

**BOROUGH OF EAST PROSPECT  
YORK COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2013- 3**

AN ORDINANCE OF THE BOROUGH OF EAST PROSPECT, YORK COUNTY, PENNSYLVANIA ("BOROUGH"), PROVIDING FOR ENTERING INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH LOWER WINDSOR TOWNSHIP ("TOWNSHIP") FOR THE PURPOSE OF THE TOWNSHIP PROVIDING SERVICES TO MAINTAIN AND REPAIR A PORTION OF EAST MAPLE STREET AND LIVIA LANE.

WHEREAS, the Township and the Borough are neighboring municipalities; and

WHEREAS, a Final Subdivision Plan for the Neighborhood at Winters Ridge, prepared by James R. Holley and Associates, Inc., dated June 2003 and recorded in the Office of the Recorder of Deeds for York County at Plan Book SS, Page 546 (hereinafter "Plan") created a plan of lots in both the Borough and the Township; and

WHEREAS, pursuant to said Plan, the developer constructed a street known as Livia Lane in both the Borough and the Township and improved a portion of East Maple Street in the Borough; and

WHEREAS, the portion of East Maple Street improved by the developer and a portion of Livia Lane are located in the Borough and have been offered and accepted for dedication by the Borough; and

WHEREAS, the great majority of Livia Lane is situate in the Township; and

WHEREAS, the Township has offered to accept the duty to maintain and repair those portions of East Maple Street and Livia Lane located within the Borough; and

WHEREAS, municipalities are authorized to enter into such cooperative agreements by virtue of the Intergovernmental Cooperation Agreement Act of July 12, 1972, No. 180 (53 P.S. 3481 et. seq.), as amended; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of East Prospect Borough and by and through the authority of the same, as follows:

Section 1 – Parties and Purpose. East Prospect Borough is authorized to enter into an Intergovernmental Cooperation Agreement with the Lower Windsor Township for the purpose of

the Township providing the material, labor and services necessary to maintain and repair those portions of East Maple Street and Livia Lane within the Borough as identified in the attached Intergovernmental Cooperation Agreement. A copy of the Intergovernmental Cooperation Agreement is attached hereto as Exhibit "A" and is incorporated herein by reference.

Section 2 – Conditions of Agreement. A brief summary of the conditions of the Intergovernmental Cooperation Agreement to be entered into between the participating municipalities are described as follows:

- A. The Township shall in its sole discretion as to means and methods, repair and maintain those portions of East Maple Street and Livia Lane within the Borough, which maintenance and repair shall include, but be limited to paving, snow removal and removal of storm debris.
- B. To provide compensation to the Township for such services in the form of Liquid Fuels Taxes associated with those portions of East Maple Street and Livia Lane within the Borough.
- C. To assign the risk associated with the provision of such services.
- D. To designate oversight and control of Township employees while providing services.
- E. The term of the Agreement shall be in perpetuity unless and until terminated by either party by giving at least 90 days written notice of intent to terminate.

Section 3 – Authorization to Execute and Deliver. The appropriate officers of the Borough of East Prospect are hereby authorized to execute and deliver the Intergovernmental Cooperation Agreement.

Section 4 – Repeal of Inconsistent Resolutions and Ordinances. All resolutions and ordinances, or parts of either, which are inconsistent herewith, are hereby repealed to the extent of such inconsistency.

Section 5 – Invalidity. The invalidity of any part of this ordinance shall not affect the validity of any other part of this ordinance.

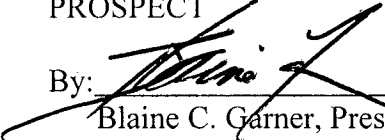
Section 6 – Effective Date. This Ordinance shall become effective five (5) days after enactment by the elected officials of the last participating municipality to adopt this Ordinance.

ORDAINED AND ENACTED by the Borough Council of East Prospect Borough, York County, Pennsylvania, on this 1<sup>st</sup> day of October 2013.

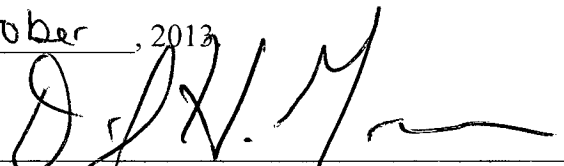
ATTEST:

BOROUGH COUNCIL OF EAST  
PROSPECT

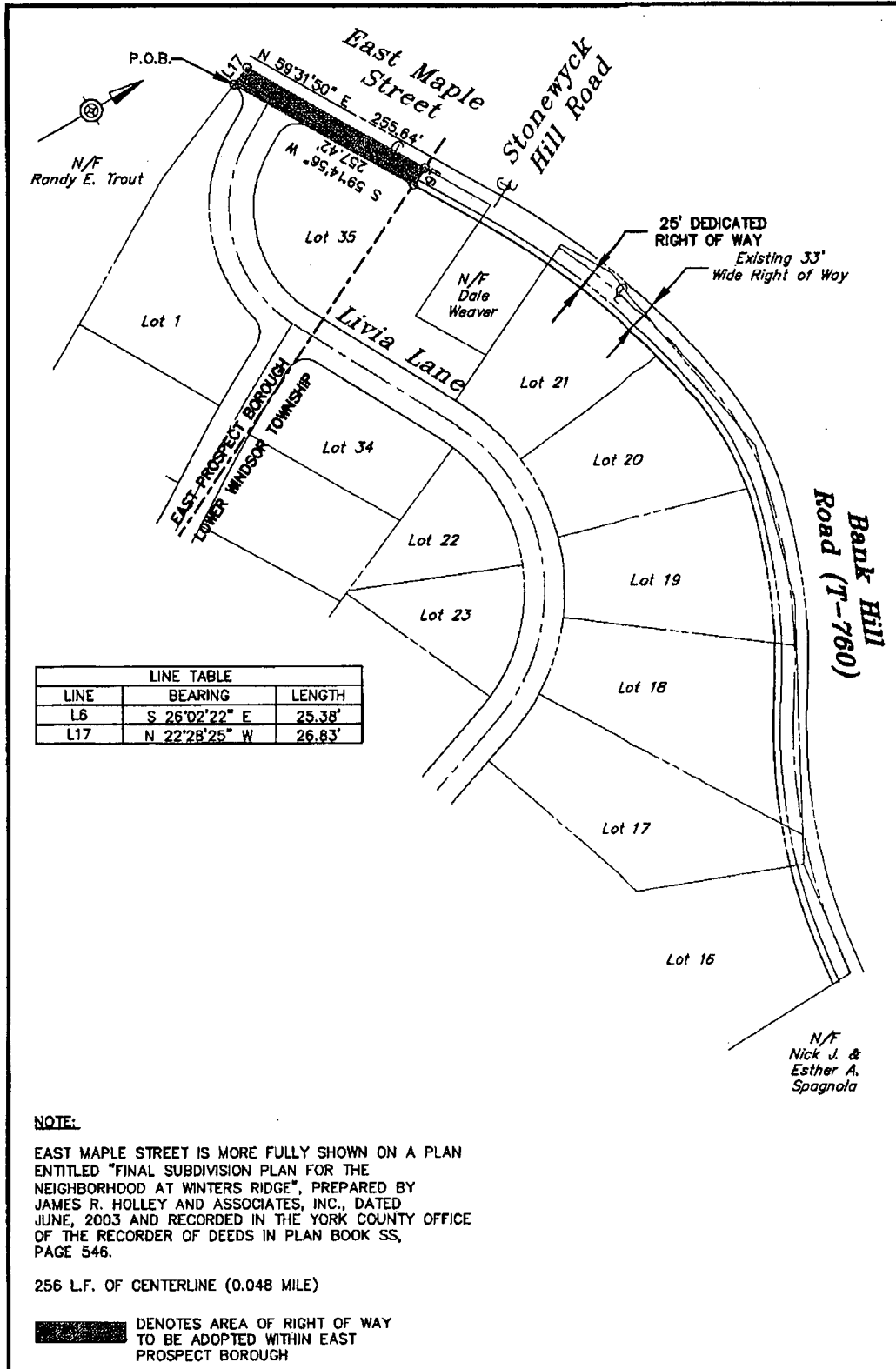
By: Mindy K. Barshinger  
Mindy K. Barshinger, Secretary

By:   
Blaine C. Garner, President

Approved this 1<sup>st</sup> day of October, 2013

  
Daniel H. Garner, Mayor

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SHEET	1 OF 1

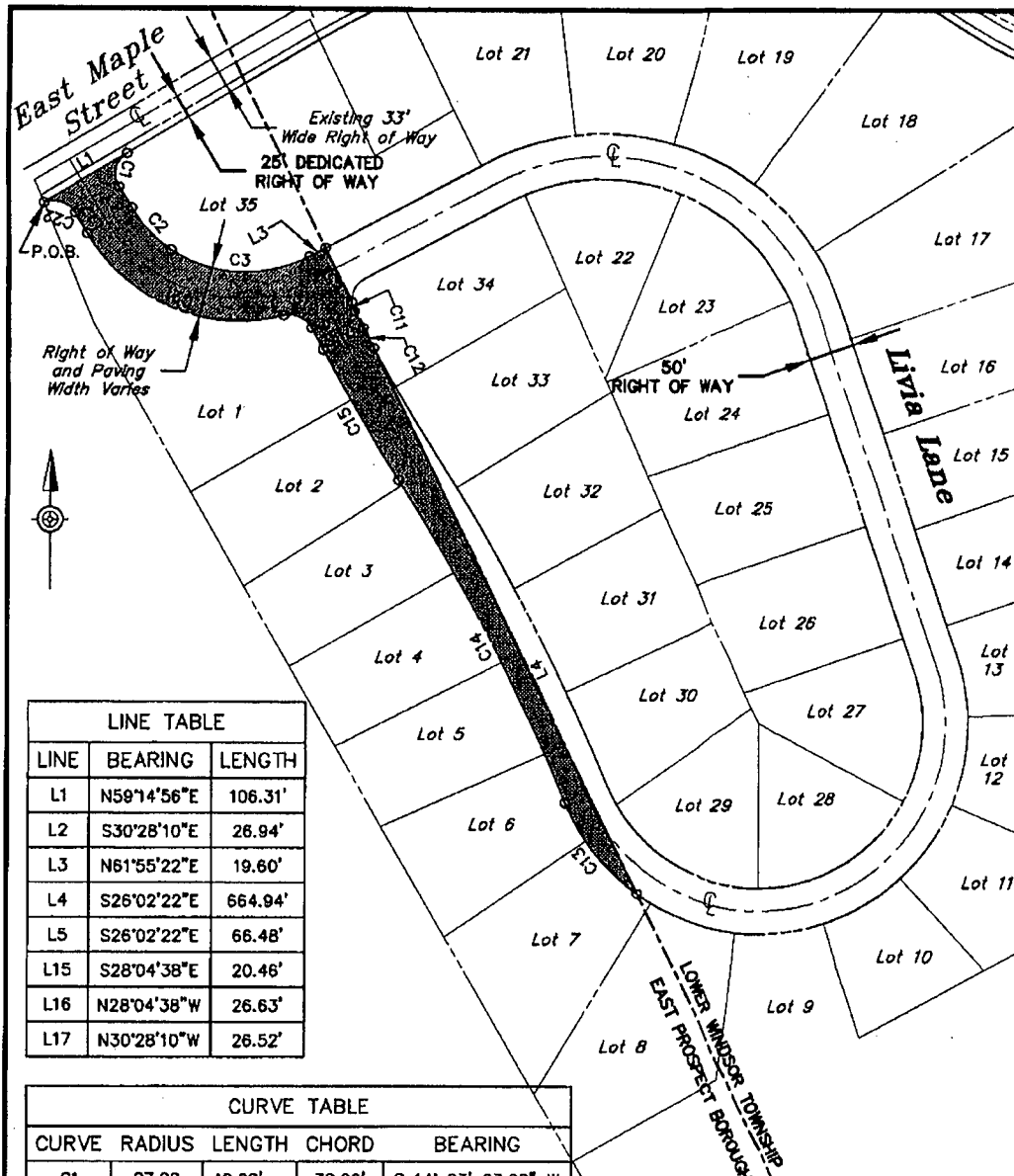
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**LOWER WINDSOR TOWNSHIP**

STREET ADOPTION PLAN  
 FOR  
**EAST MAPLE STREET**

EAST PROSPECT BOROUGH YORK COUNTY, PENNSYLVANIA

**THE NEIGHBORHOOD AT WINTERS RIDGE**



LINE TABLE		
LINE	BEARING	LENGTH
L1	N59°14'56"E	106.31'
L2	S30°28'10"E	26.94'
L3	N61°55'22"E	19.60'
L4	S26°02'22"E	664.94'
L5	S26°02'22"E	66.48'
L15	S28°04'38"E	20.46'
L16	N28°04'38"W	26.63'
L17	N30°28'10"W	26.52'

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	27.00	42.28'	38.09'	S 14° 23' 23.00" W
C2	139.00	64.12'	63.55'	S 43° 40' 59.00" E
C3	150.30	160.49'	152.97'	S 87° 29' 13.00" E
C11	27.00	10.86'	10.76'	S 16° 33' 58" E
C12	1975.00	25.00'	25.00'	S 28° 26' 23" E
C13	231.51	128.87'	127.21'	N 38° 26' 16" W
C14	2226.56	399.41'	388.88'	N 27° 37' 34" W
C15	2025.00	165.71'	165.66'	N 30° 25' 17" W
C16	27.00	36.02'	33.41'	N 66° 18' 15" W
C21	195.00	252.05'	234.87'	N 67° 30' 00" W
C22	27.00	38.83'	35.57'	N 71° 41' 22" W

**NOTE:**  
 LIVIA LANE IS MORE FULLY SHOWN ON A PLAN ENTITLED "FINAL SUBDIVISION PLAN FOR THE NEIGHBORHOOD AT WINTERS RIDGE", PREPARED BY JAMES R. HOLLEY AND ASSOCIATES, INC., DATED JUNE, 2003 AND RECORDED IN THE YORK COUNTY OFFICE OF THE RECORDER OF DEEDS IN PLAN BOOK SS, PAGE 546.

AREA OF STREET TO BE ADOPTED: 42,032 SQUARE FEET

PAVING WIDTH: 34 FEET  
 (PAVING WIDTH VARIES FROM THE INTERSECTION OF EAST MAPLE STREET TO THE INTERSECTION OF LIVIA LANE)

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SCALE	1"=160'
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FILE NO.	1395.3.23.20
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SHEET	1 OF 1



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**LOWER WINDSOR TOWNSHIP**

**STREET ADOPTION PLAN FOR LIVIA LANE**

EAST PROSPECT BOROUGH YORK COUNTY, PENNSYLVANIA

**THE NEIGHBORHOOD AT WINTERS RIDGE**