

ORDINANCE NO. 114

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A TOWNSHIP PLANNING COMMISSION FOR THE TOWNSHIP OF WORCESTER, MONTGOMERY COUNTY, PENNSYLVANIA

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The Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania desiring to create a Planning Commission pursuant to the authority granted under the Pennsylvania Municipalities Planning Code, Article II, Sections 202 and 203, hereby enact and ordain the following Ordinance:

Section 1. The Planning Commission for Worcester Township, consisting of five members appointed by the Board of Supervisors of the Township of Worcester, is hereby established.

Section 2. The members of the Planning Commission shall be residents of Worcester Township and shall serve without compensation. They shall be appointed by the Supervisors of Worcester Township for a term of four (4) years, except that the terms of the initial members appointed shall be so fixed that the terms of not more than two (2) members shall expire in any one year. New appointments to the Commission shall be appointed for the terms which accomplish this result. The members of the Planning Commission shall hold no other Township office except that of a member of the Worcester Township Zoning Hearing Board or that of a member of the Worcester Township Board of Supervisors. When necessary, the Township engineer shall serve the Planning Commission as an engineering advisor, and the Township solicitor shall serve the Planning Commission as a legal advisor.

The Chairman of the Planning Commission shall promptly notify the Board of Supervisors of the municipality concerning vacancies in the Commission, and such vacancies shall be filled for the unexpired term. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired term according to the terms of this Section.

Should the Board of Supervisors of Worcester Township determine to increase the number of members of the existing Planning Commission, the additional members shall be appointed as provided in

this Section. If the Board of Supervisors shall determine to reduce the number of members on the existing Planning Commission, such reduction shall be effectuated by allowing the terms to expire and by making no new appointments to fill the vacancy. Any reduction or increase shall be by Ordinance.

Any member of the Planning Commission once qualified and appointed may be removed from office for malfeasance, misfeasance or non-feasance in office or for other just cause by a majority vote of the Board of Supervisors taken after the member has received fifteen (15) days advanced notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

Section 3. The purpose and duty of the Planning Commission hereby established is to advise the Board of Supervisors of Worcester Township concerning the most expedient methods of promoting the orderly development of the Township of Worcester.

Section 4. All subdivision, land development and rezoning applications submitted to the Board of Supervisors of Worcester Township for their approval pursuant to the Municipalities Planning Code or the subdivision and land development laws of the Township shall be referred to the Planning Commission for its recommendation and the Planning Commission shall provide its recommendation on all such matters to the Board of Supervisors within such time as shall permit the Board of Supervisors to make their own mandatory deadlines under the Pennsylvania Municipalities Planning Code or any other applicable statute, ordinance, rule or regulation.

Section 5. The Planning Commission shall not have power to let contracts or incur any debts on behalf of Worcester Township.


Section 6. The Planning Commission shall elect its own Chairman and Vice Chairman and create and fill such offices as it may determine. Officers shall serve annual terms and may succeed themselves. The Commission may make and alter By-Laws and rules and regulations to govern its procedures consistent with the Ordinances of Worcester Township and the laws of the Commonwealth. The Planning Commission shall keep a full record of its business and shall annually make a written report by March 1 of each year of its

activities to the Board of Supervisors of Worcester Township. Interim reports may be made as often as may be necessary, or as requested by the Board of Supervisors.

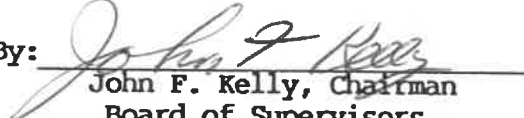
ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 18TH day of APRIL, A.D. 1990.

WORCESTER TOWNSHIP

Attest:

  
George R. Lewis, Secretary

By:

  
John F. Kelly, Chairman  
Board of Supervisors

DEC 8 1989

ORDINANCE NO. 115

AN ORDINANCE TO AMEND SECTION 2604, ARTICLE XXVI, OF THE WORCESTER TOWNSHIP ZONING ORDINANCE BY AMENDING CERTAIN SUBSECTIONS AND BY ADDING PROVISIONS REQUIRING A USE AND OCCUPANCY PERMIT FOR EVERY PROPERTY TRANSFER WITHIN THE TOWNSHIP

The Board of Supervisors of Worcester Township hereby adopts an Ordinance amending the Worcester Township Zoning Ordinance, Article XXVI, Section 2604 pertaining to the requirements of use and occupancy in the Township, by amending certain subsections and by adding provisions requiring a use and occupancy permit for every property transfer within the Township. The amendments provide as follows:

- " . . .
- D. Change in use or extension of a non-conforming use.
- E. Every transfer of property from one owner to another shall require a use and occupancy permit.
- F. It shall be unlawful for any person to use or occupy any building or other structure or land until a use and occupancy permit has been duly issued therefore."

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 21st day of March , A.D. 1990.

Attest: George R. Lewis  
George R. Lewis, Secretary

WORCESTER TOWNSHIP  
By: John F. Kelly  
John F. Kelly, Chairman  
Board of Supervisors

ORDINANCE NO. 116

WORCESTER TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA

PROPOSED ORDINANCE AMENDING THE LANGUAGE IN  
SECTION 1702.1 OF THE BOCA BASIC/NATIONAL  
BUILDING CODE, NINTH EDITION, 1984  
(ADOPTED AS AN ORDINANCE OF WORCESTER TOWNSHIP  
BY ORDINANCE NUMBER 96, NOVEMBER 10, 1986)  
GOVERNING THE TYPES OF STRUCTURES  
IN WHICH FULLY AUTOMATIC FIRE SUPPRESSION  
SYSTEMS SHALL BE REQUIRED

The Board of Supervisors of Worcester Township hereby adopts an amendment to Section 1702.1 of the BOCA BASIC/National Building Code, Ninth Edition, 1984 (adopted as an Ordinance of Worcester Township by Ordinance No. 96, November 10, 1986) requiring fire suppression systems to be installed and maintained in full operating condition, as specified in this Code, in all buildings with a gross floor area of more than two thousand (2,000) square feet, other than single-family detached residences. Section 1702.1, as amended, would provide as follows:

"1702.1 Where required: Fire Suppression Systems shall be installed and maintained in full operating condition, as specified in this Code, in the locations indicated in Section 1702.2 through 1702.21; all buildings with a gross floor area of more than two thousand (2,000) square feet, other than single-family detached residences, shall be provided with a fully automatic fire suppression system."

FURTHER, BE IT UNDERSTOOD, that the Board of Supervisors, through this Ordinance, repeals Section 1702.1 of the BOCA BASIC/National Building Code, Ninth Edition, 1984, as amended by Ordinance No. 96 of Worcester Township and all other ordinances or resolutions or parts thereof insofar as they are inconsistent with this Ordinance.


ORDAINED AND ENACTED by the Board of Supervisors of the Township of Worcester, Montgomery County, Pennsylvania, this 21st day of March, A.D., 1990.

WORCESTER TOWNSHIP

Attest:

  
George R. Lewis,  
Secretary

By:

  
John F. Kelly,  
Chairman, Board of Supervisors

ORDINANCE NO. 90- 117

AN ORDINANCE TO AMEND ORDINANCE NO. 100 OF WORCESTER TOWNSHIP ENTITLED THE WORCESTER TOWNSHIP ZONING ORDINANCE OF 1988, BY ADDING A NEW ARTICLE XV TO BE ENTITLED "R-50" RESIDENTIAL ALTERNATIVE DISTRICT

The Board of Supervisors of Worcester Township hereby adopts an Ordinance establishing a new "R-50" Residential Alternative District and providing regulations for the "R-50" Residential Alternative District as follows:

ARTICLE XV-"R-50" RESIDENTIAL ALTERNATIVE DISTRICT

SECTION 1500. In the "R-50" Residential Alternative District, the following regulations shall apply.

SECTION 1501. Use Regulations. A building may be erected or used and a lot may be occupied for any of the following purposes, and no other:

- A. Agricultural.
- B. Single family, detached dwellings in accordance with the regulations and requirements of Article VII of the Zoning Ordinance of 1988.
- C. Townhouses in accordance with the regulations and requirements of Section 807(F) of the Zoning Ordinance of 1988, as amended by this Article.
- D. Mobile Home Park as a conditional use subject to the standards, regulations and requirements of Article XIV of the Zoning Ordinance of 1988, as amended by this Article.
- E. Accessory uses in accordance with ARTICLE XXV of the Zoning Ordinance of 1988.

SECTION 1502. Special Regulations for Townhouse Development.

- A. Building height. The maximum height for buildings or other structures erected in an R-50 Residential Alternative District shall be thirty (30) feet, not exceeding two (2) stories.
- B. Building plan. All buildings shall be in accordance with an overall plan and shall be designed as a single architectural scheme.
- C. Preservation of natural features. The Development Plan shall, where possible, preserve and incorporate natural features such as woods, streams and open space areas.
- D. Trash receptacles. All trash, rubbish or other refuse receptacles on the property and intended for use by more than a single property owner shall be completely fenced in a manner so as not to be visible except when being

unloaded. All such receptacles shall be covered and shall be handled and disposed of in such a manner as not to give rise to smoke, odor or litter. The number and location of such receptacles shall be at the discretion of the Board of Supervisors and shall be set forth on the overall Subdivision or Land Development Plan for the property.

- E. Lighting and utility lines. All lighting for the property including any permitted sign lighting, shall be designed so that the illumination itself does not leave the boundaries of the property and so that the source of the illumination is not visible from any point off the property.

**SECTION 1503. Special Regulations for Mobile Home Parks.**

- A. Density. The total number of lots in a mobile home park development located within the R-50 Residential Alternative District shall not exceed a maximum density of four (4) per developable acre.
- B. Setback from Park Boundary. No mobile home nor any structure accessory to a mobile home or a mobile home park may be located closer than 150' from the boundary of a mobile home park development. This setback shall be utilized as a "buffer area" consistent with the requirements of Section 807(F)(5) (with the exception of the width requirement) rather than the requirements of Section 1403(G).

**SECTION 1504. Conflict of Regulations.** To the extent any of the regulations set forth in Section 1502 above are inconsistent with the regulations of Section 807(F), the regulations of Section 1502 shall be controlling. To the extent any of the regulations set forth in Section 1503 above are inconsistent with the regulations set forth in Article XIV, the regulations of Section 1503 shall be controlling.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of Worcester, Montgomery County, Pennsylvania this 20th day of June 1990.

WORCESTER TOWNSHIP  
BOARD OF SUPERVISORS

By: \_\_\_\_\_

John F. Kelly, Chairman  
Board of Supervisors

Attest: \_\_\_\_\_

George R. Lewis, Secretary

JJG:slp  
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ORDINANCE NO. 118

AN ORDINANCE TO AMEND ORDINANCE NO. 100 OF WORCESTER TOWNSHIP ENTITLED THE WORCESTER TOWNSHIP ZONING ORDINANCE OF 1988 AND PARTICULARLY SECTION 200 THEREOF WHICH INCORPORATES THE OFFICIAL WORCESTER TOWNSHIP ZONING MAP BY REZONING ONE OR MORE OF THE FOUR PROPERTIES DESCRIBED HEREIN FROM THEIR PRESENT CLASSIFICATION OF "AGR" AGRICULTURAL DISTRICT TO A NEW CLASSIFICATION AS "R-50" RESIDENTIAL ALTERNATIVE DISTRICT.

The Board of Supervisors of Worcester Township hereby ordains:

1. Ordinance No. 100 of Worcester Township, known as the Worcester Township Zoning Ordinance, Article II, Establishment of Districts, Section 200, incorporating the Zoning Map of Worcester Township, is hereby amended by rezoning the following lands from their current classification as "AGR" Agricultural District to a new classification as "R-50" Residential Alternative District:

Tract 1:

Approximately 24 acres on the south side of Germantown Pike opposite Kriebel Mill Road, and with the owner of record being Kim Peter Chang Y and Tok Son and being identified on the Worcester Township Tax Maps as Block No. 2 Unit 9; Parcel no. 01555-00-7, more particularly described on Exhibit "A" attached hereto and expressly made a part hereof.

Tract 2:

Approximately 40 acres on the north side of Skippack Pike (Route 73) 960 feet west of Weber Road, with the owner of record being Center Square Associates and being further identified on the Worcester Township Tax Maps as Block No. 26, Unit 69; Parcel No. 03238-40-3, more particularly described on Exhibit "B" attached hereto and expressly made a part hereof.

Tract 3:

Approximately 26 acres on the Northeast corner of North Wales Road and Skippack Pike, with the owner of record being Worcester Associates and being further identified on the Worcester Township Tax Maps as Block No. 23, Unit 21; Parcel No. 0332200-4, more particularly described on Exhibit "C" attached hereto and expressly made a part hereof.



Tract 4:

Approximately 22 acres with frontage on North Wales Road located contiguous to and almost entirely to the rear of the property described in subparagraph 2(c) above, and with the owner of record being Rockland Contour Contracting Co., and being further identified on the Worcester Township Tax Maps as Block No. 23, Unit 22; Parcel No. 02659-50-5, more particularly described on Exhibit "D" attached hereto and expressly made a part hereof.

SECTION 2. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

SECTION 3. Nothing in this Ordinance or in Ordinance No. 100 of Worcester Township as hereby amended shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any permit issued, or any clause or clauses of action existing under Ordinance No. 100 prior to the adoption of this amendment.

SECTION 4. This Ordinance shall take effect and be in force from and after its enactment as required by law.

ENACTED by the Board of Supervisors of Worcester Township after a hearing at a public meeting on the 20th day of June, 1990.

WORCESTER TOWNSHIP  
BOARD OF SUPERVISORS

ATTEST: GEORGE R. LEWIS  
SECRETARY

JOHN F. KELLY  
CHAIRMAN  
BOARD OF SUPERVISORS

TRACT 1

ALL THAT CERTAIN tract of land, situate in the Townships of Worcester and Lower Providence, in the County of Montgomery and Commonwealth of Pennsylvania, bounded and described according to a Plan of Subdivision prepared for Wilbur Cassel by Urwiler & Walter, Inc., Registered Professional Engineers, dated January 15, 1979 and recorded in the Recorder of Deeds Office in Plan Book A-39, page 2, as follows, to wit:

BEGINNING in the center line of Germantown Pike (100 feet wide), said point of beginning being at a corner of lands now or late of Zimcap Associates; thence extending from said point of beginning along the aforesaid center line of Germantown Pike the two (2) following courses and distances as follows, to wit: thence (1) South 77 degrees 32 minutes 53 seconds East 319.10 feet to a nail set; thence (2) South 58 degrees 59 minutes East 228.08 feet to a nail set to a corner of Lot #1 as shown on the above mentioned Plan; thence exceeding along Lot #1 as shown on the above mentioned Plan South 33 degrees 27 minutes 29 seconds West 330.93 feet to an iron pin set to a corner of lands now or late of Carl Kauffman; thence extending along the aforesaid lands and lands now or late of William Staneruck and Harry Righter South 58 degrees 58 minutes East 515.50 feet more or less to an iron pin found to a corner of lands now or late of Andrew Dyka; thence extending along the aforesaid lands the two (2) following courses and distances as follows, to wit: thence (1) South 31 degrees 02 minutes West crossing over a stream of water 484.18 feet to an iron pin found; thence (2) South 52 degrees 51 minutes 56 seconds East 566.69 feet to an iron pin found to a corner of lands now or late of Arthur MacNamara; thence extending along the aforesaid

Lands South 39 degrees 13 minutes 07 seconds West 302.84 feet; thence still along the aforesaid lands South 48 degrees 45 minutes 43 seconds East 448.53 feet to a point a corner of lands now or late of Allen Gehret; thence extending along the aforesaid lands South 49 degrees 46 minutes 54 seconds East 200 feet to the center line of East Mt. Kirk Avenue (60 feet wide); thence extending along the aforesaid center line South 39 degrees 23 minutes 06 seconds West 50.41 feet to a point a corner of lands now or late of Charles Rutter; thence extending along the aforesaid lands North 49 degrees 02 minutes 30 seconds West 649.90 feet more or less to an iron pin found to a corner of lands now or late of George E. Rittenhouse; thence extending along the aforesaid lands North 48 degrees 45 minutes 43 seconds West 818.34 feet to a point a corner still in the aforesaid lands; thence extending along the aforesaid lands of Rittenhouse and along lands now or late of Norman Rutter and Albert Schlack South 39 degrees 52 minutes 44 seconds West 913.91 feet to an iron pin found to a corner of lands now or late of Alfred C. Peterson;

thence extending along the aforesaid lands and lands now or late of John E. Heyser North 39 degrees 04 minutes 45 seconds West 755.68 feet to an iron pin found to a corner still in lands now or late of Heyser; thence extending along the aforesaid lands North 55 degrees 13 minutes 14 seconds East 286.91 feet to an iron pin set to a corner still in the

aforesaid lands North 47 degrees 30 minutes 43 seconds West 380 feet to an iron pin found to a corner of lands now or late of Mark S. Reinert; thence extending along the aforesaid lands North 36 degrees 37 minutes 07 seconds East 559.94 feet to an iron pin found to a corner of lands now or late of Zimcap Associates; thence extending along the aforesaid lands the three (3) following courses and distances as follows to wit: thence (1) South 3 degrees 10 minutes 53 seconds East 257.50 feet to an iron pin found; thence (2) North 36 degrees 37 minutes 07 seconds East 359.73 feet to an iron pin found; thence (3) North 33 degrees 18 minutes 17 seconds East 449.42 feet to the center line of the aforesaid Germantown Pike to the first mentioned point and place of beginning.

BEING Known and designated as Lot #2 as shown on the above mentioned Plan

"Excepting thereout and therefrom any portion of the property described herein which does not lie within the legal boundaries of Worcester Township, Montgomery County, Pennsylvania."

## TRACT 2

ALL THAT CERTAIN tract or piece of ground, situate in the Township of Worcester, County of Montgomery, and Commonwealth of Pennsylvania, bounded and described according to a subdivision plan of the Estate of Helen M. Rothenberger, made by David Meixner, Civil Engineer and Surveyor, Colledgeville, Pennsylvania, on April 21, 1972, as follows, to wit:

BEGINNING at a point in the center line of Skippack Pike (T. R. No. 73) (50 feet wide) as shown on said plan, a corner of lands now or late of Norman S. Kriebel as shown on said plan; thence extending from said beginning point, through the bed of said Skippack Pike, along said center line, the two following courses and distances, to wit: (1) North 72 degrees 36 minutes West, the distance of 556.75 feet to a point, (2) North 72 degrees 24 minutes West, the distance of 587.26 feet to a point; thence extending along other land now or late of Estate of Helen M. Rothenberger, as shown on said plan, and designated as Parcel No. two thereon, the four following courses and distances, to wit:

(1) North 17 degrees 36 minutes East, the distance of 210.22 feet to a point, (2) North 45 degrees 17 minutes East, the distance of 124.38 feet to a point, (3) North 16 degrees 07 minutes 53 seconds East, the distance of 966.86 feet to a point, (4) North 45 degrees 31 minutes West, the distance of 50 feet to a point at or near the Southeasterly terminus point of the Southwesterly side line of a certain 50 feet wide right of way, extending in a Northwestwardly direction into Schultz Road, as shown on said plan; thence extending along line of lands now or late of the County of Montgomery, and now or late of John E. Gerstemeier, as shown on said plan, the three following courses and distances, to wit: (1) North 53 degrees 32 minutes East, along or near the Southeasterly terminus line of said right of way, the distance of 50.63 feet to a point, at or near the Southeasterly terminus point of the Northeasterly side line of said right of way, (2) North 51 degrees 42 minutes East, crossing a stream of water, as shown on said plan, the distance of 305.44 feet to a point, (3) North 19 degrees 52 minutes East, the distance of 167.52 feet to a point; thence extending along line of lands now or late of James D. Hudson, as shown on said plan, South 51 degrees 42 minutes East, the distance of 303 feet to a point; thence extending along line of lands now or late of Norman S. Kriebel, aforesaid, as shown on said Plan, South 14 degrees 31 minutes 10 seconds West, recrossing in two places, the aforesaid stream of water, as shown on said plan, the distance of 2660.07 feet to the first mentioned point and place of beginning.

BEING known and designated as Parcel No. 3 on said plan; and containing in area 40.48045 acres of ground.

TOGETHER with the free and uninterrupted use, liberty and privilege of, in and to a certain 50 feet wide strip of land, fully bounded and described, according to survey and plan, dated 1/5/1968, and revised 4/8/1970 as prepared by Donald H. Schurr, Civil Engineer and Surveyor, Norristown, Pa., as follows, to wit: Beginning at a point in the center line of Schultz Road (33 feet wide), said point being also a corner of lands of John Gerstemeier, and a corner of lands of James Hudson; thence from said beginning point along lands of James Hudson, South 22 degrees 52 minutes East 468.83 feet to a point, a corner in line of lands of Alvin K. Rothenberger; thence along the same South 76 degrees 11 minutes West 50.63 feet to a point, a corner; thence through lands of Montgomery County, and along the Westerly side of a proposed right of way, 50 feet wide, North 22 degrees 52 minutes West 456.14 feet to a point, a corner in the center line of Schultz Road, aforesaid; thence along said center line North 61 degrees 44 minutes East 50.22 feet to the first mentioned point and place of beginning for the uses, intents, and purposes as are fully set forth in Agreement between County of Montgomery and Alvin K. Rothenberger and Helen M. Rothenberger, his wife, their Heirs and Assigns, dated the 5th day of May A.D. 1970, recorded the 12th day of May A.D. 1970 in Montgomery County Deed Book 3593 page 163. etc.

RESERVING, however, to grantor-estate, its successors and assigns, the right in common with grantee herein, his successors and assigns, to the joint use of the existing fifty (50) foot wide right of way granted by Montgomery County from Schultz Road in this tract dated May 5, 1970 and recorded in Montgomery County Deed Book 3593 page 163 together with the right to the joint free and uninterrupted use, liberty and privilege of, in to and over that triangular shaped piece of ground lying between said 50 feet wide right of way and the northeast end of tract 2 as designated on subdivision drawing number 261-OH prepared by David Meixner registered professional engineer, dated April 21, 1972, shown as 50 feet in length and a course of South 45 degrees 31 minutes East which triangular piece extends northeast therefrom and is formed by extending in a northeastwardly direction the course of North 14 degrees 07 minutes 53 seconds East until 1:

intersects with an extension of the northeasterly side of the 50 foot wide right of way above recited, it being the intent of the parties hereto that the estate in distributing tract 2 may also grant to the distributee and he in turn may grant to his executor, administrator, heirs, devisees, successors and assigns the right to use the aforescribed joint rights of way and so on from transfer to transfer.

AND further reserving to grantor-estate or its nominee, Ellis Anders, the right to harvest on or before December 31, 1972 all existing crops now planted on the premises being conveyed.

BEING the same premises which Margaret M. R. Scheid and Alvin K. Rothenberger, Jr. as Executors of the estate of Helen M. Rothenberger, deceased, by Deed dated June 30, 1972 and recorded in Montgomery County, in Deed Book 3778 page 53. conveyed unto Marvin D. Ellick, in fee.

TRACT 3

ALL THAT CERTAIN parcel of land situate in the Township of Worcester, County of Montgomery and Commonwealth of Pennsylvania, bounded and described in accordance with a Plan of Survey titled Frisbie Tract, prepared by Czop/Specter, Inc., Consulting Engineers and Surveyors, Worcester, Pa., dated August 23, 1988, as follows, to wit:

BEGINNING at a point in the center line of North Wales Road, said point being located North 37 degrees 35 minutes 00 seconds East 57.50 feet from the center line intersections of North Wales Road and Skippack Pike (Rt. 73); thence extending from said point of beginning and along the lands now or late of Horsham Industrial and Commercial Development Authority the next three (3) following courses and distance: (1) North 52 degrees 25 minutes 00 seconds West, 140.09 feet; (2) North 17 degrees 50 minutes 34 seconds West, 627.41 feet; (3) North 37 degrees 35 minutes 00 seconds East 1322.14 feet to a point a corner of lands now or late of Frisbie; thence from said point and along the lands now or late of Frisbie, South 52 degrees 20 minutes 55 seconds East, 656.70 feet to a point in the center line of North Wales Road; thence from said point along the center line of North Wales Road, South 37 degrees 35 minutes 00 seconds West, 1677.40 feet to the point and place of BEGINNING.

BEING Lot #2 as shown on Plan.

CONTAINING 23.1827 acres of land, more or less.

BEING Parcel #67-00-03322-00-4.

BEING the same premises which Richard L. Hynes and Fannie L. Hynes, his wife, by deed dated July 11, 1941 and recorded in Montgomery County, in Deed Book 1405, page 392, conveyed unto Lewis T. Troster and Ruth A. Troster, his wife, in fee.

AND the said Ruth A. Troster departed this life on or about July 11, 1980, whereby title to above premises became vested absolutely in Lewis T. Troster, by right of survivorship.

UNDER AND SUBJECT to certain restrictions of record.

#### TRACT 4

ALL THAT CERTAIN tract or parcel of ground with the buildings and improvements thereon erected, Situate in Worcester Township, Montgomery County, Pennsylvania and described according to a certain Plan of Property of Robert L. Morcross made by Donald H. Schurr, Civil Engineer and Surveyor, dated November 21, 1963, and last revised August 3, 1966, as follows, to wit:

**BEGINNING** at an interior point on the Northeasterly side of the Northeast Extension of Pennsylvania Turnpike (200 feet wide) a corner of lands now or late of Lewis T. Troster said point being the two following courses and distances from a point formed by the intersection of the title line in the bed of North Wales Road (33 feet wide) being the dividing line between Worcester Township and Whitpain Township, Montgomery County with the extended Northeasterly side of Skippack Pike (55 feet wide) (1) leaving North Wales Road 53 degrees 30 minutes 15 seconds West along the Northeasterly side of Skippack Pike One hundred thirty-two and fifty-eight one-hundredths feet to a point on the Northeasterly side of the Northeast Extension of the Pennsylvania Turnpike (200 feet wide) and (2) North 17 degrees 50 minutes 15 seconds West along the Northeasterly side of the Northeast Extension of the Pennsylvania Turnpike six hundred thirty-eight and forty-nine-one-hundredths feet to the point of beginning; thence extending from said point of beginning North 17 degrees 50 minutes 15 seconds West along the Northeasterly side of the Northeast Extension of the Pennsylvania Turnpike one hundred thirty-three and forty-four one-hundredths feet to an iron pin a corner of lands now or late of Ritter; thence leaving the aforesaid Turnpike along the aforesaid lands of Ritter the two following courses and distances (1) North 37 degrees 41 minutes East three hundred ninety-four and forty one-hundredths feet to a point and (2) North 52 degrees 41 minutes 30 seconds West five hundred sixty-eight and ninety-two one-hundredths feet to an iron pin on the Northeasterly side of the Northeast Extension of the Pennsylvania Turnpike (of irregular width); thence extending North 17 degrees 50 minutes 15 seconds West along the Northeasterly side of the Northeast Extension of the Pennsylvania Turnpike (of irregular width) five hundred fourteen and eighty-one one-hundredths feet to an iron pin a corner of lands now or late of Margaret McClure; thence leaving the aforesaid Turnpike along the aforesaid lands of McClure the two following courses and distances (1) North 37 degrees 35 minutes East five hundred eighty-seven feet to a corner post and (2) South 51 degrees 51 minutes East one thousand one hundred four and thirty one-hundredths feet to an iron pin a corner of lands of Lewis T. Troster aforesaid; thence extending South 37 degrees 41 minutes West along the aforesaid lands of Troster one thousand three hundred thirty-five and eighty-two one-hundredths feet to the first mentioned interior point and place of beginning.

CONTAINING in Area 21.780 Acres



**TOGETHER** with a perpetual easement for a Right of Way through the adjacent premises to the Southeast from the above described premises to North Wales Road (also known as Township Line Road #377) and being more particularly described as follows, to wit:

**BEGINNING** at a point formed by the intersection of the title line in the bed of North Wales Road (33 feet wide) being the dividing line between Worcester Township and Whitpain Township, Montgomery County with the extended Northeasterly side of Skippack Pike (55 feet wide); thence extending from said point of beginning North 53 degrees 30 minutes 15 seconds West along the Northeasterly side of Skippack Pike crossing the Northwesterly side of North Wales Road one hundred thirty-two and fifty eight one-hundredths feet to a point on the Northeasterly side of the Northeast Extension of the Pennsylvania Turnpike (200 feet wide); thence extending North 17 degrees 50 minutes 15 seconds West along the Northeasterly side of the Northeast Extension of the Pennsylvania Turnpike six hundred thirty-eight and forty-nine one-hundredths feet to a point a corner of Premises "B", above described; thence extending North 37 degrees 41 minutes East along Premises "B", above described twenty-four and twenty-five one-hundredths feet to an iron pin; thence extending South 17 degrees 50 minutes 15 seconds East six hundred twenty-eight and sixty-four one-hundredths feet to a point; thence extending South 53 degrees 30 minutes 15 seconds East recrossing the Northwesterly side of North Wales Road one hundred forty and nine one-hundredths feet to a point on the title line in the bed of same; thence extending South 36 degrees 29 minutes 45 seconds West along the title line through the bed of North Wales Road, also being the aforesaid line dividing Worcester Township and Whitpain Township, Montgomery County, 30 feet to the first mentioned point of intersection and place of beginning.

**BEING** the same premises which David A. Bower and Lynn M. Bower, h/w, by Indenture bearing date the 20th day of February, A.D., 1980 and recorded in the Office of the Recorder of Deeds in and for Montgomery County, Pennsylvania in Deed Book 4504, Page 351, granted and conveyed unto Horsham Industrial and Commercial Development Authority.

**BEING PARCEL NUMBER 67-00-02659-50-5**

ORDINANCE NO. 90- 119

AN ORDINANCE AMENDING ARTICLE VII, SECTION 700 B. OF THE WORCESTER TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (ORDINANCE NUMBER 74) BY ESTABLISHING A REQUIREMENT FOR SUBDIVIDERS AND DEVELOPERS TO FURNISH A CASH ESCROW IN AN AMOUNT APPROVED BY THE TOWNSHIP TO GUARANTEE THE PAYMENT OF LEGAL AND ENGINEERING FEES, MATERIAL AND FACILITIES TESTS, INSPECTIONS AND DEDICATIONS

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SECTION 1. Article VII, Section 700 B. of the Worcester Township Subdivision and Land Development Ordinance (Ordinance Number 74) is hereby amended as follows:

The existing subparagraph B. is deleted in its entirety and replaced with the following language:

"B. FINAL PLAN

No fee will be charged for filing an Improvement Construction Plan or a Record Plan, unless no Preliminary Plan has been filed, in which case, the fees established for a Preliminary Plan will be charged. The subdivider, developer or builder will also be required to furnish a cash escrow, in an amount to be computed under sub-paragraph (f) below but not less than Five Hundred Dollars (\$500.00) in order to guarantee the payment of:

- (a) Engineering Services. The services of the Township Engineer, as provided in these rules and regulations. In addition, all costs for other engineering and professional certification as deemed necessary.
- (b) Material and Facilities Tests. The actual cost of all drainage, water and/or material tests.
- (c) Inspections. Fifteen Dollars (\$15.00) per hour for each hour or portion thereof that Township Building Inspector is engaged on the work.
- (d) Dedications. Legal fees, advertising and other costs involved in the dedication of streets and public improvements to the Township.
- (e) Legal Services. The services of the Township Solicitor for legal services incidental to the preliminary and final approval of plans of each subdivision or development, or section thereof, and specifically including, but not limited to, the review of all plans, correspondence and permits;

the preparation of subdivision and escrow agreements, easements, covenants and deeds; the attendance at any meetings with the supervisors, the planning commission, the Township Engineer, the Developer or the Developer's representatives in connection with the development and any telephone conferences in connection with any of the above.

- (f) Method of Payment. The costs set forth in subparagraphs a-e above shall be estimated and escrowed at ten (10%) percent of the total construction cost of the public improvements required to be built under the Improvement Construction Plan of the Final Plans unless in the judgment of the Township Engineer a greater amount is necessary to secure the payment of the expenses which the Township is likely to incur in connection with the subdivision as described in subparagraphs (a) through (e) above. Such estimate shall be escrowed with the Township in cash, and the Township may draw upon the escrow as necessary to reimburse itself for the fees and costs set forth in subparagraphs a-e above. Simultaneously with each such draw from the escrow of the Township, the Township shall send the developer an invoice (marked "paid") for the amount drawn specifying the particular fee, cost or expense for which the Township has drawn payment or reimbursement. Developer shall at no time permit the cash escrow required by this subparagraph to be reduced below an amount reasonably estimated by the Township Engineer to be necessary to reimburse the Township for the remaining fees, costs and expenses which the Township is reasonably likely to incur prior to the completion of the subdivision or land development. Within ten (10) days of the developer's receipt of notice from the Township that the balance of the escrow required by this subparagraph is deemed inadequate to cover the reasonable costs and expenses likely to be incurred by the Township, developer shall post such additional monies as have been specified in the notice. Subject to the dispute resolution procedure set forth in the Pennsylvania Municipalities Planning Code, as amended, the refusal to post such monies as shall be requested by the Township, shall be deemed a breach of the developer's obligations under the improvement agreement and shall entitle the Township to withhold any requested inspections or permits until such time as the escrow has been increased as requested by the Township."

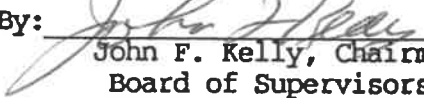
SECTION 2. The Board of Supervisors through this Ordinance, repeals Section 700 B. of the Worcester Township Subdivision and Land Development Ordinance and all other ordinances or resolutions or parts thereof insofar as they are inconsistent with this Ordinance.

SECTION 3. This Ordinance shall be effective upon its enactment.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of Worcester, Montgomery County, Pennsylvania, this 20th day of June, A.D. 1990.

WORCESTER TOWNSHIP

Attest:   
George R. Lewis, Secretary

By:   
John F. Kelly, Chairman  
Board of Supervisors

ORDINANCE 90-120

AN ORDINANCE LAYING OUT AND ACQUIRING A CERTAIN TRAFFIC SIGNAL EASEMENT OVER PROPERTY LOCATED AT THE INTERSECTION OF VALLEY FORGE ROAD AND TOWNSHIP LINE ROAD SO AS TO ENABLE THE SUPERVISORS OF THE TOWNSHIP OF WORCESTER TO INSTALL A TRAFFIC SIGNAL, WHICH TRAFFIC SIGNAL IS DEEMED NECESSARY FOR THE SAFETY OF THE PUBLIC.

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The Board of Supervisors of the Township of Worcester hereby enacts and ordains the following Ordinance:

**SECTION 1: Legislative Findings and Intent.**

The Board of Supervisors recognizes that the intersection of Township Line Road and Valley Forge Road in the Township of Worcester has become a dangerous intersection posing a hazard to public safety. The installation of a traffic signal at such intersection would greatly reduce the danger to the public. The Pennsylvania Department of Transportation has recognized that such a signal is warranted and has granted a permit therefore. The Township has requested the owners of the subject property to grant to the Township an easement to enable the Township to install the traffic signal, but said owners have refused to do so. The Supervisors are authorized to condemn this easement by Article XI, Section 1101, et seq. of the Second Class Township Code.

**SECTION 2: Authorization.**

The Board of Supervisors of Worcester Township hereby lays out, condemns and acquires a certain traffic signal easement on and over a portion of that tract of land of Dominec Pergolese, more particularly described on Exhibit "A" attached hereto and made a part hereof.

**SECTION 3: Description and Terms of Easement.**

The easement being laid out, condemned and acquired by this Ordinance shall be described and governed by the following terms.

- a. The easement shall entitle the Township to enter upon the easement area from time to time to construct, install, repair, inspect, renew, remove, relocate, add to, operate, control and maintain thereon, a traffic signal with associated wiring and controls.
- b. Any traffic signal or signals installed by the Township within the easement shall be installed and maintained entirely without expense to the property owner.
- c. The Township shall be fully responsible for the construction, repair and maintenance of the traffic signal and its associated wiring as well as any costs related thereto and shall further be responsible to restore any portions of the property (within or without the easement area) to the condition in which such property was found prior to the construction, repair or maintenance of the traffic signal. The Township further agrees that at no time during the construction, repair or maintenance of the traffic signal shall the existing driveway or other access to the property be blocked in such way as to prevent the owner from free ingress and egress to the property.
- d. Once the traffic signal has been installed, no landscaping, tree branches or growth of any kind shall be permitted to infringe upon a clear and unobstructed view of the signal by all passing traffic.

e. The easement acquired herein is solely for the purposes contained herein. Nothing contained herein shall be construed to grant the Township the fee simple interest in the property on which the traffic signal and its associated wiring shall be installed and the title to such property shall remain and be retained by the property owner.

**SECTION 4: Saving Clause**

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, of any permit issued, or any cause or causes of action existing prior to the adoption of this Ordinance.

**SECTION 5: SEVERABILITY.**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

**SECTION 6: EFFECTIVE DATE.**

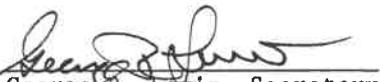
This Ordinance shall take effect and be in force from and after its enactment as required by law.

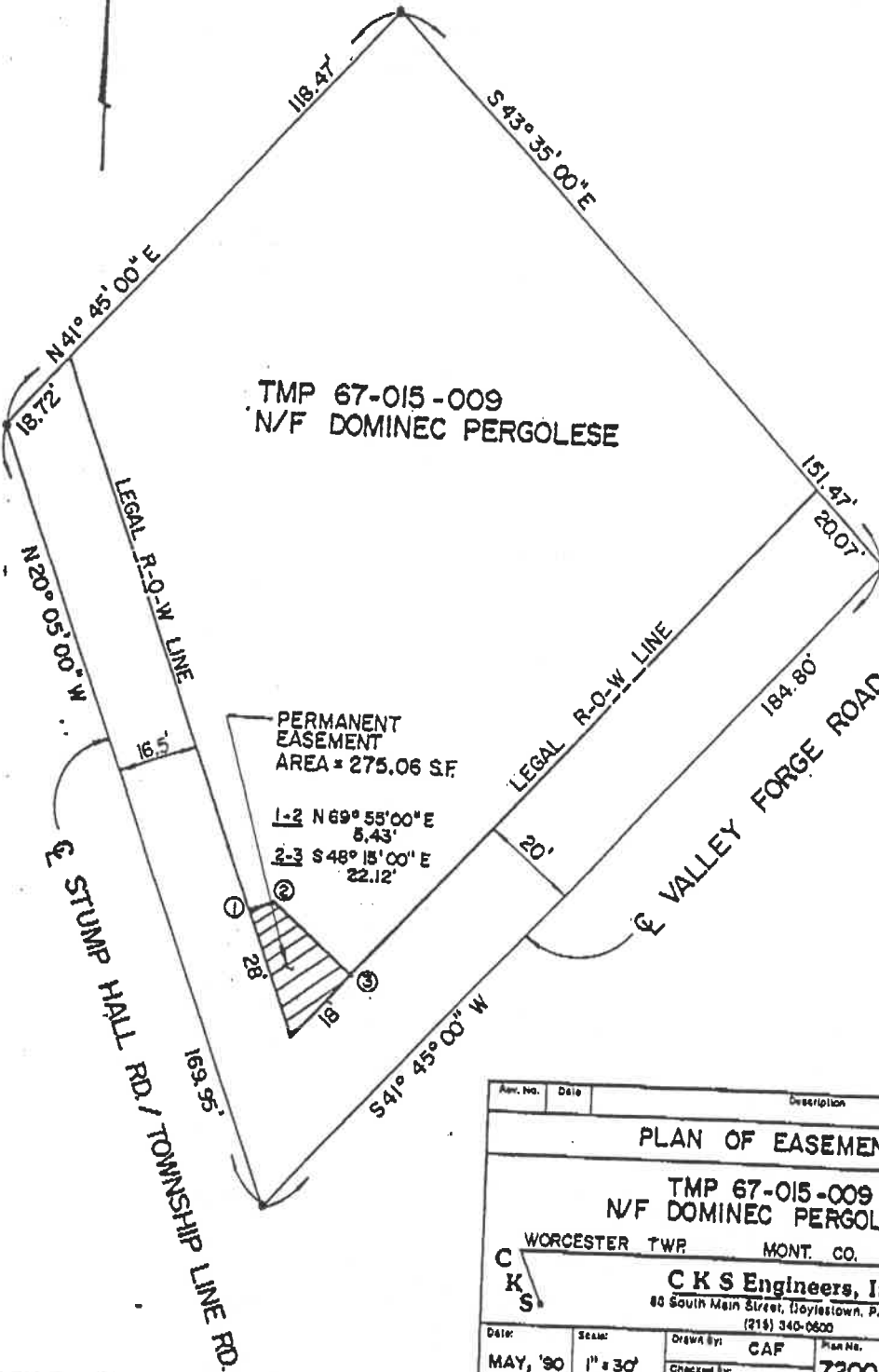
Enacted by the Board of Supervisors of the Township of Worcester at a public meeting on 8th day of November, 1990.

**BOARD OF SUPERVISORS  
TOWNSHIP OF WORCESTER**

BY:   
John F. Kelly, Chairman

**ATTEST:**

  
George R. Lewis, Secretary



TMP 67-015-009  
N/F DOMINEC PERGOLESE

PERMANENT  
EASEMENT  
AREA = 275.06 SF

1-2 N 69° 55' 00" E  
5.43'  
2-3 S 48° 15' 00" E  
22.12'

| Am. No.                                                                                     | Date     | Description |
|---------------------------------------------------------------------------------------------|----------|-------------|
| <b>PLAN OF EASEMENT</b>                                                                     |          |             |
| TMP 67-015-009<br>N/F DOMINEC PERGOLESE<br>WORCESTER TWP. MONT. CO. PA                      |          |             |
| <b>CK S Engineers, Inc.</b><br>80 South Main Street, Doylestown, PA 18001<br>(215) 340-0600 |          |             |
| Date:                                                                                       | Scale:   | Drawn By:   |
| MAY, '90                                                                                    | 1" = 30' | CAF         |
|                                                                                             |          | Checked By: |
|                                                                                             |          | PPD         |
|                                                                                             |          | Plan No.    |
|                                                                                             |          | 7200-66     |
|                                                                                             |          | (2)         |
|                                                                                             |          | Sheet No.   |
|                                                                                             |          | 1 OF 1      |

CKS Engineers, Inc.

Ref: #7200-66  
November 9, 1990

L E G A L   D E S C R I P T I O N

P E R M A N E N T   E A S E M E N T

N / F   D O M I N E C   P E R G O L E S E

T M P   6 7 - 0 1 5 - 0 0 9

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DESCRIPTION OF ALL THAT CERTAIN parcel of land situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania, being a permanent easement as shown on the plan of easement of the Dominec Pergolese property as prepared by CKS Engineers, Inc. of Doylestown, Pennsylvania dated May, 1990, bounded and described as follows:

BEGINNING at a point, said point being the intersection of the northern right-of-way line of Valley Forge Road (20 feet off centerline) and eastern right-of-way line of Stump Hall Road (16.5 feet of centerline); thence from said point of beginning along the eastern right-of-way line of Stump Hall Road N 20° 05' 00" W, 28.00 feet to a point; thence crossing through the lands of the aforesaid Dominec Pergolese the following two (2) courses and distances: (1) N 69° 55' 00" E, 5.42 feet to a point; thence (2) S 48° 15' 00" E, 22.12 feet to a point along the aforesaid Valley Forge Road northern right-of-way line; thence extending along the aforesaid right-of-way line S 41° 45' 00" W, 18.00 feet to the point and place of BEGINNING.

CONTAINING 275.06 square feet more or less.