
EXHIBIT F79

AMENDMENT TO AGREEMENT OF SALE AND SERVICE,
DATED DECEMBER 18, 1990, BY AND
AMONG BOROUGH OF EDDYSTONE AND DELCORA

AMENDMENT TO AGREEMENT OF SALE AND SERVICE

This Agreement, dated as of the 18th day of December , 1990 between the Borough of Eddystone and the Delaware County Regional Water Quality Control Authority is intended to amend a certain Agreement of Sale and Service entered into between the parties hereto as of the 21st day of June, 1988.

WITNESSETH:

WHEREAS, the parties hereto entered into a certain Agreement of Sale and Service dated June 21, 1988; and

WHEREAS, there is a requirement that the Borough's Deed of Conveyance contain a Reverter; and

WHEREAS, there is a question as to the interpretation of the Reverter Provision.

NOW, THEREFORE, the parties hereto, intending to be legally bound hereby agree as follows:

1. All terms and conditions of the Agreement of Sale and Service dated June 21, 1988, between the parties hereto shall remain in full force and effect as modified or amended by this Agreement.

2. Section 1.02 of the original Agreement is hereby amended as follows:

1.02. Conveyance of the System. Municipality agrees to convey all of its right, title and interest to the real property, fixtures and personal property comprising the Eddystone By-Pass System (a legal description and a survey of the real property which comprises the System is attached hereto as Exhibit "A" and made a part hereof as if more fully set forth herein) to DELCORA for One Dollar (\$1.00). Municipality hereby covenants that the Eddystone Bypass System is or at the time of conveyance to DELCORA will be free of any liens, claims, judgments, encumbrances, easements, rights or way or licenses. Title will be

conveyed to DELCORA by Municipality's General Warranty Deed executed, duly authorized, acknowledged and delivered to DELCORA within thirty (30) days of receipt by Municipality of written notice that construction has been approved by DELCORA. Municipality's deed shall contain a clause providing that once the Real Property which comprises the System is used for purposes other than sewage treatment and/or sewage disposal, then title to said Real Property shall revert to the Borough of Eddystone.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date and year first written above by the respective duly authorized officers and their respective seals to be hereunto affixed.

Seal

DELAWARE COUNTY REGIONAL WATER
QUALITY CONTROL AUTHORITY

By:

Joseph L. Salvucci
Joseph L. Salvucci, Chairman

Attest:

David Gorbey
David Gorbey, Secretary

Seal

BOROUGH OF EDDYSTONE

By:

Thomas A. Davis
President of Council

Attest:

Mary A. Howard
Secretary

Approved by:

William Overhang
Mayor