RESOLUTION NO. 112 -2007

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

RC Theatres a/k/a Reading Movies, LLC is relieved and granted a waiver of/from the requirements of posting a bond or surety pursuant to Chapter 22 Subdivision and Land Development Ordinance Section 309 Performance / Maintenance Guarantees (§22-309) of the City of Reading Codified Ordinance for development of a movie theatre / complex at the southwest corner of the intersection of 2nd (Second) and Washington Streets, Reading, Berks County, Pennsylvania per the plan approved by the City of Reading Planning Commission on September 26, 2006, by its Resolution #40-2006, and any reaffirmation thereof. Provided, that RC Theatres a/k/a Reading Movies, LLC shall execute a Municipalities Improvements Agreement in a form prepared and provided by the City of Reading wherein they guarantee without the need to post any surety performance of the requisite municipal improvements for development and construction of the aforesaid project and site. Such waiver is granted in consideration of the requirement that RC Theatres a/k/a Reading Movies, LLC is required to post a bond with the Commonwealth of Pennsylvania for the funding provided thereto for development of the project. RC Theatres a/k/a Reading Movies, LLC shall as a condition of this Resolution contact the Commonwealth of Pennsylvania to open negotiations for the purpose of the City of Reading becoming a party to the aforesaid bond agreement to ensure performance of the requisite municipal improvements.

Passed Council Aug 13, 2007

President of Council

Attest:

City Clerk

(LAW)

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Resolution passed by the Council of the City of Reading, on the 13th day of Aug A. D. 20 07. Witness my hand and seal of the said City this 14th day of Aug A. D. 20 07.

CITY CLERK