

RESOLUTION NO. 3 OF 1991
OF THE BOROUGH OF WEST WYOMING
AUTHORIZING LICENSE AGREEMENTS BETWEEN
THE BOROUGH OF WEST WYOMING AND
CONSOLIDATED RAIL CORPORATION FOR WIRE,
PIPE AND CABLE TRANSVERSE CROSSINGS AND
LONGITUDINAL OCCUPATIONS IN CONNECTION WITH
THE BOROUGH OF WEST WYOMING'S SEWER CONSTRUCTION PROJECT

Presented in Borough Council on *APRIL 8*, 1991.

WHEREAS, the Borough of West Wyoming, Luzerne County, Pennsylvania, hereinafter West Wyoming, is engaged in the construction of a sanitary sewer system within the confines of the Borough limits; and

WHEREAS, in order to facilitate the construction of the aforesaid sewer system, it has been determined that it is necessary for West Wyoming to enter into two (2) license agreements for wire, pipe and cable transverse crossings and longitudinal occupations with Consolidated Rail Corporation, hereinafter Conrail; and

WHEREAS, Conrail has submitted to West Wyoming two (2) proposed license agreements for wire, pipe and cable transverse crossings and longitudinal occupations for the following: one (1) 12-inch ductile iron sanitary sewage pipe encased in a 24-inch steel pipe; and one (1) 10-inch ductile iron sanitary sewage pipe encased in a 24-inch steel pipe; and

WHEREAS, West Wyoming desires by the adoption of this Resolution to accept Conrail's proposed license agreements and authorize the proper Borough officials to execute same;

NOW THEREFORE, be it resolved that:

- (1) West Wyoming hereby accepts the license agreements for

the wire, pipe and cable transverse crossings and longitudinal occupations between the Borough of West Wyoming and Conrail.

(2) The license agreements between the parties shall be for the installation of one (1) 12-inch ductile iron sanitary sewage pipe encased in a 24-inch steel pipe, and one (1) 10-inch ductile iron sanitary sewage pipe encased in a 24-inch steel pipe, relative to the construction of West Wyoming's sanitary sewer system.

(3) The consideration of \$2,660.00, which includes costs incidental to the preparation of both agreements, consideration for the mutual covenants contained therein and Railroad Protective Liability Insurance shall be paid by check made contemporaneously with the execution of the agreements authorized by this resolution.

(4) The license agreements for wire, pipe and cable transverse crossings and longitudinal occupations between West Wyoming and Conrail, are hereby accepted and shall be incorporated into the minutes of this meeting as Exhibit "A" thereto, and the appropriate council officers are hereby authorized and directed to execute and deliver a duplicate original of this Resolution to Conrail.

(5) The appropriate council officer is hereby authorized to execute and deliver in the name of, on behalf of, and under the seal of West Wyoming, the two (2) license agreements in the form and containing terms described above, and the Secretary of West Wyoming is hereby authorized and directed to attest the same.

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(6) The council officers of West Wyoming are hereby authorized and directed to perform all acts which are necessary and proper for the execution and delivery of the two (2) license agreements.

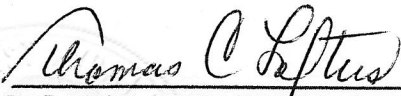
IN WITNESS WHEREOF, the undersigned have hereunto set their hands and affixed the seal of the Borough of West Wyoming this

8th day of April, 1991.



COUNCIL CHAIRPERSON

ATTESTED:

BOROUGH ADMINISTRATOR / SECRETARY



BOROUGH MAYOR