

INSTRUCTIONS TO COMPLETE FORM STORM WATER MANAGEMENT AGREEMENT AND DECLARATION OF EASEMENT

The accompanying document is the Storm Water Management Agreement and Declaration of Easement which is required by West Earl Township to be completed, executed and recorded in connection with the approval of subdivision and land development plans. The Storm Water Management Agreement and Declaration of Easement contains blanks which have been numbered, and the numbers below contain the instructions to be used to complete those blanks. In addition, the information which is required by the Township Solicitor to review and record the Storm Water Management Agreement and Declaration of Easement is included in the instructions. Please carefully review all pages of these instructions before attempting to complete the Storm Water Management Agreement and Declaration of Easement.

[1] Insert the date of the first acknowledgment completed by a notary public on any of the signature pages.

[2] Insert the name of the developer or, if subdivision approval is being requested by an individual or husband and wife, the name of the individual or husband and wife. The name of the developer or individual or husband and wife should be exactly as it or they appear on the deed by which the developer, individual or husband and wife took title to the property. If the developer does not presently own the land to be developed, the standard form and process cannot be used. Contact the Township Solicitor for further information.

[3] Insert either "a corporation", "a partnership", "an adult individual" or "adult individuals and husband and wife", as appropriate.

[4] Insert the mailing address of the person, persons or entity signing the Agreement.

[5] Insert location of property to be developed (e.g. street address of the property or street upon which property fronts if no street address is available).

[6] Insert the recording reference of the deed by which the person, persons or entity acquired the property. If the developer does not presently own the land to be developed, the standard form and process cannot be used. Contact the Township Solicitor for further information. For older deeds there will be a Deed Book letter, Volume number, and Page number. For newer deeds there will be a Record Book number and Page number. The number will not begin "J-". The process to record the Storm Water Management Agreement and Declaration of Easement will be expedited if a copy of the deed containing the recording data is provided to the Township Solicitor. All of the land on which storm water management facilities or storm water drainage easements will be installed must be included on the deed referred to in the Agreement or within the right-of-way of a public street. If storm water management facilities or storm drainage facilities will be installed on any other property, the standard form cannot be used. Contact the Township Solicitor for further information.

[7] Insert the name of the development which is in the title block of the subdivision or land development plan.

[8] Insert the name of the engineer or engineering firm, landscape architect or design firm or surveyor or surveying firm which prepared the plan.

[9] Insert the number assigned to the plan by the preparer to differentiate the plan from other plans prepared by that firm or person. This will not be the sheet number.

[10] Insert the base date of the plan. This will be the earliest date on the plan.

[11] Insert the last revision date for the plan.

[12] These blanks should be completed if the person or persons seeking subdivision or land development approval are either an individual person or a husband and wife. If an individual, he or she must sign as his or her name appears on the deed. If husband and wife, both must sign as their names appear on the deed. The last blank is to be

completed only if the individual or husband and wife are operating a business with a trade name. The acknowledgment marked "(INDIVIDUAL OR HUSBAND AND WIFE ACKNOWLEDGEMENT)" must be used and be completed by a notary public.

[13] These blanks should be completed if the entity seeking subdivision or land development approval is a partnership. All partners must sign, and the name of the partnership must be inserted in the appropriate blank. The acknowledgment marked "(PARTNERSHIP DEVELOPER ACKNOWLEDGEMENT)" must be used and completed by a notary public.

[14] These blanks should be completed if the entity seeking subdivision or land development approval is a corporation. The name of the corporation must appear exactly as it appears on the deed. The president or vice president of the corporation must sign, and the secretary or assistance secretary must attest to his or her signature and affix the corporate seal. The acknowledgment marked "(CORPORATE DEVELOPER ACKNOWLEDGEMENT)" must be used and completed by a notary public.

[15] The Joinder by Mortgagee must be completed by each and every person or entity which holds a mortgage against all or any of the property described in the deed identified in [6]. The review and recording of the Storm Water Management Agreement and Declaration of Easement will be expedited if a present owner and lien title search is provided to the Township Solicitor.

[16] This document must be attached only if a homeowners' association has been formed in connection with the development.