

RESOLUTION NO. 24 - 08

**A RESOLUTION OF THE TOWNSHIP OF LOWER MAKEFIELD
AUTHORIZING THE APPROVAL OF AN EASEMENT TERMINATION AND
RELEASE AGREEMENT AS RELATED TO THE FORMER BRIGHT FARMS
PREVIOUSLY GRANTED TO THE TOWNSHIP BY THE ADJACENT
PROPERTY OWNER KNOWN AS THE MRG PARCEL**

WHEREAS the Township of Lower Makefield was previously granted an access and utility easement over and through property owned by MRG Stony Hill, LP (known as the MRG parcel), identified as TMP# 20-016-036-001;and

WHEREAS, the access and utility easement was necessary for the operation of Bright Farms formerly located on property owned by the Township, identified as TMP#02-016-049; and

WHEREAS the Bright Farms vacated operations and use of the Township property and the Township no longer requires the access and utility easement previously granted across and through the MRG parcel; and

WHEREAS owner of the MRG parcel has executed and delivered an Easement Termination and Release Agreement to be duly recorded to official remove the recording and grant of the prior access and utility easement to the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township of Lower Makefield, Bucks County, in accordance with the powers granted unto to it and in accordance with the Second Class Township Code, hereby authorizes the Easement Termination and Release Agreement, as attached hereto as Exhibit "A" and as delivered by the owner of the MRG parcel to officially terminate the previously granted and recorded access and utility easement to the Township; and

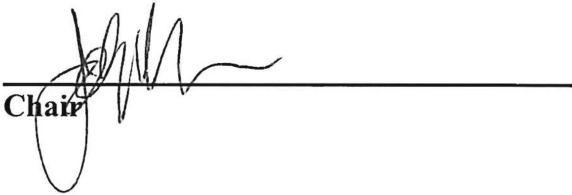
FURTHER RESOLVED, that the Township Manager and all other proper officers of the Township are authorized and directed to take all steps necessary to carry out the purposes of this Resolution.

ADOPTED at a regular meeting of the Board of Supervisors of the Township of Lower Makefield this 6th day of March, 2024.

**BOARD OF SUPERVISORS OF
LOWER MAKEFIELD TOWNSHIP**



Township Manager



Chair

EXHIBIT “A”

Prepared by: Robert Lakind, Esquire
Return to: Robert Lakind, Esquire
Fields Howell, LLP
301 S. State Street, Suite N200,
Newtown, PA 18940

Tax Parcel # 20-16-36-1
Lower Makefield Township

No property transfer

EASEMENT TERMINATION AND RELEASE AGREEMENT

THIS EASEMENT TERMINATION AND RELEASE AGREEMENT (this "Easement Termination and Release Agreement") is made as of the ___ day of _____ 2023, by and between Lower Makefield Township (hereinafter "LMT"), a Township of the Second Class, with its principal place of business being located at 1100 Edgewood Road, Yardley, Pennsylvania, 19067, and MRG Stony Hill, LP (hereinafter "MRG"), a Pennsylvania limited partnership, with an address of 25 South Main Street, #51, Yardley, PA 19067.

WHEREAS, LMT is the owner of certain real property more particularly described in Exhibit "A" attached hereto and also known as Tax Parcel No. 20-16-49. (the "LMT Parcel");

WHEREAS, MRG is the owner of certain real property more particularly described in Exhibit "B" attached hereto and also known as Tax Parcel No. 20-16-36-1 (the "MRG Parcel");

WHEREAS, on July 18, 2012 MRG and LMT entered into an Access and Utility Easement Agreement (the "Access and Utility Easement Agreement") which granted to LMT a 35 foot wide access and utility easement on the MRG Parcel, as more fully described in Exhibit "C" attached hereto (said 35 foot wide access and utility easement being hereinafter referred to as the "Greenhouse Easement");

WHEREAS, the Access and Utility Easement Agreement was recorded on July 20, 2012 in the Bucks County Recorder's Office as Instrument # 2012059369;

WHEREAS, the parties hereto do acknowledge there is no longer any need for the Greenhouse Easement, and therefore the parties have agreed to extinguish and terminate the easement in its entirety.

NOW, THEREFORE, in consideration of the sum of ONE DOLLARS (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, and intending to be legally bound, LMT and MRG hereby agrees as follows:

1. The above recitals are hereby incorporated into this Easement Termination and Release Agreement.

ACKNOWLEDGMENT

STATE OF FLORIDA :

COUNTY OF SUMPTER : SS.:

ON THIS, the 8 day of December, 2023, before me, a Notary Public, the undersigned officer, personally appeared Ronald Rusk, who acknowledged himself to be the authorized member of MRG Stony Hill GP, LLC, the sole general partner of MRG STONY HILL, LP, a Pennsylvania limited partnership and that he, as such authorized member, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the sole general partner by himself as authorized member.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

(SEAL)



JOAN RYAN

A handwritten signature in black ink, appearing to read 'Joan Ryan'.

~~XXXXXXXXXX~~

(Notary Public)

2. LMT confirms that (i) the Greenhouse Easement is extinguished, (ii) the Access and Utility Easement Agreement is terminated, and (iii) the property described in Exhibit C is hereby released to MRG free and clear of any rights or obligations created under the Access and Utility Easement Agreement, or any other rights, entitlement or other interests of LMT.

3. Upon execution of this Easement Termination and Release Agreement, LMT and MRG further confirm that they are each relieved of any obligations they may have had, presently have or may have in the future under the Access and Utility Easement Agreement, which shall be extinguished of record.

4. This Easement Termination and Release Agreement inures to and binds the parties hereto and their respective successor and assigns.


5. This Easement Termination and Release Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which shall constitute one and the same Easement Termination and Release Agreement.

6. This Easement Termination and Release Agreement shall be duly recorded of record in the Office of the Bucks County Recorder of Deeds by MRG at its sole cost and expense.

IN WITNESS WHEREOF, this Easement Termination and Release Agreement has been executed as of the day and year first aforesaid.

**MRG STONY HILL, LP, by its sole general partner
MRG STONY HILL GP, L.L.C.**

By:



Ronald Rusk, Member

LOWER MAKEFIELD TOWNSHIP

By: _____

ATTEST:
