

**LOWER ALLEN TOWNSHIP REVIEW & PROCESSING ESCROW AGREEMENT  
FOR SUBDIVISION, LAND DEVELOPMENT AND PRD PLANS**

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between **LOWER ALLEN TOWNSHIP**, a Pennsylvania municipality having its principal office at 1993 Hummel Avenue, Camp Hill, Pennsylvania (“Township”), AND

\_\_\_\_\_  
(Name of Applicant)

\_\_\_\_\_  
(Address of Applicant)

(“Applicant”).  
Pertaining to a Subdivision, Land Development or PRD Plan identified as

\_\_\_\_\_ SD/LD # \_\_\_\_\_  
(Title of Plan and Application Docket Number)

**WITNESSTH:**

WHEREAS, Applicant has submitted a Plan for review and approval by the Township in accordance with the Subdivision, Land Development and Zoning Ordinances of Lower Allen Township, contained in Part Eleven of Codified Ordinances of Lower Allen Township, 1997 as amended (“Ordinances”); and

WHEREAS, Section 1169.02 of the Ordinances authorizes the establishment of fees and charges relating to filing and review of Subdivision/Land Development Plats; and

WHEREAS, Section 1169.03 of the Ordinances authorizes the establishment reasonable and necessary of the fees and charges related to review of Subdivision/Land Development Plats by the Township’s professional consultants or Township Engineer; and

WHEREAS, Section 1141.11(j)(2) of the Ordinances authorizes the establishment of fees and charges related to the review and processing of applications for Planned Residential Developments; and

WHEREAS, the Township has, by Resolution No. 2000-R-36 adopted a fee schedule as prescribed by Section 1141.11, 1169.02 and 1169.03 of the Ordinances; and

WHEREAS, the Applicant acknowledges receipt of said Ordinances and fee schedule.

NOW, THEREFORE, in consideration of payments and agreements hereinafter made, the parties hereto intending to be legally bound hereby, it is mutually agreed as follows:

1. On or prior to the date of this Agreement, Applicant has deposited with Township, the receipt whereof is hereby acknowledged, sum \_\_\_\_\_ dollars, which shall be held by the Township, without interest, for application by the Township to or towards the following costs chargeable against it in the performance of this agreement:
  - a. Cost of any required public hearings
  - b. Cost of filing, processing and reviewing Plan by Township Planning Staff Zoning Officer
  - c. Cost of reviewing Plans by Township Engineer or other professional consultant
  - d. Cost of engineering services, including inspections, reports, and security estimate reviews, release of security or other activities related to municipal acceptance of public improvements
  - e. Cost of recording fee
2. In the event that the Applicant elects to provide separate payment for engineering services related to the cost of meetings, inspections and other verification, regarding installation of required improvements, in accordance with Section 1169.03(d) of the Ordinances, Applicant agrees to deposit the additional sum of \_\_\_\_\_ dollars in or before the date on which the Final Plan is to be considered by the Board of Commissioners.
3. Any other review or permit fees associated with processing of this Plan (i.e. PennDOT Highway Occupancy Permit, DER Stream Encroachment Permits, DER Planning Module for Land Development, Cumberland County Planning Commission SD/LD Plan review, Cumberland County Conservation District E&S control plan review) are not included within the scope of this Agreement, and remain direct responsibility of Applicant.
4. Disputes regarding reasonable and necessary fees charged by the Township Engineer shall be resolved in the manner prescribed by Sections 1169.03(a), and 1173.06(d) of the Ordinances.
5. If the aforesaid deposits are insufficient to cover the charges of the Engineer or other consultant to the Township for the foresaid service rendered or any other engineering or consulting services rendered relating to the Plan, Township shall bill Applicant for such deficiency. Applicant shall pay Township the amount of such bill. If the foresaid deposits exceed said charges of the Engineer or consultant to the Township, the balance remaining shall be refunded to the Applicant without interest after final release by the Board of Commissioners of any security posted with respect to maintenance or repair of the improvements required by Article 1181.

6. Failure of the Applicant to make any required deposit or to pay bill submitted under within the time specified in this Section 1169.03 shall be a reason for disapproval of the Plan or renovation of any building or zoning permit issued to Applicant or Applicant's heirs, successors, or assigns, except in the event of a dispute with the respect thereto as set forth in Section 1169.03(a) or 1173.06(d).
7. This agreement shall be binding upon and endure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns, as the case may be. All assignments are subject to prior written approval of the Township.

IN WITNESS WHEREOF, the parties hereto caused this Agreement to be duly executed as of the day and year above written.

ATTEST  
(Corporate Seal)

LOWER ALLEN TOWNSHIP

\_\_\_\_\_  
Secretary

By \_\_\_\_\_  
(Vice) President

ATTEST:

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Name of Corporation-Developer

\_\_\_\_\_  
(Vice) President

(AFFIX CORPORATE SEAL)

WITNESS:

\_\_\_\_\_

\_\_\_\_\_  
Signature of Individual-Developer  
Trading and Doing Business as:

\_\_\_\_\_

WITNESS:

\_\_\_\_\_  
Partnership-Developer

\_\_\_\_\_

By \_\_\_\_\_ (SEAL)  
Partner

\_\_\_\_\_

By \_\_\_\_\_ (SEAL)

\_\_\_\_\_

NOTE: These are minimum fees derived from average costs associated with each general plan type. Projects that are larger or more complex than average, as well as those involving a significant amount of public improvement construction will usually require payment of supplemental fees authorized by the Subdivision and Land Development Ordinance. This Ordinance also contains procedures to resolve disputes regarding cost estimates and other engineering matters.

The Engineer's Service Fee reimburses Township expenditures for review of estimates for required public improvements, inspections of improvement construction, and work associated with the reduction of financial security and acceptance of improvements. The Applicant may defer payment of this fee until plan is ready to place on an agenda for Board approval. All other fees must be submitted with an escrow agreement at the time of plan submission.