

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION NO. 23-21

**A RESOLUTION OF UPPER DARBY TOWNSHIP CONDITIONALLY ACCEPTING
OWNERSHIP OF THE EXISTING SANITARY SEWER LINE LOCATED ON THE
PROPERTIES OF DELAWARE COUNTY COMMUNITY COLLEGE AND
THE ARCHDIOCESE OF PHILADELPHIA**

WHEREAS, the Archdiocese of Philadelphia is the current legal owner of a certain 35.171 acre property located at 403 North Lansdowne Avenue, Upper Darby Township, located at the corner of Garrett Road and Lansdowne Avenue in the Township's R-1 Zoning District, indexed at parcel number 16090099110, currently consisting of the Monsignor Bonner and Archbishop Prendergast Catholic High School.

WHEREAS, pursuant to Upper Darby Township Resolution 39-20, Delaware County Community College received approval from the Township to subdivide the Archdiocese of Philadelphia's property into two (2) lots, with one lot to consist of the Archbishop Prendergast High School Building and several outbuildings, and the second lot to consist of the Monsignor Bonner High School Building, athletic fields, and the Friary Building. Delaware County Community College was also approved to perform extensive interior renovations to the Prendergast Building and to construct a new annex wing to the Prendergast Building and an Early Learning Center, structured parking deck, new at-grade parking spaces, and associated stormwater management, erosion and sedimentation controls, lighting, and landscaping improvements

WHEREAS, upon subdivision of the Archdiocese of Philadelphia's property, the existing sanitary sewer line, consisting of the sewer line and associated manholes (collectively, "Sanitary Sewer Line") will serve two separate, adjacent properties under separate ownership.

WHEREAS, the Township is responsible for the collection and conveyance systems that provide public sewer service to various properties in Upper Darby Township, including the properties of the Archdiocese of Philadelphia and Delaware County Community College.

WHEREAS, the Township desires to foster positive land development project that benefit its residents like that proposed by Delaware County Community College.

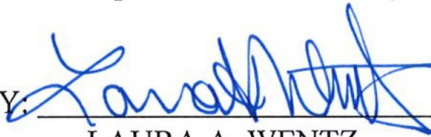
WHEREAS, as a condition of the subdivision and development of the proposed project, the Pennsylvania Department of Environmental Protection desires that the Township take ownership of the Sanitary Sewer Line to avoid joint, private ownership of the Sanitary Sewer Line by the Archdiocese of Philadelphia and Delaware County Community College.

WHEREAS, the Township is willing to accept ownership of the Sanitary Sewer Line from such landowners subject to the terms and conditions of an operation, maintenance and indemnification agreement approved by the Township Solicitor.

WHEREAS, the Archdiocese of Philadelphia and Delaware County Community College have agreed to operate, maintain and repair, or cause the operation, maintenance and repair of the Sanitary Sewer Line on its property in accordance with the terms of this Agreement and any applicable regulations of the Pennsylvania Department of Environmental Protection and the Township, and to indemnify the Township to the extent necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of Upper Darby Township, Delaware County, Pennsylvania, that the Township hereby agrees to accept ownership of the Sanitary Sewer Line pursuant to the terms and conditions of a Bill of Sale and Operation and Operation and Maintenance Agreement approved by the Township Solicitor.

ADOPTED and RESOLVED by the Upper Darby Township Council this 21st day of April, 2021.

BY: 
LAURA A. WENTZ
President of Council

ATTEST: 
MICHELLE BILLUPS
Secretary of Council

Resolution No. 23-21 is hereby approved this 21st day of April, 2021

BY: 
BARBARANN KEFFER,
Mayor

ATTEST: 
VINCENT A. RONGIONE, ESQ
Chief Administrative Officer