

**WEST VICENT TOWNSHIP**

**RESOLUTION NO. 25-2016**

A RESOLUTION of the BOARD OF SUPERVISORS OF WEST VINCENT TOWNSHIP (“Board”), Chester County, Pennsylvania, adopted this 5 day of December 2016.

WHEREAS, Hankin is the legal owner of a certain 22.6 acre parcel of land commonly referred to as the “Weatherstone Commercial Area”, which is more fully described as Chester County UPI No. 25-7-318 (“Property”);

WHEREAS, Hankin’s affiliate, 1100 Pottstown Pike, LP, acquired in 2016 an approximately 1.80 acre parcel of land that is adjacent to the Weatherstone Commercial Area, and is more fully identified as Chester County UPI No. 25-6-61 (“Adjacent Land”).

WHEREAS, Hankin’s predecessor in title to the Property, West Vincent Associates, Ltd., and the Board entered into a certain Settlement Agreement, dated December 17, 2007, which settled several outstanding disputes between parties, and established the scope and type of development that would be permitted on various Hankin-owned parcels, including the Property;

WHEREAS, Hankin was permitted under the Settlement Agreement to develop the Property in accordance with the plan entitled, “Amended Land Development Plans for Weatherstone Commercial – Final Commercial Area”, prepared by Edward B. Walsh & Associates, Inc., dated June 22, 2007, revised October 30, 2007, Sheets 1 through 17 (“Weatherstone Commercial Area Plan”).

WHEREAS, Paragraph 68 of the Settlement Agreement allows Hankin to make modifications to the Weatherstone Commercial Area Plan for engineering, environmental design and design modifications (“Modification”); and

WHEREAS, Hankin seeks a Modification of the Weatherstone Commercial Area Plan to allow for certain design modifications; and for the development of the Adjacent Land to be governed by the Settlement Agreement.

NOW THEREFORE, BE IT RESOLVED:

The Board supports the requested Modification as it pertains to the following aspects of the Weatherstone Commercial Area Plan:

1. A reduction in the amount of allowable retail/office use space from 240,000 gross square feet to 120,000 gross square feet.
2. An increase in the number of residential apartments permitted under of the Settlement Agreement from 100 to 230 apartment units; and
3. “Stand-alone” apartment units that are not above retail/office buildings.

The Board also may consider amending the Settlement Agreement prior to final land development approval to include the Adjacent Land in the Weatherstone Commercial Area, and permit its development under the terms and conditions of the Settlement Agreement, as if the Adjacent Land had been subject to the Settlement Agreement from the date of its execution, except with respect to any digital signage, which shall not be permitted under the Modification.

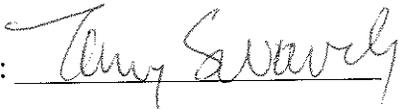
The Board’s support of the aspects of the Modification discussed in this Resolution, does not constitute preliminary or final land development approval of the modified Weatherstone Commercial Area Plan, which can be accomplished only after review by the Township and its

consultants, including the Township Engineer, prior to recording, in accordance with Paragraph 68 of the Settlement Agreement.

**Approved this 5<sup>th</sup> day of December 2016.**

WITNESS

WEST VINCENT TOWNSHIP

By: 

By: 