

PENN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

RESOLUTION NO. 8-2018

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PENN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, ESTABLISHING A TOWNSHIP POLICY OF REQUIRING AS A CONDITION OF PLAN APPROVAL FOR ALL ANNEXATION PLANS THAT FINANCIAL ESCROW BE POSTED WITH THE TOWNSHIP TO GUARANTEE THE EXECUTION AND RECORDING OF ALL DEEDS REQUIRED TO PROPERLY EFFECT THE TERMS OF ANY SUCH ANNEXATION PLAN.

WHEREAS, the Penn Township Subdivision and Land Development Ordinance (“SALDO”) provides the procedures by which changes to existing lot lines may be effected through subdivision of existing properties into multiple lots and through the reconfiguration of lot lines through annexation plans; and

WHEREAS, the terms of the SALDO regulations governing annexation plans provide that the land area being conveyed for annexation need not satisfy any of the dimensional requirements applicable to lotting in the district in which it is located, nor the street frontage requirements of the zoning ordinance, provided that it shall be deed restricted to the extent that it may not be transferred independently, but must be transferred together with the lot to which it is being functionally added by the process of simple conveyance; and

WHEREAS, the Board of Supervisors recognizes the need for certain deeds to be signed and recorded in order to effect the intent of certain annexation plans; and

WHEREAS, the Board of Supervisors has determined that the best way to ensure that the deeds necessary to ensure the intended effect of an annexation plan are actually recorded is to require the owner or developer of any plan involving an annexation to post financial security with the Township to guarantee the recording of such deed.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Penn Township, Berks County, Pennsylvania, that it hereby establishes a policy of requiring either the owner or developer of any subdivision or land development plan involving an annexation of land, as a condition of final approval of such plan, to post financial security with the Township in the amount of Five Hundred Dollars (\$500.00) to guarantee the recording of the deed(s) conveying any annexation parcel(s), and deeds conveying and describing the entirety of each post-annexation lot.




FURTHER RESOLVED, that this Resolution shall take effect immediately, or as soon as legally permissible thereafter.

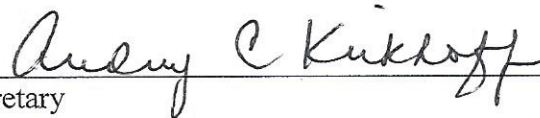
FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Board of Supervisors of Penn Township that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section, or part not been included herein.

FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

IN WITNESS WHEREOF, the Board of Supervisors of Penn Township has adopted this Resolution in lawful session this 30th day of April, 2018.

BOARD OF SUPERVISORS OF
PENN TOWNSHIP,
BERKS COUNTY, PENNSYLVANIA

By: 
Chairman

Member

Member

Attest: 
Secretary

CERTIFICATE

I hereby certify that the foregoing is a true and accurate copy of a Resolution of the Board of Supervisors of PENN TOWNSHIP, Berks County, Pennsylvania, which was fully adopted at a public meeting held pursuant to notice as required by law on the 30th day of April, 2018.

Audrey C Kerkhoff
Secretary of Penn/Township

Dated: April 30, 2018