

ORDINANCE NO. 1314

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE  
AUTHORIZING THE MUNICIPALITY TO ENTER A LIEN  
SUBORDINATION AGREEMENT WITH A-S ENERGY, INC.  
FOR PROPERTY LOCATED WITHIN THE MUNICIPALITY  
AND OWNED BY THE MUNICIPAL AUTHORITY OF WEST-  
MORELAND COUNTY

BE IT ORDAINED and ENACTED, by the Municipality of Monroeville in Council  
assembled as follows:

Section 1: The proper officials of the Municipality of Monroeville are authorized  
to enter a Lien Subordination Agreement with A-S Energy, Inc. concerning property  
located within the Municipality and owned by the Municipal Authority of Westmoreland  
County.

Section 2: A copy of said Agreement is attached hereto and made a part hereof  
and marked Exhibit "A".

ORDAINED and ENACTED this 16th day of February, 1982.

(SEAL)

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond  
Municipal Manager

S/ Michael P. Lynch  
Mayor

Entered in Legal Book February 26, 1982

EXHIBIT "A"

LIEN SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, A-S Energy, Inc., hereinafter referred to as "Lessee", is the present owner of all rights, title and privileges under that certain Oil and Gas Lease dated July 16, 1979, executed by the Municipal Authority of Westmoreland County, as Lessor, and recorded in Deed Book Volume 6141 at page 223, in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania, reference to said Lease and to the record thereof being here made for all purposes, covering certain land situate in the Municipality of Monroeville in the aforesaid County and Commonwealth as is therein more fully described; and

WHEREAS, the Municipality of Monroeville has asserted tax liens against the land above described, or a portion of said land, and

WHEREAS, the Municipality of Monroeville has agreed to subordinate the indebtedness and liens aforesaid to the said Oil and Gas Lease and rights thereunder.

NOW, THEREFORE, in pursuance of said agreement and for a valuable consideration in hand paid to the Municipality of Monroeville by the Lessee, the receipt whereof is hereby acknowledged, and intending to be legally bound, the Municipality of Monroeville does hereby covenant, consent and agree with the said Lessee that the aforesaid indebtednesses and liens claimed and asserted by the Municipality of Monroeville are and shall continue to be subject and subordinate to the Oil and Gas Lease hereinabove described and all rights and estates granted therein. This Agreement shall extend to and be binding upon the heirs, successors, legal representatives and assigns of the parties hereto.

This Agreement and subordination shall in no wise affect or impair any rights of the Municipality of Monroeville or its successors, legal representatives or assigns, to hold, foreclose or sell under said lien or liens in any manner prescribed by contract or law any or all of the lands, hereditaments and appurtenances and estates subject thereto, save and except the rights, titles, estates and privileges of the said Lessee in and under the aforesaid Oil and Gas Lease and any extensions thereof; and any renewals or extensions of said lien and any foreclosure or sales of said lands or any part thereof under the aforesaid liens, or any of them, shall expressly except and be subject to said Oil and Gas Lease and rights thereunder.

Executed this 16th day of February, 1982.

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond  
Municipal Manager

S/ Michael P. Lynch  
Mayor

