

**ORDINANCE NUMBER 2 OF 2017**

**AN ORDINANCE ACCEPTING A DEED OF DEDICATION FROM BGM, INC.  
FOR CERTAIN ROADS, STORM WATER AND SANITARY SEWER  
IMPROVEMENTS WITHIN SCHOOLSIDE ESTATES PHASE I**

**WHEREAS**, BGM, Inc. owns and developed a property within Throop Borough community, mainly referred to as Schoolside Estates; and,

**WHEREAS**, Schoolside Estates development contains improvements and infrastructure completed by BGM, Inc.; and,

**WHEREAS**, BGM, Inc. is requesting that Throop Borough accept a Deed of Dedication for said improvements.

**NOW THEREFORE**, the parties hereto intending to be legally bound hereby agree as follows:

1. Throop Borough will accept a Deed of Dedication from BGM, Inc. for certain roads, storm water and sanitary sewer improvements within Schoolside Estate Phase I upon submission to Throop Borough and approval by Throop Borough Engineer, Street Commissioner and Solicitor.

2. Upon approval by the Throop Borough Engineer, Street Commissioner and Solicitor a separate motion to accept the Deed of Dedication must be made at a subsequent Throop Borough Public Meeting and if the motion passes, the Deed of Dedication will be accepted.

**SECTION 1.**

If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Borough of Throop reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Ordinance and the effective administration thereof.

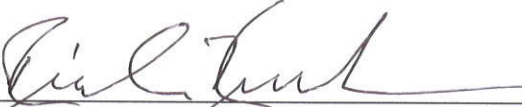
**SECTION 2.**

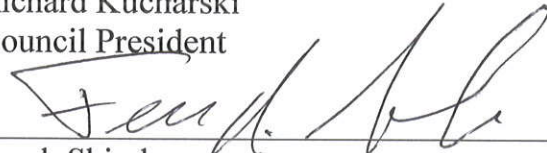
This ordinance shall become effective thirty days after its enactment.


**SECTION 3.**

This Ordinance is enacted by the Council of the Borough of Throop under the authority of the Act of the Legislative, as amended, December 12, 1990, P.L. 1994, No. 220, and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.

**ORDAINED AND ENACTED** this 30<sup>th</sup> day of January, 2017.

  
\_\_\_\_\_  
Richard Kucharski  
Council President

  
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Frank Shimkus  
Mayor

Attest:  
  
\_\_\_\_\_  
Renee O'Malley  
Secretary