §§680.1-680.17 ("Act 167"), requires watershed based stormwater management planning to address flooding and water quality issues, and requires municipalities to implement Act 167 planning through adoption of ordinances mandating requirements of approved Act 167 plans; and

WHEREAS, an Act 167 plan was developed for the Little Neshaminy Creek in 1996 and the Bucks County Planning Commission is scheduled to complete an update of the plan in 2007; and

WHEREAS, under the provisions of the Clean Water Act, 33 U.S.C §1342 *et seq.*, and implementing federal and state laws and regulations, the Township complies with the Pennsylvania Comprehensive Stormwater Management Policy ("Stormwater Policy") through which it has received a National Pollutant Discharge Elimination System ("NPDES") permit for Municipal Separate Storm Sewer Systems ("MS4"), said MS4 NPDES permit requiring the Township to implement a local stormwater regulatory program; and

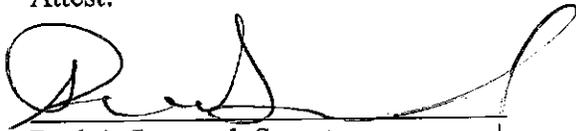
WHEREAS, on September 14, 2004, the Township adopted the Upper Dublin Township Stormwater Management Ordinance, Ordinance #1141, which is now Chapter 206 of the Township Code, and associated ordinances revising Chapter 212, Subdivision and Land Development; Chapter 240, Watercourses; Chapter 255, Zoning; Chapter 91, Dumping; Chapter 99, Grading; Chapter 145, Littering; Chapter 158 Nuisances; Chapter 192, Sewers; Chapter 207, Streets and Sidewalks; and Chapter 218, Swimming Pools to implement the Stormwater Policy; and

WHEREAS, Township enforcement of Ordinance #1141 and the other stormwater provisions of the Township Code is a compliance requirement of the Township's MS4 NPDES permit.

NOW, THEREFORE, the Upper Dublin Township Board of Commissioners endorses the Little Neshaminy Creek River Conservation Plan as a guidance document to be used to meet the goals and objectives of the Plan, and will endeavor to take appropriate action to implement the Plan's recommendations so long as those recommendations are consistent with the Township's obligations and responsibilities under the Township's MS4 NPDES permit and other applicable federal and state laws, regulations, and permits.

ADOPTED this ^{13th} day of ~~November~~, 2007.

Attest:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Robert J. Pesavento, President

RESOLUTION
NO. 1967

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN AUTHORIZING THE ACQUISITION OF APPROXIMATELY 6.6 ACRES OF LAND FOR PASSIVE RECREATION AND NATURAL RESOURCE PROTECTION; SAID LAND TO BE SUBDIVIDED IN ACCORDANCE WITH A SKETCH PLAN TITLED "DILLON ROAD WOODLAND" PREPARED BY METZ ENGINEERS AND DATED JULY 25, 2007, FROM MONTGOMERY COUNTY TAX PARCEL NUMBERS 54-00-04744-008, 54-00-04745-007, 54-00-04746-006, 54-00-04747-005, AND 54-00-04750-002 WHICH FORM A PART OF THE RAPP RUN WOODLAND SITUATED ALONG DILLON ROAD IN THE TOWNSHIP.

WHEREAS, the Township of Upper Dublin (the "Township") has adopted a plan for open space and environmental resource protection, including the development of recreation lands, and the conservation of natural and historic resources within the Township; and

WHEREAS, the Township is authorized to acquire real estate for public purposes, including, among other things, for recreation and conservation purposes; and

WHEREAS, there is approximately 6.6 acres of land to be subdivided in accordance with a sketch plan titled "Dillon Road Woodland" prepared by Metz Engineers and dated July 25, 2007, from Montgomery County Tax Parcel Numbers 54-00-04744-008, 54-00-04745-007, 54-00-04746-006, 54-00-04747-005, and 54-00-04750-002 which forms a part of the Rapp Run Woodland along Dillon Road in the Township and which land would be suitable for passive recreation and conservation, and which land the Township desires to acquire for such purposes (the "Dillon Road Woodland"); and

WHEREAS, the Township may also acquire in fee for passive recreation and conservation the "Conservation Easement Area" of proposed Lot #1 as set forth on the sketch plan.

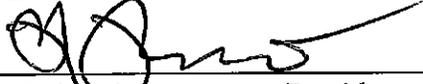
WHEREAS, the Township will pay the cost of the subdivision required for the Dillon Road Woodland.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the acquisition of 6.6 acres of vacant land set forth in accordance with a sketch plan titled "Dillon Road Woodland" prepared by Metz Engineers and dated July 25, 2007, being portions of Montgomery County Parcel Numbers 54-00-04744-008, 54-00-04745-007, 54-00-04746-006, 54-00-04747-005, and 54-00-04750-002, is hereby authorized by purchase price not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) exclusive of normal costs of closing and the costs of subdivision. The acquisition may include the Conservation Easement Area of proposed Lot #1. 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 *13th day of November*, 2007.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 
Robert J. Pesavento, President

Attest: 
Paul A. Leonard, Township Secretary

RESOLUTION NO. 1968

A RESOLUTION ESTABLISHING THE BUDGET FOR FISCAL YEAR 2008.

WHEREAS, in accordance with the First Class Township Code, the Board of Commissioners have prepared and reviewed an annual budget for the fiscal year 2008 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 2008 budget was advertised as required by law and made available for public inspection on November 13, 2007, and,

WHEREAS, the proposed 2008 budget was advertised as required by law and was presented and amended at public hearings on November 27, 2007, December 1, 2007, and December 4, 2007, and,

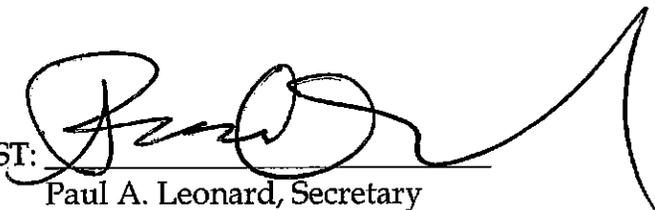
WHEREAS, the proposed budget as amended will take effect on January 1, 2008;

THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby adopts the annual budget, detailed in the attached exhibits, for fiscal year 2008.

ADOPTED this 11th day of December 2007.

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)

RESOLUTION

RESOLUTION NO. 1969

AND NOW, this 11TH day of DECEMBER, 2007, the TOWNSHIP OF UPPER DUBLIN
YEAR NAME OF POLITICAL SUBDIVISION
of MONTGOMERY
NAME OF COUNTY

County, Pennsylvania, being desirous of obtaining reimbursement of monies for expenses incurred for officer
THOMAS J. SZYBOWSKI, 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
NAME OF POLITICAL SUBDIVISION
authority of same:

THAT the TOWNSHIP OF UPPER DUBLIN hereby agrees
NAME OF POLITICAL SUBDIVISION
that while receiving any funds from the Commonwealth of Pennsylvania pursuant to said Act, the
TOWNSHIP OF UPPER DUBLIN 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 TOWNSHIP OF UPPER DUBLIN hereby authorizes the
NAME OF POLITICAL SUBDIVISION
execution and attestation of the RESOLUTION and the date first above written.

by: [Signature]
SIGNATURE - HEAD OF POLITICAL SUBDIVISION
ROBERT J. PESAVENTO, PRESIDENT OF BOARD
TITLE - HEAD OF POLITICAL SUBDIVISION
[Signature]
SIGNATURE - CHIEF OF POLICE (IF APPLICABLE)

SEAL

ATTEST: [Signature]
SIGNATURE - SECRETARY
PAUL A. LEONARD
TYPED NAME

**BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
RESOLUTION NO. 1970**

A RESOLUTION OF THE UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS ESTABLISHING THE RATE
OF EMPLOYEE CONTRIBUTION TO THE TOWNSHIP'S
POLICE PENSION PLAN FOR THE YEAR 2008

WHEREAS, Upper Dublin Township created the Upper Dublin Police Pension Plan ("Pension Plan") effective May 1, 1968; and

WHEREAS, the Pension Plan was established pursuant and is governed by the Act of May 29, 1956, P.L. (1955) 1804, as amended, 53 P.S. §§ 767-778, commonly referred to as "Act 600"; and

WHEREAS, the Township's Board of Commissioners is the governing body for Township Departments, including the police department, as well as the governing body of the Pension Plan; and

WHEREAS, pursuant to Act 600, the governing body of a police pension fund may, on an annual basis, reduce or eliminate employee contributions to the police pension fund when such contributions are not required to maintain the actuarial soundness of the Plan; and

WHEREAS, such reduction or elimination must be accomplished through the passage of an ordinance or resolution; and

WHEREAS, based upon the actuarial study prepared by the Plan Actuary for the Pension Plan, 2008 contributions to the Pension Plan can be reduced from the 2007 level of 5% to 4.3% without jeopardizing the actuarial soundness of the Pension Plan.

NOW THEREFORE, the Township's Board of Commissioners hereby resolves as follows:

1. Effective January 1, 2008, each police employee within the Township's police department shall contribute 4.3% of the officer's salary, as that term is defined by the pension plan, to the police pension plan.
2. This Resolution shall take effect immediately.

Duly enacted by the members of the Upper Dublin Board of Commissioners, this 11th day of December, 2007.

UPPER DUBLIN BOARD OF COMMISSIONERS

Attest:

Secretary

President, Township Board of Commissioners

TOWNSHIP OF UPPER DUBLIN

RESOLUTION NO. 1971

AUTHORIZING THE REIMBURSEMENT OF PRIOR EXPENDITURES OF FUNDS
FROM THE PROCEEDS OF BONDS TO BE ISSUED FOR THE FINANCING
OF CAPITAL PROJECTS

Recitals

WHEREAS, the Township of Upper Dublin (the "Township") is a political subdivision of the Commonwealth of Pennsylvania and has determined to undertake capital projects consisting of the acquisition of property or rights therein to preserve open space (the "Projects"); and

WHEREAS, the voters of the Township have approved the incurrence of electoral debt for the Projects in the amount of \$30,000.000; and

WHEREAS, the Township intends to finance some or all of the costs of the Projects by the issuance of its bonds, notes or other obligations (the "Bonds") and intends to use a portion of the proceeds of the Bonds to reimburse itself for expenditures made prior to the date of issuance of the Bonds; and

WHEREAS, no portion of the Projects have yet been placed in service; and

WHEREAS, this Resolution is intended to constitute a statement of "Official Intent" pursuant to Treasury Regulations §1.150-2, T.D. 8476 (the "Treasury Regulations").

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township that:

1. In accordance with the Treasury Regulations, the Township hereby states its intention that a portion of the proceeds of the Bonds will be used to reimburse itself for expenditures paid for costs of the Projects prior to the date of issuance of the Bonds.

All original expenditures to be reimbursed will be capital expenditures and other amounts permitted to be reimbursed pursuant to the Treasury Regulations.

The Township intends to reimburse the original expenditures through the Township's incurrence of debt to be evidenced by the Bonds.

The estimated maximum principal amount of the Bonds to be issued to reimburse the costs of the Project paid prior to their issuance and to complete the Projects is \$30,000,000, including the costs of issuance of the Bonds.

2. Once the Bonds are issued, the Township shall allocate Bond proceeds to reimburse a prior expenditure by making the allocation on its books and records maintained with respect to the Bonds; provided that such costs to be reimbursed were paid not more than 60 days prior to the date hereof, except to the extent that such costs constitute preliminary costs within the meaning of the Treasury Regulations. Such allocation shall specifically identify the actual original expenditure to be reimbursed. Such allocation shall occur not later than 18 months after the later of (i) the date on which the original expenditure is paid, or (ii) the date the related Project is placed in service or abandoned, but in no event more than 3 years after the original expenditure is paid.

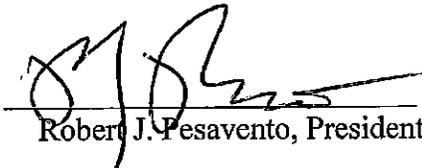
3. This Resolution shall be effective immediately.

4. All resolutions heretofore adopted to the extent the same are inconsistent herewith are hereby repealed.

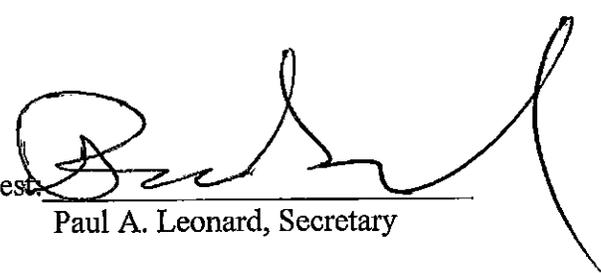
ADOPTED: December 11, 2007

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By:


Robert J. Pesavento, President

Attest:


Paul A. Leonard, Secretary

Township of Upper Dublin

Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by a majority vote of the Board of Commissioners of Township of Upper Dublin at a meeting of said Board duly and regularly called and held on December __, 2007; that public notice of said meeting was given in the manner provided by law; that said resolution has been duly recorded upon the minutes of the Board, has not been amended or rescinded and is in full force and effect on the date of this Certificate.

(SEAL)

Secretary

Dated: _____, 200_.

RESOLUTION NO. 1972

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF UPPER DUBLIN TOWNSHIP
GRANTING CONDITIONAL PRELIMINARY LAND
DEVELOPMENT PLAN APPROVAL OF LAND
DEVELOPMENT APPLICATION NO. U.D. 06-033 FOR
HOMSHER HILL (PISZEK TRACT)**

WHEREAS, on February 12, 2007, Homsher Hill, LLC ("Developer") and Fort Washington Properties, LP property situated at Pennsylvania Avenue, Camp Hill Road and Dreshertown Road, Upper Dublin Township, comprising 54.90 acres, more or less, in Upper Dublin Township and 36.39 acres, more or less, in Springfield Township, and known as the Piszek Tract (the "Property"); and

WHEREAS, a true and correct copy of the Developer's Application for Preliminary Plan Approval for the Property is attached hereto as Exhibit "A."

WHEREAS, Developer desires to construct a residential development with single-family detached and townhouse style dwellings on the Property (the "Project"), presently occupied by the Copernicus Society, a private residence, the historic Emlen House and various outbuildings, a grave plot, and woodlands, floodplains, wetlands, and watercourses, as shown on plans prepared for the Developer by Bohler Engineering, Inc., dated November 27, 2006, last revised on October 10, 2007, sheets 1 through 82, together with supplemental plans, reports and exhibits, said plans, reports and exhibits hereinafter collectively referred to as the "Plan", all of which are incorporated herein by reference and expressly made a part hereof; and

WHEREAS, the developer desires to obtain preliminary land development approval of the Plan from Upper Dublin Township in accordance with Section 508 of the Pennsylvania Municipalities Planning Code, 53 PS § 10508.

WHEREAS, the Township Engineer, Metz Engineers, Inc., issued a Plan review letter dated December 6, 2007, with respect to Preliminary Land Development, Fifth Review, UD06.033-Ft Washington Properties, LP ("Plan Review Letter").

NOW, THEREFORE, be it resolved, that Upper Dublin Township hereby grants preliminary land development approval of the Plan subject to the following conditions:

1. Developer shall prepare and submit for approval plans for Project Section 212-45 final land development approval, per the Township Subdivision and Development Ordinance ("SALDO").

2. Final land development approval is subject to, but not limited to, Developer compliance with the terms and conditions of this Resolution.

3. The Project shall be constructed in strict accordance with the terms and conditions of final land development approval and a land development agreement in a form to be approved by the Township Solicitor and entered into prior to recording of the final plans.

4. The Developer shall comply with all terms and conditions set forth in the Plan Review letter.

5. The Developer has requested certain waivers from the SALDO Township Stormwater Management Ordinance ("SMO"), and associated regulations as set forth below. Waivers are hereby granted as noted. Action on other waiver requests will be deferred, as noted, to such time as the Township Board of Commissioners considers the Project for final land development approval:

(a) SALDO § 212-15.B: Waiver from the requirement for road improvements to Pennsylvania Avenue and Dreshertown Road. Action is deferred.

(b) SALDO § 212-15.D: Waiver from the limitation that no more than five (5) houses shall be permitted to be served by a private street such that the proposed Copernicus Drive may serve twenty-four (24) units and a private driveway/Emlen Way may serve ten (10) units. Waiver is granted.

(c) SALDO § 212-17.I: Waiver from the requirement of twenty-five (25) feet aisle width for parking areas such that an aisle width of twenty-four (24) feet may be provided in Copernicus Drive and a twenty-two (22) feet aisle width may be provided in the Open Space parking lot. Waiver is granted.

(d) SALDO § 212-18.A: Waiver from the requirement for sidewalks along all streets such that a walking trail may be provided in lieu of sidewalks. Action is deferred.

(e) SALDO § 212-19.B: Waiver from the requirement for curbing such that the objective for low-impact development practices for managing stormwater runoff may be furthered. Action is deferred.

(f) SALDO § 212-27.A: Waiver from the requirement that a public water system be a looped system such that the Developer may provide service to three (3) single-family units by means of a unlooped water line. Waiver is granted.

(g) SALDO § 212-32.F(1)(b).[1]: Waiver from the requirement for street trees such that the Developer may provide seventeen (17) trees along Copernicus Drive as opposed to thirty-nine (39) trees as required by the SALDO. Action is deferred.

(h) SALDO § 212-32.F(1)(b).[5]: Waiver from the requirement for fifty (50) foot spacing between street trees to permit spacing of forty (40) feet. Action is deferred.

(i) SALDO § 212-32.F.(7): Waiver from the requirement that steep slopes of twenty percent (20%) or greater be finished with ground cover such that the Developer may

finish steep slopes of twenty percent (20%) or greater with sod pinned with wooden pegs.

Action is deferred.

(j) SALDO § 212-43.A.(1): Waiver from the requirement that the scale of the plan shall not be smaller than one (1) inch equals one hundred (100) feet such that the Developer may provide sheets 1 through 8 of the Plan in a different scale. Waiver is granted.

(k) SMO § 206-13.B: Waiver from the requirement for infiltration of retained runoff within a forty-eight hour period because of purported inadequate infiltration on site.

Action is deferred.

(l) SMO § 208-31.I(4)(c)[3]: Waiver from the requirement that where conditions are suitable for groundwater recharge, roof drains are required to discharge onto a vegetative surface with a minimum length of flow path between the drain outlet and the point of discharge to a watercourse or storm sewer inlet being twenty (20) feet. Action is deferred.

(m) SMO § 206-36: Waiver from the requirement that Best Management Practices ("BMPs") shall be provided to retain all runoff generated by the groundwater recharge design storm for infiltration because of purported inadequate infiltration on site. Action is deferred.

(n) SMO § 206-36.C.(1)(a)(b)(c): Waiver from the requirement for groundwater recharge for individual lots. Action is deferred.

(o) SMO § 206-36.C.(2): Waiver of the requirement for groundwater recharge objective and area of upgraded drainage area served by any groundwater recharge BMP. Action is deferred.

(p) SMO § 206-36.D: Waiver of the requirement that the storage volume of retention basins or detention basins may not be used to satisfy the required retention volume for groundwater recharge. Action is deferred.

(q) SMO § 206-36.I: Waiver from the requirement that groundwater recharge BMPs shall be designed to provide storage equal to one hundred (100) percent of the required retention volume. Action is deferred.

(r) SMO § 206-37.B: Waiver from the requirement for consideration of the use of innovated BMPs. Action is deferred.

7. Township enforcement of the Stormwater Management Ordinance, Chapter 206 of the Township Code, and associated stormwater management provisions of the Township Code is a requirement of the Township under its Municipal Separate Storm Sewer System ("MS4") national Pollutant Discharge Elimination System ("NPDES") Permit ("MS4 Permit"). As such, the Township requires Developer compliance with Chapter 206 to the greatest extent technically feasible. The stormwater management waivers identified herein and deferred for consideration at final plan review shall receive close scrutiny with respect to the Township's obligation under its MS4 Permit requirements. The SMO request waiver deferrals in no way confer Township approval or acknowledgment of Developer compliance with the SALDO or SMO with respect to the said waiver requests.

8. The cost of accomplishing, satisfying and meeting all of the terms, conditions and requirements of the Plan, notes to the Plan, and this Resolution, shall be borne entirely by the applicant and shall be at no cost to the Township.

9. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended), 53 P.S. § 10409(b), the payment of all applicable fees and the funding of all

escrows as required by the Township Code, must be accomplished within ninety (90) days from the date of this Resolution unless a written extension is granted by the Township. In the event that the applicable fees have not been paid and any applicable escrow has not been funded within ninety (90) days of this Resolution (or any written extension thereof), this contingent preliminary approval of the Plan shall expire and be deemed to have been revoked.

Approved by the Board of Commissioners of Upper Dublin Township this 11th day of December, 2007.

UPPER DUBLIN TOWNSHIP

BY: 
ROBERT J. PESAVENTO, President

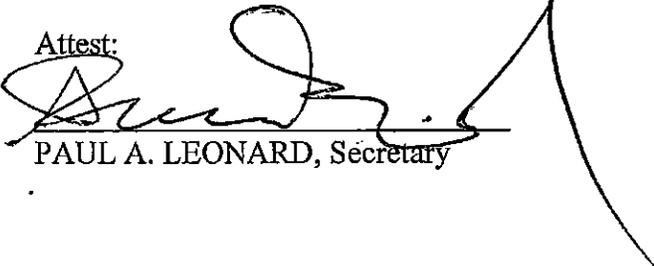
Attest:

PAUL A. LEONARD, Secretary

Exhibit "A"

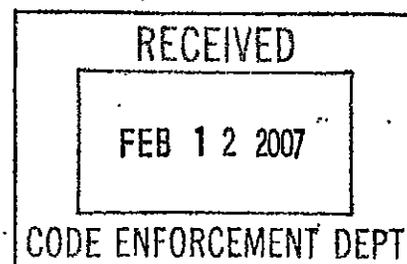
TOWNSHIP OF UPPER DUBLIN

#06-03

MONTGOMERY COUNTY, PENNSYLVANIA

APPLICATION FOR PRELIMINARY PLAN APPROVAL

- A. Application is hereby made for approval by the Board of Commissioners of the attached Preliminary Subdivision Plan; submitted in accordance with the regulations of Chapter 212 of the Upper Dublin Township Code (20 folded copies are to be submitted with this application).
- B. Name of Subdivision Piszek Tract
 Location Pennsylvania Avenue
 Tax Plat Block Block 54, Unit 51/Block 50, Unit 50/Block 54, Unit 16/Block 51, Unit 2/Block 54, Unit 27
- C. Name of Owner Fort Washington Properties, LP
 (If a corporation, list two officers) _____
 Address 1805 Berks Road
Worcester, PA 19490 Phone # 610.584.8462
- D. Name of Applicant Homsher Hill, LLC
 (If a corporation, list two officers) _____
 Address 1805 Berks Road
Worcester, PA 19490 Phone # 610.584.8462
- E. Name of Engineer, Surveyor, or Planner responsible for the preparation of the plan _____
Bohler Engineering, Inc., c/o Rolph A. Graf, P.E.
 Address New Britain Corporate Center, 1600 Manor Drive, Suite 200
Chalfont, PA 18914 Phone # 215.996.9100
- F. Existing Zoning Classification A-Residential/Open Space Preservation Overlay District
 Total Acreage 54.90 # of Lots 5
 Sewerage: Public Private _____ Water: Public Private _____
- G. Does this application meet all the requirements of the Existing Zoning Classification? (✓) Yes () No
 (If no, attach a list of variances and/or special exceptions)
- H. Is the property subject to any encumbrances, deed restrictions, etc.? () Yes (✓) No
 (If yes, attach a copy)



- ...associated with this application:
1. General Project Description and Stormwater Management Calculations
 2. _____
 3. _____
 4. _____
 5. _____

J. Fee Schedule (non-refundable)

Checks should be made payable to "Upper Dublin Township".

The fee shall be reduced by \$120.00 if a Tentative Sketch Fee has been paid within the previous 180 days of the date of this application.

RESIDENTIAL

2 - 5 Dwelling Units	\$120.00 + \$15.00/unit	
6 - 10 Dwelling Units	\$240.00 + \$15.00/unit	\$480.00 + [\$15.00 x 34]
11 - 20 Dwelling Units	\$360.00 + \$15.00/unit	
21 - 99 Dwelling Units	\$480.00 + \$15.00/unit	= \$990.00
100+ Dwelling Units	\$600.00 + \$15.00/unit	

NON-RESIDENTIAL

All land developments	\$250.00 + \$60.00/acre
-----------------------	-------------------------

K. Escrow Fund

The escrow fund shall be applied to expenses with the balance refunded.

Check should be made payable to "Upper Dublin Township."

Subdivision plan, per lot:	\$500.00	
Land Development plans:	\$2,000.00 + \$400.00 per disturbed acre or portion thereof.	
Amendments to approved or recorded plans:	\$800.00	\$2,000.00 + [\$400.00 x 24 AC]
		= \$11,600.00

L. Fee for Preliminary Plan	\$990.00
Less Tentative Sketch Fee (if paid)	\$ _____
Fee submitted herewith	\$990.00
Escrow submitted herewith	\$11,600.00

As soon as this escrow account decreases by fifty percent (50%), the applicant shall make payment in an amount necessary to fully fund the account. Upon the recording of the Subdivision Plan with the Recorder of Deeds, and the payment of all expenses with the Recorder of Deeds, and the payment of all expenses incurred by the Township, the balance of the escrow account shall be refunded to the applicant. Money held in escrow will not be returned until all invoices have been received and paid by the escrow account.

M. Signature

The undersigned represents that to the best of his/her knowledge and belief, all of the above statements are true, correct and complete.

The applicant does (), does not (), waive the ninety (90) day time period required under Act 247 of the Commonwealth of Pennsylvania within which Upper Dublin Township is either to approve or disapprove this Preliminary Plan.

In the event the applicant wishes to have the review by the Township discontinued, he will notify the Township immediately, in writing, and processing of the review will be terminated upon receipt of such written notification to the Township, it being understood that all bills accrued to date of termination will be paid from the escrow fund with the balance, if any, returned to the applicant.

NOTE: A Montgomery County Planning Commission review fee is also required with this application if a fee has not been previously paid.

DATE 2/12/07

[Signature]
SIGNATURE OF APPLICANT

UPPER DUBLIN TOWNSHIP

Checked for Completeness and Received for Review on:

2-12-07

U.D. REF. NO. 06-03

Date of Distribution:

2-13 + 3-1

Received By RB

NINETY DAY TIME PERIOD ENDS; June 12, 2007

RESOLUTION

No. 1973

A RESOLUTION Of The Board Of Commissioners Of The Township Of Upper Dublin Authorizing The Execution Of A Contract For The Purchase In The Name Of The Township Of A New Fire Rescue Pumper For Use By The Fort Washington Fire Company, No. 1 (FWFC), To be Known As Squad 88.

WHEREAS, the Board of Commissioners of the Township of Upper Dublin (the "Township") has established the Fire Department of Upper Dublin Township and designated the Fort Washington Fire Company as the officially designated Fire Company for the Township; and

WHEREAS, the Board of Commissioners is empowered by § 1502 (16) of the First Class Township Code to purchase or contribute to the purchase of fire engines and fire apparatus for the use of the Township; and

WHEREAS, the Board of Commissioners deems it appropriate to purchase a 2008 Pierce Velocity Rescue Pumper to meet the established level of service needs of the Township and has reviewed and approved a set of specifications therefore; and

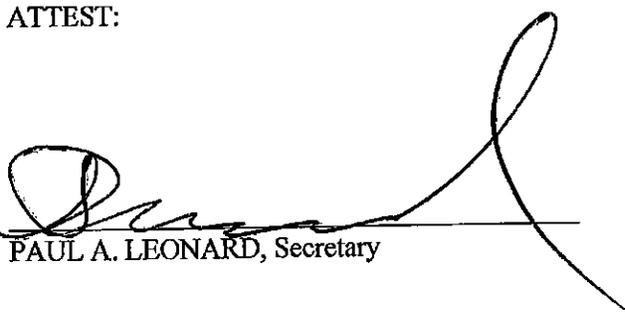
WHEREAS, the Board of Commissioners has asked the Fort Washington Fire Company, No. 1 to develop, comment, review and provide input regarding the purchase of the 2008 Pierce Velocity Rescue Pumper and has now received the Fire Company's comments, with appreciation.

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Township of Upper Dublin that the President of the Board of Commissioners is hereby authorized to enter into a contract with Pierce Manufacturing, Inc., 2600 American Drive, Appleton, Wisconsin 54915 via Glick Fire Equipment Company, 350 Millcreek Road, Bird-In-Hand, Pennsylvania 17505 for the purchase in the name of the Township of a 2008 Pierce Velocity Rescue Pumper designed and manufactured according to specifications approved by the Board of Commissioners and the Fort Washington Fire Company, No. 1 and attached to the contract, for the purchase price of Four Hundred Thirty-Nine Thousand Eleven Dollars (\$439,011.00) with a delivery date of July 2008. The Item Number for the Commonwealth of Pennsylvania's Cooperative Sourcing to Achieve Reductions in Spending (COSTARS) program in Harrisburg is 8816. The original purchase price is Four Hundred Forty-Nine Thousand Four Hundred Ninety Dollars (\$449,490.00). The final purchase price is Four Hundred Thirty-Nine Thousand Eleven Dollars (\$439,011.00) after discounts for a payment of \$6,574.00 ninety (90) days before delivery and a payment of \$3,905.00 upon final inspection at the factory.

Approved and adopted by the Board of Commissioners of the Township of Upper Dublin this 11th day of December, 2007.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


PAUL A. LEONARD, Secretary


ROBERT J. RESAVENTO, President



APPLICATION FOR PERMIT TO INSTALL AND OPERATE TRAFFIC SIGNALS

DATE

RESOLUTION NO. 1974

WHEREAS, the Upper Dublin Township in Montgomery County desires to erect, operate, and maintain traffic signals at the intersection of Susquehanna Road (S.R. 2017) and UPPER DUBLIN SPORTS PARK DRIVE, 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 Upper Dublin Township 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 Upper Dublin Township 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

DECEMBER 11, 2007 (DATE)

SEAL

Signed

[Handwritten signature]

RESOLUTION

NO. 1975

**A RESOLUTION AUTHORIZING EXECUTION OF
A CABLE FRANCHISE AGREEMENT BETWEEN THE
TOWNSHIP OF UPPER DUBLIN AND COMCAST OF PENNSYLVANIA, LLC**

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Pennsylvania law, Upper Dublin Township, Montgomery County, Pennsylvania (hereinafter, the "Township") is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Township's jurisdiction; and

WHEREAS, Comcast of Pennsylvania, LLC ("Comcast") currently holds a cable franchise from the Township by virtue a cable franchise agreement originally granting a cable franchise to Ultracom of Montgomery County, Inc. doing business as Adelphia Cable Communications on July 1, 1995; and

WHEREAS, Comcast has requested a renewal of its franchise to maintain, construct, operate, and upgrade its cable system over, under and along the public rights-of-way for use by the Township's residents; and

WHEREAS, the aforesaid rights-of-way used by Comcast are public properties acquired and maintained by the Township at significant expense to the Township's taxpayers and the right to use said rights-of-way is a valuable property right; and

WHEREAS, the Township desires to protect and manage the aforesaid rights-of-way, require high standards of customer service, ensure future technical improvements to maintain a technologically advanced cable system, obtain complimentary services for it public buildings, receive financial compensation for Comcast's use of the Township's rights-of-ways as provided by federal law, obtain and maintain educational and governmental channels, establish certain reporting requirements and provide for the current and future cable-related needs of its residents; and

WHEREAS, the Township held a public hearing on January 14, 2003, on the subject of cable franchise renewal, including reviewing Comcast's past performance and identifying the Township's future cable-related community needs; and

WHEREAS, the Township has determined that Comcast has the financial, legal and technical ability to provide cable services to subscribers located in the Township; and

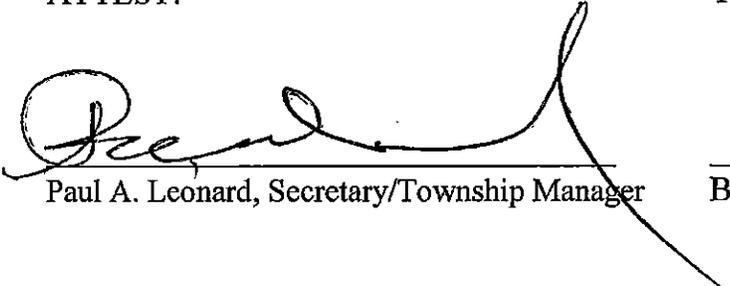
WHEREAS, the Township, after affording the public notice and opportunity for comment, has determined that the public interest would be served by renewing Comcast's franchise according to the terms and conditions contained in the cable franchise agreement negotiated between the Township and Comcast.

NOW THEREFORE, BE IT RESOLVED that the Township Board of Commissioners does hereby approve the cable franchise agreement negotiated with Comcast, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

ENACTED AND ORDAINED this 17th day of December, 2007.

ATTEST:

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN



Paul A. Leonard, Secretary/Township Manager



By: Robert J. Pesavento, President

RESOLUTION
NO. 1976

**A RESOLUTION TO AUTHORIZE EXECUTION OF
A FIRST AMENDMENT TO COMMUNICATIONS SITE LEASE AGREEMENT
BETWEEN THE TOWNSHIP OF UPPER DUBLIN
AND SBC TOWER HOLDINGS LLC**

WHEREAS, Upper Dublin Township and AWACS, Inc. executed and entered into a certain Communications Site Lease Agreement dated August 12, 1997 (the "Lease"), for the purpose of installing, operating and maintaining a communications facility and other improvements on a portion of Township property on Delaware Avenue in the Township identified as Montgomery County Tax Parcel No. 54-00-10870-00-2, said portion of the said property being referenced in the Lease as the Premises; and

WHEREAS, SBC Tower Holdings LLC ("SBC"), a Delaware limited liability company, is the successor in interest to AWACS, Inc.; and

WHEREAS, the Premises, which at times is referred to as the Lease Area, is described by the Lease to be 2500 SF; and

WHEREAS, SBC entered into that certain Sublease Agreement with Southern Towers, Inc. dated December 14, 2000 (the "Sublease") whereby Lessee has subleased the Leased Premises to Southern; and

WHEREAS, American Tower Asset Sub II, LLC ("American Tower") is the successor in interest to Southern Towers, Inc; and

WHEREAS, by a First Amendment to the Lease, Upper Dublin Township and SBC desire to amend certain provisions of the Lease to provide for the expansion of the Premises by 650 SF and to add additional renewal terms to the Lease potentially extending the Lease through the year 2032 with commensurate annual increases in base rental and a one-time payment of Ten Thousand Dollars (\$10,000.00) as set forth in the First Amendment to Communications Site Lease Agreement; and

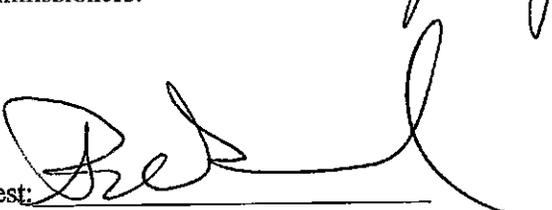
NOW THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Township approves the First Amendment to Communications Site Lease Agreement negotiated with SBC and American Tower, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement and associated documents.

2. The President of the Board is authorized to execute the First Amendment to Communications Site Lease Agreement for the Township.

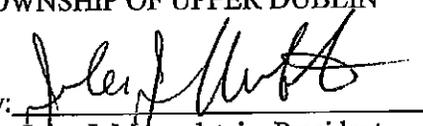
RESOLVED this 8th day of January, 2008, at a public meeting of the Board of Commissioners.

Attest:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:


Jules J. Mermelstein, President

RESOLUTION

NO. 1977

A RESOLUTION To Provide For The Rates Of Compensation For The Upper Dublin Township Engineer Effective January 1, 2008

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 January 1, 2008 shall be as set forth on the following fee schedule:

Principal Engineer (Expert Testimony)	\$112.00 / hour
Principal Engineer/Township Engineer	\$98.00 / hour
Sr. Project Manager	\$92.00 / hour
Project Manager	\$86.00 / hour
Sr. Project Engineer/Surveyor	\$80.00 / hour
Project Engineer/Surveyor	\$74.00 / hour
Inspection Manager	\$78.00 / hour
Engineer/Surveyor	\$66.00 / hour
Sr. Engineering Technician/CAD Operator	\$62.00 / hour
Engineering Technician	\$52.00 / hour
Administrative Assistant	\$40.00 / hour
Engineering Aide	\$36.00 / hour
Sr. Construction Observer	\$66.00 / hour
(Premium - After 4:00 P.M. & Weekends)	\$84.00 / hour
Construction Observer	\$56.00 / hour
(Premium - After 4:00 P.M. & Weekends)	\$70.00 / hour
3-Man Survey Corps	\$130.00 / hour
2-Man Survey Corps	\$110.00 / hour
3-Man GPS Survey Corps (w/GPS Equipment)	\$144.00 / hour
2-Man GPS Survey Corps (w/GPS Equipment)	\$128.00 / hour
1-Man GPS Survey (w/GPS Equipment)	\$100.00 / hour

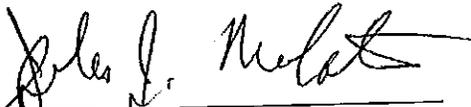
Mileage: Mileage will be charged at \$0.40 (40c per mile) as measured from the Township Building to the site. Mileage to/from Metz office will not apply

These rates include all 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 8th day of January, 2008.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Attest: 
Paul A. Leonard, Secretary


Jules J. Mermelstein, President

RESOLUTION

NO. 1978

A RESOLUTION TO DESIGNATE THOSE EMPLOYEES OF
THE TOWNSHIP OF UPPER DUBLIN WITH THE AUTHORITY TO
ENFORCE AND ADMINISTER THE PENNSYLVANIA CONSTRUCTION CODE ACT
AND ITS IMPLEMENTING REGULATIONS

WHEREAS, the Pennsylvania Construction Code Act, 1999, Nov. 10, P.L. 491, No. 45, 35 P.S. § 7210.101, *et seq.*, established a uniform construction code in Pennsylvania and imposed powers and duties on municipalities with respect to the inspection and regulation of building construction; and

WHEREAS, the Pennsylvania Department of Labor and Industry adopted regulations implementing the Uniform Construction Code pursuant to the Pennsylvania Construction Code Act, said regulations adopted January 9, 2004, effective April 9, 2004, and published in 34 Pa.B. 319, and codified at Title 34, Part XIV of the Pennsylvania Code; and

WHEREAS, by Ordinance No. 1132 adopted June 15, 2004, the Township of Upper Dublin elected to administer and enforce the provisions of the Pennsylvania Construction Code Act and adopted the Uniform Construction Code as contained in Title 34, Part XIV of the Pennsylvania Code; and

WHEREAS, the Pennsylvania Construction Code Act and its implementing regulations specify the required duties and qualifications of individuals charged with municipal administration and enforcement of the Uniform Construction Code, said individuals being identified as follows:

1. Municipal Code Official. An individual employed by a municipality or more than one municipality and certified by the Department of Labor and Industry under this act to perform plan review of construction documents, inspect construction or administer and enforce codes and regulations under this act or related acts. 35 P.S. § 7210.103;

2. Construction Code Official. An individual certified by the Department of Labor and Industry in an appropriate category established under section 701(b) of the act (35 P.S. § 7120.701(b)) to perform plan review of construction documents, inspect construction or administer and enforce codes and regulations in that category under the act or related acts under section 103 of the act. 35 P.S. § 7210.103 and 34 Pa.Code § 401.3;

3. Code Administrator. A municipal code official, construction code official or third-party agency certified with the Department of Labor and Industry under the act or the Department of Labor and Industry under section 103 of the act (35 P.S. § 7210.103). The term includes an individual certified in a category established under 34 Pa. Code Part XIV to perform plan review of construction documents or administer and enforce codes and regulations in that category under the act or related acts. 35 P.S. § 7210.103 and 34 Pa.Code § 401.3;

4. Building Code Official. A construction code official, or the building code official's designee, who manages, supervises and administers building code enforcement activities under 34 Pa. Code § 401.7(a)(18) (relating to certification category specifications). Duties include, but are not limited to: management of building code enforcement activities; supervision of building inspectors or

plan examiners; authorizing issuance of certificates of occupancy; issuance of building permits, violation notices and orders to vacate; and the initiation of prosecutions. 34 Pa.Code § 401.3; and

WHEREAS, pursuant to 34 Pa.Code § 401.8(18), a municipality that operates an enforcement program under the Pennsylvania Construction Code Act must employ at least one person certified or registered as a Building Code Official to manage, supervise and administer building code enforcement activities; and

WHEREAS, pursuant to 34 Pa.Code § 403.3, a Building Code Official may delegate his duties to enforce the Pennsylvania Construction Code Act to a Construction Code Official or Code Administrator; and

WHEREAS, pursuant to 34 Pa.Code § 401.15, Code Administrators must meet the training and certification requirements specified by 34 Pa. Code Chapter 401 to engage in plan review and inspection of buildings and structures.

NOW THEREFORE, BE IT RESOLVED by the Board as follows:

1. Having met the necessary training and certification requirements, the following Township employees are designated to administer and enforce the Pennsylvania Construction Code Act, and its implementing regulations and ordinances, by and through their respective positions and within the scope of their respective training and certification:

a. Building Code Official –

Roger Mason

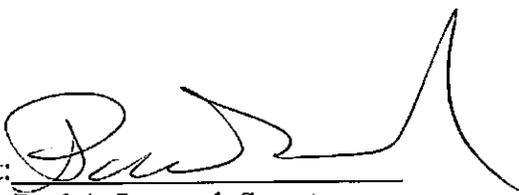
b. Code Administrators –

Gregory R. Breyer
Robert Scholly, Jr.
Timothy P. Schuck

2. The said named individuals will retain their Township designated duties under the Pennsylvania Construction Code Act as long as they remain employed by the Township in their respective positions, or until they no longer meet the required training and certification requirements for their designated duties.

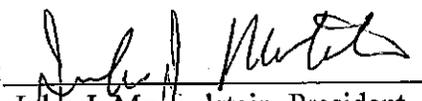
RESOLVED this 19th day of February, 2008, at a public meeting of the Board of Commissioners.

Attest:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:


Jules J. Mermelstein, President

Resolution No. 1979

A resolution by the Upper Dublin Township Board of Commissioners approving submission of an application to Montgomery County for trails funding through the Green Fields/Green Towns Program.

WHEREAS, the Upper Dublin Township Board of Commissioners passed Resolution No. 1901 on April 11, 2006 adopting an *Open Space and Environmental Resource Protection Plan (2005) (Open Space Plan)* which provides a solid framework and recommendations for short-term and long-range plans and strategies for acquisition, development and maintenance of open space and environmental resources within and around the Upper Dublin community; and

WHEREAS, as an outgrowth of its *Open Space Plan*, Upper Dublin Township has developed a trails plan that shows an interconnected trail and pathway system to enhance pedestrian and cyclist mobility and provide increased recreation opportunities both within and around Upper Dublin Township and beyond with connections to existing and planned Montgomery County trails; and

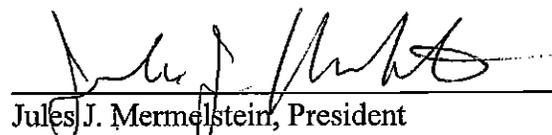
WHEREAS, Montgomery County provides matching funds to assist local municipalities achieve their open space goals and objectives through various program options under the Green Fields/Green Towns Program;

NOW, THEREFORE, BE IT RESOLVED, that the Upper Dublin Township Board of Commissioners hereby authorizes staff to submit a County Trail Connection Grant Application to Montgomery County for the matching funds to help implement its trails plan.

Signed this 19th day of February A.D. 2008.



Paul A. Leonard
Upper Dublin Township
Manager / Secretary



Jules J. Mermelstein, President
Upper Dublin Township
Board of Commissioners

**RESOLUTION
NO. 1980**

**RESOLUTION TO GRANT PRELIMINARY LAND DEVELOPMENT APPROVAL
UPON THE APPLICATION OF THE UPPER DUBLIN SCHOOL DISTRICT
FOR THE UPPER DUBLIN HIGH SCHOOL**

WHEREAS, the Upper Dublin School District has made application for Preliminary Land Development approval to construct a new high school on a tract bounded by Loch Alsh Avenue and Ft. Washington Avenue (North Parcel) and a new bus maintenance garage adjacent to the Ft. Washington Elementary School on a tract bounded by Loch Alsh Avenue, Ft. Washington Avenue and Highland Road (South Parcel); and

WHEREAS, the School District has submitted Preliminary Plans dated May 29, 2007 and received January 28, February 4 (interim submissions) and last revised February 11, 2008, as prepared by CMX (formerly Schoor DePalma, Inc.), Sheets 1 thru 91, with supporting reports as set forth in the letter report of Metz Engineers dated February 15, 2008 and incorporated by reference, 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, Chapter 158 – Nuisance, Upper Dublin Township Engineering and Construction Standards and Improvements Procedures (ECSIP) and principals of currently accepted engineering practice; and

WHEREAS, based on reviews by the Township Engineer, Township Sewer Engineer, Township Traffic Engineer, Township Planner, Township Staff, Bucks County Water and Sewer Authority, and various Township and County 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 preliminary land

development 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 preliminary approval of the Development in accordance with the Plans, conditioned on resolution of the following to the Township's satisfaction:

1. Within one year from the date of this approval, the School District will submit final Land Development Plans which will conform to the Preliminary Plan and which will incorporate the comments set forth in the following review letters/memoranda, all of which are attached hereto and incorporated into this Resolution by reference:

- Metz Engineers, Inc., Township Engineer, letter dated March 7, 2008.
- Metz Engineers, Inc., Township Engineer, Ft. Washington Ave. Review, letter dated March 7, 2008.
- Elizabeth Rogan, Land Planner, letter dated February 15, 2008.
- Conestoga Rovers Soils and Stormwater Report dated February 4, 2008.
- Stan Stubbe lighting review report dated February 14, 2008.
- Rick Collier landscape review report dated February 18, 2008.
- Upper Dublin Township Planning Commission report dated February 21, 2008.
- Adrienne Eiss, Traffic Engineer, last revised report dated March 11, 2008.
- Upper Dublin Township Fire Marshall report.

2. Upper Dublin Township agrees to waive standard filing fees for the preliminary and final plans. However, the actual cost of professional fees, inspection fees, testing fees, sub-consultant fees and administration expenses associated with the filing and review of the plans will be billed to the School District and payment must be current as of the date the final plans are filed.

3. Waivers have been requested as follows:

(a) Waiver of the requirement to construct the applicant's half of the cartway of Ft. Washington Avenue and Highland Avenue to 26 feet, but rather to construct it at 19 feet and 22.5 feet respectively.

(b) Waiver of the requirement to construct all parking spaces "off street", but rather to allow 25 parking spaces presently constructed within the ultimate right-of-way of Loch Alsh Avenue to be counted towards the required number of parking spaces, although the School Board is requested to consider relocating these spaces at a future date for aesthetic purposes.

(c) Waiver of the requirement that no more than 36 parking spaces may be constructed with a physical separation created by a 10 foot wide planting strip.

(d) Waiver of the requirement to provide a 25 foot wide aisle within a parking area, but rather to provide 22 foot wide parking aisles.

(e) A partial waiver of the requirement to provide concrete curbs along each side of access driveways and parking lots.

(f) Waiver of the requirement to provide curbs with 8 inch reveals within parking lots, but rather to provide curbs with 6 inch reveals.

(g) Partial waiver of certain outdoor lighting requirements required by §158-14 to eliminate one (1) light fixture between the existing gas pipelines and to use a streetlight with a slightly lower illumination level at the driveway adjacent to the proposed pool.

(h) Partial waiver from Section 206-104.B(3) in drainage areas C to allow a pre to post-stormwater increase of less than one (1) CFS for the $\frac{3}{4}$ inches of rain in 24 hours storm event.

(i) Waiver of the planting requirements for stabilizing slopes with 10-20% grade. Applicant will add a note to the Plans indicating the landscape treatment it proposes or will provide a reference to another plan for specifications. That plan will be subject to the Township's subsequent approval.

These waiver requests (a) thru (i) are hereby granted.

4. Prior to recording of the final plans, the School District shall 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 and the Final Plan Resolution. The amount and form of the financial security with regard to public improvements, including landscaping, shall be approved by the Township Engineer and Township Solicitor. Following completion of the Project the School District shall provide a maintenance security for the public improvements. The maintenance period for landscape materials shall be not less than three years.

5. If Upper Dublin Township contributes to the cost of construction for the purpose of enabling joint use of portions of the Project, the Township and the School District will enter into a Joint Use and Maintenance Agreement to define the responsibilities for such use.

6. The plan shows use of a driveway by the School District across property of the Township known as the Bub Farm. A permanent easement agreement for this purpose must be entered into between the two parties prior to final plan approval.

7. It is anticipated that the School District will require use of the Bub Farm driveway during the construction phase and that construction vehicles and others will be traveling across Township and School District property from Susquehanna Road to Loch Alsh Road. At the conclusion

of construction the School District shall repair any damage and install a wearing course the entire length of this travel lane.

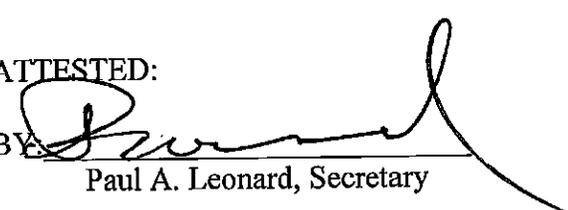
8. The school district shall submit for the approval of the Township and its Traffic Engineer a traffic management plan to address congestion along Ft. Washington Avenue during the morning peak hour while school is in session and construction is in progress.

9. The Preliminary Plan hereby approved shows a proposed bus garage on the South Parcel in the vicinity of the Ft. Washington Elementary School. Land development consideration for that facility and the improvements associated with it is not being sought at the present time, nor is it being granted. Consideration by the Township of that portion of the project is being deferred until consideration of final plan approval for the overall project.

RESOLVED by the Board of Commissioners of Upper Dublin Township this *11th* day of March, 2008.

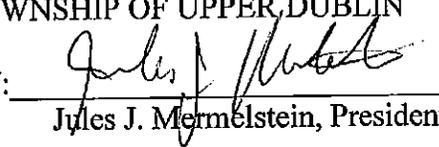
ATTESTED:

BY:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY:

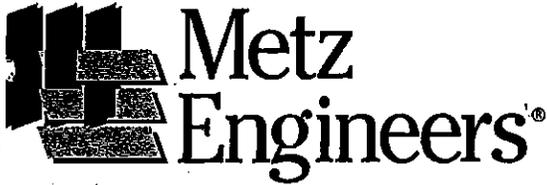

Jules J. Mermelstein, President

ACCEPTANCE

On behalf of the applicant, Upper Dublin School District, the conditions set forth in this resolution are accepted.

UPPER DUBLIN SCHOOL DISTRICT

BY: _____



Barry L. Wert, P.E., P.L.S.
 Jeffrey A. Wert, P.E., P.L.S.
 Robin K. Youmans, P.E.
 Kenneth M. Preiz, Sr., P.L.S.
 Cynthia H. VanHise, P.E.
 James R. Rudolph, P.E., P.L.S.
 Mark R. Flaherty, Survey Manager
 Joseph J. Fielder, Inspection Manager
 Wendy L. Clair, SPHR, 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

March 7, 2008

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

**RE: Preliminary Land Development – Fourth Review
 UD07.002 – Upper Dublin High School**

Dear Members of the Board:

We have reviewed the Preliminary Plans received January 28, February 4 (interim submissions) and February 11, 2008, as prepared by CMX (formerly Schoor DePalma, Inc.) 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 15, 2008.

The following comments are offered for your consideration:

Plans Submitted:

Dwg. No.	Description	Date	Last Revision
1	Cover Sheet	05-29-07	2-11-08
2	General Information Sheet	05-29-07	2-11-08
3	Overall Site Plan	05-29-07	2-11-08
4	Record Plan – North Parcel (View A)	05-29-07	2-11-08
5	Record Plan – North Parcel (View B)	05-29-07	2-11-08
6	Record Plan – South Parcel (View C)	05-29-07	2-11-08
7	Record Plan – South Parcel (View D)	05-29-07	2-11-08
8	Existing Features Plan (View A)	05-29-07	2-11-08
9	Existing Features Plan (View B)	05-29-07	2-11-08
10	Existing Features Plan (View C)	05-29-07	2-11-08
11	Demolition Plan – Phase 1A (View A)	05-29-07	2-11-08

Herbert H. Metz, Inc. Since 1912

57	Erosion & Sediment Control Plan – Phase 1B (View C)	05-29-07	2-11-08
58	Erosion & Sediment Control Plan – Phase 2 (View A)	05-29-07	2-11-08
59	Erosion & Sediment Control Plan – Phase 2 (View B)	05-29-07	2-11-08
60	Erosion & Sediment Control Plan – Phase 2 (View C)	05-29-07	2-11-08
61	Post-Construction Stormwater Mgmt. Plan – (View A)	05-29-07	2-11-08
62	Post-Construction Stormwater Mgmt. Plan – (View B)	05-29-07	2-11-08
63	Post-Construction Stormwater Mgmt. Plan – (View C)	05-29-07	2-11-08
64	Plan and Profiles – Sanitary	05-29-07	2-11-08
65	Plan and Profiles – Sanitary	05-29-07	2-11-08
66	Plan and Profiles – Roadway	05-29-07	2-11-08
67	Plan and Profiles – Roadway	05-29-07	2-11-08
68	Plan and Profiles – Roadway	05-29-07	2-11-08
69	Plan and Profiles – Stormwater	05-29-07	2-11-08
70	Plan and Profiles – Stormwater	05-29-07	2-11-08
71	Plan and Profiles – Stormwater	05-29-07	2-11-08
72	Plan and Profiles – Stormwater	05-29-07	2-11-08
73	Plan and Profiles – Stormwater	05-29-07	2-11-08
74	Plan and Profiles – Stormwater	05-29-07	2-11-08
75	Plan and Profiles – Stormwater	05-29-07	2-11-08
76	Site Construction Details	05-29-07	2-11-08
77	Site Construction Details	05-29-07	2-11-08
78	Site Construction Details	05-29-07	2-11-08
79	Site Construction Details	05-29-07	2-11-08
80	Erosion and Sediment Control Details	05-29-07	2-11-08
81	Erosion and Sediment Control Details	05-29-07	2-11-08
82	Storm Sewer Details	05-29-07	2-11-08
83	Storm Sewer Details	05-29-07	2-11-08
84	Storm Sewer Details	05-29-07	2-11-08
85	Post Construction Stormwater Management Details	05-29-07	2-11-08
86	Post Construction Stormwater Management Details	05-29-07	2-11-08
87	Sanitary Sewer Details	05-29-07	2-11-08
88	Water Line and Gas Line Details	05-29-07	2-11-08
89	Landscape Details	05-29-07	2-11-08
90	Autoturn Bus Exhibit	05-29-07	2-11-08
91	Autoturn Fire Truck & Semitrailer Exhibit	05-29-07	2-11-08
1 of 3	Pre-Development Drainage Area Plan	05-29-07	2-11-08
2 of 3	Post-Development Drainage Area Plan	05-29-07	2-11-08
3 of 3	Inlet Drainage Area Plan	05-29-07	2-11-08
1 of 9	Pre-Development Drainage Area Plan (View A)	05-29-07	2-11-08
2 of 9	Pre-Development Drainage Area Plan (View B)	05-29-07	2-11-08
3 of 9	Pre-Development Drainage Area Plan (View C)	05-29-07	2-11-08
4 of 9	Post-Development Drainage Area Plan (View A)	05-29-07	2-11-08
5 of 9	Post-Development Drainage Area Plan (View B)	05-29-07	2-11-08
6 of 9	Post-Development Drainage Area Plan (View C)	05-29-07	2-11-08

Residential. The parcels are surrounded by Ft. Washington Avenue, Susquehanna Road and Highland Avenue and bi-sected by Loch Alsh Avenue.

Zoning Ordinance – Chapter 255

1. Public schools are identified as a permitted use. A bus garage facility has existed on the existing high school site as an accessory building or use (definition S.O. 255-7) serving all of Upper Dublin School District schools. The Applicant has proposed the replacement of the bus garage as an accessory building or use to be located on the parcel south of Loch Alsh Avenue where the existing Ft. Washington Elementary School may serve as the principal building. Bus garages are not a permitted use with "A" Residential. Z.O. 255-39. The Applicant has requested a Text Amendment to the Zoning Ordinance so that no **variance** would be required.

2. Building coverage is restricted to fifteen (15) percent and impervious coverage to twenty-five (25) percent on each parcel. The high school parcel, north side of Loch Alsh Avenue, will contain 11.7 percent building coverage and the impervious coverage will be increased from 29.72 (existing non-conforming) to 38.41 percent with the proposed Plan. The impervious coverage proposed increases to 43.34 percent when counting the synthetic track/football field surface and the future pool addition. The elementary school parcel, south side of Loch Alsh Avenue, will contain 6.33 percent building coverage and the impervious coverage will be increased from 19.24 percent to 29.21 percent with the proposed Plan. A **variance** is required for each parcel. Z.O. 255-43.B. The Applicant has requested a Text Amendment to the Zoning Ordinance so that no **variance** would be required.

3. The Applicant is proposing to construct temporary modular classrooms along Ft. Washington Avenue during Phase One of the school construction. These will encroach into the fifty (50) foot front yard setback along Ft. Washington Avenue for a duration of approximately two (2) years until the Phase One new classrooms are completed and the Phase Two demolition of the existing building can begin. The temporary classrooms will be removed immediately after new classrooms have a Certificate of Occupancy. Z.O. 255-43.B

The Zoning Officer has determined that the temporary classrooms on Ft. Washington Avenue do not require a **variance** for the front yard. Z.O. 255-43.B. This has been noted on the Plan.

4. The proposed building height must be provided in the Zoning Data. Z.O. 255-43.B. The Code Enforcement Official must verify building height calculations with submission of the building plans. The Applicant has requested a Text Amendment to the Zoning Ordinance so that no **variance** would be required.

5. The High School currently uses five hundred forty-one (541) parking spaces (179 on the south parcel, 334 on the north parcel, 28 parallel parking in the Loch Alsh cartway). Seven hundred twenty-five (725) spaces are proposed (179 on the south parcel, 546 on

8. A sign is required for a school to be restricted to fifteen (15) square feet with one (1) sign per street frontage allowed. The proposed school sign may need to be large in keeping with the scale of the building; no size is proposed. Z.O. 255-153

Subdivision and Land Development Ordinance – Chapter 212

1. Street signs, road signage and internal parking lot signage must be shown on the Plans prior to final approval and provided at the cost of the developer. Road names must be approved by the Board of Commissioners. Internal street names for private driveways and signs need to be added to the Plans. The regulatory signage on Ft. Washington Avenue and Loch Alsh Avenue must be in accordance with PennDOT and MUTCD Standards. The internal signage must be designed using a Civic Campus Concept. S.O. 212-15.A.(8)
2. Right-of-way width, paving width and curbing, street width, alley, street alignment and street intersection specifications shall be in accordance with the Engineering and Construction Standards in force at the time and available at the Township building. S.O. 212-15.B

Ft. Washington Avenue has an Ultimate right-of-way of one hundred (100) feet [fifty (50) feet from centerline] and a required cartway width of fifty-two (52) feet [twenty-six (26) feet from centerline]. Highland Avenue and Loch Alsh Avenue have an Ultimate right-of-way of eighty (80) feet [forty (40) feet from centerline] and a required cartway of fifty-two (52) feet [twenty-six (26) feet from centerline]. A waiver is being requested for Ft. Washington Avenue (19' half cartway width provided, 26' required) and Highland Avenue (22.5' half width provided, 26' required).

3. The Ultimate right-of-way for Loch Alsh Avenue is eighty (80) feet, which has been shown by the Applicant. It should be noted that the existing right-of-way on the north side of Loch Alsh Avenue is greater than the required Ultimate right-of-way. The front yard setback for the proposed school (50') is taken from the Legal right-of-way which is the most conservative approach. It should also be noted that the Ultimate right-of-way on the south side of Loch Alsh Avenue includes twenty-five (25) of the one hundred seventy-nine (179) south parcel spaces in the Applicant's Parking Space Tabulations. While this office has no objection to utilizing these spaces in the Tabulation, the offer of dedication would violate the requirement of S.O. 212-17.A that spaces be "provided off-street". A waiver of this requirement has been requested. In accordance with discussions with the Planning Commission, the School District is aware of aesthetic concerns that may require relocation of these twenty-five (25) spaces at a future date.
4. No one area for off-street parking of vehicles in residential areas shall exceed thirty-six (36) cars in capacity. Separate parking areas on a parcel shall be physically separated from one another by ten (10) foot planting strips. S.O. 212-17.C. The proposed parking on the North Parcel violates this requirement. The Applicant has requested a waiver from this requirement.

Sheet C7.1 – Edge of tree mass along property line with Bub Farm where new drive exists the High School property; tree mass adjacent to north edge of northernmost basin; one (1) tree at edge of PADOT basin west of West Drive and adjacent to Route 309.

Sheet C7.2 – Three (3) trees adjacent to Cardinal Stadium entry (8”).

C. Section F - Specific Planting Requirements

The Plans, Compliance Chart and Landscape Schedule must be revised as noted below:

F.(1) Street Trees

(b)[2] Street trees shall be planted no closer than two (2) feet outside the street right-of-way, no closer than three (3) feet to any public sidewalk and a maximum distance of fifteen (15) feet outside the right-of-way line. Proposed trees along Ft. Washington Avenue are within the Ultimate right-of-way. A **waiver** is supportable given that it is not expected that the Ultimate right-of-way (100’) will be required to this width for road widening.

F.(2) Softening Buffer – Softening buffers are required along side and rear yards where Screen Buffers are not required.

(b)[2] Softening Buffers must be a mix of trees and shrub (2/6 per 100 ft). They must be twenty (20) feet in width and not more than twenty (20) percent can be evergreen. The buffer between North Drive and the Medical Office requires twelve (12) trees and thirty-six (36) shrubs. It shows six (6) trees and a tree substitute of sixty (60) shrubs equivalent to six (6) trees for the required twelve (12) trees. Substitution is proposed due to utility lines and the gas easement. The Code does not specify substitution for Softening Buffers (Table 1 notes). Given the width and utilities, this substitution is acceptable and a **waiver** supportable. Also, one (1) tree (CB/S) is within ten (10) feet of the underground gas line and must be shifted to achieve ten (10) foot separation.

(b)[1][4] Bus Garage – It has been verified that a softening buffer is required between the bus garage facility and Field of Dreams. The buffer shown is acceptable, except as noted herein. The Planting Compliance Chart must indicate tree equivalents for 4-PG = 2, totaling ten (10) trees. 4-PG of the twelve (12) trees exceeds twenty (20) percent evergreen – the limit per S.O. 212-32.F.(2)(d)[1]; it must be adjusted.

Bus Garage – Black Oak (*Q. velutina*) is out of its range in Pennsylvania and not on the Township Recommended List; consider using an alternative – Blackgum, Sweetgum, Pin Oak would work well.

F.7 Landscaping on Slopes

The steep slopes information has been corrected. The steepest areas near the tennis courts are shown to be sodded per the Code. A waiver has been requested for stabilizing slopes 10-20% by other planting and is supportable. A note must be added to the Plans indicating the proposed treatment, or a reference added to another plan for specifications (Erosion & Sediment Control, as applicable).

D. Section G - Preservation and Protection of Existing Trees

All preserved trees must have Tree Protection Fence (TPF). See S.O. 212-32.E.(1)(q)

E. Section H - Replacing Trees Destroyed by Development

Tree replacement calculation is correct based on two hundred forty-nine (249) existing trees. The replacements in the Plant Compliance Table are acceptable, except as noted. The number of ornamental trees substituted is greater than fifty (50) percent the maximum permitted S.O. 212-32.H.(6), it must be adjusted. Note also that there is no AL on the Planting Schedule, although six (6) are noted in the Plant Compliance Chart for this requirement. It appears that these trees are the 6 AC (*Amelanchier Canadensis*) in the civic circle.

F. Section I - Recommended Plant List

Many of the tree and shrub species are listed on the Recommended List. Those listed below are not on the list but are acceptable.

American Elm Valley Forge (*Ulmus Americana* 'Valley Forge')

Sycamore (*Platanus occidentalis*)

Kentucky Coffeetree (*Gymnocladus dioicus*)

White Oak (*Quercus alba*)

Shumard Oak (*Q. shumardii*)

Shingle Oak (*Q. imbricaria*)

Weeping White Willow (*Salix alba* 'tristis')

Pagoda Dogwood (*Cornus alterniflora*)

Eastern Redbud (*Cercis Canadensis*)

Thornless Cockspur Honeylocust (*Crataegus crusgalli* Var. *inermis*)

Carolina Silverbell (*Helesia Carolina*)

River Birch (*Betula nigra*) – selected locations depending on exposure

- B. Improvements and signalization to the Susquehanna Road/Bub Farm driveway as discussed by McMahon Associates, with PennDOT, will include addition of traffic signals, striping, signage and related improvements. Plans for this work hereby referenced are incorporated herein. Costs of these improvements should be escrowed with the appropriate agency.
 - C. Design and construction of the Signal Improvements shall be in accordance with the Township's Standards in the ECSIP.
 - D. We recommend that an updated Traffic Impact Study be completed two (2) years after the completion of the High School construction. This follow-up study will be paid for by the School District and the recommendations reviewed by the School District and Upper Dublin Township.
14. We have reviewed the eight (8) sheet Set of Record Plans for survey and geometry information. The following comments pertain to those Plans:
- A. The Applicant must provide geometric closures for all parcels, proposed easements and proposed Ultimate Rights-of-Way. S.O. 212-43
 - B. The Record Plan for the south parcel (View C) has had easements added per a plan provided to the Applicant; however, the resulting depiction of easements, rights-of-way and vacated property is confusing. We recommend that the Applicant's engineer schedule a meeting with our office so that the plans can be revised to add existing easements, etc., to the Existing Features Plan and clarified existing easements and proposed easements, etc., and appropriate notes to the Record Plan. S.O. 212-43
15. All topographical and physical features surrounding [one hundred (100) feet minimum is suggested] the tract must be shown. The existing topography on Route 309 (particularly the drainage facilities in their entirety) and topography for both lots at the intersection of Hawthorne Lane and Ft. Washington Avenue need to be shown. S.O. 212-43.C.(1)
16. Road cartway widths must be dimensioned. S.O. 212-43.C.(1)(a)
17. 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.
18. 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.

- B. The Storm Report lists an outlet structure for Basin C with numerous orifices and weirs, but this information does not match the outlet structure listed in the DMJM+Harris, Inc. report dated October 2004. The discrepancy between the two plans needs to be addressed.
5. Post-Construction Comments – Stormwater Management Report:
 - A. The overall design of the infiltration swales needs to be clarified for contractor to construct (Sheet 86). Revise the Table to include the swale side slopes, channel slope, top of grate elevation, maximum depth of swale and swale invert at end of swale.
 - B. The depth of all proposed infiltration swales needs to be provided on the Plan and the grading clearly defined. The engineer has indicated the swales will be one (1) foot deep. However, the depth versus grade is not consistent with the lengths provided. This issue will directly affect to volume of storage. Each swale should be reviewed with regard to one (1) foot depth versus proposed grading.
6. There is a potential timing issue with the use of Basin C. The basin will be expanded by PADOT as a sedimentation basin for the Route 309 Project and ultimately into a permanent detention basin. However, runoff for the school property will need to traverse the basin. The school has provided a sedimentation trap/basin (needs to be labeled on the Plan) to address their sedimentation needs. However, is the PADOT sedimentation basin adequately designed to handle both the sedimentation issues for the PADOT project and the stormwater runoff issues for the school? We suggest a meeting with DMJM+Harris, Inc., CMX, Rick Collier and our office to address this volume and timing issue. The routing of Basin C cannot be completed until the basin outlet structure, volume and timing issues have been addressed.
7. A Profile must be added for all of the underground storage facilities. For BMP F10C-F10E it must be from Inlet 405A-433, for BMP 10A-10B it must be from Inlet 404-420, for BMP D6 from Inlet 314-313A and through entire length of thirty (30) inch pipe, for BMP D4 through the facility parallel to the centerline of West Drive, and for BMP C8 it should be in the middle of the facility in a northwest/southeast direction. This Profile View must provide information on utility crossings and cover.
8. The bottom elevations for Rain Garden B1 and B2 are 276.00 and 273.00 respectively. However, the design grading does not match the rain garden inverts. Revise the proposed Grading or Design Calculations accordingly.
9. The Post-Development Time of Concentration for Area C is noted as 30.8 minutes, based on Area C2. The entire Drainage Area C contains twenty-one (21) drainage areas, fifteen (15) of which have a Time of Concentration of less than ten (10) minutes. Due to the weighted impervious coverage being located on the low end of the drainage area, we would suggest the Time of Concentration of 24.7 minutes for Area C3 be utilized.

storm sewer and stormwater management system. Metz Engineers will continue to review the details of the design.

Engineering Standards (ECSIP)

1. Show and label top of curb and bottom of curb elevations throughout all areas with curb. Also, show end tapers of curbing. Show and label all retaining wall elevations (top of wall, bottom of wall) on this sheet and all grading and drainage sheets. Sheet 34, Grading and Drainage Plan (View A)
2. In the Profile Views, some the inlet boxes are labeled as standard inlets. Several inlets have larger pipes entering the short direction where standard boxes will not work (i.e. Inlet 204). Each inlet needs to be clearly identified with the box size to accommodate larger pipes. Correct all inlets and manholes on this sheet and all Profile Sheets. Sheet 69, Plan and Profiles
3. On this sheet and all Plan and Profile Sheets showing underground basins, the Plans need to label all basins as well as all structure numbers in the Plan View. Also add a structure at each corner for access and maintenance and show structures within the Profiles. Sheet 69, Plans and Profiles. It is noted that manholes have been added at certain corners but not all corners. Due to the size of these basins, the number of proposed manholes is not sufficient to properly maintain. Also, where basins have crossover pipes into other underground basins, inadequate access has been provided. Additional cleanout manholes are required at these intersections too.
4. Provide a Profile for STM900-901 on the Profile Sheets. Sheet 69, Plan and Profiles
5. Several inlets are shown with sumps or depths that exceed nine (9) feet maximum depth for standard design per PennDOT RC Standards. All inlets that exceed nine (9) feet depth require a modified design; i.e., thicker base and walls, extra reinforcement, access consideration, etc. Sheet 69, Plan and Profiles. The Applicant has added a Note for standard boxes on Sheet 82. A Note also must be added for larger inlet boxes.
6. Several inlets and pipe lengths do not have the required two (2) feet minimum cover over top of the pipe to finish grade or top of grate; i.e., Inlet 316, etc. Sheet 70, Plan and Profiles, ECSIP IIC3e. The Applicant must request a **waiver** from this requirement and add it to the list on Sheet 2. The Applicant must clearly note where two (2) feet of cover cannot be achieved so that a higher class pipe (Class 5) or elliptical pipe can be specified.
7. Provide details for each underground basin. Label manifolds, tees, bell and spigot joints, type of perforations, etc. Provide a structure at each corner for access and maintenance; i.e., 4 x 4 inlet box with manhole top or inlet top, etc. Add a Note: "All HDPE pipe to be ADS N12 ST IB or approved equal". Sheet 85, Post-Construction Storm Management Details. See Item 3 above.

7. On Sheet 6:

The missing storm sewer easement for the pipe draining the rear of the Upper Dublin Township has been shown graphically. For Final Plan Approval, it must be clearly shown, with Metes and Bounds, and a Note indicating it is granted in favor of Upper Dublin Township.

8. Additional detail is required for the Loch Alsh Avenue construction. The proposed improvements (including storm sewer) to Loch Alsh Avenue, which graphically show no parking and a boulevard type roadway, must be detailed in order for Metz Engineers to commence their review. It is our understanding that the design/construction of Loch Alsh Avenue is to be a shared effort between Upper Dublin Township and Upper Dublin School District. This effort requires coordination because there are driveways and utilities which connect to Loch Alsh Avenue so the design timing cannot adversely affect the High School Construction Schedule.

The present design calls for Gore striping to be used in place of curbed islands along Loch Alsh Avenue and is part of the School District's base bid for this project. The Planning Commission and Board of Commissioners should discuss the current interim proposal for Loch Alsh Avenue.

It is our understanding that the School District is responsible for milling and repaving the entire width of Loch Alsh Avenue (from Ft. Washington Avenue to Route 309) curb and sidewalk replacement on the north side of Loch Alsh Avenue, stripping the proposed center islands and construction of a pavement texture strip to create a bike lane. Upper Dublin Township is responsible to curb and landscape the center islands. It is unclear at this time if street lighting on Loch Alsh Avenue is proposed. This should be discussed and agreed to between the Township and the School District.

In addition, the School District will construct, as part of their improvement of Loch Alsh Avenue, a four (4) inch diameter SDR 40 PVC conduit (with pull rope) along their entire Loch Alsh Avenue frontage and crossing under Loch Alsh Avenue at the four (4) proposed utility crossings.

9. On Sheet 34:

- A. Add a Note repeating the Sheet 2, Note 17, information at the West Drive connection to the Bub Farm.
- B. Pipe information on the facilities crossing under Route 309 must be added to the Plan. The pipes must be shown in their entirety (including downstream endwall, invert, and location).

Applicant has responded that “there is no known past use of the South Parcel that would necessitate the completion of a Phase I study.”

15. The Upper Dublin Township Sidewalk, Pedestrian Trail and Bicycle Route Map lists the Williams Pipeline Right-of-Way as a “recommended walking path”. Since sidewalks exist on Loch Alsh Avenue and Ft. Washington Avenue and the School District is constructing a pedestrian sidewalk/walkway from Loch Alsh Avenue to the Bub Farm, we do not see the benefit of a pipeline walkway.

Also, we have provided the Applicant’s engineer with a more detailed Plan focusing on the Upper Dublin High School site and showing radii of one-half mile and one mile from the proposed project with areas of missing sidewalk noted. As they have done on a previous occasion, we have requested that the School District assess these missing sidewalk segments and provide recommendations to the Township regarding which segments should be constructed in order to minimize bus routes while maximizing reasonable, safe walking routes for students.

We recommend the Board of Commissioners review and discuss this issue with the Applicant.

16. The existing Bus Garage is to be demolished prior to the construction of the new Bus Garage completion. The Applicant has responded that “the School District is in the process of arranging for offsite storage of buses during construction.” The Township needs to be satisfied that an acceptable interim location has been secured for the buses prior to approval. We recommend that prior to granting approval that the Upper Dublin School District present information concerning facility capacity, traffic safety, etc. for the review/approval of Township staff. Label the proposed Bus Garage as “Future”.
17. On Sheet 81:
 - A. Inlet 700 must be proposed in a sump condition. Inlets 701, 702, 802 and 803 are now proposed to be in a sump condition to maximize efficiency. Provide detail for construction.
18. The Applicant must clearly show the temporary classroom and its proximity/relationship with the existing sidewalk. The Detail described in the response letter must be added to the Land Development Plans to confirm the relationship between the existing sidewalk and temporary classrooms.
19. The Loch Alsh Avenue construction must clearly show the extent of the curb and sidewalk to be replaced.
20. The area of the baseball field east of West Drive has existing grades that are very flat. This occurs in the area from center field to first base and in the area behind the third base bench. While this is an existing condition, we recommend the School District address this issue when construction is occurring in the areas nearby. The Applicant has

25. The slopes proposed below the northernmost ball field are less than the two (2) percent minimum requirement. Sheet 34, Grading & Drainage Plan (View A)
26. The Road Profiles for Loch Alsh Avenue and Ft. Washington Avenue should be submitted with clear centerline, top of curb, bottom of curb, back of sidewalk grades, grades on curb returns and positive drainage to ensure proper drainage at the site entrances.
27. The swales shown upstream of Inlets 200 and 300 and the swale adjacent to Inlet 209 are less than the two (2) percent minimum required. This is acceptable provided the appropriate seed mix approved by the Township Landscape Consultant is utilized for the surface vegetation. Sheets 34 and 35, Grading & Drainage Plan (View B)
28. The grading at the proposed Bus Maintenance Garage has been shown higher than finish floor on the east side of the building. A Note must be added to the Grading Plan indicating maximum lifts of fill material and compaction requirements in this controlled fill area.
29. Per the Endwall Detail on Sheet 84, all endwalls/headwalls require splash pads. If Endwall 902 is installed in its proposed location, the splash pad would be on top of the existing sanitary manhole. We suggest pulling the endwall back far enough so that it will not disturb the manhole with installation or construction equipment.
30. The amended Right-of-Way Agreement with Transcontinental Gas Pipeline's successor indicating their approval of the driveway and parking lot proposed in their right-of-way must be provided for review.
31. The Upper Dublin School District Emergency Action Plan has been revised and re-submitted. The Fire Marshal and/or appropriate UDT official must review.
32. The Applicant is proposing to add an emergency generator for the water pumps that exist at the intersection of Ft. Washington Avenue and Loch Alsh Avenue (South Parcel) in an effort to improve the pressure/fire flows in the existing Ambler Borough Water System. A Plot Plan has been submitted but not reviewed within this letter. It is incorporated herein by reference. Discussions with Ambler Borough are ongoing and should include the discussion of an interconnection with North Wales Water Authority's facilities on Susquehanna Road.
33. Minor Drafting and Detail Items have been provided to the design engineer under separate cover.
34. Additional traffic impact is created with the placement of more parking near the Field of Dreams on the South Parcel. This entire area is supported by one (1) entrance to Loch Alsh Avenue. A second entrance/exit driveway is recommended from Ft. Washington Avenue which will greatly reduce traffic in the Loch Alsh Avenue work zone.

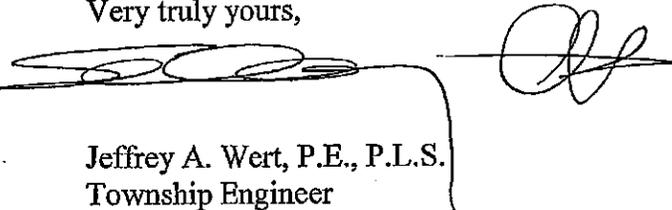
42. Add “for both West Drive and the parallel sidewalk/walkway” to the Right of Access Note on Sheet 4.

Permits, Reviews and Approvals:

1. Upper Dublin Township Public Works Department review.
2. Upper Dublin Township Parks and Recreation Department review.
3. Upper Dublin Township Environmental Protection Advisory Board review.
4. Upper Dublin Township Planning Commission review.
5. Upper Dublin Township Shade Tree Commission review and approval.
6. Upper Dublin Township Planner – Liz Rogan, AICP.
7. Upper Dublin Township Fire Marshall.
8. Upper Dublin Township Traffic Engineer – Orth-Rodgers.
9. Bucks County Water & Sewer Authority - Sewer Permits, Fees and Agreements.
10. Water connection agreements, fees and commitment letter.
11. Montgomery County Planning Commission review.
12. Montgomery County Health Department.
13. Montgomery County Conservation District.
 - a. Erosion and Sediment Control Plan Approval.
 - b. NPDES Permit for earth disturbance.
14. PennDOT.
 - a. Highway Occupancy Permit for widening, drainage and roadway improvements.
 - b. Traffic Signal Permits.

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

Very truly yours,



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

JAW/JRR/dkg

Attachments

- cc: Paul A. Leonard, UDT Manager, via email - Pleonard@township.upper-dublin.pa.us
Rick D. Barton, Code Enforcement via email - Rbarton@township.upper-dublin.pa.us
Dan Supplee, Pub. Works Dir., via email – Dsupplee@township.upper-dublin.pa.us
Jerry Smith, Public Works Admin., via email – jsmith@township.upper-dublin.pa.us
Gilbert High, Esquire, Township Solicitor, via email – ghigh@highswartz.com
Liz Rogan, AICP, UDT Planner, via email – ESRogan@gryphonsystems.com
Chief Terry Thompson, Police Depart. – tthompson@township.upper-dublin.pa.us
Tim Schuck, UDT Fire Marshal, via email - Tschuck@township.upper-dublin.pa.us
Environmental Protection Advisory Board - sropski@township.upper-dublin.pa.us



Barry L. West, P.E., P.L.S.
 Jeffrey A. Wen, P.E., P.L.S.
 Robin K. Youmans, P.E.
 Kenneth M. Freiz, Sr., P.L.S.
 Cynthia H. VanHise, P.E.
 James R. Rudolph, P.E., P.L.S.
 Mark R. Flaherty, Survey Manager
 Joseph J. Flebber, Inspection Manager
 Wendy L. Clair, SPIR, Business Manager
 Ralph A. Wen, P.E., P.L.S. 1958-1991

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

March 7, 2008

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

**RE: PennDOT Highway Occupancy Plans and Report – First Review
 UD07.002 – Upper Dublin High School**

Dear Members of the Board:

We have reviewed the PennDOT Highway Occupancy Plans and Report received February 11, 2008, as prepared by McMahon Associates, Inc. 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 15, 2008.

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 11	PennDOT Cover Sheet	09-28-07	01-25-08
2 of 11	Index Sheet	09-28-07	01-25-08
3 of 11	General Notes	09-28-07	01-25-08
4 of 11	Roadway Improvement Plan	09-28-07	01-25-08
5 of 11	Grading and Driveway Profile Plan	09-28-07	01-25-08
6,7 of 11	Pavement Marking and Signing Plan	09-28-07	01-25-08
8,9 of 11	Construction Details	09-28-07	01-25-08
10 of 11	Maintenance and Protection of Traffic Plan	09-28-07	01-25-08
11 of 11	Maintenance and Protection of Traffic Plan	09-28-07	01-25-08

Reports Included with this Submission

Highway Occupancy Permit Roadway Drainage Report, last revised January 2008 prepared by McMahon Associates, Inc.

Traffic Impact Study for the Upper Dublin High School dated July 2007, revised February 2008 by McMahon Associates, Inc.

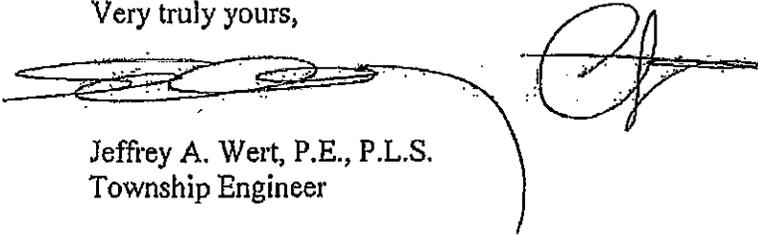
Herbert H. Metz, Inc. Since 1912

2. General Notes, Notes #15 and 16 are duplicates, also “retaining” is mis-spelled. Sheet 3
3. Construction Note, Note #1, after the words “PennDOT representative” add the following: “and the Township Engineer or the Township Engineer’s representative in the field”. Sheet 4
4. Inlet II to existing inlet – pipe has minimal cover. Label pipe as Class 5. Sheet 5
5. Concrete slab over Elliptical Pipe Detail – Change pipe bedding stone to AASHTO #57 (2B) clean stone with 2A from the haunch up over the pipe. Refer to Upper Dublin Township Detail DR326, Typical Trench Detail, dated 9/15/06, attached. (Add this Detail to the Plan.) Label the 14” x 23” pipe as Class 5. Label concrete slab as 3750 psi high early strength concrete. Sheet 7
6. Inlet II to existing inlet alternate design for utility conflict – label 14” x 23” pipe as Class 5. Sheet 7
7. Upper Dublin Township Concrete Curb Detail CC204, dated 9/15/06 – remove the note that was added to this detail which states “Detail for concrete curb to be constructed outside of PennDOT right of way”. This Detail is required for use in Upper Dublin Township. Sheet 8
8. RC 64 M Curb and Gutter – Remove this Detail. Refer to Upper Dublin Township Concrete Curb Detail CC204, dated 9/15/06, attached. Sheet 8
9. Upper Dublin Township Detail CC200, Proposed Sidewalk, dated 9/15/06 – Remove the note added to this detail which states “Detail for concrete curb to be constructed outside of PennDOT right of way”. This Detail is required for use in Upper Dublin Township. Sheet 8
10. Sidewalk Detail (McMahon) – Remove Detail from the Plans. Sheet 8
11. RC 65 M – Concrete Mountable Curb:
 - A. Note #1 – After “Section 633”, add the following: “as modified herein”.
 - B. Note #3 – After the words “lengths or sections”, add 5’ minimum/10’ maximum.
 - C. Note #4 – First sentence after the words “3/4” thick” and before the word “adjacent” add the following: “every 30 feet”.
 - D. Also add the following notes:
 - 1) Concrete shall be class AA (3750 psi), air entrained (6%) with a 4” slump (max).

Page 5 of 5
Board of Commissioners
UD07.002 – Upper Dublin High School
March 7, 2008

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

Very truly yours,

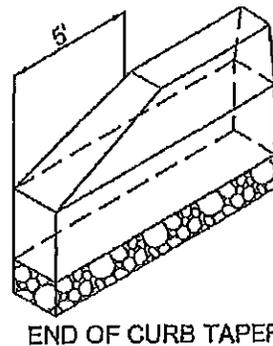
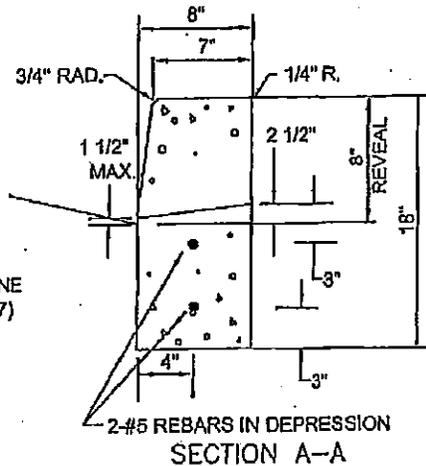
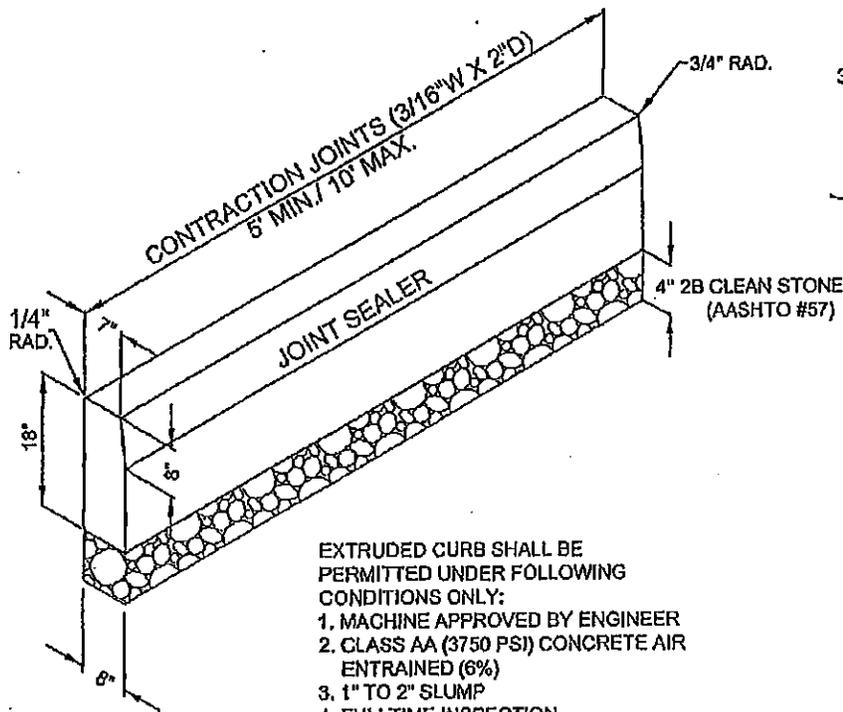


Jeffrey A. Wert, P.E., P.L.S.
Township Engineer

JAW/JRR/dkg

Attachments

cc: Paul A. Leonard, UDT Manager, via email - Pleonard@township.upper-dublin.pa.us
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Dan Supplee, Pub. Works Dir., via email - Dsupplee@township.upper-dublin.pa.us
Jerry Smith, Public Works Admin., via email - jsmith@township.upper-dublin.pa.us
Gilbert High, Esquire, Township Solicitor, via email - ghigh@highswartz.com
Liz Rogan, AICP, UDT Planner, via email - ESRogan@gryphonsystems.com
Chief Terry Thompson, Police Depart. - tthompson@township.upper-dublin.pa.us
Tim Schuck, UDT Fire Marshal, via email - Tschuck@township.upper-dublin.pa.us
Environmental Protection Advisory Board - sropski@township.upper-dublin.pa.us
Planning Commission, via email - wolfhunt@verizon.net
Shade Tree Commission, via email - ssstone@township.upper-dublin.pa.us
Bucks County Water & Sewer Authority, Glen Argue, email - GlennArgue@bcwsa.net
Montgomery County Planning Commission, via email - KChavous@montcopa.org
Orth-Rodgers & Associates, Inc., Adrienne Eiss, via email - aeiss@orth-rodgers.com
LandConcepts Group, Richard Collier, Jr., P.P., AICP, via email - RCplan@aol.com
CIE, C. Stanley Stubbe, via email - csstubbe@cs.com
Upper Dublin High School, Applicant via email - wcoleman@udsd.org
CMX, Applicant's Engineer, via email - gharris@cmxengineering.com
McMahon Associates, Inc., via email - stephanie.butler@mcitrans.com
McMahon Associates, Inc., via email - joel.desantis@mcitrans.com

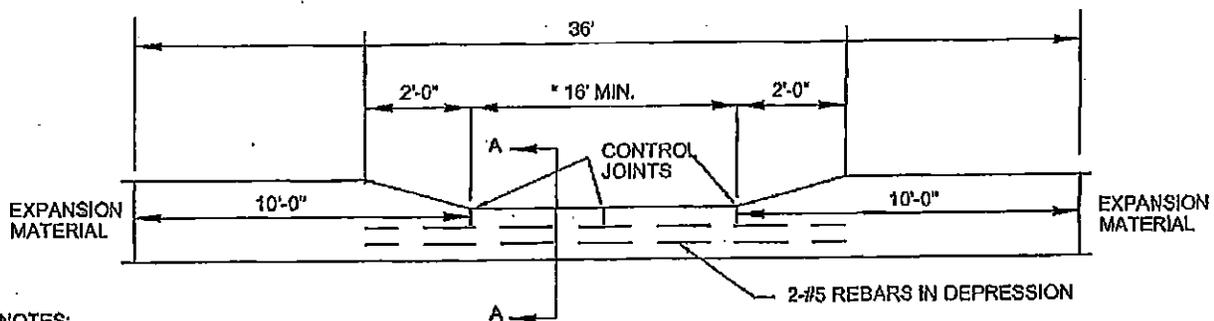


EXTRUDED CURB SHALL BE PERMITTED UNDER FOLLOWING CONDITIONS ONLY:

1. MACHINE APPROVED BY ENGINEER
2. CLASS AA (3750 PSI) CONCRETE AIR ENTRAINED (6%)
3. 1" TO 2" SLUMP
4. FULLTIME INSPECTION

FORMED CURB SHALL BE:

1. CLASS AA (3750 PSI)
2. AIR ENTRAINED (6%)
3. 4" SLUMP



NOTES:

1. 3/4" PREMOLDED EXPANSION JOINT MATERIAL SHALL BE PLACED AT 30 FOOT MAXIMUM SPACING TO FULL DEPTH OF CURB. (40 FOOT MAXIMUM FOR EXTRUDED CURB), AT STRUCTURES AND AT THE END OF A DAYS WORK.
2. CURB SHALL BE DOWEL PINNED INTO INLETS. 2-#8X1'-0" DOWEL BARS ON BOTH SIDES OF INLET.
3. 4" 2B CLEAN STONE UNDER CURB.

* 20' FOR DOUBLE WIDE DRIVEWAY ADDITIONAL WIDTH MUST BE PRE-APPROVED BY TOWNSHIP.

4. WEATHER PROTECTION SHALL BE USED IN ACCORDANCE WITH PENNDOT PUBLICATION 408, CURRENT EDITION.
5. PENETRATING SEALER TO BE APPLIED IMMEDIATELY FOLLOWING FINISHING OPERATIONS. PENETRATING SEALER TO BE AQUORON GPT2000 OR APPROVED EQUAL.

UPPER DUBLIN TOWNSHIP STANDARD DETAIL
CONCRETE CURB DETAIL

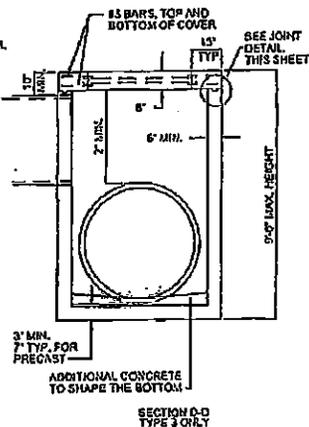
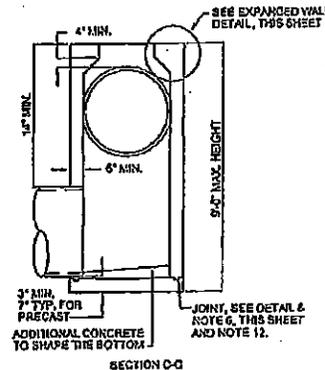
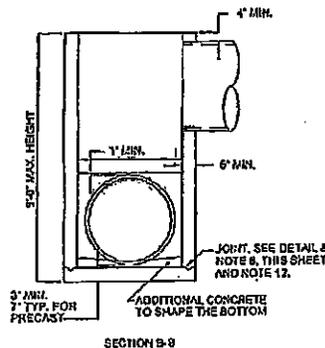
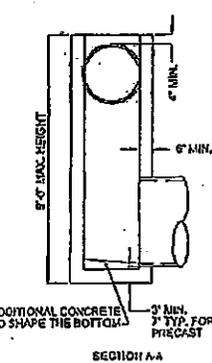
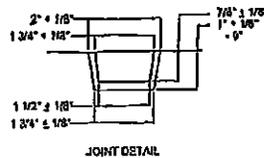
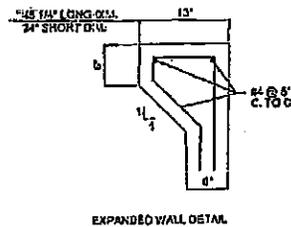
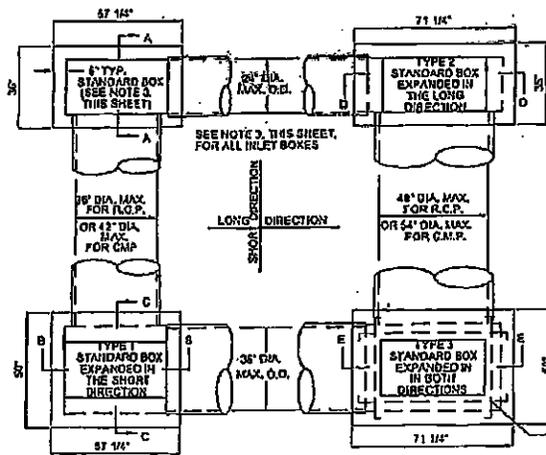


DATE

9-15-06

NOT TO SCALE

GC204



NOTES:

1. MATERIALS AND CONSTRUCTION SHALL COMPLY WITH REQUIREMENTS OF SPECIFICATIONS FORM 408, CURRENT EDITION, SECTION 603 FOR CAST-IN-PLACE, AND SECTION 714 FOR PRECAST CEMENT CONCRETE UNITS, PENNDOT RC STANDARDS CURRENT EDITION AND AS MODIFIED HEREIN.
2. MINIMUM CONCRETE COMPRESSIVE STRENGTH:
CAST-IN-PLACE CLASS AA (3750 PSI)
PRECAST CLASS AA (3750 PSI)
3. PRECAST CONCRETE INLET BOXES MAY BE USED IN LIEU OF CAST-IN-PLACE BOXES SHOWN. IF PRECAST INLET BOXES ARE USED, ONLY ITEMS SUPPLIED BY AN APPROVED MANUFACTURER AS LISTED IN BULLETIN NO. 15 WILL BE PERMITTED (SEE NOTE 8.)
4. ALL INLET BOXES SHALL HAVE THE 24" X 45 1/4" STANDARD OPENING TO ACCOMMODATE THE STANDARD TOP COMPONENTS.
5. TYPICAL INLET WALLS SHALL BE 6" UNLESS OTHERWISE INDICATED FOR CONCRETE CONSTRUCTION AND 8" FOR BRICK CONSTRUCTION.
6. INLETS THAT EXCEED THE MAXIMUM DEPTH AS SHOWN SHALL REQUIRE A SPECIAL DESIGN.
7. PIPE BLOCK-OUTS EXTENDING INTO THE BASE SHALL NOT BE PERMITTED WHEN THE BASE IS NOT MONOLITHIC WITH THE INLET WALLS.
8. PIPE OR PIPES SHALL BE LOCATED AS REQUIRED, WITH THE INLET BOTTOM SHAPED TO CHANNEL THE FLOW TOWARD THE OUTLET PIPE.
9. PRECAST BOXES SHALL BE PLACED ON A PROPERLY PREPARED BASE AS SHOWN.
10. ANY MANUFACTURER DESIRING TO BE LISTED IN BULLETIN NO. 15 FOR THESE UNITS SHALL SUBMIT A 22" X 36" SHOP DRAWING TO THE BUREAU OF MATERIALS, TESTING, AND RESEARCH FOR APPROVAL. THE SHOP DRAWING MUST SHOW ALL DETAILS INCLUDING DIMENSIONS, TOLERANCES, HANDLING REINFORCEMENT, AND ANY MANUFACTURING DRAFTS.
11. INLETS THAT EXCEED 6'-0" IN DEPTH SHALL BE CONSTRUCTED WITH STEPS SIMILAR TO THE MANHOLES.
12. PRECAST CONCRETE ADJUSTMENT RINGS REQUIRED FOR UP TO 6" OF ADJUSTMENT, FOR ADJUSTMENT 12" AND ABOVE A PRECAST CONCRETE RISER OR RISERS IS REQUIRED.
13. ALL INLETS REQUIRING CONSTRUCTION JOINTS OR KEYS FOR RISER SECTIONS AND PRECAST COVER ADJUSTMENT SLABS.
14. MASTIC OR NON SHRINK GROUT IS REQUIRED AT ALL CONSTRUCTION JOINTS OF KEYS.
15. FOR PIPE DIAMETERS LARGER THAN 48" RCP OR 54" CMP USE A MODIFIED INLET BOX. REFER TO PENNDOT RC-34M SHEET 8 OF 10 CURRENT EDITION.
16. AT NO TIME SHALL PIPES BE LOCATED IN THE CORNERS OF THE INLET BOXES.

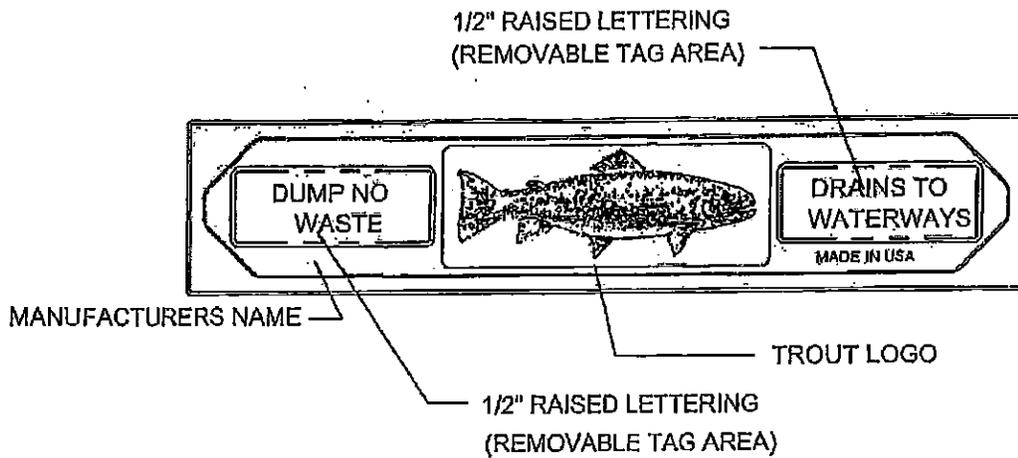
UPPER DUBLIN TOWNSHIP STANDARD DETAIL
STANDARD INLET BOXES
(PRECAST)



DATE 9-15-06

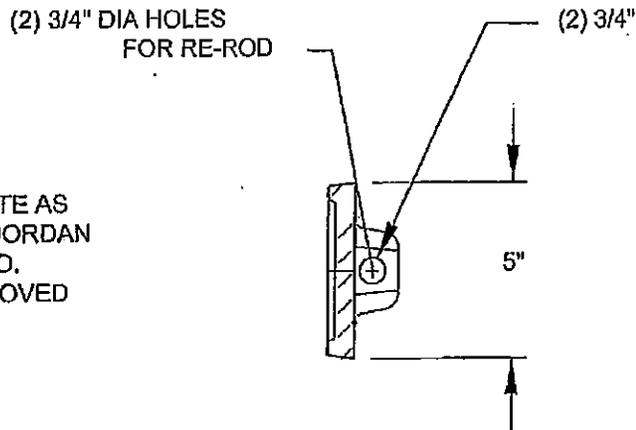
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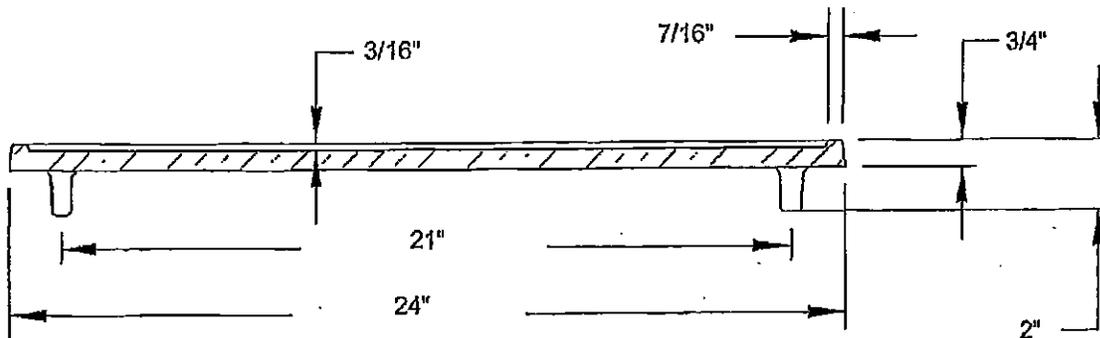


NOTE:

1. PROVIDE TROUT LOGO PLATE AS MANUFACTURED BY EAST JORDAN IRON WORKS. (PRODUCT NO. 00700160 DIPPED) OR APPROVED EQUAL.



CROSS SECTION



CROSS SECTION

UPPER DUBLIN TOWNSHIP STANDARD DETAIL
TROUT LOGO PLATE
(FOR TYPE 'C', 4' AND 6' SPECIAL INLETS)



DATE 9-15-06

NOT TO SCALE

DR347

February 15, 2008

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

RE: Preliminary Plan - UD# 07-02 - Upper Dublin High School.
Loch Alsh and Fort Washington Avenues

Dear Planning Commission Members:

The following memo is based on the Gilbert Architects and CMX preliminary plan application including supplemental reports and plans and the 91 sheet plan set dated September 10, 2007, last revised February 11, 2008, showing the redevelopment of the Upper Dublin High School site, and land north of the Fort Washington Elementary School near the "Field of Dreams."

Proposal

The application proposes the phased demolition of existing improvements on the high school property, with the exception of the football stadium, and construction of a new high school building, parking lots, playing fields, tennis courts and the location for one and two story temporary modular classrooms. Bus and employee parking and a bus maintenance garage are proposed south of the "Field of Dreams," near the Fort Washington Elementary School.

Only one temporary parking location is included in this submission, the construction of 234 parking spaces on the south side of Loch Alsh Avenue, near the proposed parking garage/maintenance building location. The Bonsell property is no longer under consideration.

Background

Township staff, Wes Wolf, the Planning Commission Chairman and Township and School District consultants have met frequently over the past few months to facilitate the expedited review of these plans. The School District is requesting the Planning Commission recommend the preliminary plans be approved so that the CPC can then review the application and make a recommendation in time for the March 11th Board of Commissioners meeting. The School District is concerned that without these approvals they will not meet their bidding and construction schedule.

The following memo identifies the remaining planning issues that must be resolved prior to approving the final plan.

Issues

- 1. Location Of Bus Maintenance Garage, Bus And Employee Parking**

The intersection of Fort Washington Avenue and Susquehanna Road will also be restriped to create opposing left turn lanes for north and south bound traffic on Fort Washington Avenue. With the changes to the school's layout and access points and the new signal at the Bub Farm driveway/Susquehanna Road intersection, and the restriping of two areas on Fort Washington Avenue, congestion along Fort Washington Avenue and its intersection with Susquehanna Road will be reduced. These changes will reduce the attractiveness of accessing Hawthorne Lane to cut through the neighborhood's narrower, less direct residential streets.

4. Impervious Cover

If the text amendments recommended by the Planning Commission are adopted by the Board of Commissioners next month the previously identified zoning code violations will be remedied.

5. Public Safety

Township staff received the district's "Emergency Guidelines" with a previous submission. The general procedure for a building evacuation calls for students to be escorted from the building to "predetermined safety areas at least 500 feet from the building." Given the location of the modular classrooms and the High School's proximity to gas pipelines, the specific locations of the High School's safety areas must be identified. I have not seen information addressing this issue.

6. Parking

The numbers of available parking spaces varies during the construction phases and in all cases there will be fewer than the 541 spaces that currently exist. In addition to the reduction in the total number of available spaces, the temporary student or employee parking located near the proposed bus storage and maintenance garage is impractical because it is inconveniently far from school building. The School District must either find alternative locations for some of this parking and/or limit the number of student parking permits issued while construction occurs. The School District representatives should be prepared to address this issue with the Planning Commissioners.

The applicant is requesting a waiver to permit the 179 spaces on the south side of Loch Alsh Avenue that are within the Ultimate Right of Way to qualify as "off - street" parking spaces. Since the spaces already exist, staff supports this request.

7 Waivers

There are approximately 11 Subdivision waivers requested, two waivers from the stormwater management regulations and one waiver requested from the lighting ordinance. The applicant must be prepared to discuss and justify each of these waivers during the discussion with the Planning Commission.

This summarizes the remaining planning and zoning issues. I look forward to discussing the plans with the Planning Commissioners and the applicant during the



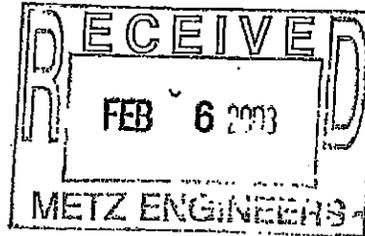
**CONESTOGA-ROVERS
& ASSOCIATES**

410 Eagleview Boulevard, Suite 110, Exton, PA 19341
Telephone: 610-321-1800 Facsimile: 610-321-2763
www.CRAworld.com

February 4, 2008

Reference No. 042823

Mr. James Rudolph, P.E.
Metz Engineers
410 Derstine Avenue
P.O. Box 647
Lansdale, PA 19446-0608



Re: Review of Soils and Stormwater Report
New High School
Upper Dublin School District
Upper Dublin Township, Montgomery County, Pennsylvania

Dear Mr. Rudolph:

Conestoga-Rovers & Associates, Inc. (CRA) was retained by Metz Engineers, Upper Dublin Township's Engineer, to review the Soil Evaluation for Stormwater Management Report and the Alluvial Soil Delineation Report prepared by CMX for the Upper Dublin High School Site. CRA reviewed CMX's report and prepared a comment letter dated January 7, 2008. In response to CRA's review letter, CMX prepared amended reports dated January 28 and January 30, 2008. We have review CMX's amended reports and offer the following comments to Metz Engineers for your consideration.

AMENDED SOIL EVALUATION FOR STORMWATER MANAGEMENT

The Soil Evaluation for Stormwater Management Report -Amended dated January 30, 2008 appears complete, well organized, and satisfactorily addresses the comments in CRA's January 7, 2008 letter. The soil profile descriptions, percolation test description logs, basin flood test description logs, and double-ring infiltrometer description logs provided appear complete and in order. Based on the data presented, the conclusions regarding stormwater infiltration seem appropriate for conditions at the site. CRA recommends that the infiltration rates measured at each proposed stormwater management facility be used to design that stormwater management facility.

AMENDED ALLUVIAL SOIL DELINEATION

CMX's Alluvial Soil Delineation - Amended dated January 28, 2008 provides the test pit logs documenting their observations near the new arch culvert supporting their re-classification of the existing soil to soil series other than Bp or BrA. The logs appear complete and in order and we concur with CMX's determination that the soil present is not an alluvial soil.

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER





STUBBE CONSULTING, LLC

1438 Shaner Drive
Pottstown, PA 19465

IES

Phone: 610 972-9803
FAX: 610 326-1402

StubbeConsulting@cs.com

February 14, 2008

Mr. Richard D. Barton
Director of Code Enforcement
Upper Dublin Township
801 Loch Alsh Avenue
Fort Washington, PA 19034

Subject: Upper Dublin High School, Upper Dublin Township
Third Site Lighting Review

Rick:

On February 11, 2008, CMX transmitted a plan set for the Upper Dublin High School Land Development, Rev. 11 dated 02/11/08. Also transmitted was a 02/11/08 letter to your office from Glenn Harris, RLA, CMX.

Site lighting is contained on Sheets SE.1 – SE.7, Rev. 0 dated 02/11/08. Proposed lighting for the parking and traffic areas consists of full-cutoff 175-watt and 70-watt metal halide luminaires pole-mounted singly and in pairs at 20' and 16' AFG. Several tennis courts are lighted by 400-watt metal halide full-cutoff forward-throw luminaires at an undisclosed mounting height. Lighting has been added to the building exterior. The lighting layout has been revised to bring the minimum illuminance level up to 0.2 maintained footcandles

Page 17 of the above referenced CMX letter states, with respect to Lighting Ordinance – Chapter 158, "A response will be provided from the lighting design engineer, Snyder Hoffman Associates." That letter has not been received by this office.

The following comments and recommendations, as required by Upper Dublin Township Code Section 158-14. Outdoor Lighting. [Added 10-8-2002 by Ord. No. 1093], are offered for your consideration:

1. Section 158-14.D.(2)(b) requires that area lighting fixtures are to meet IESNA full-cutoff criteria. The Type TC and TC2 fixtures appear to be full cutoff but to verify compliance, the .ies test file name must be provided.

It is recommended that Applicant be requested to provide on the Lighting Plan the file name of the .ies test file used to calculate the tennis court illuminance levels.

2. Sections 158-14.D.(3)(d) & (e) require that lighting be extinguished by 11:00 p.m. and proposed dusk-to-dawn security lighting not exceed more than 25% of the normal lighting.
 - a. Site Lighting Note 2. on Sheets SE.1 – SE.3 specifies that all area lights, with the exception of security lighting, shall be turned off at 11:00 p.m." The Site Light Control Diagram on Sheet SE.4 states that all lighting shall be turned off by timeclock by 11:00 p.m.

MEMO TO: Jim Rudolph
Jeffrey Wert
Gary Smith
Metz Engineers

FROM: Rick Collier
David Cavanaugh
LandConcepts

DATE: February 18, 2008

Re: Proposed Upper Dublin High School – Review 3
Ft. Washington Avenue & Loch Alsh Avenue
Landscape Plan Review
UD07.002

Per your request, we have reviewed for Code compliance the Landscape Plan submitted to Upper Dublin Township for a new high school building and associated site improvements, including parking, entry drives, stormwater management, and landscape. The site is occupied by the existing high school and is a permitted use in the A Residential zone. We have reviewed the plan based on the Township Code - Chapter 212 and Chapter 255. The plans reviewed include 91 sheets (Landscape Plans Sheets 41-44 and 89 of 91 prepared by CMX with revision date of 02/11/08. This report does not include structural review of walls, signage, or a lighting plan. From this review, we have the following comments organized by sections as contained in Chapter 212-32.

A. Section B - General Landscape Requirements

B.(9) The developer (school district) must deposit with the Township a sum of money equal to 15% of the total landscape cost. This requirement must be met once the plan is finalized and the required cost estimate is provided (per Section E. (1) (p) below).

B. Section E - Information Required on the Landscape Plan

E. (1) Landscape Plan will show the following existing and proposed information:

(p) A detailed cost estimate is required for the final Landscape Plan.

(q) Tree Protection Fence (TPF) needs to be shown where existing trees are to be saved within the site. A detail for TPF appears on Sheet 89. TPF has been added in most locations. Add TPF symbol to legend. Add additional TPF as follows:

improvements are proposed adjacent to residential (Lanahan and Gordon properties, and FW Estates). The buffers are generally acceptable. Symbols for Spruce (PG) and Fir (PM) should be drawn at minimum of 15' diameter and spaced accordingly. The others (IO, JV) are acceptable.

(b)[1] Bus Garage – An additional buffer has been provided where the bus garage faces the residential and is acceptable, except Spruce and Fir should be shown at a minimum of 15' diameter and spaced accordingly.

(b)[3] Truck Loading, Outside Storage Areas, Trash Receptacles – The service area behind the school is shown screened with White Spruce (PG). The numbers, 3 and 5, shown will result in a crowded condition with normal growth. They should be drawn at minimum of 15' diameters and fewer shown. Alternatively, it is suggested that tighter, more columnar species be used.

F.(4) Parking Area Landscaping

(f) Parking areas over 4000 s.f. closer than 50 feet from a street right-of-way shall have a continuous row of shrubs, wall, earth berm or a combination of these to a minimum height of 3'-6" at installation. These have been provided. The species selected will result in shrub rows with quite variable heights (4' to 15') as they mature within each row. Additional consideration should be given to grouping species that have more similar height and to easy maintenance.

F.5 Detention Basin Landscaping

Landscaping is provided for the rain garden basins along Rt. 309 in the northwest corner of the site. The calculation of required trees 24.5 or 25 is correct. The landscape material selected is acceptable, except as noted. A small adjustment should be made so that the substitute material (flowering trees and shrubs) does not exceed 50% of the 25 required trees per the code.

Bus Garage – Black Oak (*Q. velutina*) is out of its range in Pennsylvania and not on the Township Recommended List; consider using an alternative - Blackgum, Sweetgum, Pin Oak would work well.

F.7 Landscaping on Slopes

The steep slopes information has been corrected. The steepest areas near the tennis courts are shown to be sodded per the code. A **waiver** has been requested for stabilizing slopes 10-20% by other planting and is acceptable. A note should be added to the plans indicating the proposed treatment, or a reference added to another plan for specifications (Erosion & Sediment Control, as applicable).

Cherry Laurel (*Prunus laurocerasus*)

Additional comments:

Consider using some additional spruce species such as Norway and Serbian.

G. Other

1. The sidewalk system from the Bub Farm to Loch Alsh Avenue is an important element in the Township's trail plan. Public use as a "thru" trail is supported and may require signage. Applicant has indicated that signage will be installed consistent with Township signage.
2. Douglas Fir behind sign will be too tight as shown; indicate as minimum of 15' diameter and spaced accordingly.
3. Signage and street furniture should be addressed as part of the Landscape Plan. Note on plan indicates selection by owner. CMX response memo (2/11/08) indicates that these will be specified on the final plans and is acceptable.
4. Numerous infiltration swales are shown (#C6, C8, C10) -- are these to be planted in turf or an alternate cover. Add notes to plan to clarify.



UPPER DUBLIN PLANNING COMMISSION

Date: February 21, 2008

To: Upper Dublin Board of Commissioners
Rick Barton, Zoning Enforcement Officer

From: Chris Duerr and Wendi Kapustin, acting co-chairs

Subject: Preliminary Subdivision and Land Development Plans
Upper Dublin High School UD07.02
Loch Alsh and Fort Washington Avenues

The Upper Dublin High School Preliminary Subdivision and Land Development Plans were reviewed by the Planning Commission at their February 19, 2008, January 15, 2008, December 18, 2007, November 20, 2007, October 30, 2007 and October 16, 2007 meetings. The latest plan submission consists of a ninety-one (91) plan sheets, dated May 29, 2007 and last revised on February 11, 2008 as prepared by CMX (formerly Schoor DePalma, Inc.) Additionally, the applicant submitted the 11 sheet Highway Occupancy Permit Plans as prepared by McMahon Transportation Engineers & Planners, dated September 28, 2007, last revised January 25, 2008.

Numerous representatives for the UDSD were present at the meeting including Glenn Harris of CMX, Jim Garrity, Esq and Superintendent, Michael Pladus, to name a few.

This 79-acre project is situated on two tracts, both located in the zone 'A' Residential district.

It should be noted that Wes Wolf and Will Detweiler were both out of State and could not attend the February 19, 2008 meeting.

WAIVER REQUESTS

At their February 19, 2008 meeting, the Planning Commission unanimously recommended that the Board of Commissioners give consideration to granting the following waivers:

1. **Waiver of SALDO , Section 212-15.B** – requiring a 52 foot wide cartway width (26' from centerline) for portions of Highland and Fort Washington Avenues fronting the school properties. The existing curb-to-curb widths on the two subject roadways are

Wesley J. Wolf, Chairman Willard S. Detweiler, Co-Chairmen
Edward Bercofski William C. Duerr Mari Radford Hilary E. Hartman Wendi Kapustin

9. **Partial Waiver of SALDO Section 212-32.F(2)(b)[5]** requiring certain plantings for softening buffers. A partial waiver is requested for substitution of ten shrubs per shade tree in selected areas due to the close proximity of underground utilities.
10. **Partial Waiver of SALDO Section 212-32.F(7)(B)&(C)** requiring sod or ground cover on slopes of 10% to 20% and slopes >20%, respectively. All slopes within the proposed development shall not exceed 3:1 (33%), which is considered maintainable as lawn. Applicant proposes utilizing erosion control blanketing and/or sod to establish lawns in all slope areas of 3:1.
11. **Partial Waiver of SALDO Section 212-43.A(1)** requiring plans to be at a scale not less than 1" = 100'. Record Plans and most other plans in the set are provided at scale 1" = 50' which does comply, however selected sheets are provided at scale 1" = 150' to present a comprehensive view of the site area on one sheet.
12. **Partial Waiver of Stormwater Management Ordinance Section 206-103.B(13)** requiring a minimum of two feet of cover over storm sewers. This criterion is not achievable along certain pipe sections, thereby requiring Class 5 pipe for these pipe sections.
13. **Partial Waiver of Stormwater Management Ordinance Section 206-104.B(3)** specifies that no runoff shall leave the site for all rainfall events less than 0.75-inches. The net stormwater discharge for the 0.75-inch storm event in drainage area C will be 0.76 cfs. *(It should be noted that Basin 'C' will be constructed by PennDOT and it may be possible to meet the ordinance requirement through the construction of a forebay)*

PRELIMINARY SUBDIVISION AND LAND DEVELOPMENT PLANS

The Planning Commission unanimously recommended that the Board of Commissioners give consideration to approving the Upper Dublin High School Preliminary Subdivision and Land Development Plans subject to compliance of the February 15, 2008 Liz Rogan letter, the February 14, 2008 C. Stanley Stubbe letter and the February 15, 2008 Metz Engineer letter, with the following exceptions:

1. Recommendation regarding the proposed bus garage be deferred until a later date. The School District has proposed placing temporary staff and student parking in the area of the bus garage location. At a minimum, this interim parking area will remain until completion of the Phase I Construction, which is scheduled for completion in late 2010 or early 2011. Review of a bus garage location shall continue at such time a permanent location is determined by the School District.
2. Comment #21 on page 21 of Metz Letter, which recommends that an existing baseball field be regraded sometime during the school reconstruction project. Although the comment has merit, the Planning Commission recommends that the School District not be required to complete this work at this time.



March 11, 2008

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

RE: Traffic Review
Upper Dublin High School

Dear Commissioners:

Orth-Rodgers has completed a review of materials submitted for the replacement of the existing Upper Dublin High School with a new high school located on the same site.

- Preliminary Land Development Plans dated 2/11/08 by CMX Engineering
- Traffic Impact Study dated Rev. February 2008 by McMahon Associates, Inc.
- Traffic Signal Design Report dated Rev. January, 2008 by McMahon Associates, Inc.

Recommendations are listed at the end of this letter. Our review is summarized below.

Traffic Operation upon Completion of Construction

When all construction is completed, the school access and circulation plan will result in a great improvement over existing traffic conditions at the school. The plan has adequate parking supply, and for normal daily activity all parking is accommodated on the school side (north side) of Loch Alsh Avenue resulting in fewer pedestrian street crossings during school arrival and departure times. Two parent drop-off zones are provided with adequate queuing area. Bus loading is separated from the auto circulation. Multiple points of entry/ exit result in improved school access and operation of the intersections. The intersection of Fort Washington Avenue and Loch Alsh Avenue, which currently is a bottleneck that backs up Fort Washington Avenue in both directions during the morning school arrival period, should operate much better than today.

We concur with the modifications to Fort Washington Avenue that have been submitted to PennDOT. The modifications include

- The north driveway to Fort Washington Avenue driveway widened and aligned with Hawthorne Lane.
- A northbound left turn lane striped on Fort Washington Avenue at the north driveway.
- A new exit-only driveway on Fort Washington Avenue
- Radius improvement at Loch Alsh Avenue. Fort Washington Avenue is not wide enough at Loch Alsh to stripe a separate turn lane. However, the access to the main

230 South Broad Street • Philadelphia, Pennsylvania 19102

Phone (215) 735-1932 • Fax (215) 735-5954

www.orth-rodgers.com

Hawthorne Neighborhood study

A study conducted in January of this year by Orth-Rodgers of traffic on neighborhood streets found that:

- School traffic does use Dillon Road and Hawthorne Lane to travel between Susquehanna Road and the High School from 7:00 – 7:30 am and at dismissal.
- The existing traffic lock up at Loch Alsh Avenue and Fort Washington Avenue during morning parent drop off causes backups on Fort Washington and creates the incentive to cut through. When there is no backup, the travel time using the neighborhood streets is not faster.

Upon completion of school construction, with the new school circulation, drop off points and multiple points of entry/ exit, it is expected that Fort Washington Avenue backups would disappear, reducing the incentive to cut through. Also, the striping of left turn lanes in on Fort Washington Avenue at Susquehanna Road will reduce delays at that signal, again reducing incentive to cut through the neighborhood streets.

Bub Farm Road Signal

We have reviewed the previously submitted signal plan. I understand that a final signal plan will be submitted to PennDOT the week of March 10, along with the Susquehanna/Fort Washington Avenue signal plan which adds left turn lanes in both directions on Fort Washington Avenue.

The Bub Farm intersection with Susquehanna Road will be constructed according to the PennDOT highway occupancy permit issued to Fort Washington Estates. PennDOT has approved the warrant for signaling the intersection. The traffic signal plan has been prepared based upon the intersection layout in the current approved highway occupancy permit, so that the signal can be constructed and operational in September 2008. The current plan has one lane in each direction on Bub Farm Road. The signal has been designed to allow the addition of a lane on Bub Farm Road approaching Susquehanna Road to provide separate left and right turn exit lanes. We agree that this future additional lane is desirable since it will serve to minimize the frequency and duration of red lights for Susquehanna Road traffic. Projected intersection volumes in the traffic study report also meet the warrant for a right turn deceleration lane on Susquehanna Road.

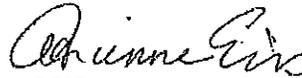
The traffic analysis shows that the Bub Farm Road/Susquehanna Road signal will operate with good levels of service. The signal will be coordinated by means of GPS time clocks with adjacent signals at the 309 off-ramp to the north and Fort Washington Avenue to the south.

The effect of the new Bub Farm Road signal on adjacent unsignalized residential streets was examined. Honey Run Drive is located 550 feet north of the Bub Farm signal; Honey Run Drive has separate left and right turn lanes and Susquehanna Road has left and right turn lanes at

7. Coordinate with PennDOT and the Township for implementation of recommended turn lanes at the Susquehanna Road and Bub Farm Road intersection within the timeframe of completion of the school construction.
8. Conduct a post-development traffic study during the first year of operation of the completed school. The scope of the study to be determined by the Township Traffic Engineer.

Please feel free to call if you have any questions concerning this review.

Very truly yours,
ORTH-RODGERS & ASSOCIATES, INC.



ADRIENNE EISS
Senior Project Manager

cc: via email

Paul A. Leonard, Township Manager
Jeffrey A. Wert, PE, P.L.S., Township Engineer
Richard Barton, Code Enforcement Director
Dan Supplee, Pub. Works Director
Jerry Smith, Public Works Admin.
Gilbert High, Esq, Township Solicitor
Liz Rogan, AIPC, Township Planner
Chief Terry Thompson, Police Department
Planning Commission
LandConcepts Group, Richard Collier, Jr., P.P., AICP
Wade Coleman, Upper Dublin High School, Applicant
Glenn Harris, CMX, Applicant's Engineer
Joseph DeSantis, McMahon Associates, Applicant's Traffic Engineer



Township of Upper Dublin: Office of the Fire Marshal

801 Loch Alsh Avenue, Fort Washington, PA 19034

Voice: 215.643.1600 x 3211

Fax: 215.643.8843

email: tschuck@upperdublin.net

To: Richard D. Barton, Zoning Officer
Jeff Wert, Metz Engineering
Upper Dublin School District
Glenn Harris, RLA, Schoor DePalma Engineers

From: Timothy P. Schuck, Fire Marshal

Date: October 29, 2007

Subject: Upper Dublin High School
Preliminary land development plan
UD # 07-02

I have completed a review of the Preliminary land development plan for the new Upper Dublin High School. I have the following comments to offer towards this project:

Upper Dublin High School

- 1) Emergency vehicle access routes for site need to be identified.
- 2) Security gates should be secured utilizing the Knox System Padlock. Both Upper Dublin Police and the Fort Washington Fire Company have these keys readily available and would be able to access the site during off hours in the event of an emergency.
- 3) The relocation of the fire sprinkler pit, fire hydrant and FDC are not indicated on all of the sheets.
- 4) No fire apparatus access or turning radius information is provided.
- 5) A fire hydrant needs to be placed on the Route 309 side of the building. This fire hydrant can operate off of the proposed water supply from Loch Alsh Ave.
- 6) Temporary roads must be constructed to support the weight of fire apparatus.

School Bus Maintenance Facility

- 1) No fire apparatus access or turning radius information is provided.
- 2) There is no indication of any fire hydrant being located near this facility.
- 3) Access gates should be secured utilizing a Knox System Padlock.

RESOLUTION
NO. 1981

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN AUTHORIZING THE ACQUISITION BY MEANS OF A DEED IN LIEU OF CONDEMNATION OF A STRIP OF LAND EIGHTY FEET (80') LONG BY THIRTY-FIVE FEET (35') WIDE REFERRED TO AS A "CONSERVATION AND ACCESS EASEMENT" ON LOT 1 OF THE LANDS OF MARY M. BICKEL, 1625 DILLON ROAD, PARCEL NO. 54-00-04750-00-2 BY THE "PLAN OF SUBDIVISION DILLON ROAD WOODLANDS" PREPARED FOR UPPER DUBLIN TOWNSHIP BY METZ ENGINEERS AND DATED FEBRUARY 8, 2008, LAST REVISED FEBRUARY 11, 2008.

WHEREAS, the Township of Upper Dublin (the "Township") has adopted a plan for open space and environmental resource protection, including the development of recreation lands, and the conservation of natural and historic resources within the Township; and

WHEREAS, the Township is authorized to acquire real estate for public purposes, including, among other things, for recreation and conservation purposes; and

WHEREAS, in accordance with Resolution No. 1967, the Township has entered into an Agreement of Sale (the "Agreement") to purchase approximately 6.6 acres of land to be subdivided in accordance with a plan titled "Plan of Subdivision of Dillon Road Woodlands" prepared by Metz Engineers and dated February 8, 2008, last revised February 11, 2008 (hereinafter the "Dillon Road Plan of Subdivision") from Montgomery County Tax Parcel Numbers 54-00-04744-008, 54-00-04745-007, 54-00-04746-006, 54-00-04747-005, and 54-00-04750-002 and which said land forms a part of the Rapp Run Woodland along Dillon Road in the Township, said land being hereinafter referred to as the "Dillon Road Woodlands"; and

WHEREAS, settlement on the Dillon Road Woodlands is scheduled to take place in late March, 2008; and

WHEREAS, by the terms of the Agreement, the Township will acquire fee simple title by means of a deed in lieu of condemnation the "Conservation and Access Easement" area located at the rear of proposed Lot #1 owned by Mary M. Bickel, 1625 Dillon Road, Parcel No. 54-00-04750-00-2, as set forth on the Dillon Road Plan of Subdivision; and

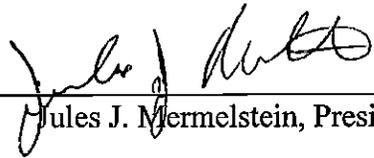
WHEREAS, concurrent with the consideration of this Resolution, the Township has approved the Dillon Road Plan of Subdivision.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the acquisition of fee simple title by deed in lieu of condemnation of the Conservation and Access Easement area located at the rear of Lot #1 of the

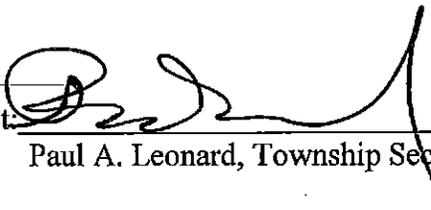
Dillon Road Plan of Subdivision owned by Mary M. Bickel, 1625 Dillon Road, Parcel No. 54-00-04750-00-2, is hereby authorized for nominal consideration exclusive of normal costs of closing. The appropriate officers of the Township are authorized to take such actions as may be necessary to carry out the intent of this Resolution, including preparing and delivering on behalf of the Township a deed in lieu of condemnation for the acquisition of the Conservation and Access Easement, and the preparation of all necessary plans confirming the acquisition and all other necessary actions for closing.

DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this *11th day of March*, 2008.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 

Jules J. Mermelstein, President

Attest: 

Paul A. Leonard, Township Secretary

RESOLUTION NO. 1982

**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 **MARK ROHLFING AND LYNNE ROHLFING** (hereinafter "Grantors") a Deed of Dedication for a widened portion of a public street known as 415 Dreshertown Road, Fort Washington, PA 19034 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 ProTract Engineering, Inc., Hatboro, PA, with Project No. H1803, dated March 15, 2006, with last revision dated November 20, 2007, 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 415 Dreshertown Road, Fort Washington, PA 19034 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 11th day of March, 2008.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: Jules J. Mermelstein
Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard
Paul A. Leonard, Secretary/Township Manager



November 20, 2007

**415 Dreshertown Road Subdivision
Dreshertown Road Right-of-Way Dedication**

(Frontage along Tax Block 54 Unit 20)

ALL THAT CERTAIN strip or parcel of land located in Upper Dublin Township, Montgomery County, PA, being shown on a Plan of Subdivision prepared for Mark & Lynne Rohlfing, sheet number 1 of 4, prepared by ProTract Engineering, Inc., Hatboro, PA, dated March 15, 2006, as last revised November 20, 2007 and being more fully described as follows:

BEGINNING at a point of curvature on the Southerly existing right-of-way line of Dreshertown Road (25 foot half-width at this point), said point being in line of the subject tract 124.93 feet South 79°10'00" West from the pin at the corner of the subject lot and Tax Block 54 Unit 55; thence from said point of beginning extending along the proposed Right-of-way (25 foot half-width) line, along the arc of a circle curving to the left having a radius of 1900.00 feet, the arc distance of 269.33 feet to a point; thence extending along the existing Right-of-way line of Dreshertown Road North 65°20'00" East 78.90 feet to a point; thence continuing along said existing Right-of-way line North 79°10'00" East 191.83' to the point and place of beginning.

Containing 953 square feet (0.0219 acres) of land area, be the same more or less.

H1803ROW1g1.Doc

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.: 54-00-

**STREET DEED OF DEDICATION
(WIDENED PORTION)**

BETWEEN

GRANTOR: MARK ROHLFING and LYNNE ROHLFING

AND

GRANTEE: TOWNSHIP OF UPPER DUBLIN

DATED: _____

EXHIBIT "A"

Prepared by and return to:
Gilbert P. High, Jr., Esq.
40 East Airy Street
Norristown, PA 19404

Parcel No.: 54-00-

**STREET DEED OF DEDICATION
(WIDENED PORTION)**

THIS DEED OF DEDICATION made this 30th day of December, 2007,
between MARK ROHLFING and LYNNE ROHLFING, individuals residing at 415
Dreshertown Road, Fort Washington, Upper Dublin Township, Montgomery County,
Pennsylvania, Parcel No. 54-00-05074-002 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, as and

for the widened portion of 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.

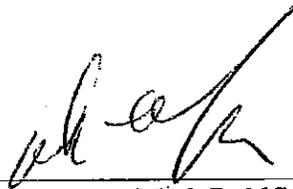
AND the said Grantor, for its successors and assigns, does by these presents further covenant, promise and agree to and with said Grantee, its successors and assigns, that the said easement and the right-of-way described unto the said Grantee, its successors and assigns, against it the said Grantor, 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.

WITNESS:

Debra L. Ritter

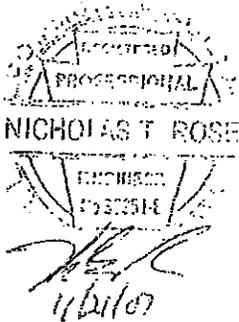

Mark Rohlving

Debra L. Ritter


Lynn Rohlving

Accepted by Resolution of the Board of Commissioners of the TOWNSHIP OF UPPER

DUBLIN, _____, A.D., 2008.



November 20, 2007

**415 Dreshertown Road Subdivision
Dreshertown Road Right-of-Way Dedication**

(Frontage along Tax Block 54 Unit 20)

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Containing 953 square feet (0.0219 acres) of land area, be the same more or less.

H1803ROWIgl.Doc

EXHIBIT "A"

☐ P.O. Box 58, Hatboro, PA 19040
☐ 1800 E. High Street, Suite 125, Pottstown, PA 19464

Phone (215) 442-9230
Phone (610) 323-4735

Fax (215) 442-9238
Fax (610) 326-0759

TOWNSHIP OF UPPER DUBLIN

WHEREAS, an important component of the Township's vision is to preserve and enhance Upper Dublin's leadership as a quality environment for all community members by, in part, identifying and implementing programs and improvements designed to preserve Upper Dublin's natural environment; and

WHEREAS, the Board of Commissioners has promoted a leadership role for Upper Dublin over the years in pursuing local initiatives such as promoting the preservation of open space, purchasing 100% clean energy and promoting clean energy purchases by our residents, instituting the RecycleBank incentive within the Township trash and recycling collection program, planting hundreds of shade trees which has resulted in being named a "Shade Tree USA" community for 12 consecutive years, switching to LED traffic lights at all intersections, incorporating LEED-rated green building technologies into the design and construction of the new municipal building, and working with our School District to educate our youth in environmental stewardship through the Robbins Park for Environmental among others;

WHEREAS, the Board recognizes that many members of the community and several institutions have undertaken individual initiatives to reduce their energy consumption and their contributions to the emission of greenhouse gases, and look to the Board of Commissioners to support and build on their efforts; and

WHEREAS, the Board desires to engage the Upper Dublin citizenry in a new initiative addressing opportunities to limit energy costs and contribute to minimizing climate change.

NOW, THEREFORE, BE IT RESOLVED THAT:

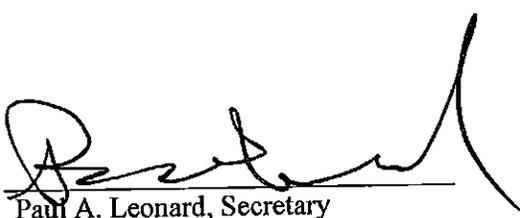
1. The Board of Commissioners hereby declares its intent to endorse the U.S. Mayors' Climate Protection Agreement, which calls on cities across the United States to join in establishing goals and strategies to reduce their emissions of greenhouse gases. This commitment will build on the benefits that have previously accrued from Upper Dublin Township's purchase of energy from renewable sources, and investments in efficiencies.

2. The Board hereby declares its intent to develop an action plan to limit the increase in Township energy costs and to reduce greenhouse gas emissions from the community. To that end, the Board charges the Upper Dublin Township Environmental Protection Advisory Board and Township staff to: (a) work in consultation with other experts to conduct an audit of the Township's and its residents' energy uses and practices and their related impacts and (b) to develop a recommended action plan for the Board's consideration; and the Board authorizes the application for membership in the ICLEI Cities for Climate Protection program, which provides technical assistance in carrying out these tasks.

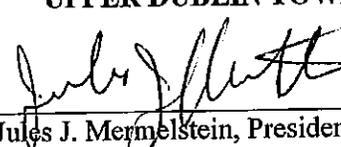
3. The Board also charges the EPAB to continue to reach out to experts and community members in researching additional clean energy options, seeking other funding opportunities, and recommending other ways in which the Township can show continued environmental leadership to further improve the high quality of life of those who live, work and play in Upper Dublin Township.

RESOLVED this 11th day of March 2008.

Attest:


Paul A. Leonard, Secretary

UPPER DUBLIN TOWNSHIP

By: 
Jules J. Mermelstein, President

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

RESOLUTION NO. 1984

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, 2008 as

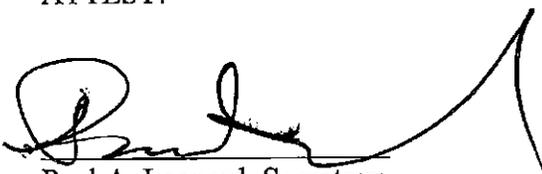
ARBOR DAY

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

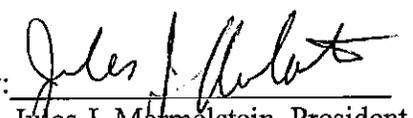
FURTHER, we urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Signed this 11th day of March, A.D. 2008.

ATTEST:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Jules J. Mermelstein, President

RESOLUTION

NO. 1985

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.

Board of Commissioners:
UPPER DUBLIN TOWNSHIP

By Jules J. Mermelstein
Jules J. Mermelstein, President

Ira S. Tackel
Ira S. Tackel, Vice President

ATTEST

Date: March 11, 2008

Paul A. Leonard
Paul A. Leonard, Secretary

RESOLUTION NO. 1986

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

WHEREAS, BY VIRTUE OF Resolution No. 1519 adopted February 8, 1994, the Township of Upper Dublin declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved on July 16, 1993, and,

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

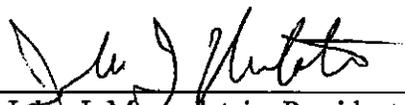
ADMINISTRATION -- 12.5 Cubic Feet
Manager's Office -- Various Bids, 1990, 1991, 1992, 1993, 1994, and 1995.
Miscellaneous Administration Files

PARKS & RECREATION -
Parks Permits, Registration Forms, Payment Receipts, Pool Daily Maintenance/Chlorine Checks, Program Vendors Contracts -- 2004

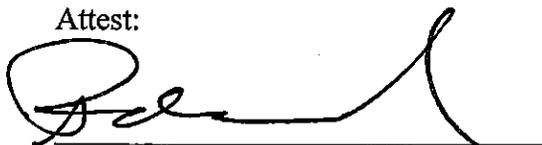
FINANCE --
Cancelled Payroll Checks -- 2000
Cancelled A/P Checks -- 2000
Utility Billing Reports -- 2000
A/P Invoices - 1998

ADOPTED this 8th day of April, 2008.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Jules J. Mermelstein, President

Attest:


Paul A. Leonard, Secretary

**RESOLUTION
NO. 1987**

**RESOLUTION TO DENY PRELIMINARY SUBDIVISION APPROVAL
UPON THE APPLICATION OF PENNMARK AUTO GROUP**

WHEREAS, application for approval of a preliminary land development and subdivision plan ("Plan") prepared by Bohler Engineering, Inc. was filed on October 10, 2006 by Pennmark Auto Group with respect to the properties at 1401-1411 Dreshertown Road (the "Tract"); and

WHEREAS, the Applicant proposes to re-develop this as an automotive service facility and post office with multiple retail shops along the Tract's frontage with associated parking; and

WHEREAS, the Tract is zoned variously CR-I Commercial, CR-L Commercial and A-Residential, and it is located entirely within the DO Dreshertown Overlay District;

WHEREAS, applicant did not waive the ninety (90) day review period requirement and has granted extensions to date without reviews; 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 application by making revisions to the plan that 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 Plan fails to show water service for the retail store as required by § 255-20 of the Zoning Code.

§ 255.20. All water requirements must be stated in the application.

2. The Plan fails to label existing and proposed sewer and water utilities as required by the Zoning Code § 255-96.

§ 255-96. Development requirements. No permit for the erection or use of any building within the district shall be issued until the following conditions are met:

A. Provisions are made to serve the building by public water and a public sanitary sewer collection and disposal system.

3. The Plan fails to provide parking calculations showing existing parking spaces for the existing building.

§ 255-135. Required spaces

Any building, structure or other facility erected, constructed, altered or used, and any lot used or occupied, for any of the following purposes shall be provided with minimum off-street parking spaces as set forth below, together with adequate passageways or driveways or other means of circulation and access to and from a street and shall comply with any additional parking requirements of the zoning district in which the building or other structure is located. Whenever two or more methods of calculating required parking are provided, that which results in the greater number of parking spaces shall be applied. Where no parking requirement is provided for a use or occupancy which will generate the need therefore, parking shall be provided based on the closest analogous use or occupancy for which a parking requirement has been specified.

4. Areas of the building and parking lot lie within the Floodplain Conservation District, yet none are permitted within that District in violation of § 255-163 of the Zoning Code.

§ 255-163. Permitted uses.

A. The following uses shall be permitted in a Floodplain Conservation District:

- (1) Cultivation and harvesting of crops in accordance with the recognized soil conservation practices.
- (2) Pasture and grazing land in accordance with recognized soil conservation practices.
- (3) Outdoor plant nursery or orchard in accordance with recognized soil conservation practices.
- (4) Wildlife sanctuary, woodland preserve, arboretum; and passive recreation or parks, including hiking, bicycle or bridle trails, but including no facilities subject to damage by flooding.
- (5) Forestry, lumbering and reforestation in accordance with recognizing natural resource conservation practices, but permitting no structures.
- (6) Utility transmission lines.
- (7) Sealed public water supply wells with the approval of the Township Engineer.
- (8) Sanitary sewers, with the approval of the Township Engineer.

(9) Front, side or rear yards and required lot area for any district, provided that such yards are not to be used for on-site sewage disposal systems or for nonwire fences or any other structure.

B. All permitted uses are subject to floodproofing regulations in applicable codes and in accordance with the provisions of Chapter 122, Flood Damage Prevention. Any of the uses in Subsection A above shall not be permitted within the designated floodway unless the effect of such proposed activity on flood heights is fully offset by accompanying stream improvements.

5. The expansion of the Post Office is shown within the Floodplain Conservation District in violation of §255-164.B(1) of the Zoning Code.

§ 255-164.B. The following uses shall be specifically prohibited in a Floodplain District although variances may be granted by the Zoning Hearing Board for any of these uses in accordance with the requirements and provisions of this chapter for variances:

(1) Construction, enlargement or expansion of all freestanding structures, buildings, with the exception of flood retention dams, culverts and bridges as approved by the Pennsylvania Department of Environmental Resources.

6. The existing parking near the retail store and proposed bays for the purpose of vehicle storage are located within the Floodplain Conservation District in violation of § 255-164.B of the Zoning Code.

§ 255-164.B. The following uses shall be specifically prohibited in a Floodplain District although variances may be granted by the Zoning Hearing Board for any of these uses in accordance with the requirements and provisions of this chapter for variances:

(3) Sanitary landfills, dumps, junkyards, outdoor storage of vehicles and materials.

7. The Plan fails to provide for bike racks per Zoning Ordinance § 255-219.A.(6).

§ 255-219. Use and dimensional requirements.

A. The following regulations shall be applicable to all uses and development in the DO Dresher Overlay District:

(6) Bicycle storage. Sufficient area for the storage of bicycles shall be provided as approved by the Township Engineer, including racks or other permanently affixed storage devices to accommodate one bicycle for each five required vehicular parking spaces, at a minimum. Bicycle storage facilities may be held in reserve upon approval of the Township Engineer upon a finding that the requirements set forth herein exceed the foreseeable need therefore.

8. In order for the parking, which is located within the front yard setback, to be permitted, the parking must be partially screened by dense landscaping such as hedging which will not block sight distance. The Plan fails to provide for this screening.

§ 255-221. Parking.

C. Parking is encouraged behind principal buildings where possible; however, parking in the front yard setback shall be permitted only under the following conditions:

(2) Parking is partially screened by dense landscaping, such as hedging, that does not block sight distance at the driveway entrance.

9. The Plan fails to provide a softening buffer along side of the rear property line with a minimum width equal to the required parking setback line from the property line as required by § 255-222.A.(1)(a) of the zoning code.

§ 255-222. Landscaping and buffer requirements.

A. Landscaping. All areas of a developed or redeveloped lot not covered by building and/or impervious paving materials shall be maintained as landscaped areas containing trees, shrubs and ground cover materials.

(1) Buffers. A softening buffer shall be maintained between parking lots and side and rear property lines pursuant to § 212-32F(2), except as follows:

(a) Along side or rear property lines, the buffer shall be a minimum width equal to the required parking setback from the property line.

10. The Plan fails to provide light fixtures within a raised landscaped island. There are three light fixtures proposed in the middle island which is not raised or curbed. There are two light fixtures proposed at the bottom of the parking lot, which are not in a raised, curbed area.

§ 255-223. Lighting.

F. Light fixtures in parking lots shall be installed within a raised landscape island.

11. The Plan fails to provide the location of trash locations.

§ 255-224. Refuse disposal areas.

A. Trash and refuse shall be stored inside the building or within a secured, enclosed, opaque screened area. Such screening shall be at least six feet in height to shield the use.

B. Screened refuse areas shall be located at least 50 feet from a residential district.

C. Where possible, refuse areas shall be centrally located for the joint use of tenants.

12. The Plan fails to provide sidewalks along all streets as required by § 212-18.A.(1) of the Subdivision and Land Development Code.

§ 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, and where it can be demonstrated that the objectives of Chapter 206, Article XI, Low-Impact Development Practices for Managing Stormwater Runoff, and § 255-205 of the Open Space Preservation District will be furthered.

13. The Plan fails to provide a sidewalk from the 123 space parking lot to the building in violation of § 212-18 of the Subdivision and Land Development Code. The current layout will require pedestrians to cross the only access drive to the parking lot.

§ 212-18. Sidewalks.

A. Where required.

(2) In land developments with common areas, sidewalks shall be located appropriately to serve as access between parking areas and buildings and in common areas to serve as internal site circulation.

14. The Plan fails to provide curbing along the existing road frontage and around the main center island within the proposed parking lot as required by § 212-19.A. of the Subdivision and Land Development Code.

§ 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.

15. The Plan fails to provide the street addresses for the existing buildings as required by 212.21.G of the Subdivision and Land Development Code.

§ 212-21. Lots on public and private streets.

G. Building numbers. House or building numbers shall be assigned by the Township in accordance with the provisions of Chapter 76, Numbering of Buildings

16. The Plan fails to provide a parking calculation for the entire site, not just the proposed new uses, as required by § 212-22.B.(2) of the Subdivision and Land Development Code.

§ 212-22. Existing structures.

B. If a structure is to remain:

(2) In other zoning districts of the Township (especially commercial and industrial districts), the subdivision of the land must provide adequate service and parking facilities, etc., in keeping with the minimum requirements of Chapter 255, Zoning, for each lot and cumulatively for all lots in the subdivision. No subdivision will be approved in such instances if the servicing and/or parking facilities, etc., attendant to the existing structure are deemed inadequate or would be considered to become inadequate with the development of the now-vacant lands. Any new structures contemplated on the newly subdivided parcels shall be in conformity with the existing structures in the immediate vicinity to the extent possible in regards to height, bulk, building material and architectural character, and the subdivision plans shall show building plans at suitable detail.

17. The Plan fails to provide erosion controls around the proposed 19 bay expansion as required by § 212-25.A(5) of the Subdivision and Land Development Code.

§ 212-25. Erosion and sediment control.

A. General provisions.

(5) Plans for the control of erosion and to reduce sediment shall meet the standards and specifications of the Montgomery County Soil and Water Conservation District. The plans shall be submitted to the Montgomery County District for its review and comment and shall be approved by the Township Engineer.

18. The Plan fails to include a note offering the road Right-of-Way as required by § 212-33.C of the Subdivision and Land Development Code.

§ 212-33. Reserve strips; rights-of-way and/or easements; deeds.

C. No right-of-way or easement for any purpose whatsoever shall be recited or described in any deed unless the same has been shown on the approved plan. Any error found in a deed shall be immediately corrected and rerecorded in the office of the Recorder of Deeds for Montgomery County at Norristown, Pennsylvania, at the sole expense of the subdivider.

19. The Plan fails to provide the zoning districts for the tract being developed and all adjoining tracts as required by § 212-43.B of the Subdivision and Land Development Code.

§ 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:

(6) The zoning district and area regulations from Chapter 255, Zoning, for the tract being subdivided or developed and on adjoining tracts. Any deed restrictions, variances or special exceptions being sought or granted shall be shown or noted on the plan.

20. The Plan fails to provide a cartway width for Limekiln Pike as required by § 212-43.C.1(a) of the of the Subdivision and Land Development Code. A 75 foot radius at the Right-of-Way must be provided at the Limekiln Pike and Dreshertown Road intersection.

§ 212-43. Preliminary plan requirements. Applicants submitting a preliminary plan for subdivision shall conform to the following standards:

C. Existing features.

(1) All typographic and physical features surrounding the tract being subdivided which impacts it shall be shown:

(a) The location, name, width (cartway and right-of-way) radii and surface conditions of existing roads and alleys.

21. The Plan fails to identify the benchmark location and elevation on which the plan is based as required by §212-43.C.3(a) of the Subdivision and Land Development Code.

§ 212-43. Preliminary plan requirements. Applicants submitting a preliminary plan for subdivision shall conform to the following standards:

C. Existing features.

(3) The plan shall show additional information as follows:

(a) Contours at vertical interval of two feet in sufficient detail to show the course, structure and capacity of all stormwater management facilities, including the method of drainage of adjacent tracts. If the distance between contour lines exceeds 100 feet horizontally, a lesser contour interval will be required as determined by the Township Engineer. Benchmarks to which contour elevations refer shall be noted on the plan and shall be United States Coast and Geodetic Survey datum. [Amended 9-14-2004 by Ord. No. 1139]

22. The Plan fails to identify the building to be demolished and fails to note the character and use of the buildings and structures to be retained as required by § 212-43.D.(7) of the Subdivision and Land Development Code.

§ 212-43. Preliminary plan requirements. Applicants submitting a preliminary plan for subdivision shall conform to the following standards:

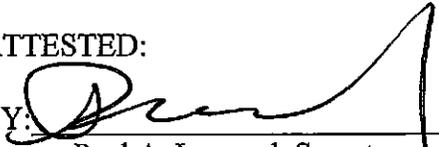
D. Proposed features (lots and improvements). All proposed improvements as required by the design standards (accompanied by all supporting documents) shall be shown on the plan.

(7) Disposition of all buildings and structures indicating retention or demolition. The character and use of buildings and structures to be retained shall be noted on the plan.

RESOLVED by the Board of Commissioners of Upper Dublin Township this 8th day of April, 2008.

ATTESTED:

BY:


Paul A. Leonard, Secretary

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY:


Jules J. Mermelstein, President

RESOLUTION
NO. 1988

**A RESOLUTION Of The Township Of Upper Dublin Authorizing The Acquisition
Of The Braccia Property Situated Off Butler Pike Containing 29.5 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

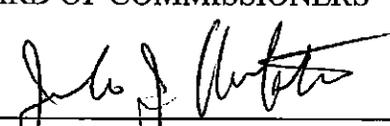
WHEREAS, there are approximately 29.5 acres of land situated off Butler Pike owned by SEBASTINO BRACCIA and BERTINA BRACCIA that would be suitable as open space and recreational land which the Township desires to acquire for such purposes:

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the acquisition of the 29.5 acres of land owned by SEBASTINO BRACCIA and BERTINA BRACCIA off of Butler Pike, being Parcel Nos. 54-00-03316-00-5, 54-00-03337-00-2, 54-00-03328-00-2, and 54-00-03368-00-7 (the "Premises"), is hereby authorized, at a purchase price cost not to exceed Five Million Dollars (\$5,000,000.00) (exclusive of normal costs of closing and subject to a limited life estate for Nancy F. Algeo), by eminent domain, if necessary, and that Paul A. Leonard, Township Manager, is 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.

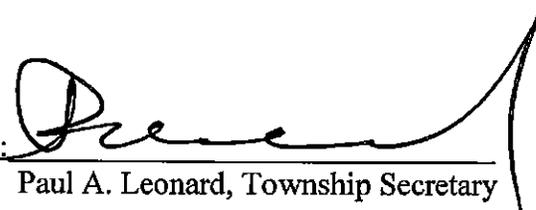
DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this 8th of April, 2008.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: _____


Jules J. Metmelstein, President

Attest: _____


Paul A. Leonard, Township Secretary

RESOLUTION

NO. 1989

**RESOLUTION TO GRANT FINAL LAND DEVELOPMENT APPROVAL
UPON THE APPLICATION OF THE UPPER DUBLIN SCHOOL DISTRICT
FOR THE UPPER DUBLIN HIGH SCHOOL**

WHEREAS, on March 11, 2008 the Board of Commissioners granted Preliminary Land Development approval to the Upper Dublin School District for the construction of a new high school on a tract bounded by Loch Alsh Avenue and Ft. Washington Avenue (North Parcel) and reserved action on a new bus maintenance garage adjacent to the Ft. Washington Elementary School on a tract bounded by Loch Alsh Avenue, Ft. Washington Avenue and Highland Road (South Parcel); and

WHEREAS, the School District has now submitted Final Land Development Plans dated May 29, 2007 and last revised April 25, 2008 as prepared by CMX (formerly Schoor DePalma, Inc.), Sheets 1 thru 92, together with Site Lighting Plans prepared by Snyder Hoffman Associates, Inc. set forth on sheets 93 thru 98, together with Highway Occupancy Permit Plans prepared by McMahon Associates, Inc. set forth on sheets 100 thru 111, and together with Area Drainage Plans set forth on sheets 1 thru 3 and sheets 1 thru 9, with supporting reports as set forth in the letter report of Metz Engineers dated May 9, 2008, and incorporated by reference, 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, Chapter 158 -- Nuisance, Upper Dublin Township Engineering and Construction Standards and Improvements Procedures (ECSIP) and principles of currently accepted engineering practice; and

WHEREAS, The Applicant proposes to develop two (2) parcels. The North parcel is the site of the existing and proposed high school (50.1 acres). The South parcel is the site of the Ft. Washington Elementary School and the future Bus Maintenance Garage (30.3 acres). Both parcels are zoned "A" Residential. The parcels are surrounded by Ft. Washington Avenue, Susquehanna Road and Highland Avenue and bisected by Loch Alsh Avenue.

WHEREAS, based on reviews by the Township Engineer, Township Sewer Engineer, Township Traffic Engineer, Township Planner, Township Staff, Bucks County Water and Sewer Authority, and various Township and County 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 final land development 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, subject to the following:

1. By Agreement, action on the application for land development approval of the proposed Bus Garage and Fuel Island on the South Parcel is deferred indefinitely. Use of the area on the South Parcel where the proposed Bus Garage and Fuel Island are shown on the plans is permitted for School District parking.
2. Upper Dublin Township has agreed to waive standard filing fees for the final plans. However, the actual cost of professional fees, inspection fees, testing fees, sub-consultant fees and administration expenses associated with the filing and review of the plans will be billed to the School and payment promptly made.

3. Waivers have been previously granted as follows:
 - a. Waiver of the requirement to construct the applicant's half of the cartway of Ft. Washington Avenue and Highland Avenue to 26 feet.
 - b. Waiver of the requirement to construct all parking spaces "off street", but rather to allow 25 parking spaces presently constructed within the ultimate right-of-way of Loch Alsh Avenue to be counted towards the required number of parking spaces, although the School Board is requested to consider relocating these spaces at a future date for aesthetic purposes.
 - c. Waiver of the requirement that no more than 36 parking spaces may be constructed without a physical separation created by a 10 foot wide planting strip.
 - d. Waiver of the requirement to provide a 25 foot wide aisle within a parking area, but rather to provide 22 foot wide parking aisles.
 - e. A partial waiver of the requirement to provide concrete curbs along each side of access driveways and parking lots.
 - f. Waiver of the requirement to provide curbs with 8 inch reveals within parking lots, but rather to provide curbs with 6 inch reveals.
 - g. Partial waiver of certain outdoor lighting requirements required by §158-14 to eliminate one (1) light fixture between the existing gas pipelines and to use a streetlight with a slightly lower illumination level at the driveway adjacent to the proposed pool.
 - h. Partial waiver from Section 206-104.B(3) in drainage areas C to allow a pre to post-stormwater increase of less than one (1) CFS for the ¾ inches of rain in 24 hours storm event.

- i. Waiver of the planting requirements for stabilizing slopes with 10-20% grade.

Applicant will add a note to the Plans indicating the landscape treatment it proposes or will provide a reference to another plan for specifications. That plan will be subject to the Township's subsequent approval.

4. Additional waivers have been requested as follows and are hereby granted:
 - a. Waiver to allow street trees to be planted within the ultimate right of way as set forth on the Plans.
 - b. Waiver to permit a softening buffer between North Drive and the Medical Office to consist of two (2) trees and one hundred thirty-six (136) shrubs rather than twelve (12) trees and thirty-six (36) shrubs.
 - c. Waiver to permit pipe runs to yard inlets to be less than eighteen (18) inches where thus shown on the Plans.
 - d. Waiver to permit less than 2.0 feet of cover over certain storm sewers as shown on the plans, provided Class 5 RCP pipe is utilized to provide the necessary pipe strength.
 - e. Waiver to permit use of plans at scale: 1" = 150' (vs 1" = 100' permitted by Ordinance).
 - f. Waiver to allow substitution of 10 shrubs/1 street tree.

5. Identification signage information must be provided and designed to coordinate with signage that will be part of the proposed Loch Alsh Avenue corridor improvements and the civic space. As this design work is not yet completed and the completion is several years away, the final sign "theme" will be deferred and coordinated with the other design work.

6. The recommendations, requirements and conditions set forth in the review letter of Metz Engineers dated May 9, 2008, a copy of which is attached as Exhibit "A" and the provisions of

which are incorporated by reference, shall be resolved to the satisfaction of the Township as a condition of this final plan approval.

7. Prior to recording of the final plans, the School District shall 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. The amount and form of the financial security with regard to improvements, including landscaping, shall be approved by the Township Engineer and Township Solicitor. Following completion of the Project the School District shall provide a maintenance security for the dedicated improvements. The maintenance period for street trees shall be not less than three years.

8. If Upper Dublin Township contributes to the cost of construction for the purpose of enabling joint use of portions of the Project, the Township and the School District will enter into a Joint Use and Maintenance Agreement to define the responsibilities for such use.

9. The plan shows use of Spark Drive by the School District across property of the Township known as the Bub Farm. As a condition of final plan approval, a permanent easement agreement for this purpose must be entered into between the two parties before use of the property for access by the School District.

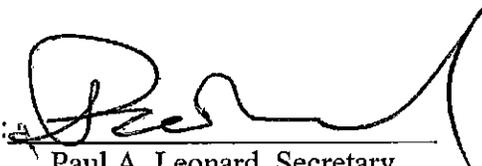
10. It is anticipated that the School District will require use of Spark Drive during the construction phase and that construction vehicles and others will be traveling across Township and School District property from Susquehanna Road to Loch Alsh Road. At the conclusion of construction the School District shall repair any damage and install a wearing course the entire length of this driveway.

11. This Resolution shall become effective on the date upon which all of the above stated conditions are accepted by the School District in writing. If, for any reason, the Applicant fails to acknowledge the acceptance of the conditions contained in this Resolution within ten (10) days from the date of this Resolution, then the Final Plan approval granted herein shall become null and void, the waivers requested shall be deemed denied, and the plan shall be denied for failure to comply with Sections of the Zoning Code and/or Subdivision and Land Development Code for the reasons cited herein or as set forth in the letters referenced herein.

RESOLVED by the Board of Commissioners of Upper Dublin Township this 13th day of May, 2008.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

ATTESTED:

BY: 
Paul A. Leonard, Secretary

BY: 
Jules J. Mermelstein, President

Ira S. Tackel, V-President

ACCEPTANCE

On behalf of the applicant, Upper Dublin School District, the conditions set forth in this resolution are accepted.

UPPER DUBLIN SCHOOL DISTRICT

BY: _____

EXHIBIT "A"

(Metz Engineer's Review Letter – May 9, 2008)



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.
 James R. Rudolph, P.E., P.L.S.
 Mark R. Flaherty, Survey Manager
 Joseph J. Fielder, Inspection Manager
 Wendy L. Clair, SPHR, 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

May 9, 2008

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

**RE: Final Land Development – Second Review
 UD07.002 – Upper Dublin High School**

Dear Members of the Board:

We have reviewed the Final Plans received March 17, 2008, as prepared by CMX (formerly Schoor DePalma, Inc.) 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. This letter reflects the discussions and recommendation of Conditional Final Approval that occurred at the Planning Commission’s April 15, 2008, meeting and the April 23, 2008, CPC meeting. The ninety (90) day review requirement ends on June 15, 2008.

The following comments are offered for your consideration:

Plans Submitted:

Dwg. No.	Description	Date	Last Revision
1	Cover Sheet	05-29-07	04-25-08
2	General Information Sheet	05-29-07	04-25-08
3	Overall Site Plan	05-29-07	04-25-08
4	Record Plan – North Parcel (View A)	05-29-07	04-25-08
5	Record Plan – North Parcel (View B)	05-29-07	04-25-08
6	Record Plan – South Parcel (View C)	05-29-07	04-25-08
7	Record Plan – South Parcel (View D)	05-29-07	04-25-08
8	Existing Features Plan (View A)	05-29-07	04-25-08
9	Existing Features Plan (View B)	05-29-07	04-25-08
10	Existing Features Plan (View C)	05-29-07	04-25-08
11	Demolition Plan – Phase 1A (View A)	05-29-07	04-25-08
12	Demolition Plan – Phase 1A (View B)	05-29-07	04-25-08
13	Demolition Plan – Phase 1A (View C)	05-29-07	04-25-08
14	Demolition Plan – Phase 1 (View A)	05-29-07	04-25-08

62-64	Plans and Profiles – Roadway	05-29-07	04-25-08
65-71	Plans and Profiles – Stormwater	05-29-07	04-25-08
72-75	Site Construction Details	05-29-07	04-25-08
76	Erosion and Sediment Control Details	05-29-07	04-25-08
77	Erosion and Sediment Control Details	05-29-07	04-25-08
78-80	Storm Sewer Details	05-29-07	04-25-08
81	Post-Construction Stormwater Mgmt. Details	05-29-07	04-25-08
82	Post-Construction Stormwater Mgmt. Details	05-29-07	04-25-08
83	Sanitary Sewer Details	05-29-07	04-25-08
84	Water Line and Gas Line Details	05-29-07	04-25-08
85-86	Landscape Details	05-29-07	04-25-08
87	Autoturn Bus Exhibit	05-29-07	04-25-08
88	Autoturn Fire Truck and Semitrailer Exhibit	05-29-07	04-25-08
89	Reserve Parking Grading Plan	05-29-07	04-25-08
90	Signage Plan – Permanent (View A)	05-29-07	04-25-08
91	Signage Plan – Permanent (View B)	05-29-07	04-25-08
92	Signage Plan – Permanent (View C)	05-29-07	04-25-08
Additional Plans Included by Others			
93*	Partial Site Lighting Plan – (View A)	04-25-08	-
94*	Partial Site Lighting Plan – (View B)	04-25-08	-
95*	Partial Site Lighting Plan – (View D)	04-25-08	-
96*	Site Lighting Details	04-25-08	-
97-98*	Site Lighting Fixture Cuts	04-25-08	-
99	Not Included		
100**	PennDOT HOP – Title Sheet	05-29-07	04-25-08
101**	PennDOT HOP – Index Sheet	05-29-07	04-25-08
102**	PennDOT HOP – Gen'l Notes/Utility List/Location Map	05-29-07	04-25-08
103**	PennDOT HOP – Rdwy Improvement Plan/Typical Sheet	05-29-07	04-25-08
104**	PennDOT HOP – Grading and Driveway Profile Plan	05-29-07	04-25-08
105-6**	PennDOT HOP – Pavement Marking & Signing Plan	05-29-07	04-25-08
107-9**	PennDOT HOP – Construction Details	05-29-07	04-25-08
110-11**	PennDOT HOP – Maintenance & Protection of Traffic	05-29-07	04-25-08
1 of 3	Pre-Development Drainage Area Plan	05-29-07	04-25-08
2 of 3	Post- Development Drainage Area Plan	05-29-07	04-25-08
3 of 3	Inlet Drainage Area Plan	05-29-07	04-25-08
1 of 9	Pre-Development Drainage Area Plan (View A)	05-29-07	04-25-08
2 of 9	Pre-Development Drainage Area Plan (View B)	05-29-07	04-25-08
3 of 9	Pre-Development Drainage Area Plan (View C)	05-29-07	04-25-08
4 of 9	Post-Development Drainage Area Plan (View A)	05-29-07	04-25-08
5 of 9	Post-Development Drainage Area Plan (View B)	05-29-07	04-25-08
6 of 9	Post-Development Drainage Area Plan (View C)	05-29-07	04-25-08
7 of 9	Inlet Drainage Area Plan (View A)	05-29-07	04-25-08
8 of 9	Inlet Drainage Area Plan (View B)	05-29-07	04-25-08
9 of 9	Inlet Drainage Area Plan (View C)	05-29-07	04-25-08

4. A waiver has been granted from the maximum of thirty-six (36) cars in a parking area. S.O. 212-17.A
5. A waiver has been granted from the twenty-five (25) foot aisle width to allow a twenty-two (22) foot aisle width. S.O. 212-17.A
6. A partial waiver has been granted from the requirement to provide curb along side of access drives and parking lots. S.O. 212-19.A and B.
7. A waiver has been granted from using an eight (8) inch curb reveal in parking areas to allow a six (6) inch reveal. S.O. 212-19.C.
8. Proposed retaining wall designs must be reviewed and approved prior to Construction Permit issuance. S.O. 212-23.B.(2)
9. Landscape Review Comments per S.O. 212-32:

A. Section B – General Landscape Requirements

B.(9) The developer (School District) must deposit with the Township a sum of money equal to fifteen (15) percent of the total landscape cost. This requirement must be met once the Plan is finalized and the required Cost Estimate is provided per Section E.(1)(p) below.

B. Section E – Information required on the Landscape Plan

E.(1) Landscape Plan must show the following existing and proposed information:

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

C. Section F - Specific Planting Requirements

The Plans, Compliance Chart and Landscape Schedule must be revised as noted below:

F.(1) Street Trees

(a)[1] Necessary edits to the Planting Compliance Table were made related to Ft. Washington Avenue. This Table also was amended to reflect substitution of shrubs for some Street Trees (10:1) along a portion of North Drive as related to the gas line easement restrictions. The Code does not specify shrub substitution as tree equivalents for Street Trees. The Waiver Requested List (#3) also was revised to reflect the waiver needed to permit substitute of shrubs for some of the Street Trees along North Drive as noted

Eastern Red Cedar (*Juniperus virginiana*)

Inkberry (*Ilex glabra*)

Red Osier Dogwood (*Cornus sericea*)

Northern Bayberry (*Myrica pennsylvanica*)

St. Johnswort (*Hypericum frondosum*)

Spicebush (*Lindera benzoin*)

Fetterbush (*Pieris floribuda*)

Cherry Laurel (*Prunus laurocerasus*)

F. Other

1. Signage– CMX must provide signage information to insure an adequate way of finding and identification. High School signage must be coordinated with signage that will be part of the proposed Loch Alsh Avenue corridor improvements and the civic space. As this design work is not yet completed and the completion is several years away, it is recommended that final sign “theme” be deferred and coordinated with the other design work.
 2. Street Furniture Budget must be added to the Cost Estimate.
10. Plans shall not be prepared at a scale smaller than 1” = 100’. A few Plans have been prepared at 1” = 150’. A waiver is recommended. S.O. 212-43.A.(1)
 11. The Plans show a plaza in front of the High School extending into the Loch Alsh Avenue cartway. This proposed improvement has not been reviewed/approved by this office. We recommend that this area be re-examined by CMX and our office with a resolution required before Construction Permit issuance. S.O. 212-45.B.(2).
 12. 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. Please note that there is a three (3) year Maintenance Bond requirement for landscaping.
 13. 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.
 14. Review of the acknowledgements by the Township Solicitor’s office should be secured. Copies of the Record Plan, Deeds of Record and Agreements of Sale must be forwarded to Gilbert P. High, Jr., Esquire for review.

5. The existing Bus Garage is to be demolished prior to the construction of the new Bus Garage completion. The Applicant has responded that “the School District is in the process of arranging for offsite storage of buses during construction.” The Township must be satisfied that an acceptable interim location has been secured for the buses prior to Final Approval. We recommend that prior to granting Final Approval that the Upper Dublin School District present information concerning facility capacity, traffic safety, etc. for the review/approval of Township staff.
6. The Evacuation/Emergency Action Plan prepared by the School District must be revised to comply with the Fire Marshal’s review of February 19, 2008.
7. The Applicant has received a Grading Permit to add an emergency generator for the water pumps that exist at the intersection of Ft. Washington Avenue and Loch Alsh Avenue (South Parcel) in an effort to improve the pressure/fire flows in the existing Ambler Borough Water System.
8. Minor Drafting and Detail Items have been provided to the design engineer under separate cover.
9. The School District has submitted (received May 6, 2008) an Operational Report, which we have not yet reviewed in its entirety. It appears that all the issues of our previous letter have been discussed in the Report. We defer the final recommendation on this Report to the Township Traffic Engineer.
10. The Planning Commission has recommended that consideration of the proposed Bus Garage be **deferred** until a later date. The School District has proposed placing temporary staff and student parking in the area of the proposed Bus Garage location. At a minimum, this interim parking area will remain until completion of the Phase I Construction, which is scheduled for completion in late 2010 or early 2011. Review of a Bus Garage location shall continue at such time a permanent location is proposed by the School District.
11. The Spark driveway and connection to Susquehanna Road was to be used for construction traffic. Due to timing of those improvements, as referenced in Item 13, Page 9 above, construction traffic may need to utilize Ft. Washington Avenue and Loch Alsh Avenue until the Spark connection is available.

Permits, Reviews and Approvals:

1. Upper Dublin Township Public Works Department review.
2. Upper Dublin Township Parks and Recreation Department review.
3. Upper Dublin Township Environmental Protection Advisory Board review.
4. Upper Dublin Township Planning Commission review.
5. Upper Dublin Township Shade Tree Commission review and approval.
6. Upper Dublin Township Planner – Liz Rogan, AICP.
7. Upper Dublin Township Fire Marshal.

RESOLUTION NO. 1990

A RESOLUTION DETERMINING NOT TO PROCEED WITH A WARM WATER POOL EXPANSION WITH UPPER DUBLIN TOWNSHIP SCHOOL DISTRICT.

WHEREAS, the Board of Commissioners has given full consideration to the current opportunity to construct an additional aquatic facility within the Upper Dublin High School reconstruction project, and

WHEREAS, even if such an addition may be in concert with previously adopted Parks and Recreation master plans for the township, and

WHEREAS, the township staff and an independent analysis has fully reviewed income and expense Pro Forma associated with such a facility, and

NOW, THEREFORE, BE IT RESOLVED:

It is the determination of the Board of Commissioners of Upper Dublin Township that while such an expansion of the aquatic facilities may be desirable, it is not economically feasible at this time, and

That the Upper Dublin Township Board of School Directors is thanked for its cooperation and consideration of this expansion and staff is hereby directed to continue as time permits to seek partnerships for both capital and operating expenses for such a facility that might make it economically viable in the future.

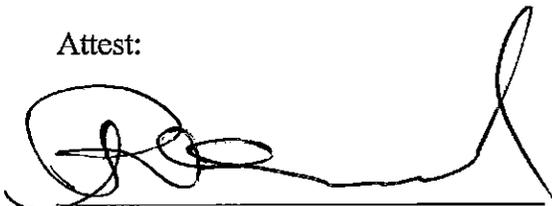
RESOLVED this 13th day of May, 2008.

Board of Commissioners
Township of Upper Dublin



Ira Tackel, Vice President

Attest:



Paul A. Leonard, Secretary

RESOLUTION NO. 1991

**RESOLUTION TO ACCEPT DEEDS OF DEDICATION
FOR A WIDENED PORTION OF TWINING ROAD
AND FOR TRAFFIC SIGNAL EASEMENT**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from GENERAL AUTO OUTLET, L.P., a Pennsylvania limited partnership, with offices at Goodman Properties, 636 Old York Road, Jenkintown, PA 19046 (hereinafter "Grantor") Deeds of Dedication for a widened portion of a public street known as Twining Road and for a Traffic Signal Easement at the intersection of Twining Road and Welsh Road; and

WHEREAS, these easements are required to permit the widening of Twining Road and the installation of a traffic signal improvements as set forth on a plan prepared by Traffic Planning & Design, Inc. dated February 15, 2006, Job No. GMP.B.00016 showing General Auto Outlet Right-of-way take, in conjunction with proposed improvements on Welsh Road, Upper Moreland Township; and

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

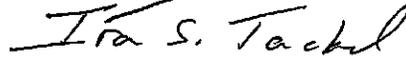
NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Upper Dublin Township does hereby resolve as follows:

1. The Deed of Dedication offered to the Township for the widened portion of Twining Road more fully described as set forth on the Plan is hereby accepted and shall hereafter be designated on the official map of streets in the Township.
2. The Deed of Dedication offered to the Township for a Traffic Signal Easement adjacent to Twining Road at the intersection of Welsh Road and more fully described as set forth in the Easement 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.

RESOLVED, this 13th day of may, 2008.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 
Jules J. Mermelstein, President


Ira S. Tachel
V-Pres

ATTEST:


Paul A. Leonard, Secretary/Township Manager



DEP Code No.
1-46951-186-3J

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (~~SUPERVISORS~~) (COMMISSIONERS) (~~COUNCILMEN~~) of Upper Dublin
(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 BT Limekiln, LP has proposed the development of a parcel of land identified as
land developer

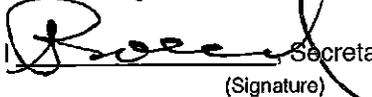
BT Limekiln, LP, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

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). Pump Station

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 Township 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.

 Secretary, UPPER DUBLIN TOWNSHIP
(Signature)

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (~~Borough~~) (~~City~~) Resolution # 1992, adopted, June 10, 2008.

Municipal Address:

Upper Dublin Township
801 Loch Alsh Avenue
Fort Washington, PA 19034
Telephone 215-643-1600

Seal of
Governing Body

RESOLUTION
NO. 198

**A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN
AUTHORIZING THE ACQUISITION OF A PROPERTY SITUATE
AT 1255 FORT WASHINGTON AVENUE CONTAINING 1.9174
ACRES OF LAND WITHIN THE TOWNSHIP FOR PARK AND
OTHER PUBLIC PURPOSES OF THE TOWNSHIP**

WHEREAS, the Township of Upper Dublin (the "Township") has needs for additional real estate for public purposes in the Township; and

WHEREAS, the Township is authorized to acquire real estate by right of eminent domain for public purposes; and

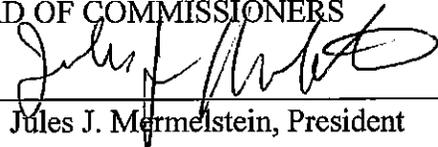
WHEREAS, there are approximately 1.9174 acres of land situate at 1255 Fort Washington Avenue that are suitable for park and other public purposes which the Township desires to acquire.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the acquisition of 1255 Fort Washington Avenue, being Parcel No. 54-00-06631-00-2 (the "Premises"), is hereby authorized, at a purchase price cost not to exceed Seven Hundred Twenty-five Thousand Dollars (\$725,000.00) (exclusive of normal costs of closing and subject to a life estate for Virginia A. Twiford) 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 10th day of June, 2008.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: _____


Jules J. Mermelstein, President

Attest: _____


Paul A. Leonard, Township Secretary

TOWNSHIP OF UPPER DUBLIN

RESOLUTION NO. 1994

AUTHORIZING THE REIMBURSEMENT OF PRIOR EXPENDITURES OF FUNDS
FROM THE PROCEEDS OF BONDS TO BE ISSUED FOR THE FINANCING
OF LAND ACQUISITION

WHEREAS, the Township of Upper Dublin (the "Township") is a political subdivision of the Commonwealth of Pennsylvania and has determined to undertake a capital project consisting of the acquisition of property or rights at 1255 Fort Washington Avenue, Fort Washington, PA (the "Project"); and

WHEREAS, the Township intends to finance some or all of the costs of the Project by the issuance of its bonds, notes or other obligations (the "Bonds") and intends to use a portion of the proceeds of the Bonds to reimburse itself for expenditures made prior to the date of issuance of the Bonds; and

WHEREAS, no portion of the Project has yet been placed in service; and

WHEREAS, this Resolution is intended to constitute a statement of "Official Intent" pursuant to Treasury Regulations §1.150-2, T.D. 8476 (the "Treasury Regulations").

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township that:

1. In accordance with the Treasury Regulations, the Township hereby states its intention that a portion of the proceeds of the Bonds will be used to reimburse itself for expenditures paid for costs of the Project prior to the date of issuance of the Bonds.

All original expenditures to be reimbursed will be capital expenditures and other amounts permitted to be reimbursed pursuant to the Treasury Regulations.

The Township intends to reimburse the original expenditures through the Township's incurrence of debt to be evidenced by the Bonds.

2. Once the Bonds are issued, the Township shall allocate Bond proceeds to reimburse a prior expenditure by making the allocation on its books and records maintained with respect to the Bonds; provided that such costs to be reimbursed were paid not more than 60 days prior to the date hereof, except to the extent that such costs constitute preliminary costs within the meaning of the Treasury Regulations. Such allocation shall specifically identify the actual original expenditure to be reimbursed. Such allocation shall occur not later than 18 months after the later of (i) the date on which the original expenditure is paid, or (ii) the date the related

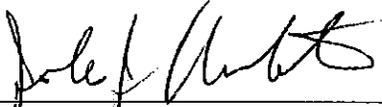
Project is placed in service or abandoned, but in no event more than 3 years after the original expenditure is paid.

3. This Resolution shall be effective immediately.

4. All resolutions heretofore adopted to the extent the same are inconsistent herewith are hereby repealed.

ADOPTED: June 10, 2008

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 
Jules J. Mermelstein, President

Attest: 
Paul A. Leonard, Secretary

RESOLUTION
NO. 9995

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN AUTHORIZING THE PLANNING, PRELIMINARY DESIGN, AND DEVELOPMENT OF CONSTRUCTION COST ESTIMATES FOR A FIRE STATION ON TOWNSHIP PROPERTY SITUATED AT 1245 FORT WASHINGTON AVENUE.

WHEREAS, the Township of Upper Dublin (the "Township") and the Fort Washington Fire Company No. 1 ("Fire Company") have a need for a new fire station from which to better provide emergency and fire fighting services throughout the Township; and

WHEREAS, the Township is authorized by the First Class Township Code of the Commonwealth of Pennsylvania to construct fire stations; and

WHEREAS, the Fire Company is designated as the officially recognized fire company for the Township; and

WHEREAS, the Township has studied the availability and appropriateness of sites within the Township upon which to construct a new fire station for use by the Fire Company so that it can better provide emergency and fire fighting services throughout the Township ; and

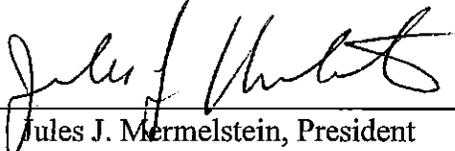
WHEREAS, after careful study, analysis, public discussion and consideration of the reasonable alternatives as reviewed by a Facilities Study Committee over a nineteen month period, the property situated at 1245 Fort Washington Avenue has been determined to be the most appropriate site for a new fire station for use by the Fire Company.

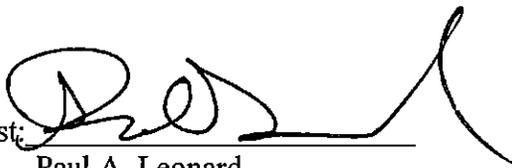
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin, that the planning, design and development of construction cost estimates for a new fire station at 1245 Fort Washington Avenue, Montgomery County Tax Parcel No. 54-00-06628-00-5 (the "New Fire Station Property") and adjacent properties if in public ownership, is hereby authorized and Township staff are hereby directed to take the necessary and appropriate action to retain the design professionals and prepare the necessary documents to plan, design, and develop construction cost estimates for a new fire station on the New Fire Station Property. These actions will be subject to final Board approval prior to engaging design professionals and soliciting bids for construction.

FURTHER, BE IT RESOLVED, as related to matters of public, pedestrian, motorist and responder safety that 1) the Township Engineer is directed to review and recommend all feasible improvements on adjacent roadways and properties which might be considered including but not limited to roadway configuration, lighting, signage and warning signals and report to the Board of Commisioners on the necessity of such improvements prior to completion of design for the new fire station and 2) the Fire Services Administrator and Fire Officers of the Fire Company are directed to develop policy and procedures for emergency vehicle safety specific to the New Fire Station Property that would be consistent with best management practices as recommended by the United States Fire Administration, the National Volunteer Fire Council, and the National Fire Protection Association. 3) That consideration and consultation with neighbors of this property will be an integral part of the design and planning process.

DULY adopted by the members of the Board of Commissioners of the Township of
Upper Dublin this 10th day of June, 2008.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 
Jules J. Mermelstein, President

Attest: 
Paul A. Leonard
Township Secretary

RESOLUTION

NO. 1996

A RESOLUTION Of The Board Of Commissioners Of The Township Of Upper Dublin To Allow A Change of Use To The Property Located At 275 New Jersey Drive In Fort Washington.

WHEREAS, the Board of Commissioners of the Township of Upper Dublin (the "Township") has established zoning regulations for the EC Employment Center Zoning District; and

WHEREAS, the Board of Commissioners is authorized under Section 255-117. A of the Zoning Code to approve any change of use in the EC Employment Center District prior to the issuance of any zoning permit or certificate of occupancy; and

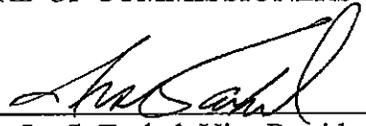
WHEREAS, the Board of Commissioners has received an application by the Upper Dublin School District to relocate its bus garage facility temporarily to a warehouse building located at 275 New Jersey Drive in the EC Employment Center District; and

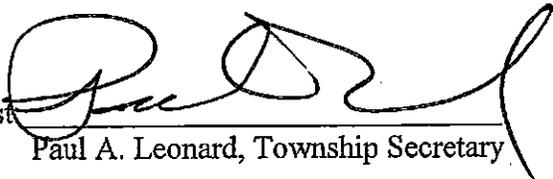
WHEREAS, the Board of Commissioners has reviewed the proposal through its professional staff, who find the proposed Change of Use to be acceptable, subject to final review of the site plan by the Township Engineer;

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Township of Upper Dublin that a Change of Use is hereby approved for 275 New Jersey Drive as a temporary bus storage facility for the Upper Dublin School District, subject to the School District submitting final site plans and receiving approval for such plans from the Township Engineer. If and when the temporary use of the property by the School District terminates, approval for a subsequent use shall again be sought from the Board of Commissioners.

Adopted by the Board of Commissioners of the Township of Upper Dublin this 24th day of June, 2008.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: 
Ira S. Tackel, Vice President

Attest 
Paul A. Leonard, Township Secretary

RESOLUTION

NO. 1997

A RESOLUTION OF THE TOWNSHIP OF UPPER DUBLIN AUTHORIZING THE PRESIDENT OF THE BOARD OF COMMISSIONERS TO EXECUTE A SETTLEMENT AGREEMENT AND MUTUAL RELEASE BETWEEN EASTERN CONSTRUCTION & ELECTRIC, INC. AND THE TOWNSHIP OF UPPER DUBLIN IN THE MATTER OF EASTERN CONSTRUCTION & ELECTRIC, INC. V. TOWNSHIP OF UPPER DUBLIN, MCCP NO. 05-26494.

WHEREAS, on May 2, 2001, Eastern Construction & Electric, Inc. ("Eastern Construction"), a corporation doing business at 18 Georgetown Road, Wrightstown, NJ 08562, and the Township of Upper Dublin (the "Township") entered into a contract for the heating, ventilation, and air conditioning work ("HVAC") in connection with the construction of the Upper Dublin Township Police and Municipal Facility Expansion project ("the Contract"; and

WHEREAS, the original Contract amount was \$516,000.00 and the modified final Contract price was \$548,886.00.

WHEREAS, on October 20, 2004, Eastern requested final payment from the Township for work performed under the Contract; and

WHEREAS, a dispute arose between Eastern and the Township with respect to the amount of final payment due to Eastern from the Township, the actual work performed by Eastern, and damages incurred by the Township for which the Township claimed Eastern was responsible, as the result of Eastern's actions; and

WHEREAS, on November 4, 2005, Eastern sued the Township in the Montgomery County Court of Common Please, Montgomery County Civil Action No. 05-26494 (the "Litigation"), seeking \$37,743.64 for extra and additional work allegedly performed and completed by Eastern and \$36,168.50 in unpaid Contract payments for work performed and completed under the Contract; and

WHEREAS, on December 12, 2005, the Township filed a counterclaim against Eastern allegedly that it incurred \$73,419.10 in costs to repair defective work for which Eastern was responsible, and that after subtracting \$69,055.30 in unpaid Contract funds, that Eastern owed the Township \$4,363.80; and

WHEREAS, counsel for Eastern and the Township have drafted a Settlement Agreement and Mutual Release (the "Agreement") for the purpose of resolving all of the issues, without admission of liability, which have been raised in the Litigation or which relate to claims by either of the parties in relation to the Contract; and

WHEREAS, under the terms of the Agreement, Upper Dublin shall pay to Eastern the sum of \$50,000.00 and upon clearance of the settlement funds, counsel for the parties shall file a joint Praecipe to mark the case "Settled, Discontinued and Ended" upon the Montgomery County docket.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper Dublin that the Agreement is a reasonable resolution of the Litigation in the best interests of the Township and that the President of the Board of Commissioners is authorized to execute the Agreement for the Township.

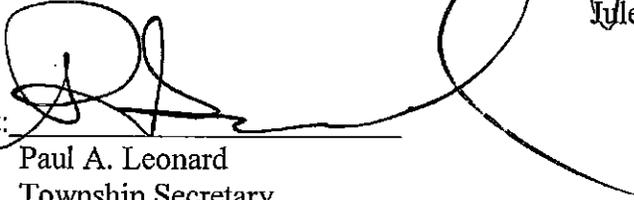
DULY adopted by the members of the Board of Commissioners of the Township of Upper Dublin this 8th day of July, 2008.

TOWNSHIP OF UPPER DUBLIN
BOARD OF COMMISSIONERS

By: _____


Jules J. Mermelstein, President

Attest: _____


Paul A. Leonard
Township Secretary

RESOLUTION NO. 1998

**RESOLUTION TO ACCEPT DEED OF DEDICATION
FOR A WIDENED PORTION OF 175 COMMERCE DRIVE**

WHEREAS, the Board of Commissioners of Upper Dublin Township has received from KORNERSTONE PARTNERS (hereinafter "Grantor") a Deed of Dedication for a widened portion of a public street known as 175 COMMERCE DRIVE (the "Street") as more particularly described by the "Legal Description of 50 Foot Wide Right-Of-Way Dedication" prepared by Woodrow & Associates, Inc., dated July 12, 2007 and attached hereto as "Exhibit "A"; and

WHEREAS, the Board of Commissioners has heretofore approved a Subdivision and Land Development Plan (the "Plan") filed by or on behalf of Grantor showing the Street, which Plan was prepared by Woodrow & Associates, Inc., dated January 3, 2007, last revised July 12, 2007, AND which Plan sets forth that portion of the Street hereby dedicated; and

WHEREAS, the Street has 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:

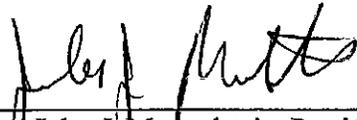
1. The Deed of Dedication offered to the Township for the widened portion of 175 Commerce Drive more fully described as set forth on the Plan is hereby accepted.
2. The proper officers of the Township are authorized to reference this Resolution in the Deed of Dedication and to record same in the Office of Recording of Deeds, Norristown,

Montgomery County, Pennsylvania.

3. The widened portion of this public street as described by Exhibit "A" shall hereafter be designated on the official map of streets in the Township.

RESOLVED, this 17th day of August, 2008.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

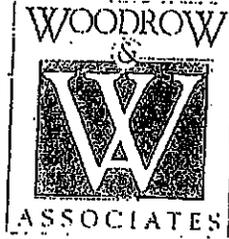
By: 
Jules J. Mermelstein, President

ATTEST:


Paul A. Leonard, Secretary/Township Manager

EXHIBIT "A"

Job Number: 06-110710
Job Name: 175 Commerce Drive
Date: 7/12/07



Legal Description
of 50 Foot Wide Right-Of-Way Dedication

DESCRIPTION OF A RIGHT-OF-WAY DEDICATION THROUGH 175 COMMERCE DRIVE

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 plan titled "Site Improvement Plan, 175 Commerce Drive," prepared by Woodrow & Associates, Inc., dated January 3, 2007, last revised July 12, 2007 and recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT on the shared property line with lands of N/F JLS 185 CD, LLC, said point being located S 52° 09' 18" E, 15.00 ft. from an iron pin in the legal right of way of Commerce Drive, said pin being the common corner with lands of N/F JLS 185 CD, LLC as shown on the above referenced plan;

FROM THE POINT OF BEGINNING, proceeding through the subject tract S 38° 24' 45" W, 260.00 to a point on the shared property line with lands of Heritage Design Center, LP;

THENCE along shared property line N 52° 09' 18" W, 50.00 to a point in the centerline of Commerce Drive;

THENCE, along center line of Commerce Drive N 38° 24' 45" E, 260.00 to a point;

THENCE, leaving the centerline of Commerce Drive and proceeding along the shared property line of said JLS 185 CD, LLC S 52° 09' 18" E, 50.00 ft to the aforementioned Point of Beginning.

Said easement containing 13,000.00 Square Feet / 0.298 Acres, be it the same, more or less.

A circular professional seal is visible, partially obscured by a handwritten signature in cursive ink.

Municipal/Civil Consulting Engineers
Spring House Corporate Center • Suite 100 • 323 Norristown Road • Ambler, PA 19002
Phone: 215-542-5648 • Fax 215-542-5679
Established 1996

RESOLUTION NO. 1999

A RESOLUTION AUTHORIZING A REFERENDUM TO BE HELD IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, ON THE QUESTION: "SHALL DEBT IN THE SUM OF THIRTY MILLION DOLLARS FOR FINANCING THE ACQUISITION OF LAND AND/OR OTHER REAL PROPERTY INTERESTS TO PROTECT RECREATIONAL, NATURAL, SCENIC, HISTORICAL, AND CULTURAL RESOURCES BE AUTHORIZED TO BE INCURRED DEBT APPROVED BY THE ELECTORS."

WHEREAS, the Commissioners of the Township of Upper, Dublin, Montgomery County, Pennsylvania desire to protect land with recreational, natural, scenic, historical, and cultural value for the benefit of the residents of Upper Dublin Township; and

WHEREAS, in furtherance thereof, the Commissioners desire the Township of Upper Dublin to incur electoral debt in the amount of Thirty Million Dollars (\$30,000,000.00) for the purpose of financing the acquisition of land and/or other real property interests to protect recreational, natural, scenic, historical, and cultural resources; and

WHEREAS, the Township of Upper Dublin is authorized to incur electoral debt by the Local Government Unit Debt Act, 53 Pa.C.S. §§ 8001-8049; and

WHEREAS, the Commissioners desire that the qualified voters of the Township of Upper Dublin have another opportunity to provide their assent for the Township to incur electoral debt for the purpose described herein; and

WHEREAS, the Commissioners desire to approve the content and substantial form of a notice of election and question as provided herein; and

WHEREAS, the Commissioners consider this "desire resolution" pursuant to Local Government Unit Debt Act, 53 Pa.C.S. §§ 8001-8049.

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

1. It is advisable to increase the debt of the Township of Upper Dublin with the assent of the qualified voters of the Township, in the amount of Thirty Million Dollars (\$30,000,000.00), to be used to finance the acquisition of land and/or other property interests to protect recreational, natural, scenic, historical, and cultural resources for the benefit of the residents of Upper Dublin Township.

2. That a referendum be conducted in the Township of Upper Dublin, Montgomery County, Pennsylvania, at the general election scheduled for November 4, 2008, so that the qualified voters of the Township may advise the Commissioners as to whether the Township should incur electoral debt in an amount not to exceed Thirty Million Dollars (\$30,000,000.00) to finance the acquisition of land and/or easements to protect recreational, natural, scenic, historical, and cultural resources for the benefit of the Township residents.

3. That the following content and substantial form of notice of the election is approved:

"The qualified voters of the Township of Upper Dublin shall have the opportunity at the general election on November 4, 2008 to provide their assent for the Township to incur electoral debt in the amount of Thirty Million Dollars (\$30,000,000.00) to finance the acquisition of land and/or other real property interests to protect recreational, natural, scenic, historical, and cultural resources for the benefit of the Township residents. The estimated total cost of the acquisitions is Thirty Million Dollars (\$30,000,000.00). The question to be submitted to the qualified voters is:

"Shall debt in the sum of Thirty Million Dollars (\$30,000,000.00) for the purpose of financing the acquisition of land and/or easements to protect recreational, natural, scenic, historical, and cultural resources be authorized to be incurred debt approved by the electors?"

YES

NO

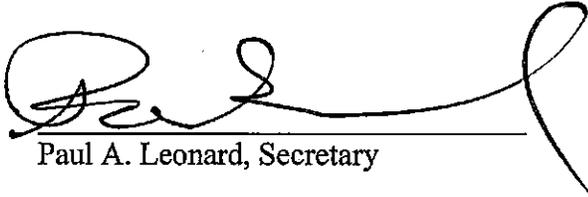
4. The Township Secretary shall forthwith file a certified copy of this Resolution with the Montgomery County Board of Elections, together with a copy of the question to be submitted to the electors.

5. The Commissioners hereby authorize the appropriate Township officials and employees to take the necessary steps to obtain the assent of the qualified voters to incur the debt set forth in Section 1 hereof.

ADOPTED AND RESOLVED this 12th day of August, 2008.

Board of Commissioners
Township of Upper Dublin

Attest:



Paul A. Leonard, Secretary



Jules J. Mermelstein, President