

**TULPEHOCKEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2018-5**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF TULPEHOCKEN, 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 Tulpehocken 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**, subdivision and land development plans approved by Tulpehocken Township providing for annexation require recording with the Office of the Recorder of Deeds of the County of Berks; and

**WHEREAS**, certain deeds are required to be signed and recorded in order to effect the intent of annexation plans; and

**WHEREAS**, approved annexation subdivision and land development plans are required to be recorded with the Office of the Recorder of Deeds of the County of Berks before deeds for the affected lots are recorded; and

**WHEREAS**, said procedure requires Tulpehocken Township to release the approved subdivision and land development annexation plans for recording prior to recording of the deeds for the lots affected by the plans; and

**WHEREAS**, the Board of Supervisors of Tulpehocken Township desires to ensure that the deeds required to effect the intent of annexation plans in consideration of the above required order of recording of the plans and deeds are recorded; 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 Tulpehocken 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.

**FUTHER RESOLVED**, the financial security to guarantee the recording of deed(s) conveying any annexation parcel(s) and deed(s) conveying and describing the entirety of each post-annexation lot shall be released by the Township upon presentation of a recorded copy of the requisite deed(s) to the Township by the owner or developer and approval thereof by the Township Solicitor.

**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 Tulpehocken Township that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

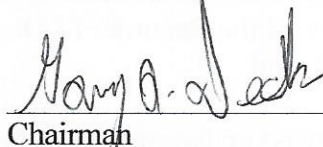
**FURTHER RESOLVED**, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

**FURTHER RESOLVED**, this Resolution shall be effective immediately.

**IN WITNESS WHEREOF**, the Board of Supervisors of Tulpehocken Township has adopted this Resolution in lawful session this 9<sup>th</sup> day of May, 2018.

BOARD OF SUPERVISORS OF  
TULPEHOCKEN TOWNSHIP, BERKS COUNTY,  
PENNSYLVANIA

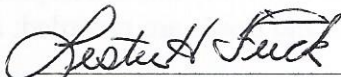
By:

  
\_\_\_\_\_

Chairman

  
\_\_\_\_\_

Member

  
\_\_\_\_\_

Member

Attest:

  
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Secretary



CERTIFICATE

I hereby certify that the foregoing is a true and accurate copy of a Resolution of the Board of Supervisors of TULPEHOCKEN TOWNSHIP, Berks County, Pennsylvania, which was fully adopted at a public meeting held pursuant to notice as required by law on the 9<sup>th</sup> day of May, 2018.

  
Secretary of Tulpehocken Township

Dated: May 9, 2018