

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA

CIVIL DIVISION

In Re: Petition of Formation of Independent : No.: 2007-02132-31
School District, Appeal of Riegelsville Tax and : Judge Clyde W. Waite
Education Coalition :

**ORDER ESTABLISHING INDEPENDENT SCHOOL DISTRICT
FOR PURPOSES OF TRANSFER PURSUANT TO 24 P.S. 2-242.1**

AND NOW, on this 24th day of February, 2012, upon consideration of the Petition for Formation of an Independent School District for the transfer of a portion of the Borough of Riegelsville ("Riegelsville"), as set forth in the Petition, from the Easton Area School District ("Easton") to the Palisades School District ("Palisades") presented to the Court pursuant to 24 P.S. § 2-242.1 (hereafter "the Statute") and following approval of this Court of the propriety of the Petition and of the Secretary of Education on the substantive merits "from an educational standpoint," and this Court having considered the submissions and stipulations of all parties hereto, the Court hereby orders as follows:

1. The geographic area encompassing the portion of Riegelsville assigned to Easton is hereby designated as an independent school district for purposes of transfer to Palisades as meant by the Statute to be known as the "Riegelsville Independent School District" (hereafter "the District").

2. There being no members of the Board of Directors of Easton residing in Riegelsville, the following persons are appointed, pursuant to 24 P.S. § 3-311.1, as directors of the District:

Katherine Anderson
234 Linden Lane
Riegelsville, PA 18077

Maureen Woerner
426 Easton Road
P.O. Box 183
Riegelsville, PA 18077-0183

Damion Newton
P.O. Box 113
Riegelsville, PA 18077-0113

3. All appropriate steps have been taken to justify the creation of Riegelsville as an independent school district in contemplation of this transfer to Palisades in accordance with the requirements of the Pennsylvania Public School Code of 1949.

4. The prior findings of this Court with respect to the propriety of the Petition for the creation of the District are incorporated by reference.

5. The prior findings of the Secretary of Education regarding the substantive merits of the Petition are incorporated by reference.

6. The Stipulation of the parties is hereby accepted as attached to this Order as Exhibit "A" and is adopted and incorporated as though set forth fully herein.

7. Palisades shall assume and pay the debt and obligations of Easton in the amount of \$1,400,000 according to the terms set forth in Exhibit "A."

8. The aforementioned amount to be assumed and paid by Palisades shall be payable to Easton in four (4) equal annual installments, without interest, payable beginning on or before August 31, 2013 with continuing annual payments on or before August 31 of each subsequent year, until paid in full.

9. The costs and office fees resulting from the creation of the independent District shall be paid by the Petitioner, pursuant to the Statute, in an amount to be assessed at the time of the transfer.

10. By agreement of the parties according to the terms set forth in Exhibit "A," the transfer, when approved by the State Board of Education, will take effect July 1, 2013.

11. This matter is hereby referred to the Pennsylvania Board of Education for further proceedings in accordance with 24 P.S. §§ 2-292.1 and 2-293.1.

12. The Prothonotary of the Bucks County Court of Common Pleas is directed to forward the entire record to the State Board of Education, including the hearing record, Secretary of Education's record, exhibits, and submissions of all parties.

BY THE COURT:



Clyde W. Waite, J.

[Exhibit A]

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STIPULATION

1. The transfer of Easton to Palisades will not take effect until July 1, 2013.
2. Easton and Palisades waive any and all rights to appeal this Court's decree establishing a portion of Riegelsville as an independent school for the purpose of transfer.
3. Easton and Palisades will affirmatively indicate support for the transfer when this Court's decree is submitted, pursuant to 24 P.S. § 2-292.1, to the State Board of Education and considered as an application for the transfer of a portion of Riegelsville from Easton to Palisades.
4. Easton and Palisades waive any and all appeal rights to the decision of the State Board of Education.
5. Palisades and Easton agree that, upon the transfer of Riegelsville, Palisades will assume a portion of Easton's financial debt and obligations and Palisades will pay to Easton the amount of \$1,400,000 according to the following terms:
 - a. Palisades will not be charged a yearly interest rate.
 - b. Palisades will not be charged any penalty or fee for early payment.

- c. The payments will be made in four (4) equal annual installments, beginning August 31, immediately following the transfer, and each subsequent year on that date until the amount is paid in full.
6. This Stipulation shall be entered as an Order of Court.
7. The attorneys represent that they have authority to enter into the above-listed stipulations.

WHEREFORE, the parties submit this Stipulation as the entirety of their agreement and request that this Court accept and adopt this Stipulation via Order.

Attorney for Petitioner, Riegelsville
Tax and Education Coalition

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District

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