

RESOLUTION 2023-01

**A RESOLUTION OF THE UPPER MONTGOMERY JOINT AUTHORITY,
MONTGOMERY COUNTY, PENNSYLVANIA,
ACCEPTING THE DEDICATION OF SANITARY SEWER INFRASTRUCTURE
CONSTRUCTED DURING PHASE I AND II OF THE STILL WATERS TRACT
DEVELOPMENT FROM THE HENDRICKS GROUP DEVELOPERS, LLC**

WHEREAS, Upper Montgomery Joint Authority (hereinafter “UMJA”) is a municipal authority organized and existing under the Pennsylvania Municipality Authorities Act of 1945, as amended; and

WHEREAS, Hendricks Group Developers, LLC is a duly organized Limited Liability Company under the Commonwealth of Pennsylvania; and

WHEREAS, Hendricks Group Developers, LLC (hereinafter referred to as “Hendricks”) is the developer of a two phase development known as the Still Waters Tract Development; and

WHEREAS, UMJA and Hendricks entered into a series of Developer Agreements for the construction of sanitary sewer infrastructure to service the 43 residences to be constructed in Phases I and II; and

WHEREAS, the construction of the sanitary sewer infrastructure has been completed and a final inspection of the constructed infrastructure was completed on or about July 18, 2022; and

WHEREAS, each development agreements included language for the dedication by the Hendricks to UMJA after final inspection of the completed construction; and

WHEREAS, Hendricks desires to dedicate the sanitary sewer infrastructure to UMJA and has provided to UMJA approved “as built” drawings and executed a Deed of Dedication and Bill of Sale for approval by the UMJA Board; and

WHEREAS, UMJA as prepared a maintenance and escrow agreement for execution by Hendricks that establishes an 18 month maintenance period beginning on July 18, 2022 and a maintenance escrow in the sum of Fifteen Thousand & 00/100 (\$15,000.00) for professional and construction services in the event that Hendricks fails to take corrective action for any defects within the 18 month maintenance period; and

WHEREAS, UMJA desires to accept dedication of the sanitary sewer infrastructure conditioned on receiving the signed and notarized Maintenance and Escrow Agreement from Hendricks.

NOW THEREFORE, be it **RESOLVED**, and it is hereby **RESOLVED** as follows:

1. The Board of Directors accepts dedication of the Sanitary Sewer Infrastructure constructed as part of the Still Waters Tract Development by Hendricks in Phases I and II, conditioned on the Board receiving an executed and notarized Maintenance and Escrow Agreement within thirty (30) days from the date that this Resolution is adopted.


2. The Board of Directors authorizes the Solicitor to Record the deed of Dedication with the Montgomery County Office for the Recording of Deeds.

3. The Board of Directors further authorizes the Board President or Vice President to sign the Maintenance and Escrow Agreement on behalf of the UMJA.

RESOLVED AND ADOPTED this 11th Day of April 2023.

UPPER MONTGOMERY JOINT AUTHORITY

BY: 
(Vice) Chair

ATTEST: 
(Assistant) Secretary