

TOWNSHIP OF SHAMOKIN
NORTHUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 95-3

AN ORDINANCE

OF THE MEMBERS OF THE BOARD OF THE TOWNSHIP OF SHAMOKIN, NORTHUMBERLAND COUNTY, PENNSYLVANIA, GRANTING AND CONFIRMING TO THE SHAMOKIN TOWNSHIP MUNICIPAL AUTHORITY CERTAIN RIGHTS AND PRIVILEGES IN, ALONG, OVER AND UNDER STREETS, ROADS, LANES, COURTS, CUL-DE-SACS, ALLEYS, PUBLIC WAYS, PUBLIC SQUARES AND OTHER PROPERTIES OF THE TOWNSHIP OF SHAMOKIN FOR USE IN CONNECTION WITH SAID AUTHORITY'S SANITARY SEWAGE SYSTEM; AND PROVIDING FOR REGULATING THE MANNER IN WHICH SUCH RIGHTS AND PRIVILEGES SHALL BE EXERCISED.

WHEREAS, the The Shamokin Township Municipal Authority (the "Authority"), pursuant to authority vested in it by law, plans to construct and make alterations, improvements and additions to a certain sanitary sewage system, including transmission, collection and treatment facilities, required for rendering sanitary sewage service in, to and for the Township of Shamokin (which facilities shall hereinafter be collectively referred to as the "Sanitary Sewage System").

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Township of Shamokin, Northumberland County, Pennsylvania, as follows:

Section 1.

In consideration of the Authority's construction of a Sanitary Sewage System servicing the Township of Shamokin, and for the sum of

One (\$1.00) Dollar, the Township of Shamokin does hereby grant unto the Authority, its successors and assigns, for so long as the Authority shall own or operate such Sanitary Sewage System, all easements, rights-of-way and other rights and privileges necessary and desirable in, along, over and under streets, roads, lanes, courts, cul-de-sacs, alleys, public ways, public squares and other properties of the Township, together with free ingress and egress therein and thereto, for use in connection with the construction, replacement, repair, alteration, extension, improvement, operation and maintenance of the Sanitary Sewage System, as the same shall exist, in the Township of Shamokin.

Section 2.

The rights and privileges granted to the Authority pursuant to Section 1 shall be exercised by the Authority under and subject to such reasonable rules and regulations as shall be adopted and specified, from time to time, by resolution or ordinance of the Township; and the Township does reserve the right to adopt and specify, from time to time, such reasonable rules and regulations in connection with the exercise by the Authority of such rights and privileges as are conveyed on it by this Ordinance.

Section 3.

The Township reserves unto itself the right and privilege of review of all proposed easements, as the same affects the general health, safety and welfare of the residences of the Township of

Shamokin. In addition, the Authority shall be required, prior to any excavation or other activity in connection with said easements and rights-of-way acquired hereby, to apply for and obtain all necessary permits as required from time to time by the Township of Shamokin.

Section 4.

This Ordinance shall become effective upon adoption of the same by the Township of Shamokin.

Section 5.

The Chairman of the Township of Shamokin, and the Secretary thereof, shall execute any and all necessary deeds evidencing the conveyance by the Township to the Authority of the easements set forth herein, said Deed to be in recordable form suitable to the Township and the Authority, and shall be recorded in the Office of the Recorder of Deeds in and for the County of Northumberland, Commonwealth of Pennsylvania.

Section 6.

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

Section 7.

All other Ordinances or parts of ordinances inconsistent herewith shall be and the same are hereby repealed.

DULY ENACTED and ORDAINED, this 11th day of October, 1995, by the Township of Shamokin, Northumberland County, Pennsylvania, in lawful session duly assembled.

ATTEST:

TOWNSHIP OF SHAMOKIN

BY: _____

Secretary

Chairman