
THE BOROUGH OF EAST PROSPECT

RESOLUTION OF BOROUGH COUNCIL AGREEING TO GRANT THE YORK WATER COMPANY A RIGHT-OF-WAY FOR WATER MAINS AND ATTENDANT FACILITIES OVER LANDS OWNED BY THE BOROUGH; AND AUTHORIZING AND DIRECTING THE PROPER OFFICERS TO EXECUTE, ACKNOWLEDGE AND DELIVER NECESSARY AND APPROPRIATE DOCUMENTS TO ACCOMPLISH THE SAME.

The Borough Council of The Borough of East Prospect, at a duly convened public meeting at which a quorum is present, does hereby resolve as follows:

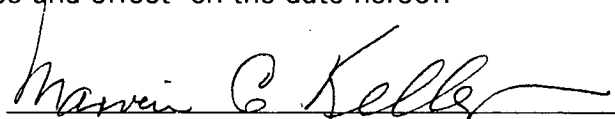
Section 1. This Borough shall grant unto The York Water Company a right-of-way for water mains and attendant facilities in, under, over and through the twenty feet (20') wide strips of land situate in Lower Windsor Township, York County, Pennsylvania, and shown on the attached plan prepared by James R. Holley & Associates, Inc., entitled "20' R/W To Be Granted To York Water Company from East Prospect Borough and East Prospect Borough Authority," dated 9/95 and labeled Project 870533, where such strips are labeled "20' R/W," in which is located the existing Borough water main which is to be transferred to The York Water Company at the settlement between this Borough and The York Water Company under the Agreement between the parties for the sale by the Borough to The York Water Company of the Borough's water distribution system dated December 6, 1994. The right-of-way shall have such other provisions as the President of this Council and the Borough Secretary, after consulting with The York Water Company and with the advice of the Borough Engineer and the Borough Solicitor, shall conclude are reasonably necessary or appropriate to serve the

purposes of The York Water Company and are reasonably consistent with the interests of the Borough' and its successors and assigns in and to said pump house lot.

Section 2. The proper officers are authorized and directed to execute, acknowledge and deliver on behalf of this Borough to The York Water Company, at the settlement between them under the said December 6, 1994 Agreement, an appropriate document granting the right-of-way referred to in Section 1., above, and to take such other actions as, in their judgment, may be necessary and appropriate to accomplish the same.

I, Marvin C. Keller, Borough Secretary of The Borough of East Prospect, do hereby certify under the Borough Seal that the foregoing is a true and correct copy of a Resolution that was adopted by The Borough Council of The Borough of East Prospect, at a duly convened public meeting at which a quorum was present and voting held Tuesday, September 26, 1995, and that the same is in full force and effect on the date hereof.

(BOROUGH SEAL)


Marvin C. Keller, Borough Secretary

Date: 9/26/95