

TOWNSHIP OF WEST BRADFORD

RESOLUTION 91-11

RESOLUTION

WHEREAS, West Bradford Township, Chester County, Pennsylvania has, by and through its duly constituted Board of Supervisors, entered into an agreement to sell Township property designated 1535 Poorhouse Road, Downingtown, PA, 19335 to Anthony J. DiStefano and/or Donald J. DiStefano; and

WHEREAS, said DiStefanos require a mortgage in order to effect payment of the purchase price and have made application to Downingtown National Bank for a certain mortgage loan; and

WHEREAS, the premises have heretofore been used as and for Township property and at one time had stored thereon salt used on the roads by the Township, together with a certain fuel tank which has since been removed; and

WHEREAS, said Downingtown National Bank, as a condition of making the mortgage loan, requires that the Township indemnify the bank against possible future loss resulting from contaminants in or upon said real property,

NOW, THEREFORE, be it Resolved by the Township of West Bradford and it is hereby resolved by Authority of the same, in consideration of the sum of one dollar (\$1.00) received by it and other valuable considerations including the sale and effectuation of transfer of title, as follows:

1. West Bradford Township agrees and does hereby indemnify and will save harmless Downingtown National Bank, as Mortgagee of premises being purchased by Anthony J. DiStefano and/or Donald J. DiStefano, of and from any and all claims, demands, damages, causes of action, expenses or cost of clean up, loss of marketability or other matters arising out of or from pollution of the soil resulting from storage of salt or underground fuel tank or tanks previously located upon or in the property being conveyed to the DiStephanos, including costs or reasonable attorney's fees incurred by Mortgagee in connection therewith.

2. In order to effect the intention of the parties said Township does hereby agree that Downingtown National Bank shall be and become a third party beneficiary of the indemnification agreement with the Buyers of the premises.

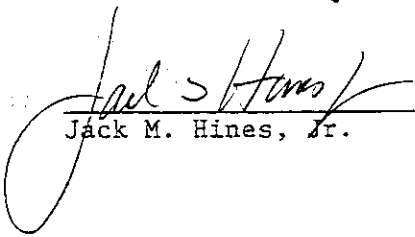
3. This indemnification shall be only attributable to claims, demands, damages, all as set forth above occurring as a result of contamination of the soil during Township tenure of ownership.

NOW THEREFORE, BE IT RESOLVED AND IT IS RESOLVED by the Board of Supervisors of West Bradford Township.


Adopted this 27th day of August, 1991.

ATTEST:

Board of Supervisors
Township of West Bradford



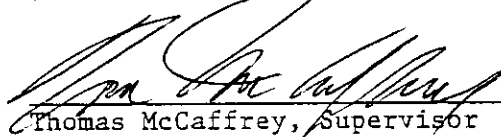
Jack M. Hines, Jr.



John Haiko, Chairman



Kenneth Klunk, Vice-Chairman



Thomas McCaffrey, Supervisor