

**TOWNSHIP OF CONEWAGO,
Dauphin County, Pennsylvania**

RESOLUTION NO. 2006-10

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF CONEWAGO, DAUPHIN COUNTY, PENNSYLVANIA, AUTHORIZING AND APPROVING AN AGREEMENT AND THE FORM THEREOF BETWEEN THIS TOWNSHIP AND CONEWAGO MUNICIPAL AUTHORITY, WHEREBY THE AUTHORITY WILL COVENANT TO ACQUIRE, CONSTRUCT, OWN, AND OPERATE SANITARY SEWAGE COLLECTION, TRANSMISSION, TREATMENT, AND DISPOSAL SYSTEM FACILITIES IN AND FOR CERTAIN PORTIONS OF THIS TOWNSHIP, AND WHEREBY THIS TOWNSHIP WILL MAKE CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT TO THE SEWER SYSTEM OF THE AUTHORITY, INCLUDING, AMONG OTHER THINGS: (1) THE ENFORCEMENT OF REQUIREMENTS FOR CONNECTION TO AND USE OF SUCH SEWER SYSTEM; (2) THE GRANTING OF CERTAIN EASEMENTS, RIGHTS OF WAY, RIGHTS AND PRIVILEGES TO THE AUTHORITY; AND (3) OTHER RELATED MATTERS; AUTHORIZING AND DIRECTING EXECUTION, ACKNOWLEDGMENT AND DELIVERY OF THE AGREEMENT ON BEHALF OF THIS TOWNSHIP; AND AUTHORIZING AND DIRECTING OTHER NECESSARY AND PROPER ACTION.

The Board of Supervisors of the Township of Conewago, Dauphin County, Pennsylvania (the “Township”), resolves, as follows:

SECTION 1. This Township shall enter into an Agreement (the “Agreement”) with Conewago Municipal Authority (the “Authority”), whereby the Authority will covenant and agree to acquire, construct, own, and operate certain sanitary sewage collection, transmission, treatment, and disposal system facilities in and for certain portions of this Township as, from time to time, shall be determined by the Authority and this Township, and whereby this Township will make certain covenants and agreements with respect to the sewer system to be acquired, constructed, owned, and operated by the Authority, including, among other things: (1) the enforcement of requirements for connection to and use of such sewer system; (2) the granting of certain easements, rights of way, rights, and privileges to the Authority; and (3) other related matters. The Agreement shall be substantially in the form presented to this meeting, which Agreement and the form thereof are approved.

SECTION 2. A copy of the Agreement, in the form so presented to this meeting and so approved, shall be filed with the Secretary of this Township and shall be made available for inspection at reasonable times by interested persons requesting such inspection.

SECTION 3. The Chairman or Vice Chairman of the Board of Supervisors, and the Secretary of this Township, as applicable, are authorized and directed to execute, attest, acknowledge, and deliver the Agreement, on behalf of this Township, in the form so approved.

SECTION 4. Proper officers of this Township are authorized and directed to execute all documents and to do all other acts that may be necessary and proper to carry out this Resolution and the undertakings of this Township in the Agreement.

SECTION 5. In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Resolution, it being the intent of this Township that such remainder of this Resolution shall be and shall remain in full force and effect.

SECTION 6. It is declared that adoption of this Resolution and the execution, acknowledgment, and delivery of the Agreement are necessary for the protection, benefit, and preservation of the health, safety, and welfare of inhabitants of this Township.

SECTION 7. All other resolutions or parts of resolutions that are inconsistent with this Resolution shall be and the same expressly are repealed.

SECTION 8. This Resolution shall become effective immediately.

DULY ADOPTED, this 8th day of November, 2006, by the Board of Supervisors of the Township of Conewago, Dauphin County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF CONEWAGO,
Dauphin County, Pennsylvania

By: _____
(Vice) Chairman of the
Board of Supervisors

ATTEST:

(Assistant) Secretary

(SEAL)

CERTIFICATE

I, the undersigned, Secretary of the Township of Conewago, Dauphin County, Pennsylvania (the “Township”), certify that: the foregoing is a true and correct copy of Resolution No. 2006-10 of the Board of Supervisors of the Township (the “Board of Supervisors”) which duly was adopted by affirmative vote of a majority of the members of the Board of Supervisors at a meeting of the Board of Supervisors duly convened and held according to law on November 8, 2006, at which meeting a quorum was present; said Resolution duly has been recorded in the minutes of the Board of Supervisors of the Township; and such Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7, by advertising said meeting, by posting prominently a notice of said meeting at the principal office of the Township or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this ___ day of _____.

Secretary

(SEAL)