

RESOLUTION NO. 09-12

A RESOLUTION OF THE TOWNSHIP OF AMITY, BERKS COUNTY, PENNSYLVANIA, FOR THE CONDEMNATION OF A PORTION OF LAND OWNED BY GEORGE W. THOMPSON, JR. AND BARBARA P. THOMPSON OWNER OF LAND ON VALLEY ROAD, SITUATE IN THE TOWNSHIP OF AMITY, BERKS COUNTY, PENNSYLVANIA, AS MORE FULLY DESCRIBED IN RECORD BOOK VOLUME 2257, PAGE 2187, IN ACCORDANCE WITH THE SECOND CLASS TOWNSHIP CODE, 53 P.S. 65101 et seq., AND THE EMINENT DOMAIN CODE, 26 Pa.C.S.A. § 101 et seq.

WHEREAS, in order to provide for required sanitary sewage facilities, situate in the Township of Amity, Berks County, Pennsylvania (the "Township"), the Township requires a portion of the land and improvements owned by George W. Thompson, Jr. and Barbara P. Thompson, located on Valley Road (the "Property"), situate in the Township of Amity, Berks County, Pennsylvania, more fully described in Record Book Volume 2257, page 2187, attached hereto as Exhibit "A."

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania that the Township will condemn an interest in a portion of the Property as depicted on Exhibit "B" hereto for the purposes of obtaining a perpetual sanitary sewer easement for the operation, construction laying, patrolling, inspecting, altering, maintaining, repairing, replacing and/or removing a sanitary sewer line, and all appurtenances thereto, in, over, under and across a portion of the Property, together with the right of ingress, egress, and regress in, along, over and across the Property for the purpose of exercising the rights to be obtained, and to enter the Property for the conduct of surveys and to establish the lines for the sanitary sewer line, to place surface markers, and to clear and keep cleared all trees, roots, brush, buildings and other obstructions from the surface and subsurface of the Property, together with a Temporary Construction Easement, as depicted on Exhibit "B", said Township sanitary sewage facilities to be developed and constructed to serve the residents of the Township, in accordance with the Second Class Township Code, 53 P.S. § 65101, et seq. and the Eminent Domain Code, 26 Ps.C.S.A. §101, et seq.

BE IT FURTHER RESOLVED, all appropriate actions be taken to carry out the intent and purpose of this resolution, including, but not limited to, the preparation of a Deed in Lieu of Condemnation and/or the preparation of all appropriate condemnation documents by the Township's Solicitor and the filing of all such Deed in Lieu of Condemnation and/or appropriate condemnation documents by the Township's Solicitor.

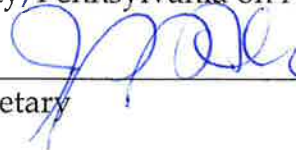
DULY ADOPTED AND APPROVED this 1<sup>st</sup> day of April, 2009.

BOARD OF SUPERVISORS,  
TOWNSHIP OF AMITY



Chairman (Vice)

I certify that this is a true and correct copy of a Resolution adopted by the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania on April 1, 2009.



Secretary

EXHIBIT A

D E E D

File No.: P-10975R

THIS INSTRUMENT made this 29th day of November, 1991

BETWEEN George W. Thompson, Jr. and Barbara P. Thompson, his wife (hereinafter called the Grantor/s), of the one part and

George W. Thompson, Jr. and Barbara P. Thompson, his wife, as tenants by the entirety (hereinafter called the Grantee/s), of the other part,

WITNESSETH, That in consideration of one dollar (\$1.00) and any other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, the said Grantor/s do/does hereby grant/s and convey/s unto the said Grantee/s, his/her/their/its heirs/executors and assigns,

PREMISES A

ALL THAT CERTAIN piece, parcel, or tract of land situate on the eastern side of the macadam township road leading from Baumstown to Stonersville, in the Township of Amity, County of Berks and State of Pennsylvania, bounded on the West by the aforesaid macadam township road and residue property belonging to George W. Thompson and Ella W. Thompson, his wife, and on the North, East and South by residue property belonging to George W. Thompson and Ella W. Thompson, his wife, and being more fully bounded and described as follows, to wit:

BEGINNING at a corner marked by an iron pin in the center line of the macadam township road leading from Baumstown to Stonersville, the aforesaid point of beginning being the southwestern corner of the herein described property and being south twenty one degrees thirteen minutes East (S. 21° 13' E.), a distance of one hundred ninety six and six one hundredths feet (196.06') measured in and along the aforesaid macadam township road from an iron pin in the center line of the concrete bridge crossing Monocacy Creek, which aforesaid last described pin is the most easterly corner of property belonging to Frank Knorr and Violet Knorr, his wife; thence leaving the aforesaid macadam township road and along residue property belonging to George W. Thompson and Ella W. Thompson, his wife, the four (4) following courses and distances, viz: (1) partly in and along and leaving a former road, now abandoned, and passing through an iron pin one hundred feet (100') from the last described corner, North eighteen degrees thirty one minutes East (N. 18° 31' E.), a distance of two hundred feet (200') to a corner marked by an iron pin, (2) passing through an iron pin twenty seven and forty two one-hundredths feet (27.42') from the last described corner and through another iron pin one hundred feet (100') from the next described corner, South seventy two degrees fifty seven minutes East (S. 72° 57' E.), a distance of two hundred feet (200') to a corner marked by an iron pin, (3) passing through an iron pin one hundred feet (100') from the last described corner, South eighteen degrees thirty one minutes West (S. 18° 31' W.), a distance of two hundred feet (200') to a corner marked by an iron pin, and (4) passing through an iron pin one hundred feet (100') from the last described corner and through another iron pin twenty four and twenty two one hundredths feet (24.22') from the next described corner, North seventy two degrees fifty seven minutes West (N. 72° 57' W.), a distance of two hundred feet (200') to the place of BEGINNING.

CONTAINING thirty nine thousand nine hundred eighty six (39,986) square feet.

BEING THE SAME PREMISES WHICH George W. Thompson and Ella W. Thompson, his wife, granted and conveyed unto George W. Thompson, Jr. and Barbara P. Thompson, his wife, by deed dated June 24, 1960, and recorded in Deed Book Volume 1370, page 1031, Berks County Records.

PREMISES B

ALL THAT CERTAIN piece or tract of land situate on the eastern side of Township Road T-458, known as Valley Road in the Township of Amity, County of Berks and Commonwealth of Pennsylvania, being more fully bounded and described

as follows to wit:

BEGINNING at a corner in Township Road T-458 known as Valley Road on a bridge crossing the Monocacy Creek, said corner being the northwestern corner of the herein described premises; thence along property belonging to Maxine J. Boisson and Marie C. Boisson, his wife, the three (3) following courses and distances, viz: (1) leaving the aforesaid Township Road T-458 and the bridge, and crossing the aforesaid Monocacy Creek, South forty four degrees twenty six minutes thirty nine seconds East (S. 44° 26' 39" E.) a distance of three hundred and seventy eight hundredths feet (300.78') to a corner marked by an iron pipe, (2) North forty nine degrees zero minutes twenty seconds East (N. 49° 00' 20" E.) a distance of forty nine and eight hundredths feet (49.08') to a corner marked by an iron pipe and (3) South eighty two degrees five minutes nine seconds East (S. 82° 05' 09" E.) a distance of seven hundred twelve and seventy four hundredths feet (712.24') to a corner marked by a steel pin; thence along residue property belonging to the Estate of George W. Thompson, deceased, the (3) following courses and distances, viz: (1) South fourteen degrees fifty six minutes seventeen seconds West (S. 14° 56' 17" W.) a distance of three hundred six and sixty three hundredths feet (306.63') to a corner marked by a steel pin, (2) North eighty two degrees five minutes nine seconds West (N. 82° 05' 09" W.) a distance of seven hundred fifty and sixty six hundredths feet (750.66') to a corner marked by a P.K. nail in the aforesaid Township Road T-458 and (3) along the aforesaid Township Road T-458, North zero degrees fifty one minutes twenty seconds West (N. 00° 51' 20" W.) a distance of forty six and nineteen hundredths feet to a corner marked by a P.K. nail; thence along other property belonging to George W. Thompson, Jr., and Barbara P. Thompson, his wife, the four (4) following courses and distances, viz: (1) South seventy two degrees fifty seven minutes zero seconds East (S. 72° 57' 00" E.) a distance of two hundred feet (200') to a corner, (2) North eighteen degrees thirty one minutes zero seconds East (N. 18° 31' 00" E.) a distance of two hundred feet (200') to a corner, (3) North seventy two degrees fifty seven minutes zero seconds West (N. 72° 57' 00" W.) a distance of two hundred feet (200') to a corner marked by an iron pipe and (4) South eighteen degrees thirty one minutes zero seconds West (S. 18° 31' 00" W.) a distance of two hundred feet (200') to a corner marked by a P.K. nail in the aforesaid Township Road T-458; thence along the same the four (4) following courses and distances, viz: (1) North twenty one degrees thirteen minutes zero seconds West (N. 21° 13' 00" W.) a distance of one hundred ninety six and six hundredths feet (196.06') to a corner marked by a P.K. nail on a bridge crossing the aforesaid Monocacy Creek, (2) crossing said creek North nineteen degrees fifteen minutes zero seconds West (N. 19° 15' 00" W.) a distance of one hundred twenty seven and five hundredths feet (127.05') to a corner marked by a P.K. nail (3) North fourteen degrees fifteen minutes zero seconds West (N. 14° 15' 00" W.) a distance of eighty four and fifteen hundredths feet (84.15') to a corner marked by a P.K. nail and (4) North ten degrees eight minutes zero seconds East (N. 10° 08' 00" E.) a distance of forty two and twenty two hundredths feet (42.22') to the place of BEGINNING.

CONTAINING five and one hundred forty two thousandths (5.142) acres.

BEING THE SAME PREMISES WHICH The National Bank of Boyertown, a Pennsylvania banking corporation, and Robert L. Thompson, Executors of the Last Will and Testament of George W. Thompson, deceased, granted and conveyed unto George W. Thompson, Jr. and Barbara P. Thompson, his wife, by deed dated August 15, 1978, and recorded in Deed Book Volume 1743, page 289, Berks County Records.

*TRANSFER FROM HUSBAND AND WIFE TO HUSBAND  
AND WIFE; THEREFORE TAX EXEMPT.*

AND the said Grantor/s do/does hereby covenants to and with the said Grantee/s that he/she/they/it, the said Grantor/s, for himself/herself/themself/itself, their heirs/executors and assigns, SHALL AND WILL SPECIALLY, Warrant and forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said Grantee/s his/her/their/its heirs/executors and assigns, against the said Grantor/s and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under he/she/them/it or any of them.

IN WITNESS WHEREOF, the said Grantor/s has/have caused these presents to be duly executed, the day and year first above written.

SEALED AND DELIVERED  
in the presence of:

George W. Thompson Jr. (SEAL)  
George W. Thompson, Jr.

Barbara P. Thompson (SEAL)  
Barbara P. Thompson

Commonwealth of Pennsylvania:  
County of Berks:

On this, the 29th day of November, 1991, before me, the undersigned officer, personally appeared George W. Thompson, Jr. and Barbara P. Thompson, his wife known to me (or satisfactorily proven) to be the person/s whose name/s is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

[Signature]  
Notary Public

The address of the Grantee is:  
43 Valley Rd.  
Birdsboro Pa 19508

Notary Seal  
Patricia A. Hoffman, Notary Public  
Practicing, Berks County  
My Commission Expires Aug. 13, 1994  
Pennsylvania Association of Notaries

RECORDED IN BERKS CO., PA.  
IN BK 2257 PAGE 2187



12-10-91  
Linda H. Frey

Recorder of Deeds

2257  
47363  
2187

12-10-91 10:29SUE \$7143  
FEE \$13.00  
WRIT \$0.50  
ST \$13.50  
CHK \$21.50  
CS \$35.00  
PAY TO THE ORDER OF  
RECORDER OF DEEDS  
LINDA H. FREY  
READING, PA/BERKS CO  
CHK \$35.00  
12-10-91 10:29SUE 8713

EXHIBIT B