

RESOLUTION NO. 2005-12

A RESOLUTION OF THE BOARD OF SUPERVISORS OF TULPEHOCKEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA AMENDING RESOLUTION NO. 2005-8 AND RESOLUTION NO. 2005-9 AND MODIFYING THE AREA AND DESCRIPTION OF CERTAIN PROPERTY LOCATED IN TULPEHOCKEN TOWNSHIP AND APPROPRIATED AND CONDEMNED FOR EASEMENTS FOR THE TULPEHOCKEN TOWNSHIP WASTEWATER COLLECTION SYSTEM

BE IT RESOLVED by the Board of Supervisors of Tulpehocken Township, Berks County, Pennsylvania and it is hereby RESOLVED as follows:

1. Tulpehocken Township, Berks County, Pennsylvania ("Township"), a Pennsylvania township of the second class, by Resolution No. 2005-8, dated June 28, 2005, as amended by Resolution No. 2005-9, DATED July 20, 2005, appropriated and condemned certain real estate located in Tulpehocken Township, Berks County, Pennsylvania, pursuant to the Pennsylvania Eminent Domain Code ("Code"), 26 P.S. § 1-101, et seq., as amended.

2. The Township hereby amends Resolution No. 2005-8, as previously amended by Resolution No. 2005-9 to modify the area and description of certain real estate located in Tulpehocken Township, Berks County, Pennsylvania and appropriated and condemned by the Township, pursuant to the Code, as follows:

- a. Mt. Aetna Trust, 7669 Lancaster Avenue, Tulpehocken Township, Berks County, Pennsylvania, Tax Parcel # 86-4309-07-59-5415:
 - i. the permanent easement appropriated and condemned by Resolution No. 2005-8 is hereby re-located over, across and through that portion of land containing approximately 4,810 square feet, as more fully described in Exhibit A-1 and shown in Exhibit B-1, attached hereto and made a part hereof.
 - ii. the temporary easement appropriated and condemned by Resolution No. 2005-8 is hereby re-located over, across and through that portion of land containing approximately 4,336 square feet, as more fully described in Exhibit A-1 and shown in Exhibit B-1.
- b. Frank Cronkhite and Amy Cronkhite, 473 Godfrey Street, Rehrersburg, PA 19550, Tax Parcel # 86-4411-16-93-3088:
 - i. the permanent easement appropriated and condemned by Resolution No. 2005-8 is hereby re-located over, across and

through that portion of land containing approximately 1,303 square feet, as more fully described in Exhibit A-2 and shown in Exhibit B-2, attached hereto and made a part hereof.

- ii. the temporary easement appropriated and condemned by Resolution No. 2005-8 is hereby re-located over, across and through that portion of land containing approximately 652 square feet, as more fully described in Exhibit A-2 and shown in Exhibit B-2.

- c. Gerald G. Lehman and Diane W. Lehman, 6 Goose Run Road, Tulpehocken Township, Berks County, Pennsylvania, Tax Parcel # 86-4400-00-50-5087:
 - i. the permanent easement appropriated and condemned by Resolution No. 2005-9 is hereby re-located over, across and through that portion of land containing approximately 3,825 square feet, as more fully described in Exhibit A-3 and shown in Exhibit B-3, attached hereto and made a part hereof.

 - ii. the temporary easements appropriated and condemned by Resolution No. 2005-9 are hereby re-located as follows:
 - A. over, across and through that portion of land containing approximately 1,232 square feet, as more fully described in Exhibit A-3 and shown in Exhibit B-3.

 - B. over, across and through that portion of land containing approximately 945 square feet, as more fully described in Exhibit A-3 and shown in Exhibit B-3.

3. The Township Solicitor and the Project Engineer for the Township's wastewater collection system are hereby authorized and instructed to prepare such documents and plans as may be required to effect the condemnations, as amended and modified hereby.

4. All other provisions of Resolution No. 2005-8 and Resolution No. 2005-9 shall not be modified hereby except as expressly set forth herein.

ADOPTED AS A RESOLUTION of the Board of Supervisors of Tulpehocken Township, Berks County, Pennsylvania, this 29th day of August, 2005.

BOARD OF SUPERVISORS OF
TULPEHOCKEN TOWNSHIP, BERKS
COUNTY, PENNSYLVANIA

By: Ronald S. Whiting
Chairman

ATTEST:

Judy A. Bashore
Secretary

Permanent Sewer Easement over lands of Mt. Aetna Trust
Tulpehocken Township
Berks County, PA

**PROPOSED EASEMENT TO BE CONVEYED TO TULPEHOCKEN
TOWNSHIP**

All that certain tract of land situate in Tulpehocken Township, Berks County, Pennsylvania, more specifically bounded and described as follows, to wit:

BEGINNING at the most westerly point of the lands now or formerly Mt Aetna Trust, on the eastern side of Lancaster Avenue; the following ten courses and distances describe the permanent easement on the lands of said owners: (1.) Curve to the left, having a Radius of 738.04, Arc length of 257.63, a Chord bearing of N.11-59-27 E. and a Chord length of 256.32 feet; (2.) S.82-28-31 E., a distance of 8.92 feet; (3.) S.02-55-02 W., a distance of 107.14 feet; (4.) S.79-00-48 E., a distance of 20.63 feet; (5.) S.10-59-12 W., a distance of 30.00 feet; (6.) N.79-00-48 W., a distance of 19.77 feet; (7.) S.16-52-19 W., a distance of 122.94 feet; (8.) S.57-57-35 E., a distance of 270.34 feet; (9.) S.31-59-47 W., a distance of 1.44 feet; (10.) N.58-34-49 W., a distance of 286.49 feet to the place of beginning.

CONTAINING a total acreage of 4,810 sq.ft. or 0.110 acres.

DESCRIPTION herein is based upon a design plans submitted by Brinjac Engineering, INC.

Temporary Sewer Easement over lands of Mt. Aetna Trust
Tulpehocken Township
Berks County, PA

**PROPOSED EASEMENT TO BE CONVEYED TO TULPEHOCKEN
TOWNSHIP**

All that certain tract of land situate in Tulpehocken Township, Berks County, Pennsylvania, more specifically bounded and described as follows, to wit:

BEGINNING at the north-western corner of the herein described easement, said point being 8.92 feet east of the eastern right-of-way line of Lancaster Avenue; the following fifteen courses and distances describe the temporary easement on the lands of said owners: (1.) S.82-28-31 E., a distance of 10.03 feet; (2.) S.02-55-02 W., a distance of 97.65 feet; (3.) N.79-00-48 W., a distance of 20.19 feet; (4.) S.06-56-10 E., a distance of 5.71 feet; (5.) S.10-59-12 W., a distance of 44.56 feet; (6.) S.79-00-48 E., a distance of 20.75 feet; (7.) S.16-52-19 W., a distance of 111.45 feet; (8.) S.57-57-35 E., a distance of 261.33 feet; (9.) S.31-59-47 W., a distance of 5.00 feet; (10.) N.57-57-35 W., a distance of 270.34 feet; (11.) N.16-52-19 E., a distance of 122.94 feet; (12.) S.79-00-48 E., a distance of 19.77 feet; (13.) N.10-59-12 E., a distance of 30.00 feet; (14.) N.79-00-48 W., a distance of 20.63 feet; (15.) N.02-55-02 E., a distance of 107.14 feet to the place of beginning.

CONTAINING a total acreage of 4,336 sq.ft. or 0.100 acres.

DESCRIPTION herein is based upon a design plans submitted by Brinjac Engineering, INC.

AREA OF PERMANENT EASEMENT
4,810 sq.ft. 0.110 acres

Lancaster Avenue - S.R. 501

POB

122.94'

S16°52'19"W

C1

107.14'

S02°55'02"W

L3

L2

L1

L5

64.49

S57°57'35"E

N58°34'49"W

270.34'

Green Alley - 16.5' Wide

L4

N/F
Mt. Aetna Trust
Tax Map Parcel #86-4309-07-59-5415
Deed Book 2788, Page 1876

N/F
Kenneth & Ross Rank
Tax Map Parcel #86-4309-07-59-2741
Deed Book 1479, Page 1133

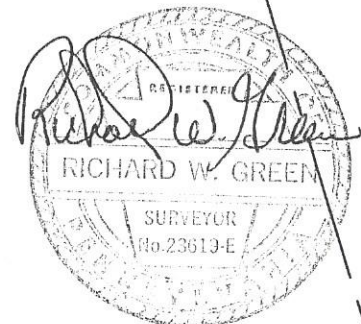
LINE TABLE

L1	S79°00'48"E	20.63
L2	S10°59'12"W	30.00
L3	N79°00'48"W	19.77
L4	S31°59'47"W	1.44
L5	S82°28'31"E	8.92

CURVE DATA

C1	RADIUS = 738.04
L2	LENGTH = 257.63
L3	CHORD BEARING = N11°59'27"E
L4	CHORD LENGTH = 256.32

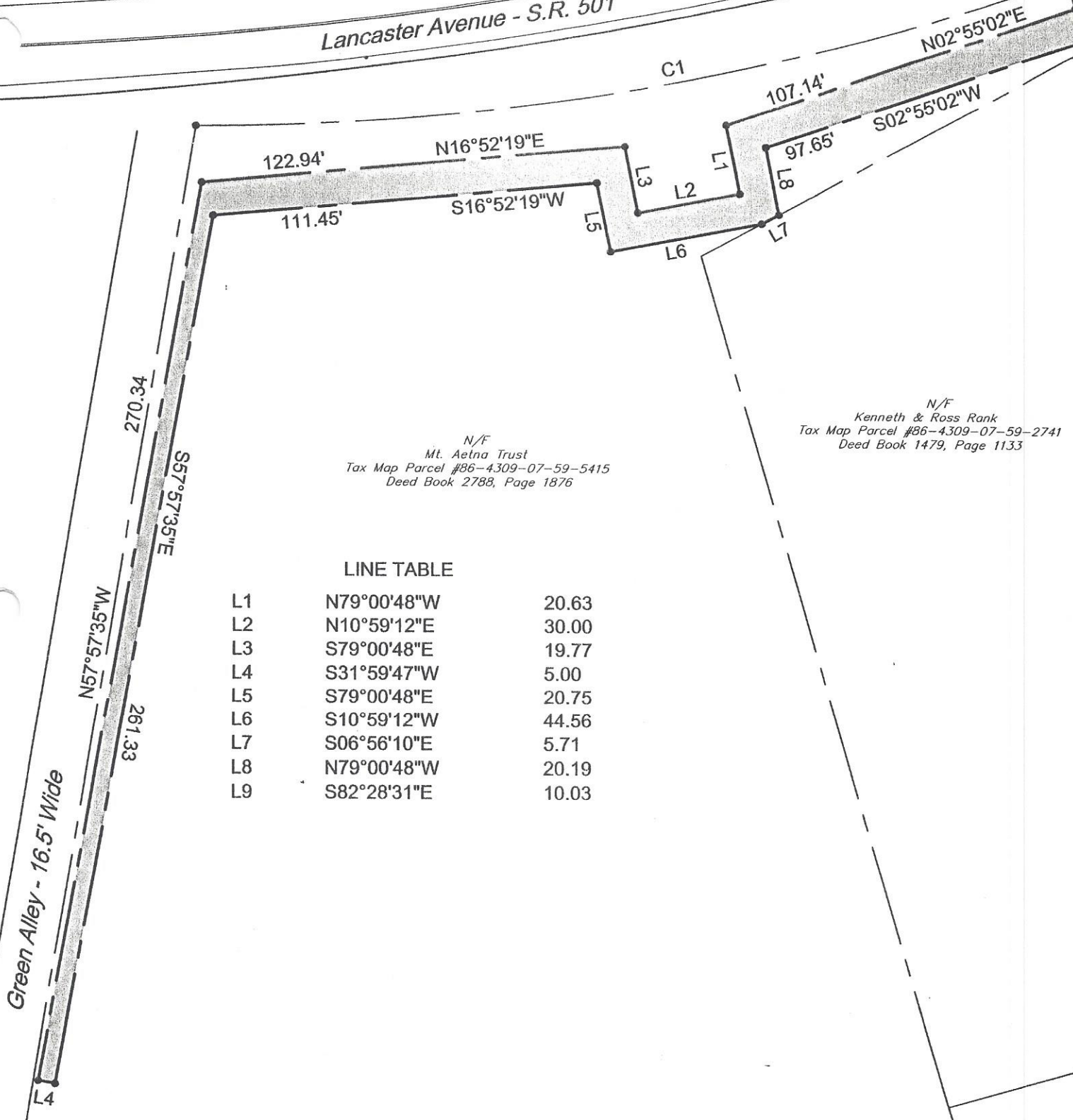
NOTES:



AREA OF PERMANENT EASEMENT
4,336 sq.ft. 0.100 acres

Lancaster Avenue - S.R. 501

POB



N/F
Mt. Aetna Trust
Tax Map Parcel #86-4309-07-59-5415
Deed Book 2788, Page 1876

N/F
Kenneth & Ross Rank
Tax Map Parcel #86-4309-07-59-2741
Deed Book 1479, Page 1133

LINE TABLE

L1	N79°00'48"W	20.63
L2	N10°59'12"E	30.00
L3	S79°00'48"E	19.77
L4	S31°59'47"W	5.00
L5	S79°00'48"E	20.75
L6	S10°59'12"W	44.56
L7	S06°56'10"E	5.71
L8	N79°00'48"W	20.19
L9	S82°28'31"E	10.03

Green Alley - 16.5' Wide

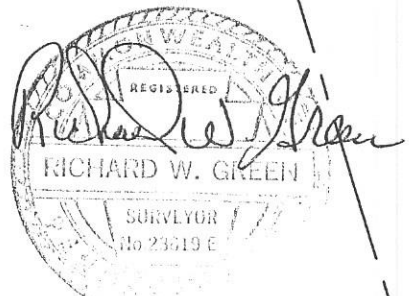
N57°57'35"W

270.34

S57°57'35"E

261.33

L4



Permanent Sewer Easement Over Lands of Frank & Amy Cronkhite
Tulpehocken Township
Berks County, PA

**PERMANENT EASEMENT TO BE CONVEYED TO TULPEHOCKEN
TOWNSHIP**

All that certain tract of land situate in Tulpehocken Township, Berks County, Pennsylvania, more specifically bounded and described as follows, to wit:

BEGINNING at a point 5.15 feet south of the south west corner of Brown Street and Church Street; the following four courses and distances describe the permanent easement on lands of Frank and Amy Cronkhite: (1.) S.05-22-28 W., a distance of 21.72 feet; (2.) S.72-24-24W., a distance of 65.17 feet; (3.) N.05-22-28E., a distance of 21.72 feet; (4.) N.72-24-24E., a distance of 65.17 feet to the place of beginning.

CONTAINING a total acreage of 1,303 sq.ft. or 0.030 acres.

DESCRIPTION herein is based upon a design plans submitted by Brinjac Engineering, INC.

Temporary Sewer Easement Over Lands of Frank & Amy Cronkhite
Tulpehocken Township
Berks County, PA

**PROPOSED EASEMENT TO BE CONVEYED TO TULPEHOCKEN
TOWNSHIP**

All that certain tract of land situate in Tulpehocken Township, Berks County, Pennsylvania, more specifically bounded and described as follows, to wit:

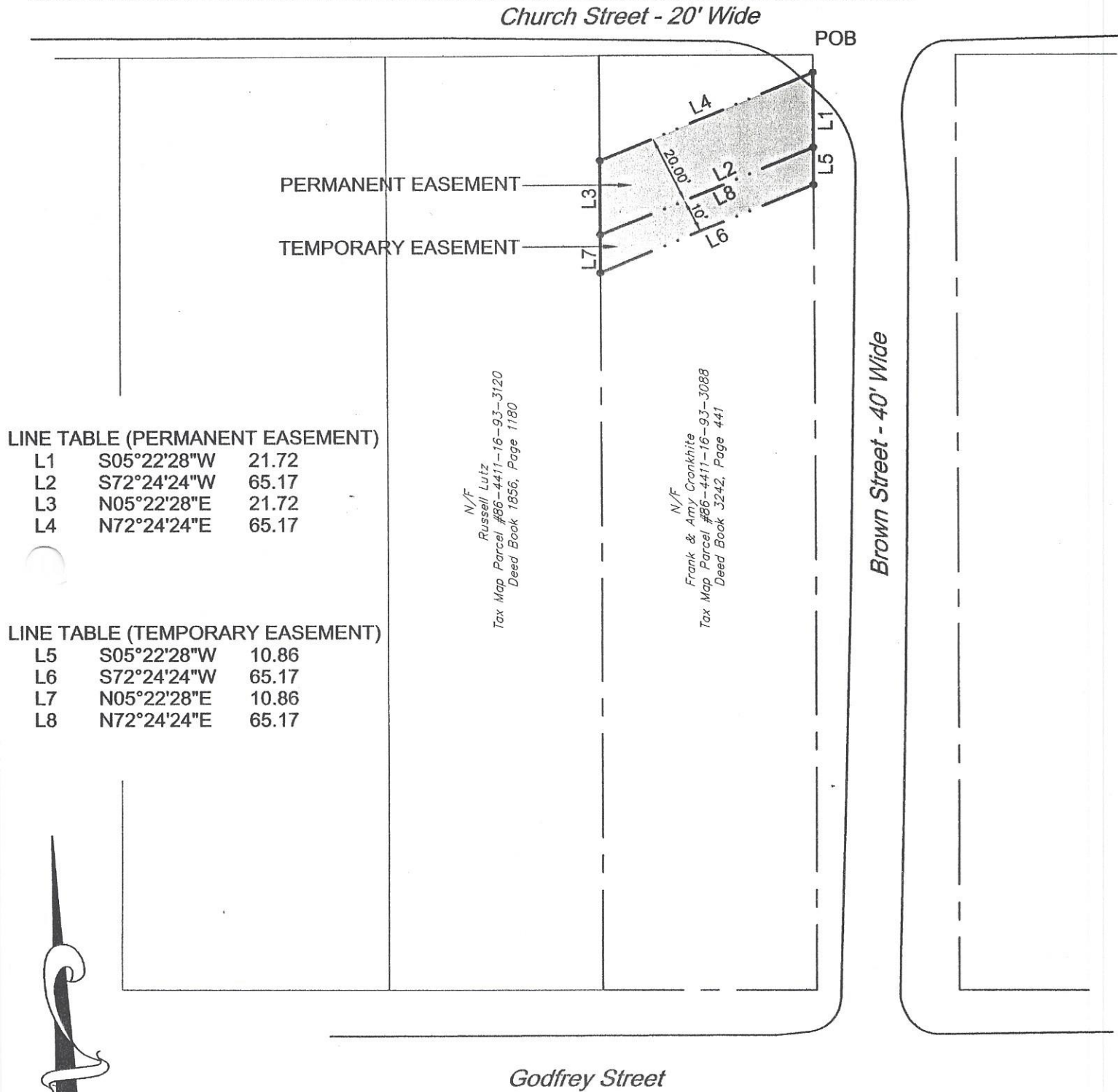
BEGINNING at a point 26.87 feet south of the south west corner of Brown Street and Church Street; the following four courses and distances describe the temporary easement on lands of Frank and Amy Cronkhite: (1.) S.05-22-28 W., at a distance of 10.86 feet; (2.) S.72-24-24W., at a distance of 65.17 feet; (3.) N.05-22-28E., at a distance of 10.86 feet; (4.) N.72-24-24E., at a distance of 65.17 feet; to the place of beginning.

CONTAINING a total acreage of 652 sq.ft. or 0.015 acres.

DESCRIPTION herein is based upon a design plans submitted by Brinjac Engineering, INC.

NOTES:

1. ALL EASEMENTS BOTH PERMANENT AND TEMPORARY ARE DESCRIBED BASED ON THE DESIGN PLANS SUBMITTED BY BRINJAC ENGINEERING, INC.



LINE TABLE (PERMANENT EASEMENT)

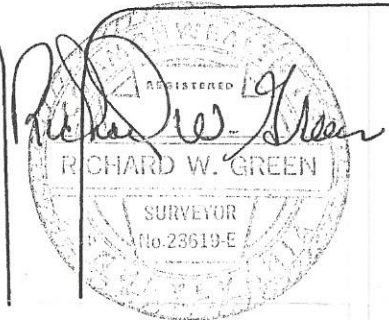
L1	S05°22'28"W	21.72
L2	S72°24'24"W	65.17
L3	N05°22'28"E	21.72
L4	N72°24'24"E	65.17

LINE TABLE (TEMPORARY EASEMENT)

L5	S05°22'28"W	10.86
L6	S72°24'24"W	65.17
L7	N05°22'28"E	10.86
L8	N72°24'24"E	65.17

AREA OF PERMANENT EASEMENT
1,303 sq.ft. 0.030 acres

AREA OF TEMPORARY CONSTRUCTION EASEMENT
652 sq.ft. 0.015 acres



Permanent Sewer Easement Over the Lands of Gerald G. and Diane W. Lehman
Tulpehocken Township
Berks County, PA

**PROPOSED PERMANENT EASEMENT TO BE CONVEYED TO
TULPEHOCKEN TOWNSHIP**

All that certain tract of land situate in Tulpehocken Township, Berks County, Pennsylvania, more specifically bounded and described as follows, to wit:

BEGINNING at point along lands now or formerly of Ronald Barshinger, point being 16.25 feet from the right-of-way line of Lancaster Avenue, the following eight courses and distances: (1) N.00-29-59 E., a distance of 29.22 feet; (2) N.78-05-17 E., a distance of 141.30 feet; (3) N.11-55-49 W., a distance of 18.99 feet; (4) N.79-02-58 E. a distance of 20.00 feet; (5) S.11-55-49 E., a distance of 38.66 feet; (6) S.78-05-17 W., a distance of 145.23 feet; (7) S.00-29-59 W., a distance of 9.09 feet; (8) S.79-02-58 W., a distance of 20.41 feet; to the place of beginning.

CONTAINING a total acreage of 3,825 sq.ft. or 0.088 acres.

DESCRIPTION herein is based upon a design plans submitted by Brinjac Engineering, INC.

Temporary Sewer Easement Over the Lands of Gerald G. & Diane W. Lehman
Tulpehocken Township
Berks County, PA

**PROPOSED TEMPORARY EASEMENT TO BE CONVEYED TO
TULPEHOCKEN TOWNSHIP**

All that certain tract of land situate in Tulpehocken Township, Berks County, Pennsylvania, more specifically bounded and described as follows, to wit:

EASEMENT #1

BEGINNING at point on the line of lands of Ronald Barshinger, said point being 36.66 feet east of the eastern right-of-way line of Lancaster Avenue; the following nine courses and distances describes the temporary easement on lands of Gerald and Diane Lehman: (1.) N.00-29-59 E., a distance 9.09 feet; (2.) N.78-01-17 E., a distance of 145.23 feet; (3.) N.11-55-49 W., a distance of 38.49 feet; (4.) N.79-02-58 E., a distance of 1.99 feet; (5.) N.10-57-02 W., a distance of 176.33 feet; (6.) S.11-55-49 E., a distance of 219.75 feet; (7.) S.78-01-17 W., a distance of 146.21 feet; (8.) S.00-29-59 W., a distance of 4.06 feet; (9.) S.79-02-58 W., a distance of 5.10 feet; to the place of beginning.

CONTAINING a total acreage of 1,232 sq.ft. or 0.028 acres.

DESCRIPTION herein is based upon a design plans submitted by Brinjac Engineering, INC.