

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2015- 21

Willow Creek Farms, LP Subdivision

PRELIMINARY / FINAL SUBDIVISION APPROVAL

WHEREAS, Willow Creek Farms, LP ("Owner") is the owner of a certain tract of land consisting of 138.325± acres situate at 3220 Heebner Road in Worcester Township, Montgomery County, Pennsylvania, which property is commonly known as Willow Creek Orchard, and is more specifically identified as Montgomery County Tax Parcel No. 67-00-01360-00-4 (hereinafter referred to as "the Property"); and

WHEREAS, a 103± acre portion of the Property (the "Encumbered Property") is subject to a certain permanent conservation easement pursuant to the Montgomery County Farmland Preservation Program (the "Easement"); and

WHEREAS, the Easement permits the subdivision of the Encumbered Property if the remaining parcel and the newly created parcel each consist of more than 50 acres; and

WHEREAS, the remaining 35± acre portion of the Property is unencumbered (the "Unencumbered Property"); and

WHEREAS, pursuant to Conditional Use Decisions and Orders of the Worcester Township Board of Supervisors dated June 18, 2003, and April 15, 2015, the Owner operates a farm market (the "Farm Market") on a portion of the Encumbered Property; and

WHEREAS, Owner proposes to subdivide the Property into three parcels: one parcel consisting of approximately 51± acres of the Encumbered Property; one parcel consisting of approximately 52± acres of the Encumbered Property, which parcel will include the existing Farm

Market; and one parcel consisting of the 35± acre Unencumbered Property (the “Subdivision”);
and

WHEREAS, the Subdivision is more particularly shown on a certain plan sheet prepared by Woodrow & Associates, Inc., entitled “Proposed Subdivision Plan – Willow Creek Farms, LP”, dated November 10, 2014 (the "Plan"); and

WHEREAS, Owner has previously obtained and supplied or will obtain and supply to the Township all applicable permits from all authorities, agencies and municipalities having jurisdiction in any way over the Property or the Subdivision and any necessary offsite easements to legally discharge stormwater or connect to utilities; and

WHEREAS, Owner desires to obtain preliminary/final subdivision approval of the Plan 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 Subdivision as shown on the Plan described herein, subject, however, to the following conditions:

1. Prior to the recording of the Plan, Owner shall revise the Plan to resolve to the satisfaction of the Township, all issues set forth in the Township Engineer’s review letter dated May 12, 2015, prepared by the Township Engineer, the entire contents of which are incorporated herein by reference, a true and correct copy of which is attached hereto as Exhibit “A”.

2. Prior to the recording of the Plan, Owner shall provide the Township with written approval of the Plan from the Montgomery County Agricultural Land Preservation Board, as well as any and all required approvals from any outside agency having jurisdiction over the Subdivision.

3. Prior to the recording of the Plan, Owner shall provide to the Township Solicitor for review and approval a deed of consolidation of Parcel A and Parcel B of the proposed new Lot 1, as evidenced on the Plan. The deed of consolidation shall be recorded simultaneously with the Plan.

4. The Subdivision shall be in strict accordance with the content of both the June 18, 2003, and April 15, 2015 Conditional Use Decisions and Orders of the Worcester Township Board of Supervisors, and all conditions contained therein.

5. The Subdivision shall be in strict accordance with the content of the Plan, notes on the Plan and the terms and conditions of this Preliminary/Final Approval Resolution.

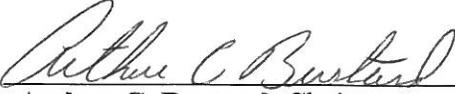
6. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plan, notes to the Plan, and this Preliminary/Final Approval Resolution, shall be borne entirely by the Owner and shall be at no cost to the Township.

7. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended) the payment of all applicable fees and the recording of the Plan 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 plan shall not be signed or recorded. In the event that the fees have not been paid and the Plan has 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.

8. Under the provisions of the Pennsylvania Municipalities Planning Code, the Owner has the right to accept or reject conditions imposed by the Board of Supervisors upon preliminary 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 Owner.

APPROVED at the public meeting of the Worcester Township Board of Supervisors held
on July 15, 2015.

WORCESTER TOWNSHIP

By: 
Arthur C. Bustard, Chairman,
Board of Supervisors

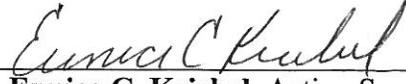
By: 
Eunice C. Kriebel, Acting Secretary

EXHIBIT "A"