

No 12-91
p
262

-- OFFICE OF --

CAMBRIA TOWNSHIP SUPERVISORS

P.O. BOX 210 - ROUTE 422 WEST
EBENSBURG, PENNSYLVANIA 15931

PHONE 814-472-8810

RESOLUTION NO. 277

A motion was made by Robert Shook in the form of a Resolution, Resolution No. 277, be it resolved and it is hereby resolved that the Board of Supervisors accept as a public road that property described in a certain deed of the Cambria County Industrial Development Corporation as a Public Road of the Township of Cambria to be used by the Public and maintained by the Township. The motion was seconded by John Makosy. Fred Sauger votes yes.

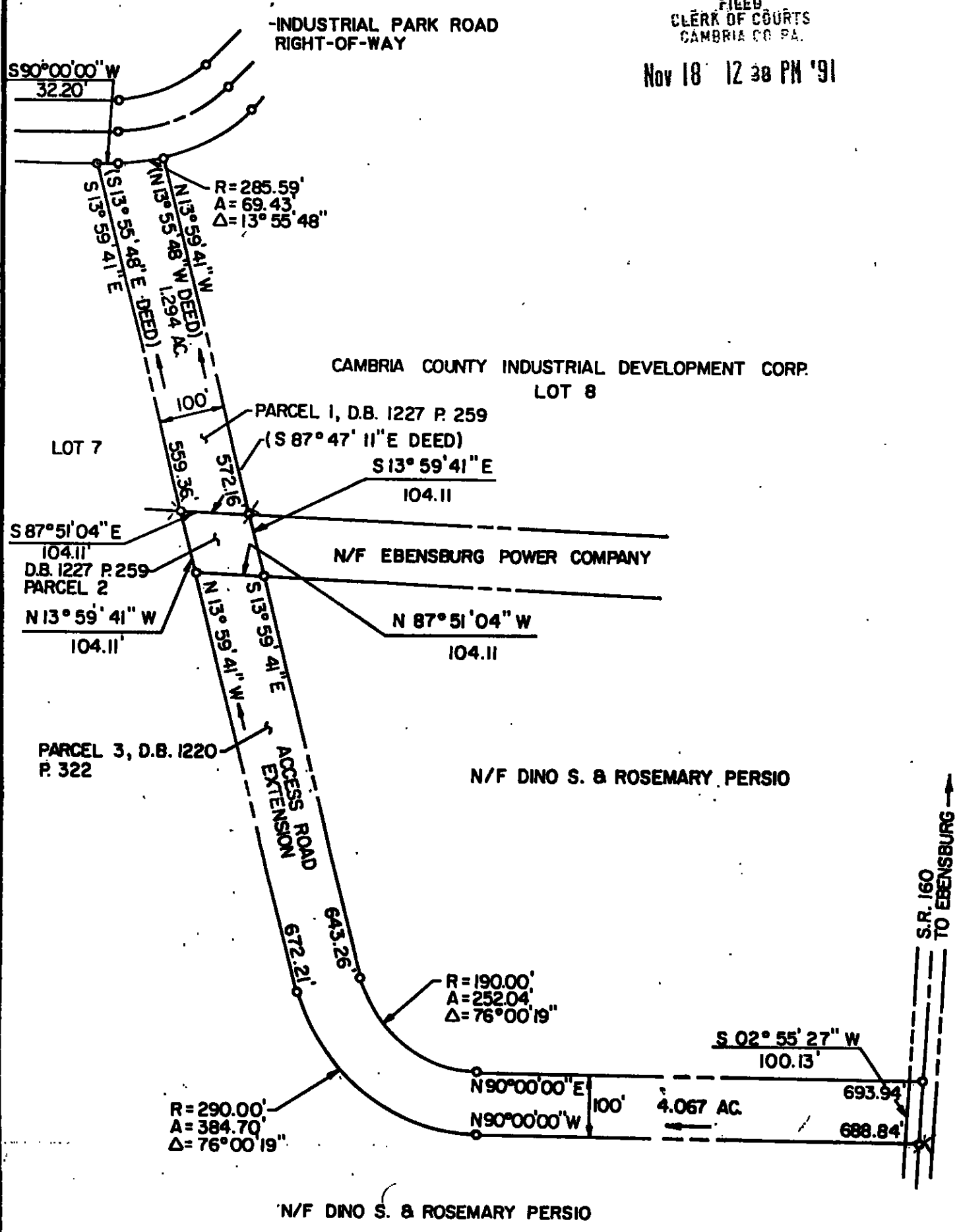
I hereby certify this to be a true and exact copy of Resolution No. 277 adopted at the Board of Supervisors Regular Meeting held on February 11, 1991 at the Cambria Township Municipal Building.


Norma Zimmerman
Secretary-Treasurer

Nov 18 12 38 PM '91
FILED
CLERK OF COURTS
CAMBRIA CO PA

FILED
CLERK OF COURTS
CAMBRIA CO PA.

Nov 18 12 38 PM '91



Cambria County

REVISED 10/21/91

Plan of Property to be Conveyed
from

CAMBRIA COUNTY INDUSTRIAL DEVELOPMENT CORPORATION
to
TOWNSHIP OF CAMBRIA, CAMBRIA COUNTY, PENNSYLVANIA

Date: September 24, 1991

Prepared by
L. ROBERT KIMBALL & ASSOCIATES
Ebensburg, Pennsylvania

This Indenture,

Nov 18 12 38 PM '91

MADE THE 30th day of October in the year
of our Lord one thousand nine hundred ninety-one (1991).

BETWEEN

THE CAMBRIA COUNTY INDUSTRIAL DEVELOPMENT CORPORATION, a non-profit corporation, duly organized and existing under the laws of the Commonwealth of Pennsylvania, party

of the first part,

and

THE TOWNSHIP OF CAMBRIA, a Pennsylvania Municipal Corporation (second class township)

~~XXXXXXXXXXXX~~

created and existing under the laws of the state of Pennsylvania having its principal office ~~at~~ at Route 422 West, Cambria Township, Cambria County, Pennsylvania 15931, party of the second part, WITNESSETH, that the said party of the first part, for and in consideration of the sum of One and 00/100 (\$1.00)

Dollars, lawful money of the United States of America, unto it well and truly paid by the said party of the second part, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, enfeoff, release, convey and confirm unto the said party of the second part, its successors, and assigns,

ALL those certain pieces or parcels of land situate in Cambria Township, Cambria County, Pennsylvania, particularly bounded and described as follows:

Parcel 1

BEGINNING at a point at the Southeast corner of Lot No. 7 in the Cambria County Industrial Park said Lot No. 7 being shown on a plat prepared by L. Robert Kimball & Associates of Ebensburg, Pennsylvania, dated May 5, 1981, said point being common to corners of Lot No. 7 and Lot No. 8 of said Industrial Park as shown on the above referenced plat; thence North 13° 59' 41" West, 572.16 feet along the line of Lot No. 7 to a point on the curve of the Industrial Park Road right-of-way, said point being also common to corners of Lot No. 7 and Lot No. 8; thence along a segment of a curve to the right having a radius of 285.59 feet, a central angle of 13° 55' 48" an arc length of 69.43 feet, and a chord bearing and distance of South 83° 01' 40" West, 69.26 feet to a point; thence South 90° 00' 00" West, a distance of 32.20 feet; thence South 13° 59' 41" East, 559.36 feet to a point on the Southerly line of Lot No. 7; thence South 87° 51' 04" East, 104.11 feet to the place of beginning.

CONTAINING 1.29 ACRES.

The above bearings and distances are referenced to the Pennsylvania State Plane Coordinate System South Zone.

The above described parcel being the same parcel as Parcel 1 conveyed by Ebensburg Power Company to Grantor by General Warranty Deed, dated as of October 20, 1989, and recorded in the Office of the Recorder of Deeds of Cambria County, Pennsylvania in Deed Book Volume 1227, page 259 and as shown on the survey of L. Robert Kimball and Associates, dated September 24, 1991, and revised on October 21, 1991, a copy of which is attached hereto and made a part hereof.

Parcel 2

BEGINNING at a corner, said corner being common to the southwesterly corner of Lot 8 of the Cambria County Industrial Park and the land herein conveyed, thence through the property of which this was a part South 13 degrees 59 minutes 41 seconds East, a distance of 104.11 feet; thence North 87 degrees 51 minutes 04 seconds West, a distance of 104.11 feet; thence North 13 degrees 59 minutes 41 seconds West, a distance of 104.11 feet; thence South 87 degrees 51 minutes 04 seconds East, a distance of 104.11 feet to the point of beginning. Containing 0.239 acres.

The above bearings and distances are referenced to the Pennsylvania State Plane Coordinate System South Zone.

The above described parcel being the same parcel as Parcel 2 conveyed by Ebensburg Power Company to Grantor by General Warranty Deed, dated October 20, 1989, and recorded in the Office of the Recorder of Deeds of Cambria county, Pennsylvania in Deed Book Volume 1227, page 259, and as shown on the survey of L. Robert Kimball and Associates, dated September 24, 1991, and revised October 21, 1991, a copy of which is attached hereto and made a part hereof.

THE HEREINABOVE DESCRIBED PARCEL 1 and PARCEL 2 ARE CONVEYED UNDER AND SUBJECT to all exceptions, reservations, easements, rights-of-way, restrictions, and conditions as contained in prior deeds and instruments of record including but not limited to an easement in favor of Peoples Gas Company as conveyed by Ebensburg Power Company to Peoples Gas Company by instrument dated October 13, 1989, and recorded in the Recorder of Deeds Office of Cambria County, Pennsylvania at Deed Book _____, page _____.

EXCEPTING AND RESERVING unto Ebensburg Power Company, its successors, assigns and transferees, for each of the above described Parcel 1 and Parcel 2, an exclusive, perpetual easement in, upon, under, across, and over Parcel 1 and Parcel 2 (the "Easement) for the following purposes:

a. The right of ingress, egress and regress at any and all times over, in, upon across and through said Parcel 1 and Parcel 2 herein described to and from the Land, and to and from land of others in the vicinity of said Land.

b. The location, construction, installation, improvement, paving, maintenance, repair and replacement of a road in and on the Easement for use by pedestrians, motor vehicles of any kind including but not limited to trucks transporting coal waste and/or ash, earth moving equipment and similar vehicles and equipment.

c. The use, location, construction, installation, improvement, maintenance, repair and replacement in, on, through, upon and under said Parcel 1 and Parcel 2 herein described of water pipes and lines, sanitary sewage pipes and lines, storm water pipes and lines, gas pipes and lines, electrical lines, steam lines, coal slurry lines, power lines, telephone lines, fuel lines, and other such utility pipes and/or lines, and for such utility uses as Grantor in its sole discretion, determines from time to time are useful to, or required for, its activities on the Land and for those served by its said activities.

Parcel 3

BEGINNING at a point in the centerline of former Legislative Route 11025 now State Route 0160, said point being North 02 degrees 55 minutes 27 seconds East a distance of 71.45

feet from a railroad spike in the centerline of said Route 0160 at the southwest corner of land conveyed by Dino S. and Rosemary Persio to the Ebensburg Power Company by deed dated November 7, 1988 and recorded in the Recorder of Deeds Office of Cambria County, Pennsylvania in Deed Book Volume 1211 page 634;

thence, through the land of Dino S. and Rosemary Persio, as follows: North 90 degrees 00 minutes 00 seconds West, a distance of 688.84 feet;

thence, along a curve to the right having a radius of 290.00 feet, a central angle of 76 degrees 00 minutes 19 seconds, an arc length 384.70 feet, and a chord bearing and distance of North 51 degrees 59 minutes 50 seconds West, 357.10 feet to a point;

thence, North 13 degrees 59 minutes 41 seconds West, a distance of 672.21 feet to a point on the eleventh course of a tract of land conveyed to Ebensburg Power Company of which said parcel and this parcel were a part;

thence, along a line of the eleventh courses of the aforementioned tract of land conveyed to Ebensburg Power Company, South 87 degrees 51 minutes 04 seconds East, a distance of 104.11 feet;

thence, again through the land of Dino S. and Rosemary Persio, as follows: South 13 degrees 59 minutes 41 seconds East, a distance of 643.26 feet;

thence, along a curve to the left having a radius of 190.00 feet, a central angle of 76 degrees 00 minutes 19 seconds, an arc length of 252.04 feet, and a chord bearing and distance of South 51 degrees 59 minutes 50 seconds East, 233.96 feet to a point;

thence, North 90 degrees 00 minutes 00 seconds East, a distance of 693.94 feet to a point on the ninth course of the aforementioned tract of land conveyed to Ebensburg Power Company of which said parcel and this parcel were a part;

thence, along the line of the ninth course of the aforementioned tract of land conveyed to Ebensburg Power Company, South 02 degrees 55 minutes 27 seconds West, a distance of 100.13 feet to the point of beginning. Containing 3.828 acres.

The above parcel is shown on a plan dated September 24, 1991, and revised October 21, 1991, prepared by L. Robert Kimball and Associates of Ebensburg, Pennsylvania, a copy of which is attached hereto and made a part hereof.

Being a part of the land which became vested in Grantor by Dino S. Persio and Rosemary Persio, husband and wife, dated April 26, 1989, and recorded in the Recorder of Deeds Office in and for Cambria County in Deed Book Volume 1220, at page 322.

UNDER AND SUBJECT to all exceptions, reservations, restrictions and conditions as contained in prior deeds and instruments of record including a perpetual easement in favor of the Ebensburg Power Company as conveyed by Dino S. and Rosemary Persio to the Ebensburg Power Company by deed dated November 7, 1988, and recorded in the Recorder of Deeds Office of Cambria County, Pennsylvania at Deed Book 1211, page 634, and amended by instrument dated April 26, 1989 and recorded in the Recorder of Deeds Office of Cambria County, Pennsylvania at Deed Book 1220, page 312.

THIS CONVEYANCE IS BEING MADE FOR THE PURPOSE OF DEDICATING THE AFORE-DESCRIBED LAND TO BE UTILIZED AS A PUBLIC HIGHWAY.

EXCEPTING AND RESERVING TO THE GRANTOR HEREIN ALL THE RIGHTS PERTAINING TO THE WATER AND SEWER LINES INSTALLED ALONG THE EASTERLY SIDE OF A 24 FOOT ROADWAY LOCATED ON THE ABOVEDESCRIBED PREMISES. THE PURPOSE FOR THIS RESERVATION IS TO HAVE A LATER CONVEYANCE FROM THE ABOVE GRANTOR TO THE BOROUGH OF EBENSBURG GRANTING AND CONVEYING ALL THE RIGHTS NECESSARY FOR THE BOROUGH OF EBENSBURG TO ACQUIRE THE WATER AND SEWER LINES LOCATED AS ABOVE-MENTIONED.

NOTICE

The undersigned grantee (grantees) hereby certifies that he/they know and understand that he/they may not be obtaining the right of protection against subsidence resulting from coal mining operations, and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal.

Witness signatures of grantee (grantees) this 6th day of November, 1991.

..... *Jack Sawyer* (SEAL)
Witness *L. Hartman* (SEAL)

GRANTOR/GRANTORS state that the property herein conveyed is not presently being used for the disposal of hazardous waste, nor to the best of his/their knowledge, has it ever been so used. This statement is made in compliance with the Solid Waste Management Act No. 1980-97, Section 405.

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT.

INDIVIDUAL ACKNOWLEDGMENT

State of _____ }
County of _____ } ss.

On this, the _____ day of _____, 19____, before me
the undersigned officer, personally appeared _____

known to me (or satisfactorily proven) to be the person whose name _____ subscribed to the
within instrument, and acknowledged that _____ executed same for the purposes therein contained.
In witness whereof, I herewith set my hand and official seal.



Title of Officer.

CORPORATION ACKNOWLEDGMENT

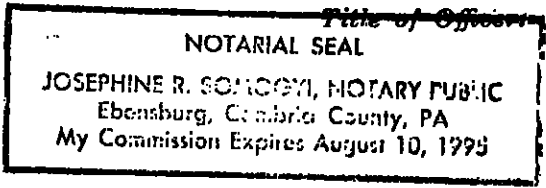
State of Pennsylvania }
County of Cambria } ss.

On this, the 30th day of October, 1991, before me
the undersigned officer, personally appeared Joseph R. Casale

who acknowledged himself to be the President of The Cambria County Industrial Development Corp.
a corporation, and that he as such President, being authorized to do so,
executed the foregoing instrument for the purposes therein contained by signing the name of the
corporation by himself as President.

In witness whereof, I herewith set my hand and official seal.

Josephine R. Somogyi



RECORDED

WARRANTY

FILED
CLERK OF COURTS
CAMBRIA CO. PA
NOV 18 12 38 PM '91

I do hereby certify that the precise residence and complete post office address
of the within named grantee is Rt. 422 West, Ebensburg, PA 15931

19 91

Attorney for _____

COMMONWEALTH OF PENNSYLVANIA }
County of Cambria } ss.

RECORDED on this _____ day of _____

A. D. 19____, in the Recorder's office of the said County, in Deed Book

Vol. _____, Page _____

Given under my hand and the seal of the said office, the date above written.

Recorder.

TOGETHER with all and singular the said property, improvements, ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever, of the said part Y of the first part, in law, equity or otherwise howsoever, of, in and to the same and every part thereof,

TO HAVE AND TO HOLD the said

hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances, unto the said part Y of the second part, its successors and assigns, to and for the only proper use and behoof of the said part Y of the second part, its successors and assigns forever.

AND the said grantors hereby covenant and agree that they and each of them will warrant generally the property hereby conveyed.

IN WITNESS WHEREOF, the said part Y of the first part has to these presents set its hand and seal. Dated the day and year first above written.

THE CAMBRIA COUNTY INDUSTRIAL DEVELOPMENT CORPORATION

Signed, Sealed and Delivered in the Presence of

By Joseph B. Casale

Michele A. Bonerigo
Assistant Secretary



WITNESS:

.....
.....

52307

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JAMES M. McNULTY CLERK OF COURTS

Ebensburg, PA 15931

Date 11-18-91

Name Township of Cambria
 Number R.D. # OTN _____
 Charge Resolution # 277

MEMO	AMOUNT
COSTS:	
MAGISTRATE	\$ _____
STATE FEE	_____
OFFICE FEES	_____
FINE:	
COUNTY	_____
STATE	_____
LOCAL	_____
RESTITUTION	_____
TUITION - DWI	_____
MISCELLANEOUS <u>filing fee</u>	15.00
TOTAL	\$ 15.00

Received from: Cambria Twp. Supervisors

Fifteen DOLLARS

CASH
 CHECK
 M.O.

James M. McNulty
 Clerk of Courts

• CONSULT YOUR PHONE DIRECTORY FOR TOLL FREE NUMBER •