

BOROUGH OF MILESBERG  
Centre County, Pennsylvania

---

ORDINANCE NO. 265

---

AN ORDINANCE

OF THE COUNCIL OF BOROUGH OF MILESBERG, CENTRE COUNTY, PENNSYLVANIA, GRANTING TO THE MILESBERG BOROUGH WATER AUTHORITY CERTAIN RIGHTS AND PRIVILEGES IN, ALONG, OVER AND UNDER STREETS, ROADS, LANES, COURTS, PUBLIC WAYS, PUBLIC SQUARES, ALLEYS AND OTHER PROPERTIES OF THIS BOROUGH FOR USE IN CONNECTION WITH THE WATER SYSTEM OWNED BY SAID AUTHORITY; AND PROVIDING FOR REGULATING THE MANNER IN WHICH SUCH RIGHTS AND PRIVILEGES SHALL BE EXERCISED.

---

WHEREAS, The Milesburg Borough Water Authority (the "Authority"), heretofore determined to undertake the ownership of the water works, water supply works and water distribution system, including related and necessary facilities, in and for rendering water supply and distribution service in and for the Borough of Milesburg, all of which herein is referred to as the "Existing Water System"; and

WHEREAS, The Authority has determined to undertake certain additions and improvements to the Existing Water System, including (A) the acquisition and construction of (i) a pump station and related water mains and (ii) a water storage facility, and (B) a capital contribution toward the construction of a water transmission main, and acquisition of necessary and related equipment and other associated work and related facilities (collectively, the "Improvement Project"); and

WHEREAS, The Existing Water System and the facilities contemplated by the Improvement Project, together with all appurtenant facilities and properties which the Authority has acquired or hereafter shall acquire in connection therewith, including all property, real, personal and mixed, rights, powers, licenses, easements, rights of way, privileges, franchises and any and all other property or interests in property of whatsoever nature, used or useful in connection with such facilities, and together with all additions, extensions, betterments, alterations and improvements thereto which may be made or

acquired, from time to time, by the Authority herein are referred to as the "Water System"; and

WHEREAS, This Borough, in order to facilitate ownership and operation of the Water System, desires to grant certain easements and rights of way to the Authority.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of Borough of Milesburg, Centre County, Pennsylvania, as follows:

SECTION 1. This Borough grants to the Authority, its successors and assigns, all easements, rights of way and other rights and privileges necessary and desirable in, along, over and under streets, roads, lanes, courts, cul-de-sacs, public ways, public squares, alleys and other properties of this Borough, together with free ingress, egress and regress therein and thereto, along with other persons having interests, rights or privileges therein, for use in connection with constructing, replacing, repairing, altering, maintaining and operating the Water System, as the same shall exist, from time to time.

SECTION 2. The rights and privileges granted to the Authority under Section 1 shall be exercised by the Authority under and subject to such reasonable rules, regulations and conditions as shall be adopted and specified, from time to time, by this Borough; and this Borough reserves the right to adopt and specify, from time to time, such reasonable rules, regulations and conditions in connection with exercise by the Authority of such rights and privileges.

SECTION 3. This Ordinance shall become effective as provided by law.

SECTION 4. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Borough that such remainder shall be and shall remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances inconsistent herewith expressly are repealed.

DULY ENACTED AND ORDAINED, this 20<sup>th</sup> day of September, 1998, by the Council of Borough of Milesburg, Centre County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF MILESBURG,  
Centre County, Pennsylvania

Paula J. Hall  
(Assistant) Secretary

By: Stephen L. Steiner  
(Vice) President of Council

(SEAL)

Examined and approved this 20<sup>th</sup> day of September, 1998.

Phyllis J. Jordon  
Mayor