

THE MARSHALL TOWNSHIP MUNICIPAL SANITARY AUTHORITY

WHEREAS, The Marshall Township Municipal Sanitary Authority ("Authority") maintains manholes in easements in, over, across and through parcels of land in its service areas; and

WHEREAS, from time to time the Authority's manholes have been covered, affected and otherwise obstructed by the Authority's customers, contractors and owners of property in which the Authority holds an easement; and

WHEREAS, the aforesaid obstructions constitute a trespass and a violation of easements granted to the Authority; and

WHEREAS, such obstructions to the Authority's manholes make it difficult for the Authority to locate and obtain timely access to its manholes, particularly during emergencies; and

WHEREAS, it is the obligation of the owner of property through which the Authority holds an easement to keep manholes in said easement free from obstructions which can affect access to the Authority's manholes;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. No person may cover, affect or obstruct access to any manhole belonging to the Authority.
2. Application to raise a manhole, at the applicant's expense, so as to conform to regrading by the owner of property on which a manhole is located shall be made to the Authority prior to any regrading which may affect access to one of the Authority's manholes.

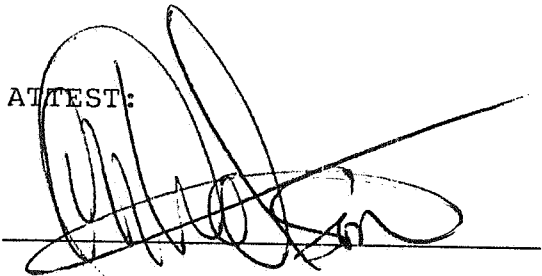
3. The Authority shall only grant applications to raise a manhole in the following cases: (1) regrading is conducted with the approval of the owner of the property which is to be regraded; (2) regrading is conducted pursuant to necessary approvals from Marshall Township, the Pennsylvania Department of Environmental Resources or any other governmental body with jurisdiction and power over such regrading; (3) the applicant certifies that the manhole will be raised in accordance with the requirements of the Authority's engineer and the Authority's rules and regulations, and (4) the applicant pays an application fee of \$25.00 and a fee to be determined by the Authority's Engineer and Manager not to exceed \$750.00 to cover the Authority's increased future cost for maintenance of the manhole.

4. If the Authority is required to uncover, raise or otherwise remove obstructions from any of its manholes, it shall charge the property owner on which such manhole is located the sum of \$25.00 plus anticipated increased costs of maintenance and the actual costs it incurs to remove any obstructions, including any engineering and attorneys fees.

5. This Resolution shall apply in all of the Authority's Sewer Districts.

ADOPTED this 23rd day of May, 1990.

ATTEST:



THE MARSHALL TOWNSHIP MUNICIPAL  
SANITARY AUTHORITY

By Margaret M. [Signature]  
Chairman