

ADDENDUM TO STIPULATION OF SETTLEMENT
CENTER SQUARE GOLF COURSE PROPERTY

THIS ADDENDUM, executed this 20th day of December, 2017, by and among The Cutler Group, Inc., through its counsel, Richard P. McBride, Esquire (hereinafter "Applicant"), Intervenor Dana Comly, et al., through their counsel, David M. Shafkowitz, Esquire (hereinafter "Intervenor"), and the Board of Supervisors of Worcester Township (hereinafter "Township"), said Applicant, Intervenor and Township being all parties to that certain Land Use Appeal captioned at No. 2015-13769 in the Montgomery County Court of Common Pleas, shall modify the Stipulation previously executed by and between Applicant and Township as follows:

WITNESSETH:

WHEREAS, Applicant and Township have heretofore entered into a "Stipulation of Settlement Center Square Golf Course Property" dated July 19, 2017, the original of which shall be attached to this Addendum (hereinafter "Stipulation"); and

WHEREAS, Applicant and Township are desirous of modifying the Stipulation in certain respects to address requests made by owners of lots abutting the "Property"; and

WHEREAS, Intervenor wish to accept and ratify the Stipulation, subject to the modifications thereto as are more specifically set forth hereinbelow; and

WHEREAS, Applicant, Intervenor and Township are agreeable to the various refinements to the Stipulation as set forth hereinbelow and, in particular, the revisions to the Concept Plan attached to the Stipulation as Exhibit "B".

NOW, THEREFORE, Applicant, Intervenor and Township are executing this Addendum with full intent to be bound by the terms thereof and to modify the provisions of the Stipulation accordingly.

1. Attached hereto are two plan sheets which shall replace the concept plan attached as Exhibit "B" to the Stipulation. The plan sheets attached hereto as Exhibit "A" supersede in all respects the concept plan attached to the Stipulation as Exhibit "B" and all terms and provisions of the Stipulation as heretofore applied in regard to Exhibit "B" shall now apply with full force and effect to the plan sheets attached hereto as Exhibit "A".

2. The preliminary and final subdivision plans for development of the Property in accordance with the Stipulation and this Addendum shall provide for sanitary sewer easements, with installation of required sewer lines at the expense of Applicant, for the benefit of abutting lots. Those easements are depicted upon the plan sheets attached hereto as Exhibit "B", which provides specific details concerning the location and type of sewer lines, either gravity or low pressure lines.

3. The preliminary and final subdivision plans for development of the Property in accordance with the Stipulation and this Addendum shall depict buffer landscaping and berming for the benefit of the abutting lots along Berks Road and buffer landscaping for the benefit of the abutting lots along Whitehall Road as depicted upon those certain plan sheets prepared by STA Engineering, Inc., attached hereto as Exhibit "C".

4. The preliminary and final subdivision plans for development of the Property in accordance with the Stipulation and this Addendum shall provide for the subdivision of that certain 50 foot wide strip of land currently part of the Property with frontage on Berks

Road, as well as that certain portion of the Property with frontage on Whitehall Road, in the manner as depicted upon Exhibits "D" and "E" attached hereto. Further, Applicant will convey to the abutting lot owners the parcels to be created abutting those lots following recording of the final plan, at no expense to the abutting lot owners. All expenses involved in preparation of the plans and Deeds and recording of same, including transfer taxes, to be borne by Applicant. The conveyance of these parcels shall be effectuated within thirty (30) days from the date of recording of the development plan for the Property.

5. Applicant and Township will include all lots abutting the Property in the 537 amendment/revision to be submitted to DEP for approval of the sewage planning for development of the Property.

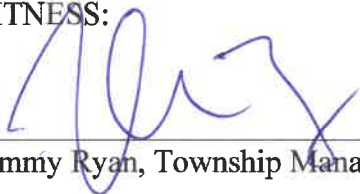
6. Applicant and Township agree that any provisions of the Stipulation which are inconsistent with the provisions set forth in this Addendum, as well as the exhibits attached hereto as Exhibits "A" through "E", shall be deemed to have been modified to accommodate the approval of preliminary and final plans in accordance with said exhibits as attached hereto and all terms and provisions set forth hereinabove.

7. The sanitary sewer lines and the landscaping and buffering referenced as paragraphs 2 and 3 hereinabove shall be the subject of the posting of financial security in accordance with the applicable provisions of the Pennsylvania Municipalities Planning Code and incorporated in the Development Agreement to be entered into by and between the ultimate developer and the Township in the same manner as other public improvements proposed for the project.


8. All provisions hereinabove shall be fully binding upon the successors and assigns of the parties hereto.

WHEREFORE, Applicant and Intervenors, through their respective counsel, and the Board have executed this Addendum to Stipulation of Settlement the date and year first above written with full intent to be bound by the terms hereof.


WITNESS:


Tommy Ryan, Township Manager

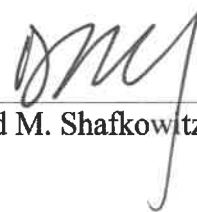
WORCESTER TOWNSHIP
BOARD OF SUPERVISORS


Susan G. Caughlan, Chair

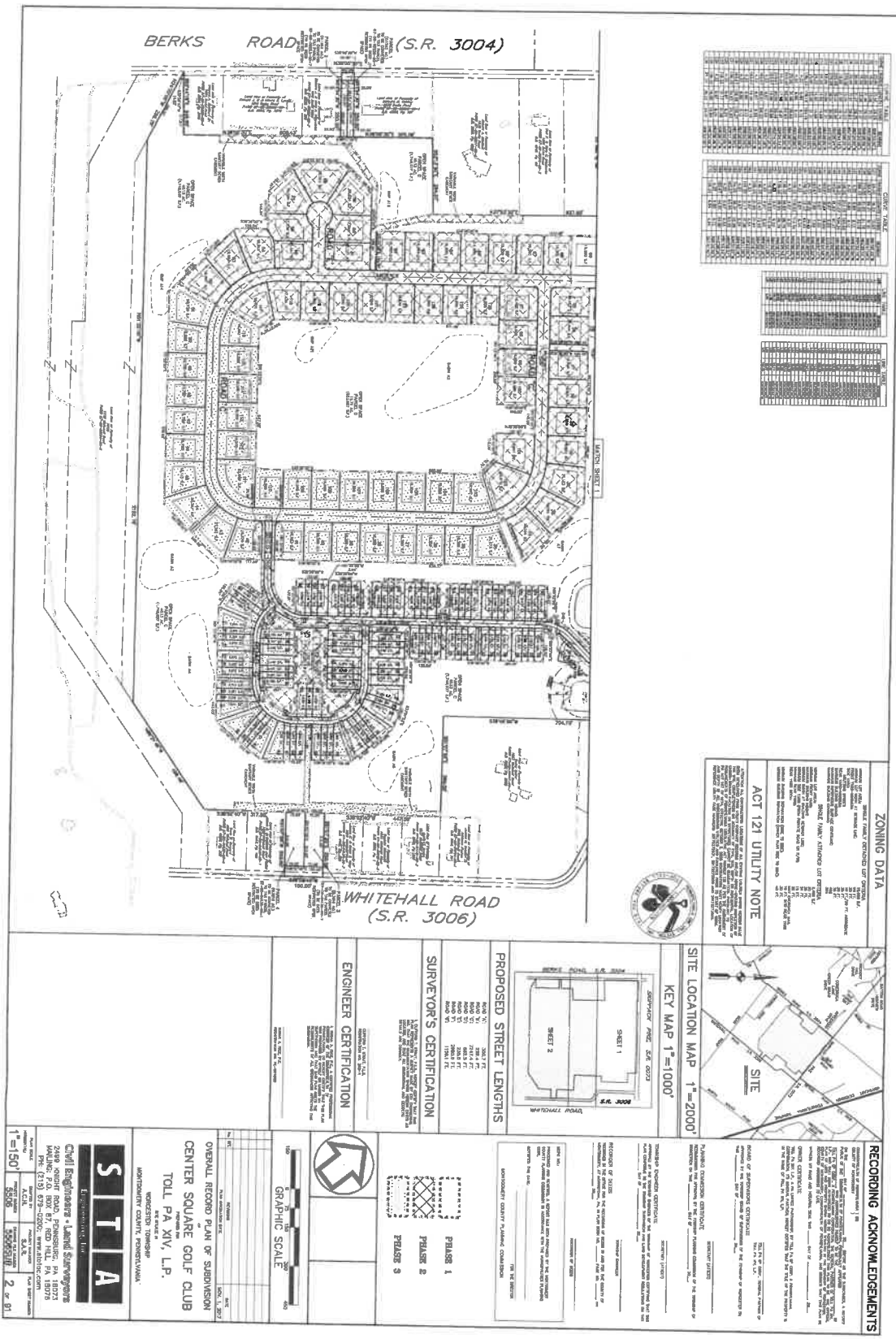
APPLICANT:
THE CUTLER GROUP, INC.

By: 
Richard P. McBride, Esquire

INTERVENORS:
DANA COMLY, ET AL.,

By: 
David M. Shafkowitz, Esquire

Addendum to Stipulation of Settlement Center Square 11-28-17 BL RPM



ZONING DATA

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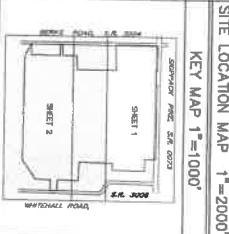
ACT 121 UTILITY NOTE

THE INFORMATION CONTAINED HEREIN IS BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA PROVIDED BY THE CLIENT. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS IDENTIFIED THE LOCATION OF EXISTING UTILITIES. THE ENGINEER HAS ASSUMED THAT THE UTILITIES SHOWN ON THE RECORD DRAWINGS ARE ACCURATE AND COMPLETE. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO VERIFY THE LOCATION OF EXISTING UTILITIES. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO IDENTIFY ANY ADDITIONAL UTILITIES THAT MAY BE PRESENT AT THE SITE. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO IDENTIFY ANY ADDITIONAL UTILITIES THAT MAY BE PRESENT AT THE SITE. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO IDENTIFY ANY ADDITIONAL UTILITIES THAT MAY BE PRESENT AT THE SITE.



RECORDING ACKNOWLEDGEMENTS

THIS PLAN IS BEING RECORDED IN THE OFFICE OF THE COUNTY ENGINEER, BERKS COUNTY, PENNSYLVANIA, ON THIS DATE. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS IDENTIFIED THE LOCATION OF EXISTING UTILITIES. THE ENGINEER HAS ASSUMED THAT THE UTILITIES SHOWN ON THE RECORD DRAWINGS ARE ACCURATE AND COMPLETE. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO VERIFY THE LOCATION OF EXISTING UTILITIES. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO IDENTIFY ANY ADDITIONAL UTILITIES THAT MAY BE PRESENT AT THE SITE. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO IDENTIFY ANY ADDITIONAL UTILITIES THAT MAY BE PRESENT AT THE SITE.



PROPOSED STREET LENGTHS

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SURVEYOR'S CERTIFICATION

I, the undersigned, being a duly licensed Surveyor in the State of Pennsylvania, do hereby certify that I am the author of the foregoing and that the same is a true and correct copy of the original as the same appears in my office.

DATE: 10/15/2014

10/15/2014

ENGINEER'S CERTIFICATION

I, the undersigned, being a duly licensed Professional Engineer in the State of Pennsylvania, do hereby certify that I am the author of the foregoing and that the same is a true and correct copy of the original as the same appears in my office.

DATE: 10/15/2014

10/15/2014

STA

Civil Engineers & Land Surveyors

1000 MARKET STREET, SUITE 1000
 PHILADELPHIA, PA 19107
 PH: (215) 575-0200; WWW.STA-PA.COM

OVERALL RECORD PLAN OF SUBDIVISION

CENTER SQUARE GOLF CLUB

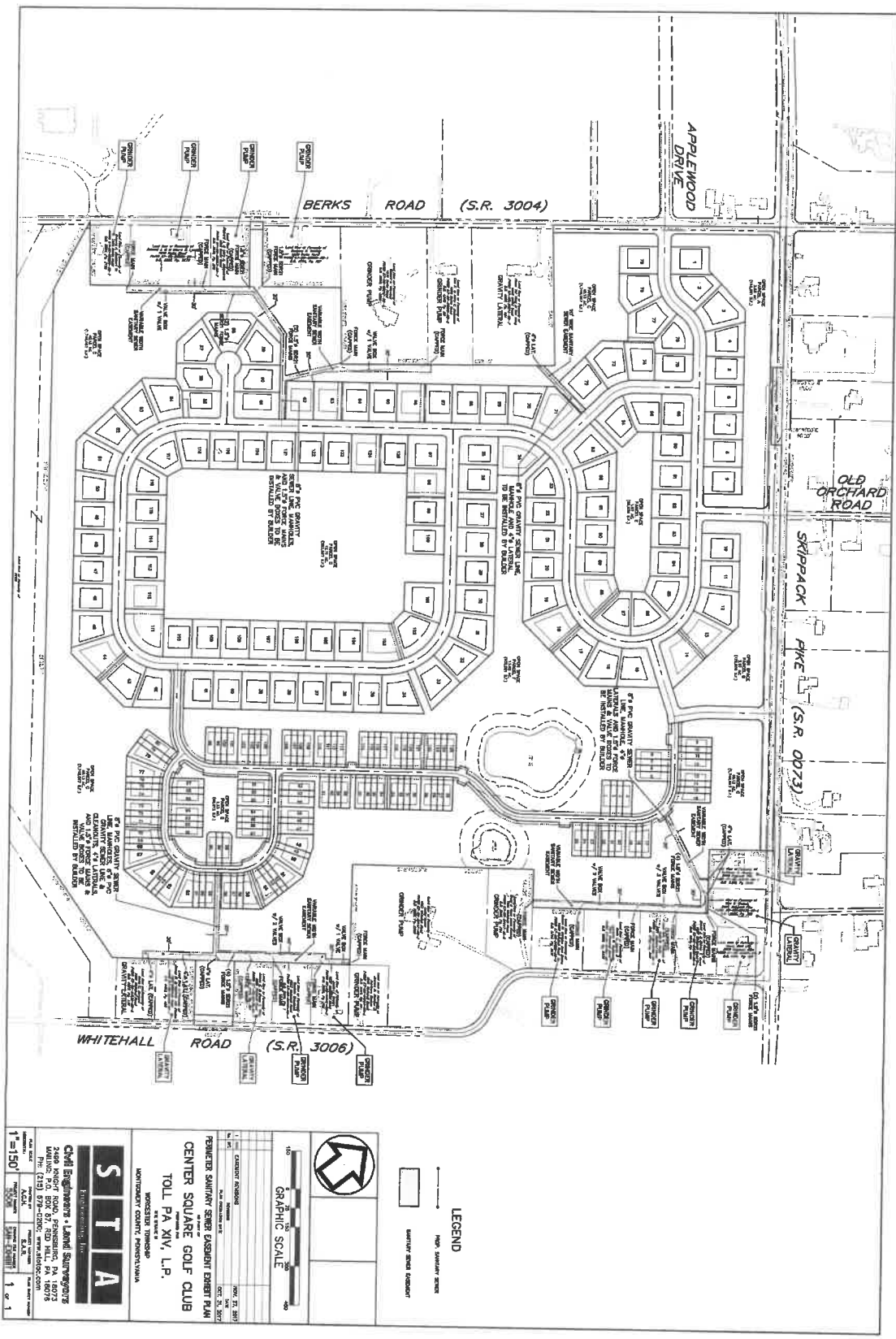
TOLL PA XIV, LP.

BERKS COUNTY, PENNSYLVANIA

GRAPHIC SCALE

1"=150'

2"=81'



STA
Civil Engineers & Land Surveyors
1400 BUCKLE ROAD, PENNSBURG, PA 18929
Tel: (610) 579-0200; Fax: (610) 579-0201; www.sta-engineers.com

PROJECT: CENTER SQUARE GOLF CLUB
CLIENT: PENNERS SHAWNY SENIOR DISSENT EIGHT PLAN
LOCATION: TOLL PA XIV, L.P.
MCCLESKEY TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA

LEGEND

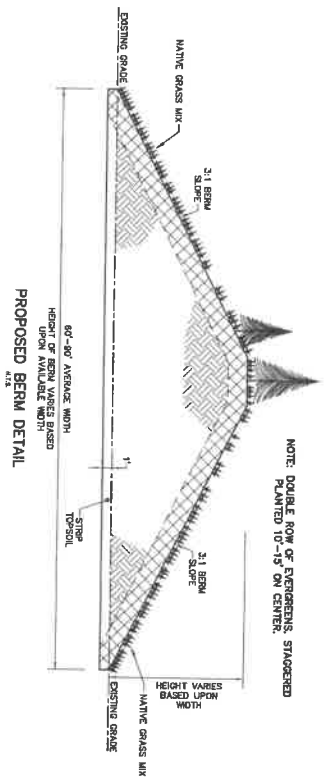
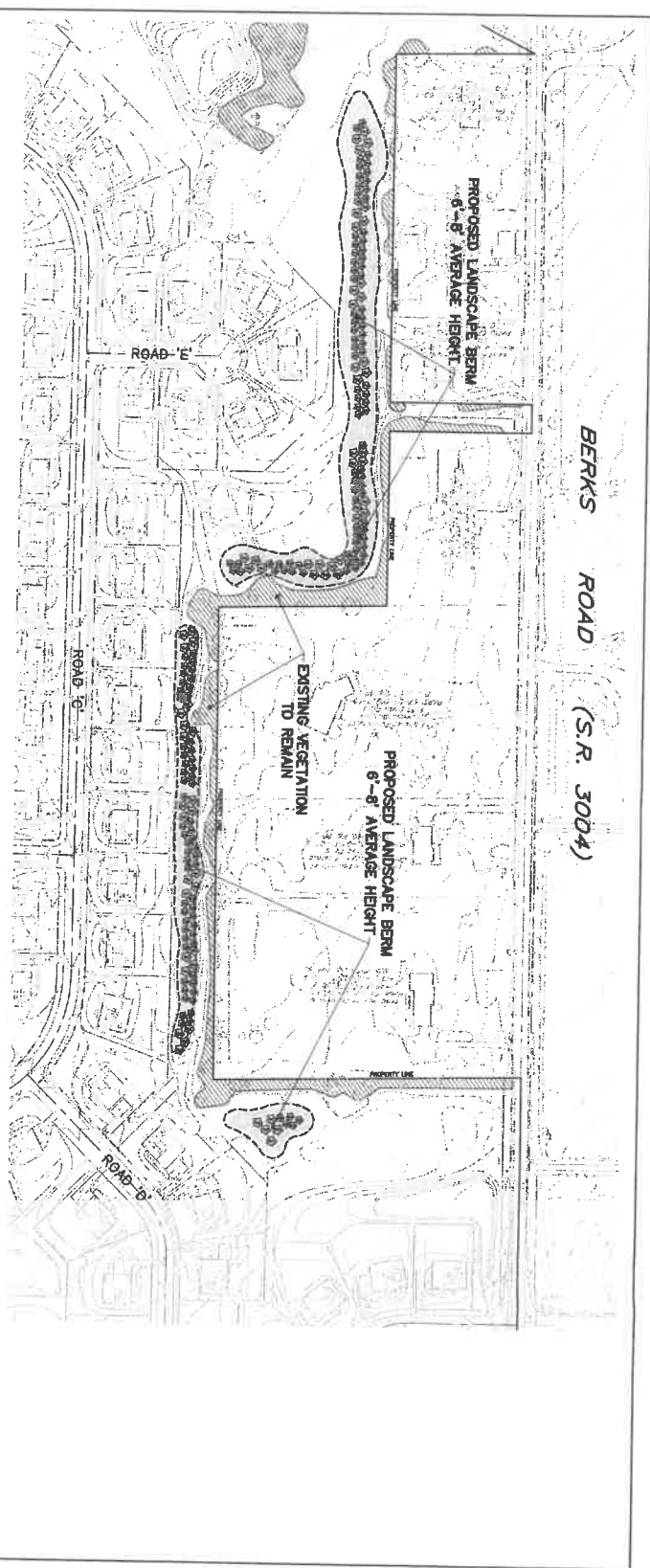
- NON-SHADELINE STREET
- SHADELINE STREET

GRAPHIC SCALE

0 10 20 30 40 50

1" = 150'

Exhibit "B"



NOTE: DOUBLE ROW OF PLANTINGS, STAGGERED PLANTED TO 15' ON CENTER.

PLANT LIST

NO.	SYMBOL	PLANT NAME	HEIGHT	SPACING	PLANTING	REMARKS
1	(Symbol)	Plant Name	6 ft.	15' x 15'	100%	Planting to be done by contractor.
2	(Symbol)	Plant Name	8 ft.	15' x 15'	100%	Planting to be done by contractor.
3	(Symbol)	Plant Name	10 ft.	15' x 15'	100%	Planting to be done by contractor.

GRAPHIC SCALE

0 10 20 30 40 50 60 70 80 90 100

ST A

Civil Engineers & Land Surveyors

1100 NORTH BROAD STREET, PHOENIX, AZ 85023
 PHONE: (602) 998-0000 FAX: (602) 998-0001
 WWW.CIVILAZ.COM

BERKS ROAD LANDSCAPE BARRIER EXHIBIT PLAN

CENTER SQUARE GOLF CLUB

TOLL PA XIV, L.P.

APPROVED FOR CONSTRUCTION

DATE: 08/25/2017

BY: [Signature]

SCALE: 1" = 80'

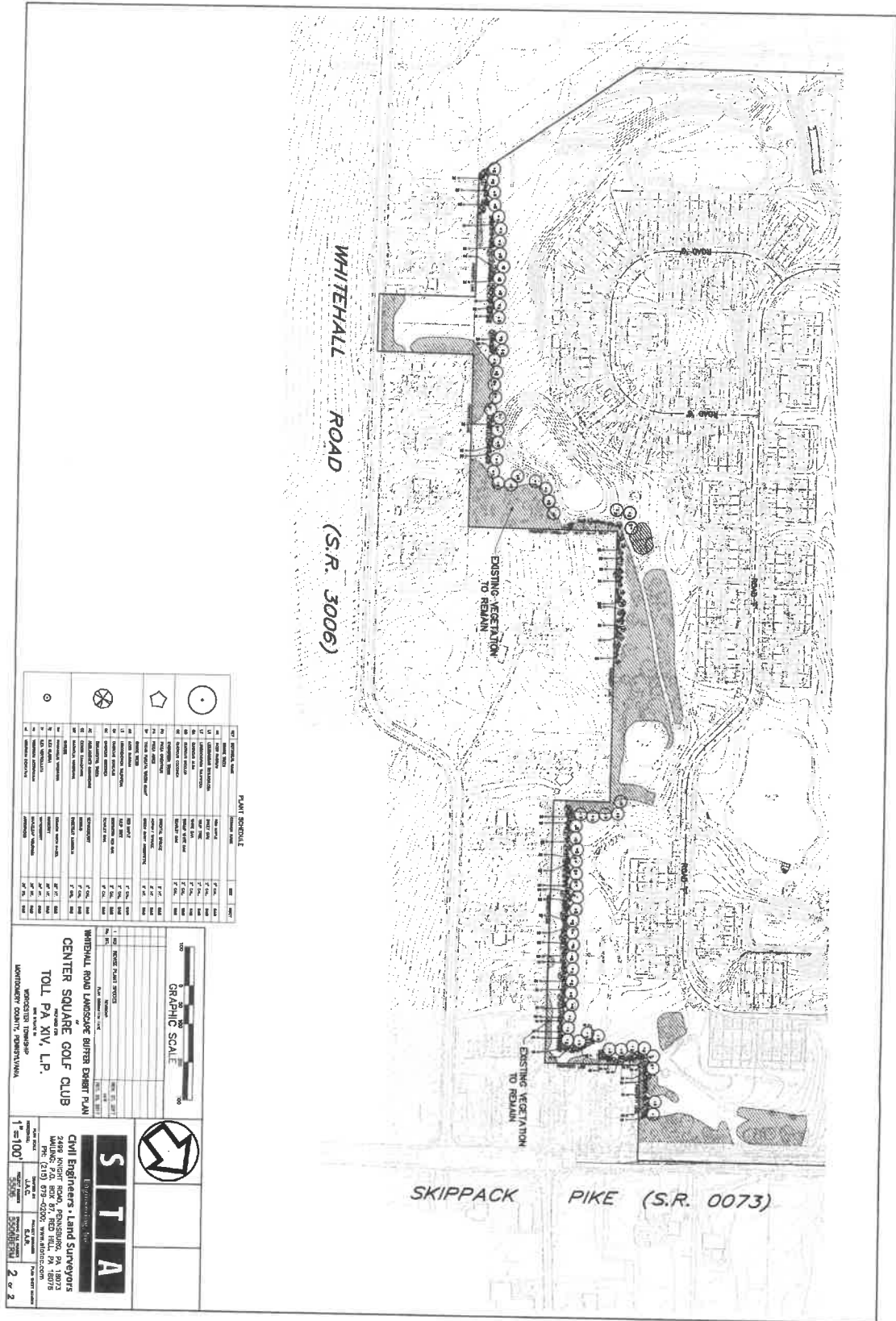
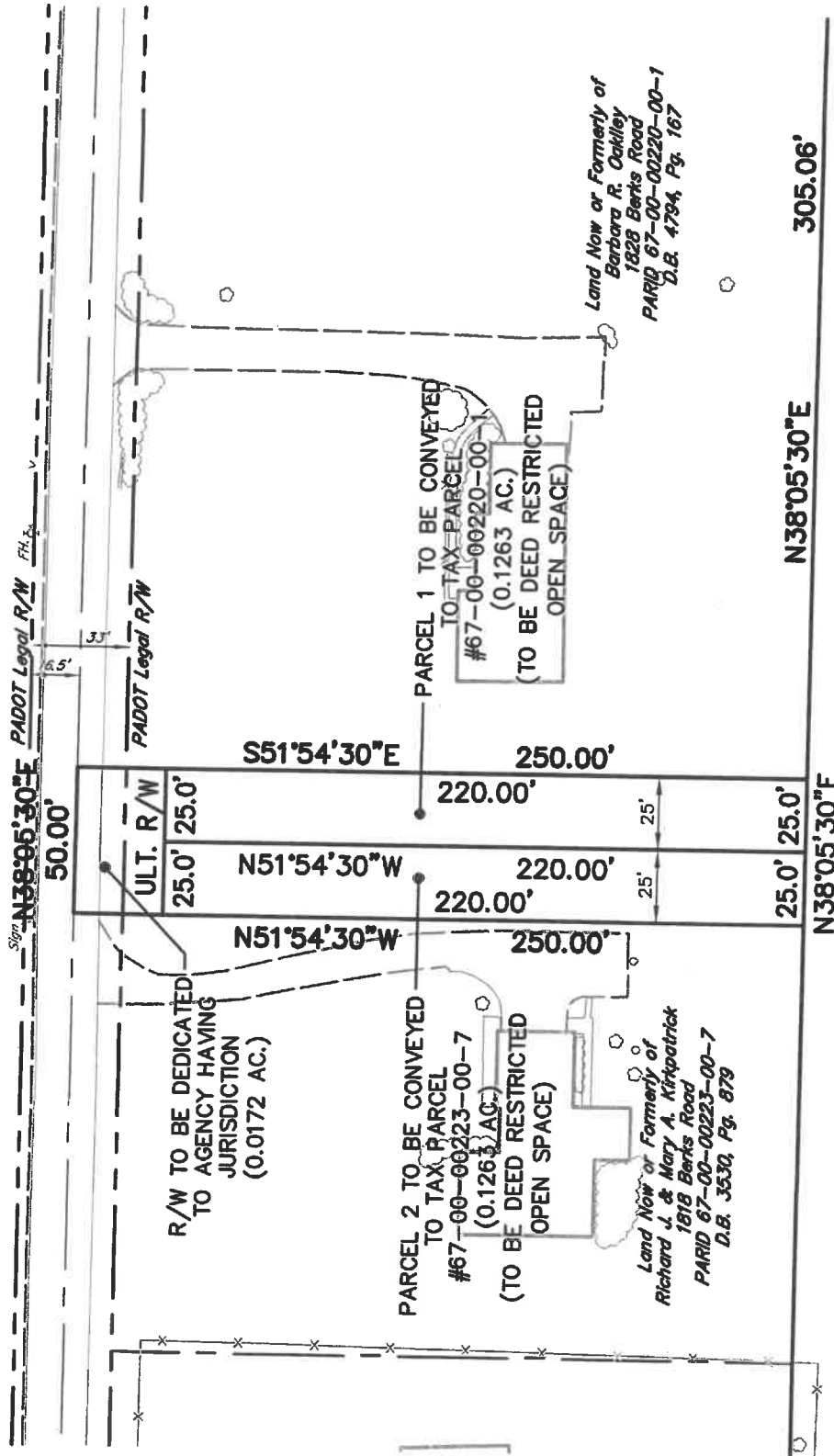


Exhibit "C" - page 2 of 2

BERKS ROAD, S.R. 3004



NOTE: PARCELS 1 AND 2, WHEN ADDED TO THE EXISTING LOTS, SHALL BE DEEMED MERGED INTO THE SAME AND ANY YARD REQUIREMENTS SHALL BE MEASURED FOR THE OVERALL PROPERTIES FROM THESE NEW PROPERTY LINES.



PARCEL CONVEYANCE EXHIBIT PLAN
 AS PART OF THE
CENTER SQUARE GOLF CLUB
 PREPARED FOR
TOLL PA XIV, L.P.
 SITE SITUATE IN
 WORCESTER TOWNSHIP
 MONTGOMERY COUNTY, PENNSYLVANIA

No. INT.	PLAN ORIGINATION DATE	NOV. 1, 2017
SITA		
Engineers, Inc. Civil Engineers - Land Surveyors 2499 KNIGHT ROAD, PENNSBURG, PA 18073 MAILING: P.O. BOX 87, RED HILL, PA 18076 PH: (215) 679-0200; www.sitac.com		
PLAN SCALE HORIZONTAL	DRAFTED BY A.C.H.	PROJECT NUMBER 5506
1" = 60'	PROJECT MANAGER S.A.R.	PLAN SHEET NUMBER 1 of 1
		SUB-EXHIBIT

Exhibit "D"



No. INT.	PLAN ORIGIN DATE	NOV. 1, 2017
S T A		
Engineers, Inc.		
Civil Engineers • Land Surveyors		
2499 KNIGHT ROAD, PENNSBURG, PA 18073		
MAILING: P.O. BOX 87, RED HILL, PA 18076		
PH: (215) 679-0200; www.statac.com		
PLAN SCALE HORIZONTAL	DRAFTED BY A.C.H.	PROJECT NUMBER 5506
1" = 60'	PROJECT MANAGER S.A.R.	PLAN SHEET NUMBER 1 of 1
		SUB-EXHIBIT

PARCEL CONVEYANCE EXHIBIT PLAN
 AS PART OF THE
CENTER SQUARE GOLF CLUB
 PREPARED FOR
TOLL PA XIV, L.P.
 SITE SITUATE IN
 WORCESTER TOWNSHIP
 MONTGOMERY COUNTY, PENNSYLVANIA

NOTE: PARCELS 3 AND 4, WHEN ADDED TO THE EXISTING LOTS, SHALL BE DEEMED MERGED INTO THE SAME AND ANY YARD REQUIREMENTS SHALL BE MEASURED FOR THE OVERALL PROPERTIES FROM THESE NEW PROPERTY LINES.



Exhibit "E"