

IN RE: APPLICATION OF
THE JUNIATA. COUNTY
AGRICULTURAL SOCIETY
FOR A ZONING HEARING
BOARD HEARING

: PORT ROYAL BOROUGH
: ZONING HEARING BOARD
: JUNIATA COUNTY
:
: Tax Parcel No. 11-2-10

AGREEMENT AND STIPULATION

This Agreement and Stipulation is entered into as of the 27th day of November, 2022 by and between The Juniata County Agricultural Society, a Pennsylvania nonprofit entity (hereinafter referred to as the "Ag Society"), represented by attorney P. Richard Wagner, and the Borough of Port Royal, a municipality existing under the laws of the Commonwealth of Pennsylvania, (hereinafter referred to as the "Borough"), represented by attorney Donald K. Zagurskie.

WHEREAS, Ag Society is a nonprofit entity organized under the laws of the Commonwealth of Pennsylvania with an address of at 308 West 8th Street, Port Royal, Juniata County, Pennsylvania; and

WHEREAS, the Borough is a municipality existing under the laws of the Commonwealth of Pennsylvania, which has an address of 111 East 8th Street, PO Box 390, Port Royal, Juniata County, Pennsylvania; and

WHEREAS, on or about October 18, 2022, the Ag Society filed with the Borough an Application to Amend the August 2021 Agreement and Stipulation that was entered into by and between the parties hereto and incorporated in the Decision of the Port Royal Borough Zoning Hearing Board dated September 20, 2021; and

WHEREAS, in discussions between counsel for the Borough and Counsel for the Ag Society, the Ag Society and the Borough have reached a joint stipulation regarding the Amendment of the parties' prior Agreement and Stipulation dated August 2021 as set forth hereinafter.

NOW, THEREFORE, in consideration of the mutual promises, covenants and undertakings hereinafter set forth by each of the parties hereto, and each party acknowledging the value of this Agreement and Stipulation to one another, they do hereby intend to be legally bound hereby, and do covenant, stipulate and agree to Amend the August 2021 Agreement and Stipulation between the parties hereto as follows:

1. That paragraphs 2, 3, 4, and 6 shall hereby be stricken and removed from the August 2021 Agreement and Stipulation;

2. All other terms and conditions as set forth in the September 20, 2021 Decision of the Port Royal Borough Zoning Hearing Board and the August 2021 Agreement and Stipulation shall remain in full force and effect.

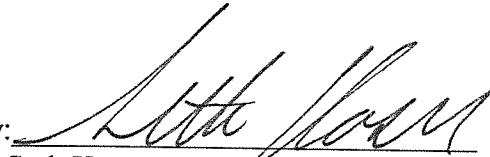
3. The parties agree that this Agreement and Stipulation shall be presented to the Port Royal Borough Zoning Hearing Board to be entered as an Order and Decision of the Port Royal Borough Zoning Hearing Board.

IN WITNESS WHEREOF, the parties have executed this Agreement and Stipulation as of the date first written above.

THE JUNIATA COUNTY
AGRICULTURAL SOCIETY

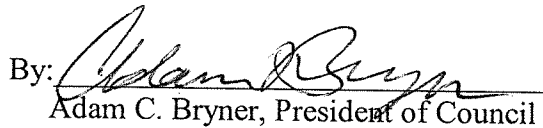
THE BOROUGH OF PORT ROYAL BOROUGH

By:



Seth Koser, President

By:



Adam C. Bryner, President of Council