

2017-102-CD

SANDY TOWNSHIP RESOLUTION NO. 6 -2017

COM

WHEREAS, WAL-MART STORES, INC., presented and recorded a Deed of Dedication for a certain piece, parcel or tract of land, more specifically described as "Parcel C and Parcel D" in the said Deed of Dedication dated the 8<sup>th</sup> day of May, 1996, a copy of which is attached to this Resolution and marked as Exhibit A; and

WHEREAS, the said Deed of Dedication was recorded in the Recorder's Office of Clearfield County, Pennsylvania on May 30, 1996 in Volume 1761, at Page 399 et seq; and

WHEREAS, the TOWNSHIP OF SANDY physically accepted the parcel described in the Deed by continuing to maintain the area described in the Deed and by treating it as a Township Road, open to the public; and

WHEREAS, it is believed to be in the best interest of the TOWNSHIP OF SANDY to now formally accept the Deed of Dedication by the enactment and signing of this Resolution.

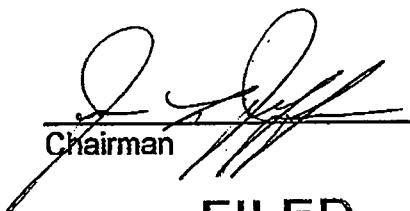
NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED at this regular meeting of the Board of Supervisors of the TOWNSHIP OF SANDY held this 16<sup>th</sup> day of January, 2017 as follows:

1. The TOWNSHIP OF SANDY hereby accepts the areas identified as Parcels C and D in the said attached copy of the Deed of Dedication as Township Roads, as shown on the attached drawing, marked as Exhibit B, and hereby accepts the said Deed of Dedication already recorded.
2. The Manager of the TOWNSHIP OF SANDY is authorized to proceed to have this Resolution properly recorded and lodged of record in the Prothonotary's Office of Clearfield County in the appropriate Road Docket.

IN WITNESS WHEREOF, the following set forth their hands and seals the day and year aforesaid.

ATTEST:

Bartimus D. Miller  
Secretary

  
Chairman

I hereby certify this to be a true and attested copy of the original statement filed in this case.

JAN 23 2017

FILED  
11:108 P.M. CO  
JAN 23 2017  
BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS  
Atty pd. 25.00  
ICC Atty KruK

A TRUE COPY

ATTEST: Brian K. Spencer

PROTHONOTARY CLERK

DEED OF DEDICATION

THIS INDENTURE made this 5<sup>th</sup> day of May, 1996, by and between WAL-MART STORES, INC., a business corporation, having an office at Bentonville, Arkansas, Party of the First Part and Grantor,

and

THE TOWNSHIP OF SANDY, a second class Township, organized and existing as a municipality under the laws of the Commonwealth of Pennsylvania, having its situs in Clearfield County, Party of the Second Part and Grantee;

WITNESSETH that the said Grantor, for and in consideration of the advantage to it accruing, as well as other considerations affecting the public welfare which it seeks to advance, has bargained, granted, sold, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain, sell, alien, enfeoff, release and confirm unto the said Grantee, its successors and assigns,

ALL those certain pieces or parcels of real estate located in Sandy Township, Clearfield County, Pennsylvania, bounded and described as Parcel C and Parcel D per the attached exhibit, and further bounded and described per the plot map which is recorded herewith as a plot and plan in the Recorder of Deeds Office of Clearfield County listed as Parcel C and Parcel D. The attached narrative description is the Surveyor's text description of Alexander & Associates, Inc.

Parcel C is a 5 feet wide strip of land contiguous to, and is on the West border of an existing 75 feet wide right-of-way. Parcel C is an addition to the 75 feet wide right-of-way and is for those purposes as expressed in the deed from David C. DuBois to Wal-Mart Stores, Inc. dated March 10, 1991, in Deed Book 1394, Page 317.

Parcel D is a 5 feet wide strip of land and is contiguous and West of Parcel C. Parcel D is a right-of-way or easement for purposes of underground utility line installation and maintenance.

CLEARFIELD COUNTY  
ENTERED OF RECORD  
TIME 12:30 pm 5-30-96  
BY Nancy, Clerk  
FEES 17.50  
Karen L. Starck, Recorder

To Have and To Hold the said parcel or lot of land described above unto the said Grantee, its successors and assigns, for a public street or highway and for purposes of sewer, water and other utility installations, and for no other purpose whatsoever, and to the same extent and with the same effect as if the said street or road had

EXHIBIT A

been opened by a decree of the Court of Common Pleas of Clearfield County after proceedings duly had for that purpose under and in pursuance of the road laws of the Commonwealth of Pennsylvania or Eminent Domain laws of said Commonwealth.

The said Grantor, for itself, its successors and assigns, does by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that the said lot of ground above described unto the said Grantee, its successors and assigns, against it the said Grantor, its successors and assigns; and against all and any person, persons or parties whomsoever lawfully claiming or to claim the same, or any part thereof, by, from or under it or them or any of them shall and will forever warrant and forever defend.

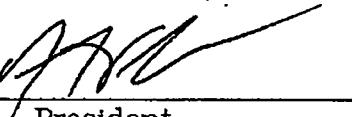
The said Grantee, Sandy Township on its behalf, and on behalf of its successors and assigns agrees, by the acceptance of this conveyance, that there will be no change of grade, installations, or improvements which would interfere with the Grantor's free and unencumbered access to its remaining premises, and to the parking and access areas maintained by the Grantor lying adjacent to the described parcels dedicated herein.

IN WITNESS WHEREOF, the said Party of the First Part, has caused these presents to be signed by its President or a Vice President and its corporate seal to be hereunto affixed, duly attested by its Secretary or an Assistant Secretary, the day and year first above written.

ATTEST:

  
\_\_\_\_\_  
Shelli S. Stevens  
Secretary

WAL-MART STORES, INC.

By:   
\_\_\_\_\_  
President

STATE OF ARKANSAS

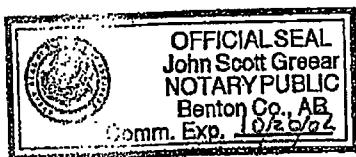
SS

COUNTY OF BENTON

:

On this, the 8<sup>th</sup> day of May, 1996, before me, the undersigned officer, personally appeared Anthony L. Fuller who is the Director of Wal-Mart Realty, a division of WAL-MART STORES, INC., and by virtue and in pursuance of the authority thereby vested in him, acknowledged the foregoing to be the act and deed of WAL-MART STORES, INC.

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



John Scott Greear  
Notary Public

ALL that certain piece, parcel, or tract of land lying and being situate in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a one inch iron pipe set by this survey, said iron pipe being located N 70 Degrees 46 Minutes 46 Seconds W a distance of 75.02 feet from an existing Wal-Mart concrete ("W-1-B") (being the northeast corner of the lands of which this is a part), said iron pipe being the northwest corner of "Parcel A" of this survey and the northeast corner of the herein described parcel, further being shown as Corner Number 55 on the hereto attached plat;

THENCE, S 20 Degrees 34 Minutes 09 Seconds W through the lands of Wal-Mart Stores, Inc., of which this is a part, (along "Parcel A" of this survey) a distance of 650.42 feet to a point, said point being the southeast corner of the herein described parcel, further being shown as Corner Number 51 on the hereto attached plat;

THENCE, N 69 Degrees 25 Minutes 51 Seconds W through the lands of Wal-Mart Stores, Inc., of which this is a part, a distance of 5.00 feet to a point, said point being the southeast corner of "Parcel D" of this survey and the southwest corner of the herein described parcel, further being shown as Corner Number 52 on the hereto attached plat;

THENCE, N 20 Degrees 34 Minutes 09 Seconds E through the lands of Wal-Mart Stores, Inc., of which this is a part, (along "Parcel D" of this survey) a distance of 650.30 feet to a point, said point being the northeast corner of said "Parcel D" and the northwest corner of the herein described parcel, further being shown as Corner Number 54 on the hereto attached plat;

THENCE, S 70 Degrees 46 Minutes 46 Seconds E along Phase I of the Sandy Township / Developac Industrial Park a distance of 5.00 feet to a one inch iron pipe set by this survey, the point of beginning.

CONTAINING 3,252 square feet or 0.075 acres.

BEING subject to any utility easements which may be of record..

BEING a portion of Parcel Number 103 on Sandy Township Assessment Map C-3.

BEING a portion of the lands described in Deed Book 1394 Page 217 and recorded in the Clearfield County Courthouse.

BEING the same premises as surveyed and drawn by ALEXANDER & ASSOCIATES INC., Falls Creek, PA 15840. Said survey plat is under the date of March 11, 1996, is referenced as JN1394-96, and is intended to be recorded in the Clearfield County Courthouse for a more particular description.

**PARCEL D:** Refer to enlargement on attached plat

*GRANTOR: WAL-MART STORES, INC.*

*GRANTEE:*

ALL that certain piece, parcel, or tract of land lying and being situate in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a one inch iron pipe set by this survey, said iron pipe being located N 70 Degrees 46 Minutes 46 Seconds W a distance of 80.02 feet from an existing Wal-Mart concrete monument ("W-1-B", being the northeast corner of the lands of which this is a part), said iron pipe being the northwest corner of the herein described parcel, further being shown as Corner Number 42 on the hereto attached plat;

THENCE, S 70 Degrees 46 Minutes 46 Seconds E along Phase I of the Sandy Township / Developac Industrial Park a distance of 5.00 feet to a point, said point being northwest corner of "Parcel C" of this survey and the northeast corner of the herein described parcel, further being shown as Corner Number 54 on the hereto attached plat;

THENCE, S 20 Degrees 34 Minutes 09 Seconds W through the lands of Wal-Mart Stores, Inc., of which this is a part, (along "Parcel C" of this survey) a distance of 650.30 feet to a point, said point

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being the southwest corner of said "Parcel C" and the southeast corner of the herein described parcel, further being shown as Corner Number 52 on the hereto attached plat;

THENCE, N 69 Degrees 25 Minutes 51 Seconds W through the lands of Wal-Mart Stores, Inc., of which this is a part, a distance of 5.00 feet to a one inch iron pipe set by this survey, said iron pipe being the southwest corner of the herein described parcel, further being shown as Corner Number 53 on the hereto attached plat;

THENCE, N 20 Degrees 34 Minutes 09 Seconds E through the lands of Wal-Mart Stores, Inc., of which this is a part, a distance of 650.18 feet to a one inch iron pipe set by this survey, the point of beginning.

CONTAINING 3,250 square feet or 0.075 acres.

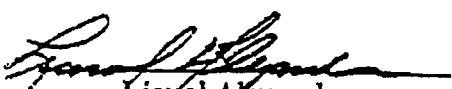
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I hereby CERTIFY that this document is recorded in the Recorder's Office of Clearfield County, Pennsylvania.

  
Lionel Alexander  
Professional Land Surveyor  
SU-22887-E



  
Karen L. Starck  
Recorder of Deeds

Entered of Record May 30 1996 11:11 AM Karen L. Starck, Recorder

