

00-640-CD  
COOPER TOWNSHIP MUNICIPAL AUTHORITY -vs- WILLIAM AMICK etux

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

114 COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

102 WILLIAM and PENELOPE AMICK,

Condemnees

No. 00-640-00

**DECLARATION OF TAKING**

The Cooper Township Municipal Authority, pursuant to the Eminent Domain Code 26 P.S. 1-101 et seq. ("Code"), hereby declares:

1. The Condemnor is the Cooper Township Municipal Authority, whose address is P.O. Box 446, Winburne, Clearfield County, Pennsylvania.
2. The condemnation is authorized by 26 P.S. 1-101 et seq.
3. Pursuant to Resolution approved April 11, 2000, the Cooper Township Municipal Authority hereby appropriates and condemns real estate designated in the Resolution, a copy of which is attached as Exhibit "A". The Condemnees are William and Penelope Amick, husband and wife.
4. The purpose of the condemnation is to secure land for a waste water treatment system as described more fully in the Act 537 Plan approved March 31, 1997, prepared by Hess and Fisher and intended to be recorded.
5. The property condemned is a portion of that tract of land situate in Cooper Township, Clearfield County, Pennsylvania, described in Clearfield County

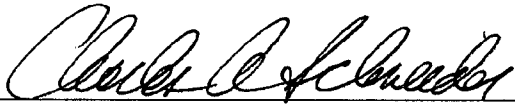
FILED  
JUN 01 2000  
William A. Shaw  
Notary

Record Book Instrument No. 199801732, Pages 1-4, more particularly shown in the description attached as Exhibit "B".

6. The nature of title acquired is a permanent easement.
7. The plan showing the condemned property may be inspected at the Office of the Condemnor.
8. Pursuant to 26 P.S. 1-403, the Condemnor files its bond herewith, conditioned for the payment to the Condemnees of damages for taking when the same shall have been ascertained.
9. A conformed copy of this declaration of taking, together with the information and notice will be served upon the condemnees in this proceeding. Proof of such service will be filed.

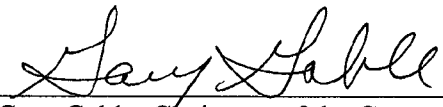
**WHEREFORE**, the Cooper Township Municipal Authority declares the within premises condemned and appropriated for the public purpose mentioned.

Date: 5/12/00

  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

**VERIFICATION**

I hereby verify that the facts set forth in this pleading are true and correct to the best of my knowledge, information and belief. I understand that any false statements herein are made subject to the penalties of 18 P.S. Section 4904, relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Gary Gable, Chairman of the Cooper  
Township Municipal Authority

## RESOLUTION

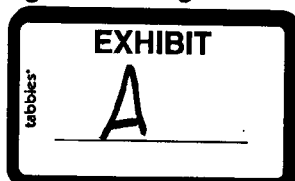
### **A RESOLUTION OF THE COOPER TOWNSHIP MUNICIPAL AUTHORITY FOR THE CONDEMNATION OF THE FOLLOWING PROPERTIES IN COOPER TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA FOR THE WASTEWATER TREATMENT SYSTEM.**

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Andrea Borger for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 1683, page 475 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Andrea Borger, conditioned for the payment to the said Andrea Borger of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against James Hadvabne for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Books, 249, page 112, 184, page 436 and 155, page 183 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of James Hadvabne, conditioned for the payment to the said James Hadvabne of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Michael Pash for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book Instrument Number 199902949, pages 1-4 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Michael Pash conditioned for the payment to the said Michael Pash of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against William Amick and Penelope Amick, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book Instrument No. 199801732 , pages 1-4 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of William Amick and Penelope Amick, his wife, conditioned for the payment to the said William Amick and Penelope Amick, his wife, of damages for taking when damages have been ascertained.



**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Timothy Campbell for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book Instrument Number 199916454, pages 1-4 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Timothy Campbell conditioned for the payment to the said Timothy Campbell of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Doris Carlson, Donald Carlson and Kathy Jolly for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 815, page 189 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Doris Carlson, Donald Carlson and Kathy Jolly conditioned for the payment to the said Doris Carlson, Donald Carlson and Kathy Jolly of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Melvin Wood and Patricia Wood, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Books 1301, page 052, 611 page 215 and 1237, page 243 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Melvin Wood and Patricia Wood, his wife, conditioned for the payment to the said Melvin Wood and Patricia Wood, his wife, of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against John Bordas and Debbi Bordas, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 1535, page 100 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of John Bordas and Debbi Bordas, his wife, conditioned for the payment to the said John Bordas and Debbi Bordas, his wife, of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against the Presbyterian Church for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Book 1689, page 590 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of the Presbyterian Church conditioned for the payment to the said the Presbyterian Church of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Timothy Campbell for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book Instrument Number 199916454, pages 1-4 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Timothy Campbell conditioned for the payment to the said Timothy Campbell of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Doris Carlson, Donald Carlson and Kathy Jolly for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 815, page 189 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Doris Carlson, Donald Carlson and Kathy Jolly conditioned for the payment to the said Doris Carlson, Donald Carlson and Kathy Jolly of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Melvin Wood and Patricia Wood, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Books 1301, page 052, 611 page 215 and 1237, page 243 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Melvin Wood and Patricia Wood, his wife, conditioned for the payment to the said Melvin Wood and Patricia Wood, his wife, of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against John Bordas and Debbi Bordas, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 1535, page 100 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of John Bordas and Debbi Bordas, his wife, conditioned for the payment to the said John Bordas and Debbi Bordas, his wife, of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against the Presbyterian Church for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Book 1689, page 590 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of the Presbyterian Church conditioned for the payment to the said the Presbyterian Church of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Penny Sunderlin for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 905, page 361 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Penny Sunderlin conditioned for the payment to the said Penny Sunderlin of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Elmer Zahuranec for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 1649, page 034 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Elmer Zahuranec conditioned for the payment to the said Elmer Zahuranec of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against George Carter, Sr. for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Books 100, page 166 and 282, page 251 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of George Carter, Sr. conditioned for the payment to the said George Carter, Sr. of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Unknown Property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Tax Assessment Map S9, Enlargement 533, Parcel Number 18, Lot Number 298 from the Map of Ames and Control Number 110046513 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Unknown Property conditioned for the payment to the said Unknown Property of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Unnamed Street/Third Street - Winburne (unopened) and located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Tax Assessment Map S9, Enlargement 533, also located on the Map of Ames for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Unnamed Street/Third Street - Winburne conditioned for the payment to the said Unnamed Street/Third Street - Winburne of damages for taking when damages have been ascertained.

**RESOLVED** this 11th day of April, 2000, by the board of the Cooper Township Municipal Authority in lawful session assembled.

ATTEST

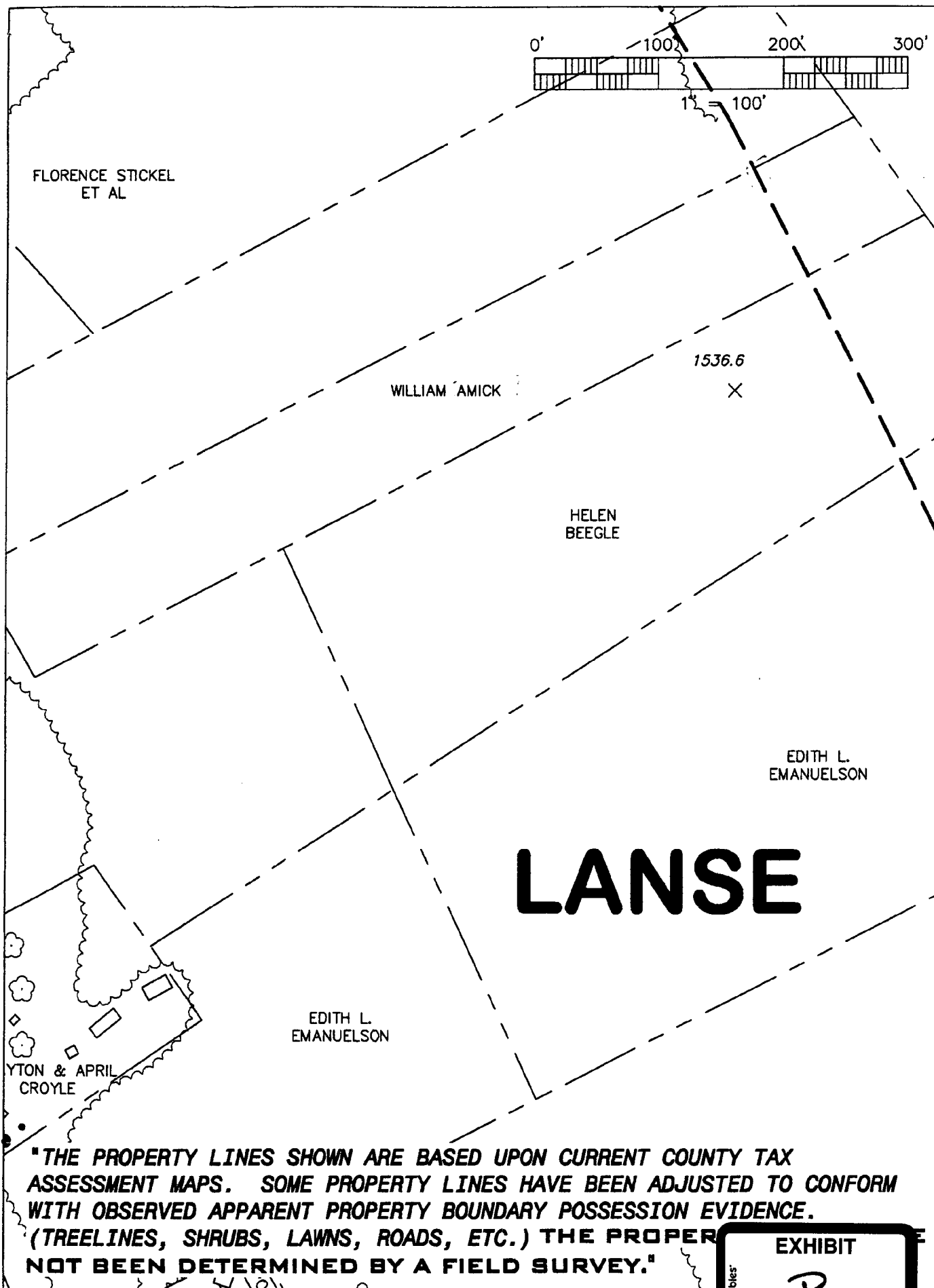
  
\_\_\_\_\_  
SECRETARY

SEAL

COOPER TOWNSHIP MUNICIPAL AUTHORITY

By:   
\_\_\_\_\_  
CHAIRMAN





EXHIBIT

B

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

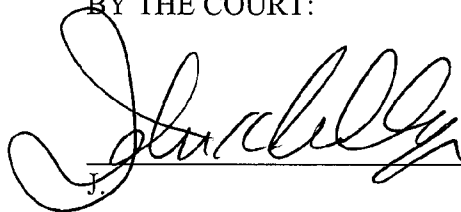
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

No.

**ORDER**

AND NOW this 1 day of June, 2000, upon review of the  
Plaintiff's Petition and Bond, the said Bond is hereby approved.

BY THE COURT:

  
J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,	:	
	:	
Condemnor	:	
	:	
vs.	:	No.
	:	
WILLIAM and PENELOPE AMICK,	:	
	:	
Condemnees	:	

**BOND**

**KNOW ALL MEN BY THESE PRESENTS**, that the Declaration of Taking having been filed the 1 day of JUNE, 2000, by the Cooper Township Municipal Authority, ("obligor") a body politic and corporate organized and existing under the laws of the Commonwealth of Pennsylvania ("obligee") for the use and benefit of the owners of the property condemned as hereinafter noted, and other proper parties in interest, for such amount of damage as the owner of the property and other parties in interest shall be entitled to receive after the same shall have been agreed upon or assessed in the manner prescribed by law, by reason of the condemnation by obligor of certain land located in Cooper Township, Clearfield County, Pennsylvania, and described as follows: [PROPERTY SHOWN IN THE ATTACHED PLAN,] to which payment well and truly to be made, the obligor does bind itself and its successors, and assigns, firmly by these presents.

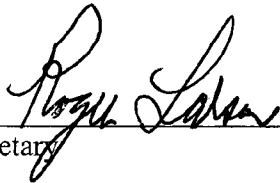
**WHEREAS**, the obligor has condemned the said property and cannot agree with the owner of said land upon the just compensation to be paid for the damages sustained by said owner as a result of the condemnation:

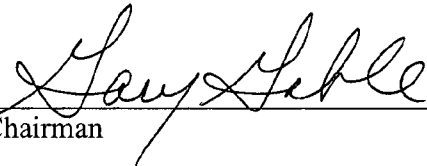
**NOW THE CONDITION** of this bond is such that if the obligor shall pay or cause to be paid such amount of damages as the said owner of the property and other parties in interest shall be entitled to receive by reason of such condemnation, after the same shall have been agreed upon or assessed in the manner provided by law, then this obligation shall be void; otherwise, to be and remain in full force and effect.

**SEALED** with the corporate seal and duly executed this 9 day of May, 2000.

Attest:

Cooper Township Municipal Authority

  
Secretary

By:   
Chairman

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY, :  
 :  
Condemnor :  
 :  
vs. : No.  
 :  
WILLIAM and PENELOPE AMICK, :  
 :  
Condemnees :  
 :

**NOTICE OF CONDEMNATION**


In accordance with Section 405 of the Eminent Domain Code of 1964, 26 P.S. § 1-405,  
Cooper Township Municipal Authority notifies you that:

1. A declaration of taking, a copy of which is attached as Exhibit "A," was filed on  
JUNE 1, 2000, in the Court of Common Pleas of Clearfield County at the  
above-named term and number.

2. Your property has been condemned for waste water treatment system purposes.  
Identification of your property appears on Exhibit "B" of the declaration of taking.

3. If you wish to challenge the power or right of Cooper Township Municipal  
Authority to appropriate the condemned property, the sufficiency of the security, the procedure  
followed by the Condemnor, or the declaration of taking, you are required to file preliminary  
objections within 30 days after being served with this notice.

Date: 6/1/00

  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

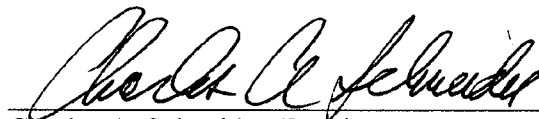
No. 00-640-CP

**NOTICE OF FILING OF DECLARATION OF TAKING**

The Cooper Township Municipal Authority states that:

A Declaration of Taking was filed this 1 day of JUNE, 2000, at the  
above Court term and number, by which the following property was condemned in whole or in  
part for a waste water treatment system on the land of William and Penelope Amick, husband  
and wife, described in Record Book No. 199801732, Page No. 1-4.

Date: 6/1/00



Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

**FILED**

JUN 01 2000

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

No. 00-640-CD

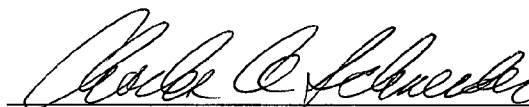
**MEMORANDUM OF FILING OF NOTICE**

To the Prothonotary:

Notice of the above-captioned condemnation is recorded in the Department of Records of  
Clearfield County at Instrument Number 200007620.

Date:

6/19/00



Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

**FILED**  
JUN 23 2000  
William A. Shaw  
Prothonotary  
E/123

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

No. 00-640-CD

**PETITION FOR THE APPOINTMENT OF A BOARD OF VIEWERS**

The Petition of **Cooper Township Municipal Authority** ("Condemnor"), by its undersigned counsel, respectfully represents:

1. The Condemnor is Cooper Township Municipal Authority, whose address is Box 446, Winburne, Pennsylvania.
2. On June 1, 2000, Condemnor filed a declaration of taking in this proceeding. A copy of the declaration of taking is attached as Exhibit "A." No preliminary objections to the declaration of taking have been filed.
3. The name and address of the Condemnees known by Condemnor to have an interest in the condemned property is:  
William and Penelope Amick, P.O. Box 138, Lanse, PA 16849
4. A description of the condemned property is fully set forth in the Resolution, approved on April 11, 2000, a copy of which is included in the declaration of taking.

**FILED**

AUG 18 2000

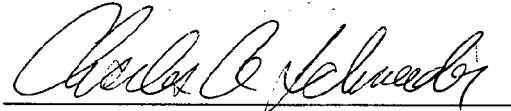
William A. Shaw  
Prothonotary



WHEREFORE, Condemnor Cooper Township Municipal Authority respectfully requests that your Honorable Court appoint three viewers to assess the damages to which the condemnees are entitled, and to assess the benefits, if any, arising from the above-mentioned condemnation.

Respectfully submitted,

Date: 7/7/00



Charles A. Schneider

Attorney ID #06780

Mazza, Schneider, Arbuckle & Bascom

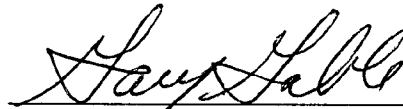
1315 South Allen Street, Suite 302

State College, PA 16801

(814) 237-6255

**VERIFICATION**

I hereby verify that the facts set forth in this pleading are true and correct to the best of my knowledge, information and belief. I understand that any false statements herein are made subject to the penalties of 18 P.S. Section 4904, relating to unsworn falsification to authorities.

A handwritten signature in cursive script, appearing to read "Gary Gable", is written over a horizontal line.

Gary Gable, Chairman of the Cooper  
Township Municipal Authority

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-640-CD

WILLIAM and PENELOPE AMICK,

Condemnees

NOTICE OF CONDEMNATION

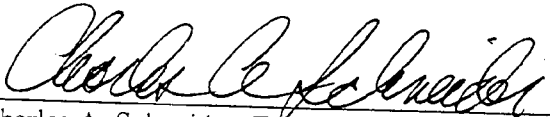
In accordance with Section 405 of the Eminent Domain Code of 1964, 26 P.S. § 1-405,  
Cooper Township Municipal Authority notifies you that:

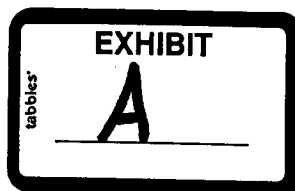
1. A declaration of taking, a copy of which is attached as Exhibit "A," was filed on  
JUNE 1, 2000, in the Court of Common Pleas of Clearfield County at the  
above-named term and number.

2. Your property has been condemned for waste water treatment system purposes.  
Identification of your property appears on Exhibit "B" of the declaration of taking.

3. If you wish to challenge the power or right of Cooper Township Municipal  
Authority to appropriate the condemned property, the sufficiency of the security, the procedure  
followed by the Condemnor, or the declaration of taking, you are required to file preliminary  
objections within 30 days after being served with this notice.

Date: 6/1/00

  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-640-CD

WILLIAM and PENELOPE AMICK,

Condemnees

NOTICE OF FILING OF DECLARATION OF TAKING

The Cooper Township Municipal Authority states that:

A Declaration of Taking was filed this 1 day of JUNE, 2000, at the  
above Court term and number, by which the following property was condemned in whole or in  
part for a waste water treatment system on the land of William and Penelope Amick, husband  
and wife, described in Record Book No. 199801732, Page No. 1-4.

Date: 6/1/00

*Charles A. Schneider*

Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200007620

RECORDED ON

JUN 01, 2000  
2:08:39 PM

RECORDING FEES -	\$13.00
RECORDER	
COUNTY IMPROVEMENT FUND	\$1.00
RECORDER	
IMPROVEMENT FUND	\$1.00
STATE WRIT TAX	\$0.50
TOTAL	\$15.50

*Schneider*

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

JUN 01 2000

Attest:

*William L. Starck*  
Recorder

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

No. 00-640-C0

CERTIFICATE OF SERVICE

I hereby certify that on this day, I am serving the foregoing document upon the person and in the manner indicated below, which service satisfied the requirements of Pa. R.C.P. 440.

SERVICE BY CERTIFIED MAIL ADDRESSED AS FOLLOWS:

William and Penelope Amick  
P.O. Box 138  
Lanse, PA 16849

Date:

6/19/00



Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

No. 00-640-00

DECLARATION OF TAKING

The Cooper Township Municipal Authority, pursuant to the Eminent Domain Code 26 P.S. 1-101 et seq. ("Code"), hereby declares:

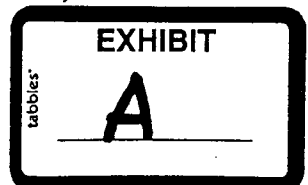
1. The Condemnor is the Cooper Township Municipal Authority, whose address is P.O. Box 446, Winburne, Clearfield County, Pennsylvania.
2. The condemnation is authorized by 26 P.S. 1-101 et seq.
3. Pursuant to Resolution approved April 11, 2000, the Cooper Township Municipal Authority hereby appropriates and condemns real estate designated in the Resolution, a copy of which is attached as Exhibit "A". The Condemnees are William and Penelope Amick, husband and wife.
4. The purpose of the condemnation is to secure land for a waste water treatment system as described more fully in the Act 537 Plan approved March 31, 1997, prepared by Hess and Fisher and intended to be recorded.

5. The property condemned is a portion of that tract of land situate in Cooper Township, Clearfield County, Pennsylvania, described in Clearfield County

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

JUN 02 2000

Attest:

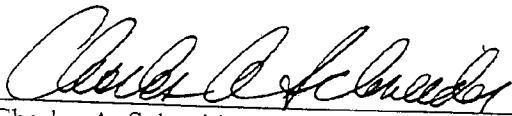


Record Book Instrument No. 199801732, Pages 1-4, more particularly shown in the description attached as Exhibit "B".

6. The nature of title acquired is a permanent easement.
7. The plan showing the condemned property may be inspected at the Office of the Condemnor.
8. Pursuant to 26 P.S. 1-403, the Condemnor files its bond herewith, conditioned for the payment to the Condemnees of damages for taking when the same shall have been ascertained.
9. A conformed copy of this declaration of taking, together with the information and notice will be served upon the condemnees in this proceeding. Proof of such service will be filed.

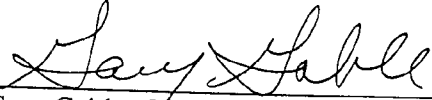
**WHEREFORE**, the Cooper Township Municipal Authority declares the within premises condemned and appropriated for the public purpose mentioned.

Date: 5/12/00

  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

VERIFICATION

I hereby verify that the facts set forth in this pleading are true and correct to the best of my knowledge, information and belief. I understand that any false statements herein are made subject to the penalties of 18 P.S. Section 4904, relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Gary Gable, Chairman of the Cooper  
Township Municipal Authority



## RESOLUTION

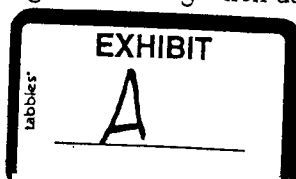
**A RESOLUTION OF THE COOPER TOWNSHIP MUNICIPAL AUTHORITY FOR THE CONDEMNATION OF THE FOLLOWING PROPERTIES IN COOPER TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA FOR THE WASTEWATER TREATMENT SYSTEM.**

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Andrea Borger for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 1683, page 475 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Andrea Borger, conditioned for the payment to the said Andrea Borger of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against James Hadvabne for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Books, 249, page 112, 184, page 436 and 155, page 183 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of James Hadvabne, conditioned for the payment to the said James Hadvabne of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Michael Pash for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book Instrument Number 199902949, pages 1-4 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Michael Pash conditioned for the payment to the said Michael Pash of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against William Amick and Penelope Amick, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book Instrument No. 199801732, pages 1-4 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of William Amick and Penelope Amick, his wife, conditioned for the payment to the said William Amick and Penelope Amick, his wife, of damages for taking when damages have been ascertained.



**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Timothy Campbell for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book Instrument Number 199916454, pages 1-4 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Timothy Campbell conditioned for the payment to the said Timothy Campbell of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Doris Carlson, Donald Carlson and Kathy Jolly for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 815, page 189 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Doris Carlson, Donald Carlson and Kathy Jolly conditioned for the payment to the said Doris Carlson, Donald Carlson and Kathy Jolly of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Melvin Wood and Patricia Wood, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Books 1301, page 052, 611 page 215 and 1237, page 243 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Melvin Wood and Patricia Wood, his wife, conditioned for the payment to the said Melvin Wood and Patricia Wood, his wife, of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against John Bordas and Debbi Bordas, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 1535, page 100 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of John Bordas and Debbi Bordas, his wife, conditioned for the payment to the said John Bordas and Debbi Bordas, his wife, of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against the Presbyterian Church for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Book 1689, page 590 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of the Presbyterian Church conditioned for the payment to the said the Presbyterian Church of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Timothy Campbell for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book Instrument Number 199916454, pages 1-4 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Timothy Campbell conditioned for the payment to the said Timothy Campbell of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Doris Carlson, Donald Carlson and Kathy Jolly for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 815, page 189 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Doris Carlson, Donald Carlson and Kathy Jolly conditioned for the payment to the said Doris Carlson, Donald Carlson and Kathy Jolly of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Melvin Wood and Patricia Wood, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Books 1301, page 052, 611 page 215 and 1237, page 243 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Melvin Wood and Patricia Wood, his wife, conditioned for the payment to the said Melvin Wood and Patricia Wood, his wife, of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against John Bordas and Debbi Bordas, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 1535, page 100 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of John Bordas and Debbi Bordas, his wife, conditioned for the payment to the said John Bordas and Debbi Bordas, his wife, of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against the Presbyterian Church for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Book 1689, page 590 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of the Presbyterian Church conditioned for the payment to the said the Presbyterian Church of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Penny Sunderlin for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 905, page 361 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Penny Sunderlin conditioned for the payment to the said Penny Sunderlin of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Elmer Zahuranec for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Book 1649, page 034 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Elmer Zahuranec conditioned for the payment to the said Elmer Zahuranec of damages for taking when damages have been ascertained.

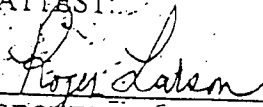
**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against George Carter, Sr. for certain property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Record Books 100, page 166 and 282, page 251 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of George Carter, Sr. conditioned for the payment to the said George Carter, Sr. of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Unknown Property located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Tax Assessment Map S9, Enlargement 533, Parcel Number 18, Lot Number 298 from the Map of Ames and Control Number 110046513 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Unknown Property conditioned for the payment to the said Unknown Property of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring a condemnation proceeding against Unnamed Street/Third Street - Winburne (unopened) and located in Cooper Township, Clearfield County, Pennsylvania more particularly described in Clearfield County Tax Assessment Map S9, Enlargement 533, also located on the Map of Ames for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of Unnamed Street/Third Street - Winburne conditioned for the payment to the said Unnamed Street/Third Street - Winburne of damages for taking when damages have been ascertained.

**RESOLVED** this 11th day of April, 2000, by the board of the Cooper Township Municipal Authority in lawful session assembled.

ATTEST:

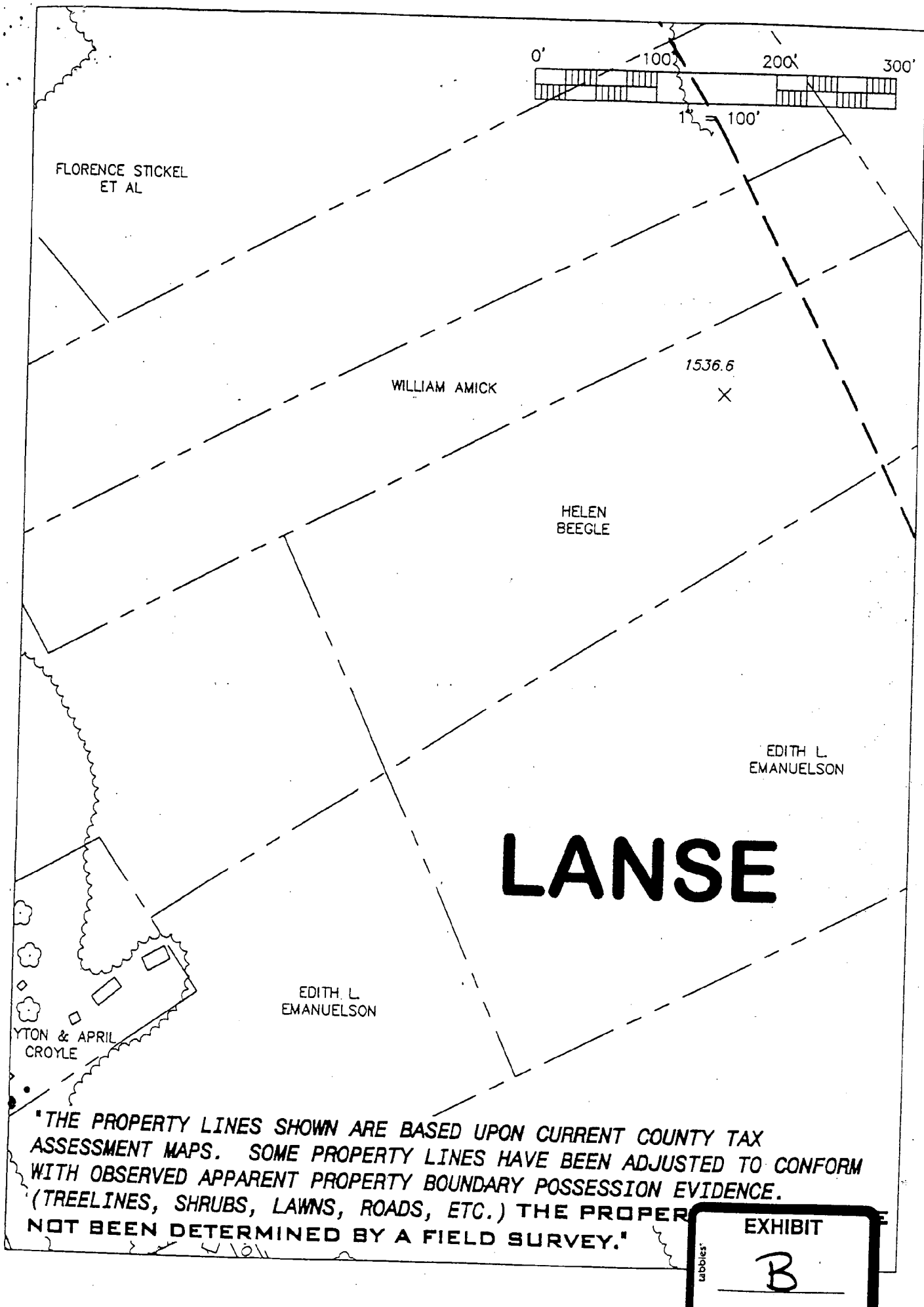
  
\_\_\_\_\_  
SECRETARY

SEAL

COOPER TOWNSHIP MUNICIPAL AUTHORITY

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

CHAIRMAN



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

No. 00-640-CD

ORDER

AND NOW this 1 day of June, 2000, upon review of the  
Plaintiff's Petition and Bond, the said Bond is hereby approved.

BY THE COURT:

/s/ John X. Reilly Jr.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

No. 00-640-CO

BOND

KNOW ALL MEN BY THESE PRESENTS, that the Declaration of Taking having been filed the 1 day of JUNE, 2000, by the Cooper Township Municipal Authority, ("obligor") a body politic and corporate organized and existing under the laws of the Commonwealth of Pennsylvania ("obligee") for the use and benefit of the owners of the property condemned as hereinafter noted, and other proper parties in interest, for such amount of damage as the owner of the property and other parties in interest shall be entitled to receive after the same shall have been agreed upon or assessed in the manner prescribed by law, by reason of the condemnation by obligor of certain land located in Cooper Township, Clearfield County, Pennsylvania, and described as follows: [PROPERTY SHOWN IN THE ATTACHED PLAN,] to which payment well and truly to be made, the obligor does bind itself and its successors, and assigns, firmly by these presents.

WHEREAS, the obligor has condemned the said property and cannot agree with the owner of said land upon the just compensation to be paid for the damages sustained by said owner as a result of the condemnation:

NOW THE CONDITION of this bond is such that if the obligor shall pay or cause to be paid such amount of damages as the said owner of the property and other parties in interest shall be entitled to receive by reason of such condemnation, after the same shall have been agreed upon or assessed in the manner provided by law, then this obligation shall be void; otherwise, to be and remain in full force and effect.

SEALED with the corporate seal and duly executed this 9 day of May, 2000.

Attest:

Roger Laker  
Secretary

Cooper Township Municipal Authority

By: Larry Seble  
Chairman



FILED <sup>ICC</sup>  
0110'06-31 <sup>Atty</sup>  
AUG 18 2000 <sup>Em</sup>

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

No. 00-640-CD

ORDER

AND NOW, this 21<sup>st</sup> day of August, 2000, upon the Petition of William Amick and Penelope Amick, the Court appoints J. Richard Matthews, II, Esq. Sam Yarb, and Evo Jacobine as viewers on the foregoing Petition and further Orders that the viewers perform their duties in accordance with the law and Act of Assembly in such case made and provided.

BY THE COURT:

JUDGE

FILED

AUG 21 2000

William A. Shaw  
Prothonotary

FILED

ALL 11/12/2000

William A. Shaw  
Prothonotary

100  
Attg Schneider

2/2/01

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

WILLIAM and PENELOPE AMICK,

Condemnees

No. 00-640-CD

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, I am serving the foregoing document upon the person and in the manner indicated below, which service satisfied the requirements of Pa. R.C.P. 440.

SERVICE BY FIRST CLASS MAIL ADDRESSED AS FOLLOWS:

William and Penelope Amick  
P.O. Box 138  
Lanse, PA 16849

Date: 8/25/00

Charles A. Schneider  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority

**FILED**

SEP 01 2000

William A. Shaw  
Prothonotary

FILED

SEP 01 2000

M.B. Shaw  
Prothonotary

W.B. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

COOPER TOWNSHIP  
MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-640-CD

WILLIAM and PENELOPE AMICK,

Condemnees

**FILED**

JAN 26 2001

William A. Shaw  
Prothonotary

**REPORT OF VIEWERS**

TO: THE HONORABLE JOHN K. REILLY, JR.  
PRESIDENT JUDGE OF SAID COURT

The undersigned Board of Viewers respectfully reports:

1. A Declaration of Taking by Petition of Cooper Township Municipal Authority, whose address is P. O. Box 446, Winburne, Clearfield County, Pa., was filed on June 1, 2000.
2. The purpose of the Condemnation is to secure land for a wastewater treatment system as more fully described in the Act 537 Plan approved March 31, 1997, as prepared by Hess & Fisher Engineers, Inc.
3. Said Declaration of Taking was authorized by Resolution of the Cooper Township Municipal Authority, approved April 11, 2000.
4. The Condemnation is authorized by 26 P.S. §1-101 et seq.
5. The Condemnee(s) are: **William and Penelope Amick, P. O. Box 138, Lanse, Pa., 16849.**

6. The property condemned is a portion of that tract of land situate in Cooper Township, Clearfield County, Pennsylvania, as more fully described in the Declaration of Taking and as shown in the map attached hereto designated as Exhibit "2".
7. The nature of the title acquired is a permanent easement of 10' in width and a 20' in width construction easement.
8. By Order of your Honorable Court dated August 21, 2000, J. Richard Mattern, II, Esquire, Samuel B. Yost and Evo G. Facchine, were appointed Viewers to perform the duties in accordance with the law and Act of Assembly and, basically, to assess damages to which the Condemnee(s) are entitled, and to assess benefits, if any, arising from the above mentioned Condemnation.
9. That the View was scheduled for December 15, 2000, and the Board of View Hearing was scheduled for December 19, 2000.
10. Notice of the View and Hearing was served on the Condemnee(s) by United States Mail, First Class, mailed November 22, 2000.
11. The Board of Viewers conducted their View and Hearing at the aforesaid date and place
12. That the following Exhibits were presented to the Board and accepted as exhibits and evidence by the Board, to aid in their decision in the matter, copies of which are attached hereto:
  - (a) Board Exhibit "1" - John E. West, CPE, CREA, Appraisal;

(b) Board Exhibit "2" – Map of premises prepared by Hess & Fisher Engineers, Inc;

13. That after the View and Hearing, the Board of Viewers has determined that the wastewater system lines, pumps, grinders, manhole covers and all facets are consistent with prudent and necessary requirements and comprise the best locations with minimal impact on the property owner(s).
14. That after View and Hearing in this matter and in consideration of all testimony and evidence, the Board has determined that before condemnation the subject property had a value of \$1,200.00. As there has been no change in value, and therefore, no damages after condemnation, the property has a value of \$1,200.00. Therefore, no damages are awarded by the Board to the Condemnee(s).
15. That attached to this Report are the following:
  1. Notice of Board of View as to date of View and Hearing, dated November 22, 2000 - Exhibit "A";
  2. Notice of Intention to File Report – Exhibit "B";
  3. Board of Viewers Schedule of Costs to be filed separately.




16. That a copy of this Report with Notice of Intention to File Report as required by 26 P.S. §1-513 is being forwarded to:

Attorney for Condemnor – Cooper Township Municipal Authority  
Charles A. Schneider, Esq.  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, Pa., 16801

Condemnee(s) or Condemnee(s) Attorney:  
**William & Penelope Amick**  
**P. O. Box 138**  
**Lanse, PA 16849**

All of which is Respectfully Submitted,

  
J. RICHARD MATTERN, II, ESQUIRE  
CHAIRMAN, BOARD OF VIEWERS

  
Samuel B. Yost – Board of Viewers

  
Evo G. Facchine - Board of Viewers

Date: 1/23/01

**APPRAISAL OF**

2.43 Acres Vacant Land Prior to Taking 950 Sq. Ft. Sewer Line Easement

**LOCATED AT:**

P O Box 138  
Lanse, Pa., 16849

**FOR:**

Cooper Township Municipal Authority  
Forest Road, P.O. Box 446  
Winburne, Pa 16879

**BORROWER:**

Owner: William Amick

**AS OF:**

October 4, 2000

**BY:**

John E. West CPE, CREA

October 4, 2000

Gary Gable

Cooper Township Municipal Authority  
Forest Road, P.O. Box 446  
Winburne, Pa 16879

File Number: Amick

Dear Gary,

In accordance with your request, I have personally inspected and appraised the real property at:

P O Box 138  
Lanse, Pa., 16849

The purpose of this appraisal is to estimate the market value of the subject property, as vacant.  
The property rights appraised are the fee simple interest in the site.

In my opinion, the estimated market value of the property as of October 4, 2000 is:

\$1,200  
One Thousand Two Hundred Dollars

The attached report contains the description, analysis and supportive data for the conclusions,  
final estimate of value, descriptive photographs, limiting conditions and appropriate certifications.

Sincerely Yours,



John E. West CPE,CREA

Residential Appraiser

RL-000292-L

jew

## ADDENDUM

Borrower: Owner: William Amick

File No.: Amick

Property Address: P O Box 138

Case No.: CTMA

City: Lanse

State: Pa.

Zip: 16849

Lender: Cooper Township Municipal Authority

### ADDENDUM FOR EASEMENT DAMAGE VALUE ESTIMATE

As per instructions I have determined the land value of the subject property in order to estimate the overall damage incurred by placing a sewer line easement over part of the property. The subject property is land locked with the easement in the very rear portion of the property. Since the property cannot be accessed from the I-80 side it is not likely that the easement will ever have any construction potential and all other uses, such as recreation will not be interrupted. This easement would not interfere with a typical owner that might consider new construction on this property. This portion of the property would not sustain any loss. I would conclude that there would be no damage to future construction on this property. The CTMA will place the sewer line and restore the property to original condition and, therefore, would cause no actual physical damage to the subject property other than some temporary inconvenience for construction.

It is my opinion that there is no change in value to the subject property because of this sewer easement and subsequently no monetary damages to the property from the sewer easement..

SUMMARY REPORT  
LAND APPRAISAL REPORT

CTMA

File No. Amick

SUBJECT	Property Address P O Box 138		Census Tract 3306		LENDER DISCRETIONARY USE					
	City Lanse		County Clearfield		State Pa. Zip Code 16849					
	Legal Description Deed Book 1998 01732				Sale Price \$					
	Owner/Occupant William Amick				Date					
	Map Reference 110-S9-708-64				Mortgage Amount \$					
	Safe Price \$ N/A				Mortgage Type					
	Date of Sale N/A				Discount Points and Other Concessions					
	Loan charges/concessions to be paid by seller \$ N/A				Paid by Seller \$					
	R.E. Taxes \$ 16.29				Tax Year 2000					
	HOA \$/Mo. None				Property Rights Appraised					
NEIGHBORHOOD	Lender/Client Cooper Township Municipal Authority				<input checked="" type="checkbox"/> Fee Simple					
	Forest Road, Winburne, Pa 16879				<input type="checkbox"/> Leashold					
					<input type="checkbox"/> Condominium (HUD/VA)					
					<input type="checkbox"/> PUD					
	Source									
	LOCATION				<input type="checkbox"/> Urban					
	<input type="checkbox"/> Suburban				<input checked="" type="checkbox"/> Rural					
	BUILT UP				<input type="checkbox"/> Over 75%					
	<input type="checkbox"/> 25-75%				<input checked="" type="checkbox"/> Under 25%					
	GROWTH RATE				<input type="checkbox"/> Rapid					
<input checked="" type="checkbox"/> Stable				<input type="checkbox"/> Slow						
PROPERTY VALUES				<input type="checkbox"/> Increasing						
<input checked="" type="checkbox"/> Stable				<input type="checkbox"/> Declining						
DEMAND/SUPPLY				<input type="checkbox"/> Shortage						
<input checked="" type="checkbox"/> In Balance				<input type="checkbox"/> Over Supply						
MARKETING TIME				<input type="checkbox"/> Under 3 Mos.						
<input checked="" type="checkbox"/> 3-6 Mos.				<input type="checkbox"/> Over 6 Mos.						
NEIGHBORHOOD ANALYSIS	PRESENT LAND USE %				NEIGHBORHOOD ANALYSIS					
	LAND USE CHANGE				Employment Stability					
	PREDOMINANT OCCUPANCY				Convenience to Employment					
	SINGLE FAMILY HOUSING				Convenience to Shopping					
	PRICE				Convenience to Schools					
	AGE				Adequacy of Public Transportation					
	55 - 50				Recreation Facilities					
	150 High 100				Adequacy of Facilities					
	Predominant				Property Compatibility					
					Protection from Detrimental Cond.					
SITE	Dimensions See site area.				Topography					
	Site Area 2.43 Acres (As per County Records)				Size					
	Zoning Classification None				Shape					
	HIGHEST & BEST USE: Present Use Yes				Drainage					
	Other Use None				View					
	UTILITIES				Landscaping					
	Electricity				Driveway					
	Gas				Apparent Easements					
	Water				FEMA Flood Hazard					
	Sanitary Sewer				FEMA Map/Zone					
Storm Sewer				No Street (Landlocked)						
				Typical for the area						
				Rectangular						
				Unknown						
				Unknown						
				None						
				None						
				See Comments						
				Yes* No X						
				421520-12						
Comments (Apparent adverse easements, encroachments, special assessments, slide areas, etc.): There is no visible access to this property. It is landlocked and adjoins I-80 which is a limited access highway. There is a sewer line easement planned to cross the property close to the I-80 right-of-way.										
The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to, or less favorable than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.										
SALES COMPARISON ANALYSIS	ITEM		SUBJECT		COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
	Address		P O Box 138		110-S9-532-25		110-S9-187		110-S8-236	
	Proximity to Subject		Lanse		Winburne		Winburne		Grassflat	
	Sales Price		\$ N/A		\$ 1,800		\$ 1,150		\$ 2,600	
	Price/		\$ 1800 ÷		\$ 1150 ÷		\$ 2600 ÷			
	Data Source		Inspection		Public Record		Public Record		Public Record	
	VALUE ADJUSTMENTS		DESCRIPTION		DESCRIPTION		DESCRIPTION		DESCRIPTION	
	Sales or Financing		None		None		None		None	
	Concessions		None		None		None		None	
	Date of Sale/Time		Appr. 10/4/00		2/00		12/99		1/99	
RECONCILIATION	Location		Rural		Superior		Equal		Equal	
	Site/View		2.43 Acres		0.344 Acres		2.695 Acre		4.095 Acres	
	Utilities		None		Superior		Equal		Equal	
	Homesite		None		None		None		None	
	Public Road		Landlocked		Superior		Landlocked		Superior	
	Net Adj. (total)				+ - \$ 650		+ - \$ 0		+ - \$ 1,350	
	Indicated Value				Gross: 125.0		Gross: 0.0		Gross: 51.9	
	of Subject				Net: -36.1 \$ 1,150		Net: 0.0 \$ 1,150		Net: -51.9 \$ 1,250	
	Comments of Sales Comparison: See Attached Addendum.									
	Comments and Conditions of Appraisal: This appraisal assumes competent, professional marketing with a reasonable time to sell.									
Final Reconciliation: The Market Approach to Value, which best reflects the actions of the buyers and sellers in the marketplace, has been given the most emphasis. The Cost and Income Approaches are not applicable in this type of assignment.										
I (WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE SUBJECT PROPERTY AS OF October 4, 2000 to be \$ 1,200										
I (We) certify: that to the best of my (our) knowledge and belief, the facts and data used herein are true and correct; that I (we) personally inspected the subject property and inspected all comparable sales cited in this report; and that I (we) have no undisclosed interest, present or prospective therein.										
Appraiser(s) John E. West CPE,CREA						Review Appraiser (if applicable)				
						<input type="checkbox"/> Did <input type="checkbox"/> Did Not Inspect Property				

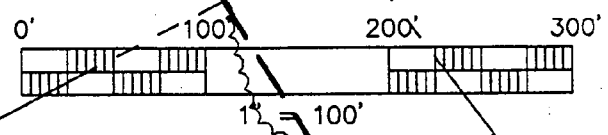
**ADDENDUM**

Borrower: Owner: William Amick		File No.: Amick
Property Address: P O Box 138		Case No.: CTMA
City: Lanse	State: Pa.	Zip: 16849
Lender: Cooper Township Municipal Authority		

**Comments on Sales Comparison**

A search of the Clearfield-Jefferson MLS, public records and broker files indicated that these sales are the most recent, closest, similar, closed sales available as of the date of the appraisal. The comparables chosen are considered to be good indicators of value. After variation adjustments, a value range of \$1,150 to \$1,250 is indicated. The Subject property is vacant and landlocked. The indicated land value for the subject in it's present condition, in my opinion, would be \$1,200.00 or \$495.00 per acre.

no Access no Photo



FLORENCE STICKEL  
ET AL

William Amick  
P.O. Box 138  
Lanse, PA 16849

?  
new purchase  
1998 01732

WILLIAM AMICK

1536.6  
X

HELEN  
BEEGLE

EDITH L.  
EMANUELSON

# LANSE

EDITH L.  
EMANUELSON

YTON & APRIL  
CROYLE

"THE PROPERTY LINES SHOWN ARE BASED UPON CURRENT COUNTY TAX ASSESSMENT MAPS. SOME PROPERTY LINES HAVE BEEN ADJUSTED TO CONFORM WITH OBSERVED APPARENT PROPERTY BOUNDARY POSSESSION EVIDENCE. (TREELINES, SHRUBS, LAWNS, ROADS, ETC.) THE PROPERTY LINES HAVE NOT BEEN DETERMINED BY A FIELD SURVEY."

X

**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the Appraiser's judgment.

## **STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION**

**CONTINGENT AND LIMITING CONDITIONS:** The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc. ) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc. ) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated ) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.




**APPRAISERS CERTIFICATION:** The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and Limiting Conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

**SUPERVISORY APPRAISER'S CERTIFICATION:** If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

**ADDRESS OF PROPERTY APPRAISED:** P O Box 138, Lanse, Pa., 16849

**APPRAISER:**

Signature:   
Name: John E. West CPE,CREA  
Date Signed: October 10, 2000  
State Certification #: RL-000292-L  
or State License #: \_\_\_\_\_  
State: Pa  
Expiration Date of Certification or License: June 30, 2001

**SUPERVISORY APPRAISER (only if required)**

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Date Signed: \_\_\_\_\_  
State Certification #: \_\_\_\_\_  
or State License #: \_\_\_\_\_  
State: \_\_\_\_\_  
Expiration Date of Certification or License: \_\_\_\_\_

☐ Did ☐ Did Not Inspect Property

# # 1 Wm.-Penelope Amick

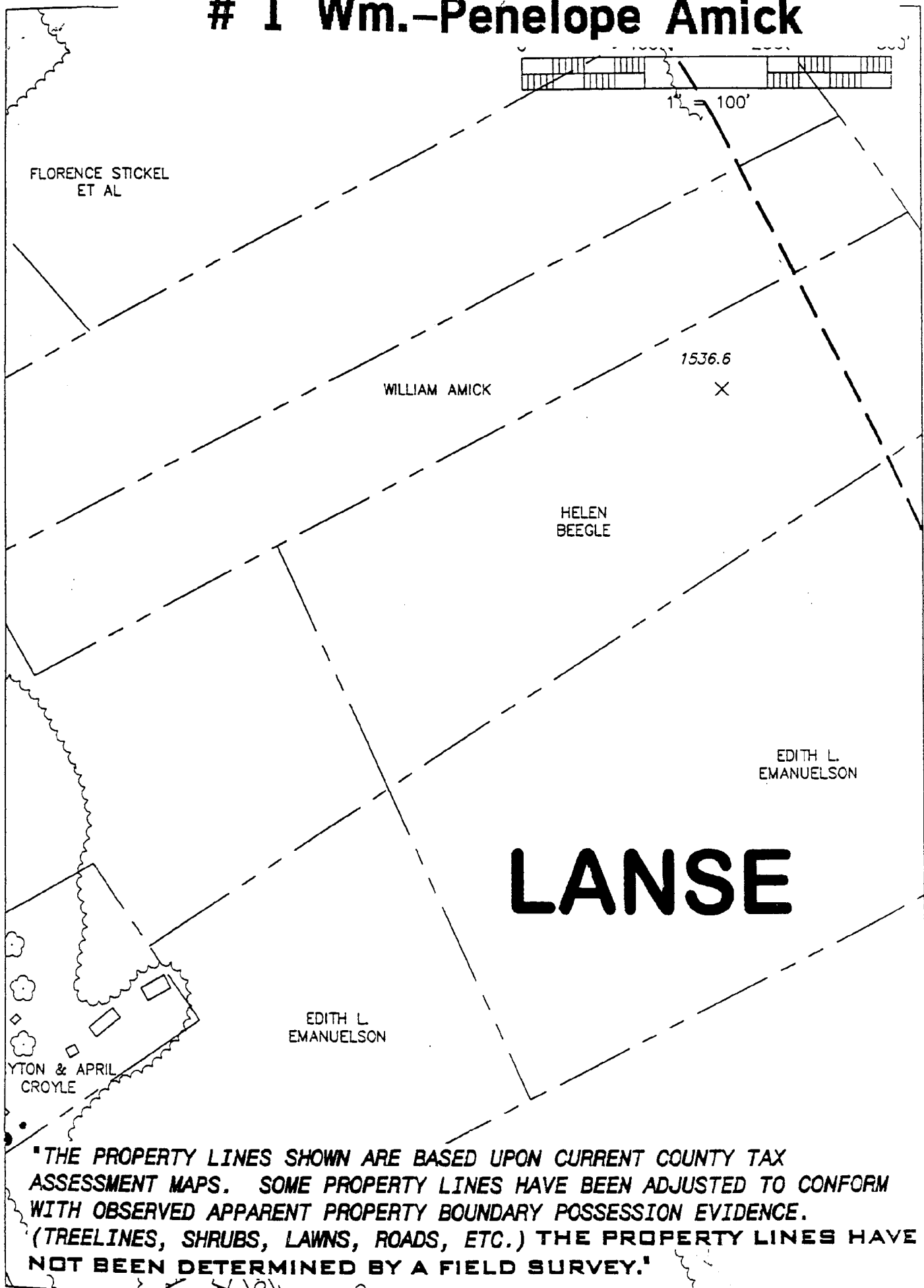


Exhibit "2"

U.S. POSTAL SERVICE		<b>CERTIFICATE OF MAILING</b>	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER			
<b>RICK MATTERN</b> <b>ATTORNEY AT LAW</b> <b>211 EAST PINE STREET</b> <b>CLEARFIELD, PA 16830</b>			
One piece of ordinary mail addressed to:			
<i>William + Penelope Amick</i>			
<i>P.O. Box 138</i>			
<i>Lane PA 16894</i>			

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

COOPER TOWNSHIP  
MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-640-CD

WILLIAM and PENELOPE AMICK,

Condemnees

**NOTICE OF VIEW AND HEARING**

You are hereby notified that J. Richard Mattern, II, Esquire, Samuel B. Yost and Evo Facchine, Board of Viewers in the above captioned matter, will hold a view on Friday, December 15, 2000, at or about 10:00 A.M. at the subject premises located in Cooper Township, Clearfield County, Pennsylvania.

You are further notified that there will be a hearing in this matter at the Cooper Township Municipal Authority Building in Winburne, Pennsylvania, 16879, on Tuesday, December 19, 2000, commencing at approximately 10:00 A.M.

J. RICHARD MATTERN, II, ESQUIRE  
Attorney ID# 06817  
CHAIRMAN, BOARD OF VIEWERS  
211 East Pine Street  
Clearfield, Pa., 16830  
(814) 765-6416

Date: November 22, 2000

Exhibit "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

COOPER TOWNSHIP  
MUNCIPAL AUTHORITY,

Condemnor

vs.

No. 00-640-CD

WILLIAM and PENELOPE AMICK,

Condemnees

TO: Attorney for Condemnor – Cooper Township Municipal Authority  
Charles A. Schneider, Esq.  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, Pa., 16801

Condemnee(s) or Condemnee(s) Attorney:  
**William & Penelope Amick**  
P. O. Box 138  
Lanse, PA 16849

**NOTICE OF INTENTION TO FILE REPORT**

The Board of Viewers in the above captioned matter shall file their Report on January 26, 2001.

A copy of said Report is being served on counsel for the Cooper Township Municipal Authority, and a copy is being served on you as Condemnee(s) or as Condemnee(s) attorney to the proceeding in accordance with P.S. §1-513.

You are hereby notified that the Report of Viewers in this matter shall become final unless an appeal is filed within thirty (30) days from the date the Report is filed.

BOARD OF VIEWERS

BY

J. Richard Mattern, II, Chairman

Ex B

FILED NO  
01/02/25/84 CC  
JAN 26 2001

27

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

IN RE:

COOPER TOWNSHIP  
MUNICIPAL AUTHORITY,  
Condemnee  
36 CONDEMNATION CASES  
CASE LIST ATTACHED –  
EXHIBIT A

\*

\*

\*

\*

Misc. II page 475  
No. 2001-CD

**ORDER**

AND NOW, this 26 day of January, 2001, the Court acknowledges the filing of 36 Reports by the Board of Viewers, together with the attached Board of Viewers Schedule of Costs and Orders that the Cooper Township Municipal Authority of Winburne, Pa., pay for the services rendered and costs incurred in the above cases the sum of One Thousand Nine Dollars and Fifty-Six Cents (\$1,009.56) to Samuel B. Yost, the sum of One Thousand One Hundred Eighty-Five Dollars (\$1,185.00) to Evo G. Facchine and the sum of Three Thousand Ninety-Nine Dollars and Ninety Cents (\$3,099.90) to J. Richard Mattern II, Esq., directly to the Board of Viewers at the addresses noted.

BY THE COURT,

/s/JOHN K. REILLY, JR.

JOHN K. REILLY, JR.

PRESIDENT JUDGE

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

JAN 26 2001

Attest.

*William L. Shaw*  
Prothonotary

28