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* Also Member Massachusetts Bar

May 16, 2007

Ms. Pamela Lee, Prothonotary
York County Judicial Center
45 North George Street
York, PA 17401

RE: CCSG, et al. v. Carroll Township Board of Supervisors
No.: 2007-SU-1590 T 08
Our File No. 5298/12592

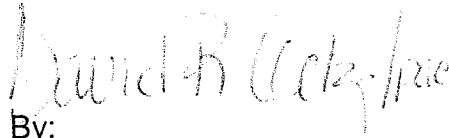
Dear Ms. Lee:

Please find enclosed an original and two copies of a Notice of Intervention with respect to the above matter on behalf of our client, JZCM, L.P. Please return two time-stamped copies of the Notice to me in the enclosed self-addressed, stamped envelope.

Please feel free to contact me in the event you have any questions.

Sincerely,

Wix, Wenger & Weidner



By:

David R. Getz

DRG/pac

Enclosures

cc: JZCM, L.P.

Steven A. Stein, Esquire

J. Dwight Yoder, Esquire

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA
CIVIL ACTION

CARROLL CITIZENS FOR SENSIBLE
GROWTH, WAYNE PEALER
CATHERINE PEALER,
And BRAD PEALER,
Appellants

v.

CARROLL TOWNSHIP BOARD OF
SUPERVISORS,
Appellee

JZCM, L.P.,
Intervenor

No. 2007-SU-1590 Y 08

NOTICE OF INTERVENTION OF JZCM, L.P.

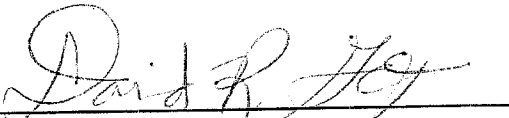
Notice is hereby given that JZCM, L.P. hereby intervenes as of right in the above-captioned action. In furtherance of this Notice, Intervenor, through its counsel, Wix, Wenger & Weidner, provides the following information:

1. Intervenor, JZCM, L.P., is a Pennsylvania partnership, with a principal business address of 4 Barlo Circle, Dillsburg, Pennsylvania, 17019 ("JZCM" or "Intervenor"). The general partner of JZCM is South Mountain Real Estate Management, LLC.
2. Intervenor intervenes as of course under Section 1004-A of the Pennsylvania Municipalities Planning Code ("MPC"), 53 P.S. § 101004-A.
3. The Intervenor is the equitable owner of the property that is the subject of the land use appeal. The Intervenor has the right to intervene pursuant to the MPC as Intervenor is the developer and equitable owner of the project on the property known as South Mountain Commons.
4. The Intervenor's position is that the appeal is without merit and that the conditional preliminary subdivision plan approval granted by the Carroll Township Board of Supervisors on April 2, 2007, as confirmed by the written decision dated April 25, 2007, was in accordance with all Township ordinances and the MPC. At least one of

and potentially all of the Appellants do not have standing. Further, the issues raised by Appellants were all carefully considered by the Township as part of the subdivision plan approval process. Accordingly, the decision of the Carroll Township Board of Supervisors was proper and should be affirmed under the MPC and the Township Ordinances.

Respectfully submitted,

WIX, WENGER & WEIDNER

By: 

David R. Getz, Esquire
Supreme Ct. I.D. No. 34838
508 North Second Street
Post Office Box 845
Harrisburg, PA 17101
(717) 234-4182

Dated: May 16, 2007

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CIVIL ACTION

CARROLL CITIZENS FOR SENSIBLE
GROWTH, WAYNE PEALER
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No. 2007-SU-1590 Y 08

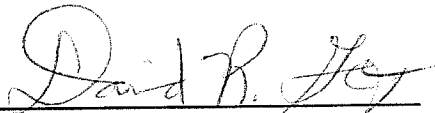
CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Intervention was served upon the following
by placing the same in the U.S. mail, first class, postage prepaid mail this day to the following:

Steven A. Stein, Esquire
23 Waverly Drive
Hummelstown, PA 17036

J. Dwight Yoder, Esquire
41 East Orange Street
Lancaster, PA 17602

WIX, WENGER & WEIDNER

By: 

David R. Getz, Esquire
Supreme Ct. I.D. No. 34838
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Post Office Box 845
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