

**RESOLUTION 2011-6**

**A RESOLUTION AUTHORIZING PERKIOMEN TOWNSHIP  
TO ENTER INTO A ROAD MAINTENANCE AGREEMENT  
WITH THE FOX HEATH HOMEOWNERS ASSOCIATION**

WHEREAS, Fox Heath is a 418-unit subdivision approved by Perkiomen Township in 1992, with two public roads and 17 private roads.

WHEREAS, Fox Heath Boulevard and Exmore Drive are public roads, having been dedicated to the Township. The remaining 17 roads, totaling 3.1 miles in length, are privately owned and maintained by the Fox Heath Homeowners Association.

WHEREAS, Fox Heath is the only subdivision in Perkiomen Township with a Homeowners Association that is responsible for the maintenance of its own roads.

WHEREAS, the property owners and taxpayers in the Fox Heath subdivision do not receive the same municipal benefits as do the property owners and taxpayers in the other approved subdivisions within Perkiomen Township.

WHEREAS, the private roads in the Fox Heath subdivision cannot be made public by dedicating them to the Township since the width of each of the roads (including the right-of-way) is only 26 feet, and the Second Class Township Code requires all Township roads to be a minimum of 33 feet wide.

WHEREAS, the Township desires to provide the same level of municipal services to the property owners and taxpayers in the Fox Heath subdivision as it does to the property owners and taxpayers in the other approved subdivisions within Perkiomen Township. Accordingly, the Township is willing to assume responsibility for maintaining the private roads in the Fox Heath subdivision, subject to the terms and conditions more fully set forth in a certain Road Maintenance Agreement referred to below.

WHEREAS, Section 1506 of the Second Class Township Code permits the Township to take any action it deems necessary for the proper management, care, and control of the Township and its finances, the maintenance of good government, and the health and welfare of the Township and its citizens.

WHEREAS, Section 2301 of the Second Class Township Code authorizes the Township to repair and maintain roads for the ease and safety of the traveling public.

WHEREAS, the Township enjoys an easement for the ingress and egress in, upon, over, across, and through the subject private roads by virtue of Paragraph 2.05(C) of the Declarations of Covenants and Restrictions of Fox Heath.

