

RESOLUTION NO. _____

**RESOLUTION OF THE MILLCREEK TOWNSHIP
SCHOOL DISTRICT, FAIRVIEW SCHOOL DISTRICT,
NORTHWESTERN SCHOOL DISTRICT, FORT LEOEUF
SCHOOL DISTRICT, GENERAL MCLANE SCHOOL
DISTRICT, GIRARD SCHOOL DISTRICT, HARBOR
CREEK SCHOOL DISTRICT, IROQUOIS SCHOOL
DISTRICT, NORTH EAST SCHOOL DISTRICT, UNION
CITY AREA SCHOOL DISTRICT, AND WATTSBURG
SCHOOL DISTRICT AUTHORIZING THE EXECUTION OF
A SANITARY SEWER RIGHT-OF-WAY WITH THE
SUMMIT TOWNSHIP SEWER AUTHORITY**

WHEREAS, , the Millcreek Township School District, the Fairview School District, the Northwestern School District, the Fort LeBoeuf School District, the General McLane School District, the Girard School District, the Harbor Creek School District, the Iroquois School District, the North East School District, the Union City Area School District, and Wattsburg School District (the “Participating Districts”) have adopted the Articles of Agreement for Operation to jointly participate in the education of vocational technical students at the Erie County Technical School (“ECTS”);

WHEREAS, the Participating District’s jointly own certain real estate located in Summit Township, Erie County, Pennsylvania, consisting of 155.62 acres, located at 8500 Oliver Road in Summit Township, Erie County, Pennsylvania, and bearing Erie County Tax Index No. 40-17-78-9 and 40-17-78-9.01 (the “Property”) which is used as the ECTS educational building; and

WHEREAS, the Pennsylvania Department of Transportation will be constructing a roundabout near the Property and is requiring the Summit Township Sewer Authority (“STSA”) to relocate its sanitary sewer lines as a result of this construction; and

WHEREAS, the Joint Operating Committee of the ECTS has recommended that the Participating Districts execute an easement agreement with the STSA to facilitate the relocation of the STSA’s sanitary sewer lines; and

WHEREAS, the Participating Districts have desire to execute a Sanitary Sewer Right-of-Way Agreement (the “Agreement”) with the STSA to allow the Property to receive sanitary sewage service.

NOW THEREFORE, BE IT RESOLVED by the Boards of School Directors of the Participating Districts as follows:

1. Recitals. The recitals listed above are incorporated herein as if more fully set forth.
2. Approval of Agreement. The Agreement with the STSA is hereby approved. The Agreement is attached hereto and incorporated herein as Exhibit A.

3. Effective Date. This Resolution shall take effect upon the approval of the Board of Directors for each Participating District.

Signature Page to Follow

This Resolution was adopted by the Board of Directors of the Millcreek Township School District at a meeting duly convened and held on _____, 20____ by a vote of _____ to _____.

MILLCREEK TOWNSHIP SCHOOL DISTRICT

By: _____ By: _____
Secretary President, Board of School Directors

This Resolution was adopted by the Board of Directors of the Fairview School District at a meeting duly convened and held on _____, 20__ by a vote of _____ to _____.

FAIRVIEW SCHOOL DISTRICT

By: _____
Secretary

By: _____
President, Board of School Directors

This Resolution was adopted by the Board of Directors of the Northwestern School District at a meeting duly convened and held on _____, 20____ by a vote of _____ to _____.

NORTHWESTERN SCHOOL DISTRICT

By: _____
Secretary

By: _____
President, Board of School Directors

This Resolution was adopted by the Board of Directors of the Fort LeBoeuf School District at a meeting duly convened and held on _____, 20____ by a vote of _____ to _____.

FORT LEBOEUF SCHOOL DISTRICT

By: _____
Secretary

By: _____
President, Board of School Directors

This Resolution was adopted by the Board of Directors of the General McLane School District at a meeting duly convened and held on _____, 20____ by a vote of _____ to _____.

GENERAL MCLANE SCHOOL DISTRICT

By: _____
Secretary

By: _____
President, Board of School Directors

This Resolution was adopted by the Board of Directors of the Girard School District at a meeting duly convened and held on _____, 20__ by a vote of _____ to _____.

GIRARD SCHOOL DISTRICT

By: _____
Secretary

By: _____
President, Board of School Directors

This Resolution was adopted by the Board of Directors of the Harbor Creek School District at a meeting duly convened and held on _____, 20____ by a vote of _____ to _____.

HARBOR CREEK SCHOOL DISTRICT

By: _____
Secretary

By: _____
President, Board of School Directors

This Resolution was adopted by the Board of Directors of the Iroquois School District at a meeting duly convened and held on _____, 20__ by a vote of _____ to _____.

IROQUOIS SCHOOL DISTRICT

By: _____
Secretary

By: _____
President, Board of School Directors

This Resolution was adopted by the Board of Directors of the North East School District at a meeting duly convened and held on _____, 20__ by a vote of _____ to _____.

NORTH EAST SCHOOL DISTRICT

By: _____
Secretary

By: _____
President, Board of School Directors

This Resolution was adopted by the Board of Directors of the Union City Area School District at a meeting duly convened and held on _____, 20____ by a vote of _____ to _____.

UNION CITY AREA SCHOOL DISTRICT

By: _____
Secretary

By: _____
President, Board of School Directors

This Resolution was adopted by the Board of Directors of the Wattsburg Area School District at a meeting duly convened and held on February 15, 2021 by a vote of 7 to 0 with 2 absent.

WATTSBURG AREA SCHOOL DISTRICT

By: 
Secretary

By: 
President, Board of School Directors

EXHIBIT A

SANITARY SEWER RIGHT-OF-WAY AGREEMENT

THIS AGREEMENT made and entered into this _____ day of January, 2022, by and between: FAIRVIEW SCHOOL DISTRICT, FORT LEOBOEUF SCHOOL DISTRICT, GENERAL MCLANE SCHOOL DISTRICT, GIRARD SCHOOL DISTRICT, HARBORCREEK SCHOOL DISTRICT, IROQUOIS SCHOOL DISTRICT, MILLCREEK TOWNSHIP SCHOOL DISTRICT, NORTH EAST SCHOOL DISTRICT, NORTHWESTERN SCHOOL DISTRICT, UNION CITY SCHOOL DISTRICT, WATTSBURG SCHOOL DISTRICT. All being School Districts of the Commonwealth of Pennsylvania located in Erie County, Pennsylvania being the participating school districts of Erie County Area Vocational Technical School, hereinafter referred to as "Grantor";

AND

SUMMIT TOWNSHIP SEWER AUTHORITY, 8890 Old French Road, Erie, PA 16509, hereinafter referred to as "Grantee,"

WHEREAS, Grantor is the owner of certain real estate (the "Property") located in Summit Township, Erie County, Pennsylvania, consisting of 155.562 acres, more or less, located at 8500 Oliver Road, in Summit Township, Erie County, Pennsylvania, and bearing Erie County Tax Index Nos. 40-17-78-9 and 40-17-78-9.01.

NOW, THEREFORE, for the promises exchanged herein and other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. Grantor does hereby grant and convey to Grantee, its successors and assigns, a permanent easement for purposes of constructing, operating, maintaining, replacing, repairing and removing public sanitary sewer pipe lines, manholes and related appurtenances thereto ("Sewer Facilities"), over the Property. The easement is set forth on the map attached hereto as Exhibit "A."
2. Grantor further grants to Grantee, or the Grantee's assigns, the temporary right to occupy other lands of Grantor in, on, and abutting the permanent easement for access and all purposes aforesaid, including all rights and privileges accessory or incidental to the complete use and enjoyment of this grant by Grantee.
3. Grantee hereby agrees to, and Grantee's assigns shall be required to restore, at its expense any physical damage to the property of Grantor with the exception of replacement of existing trees and/or shrubs, to the same condition as existed prior to Grantee's or Grantee's assigns' activities. This restoration shall be done not only upon the initial construction of the Sewer Facilities but on any subsequent maintenance, repair, improvement, or removal thereof.
4. Grantor hereby specifically reserves the right to use the surface of the easement in any manner Grantor deems, provided that such use shall not interfere with, obstruct or endanger

any rights granted herein; and further provided, that no earth fill or excavations will be placed on or undertaken within such easement and no building or other structure will be erected on or within the easement.

5. Grantee, in consideration for this easement, agrees that it will hold the Grantor harmless from any claim, suit, or causes of action for damage to the persons or property arising out of or in conjunction with the construction or use, maintenance, repair, replacement, removal of said Sewer Facilities and appurtenances performed by the Grantee only. Grantee agrees to indemnify Grantor for all expenses incurred as a result of said claim, including reasonable attorney's fees.

6. This Easement shall be deemed as a covenant running with the land and shall be binding on the Grantor, its heirs, assigns and successors in title.

[SIGNATURE PAGES TO FOLLOW ON NEXT PAGES]

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

FAIRVIEW SCHOOL DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of Fairview School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

FORT LEBOEUF SCHOOL DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of Fort LeBoeuf School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

GENERAL MCLANE SCHOOL
DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF ERIE :

On this, the _____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of General McLane School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

GIRARD SCHOOL DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of Girard School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

HARBORCREEK SCHOOL DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of Harborcreek School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

IROQUOIS SCHOOL DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of Iroquois School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

MILLCREEK TOWNSHIP SCHOOL
DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of Millcreek Township School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

NORTH EAST SCHOOL DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of North East School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

NORTHWESTERN SCHOOL DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of Northwestern School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

UNION CITY SCHOOL DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of Union City School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTOR:

WATTSBURG SCHOOL DISTRICT

By _____

By _____

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared _____, who acknowledged himself/herself to be the _____ of Wattsburg School District, and that he/she as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this instrument to be executed by affixing their hands and seals on the day and year first above written.

ATTEST:

GRANTEE:

SUMMIT TOWNSHIP SEWER
AUTHORITY

By _____
Laban Marsh, Secretary

By _____
Chris Fette, Chairman

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF ERIE :

On this, the ____ day of January, 2021, before me, a Notary Public, in and for said county and state, personally appeared Chris Fette, who, acknowledged himself to be the Chairman of the Summit Township Sewer Authority, and that he as such Chairman, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Notary Public



