

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS
MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA
RESOLUTION NO. 2011 - 05

FINAL SUBDIVISION APPROVAL

WHEREAS, JAJOPE, LLC ("Developer") is the owner and developer of a certain tract of land consisting of 10.2± acres situate in Worcester Township at the intersection of Morris Road and North Wales Road (the "Development"); and

WHEREAS, the Development is more particularly shown on plans prepared by Bohler Engineering, Inc., being plans consisting of nineteen (19) sheets dated March 10, 2006 with a final revision date of June 9, 2010 (the "Plans"); and

WHEREAS, a complete schedule of the Plans is attached hereto as Exhibit "A" and expressly made a part hereof; and

WHEREAS, the Plans received preliminary approval from the Board of Supervisors on February 5, 2007; and

WHEREAS, the Developer has 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 Developer desires 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", 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 130-24.B.3.j requiring a minimum cover of three feet over storm drain pipes.

b. Section 130-28.G.7.f. regarding the location landscaping along the perimeter of drainage areas and detention basins.

2. Prior to the recording of the Plans, the Developer shall revise the Plans to resolve to the satisfaction of the Township, all issues set forth in the Township Engineer's review letter dated November 22, 2010 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, Developer shall provide verification that the North Wales Water Authority has approved the proposed public water facilities.

4. Prior to recording the Plans, Developer shall resolve to the satisfaction of the Township Engineer the inconsistencies between the Plans and PADOT Highway Occupancy Permit Plans for the Development with regard to information concerning the wearing, binder and base course materials and the mill and overlay requirements.

5. Prior to recording the Plans, Developer shall revise the Plans to clearly define the limits of the Developer's work along Morris Road and North Wales Road and include a reference on the Plans to the PADOT Highway Occupancy Permit Plans.

6. Prior to recording the Plans, Developer shall provide the Township with a Highway Occupancy Permit for the roadway improvements along both North Wales Road and Morris Road.

7. Prior to recording the Plans, Developer shall enter into a Land Development and Financial Security Agreement (“Agreement”) with Worcester Township. The Agreement shall be satisfactory to the Township Solicitor and the Board of Supervisors and the Developer shall obligate itself to complete all of the public improvements shown on the Plans 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.

8. Prior to recording the Plans, Developer shall provide the Township with a Cross-Access Easement (“Easement”) for the shared driveway for proposed Lots 3 and 4. The Easement shall establish the respective rights with regard to the use of the proposed shared driveway. The Easement shall be reviewed and approved by the Township Solicitor and recorded simultaneously with the Plan.

9. Prior to recording the Plans, Developer shall submit documents to the Township verifying that the proposed Homeowners Association has been or will be formed, to the satisfaction of the Township Solicitor.

10. Although the maintenance of all detention basins, stormwater management facilities and surface stormwater drainage easements shall be the responsibility of the proposed Homeowners Association or the individual lot owners, Developer shall, prior to the Township recording 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 Homeowners

Association or the individual property owners, as appropriate) in the event that the maintenance responsibilities of the Homeowners Association or property owners are not fulfilled after reasonable notice to do so.

11. The Development shall be constructed in strict accordance with the content of the Plans, notes on the Plans, the terms and conditions of the preliminary approval, the this Final Approval Resolution, and the above described Land Development and Financial Security Agreement, the entire contents of which are incorporated herein by reference.

12. Developer agrees minimize the removal of large trees between proposed Lots 2, 3 and 4.

13. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans and notes to the Plans, the preliminary approval, this Final Approval Resolution and the Land Development and Financial Security Agreement shall be borne entirely by the Developer and shall be at no cost to the Township.

14. Developer 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, including the existing trees to remain between proposed Lots 2, 3 and 4.

15. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended) the payment of all applicable fees and the funding of all escrows

under the Land Development and Escrow Agreement must be accomplished within ninety (90) days of the date of this Resolution unless a written extension is granted by Worcester Township. Until the applicable fees have been paid and the escrows fully funded, the final plat or record plan shall not be signed nor recorded. In the event that the fees have not been paid and the escrow has not been funded within ninety (90) days of this Resolution (or any written extension thereof), this contingent approval shall expire and be deemed to have been revoked.

16. 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 or 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 Developer. 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 and the waivers granted in Paragraph 1 (which waivers are granted contingent upon the acceptance of the conditions set forth herein) shall be deemed to be automatically rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with the sections set forth in Paragraph 1, all as authorized by Section 508 of the Pennsylvania Municipalities Planning Code.

(Signature page follows)

APPROVED at the public meeting of the Worcester Township Board of Supervisors
held on March 16, 2011.

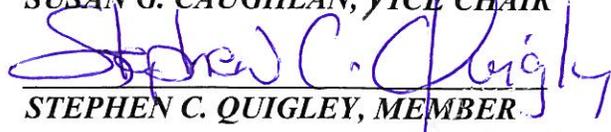
WORCESTER TOWNSHIP



ARTHUR C. BUSTARD, CHAIRMAN



SUSAN G. CAUGHLAN, VICE CHAIR



STEPHEN C. QUIGLEY, MEMBER

<u>Sheet No.</u>	<u>Plan Title</u>	<u>Origination Date</u>	<u>Date Last Revised</u>
1 of 19	Cover Sheet	3/10/06	6/9/10
2 of 19	Record Plan	3/10/06	6/9/10
3 of 19	Existing Conditions/Demolition Plan	3/10/06	6/9/10
4 of 19	Vicinity Plan w/ Aerial	3/10/06	6/9/10
5 of 19	Grading Plan	3/10/06	6/9/10
6 of 19	Utility Plan	3/10/06	6/9/10
7 of 19	Profiles	3/10/06	6/9/10
8 of 19	Soil Erosion & Sediment Pollution Control Plan	3/10/06	6/9/10
9 of 19	Landscaping Plan	3/10/06	6/9/10
10-11 of 19	Soil Erosion & Sediment Pollution Control Details	3/10/06	6/9/10
12-14 of 19	Details	3/10/06	6/9/10
15 of 19	Details & Site Distance	3/10/06	6/9/10
16 of 19	Pre-Development Drainage Area Plan	3/10/06	6/9/10
17 of 19	Post-Development Drainage Area Plan	3/10/06	6/9/10
18 of 19	Inlet Drainage Area Plan	3/10/06	6/9/10
19 of 19	Post-Construction Stormwater Management Plan	3/10/06	6/9/10

EXHIBIT "A"

