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Jessica R. Rogers

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File #: 2275/150899

February 28, 2012

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

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SECRETARY'S BUREAU

**RE: IN THE MATTER OF THE APPLICATION OF THE YORK WATER COMPANY and STAHLMAN ENTERPRISES, LLC (also known as ASBURY POINTE WATER AND SEWER COMPANY, LLC), Under Sections 1102(a)(2) and 1102(a)(3) of the Public Utility Code, for (1) approval of the transfer by sale of certain public wastewater facilities and rights from Stahlman Enterprises, LLC (Asbury Pointe Water and Sewer Company) to the York Water Company, (2) the abandonment by Stahlman Enterprises, LLC (Asbury Pointe Water and Sewer Company) of wastewater service to the public in East Manchester Township, York County, Pennsylvania, and (3) the Approval for the York Water Company to Begin to Offer, Render, Furnish or Supply Wastewater Service in Additional Territory in East Manchester Township, York County, Pennsylvania, Abutting the Existing Service Territory Currently Served by Stahlman Enterprises, LLC (Asbury Pointe Water and Sewer Company, LLC)**

Dear Secretary Chiavetta:

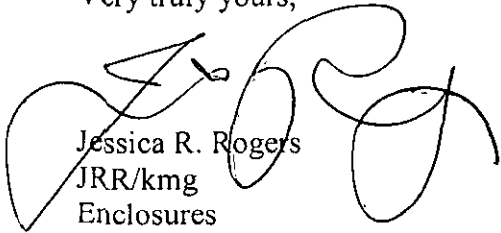
Enclosed for filing with the Commission on behalf of The York Water Company and Stahlman Enterprises, LLC are an original and three (3) copies of their Joint Application for Approval of the Transfer by Sale of Stahlman Enterprises, LLC (also known as Asbury Pointe Water and Sewer Company, LLC) in the above-captioned proceeding. Please date-stamp the extra copy and return it with our messenger. Copies of this document have been served in accordance with the attached Certificate of Service.

Enclosed please find a check in the amount of \$350.00 for the application filing fee.

Rosemary Chiavetta  
February 28, 2012  
Page 2

If you have any questions regarding this filing, please direct them to me. Thank you for your attention to this matter.

Very truly yours,



Jessica R. Rogers  
JRR/kmg  
Enclosures

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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IN THE MATTER OF THE APPLICATION OF :  
THE YORK WATER COMPANY and :  
STAHLMAN ENTERPRISES, LLC (*also known as* :  
ASBURY POINTE WATER AND SEWER :  
COMPANY, LLC), Under Sections 1102(a)(2) and :  
1102(a)(3) of the Public Utility Code, for (1) :  
approval of the transfer by sale of certain public :  
wastewater facilities and rights from Stahlman : Application Docket Nos. \_\_\_\_\_  
Enterprises, LLC (Asbury Pointe Water and Sewer :  
Company) to the York Water Company, (2) the :  
abandonment by Stahlman Enterprises, LLC :  
(Asbury Pointe Water and Sewer Company) of :  
wastewater service to the public in East Manchester :  
Township, York County, Pennsylvania, and (3) the :  
Approval for the York Water Company to Begin to :  
Offer, Render, Furnish or Supply Wastewater :  
Service in Additional Territory in East Manchester :  
Township, York County, Pennsylvania, Abutting :  
the Existing Service Territory Currently Served by :  
Stahlman Enterprises, LLC (Asbury Pointe Water :  
and Sewer Company, LLC).

---

**TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:**

1. Name and Address of Applicants:

THE YORK WATER COMPANY  
130 East Market Street  
York, PA 17401

STAHLMAN ENTERPRISES, LLC  
139 East Market Street  
York, PA 17401

2. Name and Address of Applicants' Attorneys:

For THE YORK WATER COMPANY:  
Michael W. Hassell, Esq.  
Jessica R. Rogers, Esq.

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Post & Schell, PC  
17 North Second Street – 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601

For STAHLMAN ENTERPRISES, LLC:

Mark Roberts  
Law Offices of Mark Roberts  
149 East Market Street  
York, Pennsylvania 17401

3(a). Brief Corporate History and Purpose:

Under Special Act of the Assembly of February 8, 1816, The York Water Company (“York Water” or the “Company”) was incorporated under the laws of the Commonwealth of Pennsylvania on February 23, 1816 for the purpose of supplying water in the Borough, now City of York, York County, Pennsylvania, and subsequent thereto duly extended its franchised territory from time to time so as to include the 46 municipalities in which water service is now being rendered as more fully set forth in Paragraph 4 hereof.

York Water has amended its Corporate Charter by filing its Articles of Amendment with the Pennsylvania Department of State on June 29, 1990 (#9033866 to 9033870) with Certificate of Amendment issued thereon on June 29, 1990 so as to consolidate into one description its chartered territory. A subsequent amendment was issued February 28, 1994 to include additional portions of Jackson, North Codorus, Lower Windsor and Hellam Townships, and East Prospect, Wrightsville and Abbottstown Boroughs, York County, Pennsylvania (Microfilm Numbers 09415.0349-0352). On May 20, 1996, York Water’s Articles of Incorporation were restated and amended. The amended area added Jefferson Borough and portions of Codorus Township. On March 3, 1997, the Applicant filed Articles of Amendment to include the area encompassing the Boroughs of Glen Rock, Shrewsbury, New Freedom and Railroad, Shrewsbury Township and portions of North Hopewell and Hopewell Townships

(Microfilm Numbers 09719.1725-1727).

On May 1, 2000, the Applicant's Articles of Incorporation were amended and restated (Microfilm Numbers 200035.389-392). The amended and restated Articles authorize the Company to provide wastewater service in the areas that are the subject of this application.

Stahlman Enterprises, LLC (also known as Asbury Pointe Water and Sewer Company) ("Stahlman" or "Asbury Pointe") was incorporated to provide public water and wastewater service in and around a portion of East Manchester Township, York County, Pennsylvania. York Water acquired the Stahlman water service in East Manchester Township in 2008, which was approved in *Joint Application of The York Water Company and Stahlman Enterprises, LLC (also known as Asbury Pointe Water and Sewer Company) for approval of: 1) the transfer by sale of certain public water facilities and rights from Stahlman Enterprises, LLC to The York Water Company and 2) the abandonment by Stahlman Enterprises, LLC of water service to the public in East Manchester Township, York County, Pennsylvania, Docket Nos. A-2008-2046291 and A-2008-2046292 (Order entered on September 11, 2008).*

3(b). Description of Service Furnished to the Public:

York Water now furnishes a supply of water to the public in the major portion of its franchised territory as hereinafter specified in Paragraph 4 hereof.

Stahlman now furnishes public sewer service to a residential development known as Asbury Pointe.

3(c). Amount of Stock and Bonds:

York Water has authorized, issued and outstanding as of January 1, 2012, 12,791,671 shares of Common Stock, with no stated par value. York Water has in force and effect an Optional Dividend Reinvestment Plan and an Employee Stock Purchase Plan.

There are also outstanding as of December 31, 2011, the following Senior Notes, Industrial Development Authority Revenue Refunding Bonds, Pennvest Loan and Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Bonds as follows:

10.17% Senior Notes, Series A, due 2019 (Securities Certificate No. S-880898 of 1988)	6,000,000
9.60% Senior Notes, Series B, due 2019 (Securities Certificate No. S-880898 of 1988)	5,000,000
10.05% Senior Notes, Series C, due 2019 (Securities Certificate No. S-900076 of 1990)	6,500,000
8.43% Senior Notes, Series D, due 2022 (Securities Certificate No. S-920287 of 1992)	7,500,000
1% Pennvest Loan due 2019 (Securities Certificate No. S-00980703 of 1998)	331,866
4.05% Exempt Facilities Revenue Bonds, Series A of 2004, due 2016 (Securities Certificate No. S- 00030971 of 2003)	2,350,000
5.00% Exempt Facilities Revenue Bonds, Series A of 2004, due 2016 (Securities Certificate No. S- 00030971 of 2003)	4,950,000
Variable Rate Exempt Facilities Revenue Bonds, Series A of 2008, due 2029 (Securities Certificate No. S-00041015)	12,000,000
4.75% Exempt Facilities Revenue Bonds Series A of 2006, due 2036 (Securities Certificate No. S- 00061150)	10,500,000
6.00% Exempt Facilities Revenue Bonds Series B of 2008, due 2038 (Securities Certificate No. S- 2008-2059900)	14,885,000
5.00% Monthly Senior Notes Series A of 2010, due 2040 (Securities Certificate No. S-2009- 2122058)	15,000,000

4. Location of Existing Service Area:

York Water is now furnishing water service to the public in the major portion of its franchised territory which contains therein all or portions of 46 municipalities as follows: The City of York, the Boroughs of East Prospect, Glen Rock, Hallam, Jacobus, Jefferson, Loganville, Manchester, Mount Wolf, New Freedom, New Salem, North York, Railroad, Seven Valleys, Shrewsbury, Spring Grove, West York, York Haven and Yorkana, and the Townships of East Manchester, Manchester, Spring Garden, Springettsbury and West Manchester, and parts of the Townships of Codorus, Conewago, Hellam, Hopewell, Jackson, Lower Windsor, Newberry, North Codorus, North Hopewell, Paradise, Shrewsbury, Springfield, West Manheim, Windsor and York, all in the County of York and the Borough of Abbottstown, and parts of Berwick, Hamilton, Mount Pleasant, Oxford, Reading and Union Townships, County of Adams, Commonwealth of Pennsylvania.

The community served has an estimated population of approximately 182,000 and water is furnished to 62,740 customers. Of these there are 4,790 metered commercial (including apartment complexes) and industrial customers, 56,804 metered residential customers and 1,146 public and private fire protection customers.

All such water service rendered to the public has been approved by virtue of the authority granted initially in York Water's Charter by Special Act of Assembly of February 8, 1816, and at various times more subsequently by Certificates of Public Convenience duly granted by the Pennsylvania Public Service Commission and by the Pennsylvania Public Utility Commission under The Public Service Company Law, Public Utility Law or Public Utility Code of Pennsylvania.

Asbury Pointe provides sewer service to the public pursuant to a Certificate of Public Convenience issued by the Commission. All such service is provided within the Asbury Pointe Subdivision in East Manchester Township, York County.

5. Proposed Acquisition and Expansion of Service Territory:

York Water proposes to acquire an existing wastewater collection and treatment system owned by Stahlman in East Manchester Township, York County, Pennsylvania. Asbury Pointe currently serves approximately 237 public wastewater customers, all within the municipal limits of the East Manchester Township. Stahlman is certificated by the Commission to provide public sewer service at Docket No. A-230046.

York Water has entered into an Agreement with Stahlman dated December 28, 2011, to purchase the Asbury Pointe wastewater collection and treatment system. A copy of this Agreement is attached hereto as Exhibit "K". The Agreement describes the assets that will be acquired.

York Water will begin providing service to the public five days after the date of closing. Closing is contingent upon York Water obtaining Commission approval of this acquisition, and York Water's ability to assume the National Pollutant Discharge Elimination System ("NPDES") permit through the Department of Environmental Protection ("DEP"). York Water has started the process of obtaining the NPDES permit. Asbury Pointe currently has a consent order agreement in place with the DEP which requires Asbury Pointe to make certain modifications to its treatment facilities. York Water has met with representatives of DEP to discuss the consent order, and has been given additional time to make these modifications. The work must be completed by July 29, 2012.

Following consummation of the acquisition, Stahlman will cease to provide public wastewater service, and its certificate of public convenience to provide wastewater service is to be abandoned.

In addition to the acquisition, York Water seeks to expand the service territory of the wastewater service currently provided by Stahlman. The current certificated service territory covers only the residential development known as Asbury Pointe. In addition to Asbury Pointe, York Water seeks to serve Asbury Pines Development, which abuts the Asbury Pointe development. Asbury Pines is a second phase of construction of a single development, which includes both Asbury Pointe and Asbury Pines. The developer will be installing the sewer facilities, and the extension will be done subject to the normal main extension rules as found in Asbury Pointe's existing tariff, which is to be adopted by York Water upon consummation of the transaction.

6. Additional Capital Requirements:

York Water's capital requirements for the acquisition consist of the purchase price of Three Hundred and Five Thousand (\$305,000) dollars (as agreed upon in the agreement of purchase entered into with Stahlman dated December 28, 2011, a copy of which is attached hereto, made a part hereof and marked Exhibit "K"); Fifty Thousand (\$50,000) dollars for the installation of a composite metering system and a composite sampler to meet the DEP consent order agreement requirements; and Twelve Thousand (\$12,000) dollars to remedy a stormwater detention pond blowout on one parcel. The estimated total cost of \$367,000 ( $\$305,000 + \$50,000 + \$12,000 = \$367,000$ ) will be financed by internally generated funds, proceeds from the issuance of common stock under York Water's dividend reinvestment and employee stock purchase plans, and initially, through borrowings against York Water's lines of credit.

7. Plant in Service:

Attached as Exhibit "A" is a summary, by major plant category, of used and useful plant in service of York Water as of September 30, 2011.

Exhibit "B" is a balance sheet of York Water as of September 30, 2011, which provides the capitalization of the Company.

York Water will acquire the Wastewater Collection and Treatment System owned and operated by Stahlman in East Manchester Township, York County, Pennsylvania. The System includes all of the physical plant, property, and equipment. Additionally, York Water will also acquire the real estate, easements, rights-of-way, improvements, personal property, fixtures, and equipment of Stahlman. A detailed inventory is attached as part of Exhibit "K".

8. Map of Preexisting Service Area and Proposed Service Territory Expansion:

Attached as Exhibit "C" is a map showing Asbury Pointe's existing wastewater service territory.

Exhibit "D" is a map showing the general location of the major facilities currently owned by Asbury Pointe, as described in Paragraph No. 7 above.

Associated with the acquisition, York Water proposes to expand the public sewer service territory to include additional territory abutting the current service territory of Asbury Pointe. The proposed territory expansion is known as the Asbury Pines Development, and is connected to the existing Asbury Pointe Development with its streets, sewer line, water lines, and storm sewer system. York Water already provides the water service to Asbury Pines.

The East Manchester Township and York County approval process for Asbury Pines called for the sewage utility to be supplied by the Asbury Pointe private wastewater treatment plant. The approvals are included as Exhibit "E". The metes and bounds description of the expanded territory is included as Exhibit "F". A map showing the proposed expanded

territory in relation to the existing service territory of Asbury Pointe is provided as Exhibit “G”. As previously described in this Application, in order to expand service to Asbury Pines, the sewer lines will have to be extended. However, the developer will be responsible for the installation. The wastewater treatment plant has the required capacity to service the proposed territory.

Asbury Pointe had filed an application with the Commission for an expansion of territory to include Asbury Pines at Docket No. A-2011-2230902 on March 9, 2011. That application was withdrawn on January 17, 2012, as a result of this acquisition.

9. Future Capacity:

The service territory in question is not anticipated to have significant population expansion in the future. The current system capacity is sufficient to meet expected growth. Exhibit “H” is a table showing current and projected population and consumption data for the next ten years.

10. Rates for Service:

York Water will adopt the existing tariff of Asbury Pointe, including the rates currently charged to its customers.

11. Profit and Loss Statement:

Attached as Exhibit “I” is a Statement of Income of York Water for the twelve months ended September 30, 2011.

12. Proof of Compliance with DEP Requirements:

York Water has applied for transfer of Asbury Pointe’s NPDES permit. Upon obtaining the NPDES permit, York Water will provide a copy of the permit to the Commission.

York Water intends to contract with a third party to operate the wastewater treatment plant and maintain the other sanitary sewer facilities. The contractor shall provide a

certified operator for the treatment plant who will not be a York Water employee and who will have the appropriate certified operator's permit.

13. No Competitive Condition:

No corporation, partnership or individual is now furnishing or has corporate or franchise rights to furnish service similar to that to be rendered by York Water in the territory covered by this Application other than Asbury Pointe and no competitive condition will be created. No other entities providing wastewater service are located within one mile of the service territory.

14. Facilities for Furnishing Service:

York Water will employ the facilities acquired from Stahlman to furnish wastewater service to customers currently served by Asbury Pointe. York Water will also use the facilities acquired from Stahlman, as well as facilities to be constructed by the developer of Asbury Pines, to furnish wastewater service to customers in Asbury Pines. The facilities have sufficient capacity to provide service to both territories.

15. Approval's Necessity and Propriety:

Approval of the Application is necessary and proper for the service, accommodation, convenience and safety of the public for the following reasons.

(a) Stahlman is no longer willing to provide wastewater service to its customers due to the regulatory requirements necessary to continue to provide service, and the difficulties in maintaining a viable wastewater system for such a small number of customers:

(b) York Water will bring significant resources to the Asbury Pointe system in order to bring it into compliance with existing regulatory requirements. The acquisition will cure the outstanding issues identified by DEP in the consent order agreement.

(c) York Water currently provides water service to the Asbury Pointe and Asbury Pines developments, and so is familiar with the community.

(d) The Commission encourages utilities, such as York Water, to acquire small wastewater systems such as Asbury Pointe. See 52 Pa. Code § 69.711.

16. Notification of Customers:

Concurrent with the filing of this Application, York Water will notify the customers of Asbury Pointe of the filing of this application and the Company's intent to adopt Asbury Pointe's existing rates for wastewater service, a copy of which is attached hereto, made a part hereof and marked Exhibit "J".

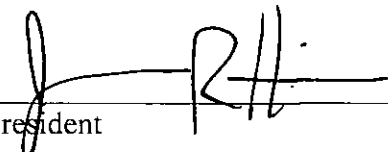
WHEREFORE, Applicants pray your Honorable Commission to issue a Certificate of Public Convenience under the provisions of Sections 1102(a)(2) and 1102(a)(3) of the Public Utility Code evidencing the approval of the Commission for York Water to acquire the public wastewater facilities of Stahlman, for Stahlman to abandon the provision of wastewater service to the public, and for an expansion of York Water's service territory to include Asbury Pines, all of which are located in East Manchester Township, York County, Pennsylvania.

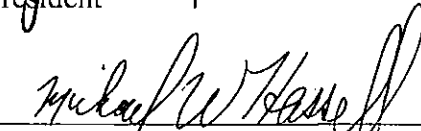
And Applicants will ever pray, etc.

ATTEST:

  
Assistant Secretary

THE YORK WATER COMPANY

By   
President

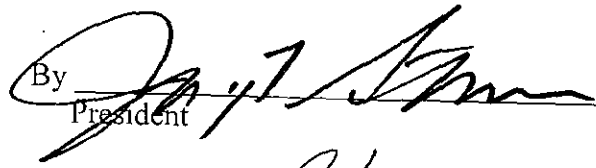
By   
Counsel for THE YORK WATER COMPANY

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ATTEST:

STAHLMAN ENTERPRISES, LLC  
(ASBURY POINT WATER AND SEWER

\_\_\_\_\_  
Assistant Secretary

COMPANY)

By   
\_\_\_\_\_  
President

By   
\_\_\_\_\_  
Counsel for STAHLMAN ENTERPRISES, LLC

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SECRETARY'S BUREAU





CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Application of The York Water Company and Stahlman Enterprises, LLC has been served by certified mail, return receipt requested, upon the following:

York County Commissioners  
One West Market Way  
Fourth Floor  
York, PA 17401

Jerry T. Stahlman, P.E.  
Stahlman Enterprises, LLC  
139 East Market Street  
York, PA 17401

Felicia Dell  
York County Planning Commission  
100 West Market Street  
York, PA 17405

Mark Roberts, Esq.  
149 East Market Street  
York, PA 17401  
Attorney for Stahlman Enterprises, LLC

East Manchester Township Supervisors  
5080 N. Sherman Street Extended  
Mt. Wolf, PA 17347

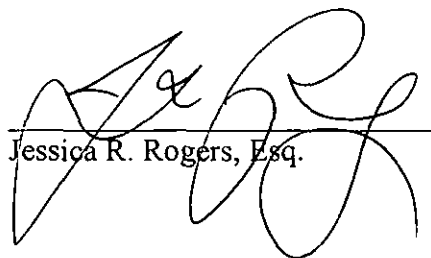
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923

Bureau of Investigation and Enforcement  
PA Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor West  
Harrisburg, PA 17105-3265

Office of Small Business Advocate  
Commerce Building  
300 North Second Street, Suite 1102  
Harrisburg, PA 17101

Department of Environmental Protection  
Southcentral Regional Office  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200

Dated: February 28, 2012

  
\_\_\_\_\_  
Jessica R. Rogers, Esq.

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**EXHIBIT "A"**

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**THE YORK WATER COMPANY  
UTILITY PLANT**

	As of <u>September 30, 2011</u>
Organization	\$ 5,302
Franchises and consents	4,918
Water rights	39,972
Reservoir land	852,623
Power and pumping land	1,102,710
Purification land	17,854
Transmission & distribution land rights-of-way	72,747
Distribution reservoir and standpipe land	599,571
Office land	115,023
Stores, shop and garage land	166,345
Collecting and impounding reservoirs	4,132,421
Lake, river and other intakes	3,678,077
Wells and springs	11,363
Supply mains	177,419
Other water source structures	134,179
Power and pumping structures	8,587,489
Purification buildings	2,104,414
Office buildings	1,183,859
Stores, shop and garage buildings	2,510,554
Miscellaneous structures and improvements	172,254
Power generation equipment	1,079,200
Oil engine pumping equipment	1,810,714
Electric pumping equipment	2,707,601
Scada system	698,223
Purification system	14,819,339
Distribution reservoirs and standpipes	18,338,346
Mains and accessories	144,861,742
Services	32,697,378
Meters	15,870,667
Fire hydrants	6,215,150
Backflow preventors	270,957
Office furniture and equipment	6,507,882
Transportation equipment	1,321,407
Stores equipment	97,515
Shop equipment	58,171
General equipment	558,162
Tractor	34,370
Laboratory equipment	53,416
Construction equipment	128,403
Communication equipment	959,572
Miscellaneous equipment	241,633
Total Utility Plant in Service	<u>\$ 274,998,941</u>
Construction work in progress	4,067,736
Utility plant acquisition adjustment	<u>(2,670,794)</u>
<b>TOTAL UTILITY PLANT</b>	<u><u>\$ 276,395,883</u></u>

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**EXHIBIT "B"**

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**THE YORK WATER COMPANY**  
**BALANCE SHEET**

As of  
September 30, 2011

ASSETS

UTILITY PLANT:

Utility Plant, at original cost	\$276,395,883
Less-Reserve for depreciation	<u>45,339,826</u>
	231,056,057

OTHER PHYSICAL PROPERTY:

Less-Reserve for depreciation	699,973
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CURRENT ASSETS:

Cash and cash equivalents	3,861,428
Accounts receivables, less reserves	3,847,785
Unbilled revenue	2,050,519
Materials and supplies, at cost	721,860
Prepaid expenses	<u>425,225</u>
	10,906,817

OTHER LONG-TERM ASSETS:

Deferred debt expense	2,422,314
Notes receivable	374,548
Deferred regulatory assets	17,782,124
Other	<u>3,796,182</u>
	24,375,168

\$267,038,015

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**THE YORK WATER COMPANY**  
**BALANCE SHEET**

As of  
September 30, 2011

CAPITALIZATION AND LIABILITIES

CAPITALIZATION:

Common stock, no par value	\$76,713,572
Earnings retained in the business	17,735,754
	<u>94,449,326</u>

Long-term debt	84,985,511
	<u>179,434,837</u>

CURRENT LIABILITIES:

Short-term borrowings	0
Current portion of long-term debt	91,754
Accounts payable	666,233
Dividends payable	1,447,688
Accrued taxes	(271,851)
Accrued interest	1,222,329
Other accrued expenses	1,317,350
	<u>4,473,503</u>

DEFERRED CREDITS:

Customers' advances for construction	14,828,229
Contributions in aid of construction	25,949,353
Deferred employee benefits	9,731,529
Deferred regulatory liabilities	887,119
Deferred income taxes	29,038,057
Other deferred credits	2,695,388
	<u>83,129,675</u>

\$267,038,015

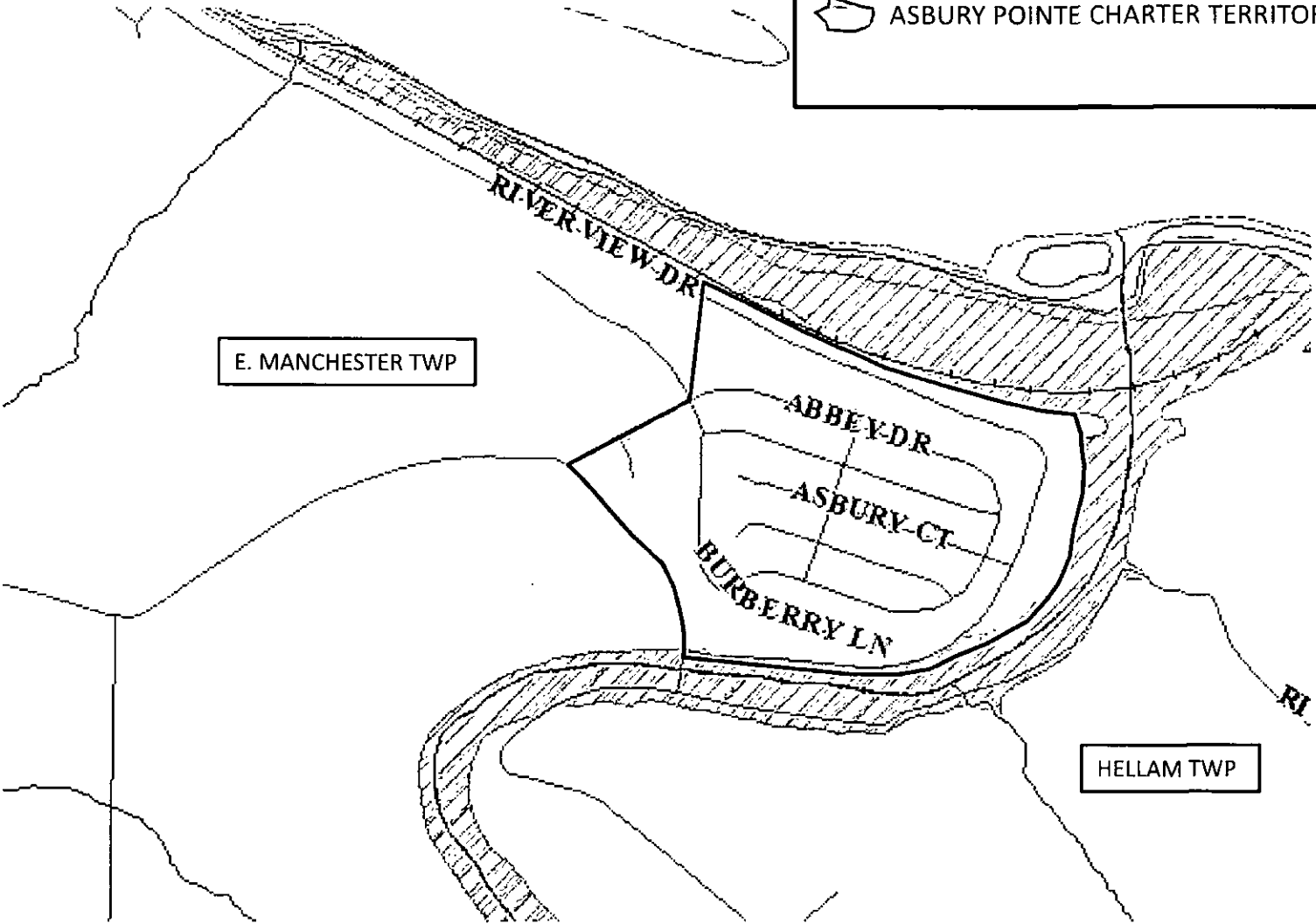
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 ASBURY POINTE CHARTER TERRITORY



E. MANCHESTER TWP

HELLAM TWP

# EXHIBIT "D"

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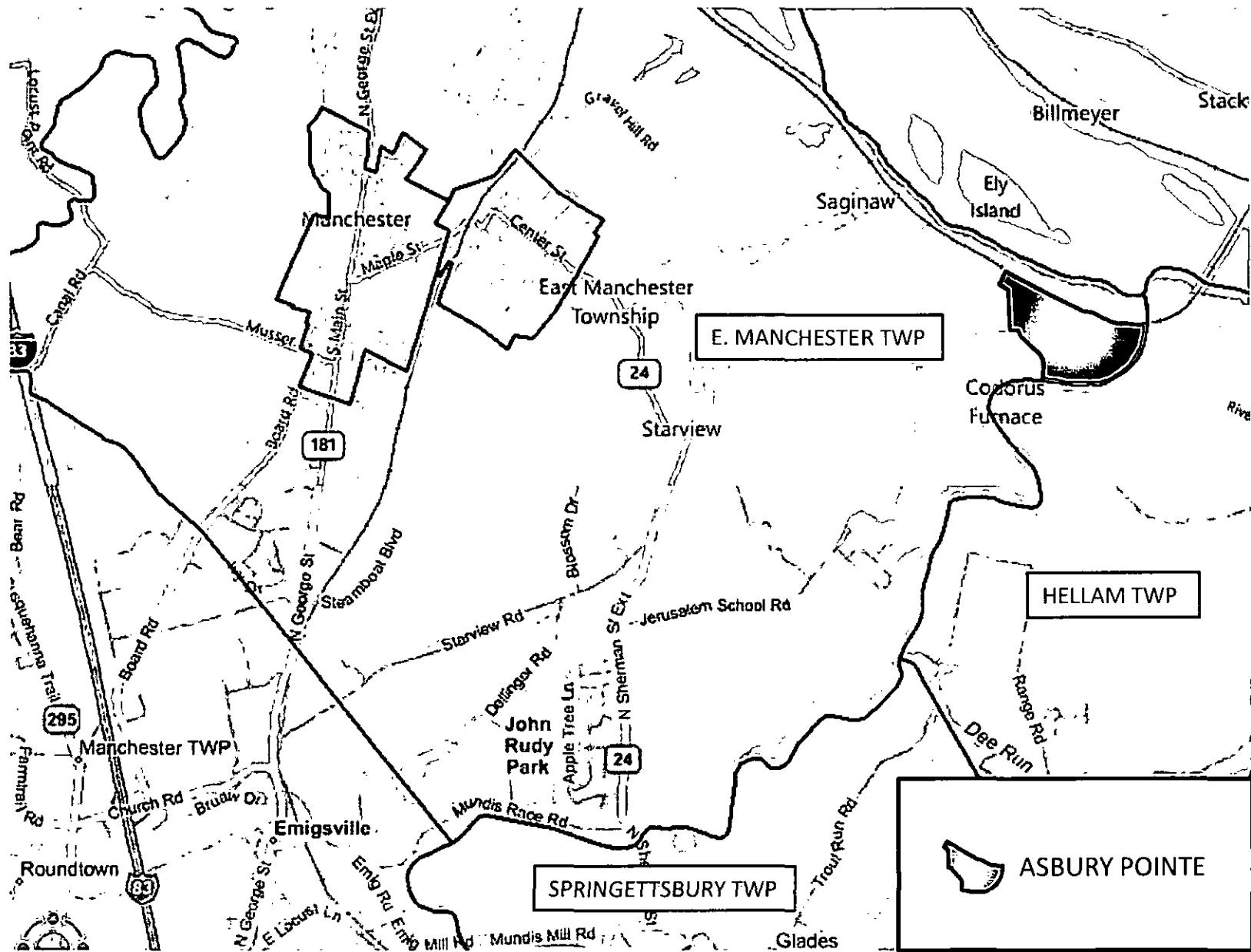


EXHIBIT "D"

**EXHIBIT "E"**

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# The York Water Company

January 25, 2012

East Manchester Township Manager  
5080 North Sherman Street Extended  
Mount Wolf, PA 17347

Re: York Water Application to Serve Asbury Pointe, East Manchester Township, York County

The York Water Company is submitting a request to the Pennsylvania Public Utility Commission (PUC) to expand its wastewater charter area to serve Asbury Pointe to provide wastewater collection and treatment service to the residents of Asbury Pointe and the proposed, adjacent Asbury Pines Subdivision. Asbury Pointe residents currently receive sanitary sewer service from Asbury Pointe Water and Sewer, LLC. York Water is proposing to draw its charter area so that Asbury Pointe and Asbury Pines are included in its service area.

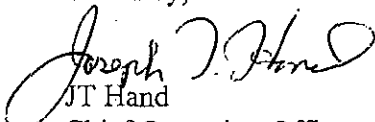
As part of York Water's request to the PUC, we have been asked to receive input from the Township to determine if York Water's proposed expansion complies with the Township's land use planning.

Specifically, the PUC requests that the Township reviews the following questions:

1. Are there adopted municipal comprehensive plans for the townships/boroughs involved? yes
  2. Is there an adopted county comprehensive plan? yes
  3. Is there an adopted multi-municipal or multi-county comprehensive plan? No
  4. Is there an adopted county or municipal zoning ordinance or joint municipal zoning ordinance? yes
  5. Is the proposed project consistent with these comprehensive plans and/or zoning ordinances? yes
6. If the answer is "yes" to any of the above questions, please sign below, or submit a letter, indicating that the application is consistent with the applicable comprehensive plans and zoning ordinances. If the application is not consistent with the applicable comprehensive plans and zoning ordinances, please provide an explanation.

If you have any questions, please call me at (717)718-7554 or email: [jth@yorkwater.com](mailto:jth@yorkwater.com).

Sincerely,

  
JT Hand  
Chief Operating Officer

We concur that York Water's application is consistent with the applicable comprehensive plans and zoning ordinances.

East Manchester Township Signature Gene David Gentler

Printed Name/Title Gene David Gentler, Township Manager Date Feb 12, 2012



## YORK COUNTY PLANNING COMMISSION

28 EAST MARKET STREET, YORK, PENNSYLVANIA 17401

TELEPHONE: (717) 771-9870 FAX: (717) 771-9511

[www.ycpc.org](http://www.ycpc.org)

February 23, 2012

Jeff Hines, President & CEO  
York Water Company  
130 East Market Street  
Box 15089  
York, PA 17405

Re: Asbury Point WWTP Acquisition  
East Manchester Township  
York County, PA

Dear Mr. Hines:

The York County Planning Commission (YCPC) staff has reviewed the proposal by the York Water Company for the acquisition of the Asbury Point WWTP in East Manchester Township. Staff comments and recommendations for this proposal are as follows:

**1) Acquisition of the Asbury Point WWTP- It is recommended that the York Water Company proceed with this action.** The identified area is within an Established Primary Growth Area and this proposal would be consistent with the York County Comprehensive Plan.

If you should have any questions, please contact the office of the YCPC.

Sincerely,

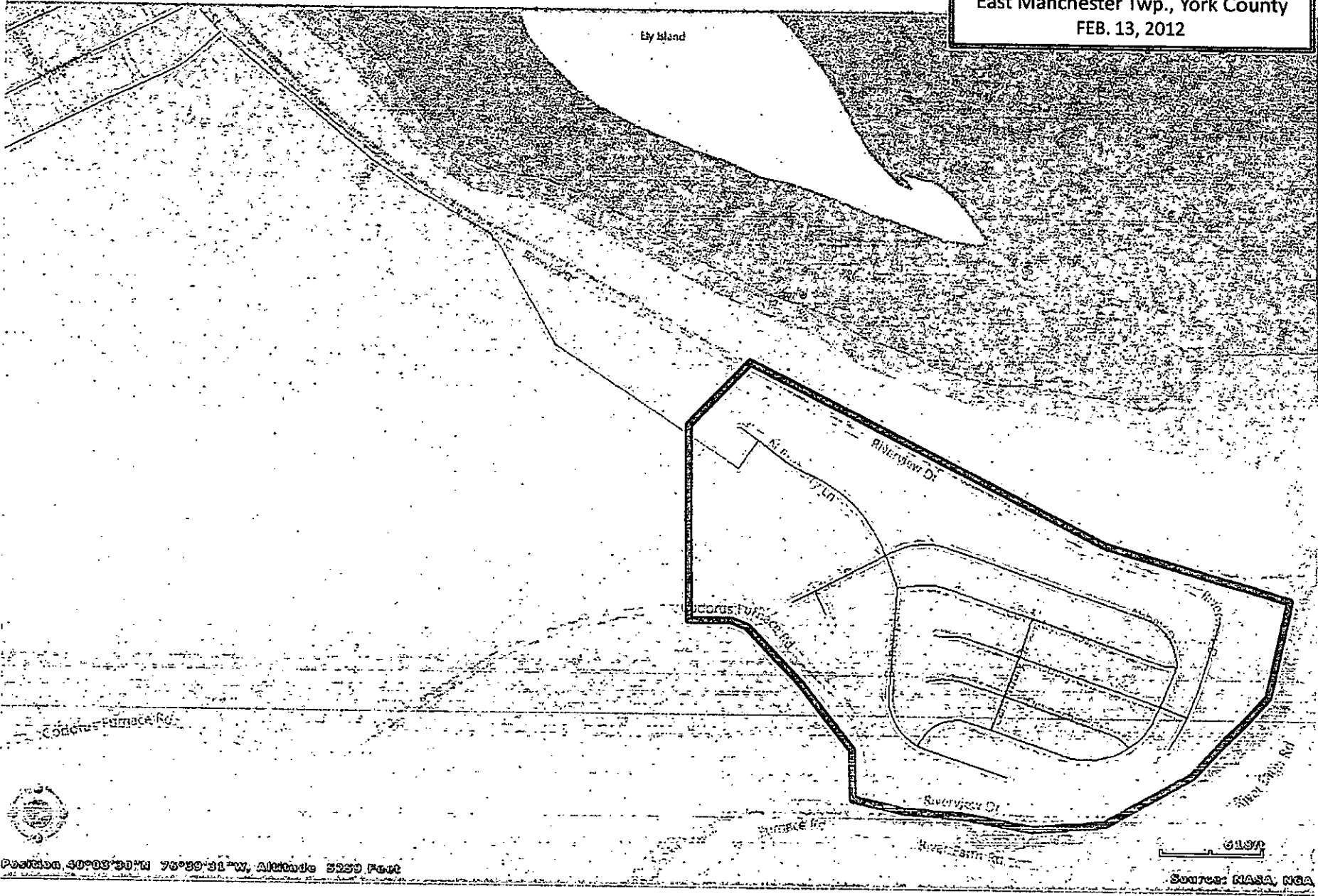
Roy O. Livergood Jr., Senior Planner  
County/Long Range Planning

cc: Joe Heffner, Assistant Director, York County Planning Commission  
J.T. Hand, Chief Operating Officer, York Water Company  
East Manchester Township Board of Supervisors c/o David Gentzler, Secretary-Treasurer

TERRY L. DUNLAP, CHAIRMAN • WALTER A. KUHL, VICE CHAIRMAN • MARY E. COBLE, SECRETARY • BRIAN BRENNEMAN, TREASURER  
KEVIN E. CLARK • JOSHUA GEORGE • JOHN E. PARKES • JEFF PROPPS • JOHN C. MENGES, II  
FELICIA S. BELL, DIRECTOR • JEFFREY L. REHMEYER II, SOLICITOR

EQUAL OPPORTUNITY EMPLOYER

YORK WATER ACQUISITION  
**ASBURY POINTE WWTP**  
East Manchester Twp., York County  
FEB. 13, 2012



Position: 40°03'30"N 76°29'31"W, Altitude 5229 Feet

0.157

Source: NASA, NGA

**EXHIBIT "F"**

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## Exhibit F

### Metes and Bounds Description of the Expanded Territory

#### Asbury Pines

Description of all that certain tract of land lying and being situate in the Township of East Manchester, York County, Pennsylvania, and being shown on a plan of lots known as "Asbury Pines", Final Subdivision Plan, for SBS, as prepared by Stahlman & Stahlman Inc., York, PA., Drawing No. A-02-027, and Recorded in the York County Recorder of Deeds Office in Plan Book 1778, Page 230 and being more fully described as follows:

*BEGINNING* at a point on the northern side of a 50' right-of-way line of Abbey Drive, said point being situate 710.18 feet from the intersection of Codorus Furnace Road (S.R. 1008) and Abbey Drive, thence starting from said point **North 35 degrees 48 minutes 00 seconds East** for a distance of **534.18 feet** to a point at lands now or formerly of Consolidated Rail Corporation; thence continuing **North 54 degrees 11 minutes 59 seconds West** for a distance of **1106.38 feet** to a point at lands of the above mentioned and now or formerly of Ken Wagner **South 35 degrees 48 minutes 23 seconds West** (incorrectly shown as South 27 degrees 12 minutes and 50 seconds West on the above mentioned plan) for a distance of **371.34 feet** to a point at lands of the same and now or formerly of Donald Glatfelter; thence **South 45 degrees 49 minutes 38 seconds East** for a distance of **318.34 feet** to a point; thence **North 44 degrees 10 minutes 22 seconds East** for a distance of **50.00 feet** to a point; thence **South 45 degrees 49 minutes 38 seconds East** for a distance of **600.00 feet** to a point; thence **South 44 degrees 10 minutes 22 seconds West** for a distance of **50.00 feet** to a point; thence **South 45 degrees 49 minutes 38 seconds East** for a distance of **200.00 feet** to a point and the place of *BEGINNING*.

CONTAING 10.81 Acres

## Asbury Pines – Phase 2

Description of all that certain tract of land lying and being situate in the Township of East Manchester, York County, Pennsylvania, and being shown on a plan of lots known as “Asbury Pines Phase II”, Final Subdivision Plan, for Asbury Pines Partners, LLC, as prepared by Stahlman & Stahlman, Inc., York, PA., Drawing No. A-07-003, and being more fully described as follows:

*BEGINNING* at a point on the north western side of the intersection of Codorus Furnace Road (S.R. 1008) and Abbey Drive, thence following along the 50' Right-of-Way of Abbey Drive **North 63 degrees 27 minutes 29 seconds East** for a distance of **689.78 feet** to a point at lands of said Right-of-Way and a subdivision known as Asbury Pines; thence **North 53 degrees 22 minutes 10 seconds West** for a distance of **200.00 feet** to a point at lands of the above mentioned plan; thence **North 44 degrees 10 minutes 22 seconds East** for a distance of **50.00 feet** to a point; thence continuing **North 53 degrees 22 minutes 10 seconds West** for a distance of **600.00 feet** to a point at lands of the same; thence **South 44 degrees 10 minutes 22 seconds West** for a distance of **50.00 feet** to a point at lands of the same; thence **North 53 degrees 22 minutes 05 seconds West** for a distance of **179.32 feet** to a point at lands now or formerly of Donald K. Sr. and Donna L. Glatfelter; thence **South 05 degrees 13 minutes 08 seconds West** for a distance of **863.49 feet** to a point on the 30' dedicated Right-of-Way of Codorus Furnace Road (S.R. 1008); thence continuing along said Right-of-Way **South 89 degrees 17 minutes 23 seconds East** for a distance of **124.89 feet** to a point; thence continuing along the same and following a curve to the right having a **Radius of 270 feet**, a **Arc Length of 127.55 feet** and **Chord bearing of South 75 degrees 45 minutes 22 seconds East** for a distance of **126.37 feet** to a point and the place of *BEGINNING*.

CONTAINING 10.02 Acres (net) and 10.19 Acres (gross)

# EXHIBIT "G"

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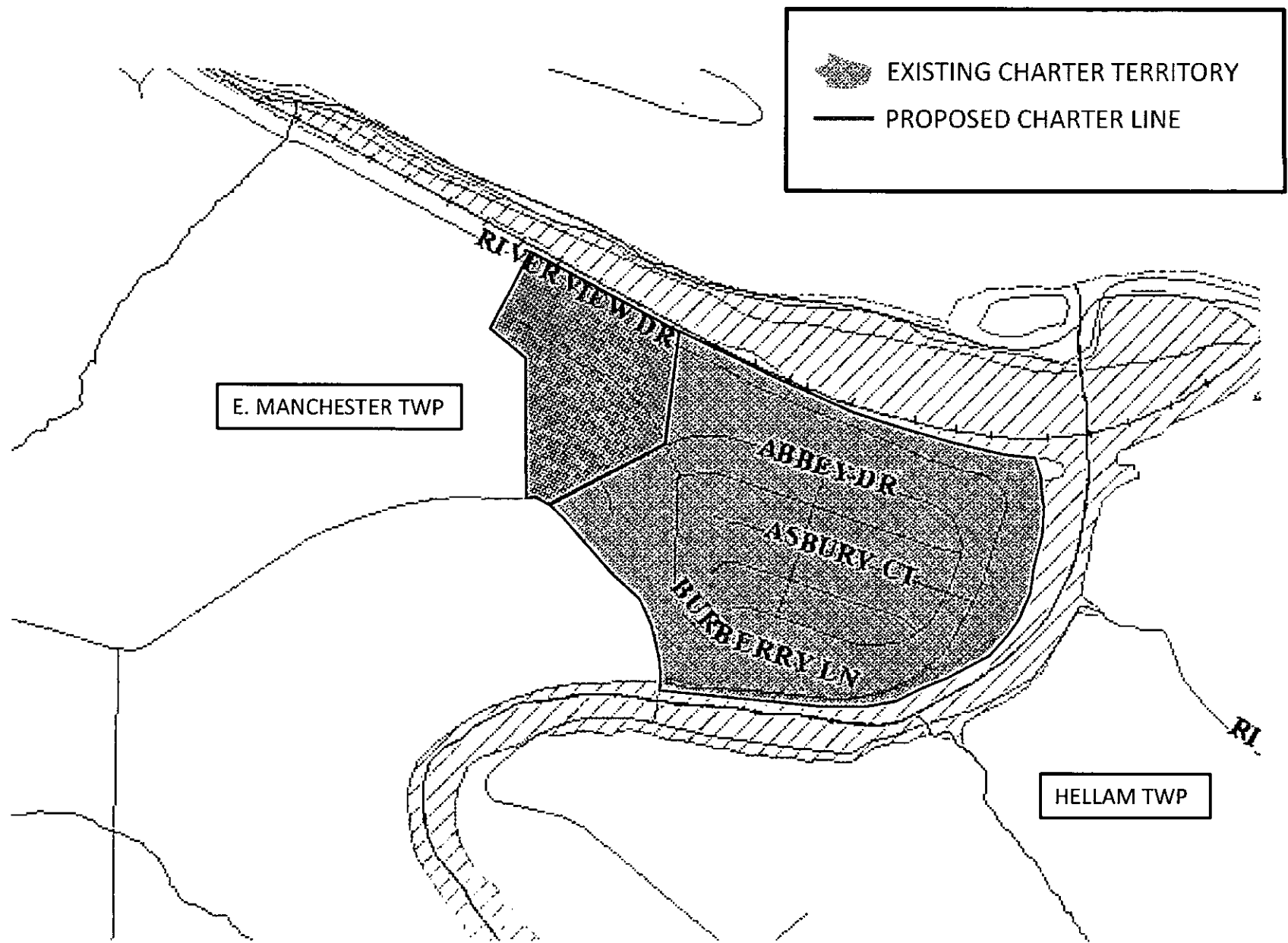


EXHIBIT "G"

# EXHIBIT "H"

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### Asbury Pointe Population Projection

	2011	2020	2010	2010	2010	2020
Municipality/Subdivision	Number of Domestic Connections	Projected Number of Connections	Census Persons/ Household	Census Population	Estimated Population Served	YCPC Projection
East Manchester Township	1,809	1978	2.77	7,264	5,010	8,024
Asbury Pointe	237	237	2.77	657*	657	657
Asbury Pines	0	14	0	0	0	39
<b>Total: (Wastewater)</b>	<b>237</b>	<b>251</b>	<b>2.77</b>	<b>657</b>	<b>657</b>	<b>696</b>
* Estimate based upon persons/household						

### Asbury Pointe Treatment Projection

Asbury Pointe is built out. The 2015 and 2020 estimates are projections based on anticipated build out of the 14 units of Asbury Pines by 2015. Current plant capacity is 80,000 GPD. With 2020 projected Max Day of ~38,000, the 80,000 GPD rated plant has sufficient capacity.

**Projected Average Demand:**

Based on 4 year average daily gallons/capita: 120 GPCD

		2010	2015	2020
Asbury Pointe	Average Daily Demand			
	Based on Avg. GPCD	28,440	28,440	28,440
Asbury Pines	Based on Avg. GPCD		1,680	1,680
<b>Total</b>		<b>28,440</b>	<b>30,120</b>	<b>30,120</b>

**Projected Maximum Demand:**

Based on Max Day/Avg. Day ratio: 1.25

		2010	2015	2020
Asbury Pointe	Maximum Day Demand			
	Based on Avg. GPCD	28,440	28,440	28,440
	Projected Max. Day:	35,550	35,550	35,550
Asbury Pines	Based on Avg. GPCD		1,680	1,680
	Projected Max. Day:		2,100	2,100
<b>Total</b>		<b>35,550</b>	<b>37,650</b>	<b>37,650</b>

# EXHIBIT "I"

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**THE YORK WATER COMPANY**  
**STATEMENT OF INCOME**

Twelve Months  
Ended  
September 30, 2011

WATER OPERATING REVENUES:

Residential	\$25,454,982
Commercial and industrial	11,748,352
Other	<u>3,098,091</u>
	40,301,425

OPERATING EXPENSES:

Operation and maintenance	7,089,997
Administrative and general	<u>7,310,816</u>
	14,400,813

Depreciation	4,823,975
Taxes other than income taxes	1,206,795
Income taxes	<u>5,147,675</u>
	25,579,258

Operating income	14,722,167
------------------	------------

INTEREST EXPENSE AND OTHER INCOME:

Interest on debt	5,251,670
Allowance for funds used during construction	(140,534)
Other expenses, net	<u>574,570</u>
	5,685,706

NET INCOME	<u><u>\$ 9,036,461</u></u>
------------	----------------------------

EXHIBIT "I"

# EXHIBIT "J"

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## The York Water Company

"That good York water"  
SINCE 1816

January 31, 2012

Dear Asbury Pointe Wastewater Customer:

The York Water Company recently entered into an agreement to purchase the Asbury Pointe Wastewater Collection and Treatment System from Asbury Pointe Water and Sewer, LLC. York Water acquired the Asbury Pointe Water System in 2008 and residents of Asbury Pointe have been York Water customers since January of 2009.


York Water has applied to the Pennsylvania Public Utility Commission for a Certificate of Public Convenience in order to serve the wastewater needs of the Asbury Pointe Community. Once approved, our goal is to provide a smooth transition to all of our Asbury Pointe customers. We're working with the Pennsylvania Department of Environmental Protection to secure the necessary permits and have begun surveying the Asbury Pointe Wastewater Collection System, locating and marking manholes and inventorying sewer assets.

As a current Asbury Pointe Sewer customer, there is nothing you will need to do in order to initiate wastewater service nor will you incur any additional costs. Once approved by the Pennsylvania Public Utility Commission and upon receipt of the necessary permits from the Pennsylvania Department of Environmental Protection, you will receive a follow-up letter informing you of the transition date. Until that time, you are still customers of Asbury Pointe Water and Sewer and you should contact their office for any sewer related questions.

Once you are a wastewater customer of York Water, you will be billed monthly at a flat rate of \$40.00 per month for sewer service. This is the same rate that is currently in effect. York Water intends to combine your water and wastewater fees on a single, monthly bill. If you are currently enrolled in York Water's Timely Automatic Payment "TAP" plan that allows us to automatically deduct the amount of your water bill directly from your bank account, TAP will similarly apply to your wastewater account.

The York Water Company has been locally owned and operated since 1816. We now provide water/wastewater service to 46 municipalities in York and Adams Counties and we look forward to providing the same superior service to our new wastewater customers in Asbury Pointe. If you have any questions about this information or need additional information about the transition of wastewater service through The York Water Company, please don't hesitate to contact me at [jth@yorkwater.com](mailto:jth@yorkwater.com) or one of the Company's helpful customer service representatives at (717) 845-3601.

Sincerely,

  
J.T. Hand  
Chief Operating Officer

**EXHIBIT "K"**

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PA PUC  
SECRETARY'S BUREAU

EXHIBIT "K"

AGREEMENT OF SALE

THIS AGREEMENT is made this 28 day of DEC 2011 between Stahlman Enterprises, LLC, a corporation of York County, Pennsylvania ("Stahlman") and The York Water Company, a public utility corporation organized under the laws of the Commonwealth of Pennsylvania, having its principal office in the City of York, York County, Pennsylvania ("York Water").

WHEREAS, Stahlman is a duly organized corporation that owns facilities used for and is engaged in the business of collecting, treating, and disposing wastewater from inhabitants in and around the Township of East Manchester; and

Whereas, Stahlman represents and hereby WARRANTS GENERALLY that it has good title to its Wastewater Collection and Treatment System as defined in Section 2 and depicted on APPENDIX A free and clear of all liens and encumbrances except existing easements, if any; and

Whereas, Stahlman states there are no hidden liens or encumbrances on the Wastewater Collection and Treatment System; and

Whereas, Stahlman declares that he is the owner of the Wastewater Collection and Treatment System and has all legal rights to sell the Wastewater Collection and Treatment System to York Water; and

WHEREAS, York Water is a Pennsylvania public utility engaged in the business of collecting, treating, storing, supplying, distributing and selling water to the public in various portions of York and Adams Counties, Pennsylvania; and

WHEREAS, Stahlman is willing to sell, and York Water is willing to purchase substantially all of the Wastewater Collection and Treatment System of Stahlman (as defined in Paragraph 2.1 of this Agreement); and

WHEREAS, York Water is willing to own and operate such Wastewater Collection and Treatment System, subject to York Water's regular rules, regulations and tariffs applicable from time to time to water and wastewater customers of York Water.

NOW THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, and intending to be legally bound hereby, the parties hereto agree as follows:

1. **SALE AND PURCHASE OF ASSETS.** At Closing (as defined in Paragraph 5 of this Agreement), subject to the terms and conditions of this Agreement, Stahlman shall sell, assign, transfer and convey to York Water and York Water shall purchase the Assets (as defined in Paragraph 2 of this Agreement) for the Purchase Price (as defined in Paragraph 3 of this Agreement).

2. **DESCRIPTION OF ASSETS.** The term "Assets" means the Wastewater Collection and Treatment System, as defined in Paragraph 2.1 of this Agreement

2.1. **Description of Wastewater Collection and Treatment System.** The term Wastewater Collection and Treatment System means all of the physical plant, property, equipment and facilities comprising the existing Wastewater Collection and Treatment System owned and operated by Stahlman, with attendant easements, rights-of-way, real estate and improvements, personal property, fixtures and equipment, all as more fully described on **APPENDIX A** hereto attached and made a part hereof.

2.2. **Excluded Assets.**

- i. There is excluded from the sale and Stahlman reserves unto itself all funds designated as funds of Stahlman including, specifically, any checking accounts, savings accounts, accounts receivables, insurance, and other investments related to the Wastewater Collection and Treatment System and the provision of wastewater services by Stahlman.

3. **PURCHASE PRICE.** Stahlman agrees to sell, assign, transfer and convey the Assets to York Water for the consideration of three hundred five thousand (\$305,000) Dollars. Stahlman will take all actions necessary to authorize the sale of the Wastewater Collection and Treatment System to York Water, and will prosecute all such actions in good faith and with due diligence.

4. **STAHLMAN REPRESENTATIONS, WARRANTIES AND COVENANTS.**

4.1. **Title.** Stahlman represents and warrants to York Water that it has good title to its Wastewater Collection and Treatment System as defined in Section 2 and depicted on **APPENDIX A** free and clear of all liens and encumbrances except existing easements, conditions and restrictions, if any, that do not materially impact the operation of the wastewater system.

4.2. **Current Service.** Stahlman represents and warrants to York Water that it is presently serving approximately 237 wastewater customers on a regular basis.

4.3. **Compliance with Statutes and Regulations.** Stahlman represents and warrants to York Water that it complies with any and all applicable statutes and regulations relevant to the operation of the Wastewater Collection and Treatment System, except as previously disclosed.

4.4. **Outstanding Obligations.** Any existing refunding arrangements, agreements or contracts have been disclosed to York Water and shall remain the obligation of Stahlman.

4.5. **Delinquency.** Stahlman represents and warrants that it is not delinquent or in default on any loan.

4.6. **Litigation.** Stahlman represents and warrants that there is no litigation of any nature, pending or threatened against or involving Stahlman seeking to restrain or enjoin, or restraining or enjoining, the sale of the Wastewater Collection and Treatment System to York Water or the execution and delivery by Stahlman of this Agreement or the Closing Documents. Stahlman has received no notice and has no knowledge of any action, claim or proceeding pending or threatened against it.

4.7. **Continuance of Representations and Warranties.** Stahlman agrees that the foregoing representations and warranties shall be true as of the date of the Agreement and as of the Closing, subject, however, to any changes after the date of the Agreement because of any action expressly contemplated by this Agreement or otherwise approved in writing by York Water. Stahlman further agrees that its representations and warranties to York Water in this Agreement shall survive closing for a period of two (2) years.

4.8. **Current Ownership.** Stahlman represents and warrants that he has received legal title to the Wastewater Collection and Treatment System from Asbury Pointe, L.P., Stallman & Stahlman, Inc., and any other entity, and guarantees that if the title or ownership of the Wastewater Collection and Treatment System ever fails he will compensate York Water for all losses.

5. **CLOSING.** The Closing shall take place within 30 days after all conditions set forth in Paragraph 6 have been met.

6. **CONDITIONS TO CLOSING.** The obligation of York Water to proceed to Closing is subject to fulfillment of the following further conditions:

6.1. **Regulatory Approvals.** This Agreement is subject to York Water receiving all requisite permits and approvals for the transaction contemplated by this Agreement from the Pennsylvania Public Utility Commission ("Commission"), the Pennsylvania Department of Environmental Protection ("DEP"), and any and all other applicable authorities having jurisdiction. York Water shall initiate and timely prosecute in good faith and with due diligence, at its sole expense, necessary proceedings to obtain such permits and approvals. Stahlman agrees to provide such information, documents and assistance as may be reasonably requested by York Water in order to obtain such approvals.

7. **CLOSING DOCUMENTS.** At the Closing, Stahlman shall sell, transfer, assign and convey to York Water the real and personal property described on **APPENDIX A** and shall deliver or cause to be delivered the following documents.

7.1. **Bill of Sale** for the personal property, assignments of the easements and rights-of-way and a special warranty Deed for the real estate conveying title as hereafter set forth, duly executed by Stahlman in form for recording. Title to the real estate shall be good and marketable and such that a reputable title company doing business in the Commonwealth of Pennsylvania will insure it at its regular rates. In the event of a title objection, defect, or encumbrance, York Water shall have the right in its sole discretion to demand its removal by Stahlman or to cancel this transaction, such cancellation to occur only after allowing reasonable time and means for the removal of the objection, defect, or encumbrance. Stahlman and York Water will split the cost of any realty transfer tax due on the conveyance.

7.2. **Certificates** duly signed by the President and Secretary of Stahlman to the effect that the representations and warranties set forth in Paragraph 4 hereof are true and correct as of the Closing

7.3. **Copies of operating records** relating to the Wastewater Collection and Treatment System as may be reasonably required by York Water including, but not limited to, a copy of the customer list stating the names and addresses of all water users.

7.4. **A favorable opinion of counsel** for Stahlman to the effect that:

- i. Stahlman is a duly formed, validly existing corporation in good standing under the laws of the Commonwealth of Pennsylvania; is qualified to transact business under the laws of the Commonwealth of Pennsylvania, and has the legal authority to sell its Wastewater Collection and Treatment System as contemplated by this Agreement;
- ii. Section A, acting through its duly authorized officers, has executed and delivered this Agreement and the Closing Documents, all of which are enforceable against Stahlman

in accordance with their terms, subject to applicable laws of bankruptcy and similar laws;

iii. To the best of counsel's knowledge, there is no litigation or proceedings pending or threatened against Stahlman, which relate adversely to Stahlman's ability (a) to conduct its business, (b) to transfer its assets or (c) to consummate the transactions contemplated by this Agreement.

7.5. **Covenants of Further Assurances** to the effect that Stahlman shall from time to time take such further actions and execute and deliver such other documents and instruments at the request and cost of York Water as may be necessary or desirable to give full force and effect to the provisions of the Agreement.

8. **COMMISSION.** No broker's, finder's or agent's fees or commission shall be due or payable by York Water for or in connection with this Agreement for either the sale of the purchase of the Wastewater Collection and Treatment System of Stahlman. York Water represents that it has had no dealing with any broker, or agent in connection with this transaction.

#### 9. **REGULAR COURSE OF BUSINESS.**

9.1. **Conduct of Business.** At all times between the dates of this Agreement and the Closing, Stahlman agrees to conduct its business of providing wastewater collection and treatment services to its wastewater customers and the operation of its Wastewater Collection and Treatment System and to keep the books relating thereto in the ordinary manner and regular and customary course of business and Stahlman further agrees not to dispose of any of the assets of said Wastewater Collection and Treatment System without the prior written consent of York Water, and further agrees not to enter into any collection system extension agreements that call for Stahlman to make the extension at its cost, or changes to the system or any other material change or agreement without prior written approval of York Water, except further, as to all of the foregoing, as may be

necessary or appropriate in order to comply with applicable law. Stahlman will not terminate or fail to renew any of its insurance coverage prior to Closing. At all times between the dates of this Agreement and the Closing, Stahlman shall continue as the certified operator in responsible charge of the Wastewater Collection and Treatment System and water operations.

9.2. **Final Bill.** On the date of Closing, Stahlman will bill its customers for all wastewater furnished by it prior to the Closing and shall retain all funds received for water furnished as of that date. Closing date shall be on or about the last working day of the calendar month following a "Notice of Completion of Facilities" by York Water unless both parties agree to an alternate closing date. York Water will bill its customers within the Service Area for all wastewater collected on and after the date of Closing and shall retain all funds received for wastewater service from that date forward.

9.3. **Debt Coverage.** It is understood and agreed that Stahlman shall retain responsibility for the payment of all debts associated with the Wastewater Collection and Treatment System that were incurred by Stahlman prior to the date of Closing, including, but not limited to, short-term debt.

10. **ASSUMPTION OF LIABILITIES.** It is understood and agreed that York Water is purchasing assets and does not assume any obligations or liabilities of Stahlman except as specifically provided herein. Stahlman will indemnify and hold York Water harmless from any liability or claim arising from Stahlman's obligations or liabilities not expressly assumed by York Water.

11. **RISK OF LOSS.** Except as otherwise provided in this Agreement, Stahlman assumes all risks of destruction, loss, or damage to the Wastewater Collection and Treatment System due to fire or other casualty up to the date of Closing. In the event any of the Wastewater Collection and Treatment System shall be destroyed or damaged prior to the date of Closing, the part or parts so destroyed or damaged shall be replaced or repaired by Stahlman at its sole cost and expense, except as otherwise

provided in this Agreement, and unless York Water agrees that the purchase price provided herein may be reduced by an amount equal to the estimated cost of replacement or repair of the part or parts so destroyed or damaged; provided, however, if any such destruction or damage shall, in the opinion of York Water, be so extensive as to materially and adversely to affect the operating condition of the Water Distribution System, then, and in that event, York Water shall not be obligated to consummate the purchase and sale contemplated herein, and York Water shall not have any obligations whatever to Stahlman by reason hereof.

12. **ACCESS AND INFORMATION.** Stahlman will give to authorized representatives of York Water, upon reasonable notice, full access during normal business hours throughout the period prior to the Closing to the assets, inventory, books, contracts, extension agreements, and records of Stahlman relating to the Water Distribution System, and furnish York Water during such period with all such material and information relating thereto as York Water may reasonably request.

13. **RIGHTS OF THE PUC, DEP AND OTHER REGULATORY AGENCIES.** York Water is regulated by the PUC as well as other governmental agencies. Nothing in this Agreement is intended to supersede, expand, or limit any powers of these regulatory agencies. In all conflicts between this Agreement and another regulatory agency, the regulatory agency requirements will supersede this Agreement.

14. **CAPTIONS.** The paragraph captions contained in this Agreement shall not be construed as part of the Agreement, but are used merely for ready reference purposes.

15. **SUCCESSORS AND ASSIGNS.** This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

16. **CONSTRUCTION.** This Agreement shall be construed in accordance with the laws of the Commonwealth of Pennsylvania.

17. **NOTICES.** All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given if delivered or mailed, first class, postage prepaid, registered mail, return receipt requested:

If to Stahlman, to:

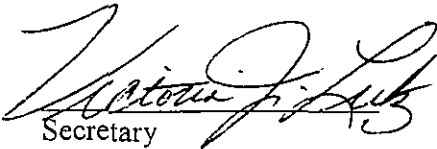
Jerry T. Stahlman, P. E.  
Stahlman Enterprises, LLC  
139 East Market Street  
York, PA 17401.

If to York Water, to:

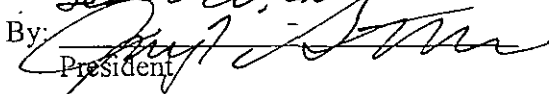
Jeffrey R. Hines  
President and CEO  
The York Water Company  
130 East Market Street  
York, PA 17401

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

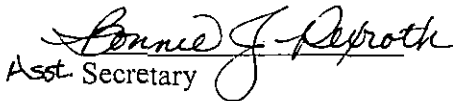
ATTEST:

  
Secretary

(SEAL)

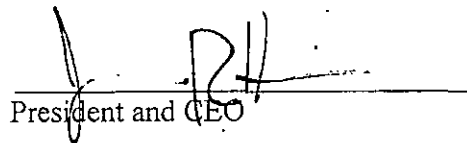
STAHLMAN ENTERPRISES, LLC  
*for Stahlman Enterprises, LLC  
and ASBONG DORRIS WATER and  
SEWER CO, LLC*  
By:   
President

ATTEST:

  
Asst. Secretary

(SEAL)

THE YORK WATER COMPANY

By:   
President and CEO

## APPENDIX A – ASSETS

- A. All wastewater mains, service lines (from wastewater main to edge of right-of-way or street), curb boxes and appurtenant fixtures and equipment in place and used in the wastewater collection and treatment system.
- B. All wastewater valves and manholes presently in place in the wastewater collection system.
- C. The existing wastewater treatment system and parcel shall be conveyed to York Water in accordance with all required permits and title to the parcel. Parcel Identification Number 26000130001A000000, located at 305 Riverview Road, East Manchester Township, York County, Pennsylvania shall be conveyed to York Water for the proper provision of wastewater service.
- D. The existing storm water parcels shall be conveyed to York Water in accordance with all required permits and title to the parcels. Parcel Identification Numbers:
  - 260001300530000000, located at 390 Abbey Drive, East Manchester Township, York County, Pennsylvania shall be conveyed to York Water.
  - 260001300540000000, located at 386 Abbey Drive, East Manchester Township, York County, Pennsylvania shall be conveyed to York Water.
  - 260001300550000000, located at Abbey Drive, East Manchester Township, York County, Pennsylvania shall be conveyed to York Water.
  - 260001300200000000, located at Riverview Road, East Manchester Township, York County, Pennsylvania shall be conveyed to York Water.
- E. The former water system tank site parcel shall be conveyed to York Water in accordance with all required permits and title to the parcel. Parcel Identification Number 260001300840000000, located at Abbey Drive, East Manchester Township, York County, Pennsylvania shall be conveyed to York Water.
- F. The former well site parcel shall be conveyed to York Water in accordance with all required permits and title to the parcel. Parcel Identification Number 260001302320000000, located between 90 and 100 Burberry Lane, East Manchester Township, York County, Pennsylvania shall be conveyed to York Water.

