

ROBESON TOWNSHIP LAND PROTECTION EASEMENT PROGRAM

Authorization of the Robeson Township Land Protection Easement Program was approved by Resolution _____ of the Robeson Township Board of Supervisors on January 20, 2015 and by Resolution _____ of the Berks County Board of Commissioners on _____, 2015.

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ROBESON TOWNSHIP LAND PROTECTION EASEMENT PROGRAM

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ROBESON TOWNSHIP LAND PROTECTION EASEMENT PROGRAM

SECTION I: Statement of Purpose

It is the purpose of the Robeson Township Land Protection Easement Program to protect natural resource lands and farmland that might not otherwise meet the Berks County Agricultural Land Preservation Board's criteria by acquiring easements that limit the development or improvement of the lands for any purpose other than acceptable uses in natural resource areas or agricultural production. Further, it is the purpose of the Robeson Township Land Protection Easement Program to:

1. Encourage Robeson Township landowners to make a long-term commitment to protect natural resources by offering them financial incentives;
2. Provide compensation to landowners in exchange for their relinquishment of the right to develop private property;
3. Maximize easement purchase funds and protect the investment of taxpayers;
4. Purchase conservation easements to be held in perpetuity;
5. Protect headwater areas of first order streams, riparian buffers, flood plains, wetlands, seasonal pools, and ground water recharge areas;
6. Maintain biological diversity by protecting unique plant communities and important wildlife habitats (such as large contiguous forest tracts);
7. Establish greenway linkages by protecting stream corridors, ridge tops; wildlife travel corridors, and potential hiking trail routes;
8. Preserve locally important agricultural lands and open space;
9. Preserve cultural heritage including, but not limited to, historic sites, buildings and structures;
10. Enhance the quality of life in Robeson Township for every resident and for future generations.

ROBESON TOWNSHIP LAND PROTECTION EASEMENT PROGRAM

SECTION II: Definitions

Unless otherwise and expressly stated the following definitions apply to words, terms and phrases used in these guidelines.

Agricultural land: Any land used for the growing of crops, plants, trees and shrubbery, the production of livestock and livestock products, for grazing or pasture, for the harvesting or sales of products from such activities, but not for the manufacturing or processing of harvested or raised products, unless however, more than fifty-percent (50%) of such harvested or raised products are produced on the subject land, as described in the natural resource conservation easement.

Board of Supervisors: The Robeson Township Board of Supervisors

County: The County of Berks.

County Board: The Berks County Agricultural Land Preservation Board.

Council: Robeson Township Environmental Advisory Council serving as The Robeson Township Land Protection Council, as established by the Robeson Township Supervisors, per resolution # 2014-21, dated October 21, 2014.

Eased land: Land protected through the purchase of a conservation easement.

Historic resource: Any pre-1900 buildings or other pre-1900 historic structures (such as, but not limited to, houses, farm buildings, stone walls, mill sites, etc).

Intermittent stream: A stream that has flowing water at least six months of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water.

Joint application: An application made by two or more landowners, submitting two or more parcels or tracts, for acceptance into the Robeson Township Land Protection Easement Program.

Land development: a) The improvement of one lot or two or more contiguous lots, tract or parcels of land for any purpose involving a group of two or more residential buildings, whether proposed initially or cumulatively; or b) A subdivision of land.

Landowner: An owner (owners) of a fee simple interest in a tract of land.

Lot: An area of land resulting from subdivision.

Natural resource land: Any land used for the purpose of maintaining open space including, but not limited to lakes, ponds, rivers, streams, springs, reservoirs, swamps and other similar wetland areas; naturally grown woodland or field areas not grown for harvesting timber or other products; parks, recreational areas, nature trails, hunting preserves, and agricultural uses (excluding amusement parks, horse racing parks, motor sports parks, campgrounds, quarries or other similar uses),.

Parcel: Land defined by a single tax parcel number.

Perennial stream: A stream that has flowing water year-round during a normal meteorological year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow.

Program: The Robeson Township Land Protection Easement Program, as approved by the Robeson Township Board of Supervisors by Resolution 15-06 on January 20, 2015 and authorized by the Berks County Commissioners by Resolution _____ on _____.

Remaining lot: The area of the original tract or parcel remaining after subdivision, and maintaining the original tax parcel number.

Riparian buffer: A vegetated area next to streams which separates the open water from developed areas. Mowed lawns are not considered riparian buffers because they provide little or no aquatic habitat functions or values.

Seasonal Pool: Seasonal pools are habitats that support the spring growth of certain specific species. Seasonal pools are small, shallow wetlands that do not have a permanent inlet or outlet of water flow. They fill with fall rains or the melting snow and early rains of spring. Many seasonal pools are covered with ice in the winter. Some relatively deep pools may remain flooded for a few years but become completely dry in seasons with very low rainfall, while shallower pools experience a drying phase each year. This drying phase prevents animals such as fish from living in these habitats. Seasonal pools are sometimes referred to as “vernal” or “spring” pools.

Soil capability classes I-III: Soils in these classes are level to moderately sloping and are often well drained and suitable for on-lot septic systems. They are to be considered Prime Agricultural Soils.

Township: Robeson Township, Berks County, Pennsylvania.

Tract: One or several contiguous parcels under single ownership which may consist of multiple tax parcel identification numbers and/or deeds.

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SECTION III: Minimum Criteria for Applications

Applications on land to be considered for an easement purchase must meet the following minimum requirements:

1. The land must either be located in Robeson Township or local or property taxes for the land must be payable to Robeson Township;
2. All lands to be considered for easement purchase must be partially located within a district or overlay, as shown on the official Robeson Township Zoning Map, designed to preserve and/or conserve agricultural, environmental, cultural, and natural resources;
3. The land must have a score of at least 80 points using the Robeson Township Land Protection Easement Ranking System (Section V, page 8).

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SECTION IV: Application Submission Schedule

1. Applications on land to be considered for an easement purchase shall be submitted to the Robeson Township Land Protection Council.
2. Applications will be accepted for two semiannual rounds each year. Applications for the first round shall be filed with the Council by February 15, 2015. Thereafter, applications for the first semiannual round must be submitted by September 15 of the preceding year, and applications for the second semiannual round must be submitted by February 15 of each year.
3. The Council will acknowledge receipt of the application, in writing, to the landowner that will include the date of the receipt of the application and an assignment to a specific round for evaluation
4. Applications shall be reviewed by the Council for recommendation to the Board of Supervisors pursuant to the parcel ranking system set out in Section V. A recommendation shall be accompanied by all studies/reports generated by or on behalf of the Council under Section V as well as all appraisals, title searches, and surveys for the subject parcel prepared in connection with the application.
5. An applicant whose parcel received a ranking of 80 points or more need not resubmit an application for subsequent rounds if the parcel was not accepted by the Board of Supervisors for easement acquisition. If fee simple ownership of a parcel for which application has been made changes, the new landowner will not be required to resubmit the application; however an updated title search and copy of the current deed will be required.
6. Acceptance of an application for easement purchase is at the discretion of the Board of Supervisors and is subject to availability of funding.

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SECTION V: Parcel Ranking System

The following information will be used only to score applications being offered for easement purchases, based upon the assessed acreage, as determined by the Berks County Assessment Office.

Applications will be recommended for the Program in the order in which they ranked from highest to lowest based on the amount of available funding.

1. Contiguous acreage of the tract proposed for easement purchase.

- > 5 to 10 acres = 2 points
- > 10 to 20 acres = 4 points
- > 20 to 30 acres = 6 points
- > 30 to 40 acres = 16 points
- > 40 to 50 acres = 20 points
- > 50 to 60 acres = 24 points
- > 60 to 70 acres = 28 points
- > 70 to 80 acres = 32 points
- > 80 to 90 acres = 36 points
- > 90 acres = 40 points

Points Scored: _____

2. Total distance of road frontage on public roads measured in a linear distance.

- > 100 to 250 feet = 2 points
- > 250 to 500 feet = 4 points
- > 500 to 1,000 feet = 12 points
- > 1,000 to 1,500 feet = 16 points
- > 1,500 feet = 20 points

Points Scored: _____

3. Soil Quality

>25% to 50% of Tract with Soils in Capability Classes I-III = 10 points

>50% to 75% of Tract with Soils in Capability Classes I-III = 15 points

>75% to 100% of Tract with Soils in Capability Classes I-III = 20 points

Points Scored: _____

4. Is the parcel part of a first order stream headwater area?

Yes, and less than 50% of the parcel is forested = 15 points

Yes, and 50% or more of the parcel is forested = 20 points

Points Scored: _____

5. Does a perennial or intermittent stream flow through the parcel?

Yes, and the stream is intermittent and is not classified as exceptional value (EV) or high quality (HQ) = 5 points

Yes, and the stream is perennial and is not classified as EV or HQ = 10 points

Yes, and the stream is classified as HQ..... = 15 points

Yes, and the stream is classified as EV..... = 20 points

Points Scored: _____

6. Linear feet of a 35 foot or wider riparian buffer on the parcel.

> 50 to 100 feet = 2 points

> 100 to 250 feet = 4 points

> 250 to 500 feet = 6 points

> 500 to 1000 feet = 8 points

> 1000 feet = 10 points

Points Scored: _____

7. If the stream has a riparian buffer and the dominant plants in the buffer community are:

- Trees = 10 points
- Shrubs = 8 points
- Grasses & herbaceous plants = 4 points

Points Scored: _____

8. Significant natural features located on the parcel (10 points given for each of the following features present on the parcel with a maximum of 40 points).

- Wetland = 10 points
- Seasonal Pool = 10 points
- Rare, Threatened or Endangered Plants = 10 points
- Habitat for Rare, Threatened or Endangered Animals = 10 points
- Significant Rock Outcrop = 10 points
- Watershed or Sub Watershed Divide (ridge top)..... = 10 points

Points Scored: _____

9. Proximity to permanently protected lands (fee simple or easement protected)

- Parcel boundary adjoins another permanently protected property = 30 points
- Parcel boundary is located within 500 feet of another permanently protected property = 10 points
- Parcel boundary is located within 1,000 feet of another permanently protected property = 5 points

Points Scored: _____

10. Contribution to Regional Trail system (e.g. Schuylkill River Trail; Horseshoe Trail)

- Regional trail is located within parcel boundary..... = 20 points
- Parcel is within view shed or watershed of the Regional Trail..... = 10 points

Points Scored: _____

11. Agricultural Resources:

Parcel is involved in local production of food and fiber = 10 points
In addition, parcel has approved Conservation Plan + 10 points

Points Scored: _____

12. Parcel contains a historic building or other historic structure = 10 points

Points Scored: _____

13. Willingness of the landowner(s) to donate a portion of the total value of a conservation easement:

Landowner(s) will donate 25-49% of the total value of a conservation easement = 5 points

Landowner(s) will donate 50% or more of the total value of a conservation easement = 20 points

Points Scored: _____

14. Land within the Tract being offered/not being offered

Landowner will offer the tract in its entirety = +5 points

Landowner will withhold a designated portion of the Tract from the Program (see also Section VII B.) = -10 points

Points Scored: _____

TOTAL POINTS SCORED _____

Reviewed by: _____ (Council Member) Date: _____

Reviewed by: _____ (Council Member) Date: _____

Reviewed by: _____ (Council Member) Date: _____

Reviewed by: _____ (Council Member) Date: _____

Reviewed by: _____ (Council Member) Date: _____

ROBESON TOWNSHIP LAND PROTECTION EASEMENT PROGRAM

SECTION VI: Procedures for Purchasing a Municipal Land Protection Easement

A. Summary of Procedures

The following is a list of steps required for the purchase of an easement:

1. Landowner submits application to the Council.
2. The Council evaluates application pursuant to the Program Ranking System. If parcel scores at least 80 points, applicant is advised by the Council that the parcel qualifies for the Program.
3. Applicant confers with a land trust approved by the Township to arrange for/obtains an appraisal to determine the value of the proposed easement and a title report to establish clear title to the parcel.
4. The Council confers with applicant and the land trust to determine purchase price of the easement and the manner of payment. For instance, payment can be by one lump sum payment, annual installment payments or, in some cases, by like-kind exchange. In addition, applicant can take payment for part of the value of the easement and donate the balance, so as to offset a portion or all of any capital gains tax which may result from the easement purchase. At this stage, the Council and the land trust will work together to ascertain and to make application for what grants or funds may be available from federal, state, and/or county programs or private/not-for-profit foundations to assist in the purchase of the easement.
5. Upon determination of the purchase price of the proposed easement, manner of payment, and availability of additional funding, the application is forwarded by the Council for approval by the Board of Supervisors.
6. Once the Board of Supervisors has approved purchase of the easement and funding for purchase of the easement is in place, there will be settlement on conveyance of the easement.

B. Application Rules and Regulations

1. A completed application shall be required for each tract offered for an easement purchase. The application shall consist of a completed preliminary application form (Exhibit A) and a Robeson Township Tax Parcel Map (Exhibit B) highlighting the tract to be considered for easement purchase.

2. Any requests for information regarding one's own application for the Program shall be made to the Council in writing, and the purpose for such a request must be explained. The request must be signed and dated. For example, any landowner who wishes to obtain their ranking score shall submit the request in writing. The landowner will be responsible for all reproduction costs to obtain any and all information. No ranking information will be made available until all ranking is completed.
3. Should the parcel achieve a score of 80 points or more, the Council will notify the applicant in writing that the parcel qualifies for consideration by the Board of Supervisors for easement purchase under the program.

C. Evaluation of Application

1. The Council shall review each application to determine if it is complete and meets the minimum criteria, as set forth in Section III of the Program.
2. If an application is complete and the minimum criteria are met, the Council shall accept the application for review.
3. The Council shall evaluate only applications that are received before the deadline.
4. The applications will be evaluated in accordance with the ranking system as set forth in Section V of the Program.

D. Appraisal Requirements

1. An appraisal shall be based primarily on an analysis of comparable sales.
2. The value of a building or other improvement on the tract may be considered in determining the easement value. The value of the building or other improvement shall appear separately in the appraisal report.
3. The appraiser shall be:
 - a) A Pennsylvania State Certified General Real Estate Appraiser from a list provided by the Council;
 - b) A member or candidate member of an organization that subscribes to the "Uniforms Standards of Professional Appraisal Practice", published by the Appraisal Standards Board of the Appraisal Foundations, and shall follow the ethical and professional standards set forth therein.
4. The appraiser shall supply a narrative report of the subject tract that contains the following information in the following format:
 - a) Introduction.

- (1) Letter of transmittal.
- (2) Professional qualifications of appraiser and appraiser's certificate.
- (3) Table of contents.
- (4) Summary of salient facts and conclusions.
- (5) Easement value definition.

b) Description of property.

- (1) Area or neighborhood description.
- (2) Description of appraised property.
 - (a) Legal description.
 - (b) Property data and zoning.
 - (c) Description of improvements.
 - (d) Photos of subject property.
 - (e) Tax maps of subject property.
 - (f) Sketch of subject property.
 - (g) Location map.
 - (h) Soils map.

c) Analyses and conclusion.

- (1) Analysis of highest and best use.
- (2) Valuation methodology: market value.
 - (a) Comparable sales data.
 - (b) Adjustment grid.
 - (c) Location map of comparable sales.
- (3) Market value estimate.
- (4) Valuation methodology: conservation land value.
 - (a) Comparable sales data.
 - (b) Location map of comparable sales.
- (5) Value of improvements.
- (6) Easement value.
- (7) Professional qualifications of the appraiser.

5. The appraiser shall supply information concerning comparable sales as follows:

- a. At least three comparable sales shall be used for an appraisal. If the appraiser cannot obtain sufficient comparable sales data within the same municipality as the subject tract, the appraiser may use comparable sales from other municipalities within Berks County, after consultation with the Council. The use of comparable sales, which require adjustment of fifty percent (50%) or more, is permitted only with the approval of the Council;
- b. Pertinent data for each comparable sale used in the preparation of the appraisal shall be stated in the appraisal report, including date of sale, purchase price, road frontage in feet, soil series, an estimate of the range of slope and other relevant information. The appraisal shall include an analysis comparing the pertinent data for each comparable sale to the subject tract use;

- c. The location of each comparable sale used in the appraisal report shall be shown accurately on the comparable sales map and sufficiently identified and described so as to be located easily;
- d. The appraiser shall report whether the tract has public or private land use restrictions, is within a flood plain, or has other physical attributes that limit its developmental capability;
- e. The appraiser shall provide at least two original and two copies of each report to the Council. The original of each report and all copies shall be bound with rigid covers.

E. Title Requirements

1. The landowner must provide a current title report.
2. The landowner must be able to convey the easement with clear title.
3. The landowner will agree to satisfy any liens on the property at or prior to settlement or seek subordination agreements on all liens.

F. Tract Acreage Determination for Valuation

1. For valuation purposes, tract acreage shall be determined by the legal description set forth in the property deed, if it contains:
 - a) At least one course and distance referencing a fixed marker or monument of a type commonly placed in the field by a surveyor;
 - b) An error of closure less than one foot per 200 linear feet.
2. If the legal description set forth in the property deed does not meet the requirements of the Program, a survey will be required.
3. The landowner will be required to submit at least two copies of a survey drawing along with a written legal description of the tract under consideration for easement purchase.
4. The survey must have:
 - a) A closure error of not more than 1': 10,000';
 - b) At least one course and distance referencing a fixed marker or monument of a type commonly placed in the field.
5. All costs associated with a survey are at the expense of the landowner.

G. Easement Value and Purchase Price

1. No easement will be considered which is not in perpetuity.

2. The value of an easement shall be the difference between the market value of the parcel unencumbered by the proposed easement and the market value of the parcel subject to the proposed easement as determined in the appraisal report.
3. The per acre purchase price offered for the purchase of an easement shall be two thousand dollars (\$2,000) or the appraised easement value per acre, whichever is less.
4. The easement purchase price will be determined by multiplying the price per acre by the tract acreage as determined in Section VI, (H) of the Program.
5. If the value of the easement is appraised higher than two thousand dollars (\$2,000) per acre, the landowner may be eligible for a charitable deduction for the difference under the current Internal Revenue Code. The landowner should consult with his/her tax professional.

H. Landowner Payment Options & Agreement of Sale

1. The landowner may accept payment for the easement as follows:
 - a) Lump sum payment;
 - b) Annual installments up to five years (No interest will be paid on installment payments.);
 - c) Like-kind Exchange.
2. The landowner will sign an agreement of sale that includes a legal description of the property which is the subject of the easement, easement purchase price, and method of payment.

I. Supplemental Applications

The Township may seek funding from federal, state, county, and/or not-for-profit programs in connection with an easement purchase. In order for the landowner's application to be considered, landowner must agree to assist in the preparation of documentation for application for such additional funding and to execute any documents deemed necessary to procure such additional funding.

J. Settlement Information

1. For easements being purchased with a grant or financial assistance from the federal, state, and/or county government and/or a not-for-profit organization, acceptance of an applicant by the Board of Supervisors shall be contingent upon authorization of the purchase by such governmental entity or organization and certification of available funding.

2. Settlement will be scheduled within 180 days after an agreement of sale is executed unless a portion of the easement price is being paid with County monies, in which case settlement will be scheduled no sooner than 180 days after the Berks County Commissioners certify funding.
3. Settlement shall be held at the office of the landowner's title company. Attendance shall be limited to the landowner, landowner's legal representative, a Township representative, the Township solicitor, and a representative and solicitor/attorney on behalf of any entity participating in the funding or purchase of the subject easement.
4. That portion of the easement purchase price being provided in the form of a grant or financial assistance from the federal, state, and/or County government and/or a not-for-profit organization, must be received by the Township at/or prior to settlement.
5. At settlement, the landowner will sign the deed of easement in exchange for proceeds.
6. For easements being purchased with a grant or financial assistance from a governmental entity and/or not-for-profit organization, the Township will forward to such entity (entities) and/or organization a copy of the signed deed of easement, a copy of the marked-up title insurance commitment, and a copy of the settlement sheet immediately following settlement. A copy of the recorded deed of easement and a copy of the title insurance policy shall be forwarded to all parties participating in the purchase of the easement upon receipt by the Township.

ROBESON TOWNSHIP LAND PROTECTION EASEMENT PROGRAM

SECTION VII: Responsibilities of Landowner

A. Costs to Landowner

1. Appraisal costs.
2. Survey costs, if applicable.
3. Costs necessary to convey clear title.
4. Title report
5. Fee for annual inspection of property, if applicable.

The applicant may inquire with local environmental organizations, such as the Berks County Conservancy to determine if any programs are available to assist with payment of such associated costs.

B. Land within the Tract Not Being Offered

1. The landowner of the tract may withhold a designated portion of the tract from the Program (hereinafter, "the withheld lot").
2. Such withheld lot must meet and may not exceed the Township minimum building lot size.
3. It shall be the landowner's responsibility to clearly designate the withheld lot on the survey and to provide a metes and bounds legal description of same.
4. Further, it remains the landowner's responsibility to determine that the withheld lot complies with all Federal, State, County and Municipal laws, regulations and ordinances applicable to the use the landowner foresees for the withheld lot. Acceptance of the subject property under this program does not imply that a withheld lot complies with Township subdivision and zoning ordinances.

C. Change in Ownership

1. Whenever properties within the Township subject to an easement are transferred or conveyed to another person, the deed shall either:
 - a) Recite verbatim the language set forth in the deed of easement; or
 - b) Include the following clause following the recital: "UNDER AND SUBJECT, nevertheless to certain covenants and restrictions as appear of record in the Deed of Easement recorded with Instrument Number _____ , Berks County Records.

2. Within thirty (30) days of a change in ownership of the eased land, the prior landowner shall notify the Council and any other entity participating in the purchase of the easement of the name and address of the new landowner, together with the Instrument Number with which the Berks County Recorder of Deeds has recorded the transfer.

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SECTION VIII: Procedures for Inspection and Enforcing an Easement

A. Responsibility

A contracted third party, such as the Berks County Conservancy shall have the primary responsibility for inspecting eased land and administering the easement.

B. Inspections

1. The contracted third party shall inspect all eased land within the Township, at least annually, to determine compliance with the applicable deed of easement.
2. Written notice of an inspection to be conducted shall be mailed by regular mail to the landowner at least ten (10) days prior to the inspection.
3. Any inspection conducted shall be performed between the hours of 8 A.M. and 5 P.M. on a weekday that is not a legal holiday recognized by the Commonwealth, or a date and time agreeable to the Township and the landowner.
4. Within thirty (30) days of conducting an inspection, the Council (or contracted third party) shall prepare a written inspection report setting forth the following information:
 - a) The identification of the land inspected;
 - b) The name of the landowner of the land inspected;
 - c) A description of modifications in the number, type, location or use of any structures on the land since the date of the filing of the deed of easement;
 - d) A description of the conservation practices being observed on the eased land;
 - e) A statement of whether the provisions of the deed of easement are being observed.
5. If a violation is detected, the inspection report outlining the violation(s) will be mailed, by certified and regular mail, to the landowner and to the County Board and/or any other entity participating in the conveyance of the easement within thirty (30) days.
6. The contracted third party and/or the Council and/or the County and/or any other entity participating in the conveyance of the easement, may inspect the eased land, jointly or severally, without prior notice if they have reasonable cause to believe that any provision of the easement has been or is being violated.

C. Annual Report

Prior to the end of a year in which inspections were conducted, the contracted third party shall file with the Township and any other entity participating in the easement an annual report summarizing the number of inspections, violations detected, violations resolved and the circumstances surrounding any unresolved violations, on any easements in which the County has an interest.

D. Easement Enforcement Responsibilities

- 1) The Township shall enforce the terms of each easement purchased within the Township under the terms of the Program, whether it is a Township or joint purchase.
- 2) Any other entity participating in the purchase of an easement may also enforce the terms of the subject easement, either solely or jointly with the Township.

E. Notification of Violation to Landowner

1. Within thirty (30) days of the discovery of a violation of the terms of an easement, either through an inspection or otherwise, written notice of the violation shall be sent to the landowner. Copies of the notice shall be forwarded to all entities which participated in the purchase of the easement.
2. The written notice required of the violation shall be sent by certified and regular mail and shall set forth the following information:
 - a) A copy of the inspection report; A copy of the deed of easement;
 - b) A description of the action or condition that constitutes the alleged violation;
 - c) A statement of measures necessary to correct the alleged violation.

F. Enforcement Actions

1. Sixty (60) days after the mailing of a notice of violation the Township may commence and prosecute an action in the Court of Common Pleas of Berks County seeking an order requiring correction of the violation, enjoining further violation of the terms of the easement, and/or for such other appropriate relief. Unless:
 - a) The violation has been corrected to the satisfaction of the Township and other parties to the easement agreement; or
 - b) The Township and other parties to the easement agreement determine that the landowner of the eased land has commenced the necessary corrective measures or determine that the necessary corrective measures cannot reasonably be completed within the sixty (60) day period. In either case, the

Township shall establish a period not to exceed one (1) year within which the corrective measures shall be completed.

2. The Township may commence and prosecute the enforcement action if the violation is not corrected within the time established.
3. The landowner of the eased land shall bear all costs associated with the correction of a violation of the easement, including:
 - a) Costs of work required and materials used to correct the violation;
 - b) Administrative costs incurred by the Township and any other party enforcing the easement;
 - c) Court costs and reasonable attorney's fees incurred by the Township and any other party enforcing the easement.
4. If the Township fails to institute and prosecute a timely enforcement action, any other party to the easement agreement may institute the action and recover costs incurred, including reasonable attorneys' fees, from the landowner of the eased land.

OFFICIAL USE ONLY
Date Received _____
Docket Number _____

EXHIBIT "A"
ROBESON TOWNSHIP LAND PROTECTION EASEMENT PROGRAM
PRELIMINARY APPLICATION

Landowner(s): _____

Address: _____
(Street) (City) (State) (Zip code)

Telephone: _____

Property Information:

Address: _____
(Street) (City) (State) (Zip code)

Total acreage of tract: _____ Total acreage offered: _____

How many parcels make up the tract? _____

Tax ID number of each parcel: _____

Is the entire tract in Robeson Township? Yes No

Are the property taxes paid to Robeson Township? Yes No

Is the tract enrolled in Robeson Township's Agricultural Security Area? Yes No

If no and if applicable, will you apply to be included in Robeson Township Agricultural Security Area? Yes No

Does this tract have a written resource plan? Yes No

Is the plan being implemented? Yes No

Are you applying with other landowners? Yes No

If yes, what is the name of the person(s) with whom you are applying? _____

Are you willing to donate any part of the value of the conservation easement? Yes No

Landowners Signatures:

Name Date Name Date

Name Date Name Date

EXHIBIT "E": Robeson Township Land Protection Council Information

The following is a list of members on the Robeson Township Environmental Advisory Council serving as the Land Protection Council that were appointed by the Robeson Township Board of Supervisors.

Name: Christopher Smith
Address: 740 Schuylkill Road
Birdsboro, PA 19508

Name: Chip Karasin
Address: 337 Rock Hollow Road
Birdsboro, PA 19508

Phone Number: _____
Date of Appointment: _____
Length of Term: ___ year(s)
Expiration Date: _____
Occupation: _____

Phone Number: _____
Date of Appointment: _____
Length of Term: ___ year(s)
Expiration Date: _____
Occupation: _____

Name: Patience Kaltenbach
Address: _____

Name: David Stanton
Address: _____

Phone Number: _____
Date of Appointment: _____
Length of Term: ___ year(s)
Expiration Date: _____
Occupation: _____

Phone Number: _____
Date of Appointment: _____
Length of Term: ___ year(s)
Expiration Date: _____
Occupation: _____

Name: Vacant
Address: _____
Phone Number: _____
Date of Appointment: _____
Length of Term: ___ year(s)
Expiration Date: _____
Occupation: _____