

**TOWNSHIP OF WHITE,
Cambria County, Pennsylvania**

ORDINANCE NO. 2005-6

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WHITE, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND APPROVING AN AGREEMENT AND THE FORM THEREOF BETWEEN THIS TOWNSHIP, ON THE ONE HAND, AND GLENDALE VALLEY MUNICIPAL AUTHORITY, ON THE OTHER HAND, WHEREBY SAID AUTHORITY WILL COVENANT TO ACQUIRE, TO OWN AND TO OPERATE CERTAIN WATERWORKS, WATER SUPPLY WORKS AND WATER DISTRIBUTION FACILITIES REQUIRED FOR RENDERING WATER SERVICE IN AND FOR THIS TOWNSHIP, AND WHEREBY THIS TOWNSHIP WILL MAKE CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT TO THE WATER SYSTEM OWNED AND OPERATED BY SAID AUTHORITY, INCLUDING: (1) THE ENFORCING OF REQUIREMENTS FOR CONNECTION TO AND USE OF SUCH WATER SYSTEM; (2) THE GRANTING OF CERTAIN EASEMENTS, RIGHTS OF WAY, RIGHTS AND PRIVILEGES TO SAID AUTHORITY; AND (3) OTHER RELATED MATTERS; AUTHORIZING AND DIRECTING EXECUTION, ACKNOWLEDGEMENT AND DELIVERY OF SAID AGREEMENT IN BEHALF OF THIS TOWNSHIP; AND AUTHORIZING AND DIRECTING OTHER NECESSARY AND PROPER ACTION.

The Board of Supervisors of the Township of White, Cambria County, Pennsylvania (the "Township"), enacts and ordains as follows:

SECTION 1. This Township shall enter into an Agreement (the “Agreement”) with the Glendale Valley Municipal Authority (the “Authority”), whereby, among other things, the Authority will covenant and agree to acquire, to own and to operate certain waterworks, water supply works and water distribution facilities required for rendering water service in and for this Township, and this Township will make certain covenants and agreements with respect to the water system acquired, owned and operated by the Authority, including: (1) the enforcing of requirements for connection to and use of such water system; (2) the granting of certain easements, rights of way, rights and privileges to the Authority; and (3) other related matters. The Agreement shall be substantially in the form presented to this meeting, which Agreement and the form thereof is approved.

SECTION 2. A copy of the Agreement, in the form so presented to this meeting and so approved, shall be filed with the Secretary of this Township and shall be made available for inspection at reasonable times by interested persons requesting such inspection.

SECTION 3. The Chairman or Vice Chairman of the Board of Supervisors and Secretary or Assistant Secretary of this Township, as applicable, are authorized and directed to execute, attest, acknowledge and deliver the Agreement, in behalf of this Township, in the form so approved.

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

SECTION 5. This Ordinance shall become effective as provided by law.

SECTION 6. 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 Township that such remainder of this Ordinance shall be and shall remain in full force and effect.

SECTION 7. It is declared that enactment of this Ordinance and the execution, acknowledgment and delivery of the Agreement is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Township.

SECTION 8. It is declared that the Agreement shall constitute a contract to supply water within the limits of this Township.

SECTION 9. All ordinances and parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

DULY ENACTED AND ORDAINED, this 12th day of December, 2005, by the Board of Supervisors of the Township of White, Cambria County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WHITE,
Cambria County, Pennsylvania

By: James F. Luther
James F. Luther, Chairman
Board of Supervisors

ATTEST:

Tracy A. Plessinger
Tracy A. Plessinger, Secretary
(SEAL)

CERTIFICATE

I, the undersigned, Secretary of the Township of White, Cambria County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of Ordinance No. 2005-6 of the Board of Supervisors of the Township (the "Board of Supervisors") which duly was enacted by affirmative vote of a majority of the members of the Board of Supervisors at a meeting of the Board of Supervisors duly convened and held according to law on December 12, 2005, at which meeting a quorum was present; said Ordinance duly has been recorded in the Ordinance Book of the Township; such Ordinance duly has been published as required by law; and such Ordinance remains in full force and effect, without amendment, alteration or repeal, as of the date of this certificate.

I further certify that the Board of Supervisors of the Township met the advance notice requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7, by advertising said meeting, by posting prominently a notice of said meeting at the principal office of the Township or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 4th day of January, 2006.

(SEAL)



Tracy A. Plessinger, Secretary