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SOUTH MIDDLETON TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA

O R D I N A N C E 3-31-69

AN ORDINANCE SIGNIFYING THE DESIRE AND INTENTION OF THE MUNICIPAL AUTHORITIES OF THE TOWNSHIP OF SOUTH MIDDLETON, CUMBERLAND COUNTY, PENNSYLVANIA, TO ORGANIZE AN AUTHORITY UNDER THE ACT OF MAY 2, 1945, PL 382, KNOWN AS THE "MUNICIPALITY AUTHORITIES ACT OF 1945", ITS AMENDMENTS AND SUPPLEMENTS, FOR THE PURPOSES OF EXERCISING ANY AND ALL POWERS CONFERRED BY SAID ACT; SETTING FORTH IN FULL, THE PROPOSED ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY; AUTHORIZING THE EXECUTION OF ARTICLES OF INCORPORATION AND THE DOING OF ALL MATTERS NECESSARY FOR THE CREATION OF SAID AUTHORITY; AND REPEALING ALL INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES.

BE IT ENACTED by the Board of Supervisors of South Middleton Township, Cumberland County, Pennsylvania, and it is hereby resolved by the authority of the same, as follows:

SECTION 1. The Board of Township Supervisors of the Township of South Middleton, Cumberland County, Pennsylvania, hereby signifies its intention and desire to organize an Authority under the Pennsylvania Municipality Authorities Act of 1945, approved May 2, 1945, PL 382, as amended and supplemented (the "Act"), for the purposes of exercising any and all powers conferred by said Act.

SECTION 2. The Chairman of the Board of Township Supervisors and the Secretary-Treasurer of the Township hereby are authorized and directed to execute, in behalf of this Township, Articles of Incorporation for said Authority, in substantially the following form:

ARTICLES OF INCORPORATION

TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:

adopted by the municipal authorities of the Township of South Middleton, Cumberland County, Pennsylvania, expressing the intention and desire of such municipal authorities to organize an Authority under the Act, the said municipality hereby does certify:

1. The name of the Authority is "SOUTH MIDDLETON TOWNSHIP MUNICIPAL AUTHORITY."
2. Said Authority is formed under the Act.
3. No other Authority has been organized under the Act or under the Pennsylvania Act of June 28, 1935, PL 463, as amended, and is in existence in or for the incorporating municipality.
4. The name of the incorporating municipality is:
 Township of South Middleton, Cumberland County, Pennsylvania
5. The names and addresses of the municipal authorities of said incorporating municipality are:

| <u>Office</u> | <u>Name</u> | <u>Address</u> |
|---|---------------------------|--|
| Township Supervisor and Chairman of the Board of Township Supervisors | Gerald R. Clepper | 213 Front Street Boiling Springs, Pennsylvania |
| Township Supervisor | John C. Lilley | 29 Walnut Street Boiling Springs, Pennsylvania |
| Township Supervisor | Hewitt ^{E.} Line | R. D. #6, Carlisle, Pennsylvania |

6. The names and addresses and terms of office of the first members of the Board of said Authority, each of whom is a resident and citizen of said incorporating municipality, are as follows:

| Name | Address | Term of Office (Number of years from Apr. 1 1960) |
|------|---------|---|
| | | |

| | | |
|------------------|---|---------|
| Donald W. DeWalt | 201 4th Street Boiling Springs, Pa. | 3 years |
| John H. Paden | 103 Walnut Street Boiling Springs, Pa. | 2 years |
| W. Mark Roth | R. D. #1, Boiling Springs, Penna. | 1 year |

IN WITNESS WHEREOF, the Township of South Middleton, Cumberland County, Pennsylvania, has caused these Articles of Incorporation to be executed by the Chairman of the Board of Township Supervisors, attested by its Secretary-Treasurer and the official seal of the Township to be affixed, this 14th day of March, 1969.

TOWNSHIP OF SOUTH MIDDLETON, CUMBERLAND COUNTY, PENNSYLVANIA

By: Gerald R. Clepper
Gerald R. Clepper, Chairman

ATTEST:

Earl L. Brenneman
Earl L. Brenneman, Secretary-Treasurer.

SECTION 3. The chairman of the Board of Township Supervisors and Secretary-Treasurer of the Township further are directed: (1) to cause a notice of the substance of this Ordinance, including the substance of the above Articles of Incorporation, and of the proposed filing of said Articles of Incorporation, to be published as required by the Act; (2) to cause said Articles of Incorporation, together with necessary proofs of publication, to be filed with the Secretary of the Commonwealth of Pennsylvania; and (3) to do all

SECTION 4. The following named persons are appointed as the first members of the Board of the Authority, for the following terms of office:

| <u>Name</u> | <u>Address</u> | <u>Term of Office (Number of years from April 1, 1969)</u> |
|------------------|---|--|
| Roy J. Knott | 33 Walnut Street Boiling Springs, Pa. | 5 years |
| Ray L. Wolfe | R. D. #6, Carlisle, Pa. | 4 years |
| Donald W. DeWalt | 201 4th Street Boiling Springs, Pa. | 3 years |
| John H. Paden | 103 Walnut Street Boiling Springs, Pa. | 2 years |
| W. Mark Roth | R. D. #1, Boiling Springs, Penna. | 1 year |

SECTION 5. The adoption of this Ordinance is deemed necessary for the benefit and preservation of the public health, peace, comfort and general welfare of, and will increase the prosperity of, the people of the Township of South Middleton, Cumberland County, Pennsylvania.

SECTION 6. All Ordinances or parts of Ordinances, insofar as they are inconsistent herewith, hereby are expressly repealed.

DULY ADOPTED BY THE BOARD OF TOWNSHIP SUPERVISORS OF SOUTH MIDDLETON TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, THIS 14th day of March, 1969.

ATTEST:

Earl L. Brenneman
Earl L. Brenneman,
Secretary-Treasurer

Gerald R. Clepper
Gerald R. Clepper, Chairman

John C. Lilley
John C. Lilley, Supervisor

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ARTICLES OF INCORPORATION

TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:

In compliance with requirements of the Pennsylvania Act of May 2, 1945, PL 382, known as the "Municipality Authorities Act of 1945", as amended and supplemented (the "Act"), and pursuant to an Ordinance adopted by the municipal authorities of the Township of South Middleton, Cumberland County, Pennsylvania, expressing the intention and desire of such municipal authorities to organize an Authority under the Act, the said municipality hereby does certify:

1. The name of the Authority is "SOUTH MIDDLETON TOWNSHIP MUNICIPAL AUTHORITY."
2. Said Authority is formed under the Act.
3. No other Authority has been organized under the Act or under the Pennsylvania Act of June 28, 1935, PL 463, as amended, and is in existence in or for the incorporating municipality.
4. The name of the incorporating municipality is:
Township of South Middleton, Cumberland County, Pennsylvania
5. The names and addresses of the municipal authorities of said incorporating municipality are:

| <u>Office</u> | <u>Name</u> | <u>Address</u> |
|---|-------------------|--|
| Township Supervisor and Chairman of the Board of Township Supervisors | Gerald R. Clepper | 213 Front Street Boiling Springs, Pennsylvania |

6. The names and addresses and terms of office of the first members of the Board of said Authority, each of whom is a resident and citizen of ~~and~~ incorporating municipality, are as follows:

| <u>Name</u> | <u>Address</u> | <u>Term of Office (Number of years) from Apr. 1, 1969</u> |
|------------------|---|---|
| Roy J. Knott | 33 Walnut Street Boiling Springs, Pa. | 5 years |
| Ray L. Wolfe | R. D. #6, Carlisle, Pa. | 4 years |
| Donald W. DeWalt | 201 4th Street Boiling Springs, Pa. | 3 years |
| John H. Paden | 103 Walnut Street Boiling Springs, Pa. | 2 years |
| W. Mark Roth | R. D. #1, Boiling Springs, Pa. | 1 year |

IN WITNESS WHEREOF, the Township of South Middleton, Cumberland County, Pennsylvania, has caused these Articles of Incorporation to be executed by the Chairman of the Board of Township Supervisors, attested by its Secretary-Treasurer and the official seal of the Township to be affixed, this 14th day of March, 1969.

TOWNSHIP OF SOUTH MIDDLETON, CUMBERLAND COUNTY, PENNSYLVANIA

By: Gerald R. Clepper
Gerald R. Clepper, Chairman

ATTEST:

Earl L. Brenneman
Earl L. Brenneman, Secretary-Treasurer

CERTIFICATE

I, EARL L. BRENNEMAN, Secretary-Treasurer of the Township of South Middleton, Cumberland County, Pennsylvania (the "Township"), certify that the foregoing is a true and correct copy of an Ordinance of the Board of Township Supervisors (the "Board"), which Ordinance was duly adopted at a meeting of said Board duly convened according to law and held on the 14th day of March, 1969, at the Supervisors' Office, Second High Street, Boiling Springs, South Middleton Township, Pennsylvania; that said Ordinance received the affirmative vote of all members of said Board; that said Ordinance has been duly recorded in the minutes of said Board; and that said Ordinance is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

IN WITNESS WHEREOF, I hereunto affix my hand and the official seal of the Township, this 1st day of April, 1969.

Earl L. Brenneman
Earl L. Brenneman, Secretary-Treasurer

NOTICE IS HEREBY GIVEN that the Board of Supervisors of South Middleton Township, Cumberland County, Pennsylvania, has duly enacted an Ordinance signifying the intention and desire of said Board to organize an Authority under the provisions of the Municipality Authorities Act of 1945, the Act of May 2, 1945, PL 382, as amended and supplemented, and that Articles of Incorporation will be filed with the Secretary of the Commonwealth of Pennsylvania on April 3, 1969. Said Ordinance sets forth the proposed Articles of Incorporation, which, in substance, specify that the name of the Authority shall be "SOUTH MIDDLETON TOWNSHIP MUNICIPAL AUTHORITY", state that the Authority is formed under the provisions of the aforesaid Municipality Authorities Act of 1945; set forth the name of the incorporating municipality; and set forth the names and addresses of its municipal authorities and the names, addresses, and terms of office of the first members of the Board of said Authority. Said Ordinance further specifies that the Authority is formed for the purpose of exercising any and all powers conferred by said Municipality Authorities Act of 1945. Said Ordinance also appoints the first members of the Board of the Authority and sets forth their names, addresses and terms of office as follows:

| <u>Name</u> | <u>Address</u> | <u>Term of Office (Number of years from April 1, 1969)</u> |
|------------------|---|--|
| Roy J. Knott | 33 Walnut Street Boiling Springs, Pa. | 5 years |
| Ray L. Wolfe | R. D. #6, Carlisle, Pa. | 4 years |
| Donald W. DeWalt | 201 4th Street Boiling Springs, Pa. | 3 years |
| John H. Paden | 103 Walnut Street Boiling Springs, Pa. | 2 years |
| W. Mark Roth | R. D. #1, Boiling Springs, Penna. | 1 year |

The foregoing Notice is authorized by the Ordinance enacted by the above mentioned Board of Supervisors.

Earl L. Brenneman
 EARL L. BRENNEMAN, Secretary-Treasurer
 Box 68, R. D. 1, Boiling Springs, Penna.

GEORGE B. STUART, Solicitor
 3 South Hanover Street
 Carlisle, Pennsylvania