

**HATFIELD TOWNSHIP
RESOLUTION 11-13**

**PRELIMINARY/FINAL CONDITIONAL SUBDIVISION AND LAND
DEVELOPMENT APPROVAL FOR MIKELN, LLC, FOR THE PROPERTY
LOCATED AT 1610 SCHWAB ROAD, HATFIELD TOWNSHIP,
PENNSYLVANIA**

WHEREAS, Mikelen, LLC, (the “Applicant”), is the equitable owner of property located at 1610 Schwab Road, which is a parcel consisting of approximately 5.06 acres, and which is further identified as Hatfield Township Tax Block 19B, Unit 17; and Montgomery County Tax Parcel No. 35-00-09937-00-9 (the “Property”); and

WHEREAS, the Applicant has requested preliminary/final approval of the subdivision and land development plan for the Property shown on the set of plans entitled Subdivision Plan of 1610 Schwab Road prepared by Stout, Tacconelli & Associates, Inc., dated November 1, 2010, last revised February 28, 2011, sheets 1 through 12 of 12 (the “Plan”); and

WHEREAS, the Improvements include ten new residential building lots with related infrastructure; and

WHEREAS, the Plan and application have been reviewed by the Township Engineer, Township Traffic Engineer, Hatfield Township (the “Township”) and Montgomery County review agencies, and have been found to be suitable for preliminary/final approval, subject to the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the Hatfield Township Board of Commissioners grants preliminary/final approval of the Plan subject to the following conditions and requirements:

1. Following final approval, but prior to recording of the Plan, the Applicant shall execute a Land Development and Escrow Agreement (the “Agreement”), execute and deliver all necessary and appropriate deeds of dedication, and post financial security for construction of improvements on the Property, all of which shall be in a form acceptable to the Township Solicitor.
2. Following final approval, but prior to the issuance of a building permit, the Applicant shall tender to the Township a Transportation Impact fee of \$20,536.92 as required by the McMahon Associates, Inc letter dated January 21, 2011.
3. Following final approval, but prior to recording of the Plan and Agreement, the Applicant shall tender a voluntary contribution to the Township trail/sidewalk fund in the amount of \$7,500.00.

4. The Applicant shall further comply with all provisions and conditions set forth in the April 7, 2011 CKS Engineers, Inc. letter to Hatfield Township (attached hereto and incorporated herein by reference), except as expressly waived or expressly modified herein.
5. The Township grants a waiver to the Applicant from the following requirement of the Township Subdivision and Land Development Ordinance:
 - (a) Section 250-29.D.1, to allow a centerline radius of 110 feet rather than the required radius of 150 feet for public streets.
6. This approval and the grant of the waiver set forth in paragraph 5 are further conditioned upon acceptance of the conditions contained herein by the Applicant and his signifying acceptance of these conditions by signing a copy of this Resolution and returning it to the Township.
8. In the event that said execution of the Resolution is not delivered to the Township office by noon, Wednesday, May 4, 2011, it shall be deemed that the Applicant does not accept these conditions and any approvals and grants of waivers conditioned upon the acceptance of the conditions are revoked and the application shall be considered denied for the reason of the denial of the waivers set forth in paragraph 5 and the resulting violation of the Plan of the terms of the Township Subdivision and Land Development Ordinance, as authorized in Section 508 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10508.
9. Prior to recording of final plans, all outstanding legal, engineering, and administrative fees applicable to this subdivision and land development must be paid by Applicant.
10. This approval is subject to the fulfillment of all of the foregoing conditions, in their entirety, and no permit shall be issued, nor shall any plans be recorded, nor shall any development take place on the Property, unless and until all such conditions are fulfilled.

DULY PRESENTED AND ADOPTED by the Hatfield Township Board of Commissioners, Montgomery County, Pennsylvania, in a public meeting held this 27th day of April 2011.

**HATFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

Thomas C. Zipfel, President

ATTEST:

**Andrew S. Haines
Township Manager**

ACCEPTED: Mikelen, LLC

By: _____

(Print Name and Title)

Date: _____