

RESOLUTION NO. 2259

EAST NORRITON TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION GRANTING CONDITIONAL, PRELIMINARY APPROVAL OF THE APPLICATION FOR SUBDIVISION AND LAND DEVELOPMENT OF DEL MARKWARD FOR THE VILLAGE AT CARALEA LOCATED ALONG GERMANTOWN PIKE BETWEEN POTSHOP ROAD AND BURNSIDE AVENUE.

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary/final approval of the subdivision and land development plan for **Del Markward** plan for a proposed 55-Age Restricted Residential Units as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by Applicant:

1. Fulfilling all obligations and requirements of the Robert E. Blue, Township Engineers letters dated **May 24, 2005 and September 15, 2005 and July 24, 2006**, the East Norriton Township Planning Commission meeting minutes dated **February 15, 2005, May 16, 2005, July 19, 2005, October 18, 2005, January 17, 2006 and July 18, 2006**, E. Van Reiker, Township Planner review letters dated **December 24, 2004 and November 22, 2005**, the Montgomery County Planning Commission letter dated **April 27, 2005**, the Traffic Planning and Design review letter dated **July 15, 2005, September 26, 2005, November 22, 2005, December 19, 2005, August 11, 2006 and September 25, 2006**, and the Staff Meeting minutes dated **November 4, 2004, January 10, 2005, December 5, 2005, January 13, 2006 and March 16, 2006**.
2. The Applicant shall enter into an Application and Agreement and Improvement Fund Agreement and post financial security for all improvements to the satisfaction of the Township Engineer and Township Solicitor.
3. The Applicant shall connect to East Norriton Township sanitary sewer system and pay tapping fees and inspection fees at the then current rates if required.
4. The Applicant shall be responsible for payment of all Townships Consultant fees related to this project
5. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. The Applicant shall satisfy East Norriton Township's Park and Recreation ordinance requirements.

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7. The Applicant shall satisfy East Norriton Township's Act 209, Traffic Impact Fee Requirement.
8. The Applicant shall provide for ownership and maintenance of the **roadways, storm sewer facilities, sidewalks, curbing, sanitary sewers and street lights** in the Declaration of the Homeowner's Association and shall provide that the Declaration shall run to the benefit of the Township and any breach may be remedied by the Township and the Township shall have the right, but not the obligation to enforce any breach of covenants contained in the Declaration or Bylaws of the Association. The Declaration shall provide that the cost expended by the Township in remedying such breach shall constitute a lien upon the Unit or Common Facilities upon which such breach occurred. Further, the Township shall be entitled to recover associated charges including, but not limited to attorneys' fees, from the Owner of the subject Unit, and/or from the Association in the event the affected property constitutes a Common Facility.
9. The Applicant shall reserve in the Declaration of the Homeowner's Association for the benefit of the Township, its successors and assigns, an easement of access, ingress and egress over such portion of the area designated for detention basin maintenance easement on the Plans for the purpose of inspecting, maintaining and repairing the Storm Water Management System in the event the Association fails to maintain any portion of the Storm Water Management System, provided that the Township shall have the right, but not the obligation to undertake such inspection, maintenance, and repair. In the event the Township undertakes any such inspection, maintenance or repair, the Township shall have right to assess the costs against the Association.
10. Applicant shall supply a copy of the Declaration of the Homeowner's Association to the Township and its Solicitor for review and approval prior to recording.
11. The Applicant shall install suitable to the Township, a greenway path along thier Germantown Pike and Potshop Road way frontages and along the eastern side of the Applicants property within a Township's easement and along the Applicants northern property line bring the path back to the main roadway.
12. **Waiver request will be addressed at Final Plan approval**

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DULY PRESENTED AND ADOPTED the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, in public meeting held this 26th day of September 2006

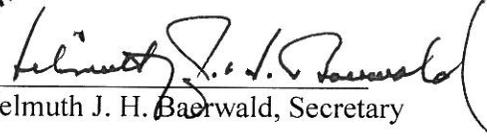


BOARD OF SUPERVISOR
EAST NORRITON TOWNSHIP

By: _____


Donald Gracia, Chairman

Attest: _____


Helmuth J. H. Baerwald, Secretary

The above conditions are agreed to by **Del Markward** for Village at Caralea, this 26th of September 2006.



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EXHIBIT "A"

PLANS

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>ORIGINAL</u>	<u>REVISED</u>
1	Cover Sheet	04-01-05	06-30-06
2	Site/Record Plan	04-01-05	06-30-06
3	Existing Features Plan	04-01-05	06-30-06
4	Grading Plan and Utility Plan	04-01-05	06-30-06
5	Utility Plan	04-01-05	06-30-06
6	Erosion and Sediment Control Plan	04-01-05	06-30-06
7	Landscape Plan	04-01-05	06-30-06
8	Utility Profile Plan	04-01-05	06-30-06
9	Utility Profile Plan	04-01-05	06-30-06
10	Utility Profile Plan	04-01-05	06-30-06
11	Utility Profile Plan	04-01-05	06-30-06
12	Utility Profile Plan	04-01-05	06-30-06
13	Site Details	04-01-05	06-30-06
14	Erosion and Sediment Control Details	04-01-05	06-30-06
15	Temp. /Permanent Stormwater Management Details	04-01-05	06-30-06
16	Storm Details	04-01-05	06-30-06
17	Sanitary Details	04-01-05	06-30-06
18	Water Details	04-01-05	06-30-06
19	Landscape Details	04-01-05	06-30-06
20	Post Construction Storm Water Management Plan	04-01-05	06-30-06