

BOARD OF SUPERVISORS
TOWNSHIP OF MIDDLE SMITHFIELD
MONROE COUNTY, PENNSYLVANIA

RESOLUTION 09-2019-3

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF
MIDDLE SMITHFIELD CONSOLIDATING AND RESTATING RESOLUTIONS
ESTABLISHING JOINDER DEED PROCEDURES**

WHEREAS, on June 20, 2009, the Township Board of Supervisors (the "Board") adopted Resolution 06-2009-2 establishing procedures for the Board's approval of joinder deed requests; and

WHEREAS, on October 2, 2012, the Board adopted Resolution 10-2012-02, amending Resolution 06-2009-2, and establishing fees, costs, and related procedures related to joinder deed requests;

WHEREAS, the Township desires to consolidate and restate the above resolutions.

NOW, THEREFORE, BE IT RESOLVED, by the Middle Smithfield Township Board of Supervisors as follows:

Section 1: Joinder Deed Procedures.

Provide the following information to the Township Secretary and Solicitor:

Middle Smithfield Township	AND	Michael A. Gaul, Esquire
Michele Clewell, Secretary		King Spry Herman Freund & Faul
147 Municipal Drive		One West Broad St, Suite 700
East Stroudsburg PA 18302		Bethlehem PA 18018

1. Complete and submit a standard joinder deed application form—available from Middle Smithfield Township.
2. A copy of your Tax Certification on the Properties being joined must be presented. This shall be obtained from the Monroe County Tax Claim Bureau for a fee and it will be an official sealed document.
3. A copy of your proposed deed with appropriate language for land description and joinder deed.
4. A plot plan or tax map showing lots joined. Survey is not required.
5. The following language shall be inserted in each joinder deed as required by the Monroe County Board of Assessment:

The above parcels shall hereby become merged into one parcel for taxing purposes and shall not be separately conveyed without prior express approval of the municipality, as provided by law.

6. The Township Solicitor will prepare a Township Resolution for the Joinder Deed.
7. Provide the proposed deed to the Middle Smithfield Township Solicitor Michael A. Gaul, Esquire and the Middle Smithfield Township Secretary at the above addresses by the 20th day of each month to allow sufficient time for review and preparation of township resolution approving the joinder deed.

PLEASE NOTE: Act 319 Property Owners must notify Monroe County thirty (30) days prior to Board approval.

8. In connection with the submission of a joinder deed request, the applicant shall make an escrow deposit with the Township in amount not less than \$250.00:
 - (a) From this deposit, the Township or its agent shall be authorized to debit Township legal, engineering, or other professional fees associated with the review of the joinder deed request, and preparation of any appropriate Board resolutions.
 - (b) Any funds remaining in the escrow after distribution described in sub-section (B)(8)(a) shall be returned to applicant.
 - (c) In the event that actual Township review costs exceed the amount of the escrow, the applicant shall remain responsible for the excess fees, and the Township may cease all work on the joinder request until the excess fees are paid, and a new escrow deposit is made in an amount not less than \$250.00. Excess fees shall be paid within 15 days of billing.
9. The Board retains absolute discretion as to whether to grant a joinder deed request. The making of an escrow deposit, or the use of the deposit towards the Township's professional fees shall in no way limit the Board's discretion. The Township's professional fees must be paid, and will be deducted from escrows, regardless of whether the Board grants or denies the request.


Section 2: Severability. The provisions of this Resolution shall be severable, and if any of the provisions hereof shall be found to be invalid or unenforceable, the remaining provisions shall remain in effect.

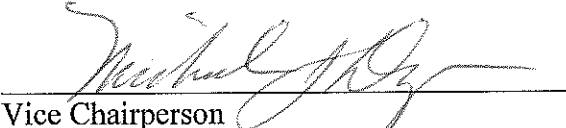
Section 3: Construction. Any resolution conflicting or inconsistent with any of the provisions in this Resolution are hereby repealed, but only insofar as such conflict or inconsistency. Resolutions 10-2012-02 and 06-2009-2 are hereby repealed.

Section 4: Effective Date. This Resolution shall be effective immediately and shall remain in effect until modified or repealed by further Resolution of the Board of Supervisors.

RESOLVED THIS 26th DAY OF SEPTEMBER, 2019, BY THE BOARD OF SUPERVISORS OF MIDDLE SMITHFIELD TOWNSHIP AT A LAWFUL SESSION DULY ASSEMBLED.


**TOWNSHIP OF MIDDLE SMITHFIELD
BOARD OF SUPERVISORS**


Chairperson


Vice Chairperson


Supervisor


Michele L Clewell, Secretary


(Township Seal)