

Ordinance 63-2

Surrender Agreement

1/24/1963

TOWNSHIP OF HOPEWELL

ORDINANCE NO. 63-2

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA, PROVIDING FOR THE ENTERING INTO OF A SURRENDER AGREEMENT WITH HOPEWELL TOWNSHIP AUTHORITY SURRENDERING THE AGREEMENT OF LEASE DATED AS OF MAY 1, 1958, AS SUPPLEMENTED, AND PROVIDING FOR THE LEASING OF A "SEWER SYSTEM" FROM HOPEWELL TOWNSHIP AUTHORITY; DEFINING THE TERMS, CONDITIONS AND COVENANTS OF THE LEASING AND RENTAL ARRANGEMENTS; AND DIRECTING THE PROPER OFFICERS OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA TO ENTER INTO AND CONSUMMATE ON BEHALF OF THE TOWNSHIP A SURRENDER AGREEMENT AND AN AGREEMENT OF LEASE WITH HOPEWELL TOWNSHIP AUTHORITY.

WHEREAS, Hopewell Township Authority was created by the Township of Hopewell, Beaver County, Pennsylvania (herein called the "Township"), for the purpose of acquiring and constructing a sewer system for the purpose of collecting and disposing of sewage in the Township; and

WHEREAS, said Authority has acquired and constructed the sewer system which is described in the report of Gannett, Fleming, Corrdry and Carpenter, Inc., of Harrisburg, Pennsylvania, to the Authority dated April, 1958, as last amended, which, together with all Capital Additions thereto, shall be hereinafter referred to as the "Sewer System"; and

WHEREAS, the Authority and the Township have determined that it will be to the best interests of the Authority and the Township for the Authority to refund the Authority's Series A and Series B Bonds outstanding under its Trust Indenture dated as of May 1, 1958, as supplemented; and

WHEREAS, in order to accomplish said refunding it is necessary for the Authority and the Township to mutually surrender the Agreement of Lease dated as of May 1, 1958, as supplemented, heretofore entered into between them and to enter into a new Agreement of Lease dated as of February 1, 1963, covering the same premises, i.e. the Sewer System of the Authority; and

WHEREAS, said Authority may determine to undertake from time to time the acquisition and development of additions to the Sewer System; and

WHEREAS, said Authority desires to lease the Sewer System, as the same may from time to time be constituted to the Township and the Township desires to lease from said Authority the Sewer System as the same may from time to time be constituted;

NOW, THEREFORE, be it ordained and enacted by the Township of Hopewell, Beaver County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same;

Section 1. The Township shall surrender to the Authority as of February 1, 1963, the Sewer System of the Authority covered by that certain Agreement of Lease dated as of May 1, 1958, as supplemented, upon the terms and conditions set forth in the form of Surrender Agreement to be dated as of February 1, 1963, which is hereby made a part hereof by reference only and is on file with the Township Secretary.

Section 2. The Township shall lease from said Authority the Sewer System upon the terms, conditions and covenants set forth in the form of Agreement of Lease to be dated as of February 1, 1963, which is hereby made a part hereof by reference only and is on file with the Township Secretary.

Section 3. The President of the Board of Commissioners of the Township of Hopewell is hereby directed to execute and deliver on behalf of the Township, a Surrender Agreement and an Agreement of Lease in the form of the said Surrender Agreement dated as of February 1, 1963 and said Agreement of Lease dated as of February 1, 1963, which Surrender Agreement and Agreement of Lease when executed shall be attested to by the Township Secretary.

Section 4. The Township consents to the assignment by the Authority of its rights under the Agreement of Lease dated as of February 1, 1963 to Pittsburgh National Bank, Trustee under the Trust Indenture of the Authority, dated as of February 1, 1963, securing its issue of Sewer Revenue Bonds, Series of 1963.

Section 5. This Ordinance shall take effect immediately upon final enactment.

ORDAINED AND ENACTED finally into law by the Board of
Commissioners of the Township of Hopewell this 24th day of January,
1963.

HOPEWELL TOWNSHIP ^{Board of Commissioners}
~~AUTHORITY~~

By Paul Doughty
President
Board of Commissioners

Attest:

Charlotte M. Buffington
Township Secretary

C E R T I F I C A T E

I, the undersigned, Township Secretary of the Township of Hopewell, Beaver County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of Ordinance No. 63-2 of said Township, duly enacted at a meeting of the Board of Commissioners held on the 24th day of January, 1963, at which a quorum was present; that said ordinance was duly advertised and duly recorded as required by law; and that said ordinance has not been repealed, and is now in full force and effect as of this date.

WITNESS my hand and the seal of said Township this 1st day of February, 1963.

Charlotte M. Buffington
Township Secretary

Proof of Publication

1st Extra Copy

The Beaver County Times a daily newspaper of general circulation, published by BEAVER NEWSPAPERS, Inc., a Pennsylvania corporation, 570 Third Street, Beaver, Beaver County, Pennsylvania, was established in 1946, and has been issued regularly, except legal holidays, since said date.

The attached advertisement, which is exactly as printed and published, was published in the regular issue of said newspaper, on January 26, 1963.

The cost of advertising and proof, \$ 52.60, has been paid.

Feb. 1, 1963

BEAVER NEWSPAPERS, Inc.

By

James R. Miller
(Per M. M.)

STATE OF PENNSYLVANIA, }
COUNTY OF BEAVER, } SS:

Before me, a Notary Public in and for said county and state, personally

appeared James R. Miller, who being duly sworn

according to law says that he is Secretary-Treasurer of BEAVER NEWSPAPERS, Inc.; that neither affiant nor said corporation is interested in the subject matter of the attached advertisement; and that all of the allegations of the foregoing statement including those as to the time, place and character of publication are true.

James R. Miller
Secretary-Treasurer

Sworn to and subscribed before me

this 26th day of January, 19 63

Maude F. McBrier

MAUDE F. McBRIER, NOTARY PUBLIC
My Commission Expires March 5, 1965
Beaver, Pa. Beaver County

He came and, of course, shut off the basement water valve before effecting repairs. * * * * *

Meantime, a couple in Beaver one cold morning decided to build a fire in the fireplace to help warm up the house. Hubby went to work while the wife kept the fire roaring. * * * * *

It was fine — until she noticed that a section of kitchen wall behind the dining room fireplace was blazing hot. * * * * *

She called the fire department for advice on how to subdue the fireplace blaze. Baking soda would smother it, she was told. Soon, the baking soda supply was gone, along with a box of detergent thrown in for good measure. The flames went out but the embers glowed on. * * * * *

Carrying embers outside by bucketfuls, she finally had the fireplace empty. Now she began sponging off the kitchen wall with cold water. * * * * *

At midnight, she and hubby still were sponging. The wall remained obstinately hot. Well, they decided, they would take turns sponging and sleeping, two hours on and two hours off. * * * * *

The wife finished her trick and aroused the man of the house. He finally solved the problem. His wife found him next morning rolled in a blanket and sleeping peacefully on the floor, back against a now-cold kitchen wall — presumably on the theory that if the wall burst into flames, he would have been the first to know.