

Chapter A142

SEWER LEASE AGREEMENT

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[HISTORY: Adopted by the Borough Council of the Borough of Alburdis 6-7-71 as Ord. No. 151, approved 6-11-71. Amendments noted where applicable.]

GENERAL REFERENCES

Sewer Authority — See Ch. 30.
Sewer use and rents — See Ch. 102.
Sewer plan approval — See Ch. A143.

- § A142-1. Lease authorized; initial term.
 - A. The Borough of Alburdis, Lehigh County, Pennsylvania (the "borough"), as lessee, shall enter into an Agreement of Lease, dated as of June 15, 1971 (the "lease"), with Borough of Alburdis Sewer Authority (the "Authority"), as lessor, substantially in the form referred to in § A142-2 of this ordinance, with respect to the sewer system, as that

term is defined in the lease, to be acquired, constructed and owned by the Authority, under terms of which lease said sewer system will be leased to this borough for operation and use.

- B. The lease shall be for an initial term of forty (40) years and shall set forth terms, conditions, provisions, covenants and agreements to be observed by the Authority and this borough with respect to said sewer system.

§ A142-2. Form of lease; filing.

The lease shall be substantially in the form presented to this meeting, which form is approved; and a copy of the lease, in the form so presented to this meeting and so 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.

§ A142-3. Execution of lease.

The Mayor, President or Vice President of Council and Secretary or Assistant Secretary of this borough, as applicable, are authorized and directed to execute, acknowledge and deliver the lease, in behalf of this borough, substantially in the form approved in § A142-2.

§ A142-4. Execution of documents; other acts.

Proper officers of this borough are authorized and directed to execute all documents and do all other acts as may be necessary and proper to carry out this ordinance and undertakings of this borough under the lease.

§ A142-5. Appointment of consulting engineers.

The firm of A. L. Wiesenberger Associates, Inc., Consulting Engineers, Allentown, Pennsylvania, is appointed as the consulting engineers of this borough to perform such duties as the lease shall require.

§ A142-6. Appointment of certified public accountants.

Campbell, Rappold and Yurasits, Allentown, Pennsylvania, is appointed as the certified public accountant of this borough to make examinations, audits and reports required by the lease and by law.

§ A142-7. When effective.

This ordinance shall become effective immediately.

§ A142-8. Severability.

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 shall be and shall remain in full force and effect.

§ A142-9. Declaration of necessity.

It is declared that enactment of this ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this borough.

§ A142-10. Repealer.

All ordinances or parts of ordinances inconsistent herewith expressly are repealed.