

Prepared By: Mark A. Hosterman, Esquire
Andrew R. Freimuth, Esquire
Wisler Pearlstine, LLP
484 Norristown Road, Suite 100
Blue Bell, PA 19422

Return To: Same as above

Parcel No.: 67-00-01022-414

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 09- 11

CZOP TRACT

FINAL SUBDIVISION APPROVAL

WHEREAS, JOHN AND MARISSA CZOP ("Developers") are the owners and developers of a certain tract of land situate in Worcester Township with frontage on Dell Road and Valley Forge Road consisting of 3.8 acres, more or less (the "Tract"), which is more particularly shown on plans prepared by Czop/Specter, Inc., being plans consisting of four (4) sheets dated May 22, 2003, with a last revision date being June 21, 2004, and one plan sheet entitled "John Czop Subdivision – As-Built Landscaping Plan, 3-23-09" (the "Plans"), setting forth the proposed subdivision of the Tract into two residential lots in accordance with those Plans (the "Development") (a complete schedule of the Subdivision Record Plan and all supporting Plans is attached hereto as Exhibit "A" and expressly made a part hereof); and

WHEREAS, the Plans described in Exhibit "A" attached hereto are being incorporated into this Final Approval by reference; and

WHEREAS, Developers have previously obtained and supplied to the Township all applicable permits from all Authorities, Agencies and Municipalities having jurisdiction in any way over the Development; and

WHEREAS, the Developers desire to obtain Final Subdivision approval of the Plans from Worcester Township in accordance with Section 508 of the Pennsylvania Municipalities Planning Code;

NOW, THEREFORE, BE IT RESOLVED, that Worcester Township hereby grants Final approval of the Development as shown on the Plans described on Exhibit "A" attached hereto, 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 130-16.C requiring street widening along all road frontages.
- b. Section 130-18.A requiring concrete sidewalks along all public streets.
- c. Section 130-18.B requiring concrete curbing along all public streets.
- d. Section 130-27.B.4 requiring streetlights. Developers shall place a lamppost and light fixture on each of the lots in lieu of street lighting.

2. Prior to the recording the Plans, the Developers shall revise the Plans to resolve to the satisfaction of the Township, all issues set forth in the Township Engineer's review letter dated May 12, 2009 and any subsequent review letters prepared by the Township Engineer, the entire contents of which are incorporated herein by reference.

3. Prior to recording the Plans, Developers shall enter into a Subdivision and Escrow Agreement with Worcester Township. The Agreement shall be satisfactory to the

Township Solicitor and the Board of Supervisors and the Developers shall obligate themselves to complete all of the public improvements shown on the Plans, which are limited to stormwater management and landscaping, in accordance with Township criteria and specifications as well as to secure the completion of the said public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code.

4. Although the maintenance of all detention basins and surface stormwater drainage easements shall be the responsibility of the lot owner on whose lot said facilities are located, Developers shall, prior to the Township executing the Plans, reserve easements in favor of the Township 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 individual lot owners are not fulfilled after reasonable notice to do so.

5. Consistent with Sections 509(b) and 513(a) of the Pennsylvania Municipalities Planning Code (as amended), the payment of all applicable fees, execution and funding of the Subdivision and Escrow Agreement, and recording of the final plans must all be accomplished within 90 days of the date of this Resolution unless a written extension is granted by the Township. The final plat or record plan shall not be signed nor recorded by the Township until the applicable fees have been paid and the Subdivision and Escrow Agreement shall have been executed and funded. In the event the fees have not been paid and the Subdivision and Escrow Agreement has not been funded and executed and the final plans have not been recorded within 90 days of the date of this Resolution (or any written extension thereof), this contingent subdivision shall expire and be deemed to have been revoked.

6. The Development shall be constructed in strict accordance with the content of the Plans, the terms and conditions of the Preliminary Approval Resolution dated July

21, 2004, and the terms and conditions of the above-described Subdivision and Escrow Agreement, the entire contents of which are incorporated herein by reference.

7. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans and Notes to the Plans, Preliminary Approval Resolution and Subdivision and Escrow Agreement shall be borne entirely by the Developers and shall be at no cost to the Township.

8. Developers shall provide the Township Manager and the Township Engineer with at least seventy-two (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.

9. 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 final approval. In the absence of an appeal of a notice of rejection filed in writing within thirty (30) days from the date of this resolution, the conditions set forth herein shall be deemed to have been accepted by the applicant. If the township receives written notice of an appeal or rejection of any of the conditions set forth herein 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 June 17, 2009.

WORCESTER TOWNSHIP

By: 
Arthur C. Bustard, Chairman
Board of Supervisors

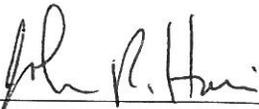
Attest: 
John R. Harris, Vice Chairman

EXHIBIT "A"

Sheet No.	Date	Plan Title	Last Revised
1 of 4	5/22/2003	Subdivision Plan	6/21/2004
2 of 4	5/22/2003	Existing Features Plan	6/21/2004
3 of 4	5/22/2003	Erosion and Sedimentation Control Plan	6/21/2004
4 of 4	5/22/2003	Landscape and Lighting Plan	6/21/2004
1 of 1	3/23/09	John Czop Subdivision – As-Built Landscaping Plan, 3-23-09	3/23/09