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ORDINANCE NO. 155

AN ORDINANCE OF THE BOROUGH OF FREEPORT, ARMSTRONG COUNTY, PENNSYLVANIA, PROVIDING FOR THE LEASING OF A SEWER SYSTEM FROM FREEPORT BOROUGH MUNICIPAL SEWAGE DISPOSAL AUTHORITY; SPECIFYING THE TERMS, CONDITIONS AND COVENANTS OF THE LEASING AND RENTAL ARRANGEMENTS AND DIRECTING THE PROPER OFFICERS OF THE BOROUGH OF FREEPORT, ARMSTRONG COUNTY, PENNSYLVANIA TO ENTER INTO AND CONFIRM ON BEHALF OF THE BOROUGH AN AGREEMENT OF LEASE WITH FREEPORT BOROUGH MUNICIPAL SEWAGE DISPOSAL AUTHORITY.

WHEREAS, Freeport Borough Municipal Sewage Disposal Authority was created by the Borough of Freeport, Armstrong County, Pennsylvania for the purpose of, among other things, acquiring, holding, constructing, improving, maintaining, operating, owning, leasing, either in the capacity of lessee or lessor, a sewage disposal plant and necessary appurtenances for the Borough of Freeport and such other territory as it may lawfully serve; and

WHEREAS, said Authority will acquire or has acquired the necessary rights-of-way and land and has determined to acquire and construct therein and thereon certain interceptor lines and a sewage treatment plant to serve the Borough of Freeport, which program of acquisition and construction shall be hereinafter referred to as the "Initial Construction Project"; and

WHEREAS, said Authority may determine to undertake from time to time the acquisition and development of additional sewer facilities, which additional facilities, together with the Initial Construction Project shall be hereinafter referred to as the "Sewer System"; and

WHEREAS, said Authority desires to acquire and construct the Initial Construction Project and to lease the Sewer System, as the same may from time to time be constituted to the Borough ~~and~~ ~~through~~ ~~desires~~ ~~said~~ ~~Authority~~ ~~to~~ ~~acquire~~ ~~and~~ ~~construct~~ ~~the~~ ~~Initial~~ ~~Construction~~ ~~Project~~ ~~and~~ ~~to~~ ~~lease~~ ~~from~~ ~~said~~ ~~Authority~~ ~~the~~ ~~Sewer~~ ~~System~~ ~~as~~ ~~the~~ ~~same~~ ~~may~~ ~~from~~ ~~time~~ ~~to~~ ~~time~~ ~~be~~ ~~constituted~~ ~~to~~ ~~the~~ ~~Borough~~

and the Borough desires said Authority to acquire and construct the Initial Construction Project and to lease from said Authority the Sewer System as the same may from time to time be constituted; NOW, THEREFORE, be it ordained and enacted by the Council of the Borough of Freeport, Armstrong County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same;

Section 1. The Borough of Freeport shall lease from Freeport Borough Municipal Sewage Disposal Authority the Sewer System upon substantially the terms, conditions, and covenants set forth in the form of Agreement of Lease dated as of June 1, 1959 presented to this meeting which is hereby made a part hereof by reference only and is on file with the Borough Secretary.

Section 2. The President of Council and the Burgess of the Borough of Freeport are hereby directed to execute, on behalf of the Borough, an Agreement of Lease substantially in the form of the said Agreement of Lease, which Agreement of Lease, when executed, shall be attested to by the Borough Secretary.

Section 3. This ordinance shall take effect immediately upon final enactment.

ORDAINED AND ENACTED finally into law by the Council of the Borough of Freeport this orday of June, 1959.

A. A. Langer
President, Borough Council

Attest:

Clara G. Schroth
Secretary

Roger Ruffenberger
Burgess