

WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
PETITION FOR AMENDMENT TO ZONING MAP

1. Eureka Stone Quarry, Inc. (“Eureka”), with an address of 9119 Frankford Avenue, Philadelphia, PA 19114, is the legal owner of tax parcel nos. 50-4-85; 50-4-89; 50-4-90; 50-4-94; and 50-4-96, Warrington Township, Bucks County, Pennsylvania (the “Total Property”).

2. Teva Pharmaceuticals USA (“Teva”), with an address of 1090 Horsham Road, P.O. Box 1090, North Wales, PA, 19454, is equitable owner of a portion of the Total Property consisting of approximately 128.58 acres of parcel 50-4-85, 0.26 acres of parcel 50-4-94; and all of parcels 50-4-89 (0.80 acres), 50-4-90 (1.92 acres), and 50-4-96 (30.38 acres); containing a total of approximately 161.94 acres (the “Teva Property”).

3. Eureka and Teva are collectively referred to herein as “Petitioner”.

4. A portion of the Total Property, consisting of approximately 32.27 acres of parcel 50-4-85 and 50-4-94, is currently subject to the PRD – Planned Residential Development Zoning District (the “PRD Property”), as shown on the attached Zoning Change Petition Plan attached hereto as Exhibit “A”.

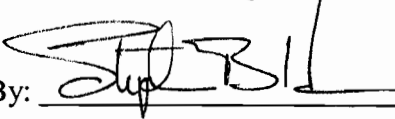
5. Pursuant to Section 2407 of the Warrington Township Zoning Ordinance, Petitioner is requesting the Board of Supervisors to amend the Zoning Map contained within the Warrington Township Zoning Ordinance to change the zoning for a portion of tax parcel nos. 50-4-85 and 50-4-94, as more particularly shown on the Zoning Change Petition Plan attached hereto as Exhibit “A” and as set forth in more detail within the proposed Ordinance Amendment, a copy of which is attached hereto as Exhibit “B”.

6. Pursuant to Section 2407 of the Warrington Township Zoning Ordinance and Section 609 of the Municipalities Planning Code, Petitioner requests that this Petition be

forwarded to the Warrington Township Planning Commission and the Bucks County Planning Commission so that they may provide their review of this proposed amendment to the Zoning Map.


WHEREFORE, Petitioner respectfully requests a public hearing on this Petition for Amendment to Zoning Map be scheduled before the Board of Supervisors.

EUREKA STONE QUARRY, INC.

By:  _____

Name: Stephen Harris, Esquire
Title: Legal Counsel

TEVA PHARMACEUTICALS USA

By:  _____

Name: Robert W. Gundlach, Jr., Esquire
Title: Legal Counsel

Exhibit A

Zoning Change Petition Plan

Exhibit B

Ordinance Amendment

TOWNSHIP OF WARRINGTON
BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF WARRINGTON TOWNSHIP
AMENDING THE ZONING MAP INCLUDED AS PART OF
THE TOWNSHIP ZONING ORDINANCE

WHEREAS, Section 66601 of the Second Class Township Code, 53 P.S. § 66601, authorizes the Warrington Township Board of Supervisors to adopt, amend, repeal or revise existing ordinances,

WHEREAS, Section 609 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 106909, authorizes the Warrington Township Board of Supervisors to enact amendments to the Warrington Township Zoning Ordinance and amendments involving a zoning map change,

WHEREAS, the Warrington Township Board of Supervisors has determined that it is in the best interests of the municipality to adopt this ordinance amending the Warrington Township Zoning Ordinance and the Zoning Map included therein because it is not appropriate to have high density residential housing (which is permitted in the PRD zoning district) situate between commercial and industrial zoning districts,

WHEREAS, a public hearing was held for the purpose of considering certain amendments to the Warrington Township Zoning Map included as part of the Warrington Township Zoning Ordinance, and

WHEREAS, the Warrington Township Board of Supervisors, after the public hearing, and after receipt of recommendations from the Warrington Township Planning Commission and the Bucks County Planning Commission, deems it appropriate and proper that the zoning classification of the parcels of real estate hereafter described be changed, as hereinafter more particularly set forth, so that the classification thereof will be in accordance with the spirit and the intent of the Warrington Township Zoning Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania that the Zoning Map of Warrington Township and the Warrington Township Zoning Ordinance is hereby amended as follows:

SECTION 1. MAP AMENDMENT: The zoning map of Warrington Township is hereby amended as follows:

a. To subject a portion of tax parcel nos. 50-004-085 and 50-004-094, located along Lower State Road and Limekiln Pike, consisting of approximately 23.18 acres and currently zoned PRD (Planned Residential Development), to the PI2 (Planned Industrial) Zoning District, as shown on the Zoning Change Petition Plan attached hereto as Exhibit "A";

b. To subject a portion of tax parcel no. 50-004-085 and 50-004-094, located along Lower State Road and Limekiln Pike, consisting of approximately 9.09 acres and currently zoned PRD (Planned Residential Development), to the C1 (Commercial Zoning District), as shown on the Zoning Change Petition Plan attached hereto as Exhibit "A";

SECTION 2. SEVERABILITY. It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Amendment to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly state in the decision to be invalid or ineffective, and all other provisions of this Amendment shall continue to be separately and fully effective. The Board of Supervisors hereby declares that it would have passed this Amendment and each Section or part thereof, other than the part declared invalid, if the Board of Supervisors had advanced knowledge that any part would be declared invalid.

SECTION 3. REPEALER. Any resolution, ordinance or part of any ordinance or resolution inconsistent herewith, and any amendments thereof, are hereby expressly repealed and the provisions of this Ordinance shall prevail.

SECTION 4. In all other respects, the provisions of the Warrington Township Zoning Ordinance, as amended, shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Zoning Ordinance shall become effective five (5) days after adoption thereof immediately after ENACTED and ORDAINED this _____ day of _____, 2010.

WARRINGTON TOWNSHIP BOARD OF SUPERVISORS

_____, Chairman

_____, Vice Chairman

_____, Member