

BOROUGH OF ORWIGSBURG,  
Schuylkill County, Pennsylvania

ORDINANCE NO. 148

AN ORDINANCE

OF THE COUNCIL OF THE BOROUGH OF ORWIGSBURG,  
SCHUYLKILL COUNTY, PENNSYLVANIA, AUTHORIZING  
AND APPROVING AN AGREEMENT OF LEASE, DATED  
AS OF APRIL 15, 1964, BETWEEN THE MUNICIPAL  
AUTHORITY OF THE BOROUGH OF ORWIGSBURG, AS  
LESSOR, AND THIS BOROUGH, AS LESSEE, UNDER  
WHICH THE SEWER SYSTEM TO BE ACQUIRED, CON-  
STRUCTED AND OWNED BY SAID AUTHORITY WILL  
BE LEASED TO THIS BOROUGH FOR OPERATION AND  
USE; AUTHORIZING AND DIRECTING EXECUTION,  
ACKNOWLEDGMENT AND DELIVERY OF SAID AGREE-  
MENT OF LEASE IN BEHALF OF THIS BOROUGH;  
APPOINTING CONSULTING ENGINEERS AND A  
CERTIFIED PUBLIC ACCOUNTANT: AND AUTHOR-  
IZING AND DIRECTING OTHER NECESSARY AND  
PROPER ACTION.

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The Council of the Borough of Orwigsburg, Schuylkill  
County, Pennsylvania, enacts and ordains as follows:

SECTION 1. The Borough of Orwigsburg, Schuylkill  
County, Pennsylvania (the "Borough"), as lessee, shall  
enter into an Agreement of Lease, dated as of April 15,

1964 (the "Lease"), with The Municipal Authority of the Borough of Orwigsburg (the "Authority"), as lessor, substantially in the form referred to in Section 2 of this Ordinance, with respect to the Sewer System, as that term is defined in the Lease, to be acquired, constructed and owned by the Authority, under terms of which Lease said Sewer System will be leased to this Borough for operation and use.

The Lease is for an initial term of 40 years and sets forth terms, conditions, provisions, covenants and agreements to be observed by the Authority and this Borough, in relation to said Sewer System.

SECTION 2. The Lease shall be substantially in the form presented to this meeting, which form is approved; and a copy of the Lease, in the form so presented to this meeting and so approved, shall be filed with the Secretary of this Borough and shall be made available for inspection at reasonable times by interested persons requesting such inspection.

SECTION 3. The President or Vice President of Council, Mayor and Secretary or Assistant Secretary of this Borough, as applicable, are authorized and directed to execute, acknowledge and deliver the Lease, in behalf of this Borough, substantially in the form approved in Section 2.

SECTION 4. Proper officers of this Borough are authorized and directed to execute all documents and do all other acts as may be necessary and proper to carry out this Ordinance and the undertakings of this Borough in the Lease.

SECTION 5. The firm of Anthracite Engineers, Inc., Consulting

Engineers, Pottsville, Pennsylvania, is appointed as the Consulting Engineers of this Borough to perform such duties as the Lease shall require.

SECTION 6. John E. Dougherty of Pottsville, Pennsylvania, is appointed as the certified public accountant of this Borough to make examinations, audits and reports required by the Lease and by law.

SECTION 7. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Borough that such remainder shall be and shall remain in full force and effect.

SECTION 8. It is declared that enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Borough.

SECTION 9. All ordinances or parts of ordinances inconsistent herewith expressly are repealed.

DULY ENACTED AND ORDAINED this 15th day of April, 1964, by Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF ORWIGSBURG,  
Schuylkill County, Pennsylvania

By: \_\_\_\_\_  
President of Council

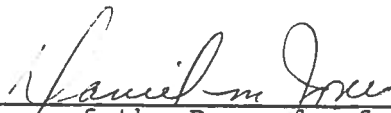
ATTEST:

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Secretary

(SEAL)

Examined and approved this 15th day of April, 1964.

  
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Mayor of the Borough of Orwigsburg  
Schuylkill County, Pennsylvania