



DEP Code No.

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

04-35

RESOLUTION OF THE SUPERVISORS of Worcester Township
Montgomery COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the 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 Gambone Bros. Development Co. has proposed the development of a parcel of land identified as
land developer

Kumpf-Bell 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, Worcester 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 of the Township

Of Worcester 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.

I, John L. Hume, Secretary, Worcester
(Signature)

Township Board of Supervisors, hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # 04-35, adopted, August 18, 2004.

Municipal Address:

Worcester Township
1721 Valley Forge Road, P.O. Box 767
Worcester, PA 19490
Telephone 610 584 1410

Seal of
Governing Body

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 04-36

WORCESTER OFFICE BUILDING

PRELIMINARY LAND DEVELOPMENT APPROVAL

WHEREAS, WORCESTER OFFICE PARTNERS, LLC (“Developer”) is the owner and developer of a certain tract of land situate in Worcester Township at the intersection of Valley Forge Road and Hickory Hills Drive consisting of 1.2 ± acres (the “**Development**”), which is more particularly shown on plans prepared by Czop/Specter, Inc., being plans consisting of six (6) sheets dated April 6, 2001 with a last revision date being July 12, 2004 (the “**Plans**”); and

WHEREAS, the Plans set forth the construction of an office building, parking lot, on-site treatment system and other improvements; and

WHEREAS, the Plans hereinabove described are being incorporated into this preliminary approval by reference; and

WHEREAS, the Developer desires to obtain preliminary land development approval of the Plans from Worcester Township (the “Township”) in accordance with Section 508 of the Pennsylvania Municipalities Planning Code;

NOW, THEREFORE, BE IT RESOLVED, that Worcester Township hereby grants preliminary approval of the Development as shown on the Plans subject, however, to the following conditions:

1. Prior to final approval, Developer shall obtain and deliver to Township all appropriate permits and approvals required for the Development of the property from all agencies or bodies having jurisdiction over this Development.

2. Although the maintenance of all detention basins, surface and subsurface stormwater drainage facilities and easements shall be the responsibility of the Developer and its successors and assigns, Developer shall, prior or simultaneous with final land development approval, reserve easements in favor of the Township on an easement form to be provided by the Township Solicitor so that the drainage facilities may be maintained by the Township with all expenses being charged to the Developer in the event that the maintenance responsibilities of Developer are not fulfilled after reasonable notice from the Township to do so.

3. No waivers from any applicable provisions of the Worcester Township Subdivision and Land Development Ordinance are intended to be granted by virtue of this Preliminary Approval unless such waiver requests are specifically granted herein. Any proposed design or construction on the Plans which would otherwise require a waiver by the Board of Supervisors and which has not been specifically granted hereby, must be addressed to the discretion of the Board of Supervisors prior to final plan approval.

4. Under the provisions of the Pennsylvania Municipalities Planning Code, the Developer has the right to accept or reject conditions imposed by the Board of Supervisors upon an approval. In the event of an appeal or a notice of rejection filed in writing within thirty (30) days from the date of this resolution, this approval shall be deemed to have been automatically rescinded.

APPROVED at the public meeting of the Worcester Township Board of Supervisors held on August 18, 2004.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: John R. Harris
JOHN R. HARRIS, Secretary

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 04-37

FAWN CREEK – PHASE II

**HAWK'S NEST ROAD
RIGHT OF WAY ALONG FAWN ROAD**

WHEREAS, THE ESTATE OF J. WILLISON SMITH, JR., DECEDENT, ("Grantor") is the equitable owner of a certain tract of land situate in Worcester Township, Montgomery County, Pennsylvania (the "Premises") which land has been subdivided; and

WHEREAS, the Grantor, for and in consideration of One Dollar (\$1.00), desires to dedicate to Worcester Township ("Grantee") for public use and enjoyment Hawk's Nest Road and the right-of-way along Fawn Road; and

WHEREAS, the Grantee, by accepting the Deed of Dedication and recording said Deed and this Resolution, accepts the parcels of ground, more particularly described in Exhibit "A" and "B" which are attached hereto and made a part hereof, as and for public roads or highways.

NOW, THEREFORE, BE IT RESOLVED, that the Worcester Township Board of Supervisors accepts the Deed of Dedication for the described property to have and to hold, forever, as for public roads or highways, together with the sanitary sewer lines constructed thereunder (if any), and with the same effect as if the said roads had been opened by a Decree of Court of Common Pleas in and for the County of Montgomery after proceedings duly had for that purpose under and in pursuance with the laws of the Commonwealth of Pennsylvania.

APPROVED this 20th day of October, 2004, by the Board of Supervisors of Worcester Township.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: John R. Harris
JOHN R. HARRIS, Secretary

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

On this, the 20th day of October, 2004, before me, the undersigned officer, personally appeared **Frank L. Davey** who acknowledged himself to be the President of the Board of Supervisors of Worcester Township, and that as such officers, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of Worcester Township himself as such officer.

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



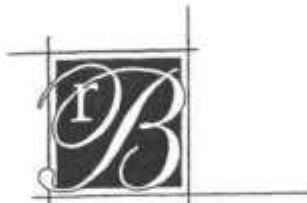
Notary Public

My Commission expires: *Oct 30, 2008*

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Barbara S. Calozzo, Notary Public
Worcester Twp., Montgomery County
My Commission Expires Oct. 30, 2008
Member, Pennsylvania Association Of Notaries

EXHIBIT "A"

Legal Description



robert e. blue consulting engineers, p.c.

November 3, 2003

Description Of Hawk's Nest Road
(50 Feet Wide)

Fawn Creek – Phase 2
Project 406-11

ALL THAT CERTAIN TRACT or piece of land situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania, as described on the "Fawn Creek Phase 2 Record Plan, (1, 2 and 3 of 5)," Sheets 1 through 3 of 33, prepared for Vesterra Group, prepared by Robert E. Blue, Consulting Engineers, Blue Bell, Pennsylvania, dated October 14, 1996, last revised December 17, 1997, said plan being recorded in the Office For The Recording Of Deeds in an for Montgomery County at Norristown, Pa., in Plan Book A-59, Pages 130 through 132, bounded and described as follows:

BEGINNING at a point, said point being a terminus of a radius at the intersection of the northwesterly right-of-way of Hawk's Nest Road (50 feet wide) and the southwesterly ultimate right-of-way of Fawn Road (30 feet from centerline), located from the common corner of lands now or formerly Jesse and Harriet James, and lands now or formerly Lot 23, along the southwesterly ultimate right-of-way of Fawn Road (30 feet from centerline), South 48 degrees, 40 minutes, 18 seconds East, a distance of 245.00 feet,

Thence, from said point of beginning, continuing along the aforementioned southwesterly ultimate right-of-way of Fawn Road, South 48 degrees, 40 minutes, 18 seconds East, a distance of 90.00 feet to a point,

Thence, along the southeasterly right-of-way of Hawk's Nest Road (50 feet wide), the following nine (9) courses and distances;

1. Along the arc of a circle, curving to the left in a southwesterly direction, having a radius of 20.00 feet, an arc distance of 31.42 feet, a chord bearing of South 86 degrees, 20 minutes, 03 seconds West, a chord distance of 28.29 feet, to a point,
2. South 41 degrees, 19 minutes, 42 seconds West, a distance of 319.79 feet to a point,
3. Along the arc of a circle, curving to the right, having a radius of 325.00 feet, an arc distance of 47.89 feet to a point,
4. South 49 degrees, 46 minutes, 18 seconds West, a distance of 596.87 feet to a point,
5. Along the arc of a circle, curving to the left, having a radius of 125.00 feet, an arc distance of 80.22 feet to a point,

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robert e. blue consulting engineers, p.c.

Description Of Hawk's Nest Road
(50 Feet Wide)
Fawn Creek - Phase 2
Project 406-11

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November 3, 2003

6. South 13 degrees, 00 minutes, 00 seconds West, a distance of 80.93 feet to a point,
7. Along the arc of a circle, curving to the right, having a radius of 180.00 feet, an arc distance of 242.85 feet to a point, a point of reverse curvature,

8. Along the arc of a circle, curving to the left, having a radius of 525.00 feet, an arc distance of 371.36 feet to a point,

9. South 49 degrees, 46 minutes, 18 seconds West, a distance of 61.76 feet to a point,

Thence, along the arc of a circle, curving to the left, having a radius of 20.00 feet, an arc distance of 25.62 feet to a point, a point of reverse curvature,

Thence, along the cul-de-sac bulb of Hawk's Nest Road (50 feet radius), along the arc of a circle, curving to the right, having a radius of 50.00 feet, an arc distance of 221.15 feet, a chord bearing of North 76 degrees, 55 minutes, 35 seconds West, a chord distance of 80.18 feet to a point,

Thence, along the northwesterly right-of-way of Hawk's Nest Road (50 feet wide), the following nine (9) courses and distances;

1. North 49 degrees, 46 minutes, 18 seconds East, a distance of 128.84 feet to a point,

2. Along the arc of a circle, curving to the right, having a radius of 575.00 feet, an arc distance of 406.73 feet to a point, a point of reverse curvature,

3. Along the arc of a circle, curving to the left, having a radius of 130.00 feet, an arc distance of 175.39 feet, a chord bearing of North 51 degrees, 38 minutes, 59 seconds East, a chord distance of 162.38 feet to a point,

4. North 13 degrees, 00 minutes, 00 seconds East, a distance of 80.93 feet to a point,

5. Along the arc of a circle, curving to the right, having a radius of 175.00 feet, an arc distance of 112.31 feet to a point,

6. North 49 degrees, 46 minutes, 18 seconds East, a distance of 596.92 feet to a point,

7. Along the arc of a circle, curving to the left, having a radius of 275.00 feet, an arc distance of 40.53 feet to a point,

8. South 41 degrees, 19 minutes, 42 seconds West, a distance of 319.80 feet to a point,



robert e. blue consulting engineers, p.c.

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Description Of Hawk's Nest Road
(50 Feet Wide)
Fawn Creek - Phase 2
Project 406-11

November 3, 2003

9. Along the arc of a circle, curving to the left, having a radius of 20.00 feet, an arc distance of 31.42 feet to a point, said point being the first mentioned point and place of beginning.

CONTAINING 2.304 acres, more or less.

1140611fawn2hawksnest.LGL.doc



11/5/03

EXHIBIT "B"

Legal Description



robert e. blue consulting engineers, p.c.

November 3, 2003

Description Of Fawn Road
Ultimate Right-Of-Way
(30 Feet From Centerline)
To Be Offered For Dedication

Fawn Creek – Phase 2
Project 406-11

ALL THAT CERTAIN TRACT or piece of land situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania, as described on the "Fawn Creek Phase 2 Record Plan, (1 of 5)," Sheet 1 of 33, prepared for Vesterra Group, prepared by Robert E. Blue, Consulting Engineers, Blue Bell, Pennsylvania, dated October 14, 1996, last revised December 17, 1997, said plan being recorded in the Office For The Recording Of Deeds in and for Montgomery County at Norristown, Pa., in Plan Book A-59, Page 130, bounded and described as follows:

BEGINNING at a point, said point being a common corner between lands now or formerly Jesse and Harriet James and lands now or formerly Lot 23, located along the southwesterly ultimate right-of-way of Fawn Road (30 feet from centerline),

Thence, from said point of beginning, North 49 degrees, 46 minutes, 18 seconds East, a distance of 23.29 feet to a point,

Thence, along the title line South 48 degrees, 54 minutes, 40 seconds East, a distance of 647.52 feet to a point,

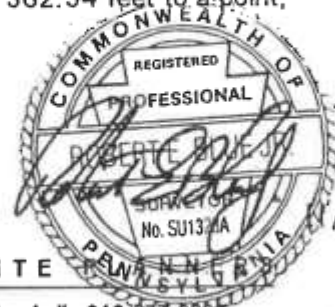
Thence, leaving the bed of Fawn Road (30 feet from centerline), South 26 degrees, 21 minutes, 40 seconds West, a distance of 44.61 feet to a point,

Thence, along the northwesterly ultimate right-of-way of Fawn Road (30 feet from centerline), the following three (3) courses and distances;

1. North 43 degrees, 54 minutes, 00 seconds West, a distance of 116.31 feet to a point,
2. North 46 degrees, 17 minutes, 09 seconds West, a distance of 184.15 feet to a point,
3. North 48 degrees, 40 minutes, 18 seconds West, a distance of 362.54 feet to a point, said point being the first mentioned point and place of beginning.

CONTAINING 18,038 sq.ft., or 0.414 acres, more or less.

1140611fawn2urow.LGL.doc



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**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 04-38

FAWN CREEK – PHASE II

ACCEPTANCE OF OPEN SPACE

WHEREAS, **THE ESTATE OF J. WILLISON SMITH, JR., DECEDENT**, ("Grantor") is the equitable owner of a certain tract of land situate in Worcester Township, Montgomery County, Pennsylvania (the "Premises") which land has reserved certain portions of the Premises for permanent open space purposes; and

WHEREAS, the Grantor, for and in consideration of One Dollar (\$1.00), desires to dedicate to Worcester Township ("Grantee") for public use and enjoyment the aforesaid areas of permanent open space; and

WHEREAS, the Grantee, by accepting the Deed of Dedication and recording said Deed, accepts the parcels of ground more particularly described in Exhibit "A" which is attached hereto and made a part hereof, as and for permanent public open space.

NOW, THEREFORE, BE IT RESOLVED that the Worcester Township Board of Supervisors accepts the Deed of Dedication for the described property to have and to hold, forever, as for public use and enjoyment as permanent open space which uses may include active recreational purposes, passive recreational purposes, as well as the conservation of land and other natural resources and any other consistent purpose under and in pursuance with the laws of the Commonwealth of Pennsylvania.

APPROVED this 20th day of October, 2004, by the Board of Supervisors of Worcester
Township.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman,
Board of Supervisors

Attest: John R. Harris
JOHN R. HARRIS, Secretary

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09/14/04

EXHIBIT "A"

Legal Description

EXHIBIT "A"

Legal Description



robert e. blue consulting engineers, p.c.

November 5, 2003

Description Of Dedicated Open Space

Fawn Creek – Phase 2
Project 406-11

ALL THAT CERTAIN TRACT or piece of land situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania, as described on the "Fawn Creek Phase 2 Record Plan, (1 through 5)," Sheets 1 through 5 of 33, prepared for Vesterra Group, prepared by Robert E. Blue, Consulting Engineers, Blue Bell, Pennsylvania, dated October 14, 1996, last revised December 17, 1997, said plan being recorded in the Office For The Recording Of Deeds in an for Montgomery County at Norristown, Pa., in Plan Book A-59, Pages 130 through 134, bounded and described as follows:

BEGINNING at a point, said point being the common dividing line between lands now or formerly Lot 46 and lands now or formerly Dedicated Open Space, located from the terminus of a radius at the intersection of the southeasterly right-of-way of Hawk's Nest Road (50 feet wide) and the southwesterly ultimate right-of-way of Fawn Road (30 feet from centerline), the following three (3) courses and distances;

1. Along the aforementioned southwesterly ultimate right-of-way of Fawn Road, South 48 degrees, 40 minutes, 18 seconds East, a distance of 27.54 feet to a point,
2. Continuing along the aforementioned southwesterly ultimate right-of-way of Fawn Road, South 46 degrees, 17 minutes, 09 seconds East, a distance of 184.15 feet to a point,
3. Continuing along the aforementioned southwesterly ultimate right-of-way of Fawn Road, South 43 degrees, 54 minutes, 00 seconds East, a distance of 39.03 feet to a point,

Thence, from said point of beginning, continuing along the aforementioned southwesterly ultimate right-of-way of Fawn Road, South 43 degrees, 54 minutes, 00 seconds East, a distance of 146.30 feet to a point,

Thence, along the southwesterly right-of-way of relocated Hollow Road (30 feet from centerline), the following five (5) courses and distances;

1. Along the arc of a circle, curving to the left in a southeasterly direction, having a radius of 480.00 feet, an arc distance of 91.07 feet, a chord bearing of South 15 degrees, 44 minutes, 18 seconds East, a chord distance of 90.92 feet to a point,

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Description Of Dedicated Open Space
Fawn Creek – Phase 2
Project 406-11

November 5, 2003

2. South 21 degrees, 10 minutes, 23 seconds East, a distance of 101.21 feet to a point,
3. Along the arc of a circle, curving to the right, having a radius of 160.00 feet, an arc distance of 88.15 feet to a point,
4. South 10 degrees, 23 minutes, 40 seconds West, a distance of 234.42 feet to a point,
5. Along the arc of a circle, curving to the right, having a radius of 570.00 feet, an arc distance of 59.39 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 22 and lands now or formerly Dedicated Open Space, South 87 degrees, 06 minutes, 27 seconds West, a distance of 323.63 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 22 and Lot 21, and lands now or formerly Dedicated Open Space, South 52 degrees, 42 minutes, 17 seconds West, a distance of 293.44 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 21 and lands now or formerly Dedicated Open Space, South 04 degrees, 06 minutes, 53 seconds West, a distance of 360.47 feet to a point,

Thence, along the southwesterly right-of-way of Relocated Hollow Road (30 feet from centerline), the following seven (7) courses and distances;

1. Along the arc of a circle, curving to the left in a southwesterly direction, having a radius of 180.00 feet, an arc distance of 141.94 feet, a chord bearing of South 24 degrees, 25 minutes, 48 seconds West, a chord distance of 138.29 feet to a point,
2. South 01 degree, 50 minutes, 34 seconds West, a distance of 382.22 feet to a point,
3. Along the arc of a circle, curving to the right, having a radius of 480.00 feet, an arc distance of 229.93 feet to a point,
4. South 29 degrees, 17 minutes, 22 seconds West, a distance of 170.66 feet to a point,
5. Along the arc of a circle, curving to the right, having a radius of 533.50 feet, an arc distance of 190.99 feet to a point,
6. South 49 degrees, 47 minutes, 59 seconds West, a distance of 76.71 feet to a point,
7. Along the arc of a circle, curving to the right, having a radius of 539.55 feet, an arc distance of 71.80 feet to a point,



robert e. blue consulting engineers, p.c.

Description Of Dedicated Open Space
Fawn Creek - Phase 2
Project 406-11

November 5, 2003

Thence, along the common dividing line between lands now or formerly Lloyd A. and Florence R. Heebner, and lands now or formerly Dedicated Open Space, North 48 degrees, 30 minutes, 27 seconds West, a distance of 441.02 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 40 and Lot 39, and lands now or formerly Dedicated Open Space, North 41 degrees, 29 minutes, 33 seconds East, a distance of 691.65 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 38, and lands now or formerly Dedicated Open Space, the following five (5) courses and distances;

1. North 19 degrees, 59 minutes, 37 seconds East, a distance of 396.73 feet to a point,
2. North 58 degrees, 49 minutes, 40 seconds East, a distance of 72.30 feet to a point,
3. North 38 degrees, 49 minutes, 07 seconds West, a distance of 25.23 feet to a point,
4. South 58 degrees, 59 minutes, 40 seconds West, a distance of 193.87 feet to a point,
5. South 81 degrees, 00 minutes, 33 seconds West, a distance of 200.52 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 38 and Lot 39, and lands now or formerly Dedicated Open Space, South 57 degrees, 08 minutes, 23 seconds West, a distance of 339.26 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 40, and lands now or formerly Dedicated Open Space, the following two (2) courses and distances;

1. South 68 degrees, 55 minutes, 32 seconds West, a distance of 232.38 feet to a point,
2. South 41 degrees, 29 minutes, 33 seconds West, a distance of 261.46 feet to a point,

Thence, along the common dividing line between lands now or formerly Lloyd A. and Florence R. Heebner, and lands now or formerly Dedicated Open Space, North 48 degrees, 30 minutes, 27 seconds West, 232.18 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 33 and lands now or formerly Dedicated Open Space, North 69 degrees, 46 minutes, 28 seconds East, a distance of 430.42 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 33, Lot 34 and Lot 35, and lands now or formerly Dedicated Open Space, North 49 degrees, 46 minutes, 18 seconds East, a distance of 501.51 feet to a point,



robert e. blue consulting engineers, p.c.

Description Of Dedicated Open Space
Fawn Creek - Phase 2
Project 406-11

November 5, 2003

Thence, along the common dividing line between lands now or formerly Lot 36 and Lot 37, and lands now or formerly Dedicated Open Space, North 86 degrees, 41 minutes, 46 seconds East, a distance of 328.14 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 37, and lands now or formerly Dedicated Open Space, the following three (3) courses and distances;

1. North 58 degrees, 59 minutes, 40 seconds East, a distance of 150.84 feet to a point,
2. North 38 degrees, 49 minutes, 07 seconds West, a distance of 60.33 feet to a point,
3. Along the arc of a circle, curving to the left, having a radius of 550.00 feet, an arc distance of 90.53 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 41, Lot 42 and Lot 43, and lands now or formerly Dedicated Open Space, North 41 degrees, 45 minutes, 02 seconds East, a distance of 472.46 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 43, Lot 44 and Lot 45, and lands now or formerly Dedicated Open Space, North 57 degrees, 55 minutes, 50 seconds East, a distance of 333.92 feet to a point,

Thence, along the common dividing line between lands now or formerly Lot 45 and Lot 46, and lands now or formerly Dedicated Open Space, North 27 degrees, 17 minutes, 23 seconds East, a distance of 402.80 feet to a point, said point being the first mentioned point and place of beginning.

CONTAINING 22.335 acres, more or less.

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11/5/03

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO -- 04-39

MALONE TRACT

PRELIMINARY SUBDIVISION APPROVAL

WHEREAS, Michael Malone (the "Developer") is the owner and developer of a certain tract of land situate in Worcester Township with frontage on Wentz Church Road consisting of 10.4 ± acres (the "Development") which is more particularly shown on plans prepared by Robert E. Blue Consulting Engineers, P.C., being plans consisting of eighteen (18) sheets dated February 27, 2004 (the "Plans") setting forth the proposed subdivision of the tract into four (4) lots in accordance with those Plans; and

WHEREAS, the Plans are more particularly described in the Schedule of Plans which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, Developer desires to obtain preliminary subdivision approval of the Plans from Worcester Township (the "Township") in accordance with Section 508 of the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, BE IT RESOLVED that Worcester Township hereby grants preliminary approval of the Development as shown on the Plans, subject, however, to the following conditions:

1. Prior to final approval, Developer must resolve to the satisfaction of the Township all issues raised in the Township Engineer's review letter dated April 1, 2004 and any subsequent review letters from the Township Engineer.

2. Prior to final approval, Developer shall obtain and deliver to Township all appropriate permits and approvals required for the development of the property from all agencies or bodies having jurisdiction over this Development.

3. At or before final subdivision approval, Developer shall provide Township with detailed metes and bounds descriptions of all applicable utility easements being reserved over any lots of the Development. In addition, Developer shall provide Township with true and correct copies of any utility easement, including stormwater, over adjacent properties which easements may be necessary to adequately serve the lots with such facilities.

4. Although the maintenance of all detention basins, surface and subsurface stormwater drainage facilities and easements shall be the responsibility of the property owner on whose property the said facilities and easements are located, Developer shall, prior to or simultaneously with final subdivision approval, reserve easements in favor of the Township, on an easement form to be provided by the Township Solicitor, so that the drainage facilities may be maintained by the Township with all expenses being charged to the appropriate property owner in the event that the maintenance responsibilities of the said property owners are not fulfilled after reasonable notice from the Township to do so.

5. No waivers from any applicable provisions of the Worcester Township Subdivision and Land Development Ordinance are intended to be granted by virtue of this preliminary approval unless such waiver requests are specifically granted herein. Any proposed design or construction on the Plans which would otherwise require a waiver by the Board of

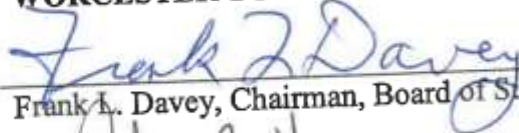
Supervisors, and which has not been specifically granted hereby, must be addressed to the discretion of the Board of Supervisors prior to final plan approval.

6. Under the provisions of the Pennsylvania Municipalities Planning Code, the Developer has the right to accept or reject conditions imposed by the Board of Supervisors upon an approval by filing an appeal or a notice of rejection in writing within thirty (30) days from the date of this Resolution.

APPROVED at the public meeting of the Worcester Township Board of Supervisors held on October 20, 2004.

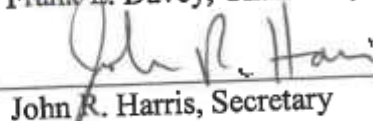
WORCESTER TOWNSHIP

By:



Frank L. Davey, Chairman, Board of Supervisors

Attest:



John R. Harris, Secretary

EXHIBIT "A"**PLAN INDEX**

<u>Sheet No.</u>	<u>Sheet Title</u>	<u>Origination Date</u>	<u>Date Last Revised</u>
1	Record Plan	2/27/2004	8/13/2004
2	Existing Features Plan	2/27/2004	8/13/2004
3	Grading Plan	2/27/2004	8/13/2004
4	Utility Plan (1 of 2)	2/27/2004	8/13/2004
5	Landscape Plan	2/27/2004	6/14/2004
6	Erosion and Sedimentation Control Plan	2/27/2004	8/13/2004
7	Post Construction Stormwater Management Plan	2/27/2004	8/13/2004
8	Sanitary Sewer Profiles (2 of 2)	2/27/2004	8/13/2004
9	Sanitary Sewer Profiles (1 of 2)	2/27/2004	8/13/2004
10	Storm Sewer Profiles (1 of 2)	2/27/2004	8/13/2004
11	Storm Sewer Profiles (2 of 2)	2/27/2004	8/13/2004
12	Constructionary Details (1 of 3)	2/27/2004	8/13/2004
13	Constructionary Details (2 of 3)	2/27/2004	8/13/2004
14	Constructionary Details (3 of 3)	2/27/2004	8/13/2004
15	Erosion and Sedimentation Control Details	2/27/2004	8/13/2004
16	Sanitary Sewer Details	2/27/2004	8/13/2004
17	Basins 1 & 2	2/27/2004	8/13/2004
18	Basins 3 & 4	2/27/2004	8/13/2004



DEP Code No.
1-46962-139-3J

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION 04-40

RESOLUTION OF THE (SUPERVISORS) (~~COMMISSIONERS~~) (~~COUNCILMEN~~) of Worcester
(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 A. Ross Myers has proposed the development of a parcel of land identified as
Norrington Commons, and described in the attached Sewage Facilities Planning Module, and
Norrington Commons 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). private on-lot pump station and private force main

WHEREAS, Worcester Township municipality finds that the subdivision described in the attached 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 Worcester 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.

I John R. Hani (Signature), Secretary, Worcester

Township Board of Supervisors (~~Borough Council~~) (~~City Councilmen~~), hereby certify that the foregoing is a true copy of the Township (~~Borough~~) (~~City~~) Resolution # 04-40, adopted October 20 2004.

Municipal Address:

Worcester Township Municipal Building
1721 Valley Forge Road, P.O. Box 767
Worcester, PA 19490
Telephone (610) 584-1410

Seal of
Governing Body

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2004-41

**Spring Lake Subdivision
Spring Creek Road
Pondview Drive
Creekside Drive
North Wales Road**

WHEREAS, SPARANGO LAND PARTNERSHIP I, L.P., (“Grantor”) is the owner of a certain tract of land situate in Worcester Township, Montgomery County, Pennsylvania (the “Premises”) which land has been subdivided and Grantor has constructed certain roads known as Spring Creek Road, Pondview Drive and Creekside Drive.

WHEREAS, the Grantor, for and in consideration of One Dollar (\$1.00), desires to dedicate to Worcester Township (“Grantee”) for public use and enjoyment the aforesaid area roads constructed by Grantor and the right-of-way along the existing North Wales Road; and

WHEREAS, the Grantee, by accepting the Deed of Dedication and recording said Deed and this Resolution, accepts the parcels of ground, more particularly described in Exhibits “A”, “B”, “C” and “D” attached hereto and made a part hereof, as and for public roads or highways.

NOW, THEREFORE, BE IT RESOLVED, that the Worcester Township Board of Supervisors accepts the Deed of Dedication for the described roads to have and to hold, forever, as for public roads or highways, together with the sanitary sewer lines constructed thereunder (if any), and with the same effect as if the said roads had been opened by a Decree of Court of Common Pleas in and for the County of Montgomery after proceedings duly had for that purpose under and in pursuance with the laws of the Commonwealth of Pennsylvania.

APPROVED this 17th day of November, 2004, by the Board of Supervisors of Worcester Township for acceptance and recording.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: John R. Harris
JOHN R. HARRIS, Secretary

LEGAL DESCRIPTION

EXHIBIT "A"



**DEED OF DEDICATION
SPRING CREEK ROAD
(FORMERLY KNOWN AS OLD FARM ROAD)
March 4, 2003**

ALL THAT CERTAIN lot or piece of land, situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania, bounded and described according to a Final Plan-Subdivision Plan-South Section "SPRING LAKE", prepared by Woodrow & Associates, Inc., dated September 26, 1997, last revised October 30, 1998 and recorded in Plan Book A-58 Page 229, as follows, to wit:

BEGINNING at a concrete monument on the Northwestern side of North Wales Road (40 feet from the centerline thereof); said point being measured N 37° 32' 25" E, 310.18 feet from a concrete monument at the corner of Lot 1 and the Sunny Brooke Subdivision; thence from said beginning point and extending along the Southwesterly side of Spring Creek Road the three (3) following courses and distances: (1) along the arc of a circle curving to the left, having a radius of 15.00 feet, the arc distance of 23.56 feet to a concrete monument, a point of tangency; (2) thence N 52° 27' 35" W, 361.26 feet to a concrete monument, a point of curvature; (3) thence along the arc of a circle curving to the left, having a radius of 25.00 feet, the arc distance of 23.55 feet to a concrete monument, a point of reverse curvature on the turnaround portion of the cul-de-sac; thence along the arc of a circle curving to the right, having a radius of 60.00 feet, the arc distance of 301.52 feet to a concrete monument, a point of reverse curvature on the Northeasterly side of Spring Creek Road; thence extending along the Northeasterly side of Spring Creek Road the three (3) following courses and distances: (1) along the arc of a circle curving to the left, having a radius of 25.00 feet, the arc distance of 23.55 feet to a concrete monument, a point of tangency; (2) thence S 52° 27' 35" E, 361.26 feet to a PK nail, a point of curvature; (3) thence along the arc of a circle curving to the left, having a radius of 15.00 feet, the arc distance of 23.56 feet to a concrete monument on the aforementioned Northwestern side of North Wales Road; thence extending along the said side of North Wales Road S 37° 32' 25" W, 80.00 feet to the first mentioned point and place of beginning.

CONTAINING: 30,804 square feet of land, more or less.

LEGAL DESCRIPTION

EXHIBIT "B"



**DEED OF DEDICATION
PONDVIEW DRIVE
March 4, 2003**

ALL THAT CERTAIN lot or piece of land, situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania, bounded and described according to a Final Plan-Subdivision Plan-South Section "SPRING LAKE", prepared by Woodrow & Associates, Inc., dated September 26, 1997, last revised October 30, 1998 and recorded in Plan Book A-58 Page 229, as follows, to wit:

BEGINNING at a concrete monument on the Northwesterly side of North Wales Road (40 feet from the centerline thereof); said point being measured N 37° 32' 25" E, 1,010.18 feet from a concrete monument at the corner of Lot 1 and the Sunny Brooke Subdivision; thence from said beginning point and extending along the Southwesterly side of Pondview Drive the three (3) following courses and distances: (1) along the arc of a circle curving to the left, having a radius of 15.00 feet, the arc distance of 23.56 feet to a concrete monument, a point of tangency; (2) thence N 52° 27' 35" W, 361.26 feet to a concrete monument, a point of curvature; (3) thence along the arc of a circle curving to the left, having a radius of 25.00 feet, the arc distance of 23.55 feet to a concrete monument, a point of reverse curvature on the turnaround portion of the cul-de sac; thence along the arc of a circle curving to the right, having a radius of 60.00 feet, the arc distance of 301.52 feet to a concrete monument, a point of reverse curvature on the Northeasterly side of Pondview Drive; thence extending along the Northeasterly side of Pondview Drive the three (3) following courses and distances: (1) along the arc of a circle curving to the left, having a radius of 25.00 feet, the arc distance of 23.55 feet to a concrete monument, a point of tangency; (2) thence S 52° 27' 35" E, 361.30 feet to a concrete monument, a point of curvature; (3) thence along the arc of a circle curving to the left, having a radius of 15.00 feet, the arc distance of 23.53 feet to a concrete monument on the aforementioned Northwesterly side of North Wales Road; thence extending along the said side of North Wales Road S 37° 40' 38" W, 17.75 feet to an angle point; thence continuing along the same S 37° 32' 25" W, 62.22 feet to the first mentioned point and place of beginning.

CONTAINING: 30,803 square feet of land, more or less.

LEGAL DESCRIPTION

EXHIBIT "C"



**DEED OF DEDICATION
CREEKSIDE DRIVE
March 4, 2003**

ALL THAT CERTAIN lot or piece of land, situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania, bounded and described according to a Final Plan-Subdivision Plan-North Section "SPRING LAKE", prepared by Woodrow & Associates, Inc., dated September 26, 1997, last revised October 30, 1998 and recorded in Plan Book A-58 Page 230, as follows, to wit:

BEGINNING at a concrete monument on the Northwesterly side of North Wales Road (40 feet from the centerline thereof); said point being measured S 37° 40' 38" W, 278.68 feet from a concrete monument at the corner of Lot 23 and lands now or formerly of Robert C. and Joan A. Bilella; thence from said beginning point and extending along the said side of North Wales Road S 37° 40' 38" W, 80.00 feet to a concrete monument; thence leaving the said side of North Wales Road extending along the Southwesterly side of Creekside Drive the three (3) following courses and distances: (1) along the arc of a circle curving to the left, having a radius of 15.00 feet, the arc distance of 23.56 feet to a concrete monument, a point of tangency; (2) thence N 52° 19' 22" W, 361.26 feet to a concrete monument, a point of curvature; (3) thence along the arc of a circle curving to the left, having a radius of 25.00 feet, the arc distance of 23.55 feet to a concrete monument, a point of reverse curvature on the turnaround portion of the cul-de sac; thence along the arc of a circle curving to the right, having a radius of 60.00 feet, the arc distance of 301.52 feet to a concrete monument, a point of reverse curvature on the Northeasterly side of Creekside Drive; thence extending along the Northeasterly side of Creekside Drive the three (3) following courses and distances: (1) along the arc of a circle curving to the left, having a radius of 25.00 feet, the arc distance of 23.55 feet to a concrete monument, a point of tangency; (2) thence S 52° 19' 22" E, 361.26 feet to a concrete monument, a point of curvature; (3) thence along the arc of a circle curving to the left, having a radius of 15.00 feet, the arc distance of 23.56 feet to the first mentioned point and place of beginning.

CONTAINING: 30,804 square feet of land, more or less.

LEGAL DESCRIPTION

EXHIBIT "D"



**DEED OF DEDICATION
NORTH WALES ROAD**
March 4, 2003

ALL THAT CERTAIN lot or piece of land, situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania, bounded and described according to a Final Plan-Subdivision Plan-South Section "SPRING LAKE", prepared by Woodrow & Associates, Inc., dated September 26, 1997, last revised October 30, 1998 and recorded in Plan Book A-58 Page 229 and also being bounded and described according to a Final Plan-Subdivision Plan-North Section "SPRING LAKE", prepared by Woodrow & Associates, Inc., dated September 26, 1997, last revised October 30, 1998 and recorded in Plan Book A-58 Page 230, as follows, to wit:

BEGINNING at a point on the centerline of North Wales Road (56.50 feet wide by the addition of 23.50 feet to the northwesterly side); said point being on the dividing line of the Sunny Brooke and Spring Lake Subdivisions; thence leaving the centerline of North Wales Road extending along the said dividing line N 52° 42' 52" W, 40.00 feet to a concrete monument on the Ultimate Right-of-Way Line of North Wales Road, a corner to Lot 1; thence extending along the Northwesterly side of North Wales Road crossing the beds of Spring Creek Road and Pondview Drive N 37° 32' 25" E, 1,072.40 feet to an angle point; thence continuing along the same crossing the bed of Creekside Drive N 37° 40' 38" E, 1,496.47 feet to a concrete monument at the corner of Lot 23 and lands now or formerly of Robert C. and Joan A. Bilella; thence leaving the said Ultimate Right-of-Way line of North Wales Road extending along the lands of Bilella S 38° 58' 19" E, 41.11 feet to a point on the centerline of North Wales Road; thence extending along the centerline of North Wales Road the two (2) following courses and distances: (1) S 37° 40' 38" W, 1,486.98 feet to an angle point; (2) thence S 37° 32' 25" W, 1,072.12 feet to the first mentioned point and place of beginning.

CONTAINING: 102,559 square feet of land, more or less.

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 04 - 42

A RESOLUTION APPOINTING THE CERTIFIED PUBLIC ACCOUNTING FIRM OF BEE, BERGVALL & CO. TO ACT AS AUDITOR ON BEHALF OF THE TOWNSHIP TO ADMINISTRATION AND ENFORCEMENT PURSUANT TO SECTION 917(B)(2) OF THE SECOND CLASS TOWNSHIP CODE (53 P.S. §65917(B)(2)).

WHEREAS, pursuant to Section 917(b)(2) of the Second Class Township Code (53 P.S. §65917(b)(2)), Worcester Township hereby appoints the Certified Public Accounting Firm of Bee, Bergvall & Co. to act as the Auditor for Worcester Township; and

WHEREAS, the Auditor shall make an examination of all the accounts of the Township for the fiscal year of 2004; and

WHEREAS, audits made by the Auditor shall be made in accordance with generally accepted auditing standards; and

WHEREAS, the Auditor shall not have the power to determine compensations; and

WHEREAS, the Auditor is subject to the penalties under 52 P.S. §65901 *et seq.* and the report of the Auditor is subject to appeals as set forth in 52 P.S. §65901 *et seq.*; and

WHEREAS, compensation for the Auditor shall be paid at a rate to be determined by the Board of Supervisors; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 917(b)(2) of the Second Class Township Code (53 P.S. §65917(b)(2)), Worcester Township hereby appoints the Certified Public Accounting Firm of Bee, Bergvall & Co. to act as the auditor of Worcester Township.

RESOLVED, by the Worcester Township Board of Supervisors this 15th day of
December, 2004.

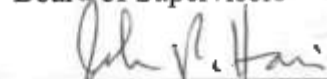
WORCESTER TOWNSHIP

By:



FRANK L. DAVEY, Chairman,
Board of Supervisors

Attest:



JOHN R. HARRIS, Secretary



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER SUPPLY AND WASTEWATER MANAGEMENT

DEP Code No.

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

04-43

RESOLUTION OF THE SUPERVISORS of Worcester Township
Montgomery COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the 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 Sparango Construction Co. Inc. has proposed the development of a parcel of land identified as
land developer

Thompson-Scott Subdivision, 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). Low Pressure Sewer System with Individual Grinder Pumps

WHEREAS, Worcester 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 of the Township

Of Worcester 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.

I, John K. Hani, Secretary, Worcester
(Signature)

Township Board of Supervisors, hereby certify that the foregoing is a true copy of
the Township (Borough) (City) Resolution # 04-43, adopted, December 15, 2004.

Municipal Address:

Worcester Township1721 Valley Forge Road, P.O. Box 767Worcester, PA 19490Telephone 610 584 1410

Seal of
Governing Body

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS
MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA
RESOLUTION NO. 04-44
TAX LEVY RESOLUTION**

A RESOLUTION OF THE TOWNSHIP OF WORCESTER, County of Montgomery, Commonwealth of Pennsylvania, fixing the tax rates for the year 2005.

BE IT RESOLVED AND ENACTED, and it is hereby resolved and enacted by the Board of Supervisors of the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania:

That a tax be and the same is hereby levied on all real property within the Township of Worcester subject to taxation for the fiscal year 2005, as follows:

Tax rate for general purposes, the sum of .05 mill on each dollar of market valuation
Or the sum of .0005 cent on each one hundred dollars of market valuation.

The same being summarized in tabular form as follows:

	Mills on Each Dollar Of Market Valuation	Cents on Each One-Hundred Dollars of Market Valuation
Tax Rate for General Purposes	.05 Mill	.0005 Cent
TOTAL	.05 Mill	.0005 Cent

That any resolution or part of resolution, conflicting with this resolution be and the same is hereby repealed insofar as the same affects this resolution.

Adopted the 15th day of December, AD 2004.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: John R. Harris
JOHN R. HARRIS, Secretary

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 04-45

PULLI TRACT - LOT LINE ADJUSTMENT

DENIAL OF SUBDIVISION APPLICATION

WHEREAS, MARTIN and GERALDINE PULLI (hereinafter collectively referred to as "Owner") are the owners of a certain tract of land situate in Worcester Township with frontage on Bethel Road consisting of 5.77 ± acres (the "Development"), which is more particularly shown on a plan prepared by Woodrow & Associates, Inc., being a plan consisting of one sheet dated September 8, 2004 (the "Plan"), setting forth a proposed lot line adjustment in accordance with that Plan (a complete description of the Plan is attached hereto as Exhibit "A" and expressly made a part hereof); and

WHEREAS, the Plan described in Exhibit "A" attached hereto is being incorporated into this Denial of Subdivision Application by reference.

NOW, THEREFORE, BE IT RESOLVED, that Worcester Township hereby denies Owner's subdivision application for a lot line adjustment proposed on the Plan described on Exhibit "A" attached hereto, for the following reasons:

1. The Application violates Section 150-110.5.B(4)(a) of the Worcester Township Zoning Ordinance which requires a minimum setback for residential lots from pre-existing secondary collector and primary street ultimate rights-of-way, as defined by the

Township, in the amount of 300 feet. Developer proposes a setback which is less than 300 feet in violation of the aforesaid section of Township Zoning Ordinance.

2. The Application violates Section 150-110.3.A pertaining to permitted uses in open land areas.

3. The Application violates Section 150-110.4.A requiring that open land be permanently restricted from future subdivision and prohibiting development under any circumstances except those listed in Section 150-110.3.

4. The Application violates Section 150-110.4.B requiring open land to be owned by the Township, an association or conservation organization and prohibiting transfer of open land to any entity except the Township, an association or conservation organization.

5. Note 19 on the previously approved subdivision plans for the Marx Tract states that open space areas are not to be considered building lots and shall not be further subdivided. This lot line adjustment would violate this restriction noted on the Marx Tract subdivision plan.

6. Note 26-2 on the approved subdivision plans for the Marx Tract states that there shall be no further subdivision of the tract.

7. The lot line adjustment, if permitted, would cause the resulting open space configuration to be extremely unusual and irregular.

8. The Board of Supervisors originally approved the Marx Tract subdivision, in part, because the open space was located to maximize the visual and aesthetic enjoyment for the greatest number of people. Virtually all of the lots in the underlying subdivision have already been sold and those Purchasers bought their lots in reliance upon the configuration of the open space which now exists.

9. Approving the lot line adjustment would unnecessarily require all of those individual lot owners to join in deeding away that portion of the open space which Lot 1 seeks to absorb and also join in accepting that portion of Lot 1 which is proposed to be merged back into the existing open space.

10. Since the area proposed to be deeded over to the open space consists largely of a pond, the Homeowner Association or Owner of the existing open space would face potential liability implications of placing the pond entirely in the open space.

For the foregoing reasons, the subdivision application for lot line adjustment is hereby **DENIED** at the public meeting of the Worcester Township Board of Supervisors held on December 15, 2004.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: John R. Harris
JOHN R. HARRIS, Secretary

EXHIBIT "A"

<u>SHEET NO.</u>	<u>PLAN TITLE</u>	<u>DATE</u>	<u>LAST REVISED</u>
1	Lot Line Relocation Plan	September 8, 2004	None

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION No. 04-46

AURIEMMA TRACT

PRELIMINARY/FINAL SUBDIVISION APPROVAL

WHEREAS, Claudio and Salvatrice Auriemma (hereinafter collectively referred to as "Developer") are the owners and developers of a certain tract of land situate in Worcester Township with frontage on Mill Road consisting of 7.9 ± acres (the "Development") which is more particularly shown on plans prepared by Gilmore & Associates Inc., being plans consisting of four (4) sheets dated February 5, 2004 and last revised July 6, 2004 (the "Plans") setting forth the proposed subdivision of the tract into three (3) lots in accordance with those Plans; and

WHEREAS, the Plans are more particularly described in the Schedule of Plans which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, Developer has previously obtained and supplied or will obtain and supply to the Township all applicable permits from all Authorities, Agencies and Municipalities having jurisdiction in any way over the Development; and

WHEREAS, Developer desires to obtain preliminary subdivision approval of the Plans from Worcester Township (the "Township") in accordance with Section 508 of the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, BE IT RESOLVED that Worcester Township hereby grants preliminary/final approval of the Development as shown on the Plans, subject, however, to the following conditions:

1. At this time, the Worcester Township Board of Supervisors waives strict compliance with the following provisions of the Worcester Township Subdivision and Land Development Ordinance:
 - a. Section 130-28 with regard to providing landscaping;
 - b. Section 130-16 with regard to requirements pertaining to street widening;
 - c. Section 130-18 with regard to requirements pertaining to curbs and sidewalks
2. Developer shall prepare a Driveway Easement, satisfactory to the Township Solicitor. The Driveway Easement shall be recorded simultaneously with the record Plan by the office of the Township Solicitor.
3. Developer shall prepare legal descriptions of the area between the title line and the ultimate right-of-way for review by the Township Engineer and for use by the Township Solicitor to prepare Deeds of Dedication. The ultimate right-of-way shall be dedicated simultaneously with the recording of the Plans.
4. The Development shall be constructed in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Preliminary/Final Approval Resolution.

5. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans and Notes to the Plans and this Preliminary/Final Approval Resolution shall be borne entirely by the Developer and shall be at no cost to the Township.

6. Developer shall provide Township with detailed metes and bounds descriptions of all applicable utility easements being reserved over any lots of the Development. In addition, Developer shall provide Township with true and correct copies of any utility easement, including stormwater, over adjacent properties which easements may be necessary to adequately serve the lots with such facilities.

7. Developer shall provide the Township Manager and the Township Engineer with at least 72 hours notice prior to the initiation of any grading or ground clearing (whether for the construction of public improvements or in connection with individual building lots themselves) so that the Township may certify that all appropriate erosion and sedimentation control facilities have been properly installed and also that snow fencing or other types of boundary markers (acceptable to the Township) have been installed to protect such trees as are specifically proposed not to be eliminated during the construction of the Development.

8. Under the provisions of the Pennsylvania Municipalities Planning Code, the Developer has the right to accept or reject conditions imposed by the Board of Supervisors upon an approval by filing an appeal or a notice of rejection in writing within thirty (30) days from the date of this Resolution.

9. Consistent with Section 513 of the Pennsylvania Municipalities Planning Code, it shall be the responsibility of the Developer to deliver fully and properly executed record Plan to the

Township in sufficient time that such Plan may be recorded at the Montgomery County Recorder of Deeds Office within ninety (90) days from the date of final approval. Failure to deliver such properly executed Plan to the Township within this time frame shall render the approval of the Plan null and void.

APPROVED at the public meeting of the Worcester Township Board of Supervisors held on December 15, 2004.

WORCESTER TOWNSHIP

By:

Frank L. Davey

Frank L. Davey, Chairman, Board of Supervisors

Attest:

John R. Harris

John R. Harris, Secretary

EXHIBIT "A"

PLAN INDEX

<u>Sheet No.</u>	<u>Sheet Title</u>	<u>Origination Date</u>	<u>Date Last Revised</u>
1	Final Plan Record Plan	2/5/2004	7/6/2004
2	Existing Features and Demolition Plan	2/5/2004	7/6/2004
3	Existing Features Within 400 Feet	2/5/2004	7/6/2004
4	Grading Plan	2/5/2004	7/6/2004