

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF YOE, YORK COUNTY, PENNSYLVANIA, AUTHORIZING AND APPROVING A TERMINATION AGREEMENT BETWEEN DALLASTOWN-YOE WATER AUTHORITY, AS LESSOR, AND THE BOROUGH OF DALLASTOWN AND YOE (THE "BOROUGH"), AS LESSEES, UNDER WHICH THE AGREEMENT OF LEASE, DATED AS OF NOVEMBER 1, 1959, BETWEEN SAID AUTHORITY, AS LESSOR, AND THE BOROUGH, AS LESSEES, WITH RESPECT TO THE WATER SYSTEM OF SAID AUTHORITY, WILL BE TERMINATED AND CANCELLED; AUTHORIZING AND DIRECTING EXECUTION, ACKNOWLEDGMENT AND DELIVERY OF SAID TERMINATION AGREEMENT IN BEHALF OF THIS BOROUGH; AND AUTHORIZING AND DIRECTING OTHER NECESSARY AND PROPER ACTION.

The Council of the BOROUGH OF YOE, York County, Pennsylvania, hereby enacts and ordains as follows:

SECTION 1. The Borough of Yoe, York County, Pennsylvania, together with the Borough of Dallastown, York County, Pennsylvania (collectively called the "Boroughs"), as lessees, shall enter into a Termination Agreement, dated for convenience as of July 15, 1963, but effective as of the date therein provided (the "Termination Agreement"), with Dallastown-Yoe Water Authority (the "Authority"), as lessor, substantially in the form referred to and authorized and approved in Section 2 of this Ordinance, with respect to the Water System, as that phrase is referred to in the Termination Agreement, of the Authority, under terms of which Termination Agreement the Agreement of Lease, dated as of November 1, 1959, between the Authority, as lessor, and the Boroughs, as lessees, with respect to said Water System, will be terminated and cancelled.

SECTION 2. The Termination Agreement shall be substantially in the form presented to this meeting, which form hereby is authorized and approved; and a copy of the Termination Agreement, in the form so presented to this meeting and so authorized and 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 Mayor of this Borough and the President or Vice President of the Council of this Borough and the Secretary or Assistant Secretary of this Borough, as applicable, hereby are authorized and directed to execute, acknowledge and deliver the Termination Agreement, in behalf of this Borough, substantially in the form referred to and authorized and approved in Section 2 of this Ordinance.

SECTION 4. Proper officers of this Borough hereby are authorized and directed to execute all documents and to do all other acts as may be necessary and proper in order to carry out the intent and purpose of this Ordinance and the undertakings of this Borough under the Termination Agreement.

SECTION 5. This Ordinance shall become effective immediately.

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 Borough that such remainder of this Ordinance shall be and shall remain in full force and effect.

SECTION 7. It hereby is declared that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the safety, health and welfare of the inhabitants of this Borough.

SECTION 8. All ordinances and parts of ordinances inconsistent herewith shall be and the same hereby expressly are repealed.

DULY ENACTED AND ORDAINED, this 2nd day of July, 1963, by the Council of the BOROUGH OF YOE, York County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF YOE,
York County, Pennsylvania

By: James D. Wright /s/
President of Council

ATTEST:

Ivan R. Bentzel /s/
Secretary

(SEAL)

EXAMINED AND APPROVED this 2nd day of July, 1963.

Daniel S. Burke, Jr. /s/
Mayor of the Borough of Yoe,
York County, Pennsylvania