

SANITARY SEWER RIGHT-OF-WAY AGREEMENT

THIS AGREEMENT made and entered into this ____ day of January, 2021, by and between: FAIRVIEW SCHOOL DISTRICT, FORT LEBOEUF 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

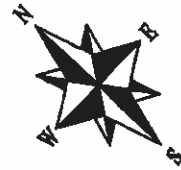
ACKNOWLEDGEMENT

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



N/F
ERIE COUNTY TECHNICAL SCHOOL
PARCEL ID: 40-017-078.0-009.00
SITE ADDRESS #: 8500 OLIVER ROAD

20' WIDE PERMANENT EASEMENT

N/F
AMITY TOWNSHIP SCHOOL DISTRICT
ERIE COUNTY AREA VO/TECH SCHOOL
PARCEL ID: 40-017-078.0-009.01
SITE ADDRESS #: 8500 OLIVER ROAD

EXISTING PUMP STATION ACQUISITION

N/F
SUMMIT TOWNSHIP SEWER AUTHORITY
PARCEL ID: 40-017-078.0-009.02
SITE ADDRESS #: FLOWER ROAD

PROPOSED PERMANENT EASEMENT



PROPERTY/R-O-W LINES



NOTE: PROPERTY LINES SHOWN ARE APPROXIMATE,
TAKEN FROM ERIE COUNTY ASSESSMENT MAPS.



SCALE: 1"=200'

EXHIBIT A

TO ACCOMPANY

UTILITY EASEMENT

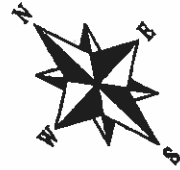
FROM

ERIE COUNTY TECHNICAL SCHOOL
TO
SUMMIT TOWNSHIP SEWER AUTHORITY

SUMMIT TOWNSHIP, ERIE COUNTY, PENNSYLVANIA

Greenman-Pedersen, Inc. North East, PA.

1/15/2021 ~ SCALE: 1"=200'



N/F
ERIE COUNTY TECHNICAL SCHOOL
PARCEL ID: 40-017-078.0-009.00
SITE ADDRESS #: 8500 OLIVER ROAD

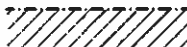
N/F
AMITY TOWNSHIP SCHOOL DISTRICT
ERIE COUNTY AREA VO/TECH SCHOOL
PARCEL ID: 40-017-078.0-009.01
SITE ADDRESS #: 8500 OLIVER ROAD

20' WIDE PERMANENT EASEMENT

EXISTING PUMP STATION ACQUISITION

N/F
SUMMIT TOWNSHIP SEWER AUTHORITY
PARCEL ID: 40-017-078.0-009.02
SITE ADDRESS #: FLOWER ROAD

PROPOSED PERMANENT EASEMENT



PROPERTY/R-O-W LINES



NOTE: PROPERTY LINES SHOWN ARE APPROXIMATE,
TAKEN FROM ERIE COUNTY ASSESSMENT MAPS.



SCALE: 1"=200'

EXHIBIT A

TO ACCOMPANY

UTILITY EASEMENT

FROM

AMITY TOWNSHIP SCHOOL DISTRICT
ERIE COUNTY AREA VO/TECH SCHOOL

TO

SUMMIT TOWNSHIP SEWER AUTHORITY

SUMMIT TOWNSHIP, ERIE COUNTY, PENNSYLVANIA

Greenman-Pedersen, Inc. North East, PA.

1/15/2021 ~ SCALE: 1"=200'