TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION 2016-35

A RESOLUTION TO GRANT PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL OF A PLAN OF THE SPANG PROPERTY MINOR SUBDIVISION PLAN

WHEREAS, Kenneth and Diana Spang ("Applicants") have submitted a Plan of subdivision to Worcester Township and have made application for Preliminary/Final Plan Approval of the Plan known as Spang Property Minor Subdivision Plan ("Plan"). The Applicants are owners of the property located at 1849 and 1853 Green Hill Road, Worcester Township, Montgomery County, Pennsylvania in the LPD - Land Preservation District of the Township being Tax Parcel Nos. 67-00-01732-317 and 67-00-01732-426 ("Property") as more fully described in the Deed recorded in the Montgomery County Recorder of Deeds Office; and

WHEREAS, Applicants propose a lot line adjustment at the Property to realign the flag portion of the lot in order to provide a better location for the access driveway to the proposed house, as shown on the Plan prepared by Holmes Cunningham LLC, sheet 1 of 1, dated October 11, 2016, with no revisions; and

WHEREAS, the Plan has received a recommendation for Preliminary/Final Plan Approval by the Worcester Township Planning Commission at their regularly scheduled meeting on November 10, 2016; and

WHEREAS, the Plan has received a recommendation for approval by the Montgomery County Planning Commission by letter dated November 7, 2016, the Montgomery County Lands Trust by letter dated October 28, 2016 and Township Engineer by letter dated October 21, 2016; and

WHEREAS, the Preliminary/Final Plan for the proposed land development is now in a form suitable for Preliminary/Final Plan Approval by the Worcester Township Board of Supervisors, subject to certain conditions.

NOW THEREFORE, IN CONSIDERATION OF THE FOLLOWING

IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township, as follows:

1. **Approval of Plan**. The Preliminary/Final Plan prepared by Holmes Cunningham Engineering as described above, is hereby approved, subject to the conditions set forth below.

2. **Conditions of Approval**. The approval of the preliminary/final plan is subject to strict compliance with the following conditions:

A. the Applicants shall install permanent boundary monuments as noted in the letter of the Montgomery County Lands Trust addressed to Applicants, dated October 28, 2016;

B. the Applicants shall provide to the Township for signature that number of Plans required for recordation and filing with the various Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicant shall have all Plans recorded, and the Applicant return the three (3) Plans to the Township within seven (7) days of Plan recordation;

C. the Applicants shall provide a copy of the recorded Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recordation;

D. the Applicants shall make payment of all outstanding review fees and other charges due to the Township prior to Plan recordation;

E. the Applicants shall execute and record such Deeds of Confirmation necessary to effectuate the lot line change, in form satisfactory to the Township Solicitor and Township Engineer. Such Deeds shall be recorded simultaneously with the Plans;

F. the cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, and this Resolution, shall be borne entirely by the Applicants, and shall be at no cost to the Township;

G. Applicants understand that it will not be granted Township building or grading permits until the record Plan, and all appropriate development and other required legal documents are approved by the Township and recorded with the Montgomery County Recorder of Deeds and all appropriate approvals and/or permits from Township or other agencies for the above mentioned project are received. Any work performed on this project without the proper permits, approvals, and agreements in place will be stopped.

3. **Acceptance**. The conditions set forth in paragraph 2 above shall be accepted by the Applicants, in writing, within ten (10) days from the date of receipt of this Resolution.

4. **Effective Date**. This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicants in writing.

BE IT FURTHER RESOLVED that the Plan shall be considered to have received final approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to the satisfaction of Township staff and appropriate Township officials have signed said Plans and submitted them for recording with the Montgomery County Recorder of Deeds. Applicant shall provide the Township with executed final plans, record plans, development agreements, easements, and other associated documentation, according to Township procedures. Any changes to the approved site plan will require the submission of an amended site plan for land development review by all Township review parties.

RESOLVED and **ENACTED** this 16th day of November, 2016 by the Worcester Township Board of Supervisors.

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

By: _____
Susan G. Caughlan, Chair

Attest:

_____
Tommy Ryan, Secretary

ACCEPTANCE

The undersigned states that he/she is authorized to execute this Acceptance on behalf of the Applicants and owners of the property which is the subject matter of this Resolution, that he/she has reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that he/she accepts the Conditions on behalf of the Applicants and the owners and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

APPLICANTS

Date: _____ _____

Kenneth Spang

Date: _____ _____

Diana Spang