

Water
SEWER SERVICE AGREEMENT BETWEEN WEST CALN TOWNSHIP,
VALLEY TOWNSHIP AND VALLEY TOWNSHIP AUTHORITY REGARDING
SERVICE TO HIGHLANDS CORPORATE CENTER

THIS AGREEMENT, made this *16* day of *NOVEMBER*, 1988, between WEST CALN TOWNSHIP, having its principal office located at P. O. Box 175, Wagontown, PA 19376, VALLEY TOWNSHIP, having its principal office located at 890 West Lincoln Highway, Coatesville, PA 19320; and VALLEY TOWNSHIP AUTHORITY, having its principal office located at 890 West Lincoln Highway, Coatesville, PA 19320, and existing under the Pennsylvania Municipalities Act of 1945, as amended and supplemented, and HIGHLANDS CORPORATE CENTER (Developer), having its principal office located at 1861 William Penn Way, Lancaster, PA 17601.

WITNESSETH:

WHEREAS, Highlands Corporate Center ("Developer") has filed, or is about to file, a plan for real estate development to be known as "Highlands Corporate Center"; and

WHEREAS, said plan contemplates a corporate real estate development which lies mostly in Valley Township and partly in West Caln Township; and

WHEREAS, West Caln Township desires to have a specific agreement for sewage treatment and water distribution, if available, for all parts of said proposed plan which will lie in West Caln Township; and

WHEREAS, Valley Township Authority is the owner of a sewer collection system in Valley Township, Chester County,

Pennsylvania and is willing to provide service to Highlands Corporate Center for service in that portion of the said development physically located in West Caln Township.

WHEREAS, if Valley Township Authority has not, within thirty (30) days prior to the first building in Highlands Corporate Center being ready for occupancy, extended water service from the Airport Road 12" water main to Highlands Corporate Center in Valley Township Water and Sewer Authority's water pit located at the intersection of Airport Road and Highlands Boulevard East in the volume then needed, then in that event Developer is free to use such water as it requires from the Airport Road 12" water main on any terms it may negotiate with the Coatesville Water Authority. Subsequent buildout will be handled in exactly the same way as herinabove provided for.

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

1. Valley Authority shall cause, or permit, the extension of its sewer service to that portion of Highlands Corporate Center lying in West Caln Township.

2. Highlands Corporate Center shall be bound by all rules, regulations and specifications of the Authority now existing, or which will be adopted, and as are changed from time to time without notice by Authority.

3. The Township of Valley, lessee of Valley Township Authority, shall establish rates for use for, and collect sewage and water charges in accordance with the established rates as applied, if applicable, from Highlands Corporate Center who agree to pay said charges. All billings will be per connection per lot per the rates schedules of Valley Township.

4. Valley Township shall assume jurisdiction over said lines and equipment by acceptance or dedication thereof when all portions of said system are in place and operating to the satisfaction of Valley Township Authority engineers and West Caln Township engineers. Said sewage shall flow through the Valley Township Authority system. All cost including any engineering fees incurred by the Township of West Caln relative to the terms of the Agreement shall be borne by Highlands Corporate Center.

The charges shall be based on the rates for similar collections in Valley Township.

5. West Caln hereby approves the assessment of that portion of the High Associates Corporate Center lying in West Caln Township benefited by the installation thereof and consents to the assessment of said properties and collection thereof by any method adopted by Valley Township Authority or Valley Township.

*for water or
sewer
installatic*

6. The plans and estimated costs for and plans of said system have heretofore been submitted to and approved by West Caln Township.

7. West Caln Township and Highlands Corporate Center hereby agree that no other sewer service provider, and water service provider, if applicable, shall serve the Highlands Corporate Center.

8. A copy of the Resolution of West Caln Township approving the ownerships of said lines by Valley Township Authority and the operation of said lines and related equipment by Valley Township is attached hereto and made part hereof.

9. This is an agreement for service by Valley Township and Valley Township Authority only for the limited connections to Highlands Corporate Center and in no way shall be construed as an attempt by either Valley Township or Valley Township Authority to extend their service areas beyond the boundaries of Valley Township or Highlands Corporate Center, or generally into West Caln Township. The large majority of the Highlands Corporate Center lies in Valley Township.

10. This Agreement shall be construed in accordance with the laws of the Commonwealth of Pennsylvania which are in effect as of the date of execution of this Agreement and shall bind the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

ATTEST:
Ray R. Dunlop

WEST CALN TOWNSHIP
BY: [Signature]

David A. Washington

VALLEY TOWNSHIP
BY: W. L. G. Falk, Jr.

David A. Washington

VALLEY TOWNSHIP AUTHORITY
BY: Paul W. King

J. Michael Kern

HIGHLANDS CORPORATE CENTER
BY: William G. High

