

AGREEMENT for Roads Accepted by FOX TOWNSHIP

WHEREAS, _____ owner(s) and developer(s) of the _____ subdivision (hereinafter called "Developer") has completed the procedure to formally dedicate _____ Road, a road within said subdivision, to the Township of Fox, Elk County (hereinafter called "Township") for public use or travel, and

WHEREAS, the Township has accepted the formal deed of dedication for said road,

NOW, THEREFORE, it is agreed by the parties hereto that:

- (1) Developer hereby agrees to remedy any defect that may occur with the grading, streets, curbs and walks (as required), storm drainage improvements, and erosion and sedimentation control measures (as required) for the aforesaid roads, as set forth in Exhibit "A" attached hereto and made a part hereof.
- (2) Should a defect occur, restoration shall be performed in accordance with the following:
 - A. *The Township's Maintenance Forces and/or a contractor(s) selected by the Township through its prescribed procedures. The restoration shall be in conformance with the Township's requirements and shall be supervised and inspected by Township personnel. The developer agrees to reimburse the Township for all costs incurred.*

OR, if developer so chooses,

- B. *The developer and/or its contractor(s). The restoration shall be in conformance with the Township's requirements. The Township reserves the right to monitor or direct any restoration. The developer shall reimburse the Township for any expenses so incurred. The Township shall determine, in its discretion, whether the restorations are satisfactory.*
- (3) If the developer chooses option (B) above, developer agrees to promptly perform the restoration as needed. If the Township determines that the developer is not restoring the portion(s) of said road and appurtenances in conformance with the Township's requirements, the Township will notify the developer, in writing, of this determination and the developer shall promptly perform the required restoration.
- (4) If the developer fails to perform the restoration promptly after receipt of notice, the Township may restore the portion(s) of said road and appurtenances with the developer reimbursing the Township for all costs so incurred.

(5) The effective date of this agreement shall be the date upon which it is signed by the developer and the Township. The effective period of this agreement shall continue from its effective date for a period of two (2) years.

INTENDING TO BE LEGALLY BOUND, witness our hands and seals this ____ day of _____, 20__.

DEVELOPER(S)

By _____

By _____

ATTEST:

secretary

FOX TWP. BOARD OF SUPERVISORS

