

RESOLUTION NO. 09-14

A RESOLUTION OF THE TOWNSHIP OF AMITY, BERKS COUNTY, PENNSYLVANIA, FOR THE CONDEMNATION OF A PORTION OF LAND OWNED BY MARIAN S. FICK AND CHARLES L. FICK, CAROL ANN WEILER, JOHN. W. KLINE, AND ROBERT L. KLINE AND KATHRYN L. KLINE OWNERS OF LAND ON BEN FRANKLIN HIGHWAY, SITUATE IN THE TOWNSHIP OF AMITY, BERKS COUNTY, PENNSYLVANIA, AS MORE FULLY DESCRIBED IN RECORD BOOK VOLUME 2102, PAGE 868, RECORD BOOK VOLUME 3976, PAGE 1185 AND RECORD BOOK VOLUME 4128, PAGE 1850, 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 Marion S. Fick and Charles L. Fick, Carol Ann Weiler, John W. Kline, and Robert L. Kline and Kathryn L. Kline, located on Ben Franklin Highway (the "Property"), situate in the Township of Amity, Berks County, Pennsylvania, more fully described in Record Book Volume 2102, page 868, Record Book Volume 3976, page 1185 and Record Book Volume 4128, page 1850, attached hereto collectively 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 1st 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

This Deed, made the

15th

day of *September*

in the year one thousand nine hundred and eighty-nine (1989)

Between FRANCES M. KLINE, widow, of Amity Township, Berks County, Pennsylvania

and MARIAN K. FICK, CAROL ANN WEILER, JOHN W. KLINE and ROBERT L. KLINE, all of Amity Township, Berks County, Pennsylvania, as tenants in common in equal shares

, hereinafter called grantor,

, hereinafter called grantee,

Witnesseth that grantor, intending to be legally bound hereby,

hath granted, bargained, sold aliened, enfeoffed, released, conveyed and confirmed, and by this Deed does grant, bargain, sell alien, enfeoff, release, convey and confirm to grantee

ALL THAT CERTAIN piece, parcel or tract of land together with the two story and attic stucco covered stone dwelling house, frame bank barn, and other outbuildings erected thereon, situate on the northern side of the Concrete State Highway leading from Reading to Pottstown, on the western side of the Macadam State Highway leading to Yellow House, and on both sides of the Monocacy Creek, in the Township of Amity, County of Berks and State of Pennsylvania, being more fully bounded and described in accordance with a survey made by Walter E. Spotts and Associates, Registered Professional Engineers and Land Surveyors, in May 1957, as follows, to wit:

BEGINNING at a corner marked by a drill hole cut in concrete in the center line of the Concrete State Highway leading from Reading to Pottstown at its intersection with the Macadam State Highway leading to Yellow House, said corner being the southeastern corner of the herein described property thence along the center line of the aforesaid Concrete State Highway leading from Reading to Pottstown, having a right-of-way width of eighty feet (80') and along residue property belonging to the Valley Forge Military Academy Foundation, the three (3) following courses and distances, viz. (1) north sixty-five degrees sixteen minutes West (N. 65° 16' W.) a distance of seven hundred forty three feet three and five eighth inches (743' 3-5/8") to a corner marked by a drill hole cut in concrete at the beginning of a curve, (2) by the aforesaid curve bearing to the right, having a radius of two thousand six hundred forty five feet eleven and one half inches (2,645' 11-1/2"), a central angle of ten degrees fifty nine minutes (10° 59'), a tangent distance of two hundred fifty four feet four and five eighth inches (254' 4-5/8"), a distance along the arc of five hundred seven feet two and five eighth inches (507' 2-5/8") and a chord with a bearing of north fifty nine degrees forty six minutes thirty seconds west (N. 59° 46' 30" W.), and a distance of five hundred six feet five and one fourth inches (506' 5-1/4") to a corner marked by a drill hole at a point of tangency, and (3) crossing the bridge over Monocacy Creek, north fifty four degrees seventeen minutes west (N. 54° 17' W.), a distance of one thousand one hundred eight feet six and one eighth inches (1,108' 6-1/8") to a corner;

thence leaving the aforesaid Concrete State Highway and along property of the Brittany Farm, the two (2) following courses and distances, viz: (1) South sixty five degrees fifty four minutes east (S. 65° 54' E.) a distance of three hundred ten feet seven and one half inches (310' 7-1/2") to a corner marked by a stake a short distance northwardly from the aforesaid Concrete State Highway, and (2) passing through an iron pin five hundred twenty six feet four and five eighth inches (526' 4-5/8") from the last described corner, north fourteen degrees six minutes east (N. 14° 06' E.) a distance of one thousand sixty-two foot ten and five eighth inches (1,062' 10-5/8") to a corner marked by an iron pin in line of property belonging to William Z. Harner and Elmira J. Harner, his wife; thence along same, the two (2) following courses and distances, viz: (1) passing through an iron pin twenty six feet ten and five eighth inches (26' 10-5/8") from the next described corner south eighty seven degrees fifty six minutes East (S. 87° 56' E.), a distance of four hundred fifty three feet nine inches (453' 9") to a corner in Monocacy Creek, and (2) in and along same, North nine degrees fifty five minutes ten seconds east (N. 9° 55' 10"E.) a distance of sixty six feet four and seven eighth inches (66' 4-7/8") to a corner; thence leaving the aforesaid Monocacy Creek, and along property belonging to William W. Wyder and Florence C. Wyder, his wife, the three (3) following courses and distances, viz: (1) passing through a willow tree thirty feet six and one half inches (30' 6-1/2") from the last described corner, south eighty seven degrees four minutes thirty seconds east (S. 87° 04' 30" E.) a distance of six hundred twenty two feet seven and one half inches (622' 7-1/2") to a corner marked by a concrete monument, (2) South twelve degrees fifteen minutes west (S. 12° 15' W.) a distance of sixteen feet six inches (16' 6") to a corner marked by a concrete monument, and (3) south eighty four degrees east (S. 84° E.), a distance of nine hundred seventy feet three and one fourth inches (970' 3-1/4") to a corner marked by an iron pin in the aforesaid Macadam State Highway leading toward Yellow House; thence in and along same, the two (2) following courses and distances, viz: (1) along properties belonging to the John T. Dyer Quarry Co., Donald E. Hausman and Marie E. Hausman, his wife, Irwin D. Kline and Rose T. Kline, his wife, Ernest L. Millard, Arthur R. Heist, Jr., and June A. Heist, his wife, and Wilbert B. Craig and Verna E. Craig, his wife, respectively, south fifteen degrees thirty minutes west (S. 15° 30' W.) a distance of nine hundred eighty eight feet one half inch (988' 0-1/2") to a corner marked by an iron pin, and (2) along the aforesaid property belonging to Wilbert B. Craig and Verna E. Craig, his wife, along properties belonging to Edgar P. Moyer and Aletha V. Moyer, his wife, Andrew Riegel and Mary Riegel, his wife, and Harry Smyk and Alice M. Smyk, his wife, respectively, and along other property belonging to Clarence C. Kline & Frances M. Kline, his wife, south sixteen degrees twelve minutes west (S. 16° 12' W.), a distance of one thousand seventy feet three inches (1,070' 3") to a corner marked by an iron pin on the northern right-of-way line of the aforesaid eighty feet (80') wide right-of-way of the Concrete State Highway leading from Reading to Pottstown; thence crossing the northern one half of same, south twenty two degrees twenty eight minutes west (S. 22° 28' W.), a distance of forty feet no inches (40' 0") to the place of Beginning.

CONTAINING seventy seven and sixty two one hundredths (77.62) acres.

EXCEPTING THEREOUT AND THEREFROM the three (3) following described parcels of real estate:

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- A. ALL THAT CERTAIN tract of land together with the dwelling thereon erected situate on the West side of LR 06059, known as Limekiln 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 spike in Limekiln Road, said spike being a distance of 400 feet measured along the centerline of Limekiln Road, from the centerline of U.S. Highway 422; thence leaving said road and along lands of Clarence C. Kline, the three following courses and distances: (1) North 68 degrees 54 minutes 12 seconds West, passing through an iron pin 30.00 feet distant, 220.00 feet to an iron pin; (2) North 21 degrees 05 minutes 48 seconds East, 158.00 feet to an iron pin; (3) South 68 degrees 54 minutes 12 seconds East, passing through an iron pin on line 30.00 feet from the next described corner, 220.00 feet to a spike in the centerline of Limekiln Road; thence in said road, South 21 degrees 05 minutes 48 seconds West, 158.00 feet to a spike, the place of BEGINNING.

CONTAINING 34,760 square feet.

BEING THE SAME PREMISES which Clarence C. Kline and Frances M. Kline, his wife, by their deed dated December 22, 1982 and recorded in Berks County Records in Deed Book Volume 1825, page 65, did grant and convey unto Carol Ann Weiler and Robert Weiler, her husband.

- B. ALL THAT CERTAIN tract or piece of land situate on the west side of Limekiln Road, LR 06059, and being Lot #1 of the Frances M. Kline Subdivision in the Township of Amity, County of Berks, and Commonwealth of Pennsylvania, being more fully bounded and described in accordance with a survey by Andrew F. Kent, Professional Land Surveyor, designated 04-38-84 and being recorded in Plan Book Volume 136 at page 15, Berks County Records, as follows, to wit:

BEGINNING at a spike in Limekiln Road a corner of Lot #2, thence leaving said road and along Lot #2, North 69 degrees 44 minutes 00 seconds West, 250.00 feet to an iron pin in line of residue property of Frances M. Kline; thence along said residue property the two following courses and distances: (1) North 20 degrees 16 minutes East, 175.00 feet to an iron pin; (2) South 69 degrees 44 minutes East, 250.00 feet to a spike in Limekiln Road; thence in Limekiln Road, South 20 degrees 16 minutes West, 175.00 feet to a spike, the place of Beginning.

CONTAINING 1.00 acre.

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BEING THE SAME PREMISES which Frances M. Kline, widow, by her deed dated February 27, 1985 and recorded in Berks County Records in Deed Book Volume 1869, page 654, did grant and convey unto Charles L. Fick and Marian K. Fick, his wife.

- C. ALL THAT CERTAIN tract or piece of land situate on the west side of Limekiln Road, LR 06059, and being Lot #2 of the Frances M. Kline Subdivision in the Township of Amity, County of Berks and Commonwealth of Pennsylvania being more fully bounded and described in accordance with a survey by Andrew F. Kent, Professional Land Surveyor, designated 04-38-84 and being recorded in Plan Book Volume 136 at page 15, Berks County Records, as follows, to wit:

BEGINNING at a spike in Limekiln Road a corner of Lot #1, thence in Limekiln Road, South 20 degrees 16 minutes West, 175.00 feet to a spike; thence leaving said road and along residue property of Frances M. Kline the two following courses and distances: (1) North 69 degrees 44 minutes West, 250.00 feet to an iron pin; (2) North 20 degrees 16 minutes East, 175.00 feet to an iron pin, a corner of Lot #1; thence along Lot #1, South 69 degrees 44 minutes East, 250.00 feet to a spike, the place of Beginning.

CONTAINING 1.00 acre.

BEING THE SAME PREMISES which Frances M. Kline, widow, by her deed dated February 27, 1985 and recorded in Berks County Records in Deed Book Volume 1869, page 657, did grant and convey unto Charles L. Fick, Jr., singleman.

The herein conveyed premises are a part of the premises which Valley Forge Military Academy Foundation by its deed dated May 28, 1957 and recorded in Berks County Records in Deed Book Volume 1265, page 397 did grant and convey unto Clarence C. Kline and Frances M. Kline, husband and wife, as tenants by the entirety and the said Clarence C. Kline being so thereof seized departed this life on January 23, 1983, whereby title to the herein conveyed premises became vested solely in Frances M. Kline, grantor herein, as surviving tenant by the entirety.

This deed is exempt from real estate transfer tax it being a conveyance from mother to daughters and sons.

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Together with all and singular improvements, ways, streets, alleys, passages, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever unto the hereby granted premises belonging or in any wise appurtenant, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property and demand whatsoever of grantor, as well at law as in equity, of, in and to the same;

To Have and to Hold unto grantee to and for the only proper use and behoof of grantee forever as tenants in common with each grantee having an equal one-fourth (1/4) interest in the herein conveyed premises.

and

grantor does hereby covenant warrant specially

the property

hereby conveyed, it being understood that the words grantor and grantee wherever occurring herein include singular, plural, masculine, feminine and neuter parties.

In Witness Whereof grantor has caused this Deed to be duly executed.



Frances M. Kline (SEAL)
Frances M. Kline

I hereby certify that the precise address of the grantee herein is: Linekiln Road, Monocacy Station,
PA 19542

2102 P 872



Attorney for Grantee

State of Pennsylvania
County of Berks

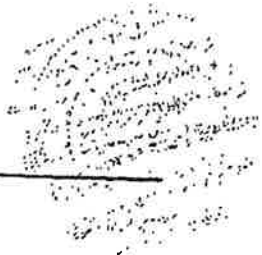
On this, the 15th day of September, 1989, before me, the undersigned officer, personally appeared Frances M. Kline, a widow

known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed, and acknowledged that she executed the same for the purposes therein contained.

In Witness Whereof I hereunto set my hand and official seal.



Jodie E. Heffner



State of _____
County of _____
On this, the _____ day of _____, 19____, before me, the undersigned officer, personally appeared _____, who acknowledged himself to be the _____, a corporation, and that he as _____ president, being authorized to do so; executed the within deed for the purposes therein contained by signing the name of the corporation by himself as _____ president.

In Witness Whereof I hereunto set my hand and official seal.

RECORDED IN BERKS CO. PA.
IN BK 2102 PAGE 868



Recorded in the Office for Recording Deeds in and for the County of _____
_____ day of _____
Recorder of Deeds

89 OCT 31 09:13

RECORDER OF DEEDS
BERKS COUNTY, PA

6c

Anno Domini 19

2102 868
No. 40690

DEED

FRANCES M. KLINE, a widow

AND

MARIAN K. FICK,
CAROL ANN WEILER,
JOHN W. KLINE and
ROBERT L. KLINE as
tenants in common
in equal shares

Premises situate in the Township of Amity, County of Berks and State of Pennsylvania

Henry M. Koch, Jr., Esq.

Koch & Koch
217 N. 6th Street
P. O. Box 8314
Reading, PA 19603

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THIS DEED, made this 8 day of January, 2004

Between, **ROBERT L. KLINE**, of the Township of Amity, County of Berks and Commonwealth of Pennsylvania. (hereinafter called the Grantor),

and

ROBERT L. KLINE and KATHRYN L. KLINE, husband and wife, of Township of Amity, County of Berks and Commonwealth of Pennsylvania, as tenants by the entireties, (hereinafter called the Grantees).

Witnesseth, That in consideration of the sum of One And 00/100 Dollars (\$1.00), and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the Grantor does hereby grant and convey his one-quarter interest to the Grantees, in and to:

ALL THAT CERTAIN piece, parcel or tract of land together with the two story and attic stucco covered stone dwelling house, frame bank barn, and other outbuildings erected thereon, situate on the northern side of the Concrete State Highway leading from Reading to Pottstown, on the western side of the Macadam State Highway leading to Yellow House, and on both sides of the Monocacy Creek, in the Township of Amity, County of Berks and State of Pennsylvania, being more fully bounded and described in accordance with a survey made by Walter E. Spotts and Associates, Registered Professional Engineers and Land Surveyors, in May 1957, as follows, to wit:

BEGINNING at a corner marked by a drill hole cut in concrete in the center line of the Concrete State Highway leading from Reading to Pottstown at its intersection with the Macadam State Highway leading to Yellow House, said corner being the southeastern corner of the herein described property thence along the center line of the aforesaid Concrete State Highway leading from Reading to Pottstown, having a right-of-way width of eighty feet (80') and along residue property belonging to the Valley Forge Military Academy Foundation, the three (3) following courses and distances, viz. (1) north sixty-five degrees sixteen minutes West (N. 65° 16' W.) a distance of seven hundred forty three feet three and five eighth inches (743' 3-5/8") to a corner marked by a drill hole cut in concrete at the beginning of a curve, (2) by the aforesaid curve bearing to the right, having a radius of two thousand six hundred forty five feet eleven and one half inches (2,645' 11-1/2"), a central angle of ten degrees fifty nine minutes (10° 59'), a tangent distance of two hundred fifty four feet four and five eighth inches (254' 4-5/8"), a distance along the arc of five hundred seven feet two and five eighth inches (507' 2-5/8") and a chord with a bearing of north fifty nine degrees forty six minutes thirty seconds west (N. 59° 46' 30" W.), and a distance of five hundred six feet five and one fourth inches (506' 5-1/4") to a corner marked by a drill hole at a point of tangency, and (3) crossing the bridge over Monocacy Creek, north fifty four degrees seventeen minutes west (N. 54° 17' W.), a distance of one thousand one hundred eight feet six and one eighth inches (1,108' 6-1/8") to a corner; thence leaving the aforesaid Concrete State Highway and along property of the

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Brittany Farm, the two (2) following courses and distances, viz: (1) South sixty five degrees fifty four minutes east (S. 65° 54' E.) a distance of three hundred ten feet seven and one half inches (310' 7-1/2") to a corner marked by a stake a short distance northwardly from the aforesaid Concrete State Highway, and (2) passing through an iron pin five hundred twenty six feet four and five eighth inches (526' 4-5/8") from the last described corner, north fourteen degrees six minutes east (N. 14° 06' E.) a distance of one thousand sixty-two feet ten and five eighth inches (1,062' 10-5/8") to a corner marked by an iron pin in line of property belonging to William Z. Harner and Elmira J. Harner, his wife; thence along same, the two (2) following courses and distances, viz: (1) passing through an iron pin twenty six feet ten and five eighth inches (26' 10-5/8") from the next described corner south eighty seven degrees fifty six minutes East (S. 87° 56' E.), a distance of four hundred fifty three feet nine inches (453' 9") to a corner in Monocacy Creek, and (2) in and along same, North nine degrees fifty five minutes ten seconds east (N. 9° 55' 10" E.) a distance of sixty six feet four and seven eighth inches (66' 4-7/8") to a corner; thence leaving the aforesaid Monocacy Creek, and along property belonging to William W. Wyder and Florence C. Wyder, his wife, the three (3) following courses and distances, viz: (1) passing through a willow tree thirty feet six and one half inches (30' 6-1/2") from the last described corner, south eighty seven degrees four minutes thirty seconds east (S. 87° 04' 30" E.) a distance of six hundred twenty two feet seven and one half inches (622' 7-1/2") to a corner marked by a concrete monument, (2) South twelve degrees fifteen minutes west (S. 12° 15' W.) a distance of sixteen feet six inches (16' 6") to a corner marked by a concrete monument, and (3) south eighty four degrees east (S. 84° E.), a distance of nine hundred seventy feet three and one fourth inches (970' 3-1/4") to a corner marked by a iron pin in the aforesaid Macadam State Highway leading toward Yellow House; thence in and along same, the two (2) following courses and distances, viz: (1) along properties belonging to the John T. Dyer Quarry Co., Donald E. Hausman and Marie E. Hausman, his wife, Irwin D. Kline and Rose T. Kline, his wife, Ernest L. Millard, Arthur R. Heist, Jr., and Jure A. Heist, his wife, and Wilbert B. Craig and Verna E. Craig, his wife, respectively, south fifteen degrees thirty minutes west (S. 15° 30' W.) a distance of nine hundred eighty eight feet one half inch (988' 0-1/2") to a corner marked by an iron pin, and (2) along the aforesaid property belonging to Wilbert B. Craig and Verna E. Craig, his wife, along properties belonging to Edgar F. Moyer and Aletha V. Moyer, his wife, Andrew Riegel and Mary Riegel, his wife, and Harry Snyk and Alice M. Snyk, his wife, respectively, and along other property belonging to Clarence C. Kline and Frances M. Kline, his wife, south sixteen degrees twelve minutes west (S. 16° 12' W.), a distance of one thousand seventy feet three inches (1,070' 3") to a corner marked by an iron pin on the northern right-of-way line of the aforesaid eighty feet (80') wide right-of-way of the Concrete State Highway leading from Reading to Pottstown; thence crossing the northern one half of same, south twenty two degrees twenty eight minutes west (S. 22° 28' W.), a distance of forty feet no inches (40' 0") to the place of Beginning.

CONTAINING seventy-seven and sixty-two one hundredths (77.62) acres.

EXCEPTING THEREOUT AND THEREFROM the three (3) following described parcels of real estate:

1234426-1

7L3976PG1186

A. *ALL THAT CERTAIN* tract of land together with the dwelling thereon erected situate on the West side of LR 06059, known as Limekiln 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 spike in Limekiln Road, said spike being a distance of 400 feet measured along the centerline of Limekiln Road, from the centerline of U.S. Highway 422; thence leaving said road and along lands of Clarence C. Kline, the three following courses and distances: (1) North 68 degrees 54 minutes 12 seconds West, passing through an iron pin 30.00 feet distant, 220.00 feet to an iron pin; (2) North 21 degrees 05 minutes 48 seconds East, 158.00 feet to an iron pin; (3) South 68 degrees 54 minutes 12 seconds East, passing through an iron pin on line 30.00 feet from the next described corner, 220.00 feet to a spike in the centerline of Limekiln Road; thence in said road, South 21 degrees 05 minutes 48 seconds West, 158.00 feet to a spike, the place of *BEGINNING*.

CONTAINING 34,760 square feet.

BEING THE SAME PREMISES which Clarence C. Kline and Frances M. Kline, his wife, by their deed dated December 22, 1982 and recorded in Berks County Records in Deed Book Volume 1825, page 65, did grant and convey unto Carol Ann Weiler and Robert Weiler, her husband.

B. *ALL THAT CERTAIN* tract or piece of land situate on the west side of Limekiln Road, LR 06059, and being Lot #1 of the Frances M. Kline Subdivision in the Township of Amity, County of Berks, and Commonwealth of Pennsylvania, being more fully bounded and described in accordance with a survey by Andrew F. Kent, Professional Land Surveyor, designated 04-38-84 and being recorded in Plan Book Volume 136 at page 15, Berks County Records, as follows, to wit:

BEGINNING at a spike in Limekiln Road a corner of Lot #2, thence leaving said road and along Lot #2, North 69 degrees 44 minutes 00 seconds West, 250.00 feet to an iron pin in line of residue property of Frances M. Kline; thence along said residue property the two following courses and distances: (1) North 20 degrees 16 minutes East, 175.00 feet to an iron pin; (2) South 69 degrees 44 minutes East, 250.00 feet to a spike in Limekiln Road; thence in Limekiln Road, South 20 degrees 16 minutes West, 175.00 feet to a spike, the place of *Beginning*.

CONTAINING 1.00 acre.

BEING THE SAME PREMISES which Frances M. Kline, widow, by her deed dated February 27, 1985 and recorded in Berks County Records in Deed Book Volume 1869, page 654, did grant and convey unto Charles L. Fick and Marian K. Fick, his wife.

C. *ALL THAT CERTAIN* tract or piece of land situate on the west side of Limekiln Road, LR 06059, and being Lot #2 of the Frances M. Kline Subdivision in the Township of Amity, County of Berks and Commonwealth of Pennsylvania being more fully bounded and described in

123426-1

7L3976PG1187

accordance with a survey by Andrew F. Kent, Professional Land Surveyor, designated 04-38-84 and being recorded in Plan Book Volume 136 at page 15, Berks County Records, as follows, to wit:

BEGINNING at a spike in Limekiln Road a corner of Lot #1, thence in Limekiln Road, South 20 degrees 16 minutes West, 175.00 feet to a spike; thence leaving said road and along residue property of Frances M. Kline the two following courses and distances: (1) North 69 degrees 44 minutes west, 250.00 feet to an iron pin; (2) North 20 degrees 16 minutes East, 175.00 feet to an iron pin, a corner of Lot #1, thence along Lot #1, South 69 degrees 44 minutes East, 250.00 feet to a spike, the place of Beginning.

CONTAINING 1.00 acre.

BEING THE SAME PREMISES which Frances M. Kline, widow, by her deed dated September 1, 1989 and recorded in Berks County Records in Deed Book Volume 2102, page 868, did grant and convey unto Marian K. Fick, Carol Ann Weiler, John W. Kline and Robert L. Kline, as tenants in common, in equal shares.

The within conveyance is wholly tax exempt as it is a conveyance from husband to husband and wife.

And the Grantor hereby covenants and agrees that he will specially warrant the premises hereby conveyed.

In Witness Whereof, the Grantor has executed or caused these presents to be duly executed the day and year first above written.

**Sealed and Delivered
In the Presence of:**




ROBERT L. KLINE

DEED

Robert L. Kline

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Robert L. Kline and Kathryn L. Kline,
husband and wife

Premises:

Township of Amity, County of Berks,
Commonwealth of Pennsylvania

Brian R. Orr, Esquire
Barley Snyder
501 Washington Street
P.O. Box 542
Reading, PA 19603-0942

1214420-1

EM



RECORDED IN BERKS CO. PA

Eric Arthur
RECORDER OF DEEDS

06626

3996 1185

2010-07-28-2010 15:27

RECORDED IN BERKS COUNTY PA
INDEXED TO BOOK 06626 PAGE 1185
FILED 2010-07-28

2010-07-28-2010 15:27
RECORDED IN BERKS COUNTY PA
INDEXED TO BOOK 06626 PAGE 1185
FILED 2010-07-28

VL3976PG1190

1000
500
1530
750

THIS DEED, made this 16 day of August, 2004

Between MARIAN K. FICK, a/k/a MARIAN S. FICK, of the Township of Amity, County of Berks and Commonwealth of Pennsylvania, (hereinafter called the Grantor),

and

MARIAN S. FICK and CHARLES L. FICK, wife and husband, of the Township of Amity, County of Berks and Commonwealth of Pennsylvania, as tenants by the entireties, (hereinafter called the Grantees).

Witnesseth, That in consideration of the sum of One And 00/100 Dollars (\$1.00), and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the Grantor does hereby grant and convey her one-quarter interest to the Grantees, in and to:

ALL THAT CERTAIN piece, parcel or tract of land together with the two story and attic stucco covered stone dwelling house, frame bank barn, and other outbuildings erected thereon, situate on the northern side of the Concrete State Highway leading from Reading to Pottstown, on the western side of the Macadam State Highway leading to Yellow House, and on both sides of the Monocacy Creek, in the Township of Amity, County of Berks and State of Pennsylvania, being more fully bounded and described in accordance with a survey made by Walter E. Spotts and Associates, Registered Professional Engineers and Land Surveyors, in May 1957, as follows, to wit:

BEGINNING at a corner marked by a drill hole cut in concrete in the center line of the Concrete State Highway leading from Reading to Pottstown at its intersection with the Macadam State Highway leading to Yellow House, said corner being the southeastern corner of the herein described property thence along the center line of the aforesaid Concrete State Highway leading from Reading to Pottstown, having a right-of-way width of eighty feet (80') and along residue property belonging to the Valley Forge Military Academy Foundation, the three (3) following courses and distances, viz. (1) north sixty-five degrees sixteen minutes West (N. 65° 16' W.) a distance of seven hundred forty three feet three and five eighth inches (743' 3-5/8") to a corner marked by a drill hole cut in concrete at the beginning of a curve, (2) by the aforesaid curve bearing to the right, having a radius of two thousand six hundred forty five feet eleven and one half inches (2,645' 11-1/2"), a central angle of ten degrees fifty nine minutes (10° 59'), a tangent distance of two hundred fifty four feet four and five eighth inches (254' 4-5/8"), a distance along the arc of five hundred seven feet two and five eighth inches (507' 2-5/8") and a chord with a bearing of north fifty nine degrees forty six minutes thirty seconds west (N. 59° 46' 30" W.), and a distance of five hundred six feet five and one fourth inches (506' 5-1/4") to a corner marked by a drill hole at a point of tangency, and (3) crossing the bridge over Monocacy Creek, north fifty four degrees seventeen minutes west (N. 54° 17' W.), a distance of one thousand one hundred eight feet six and one eighth inches (1,108' 6-1/8") to a corner; thence leaving the aforesaid Concrete State Highway and along property of the

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Brittany Farm, the two (2) following courses and distances, viz: (1) South sixty five degrees fifty four minutes east (S. 65° 54' E.) a distance of three hundred ten feet seven and one half inches (310' 7-1/2") to a corner marked by a stake a short distance northwardly from the aforesaid Concrete State Highway, and (2) passing through an iron pin five hundred twenty six feet four and five eight inches (526' 4-5/8") from the last described corner, north fourteen degrees six minutes east (N. 14° 06' E.) a distance of one thousand sixty-two feet ten and five eighth inches (1,062' 10-5/8") to a corner marked by an iron pin in line of property belonging to William Z. Harner and Elmira J. Harner, his wife; thence along same, the two (2) following courses and distances, viz: (1) passing through an iron pin twenty six feet ten and five eighth inches (26' 10-5/8") from the next described corner south eighty seven degrees fifty six minutes East (S. 87° 56' E.), a distance of four hundred fifty three feet nine inches (453' 9") to a corner in Monocacy Creek, and (2) in and along same, North nine degrees fifty five minutes ten seconds east (N. 9° 55' 10" E.) a distance of sixty six feet four and seven eighth inches (66' 4-7/8") to a corner; thence leaving the aforesaid Monocacy Creek, and along property belonging to William W. Wyder and Florence C. Wyder, his wife, the three (3) following courses and distances, viz: (1) passing through a willow tree thirty feet six and one half inches (30' 6-1/2") from the last described corner, south eighty seven degrees four minutes thirty seconds east (S. 87° 04' 30" E.) a distance of six hundred twenty two feet seven and one half inches (622' 7-1/2") to a corner marked by a concrete monument, (2) South twelve degrees fifteen minutes west (S. 12° 15' W.) a distance of sixteen feet six inches (16' 6") to a corner marked by a concrete monument, and (3) south eighty four degrees east (S. 84° E.), a distance of nine hundred seventy feet three and one fourth inches (970' 3-1/4") to a corner marked by a iron pin in the aforesaid Macadam State Highway leading toward Yellow House; thence in and along same, the two (2) following courses and distances, viz: (1) along properties belonging to the John T. Dyer Quarry Co., Donald E. Hausman and Marie E. Hausman, his wife, Irwin D. Kline and Rose T. Kline, his wife, Ernest L. Millard, Arthur R. Heist, Jr., and June A. Heist, his wife, and Wilbert B. Craig and Verna E. Craig, his wife, respectively, south fifteen degrees thirty minutes west (S. 15° 30' W.) a distance of nine hundred eighty eight feet one half inch (988' 0-1/2") to a corner marked by an iron pin, and (2) along the aforesaid property belonging to Wilbert B. Craig and Verna E. Craig, his wife, along properties belonging to Edgar F. Moyer and Aletha V. Moyer, his wife, Andrew Riegel and Mary Riegel, his wife, and Harry Smyk and Alice M. Smyk, his wife, respectively, and along other property belonging to Clarence C. Kline and Frances M. Kline, his wife, south sixteen degrees twelve minutes west (S. 16° 12' W.), a distance of one thousand seventy feet three inches (1,070' 3") to a corner marked by an iron pin on the northern right-of-way line of the aforesaid eighty feet (80') wide right-of-way of the Concrete State Highway leading from Reading to Pottstown; thence crossing the northern one half of same, south twenty two degrees twenty eight minutes west (S. 22° 28' W.), a distance of forty feet no inches (40' 0") to the place of Beginning.

CONTAINING seventy-seven and sixty-two one hundredths (77.62) acres.

EXCEPTING THEREOUT AND THEREFROM the three (3) following described parcels of real estate:

A. ALL THAT CERTAIN tract of land together with the dwelling thereon erected situate on the West side of LR 06059, known as Limekiln 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 spike in Limekiln Road, said spike being a distance of 400 feet measured along the centerline of Limekiln Road, from the centerline of U.S. Highway 422; thence leaving said road and along lands of Clarence C. Kline, the three following courses and distances: (1) North 68 degrees 54 minutes 12 seconds West, passing through an iron pin 30.00 feet distant, 220.00 feet to an iron pin; (2) North 21 degrees 05 minutes 48 seconds East, 158.00 feet to an iron pin; (3) South 68 degrees 54 minutes 12 seconds East, passing through an iron pin on line 30.00 feet from the next described corner, 220.00 feet to a spike in the centerline of Limekiln Road; thence in said road, South 21 degrees 05 minutes 48 seconds West, 158.00 feet to a spike, the place of BEGINNING.

CONTAINING 34,760 square feet.

BEING THE SAME PREMISES which Clarence C. Kline and Frances M. Kline, his wife, by their deed dated December 22, 1982 and recorded in Berks County Records in Deed Book Volume 1825, page 65, did grant and convey unto Carol Ann Weiler and Robert Weiler, her husband.

B. ALL THAT CERTAIN tract or piece of land situate on the west side of Limekiln Road, LR 06059, and being Lot #1 of the Frances M. Kline Subdivision in the Township of Amity, County of Berks, and Commonwealth of Pennsylvania, being more fully bounded and described in accordance with a survey by Andrew F. Kent, Professional Land Surveyor, designated 04-3884 and being recorded in Plan Book Volume 136 at page 15, Berks County Records, as follows, to wit:

BEGINNING at a spike in Limekiln Road a corner of Lot #2, thence leaving said road and along Lot #2, North 69 degrees 44 minutes 00 seconds West, 250.00 feet to an iron pin in line of residue property of Frances M. Kline; thence along said residue property the two following courses and distances: (1) North 20 degrees 16 minutes East, 175.00 feet to an iron pin; (2) South 69 degrees 44 minutes East, 250.00 feet to a spike in Limekiln Road; thence in Limekiln Road, South 20 degrees 16 minutes West, 175.00 feet to a spike, the place of Beginning.

CONTAINING 1.00 acre.

BEING THE SAME PREMISES which Frances M. Kline, widow, by her deed dated February 27, 1985 and recorded in Berks County Records in Deed Book Volume 1869, page 654, did grant and convey unto Charles L. Fick and Marian K. Fick, his wife.

C. ALL THAT CERTAIN tract or piece of land situate on the west side of Limekiln Road, LR 06059, and being Lot #2 of the Frances M. Kline Subdivision in the Township of Amity, County of Berks and Commonwealth of Pennsylvania being more fully bounded and described in

accordance with a survey by Andrew F. Kent, Professional Land Surveyor, designated 04-3884 and being recorded in Plan Book Volume 136 at page 15, Berks County Records, as follows, to wit:

BEGINNING at a spike in Limekiln Road a corner of Lot #1, thence in Limekiln Road, South 20 degrees 16 minutes West, 175.00 feet to a spike; thence leaving said road and along residue property of Frances M. Kline the two following courses and distances: (1) North 69 degrees 44 minutes west, 250.00 feet to an iron pin; (2) North 20 degrees 16 minutes East, 175.00 feet to an iron pin, a corner of Lot #1, thence along Lot #1, South 69 degrees 44 minutes East, 250.00 feet to a spike, the place of Beginning.

CONTAINING 1.00 acre. *These properties are Contiguous*

BEING THE SAME PREMISES which Frances M. Kline, widow, by her deed dated September 1, 1989 and recorded in Berks County Records in Deed Book Volume 2102, page 868, did grant and convey unto Marian K. Fick, Carol Ann Weiler, John W. Kline and Robert L. Kline, as tenants in common, in equal shares.

The within conveyance is wholly tax exempt as it is a conveyance from wife to wife and husband.

And the Grantor hereby covenants and agrees that he will specially warrant the premises hereby conveyed.

In Witness Whereof, the Grantor has executed or caused these presents to be duly executed the day and year first above written.

Sealed and Delivered

In the Presence of:

Ben R. Fick

Marian K. Fick
_____ MARIAN K. FICK

Marian S. Fick
_____ a/k/a MARIAN S. FICK

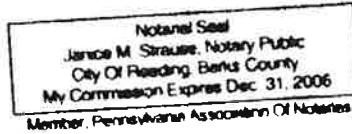
COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF BERKS :

On this, the 12 day of August, 2004, before me, a Notary Public in and for the Commonwealth and County aforesaid, the undersigned officer, personally appeared BRIAN R. OTT, ESQUIRE, Attorney I.D. #50057, known to me (or satisfactorily proven) to be a member of the bar of the highest Court of said Commonwealth and a subscribing witness to the within instrument, and certified that he was personally present when Marian K. Fick, a/k/a Marian S. Fick, whose name is subscribed to the within instrument, executed the same, and that said person acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public



The address of the within named Grantee is: 3012 Limekiln Road, Birdsboro, PA 19508.



On behalf of Grantee

DEED

Marian K. Fick
aka Marian S. Fick

to

Marian S. Fick and Charles L. Fick,
wife and husband

Premises:

Township of Amity, County of Berks,
Commonwealth of Pennsylvania

Brian R. Ott, Esquire
Barley Snyder
501 Washington Street
P.O. Box 942
Reading, PA 19603-0942

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63955
4128 1850

VL4128PG1855



RECORDED IN BERKS CO. PA

Ellie Antoine
RECORDER OF DEEDS

REC 08-16-2004
NORMA 0001

15:00
140772

FEE	\$17.00
WRIT	\$3.00
RECORDS MGMT	\$5.00
JUDICIAL FE.	\$10.00
AFFIDAVIT HISSING	\$15.00
CHECK 1	10754
ST	148.00
CHK	\$48.00
CS	\$0.00

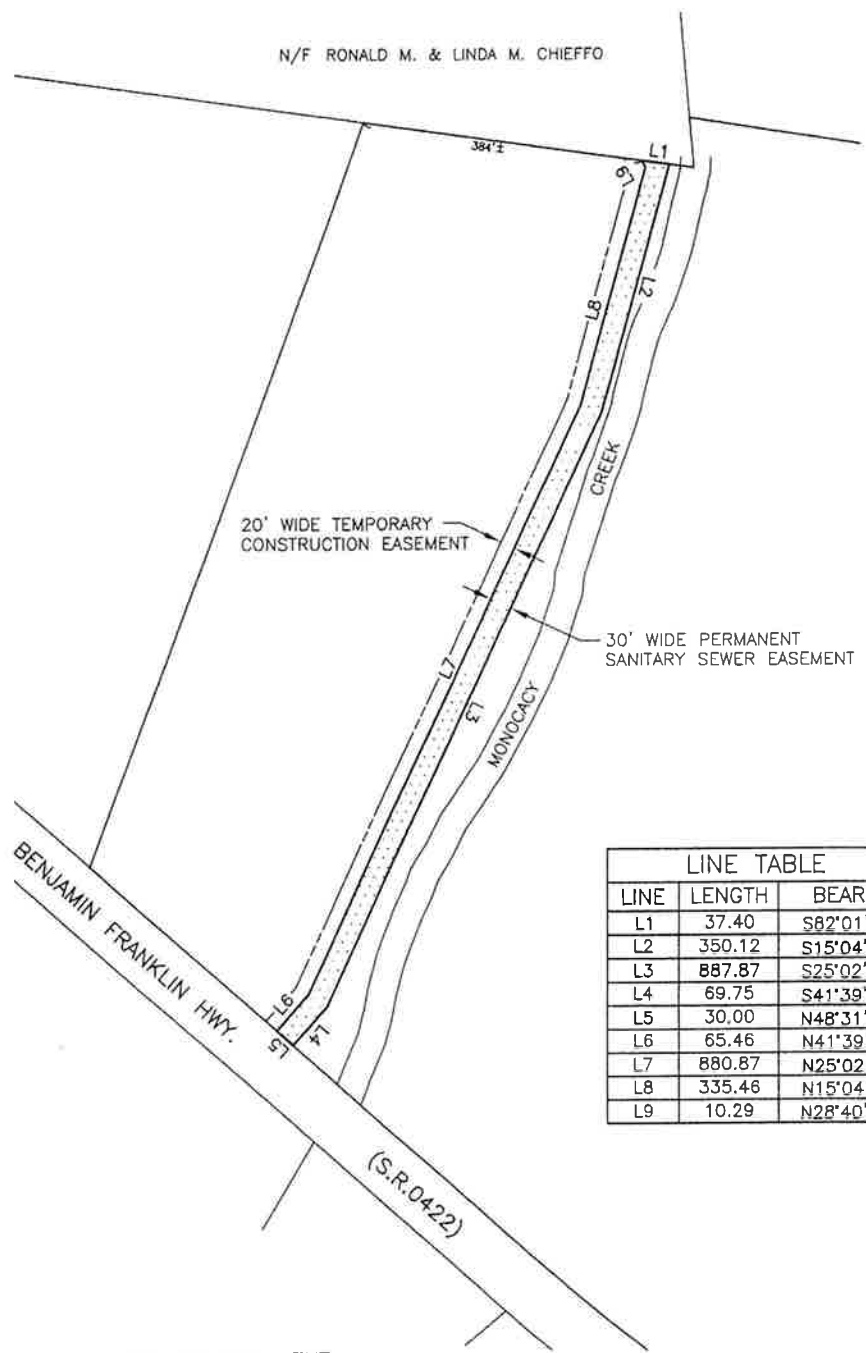
RECORDER OF DEEDS
BERKS COUNTY
READING, PA, 19601
ELLIE ANTOINE

CHK \$48.00
REG 08-16-2004 15:00 NORMA 1 140772

100
500
1550
1950

EXHIBIT B

N/F RONALD M. & LINDA M. CHIEFFO



LINE TABLE		
LINE	LENGTH	BEARING
L1	37.40	S82°01'16"E
L2	350.12	S15°04'04"W
L3	887.87	S25°02'34"W
L4	69.75	S41°39'26"W
L5	30.00	N48°31'37"W
L6	65.46	N41°39'26"E
L7	880.87	N25°02'34"E
L8	335.46	N15°04'04"E
L9	10.29	N28°40'57"W

BENJAMIN FRANKLIN HWY.
(S.R. 0422)

AREA OF EASEMENT

38,997 sq. ft.
0.895 acres

DEED REF. 4128-1850

JOB #5951.51



AMITY TOWNSHIP

SANITARY SEWER EASEMENT

TO BE ACQUIRED FROM

MARIAN S. & CHARLES L. FICK

AMITY TWP., BERKS CO., PA.



270 GRANITE RUN DRIVE
LANCASTER, PA 17601
Tel 717.569.7021

SCALE:

1" = 200'

DATE

2 FEB. 07

DWG. NO.

L-1571