



**TOWNSHIP OF SOUTH FAYETTE  
ALLEGHENY COUNTY, PENNSYLVANIA**

**ORDINANCE No. 5 of 2014**

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, ACCEPTING THE DEDICATION OF CERTAIN STREETS LOCATED WITHIN THE BERKSHIRES SUBDIVISION, SITUATE IN THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA

**WHEREAS**, the Township of South Fayette has heretofore accepted for recording purposes the Plan of Subdivision known as the Berkshires.

**WHEREAS**, the aforementioned Plans have been recorded in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania; and

**WHEREAS**, the Township of South Fayette had determined that, in order to protect the health, safety and welfare of its citizens, it is in the Township's best interests to accept the dedication of certain streets, located within the above referenced plan as more particularly described in Exhibit 'A' . A true and correct copy of Exhibit 'A' is attached hereto and is incorporated by reference herein; and

**WHEREAS**, the Township of South Fayette has caused a Legal Description to be prepared for the street(s) which it desires to accept as part of this Ordinance. A true and correct copy of said description is attached hereto as Exhibit 'A' is incorporated by reference herein

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SOUTH FAYETTE, AND IT IS HEREBY ORDAINED AND ENACTED, AS FOLLOWS:**

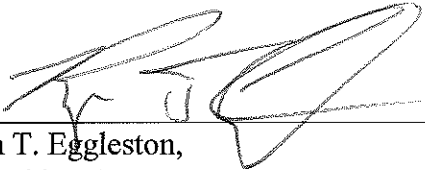
1. The Board of Commissioners of the Township of South Fayette hereby accepts the dedication of the streets listed in Exhibit 'A' of this Ordinance. These streets are more fully described in the Berkshires Subdivision and listed here:

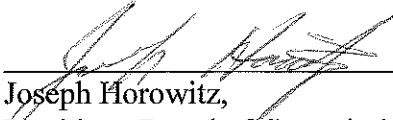
- Windsor Drive
  - Windsor Court
2. These streets are further described in the Legal Description and Plans attached hereto, marked as Exhibit 'A' are made part of this Ordinance.
  3. The completed "Application for Maintenance and Acceptance" with inspection results is attached as Exhibit 'B". This approval is subject to any outstanding issues.
  4. The proper officials of the Township of South Fayette are hereby authorized and directed to do all things necessary to effectuate the purpose of this Ordinance.
  5. The recitals set forth in the beginning of this Ordinance are incorporated by reference herein and shall be treated as if they had been restated in full in this portion of the Ordinance.
  6. All Ordinances and parts of Ordinances inconsistent with the terms of this Ordinance are hereby repealed; provided, however, that such repeals shall be only to the extent of such inconsistency, and in all other respects, this Ordinance shall be cumulative with the other Ordinances regulating and governing the subject matter covered by this Ordinance.
  7. If any section or provision or parts thereof in this Ordinance shall be adjudged invalid or unconstitutional, such validity or unconstitutionality shall not affect the validity of the Ordinance as a whole or any other section or provision or part thereof.
  8. This Ordinance shall be in full force and effect from and after its passage and publication as required.

ORDAINED AND ENACTED THIS 10th DAY OF December, 2014.

ATTEST:

TOWNSHIP OF SOUTH FAYETTE

  
\_\_\_\_\_  
Ryan T. Eggleston,  
Township Manager

  
\_\_\_\_\_  
Joseph Horowitz,  
President, Board of Commissioners

# **EXHIBIT “A”**

## **The Berkshires Subdivision**

- **Windsor Drive**
- **Windsor Court**

## **Legal Description and Plans**

C-16203-0025  
December 10, 2014

**Windsor Drive**

All that certain road right-of-way known as Windsor Drive, 50' wide, as depicted and described in The Berkshires – Phase 2 as recorded in the Allegheny County Department of Real Estate in Plan Book Volume 256, Page 72.

C-16203-0025  
December 10, 2014

**Windsor Court**

All that certain road right-of-way known as Windsor Court, 50' wide, as depicted and described in The Berkshires – Phase 2 as recorded in the Allegheny County Department of Real Estate in Plan Book Volume 256, Page 72.





**EXHIBIT “B”**

**Application for  
Maintenance and  
Acceptance**

**SOUTH FAYETTE TOWNSHIP  
APPLICATION FOR MAINTENANCE AND ACCEPTANCE**

**NOTICE TO APPLICANT:** Please complete the entire form as this document is designed to assist the Board of Commissioners in determining whether said improvements have been installed and constructed pursuant to the specifications and requirements contained in the CODE of South Fayette Township. Requirements and procedures for said acceptances are contained in Chapter 215 and subliminal Township Construction Standards. The Township will approve no street for acceptance after September 1<sup>st</sup> of the calendar year. All final inspections must be completed by this date.

**A. OWNER / APPLICANT**

Name BERKSHIRES, LLC  
Address SUITE 200  
409 BROAD ST  
City SEWICKLEY  
State PA Zip 15143  
Phone 412-741-1100  
FAX 412-741-0952

**B. REPRESENTATIVE / BUILDER**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_  
FAX \_\_\_\_\_

**C. PROJECT INFORMATION**

Subdivision Name / Description:  
BERKSHIRES  
Location: WINSOR DR, WINDSOR CT.

**D. PERFORMANCE BOND INFORMATION**

Dollar amount of Performance Bond Requested to be returned: \_\_\_\_\_

**E. MAINTENANCE BOND INFORMATION**

Actual Costs of Improvements: \$45,580.00  
(Applicant must provide a cost summary of said improvements.)  
Maintenance Bond Amount: \$45,580 x 15% = \$6,837  
(Maintenance Bond shall be fifteen percent (15%) of actual cost of said improvements including all storm sewer facilities.)  
(Period of maintenance of said improvements is 18 months from date of acceptance.)

**F. PROJECT AS-BUILT INFORMATION**

Prior to final acceptance the Applicant must submit plans containing as-built locations of all improvements including, but not limited to, the following:

- Roads with corresponding edge of pavement,
- Roadway profiles with vertical geometry,
- Rights-of-way and recorded easements,
- Legal description of the roadway to be accepted,
- Permanent Monument locations,
- Storm sewers, roof drains, catch basins, manholes including top and invert elevations
- Public Utilities,
- Light Poles,
- Guide rails, and
- All other appurtenances within the public rights-of-way.

The Applicant must supply the Township with a minimum of four (4) copies of the as-built plans showing the said improvements. The Applicant shall shade or color that portion of said roadway in yellow and storm sewers in green on each of the four (4) copies and shall clearly designate the number of linear feet of roadway and storm sewer to be accepted by the Township.

**G. MUNICIPAL ROAD DATA PROCESSING REPORT INFORMATION**

Provide the following information for the roadways to be accepted by the Township.

<u>Road Name</u>	<u>Begin STA.</u>	<u>End STA.</u>	<u>Total Length</u>
WINDSOR DR.	0+00	80+11.4	
WINDSOR CT.	63+00	67+31	

**H. CERTIFICATION**

Signature *Richard [unclear]*

Title *Member*

Representing *Berkshire LLC*

Date *8/15/13*

*The Township shall complete the following information.*

**I. FINAL INSPECTION**

Date of Final Inspection *Sept. 12, 2013*

Notes or Deficiencies

<i>No deficiencies</i>
<i>Nov. 24, 2014 inspection: Entire area of streets needs cracks sealed. The southern cul-de-sac has more severe cracking and will need reinspected in the Spring of 2015. Additional repair of paving may be required.</i>

Final Inspection and Remediation of noted deficiencies shall be complete by September 1 of the calendar year.

Inspection Completed By *Mike Benton*

**J. RECOMMENDATION OF ACCEPTANCE**

The above information has been reviewed along with the submitted as-built information. Performance and Maintenance Bonds have been received for said improvements. Acceptance of said improvements is hereby recommended.

Director of Engineering *M. Benton*

Date *11/24/14*