

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2014-30

Nelson Simple Conveyance Plan – Berks Road

PRELIMINARY / FINAL LAND DEVELOPMENT APPROVAL

WHEREAS, RICHARD J. NELSON AND LISA R. NELSON ("Richard and Lisa") are the owners of a certain tract of land consisting of 2.2199± acres situate in Worcester Township with frontage on Berks Road, which tract is further identified as Montgomery County Tax Parcel No. 67-00-00207-30-2 ("2048 Berks Road"); and

WHEREAS, JOHN R. NELSON AND BEVERLY A. NELSON ("John and Beverly") are the owners of a certain tract of land consisting of 4.2673± acres situate in Worcester Township with frontage on Berks Road, which tract is further identified as Montgomery County Tax Parcel No. 67-00-00207-00-5 ("2062 Berks Road") (Richard and Lisa, and John and Beverly are hereinafter sometimes collectively referred to as the "Owners"; 2048 Berks Road and 2062 Berks Road are hereinafter sometimes referred to collectively as the "Tracts"); and

WHEREAS, John and Beverly are also the owners of a certain strip of land between the Tracts, which strip has been assigned Montgomery County Tax Parcel No. 67-00-00207-10-4 (the "Intermittent Parcel"); and

WHEREAS, upon information and belief, the Intermittent Parcel has been consolidated with 2062 Berks Road by the deed which conveyed ownership of 2062 Berks Road to John and Beverly; and

WHEREAS, notwithstanding such consolidation, the records of the Montgomery County Board of Assessments do not indicate the consolidation of the Intermittent Parcel and 2062 Berks Road; and

WHEREAS, Owners propose to subdivide a 99,017.4 square foot portion of the land from 2062 Berks Road, a portion of which is presently reflected on the Montgomery County Board of Assessments' records as being part of the Intermittent Parcel, and convey the same to Richard and Lisa to be merged in common deed with 2048 Berks Road, in accordance with plans prepared by Grande Engineering, consisting of two (2) sheets, dated April 24, 2014 (the "Plans"); and

WHEREAS, the Owners desire to obtain preliminary/final 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 preliminary/final approval of the lot line adjustment as shown on the Plans described herein, subject, however, to the following conditions:

1. Prior to the recording of the Plans, the Owners shall revise the Plans to resolve to the satisfaction of the Township, all issues set forth in the Township Engineer's review letter dated June 10, 2014, prepared by the Township Engineer, the entire contents of which are incorporated herein by reference.

2. Prior to recording of the Plans, Owners shall either prepare and record a deed of consolidation for the Intermittent Parcel and 2062 Berks Road, or, demonstrate, to the satisfaction of the Township Solicitor, that the Intermittent Parcel and 2062 Berks Road are in fact already consolidated, and the Montgomery County Board of Assessments' records are inaccurate.

3. The lot line adjustment of the Tracts shall be in strict accordance with the content of the Plans, notes on the Plans, and the terms and conditions of this Preliminary/Final Approval Resolution.

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

5. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended) the payment of all applicable fees and the recording of the Plans 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, the final plat or record plans shall not be signed or recorded. In the event that the fees have not been paid and the final Plans have not been recorded within ninety (90) days of this Resolution (or any written extension thereof), this contingent approval shall expire and be deemed to have been revoked.

6. Under the provisions of the Pennsylvania Municipalities Planning Code, the Owners have the right to accept or reject conditions imposed by the Board of Supervisors upon preliminary/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 Owners.

[Signature page to follow]

APPROVED at the public meeting of the Worcester Township Board of Supervisors held on July 16, 2014.

WORCESTER TOWNSHIP

By: 

Arthur C. Bustard, Chairman,
Board of Supervisors

By: 

F. Lee Mangan, Secretary