

00-1340-CD  
IN RE: WALLACETON BOGGS MUNICIPAL AUTHORITY

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

IN RE: CONDEMNATION BY THE  
WALLACETON BOGGS MUNICIPAL  
AUTHORITY OF PROPERTIES  
LOCATED IN WALLACETON  
BOROUGH AND BOGGS TOWN-  
SHIP, CLEARFIELD COUNTY  
PENNSYLVANIA

No. 2000-1340-CD

FILED

OCT 31 2000

William A. Shaw  
Prothonotary

DECLARATION OF TAKING

NOW COMES the Wallaceton Boggs Municipal Authority and files the following  
Declaration of Taking.

1. The Condemnor is the Wallaceton Boggs Municipal Authority with its office at the Boggs Township Building, P. O. Box 97, West Decatur, PA 16878.
2. This condemnation is authorized by the Municipal Authorities Act of 1945, Act of May 2, 1945, P.L. 382, Section 11, as amended, Act of June 12, 1947, P.L. 571, Section 1, 53 P.S. Section 314.
3. This Declaration of Taking was authorized by resolution duly passed by the Wallaceton Boggs Municipal Authority at a Special Meeting held on the 25<sup>th</sup> day of October, 2000. The record thereof, including a copy of the Resolution may be examined at the office of the Authority, Boggs Township Building, West Decatur, Pennsylvania.
4. The purpose of this condemnation is to acquire property interests for the construction, operation, and maintenance of a sewer system, treatment facility, and related facilities to be constructed, operated, and maintained by the Wallaceton Boggs Municipal Authority.

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

5. The properties condemned are described as follows:

- (a.) that property as shown on the plat thereof annexed to this Declaration of Taking and made a part hereof, which property is identified by the following map number and owners as known to the Authority in Wallacetown Borough:

<u>Map Number</u>	<u>Owners</u>
H#22-2	Chad B. Richner
H#25-4	Chester O. and Mildred H. Dixon

- (b.) these properties, as shown on the plat thereof annexed to this Declaration of Taking and made a part hereof, which properties are identified by the following map numbers and owner(s) as known to the Authority in Boggs Township:

<u>Map Number</u>	<u>Owner(s)</u>
H#14-5 (corrected)	Norman E. Dixon
V#36-2 (corrected)	David P. and Cherilyn D. Jackson
V#39-4 (corrected)	Jacob E. and Norma J. Kukla
H#40-6 (corrected)	Joseph and Melissa Ceprish
H#54-5 (corrected)	Estate of Howard Leslie English and Estate of Iva B. English
H#51-6	Clair A. Godissart
H#54-9	Darlene F. Stone and Robert D. Webster
H#54-11	Leo D. and Phyllis J. Bush
H#55-10	Patrick W. and Lynne A. Gilham

Copies of the Plats annexed hereto are also being lodged for record concurrent with the filing herewith in the Office of the Recorder of Deeds of Clearfield County in accordance with Section 404 of the Eminent Domain Code, Act of June 22, 1964, Sp. Sess., P.L. 84, Art. I, Section 404, as amended, Act of December 5, 1969, P.L. 316, Section 1 and Act of December 29, 1971,

P.L. 636, No. 169, Section 2, 26 P.S. Section 1-404.

6. The nature of the title acquired in and to the properties described in 5. (a.) and (b.) is a permanent and sufficient easement, right-of-way, rights and privileges for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating, and removing sewage facilities over, across, upon, and through the easement area as shown on the Plats, with the right to use so much of the surface of the property as may be reasonably necessary to construct and install within the easement and right-of-way the facilities to be constructed, as well as, the right to ingress and egress over the property for maintenance of the facilities within the easement and right-of-way condemned.

7. The construction plans of the Authority showing the facilities to be constructed and installed, as well as, the condemned properties may be inspected at the office of the Authority, Boggs Township Building, P. O. Box 97, West Decatur, PA 16878.

8. Just compensation for this condemnation is secured by the Bond of the Authority, without surety, in accordance with Section 403 of the Eminent Domain Code, 26 P.S. Section 1-403 (a) which is being filed contemporaneously herewith.

ATTEST:

  
Secretary

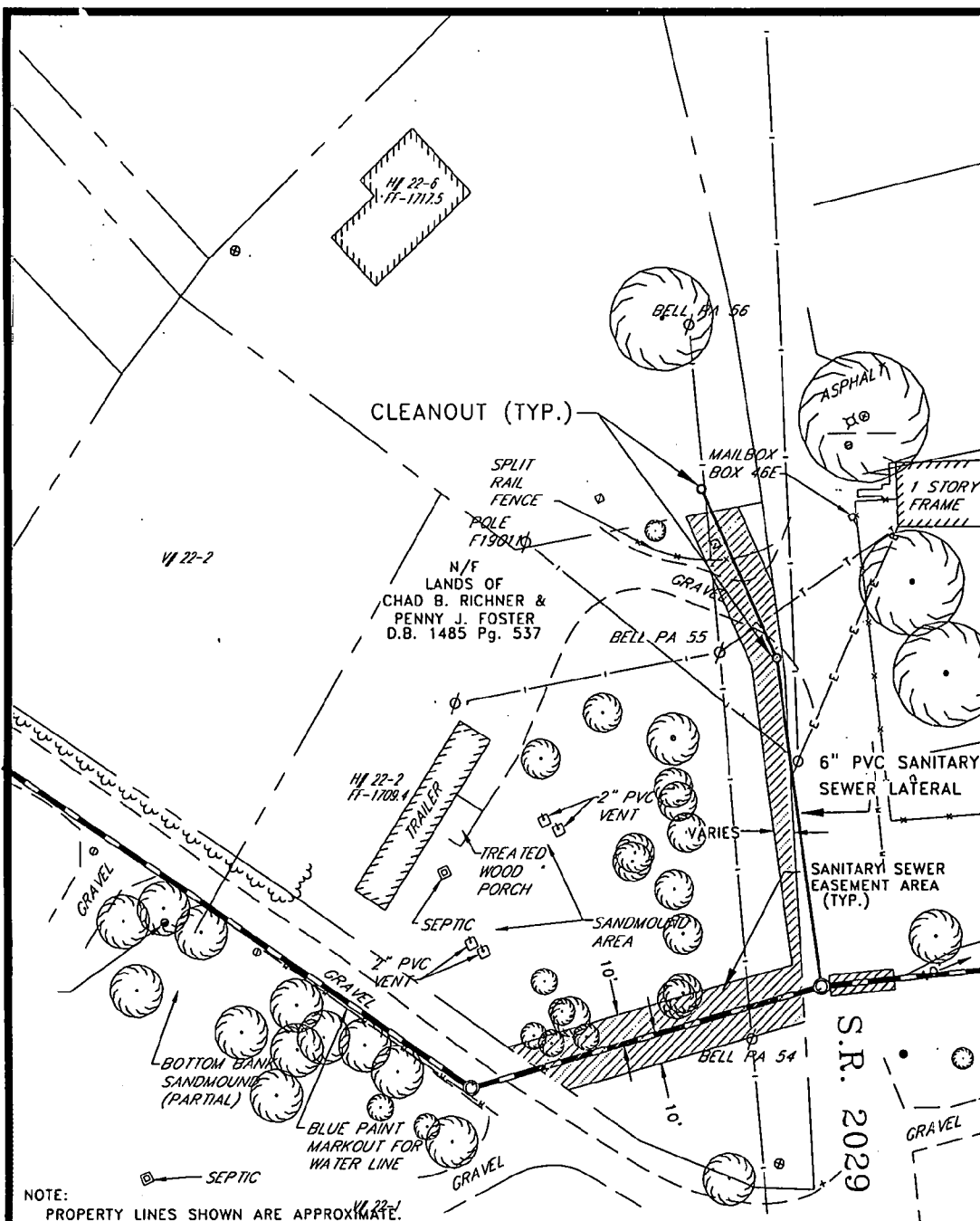
WALLACETON BOGGS  
MUNICIPAL AUTHORITY

By:

  
President

(SEAL)

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA



NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

TAX MAP NO.: 010  
TAX PARCEL NO.: 51  
DEED BOOK: 1485 537  
PROPERTY OWNER(S):  
CHAD B. RICHNER & PENNY J. FOSTER  
RR 1  
ADDRESS: BOX 138  
WEST DECATUR, PA 16878  
EASEMENT AREA: 4,239 S.F. ±  
EASEMENT LENGTH: 286 L.F. ±

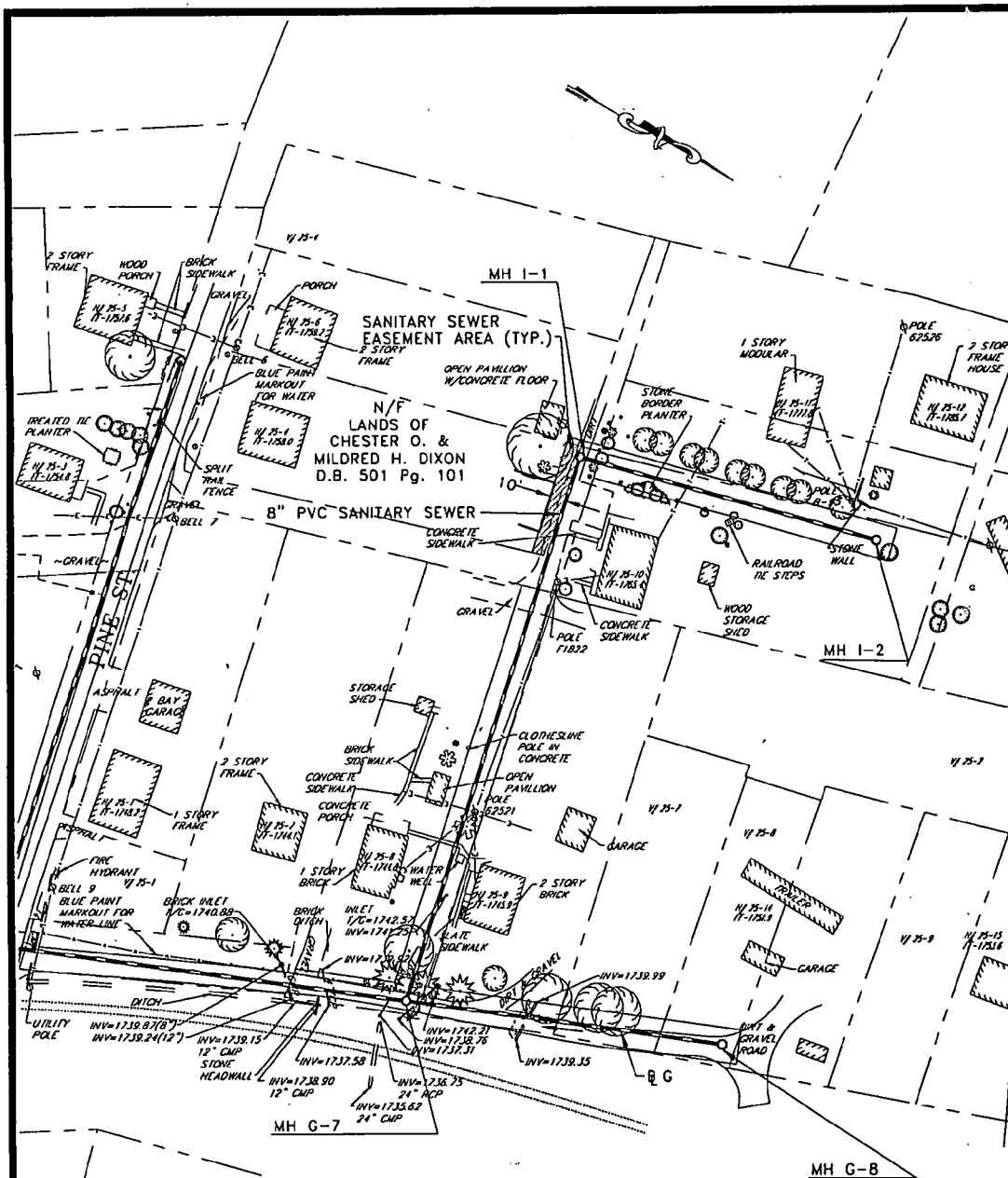
LEGEND	
	PROPOSED SAN. SEWER LINE
	PROPOSED SAN. SEWER MANHOLE
	EXIST. SAN. SEWER LINE
	EXISTING SAN. SEWER CATCH BASIN
	EXISTING WATER LINE
	EXISTING FIRE HYDRANT
	EXISTING GAS LINE
	EXISTING BUILDING/HOUSE
	PROPERTY LINE OR R.O.W. LINE
	TAX MAP/PARCEL NUMBERS
	EXISTING RETAINING WALL
	EXISTING CULVERT/STORM SEWER PIPE
	EXISTING FENCE
	EXISTING GRADE RAIL
	EXISTING SIGN
	EXISTING UTILITY POLE
	EXISTING POSTS
	EXISTING MAILBOX
	EXISTING MISC. TREES/SHRUBS/HEDGES
	EXISTING TREE LINE
	EXISTING STABILIZED/GRAVEL/STONE ROAD
	EXISTING PAVED ROADWAY

DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
TO BE ACQUIRED BY  
WALLACETON-BOGGS MUNICIPAL AUTHORITY  
FROM

CHAD B. RICHNER & PENNY J. FOSTER  
WALLACETON BOROUGH - BOGGS TOWNSHIP  
CLEARFIELD COUNTY, PENNSYLVANIA

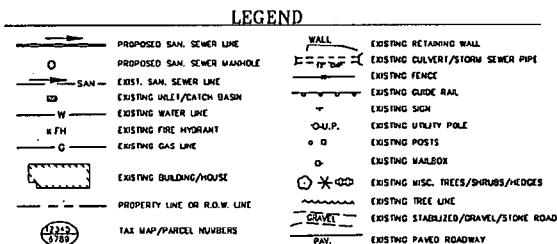
SWEETLAND ENGINEERING  
& ASSOCIATES, INC.  
Consulting Engineers & Surveyors  
800 Science Park Road  
State College, Pennsylvania 16803  
PH: (814) 237-8518 FAX: (814) 237-1488

DRAWN BY: LDH SCALE: 1" = 50'  
CHECKED BY: THW H#22-2  
DATE: 2-3-00 PROJECT NO: 3334



NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

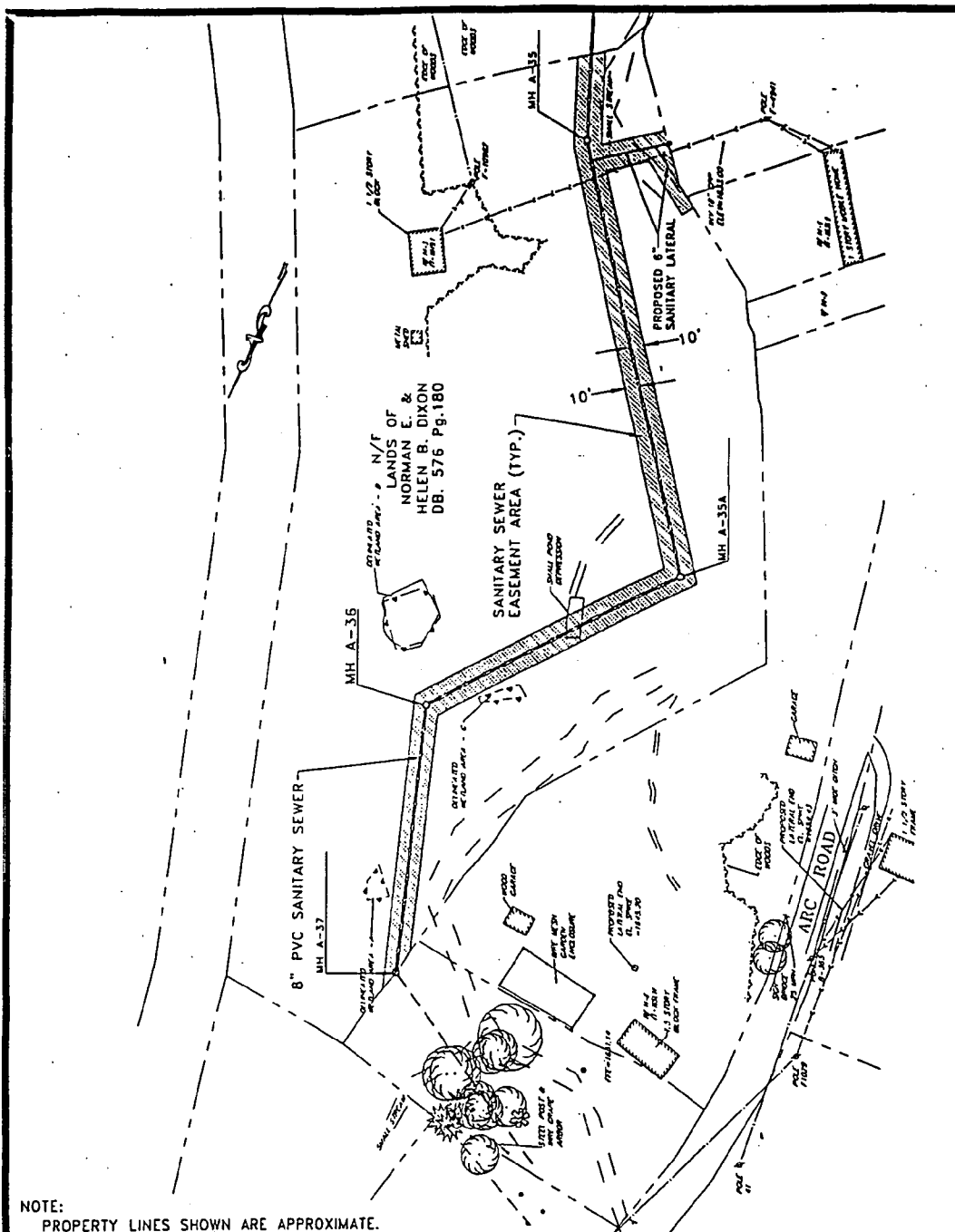
TAX MAP NO.: 010 - ENLARG. 376  
TAX PARCEL NO.: 7  
DEED BOOK: 501 PAGE: 101  
PROPERTY OWNER(S):  
CHESTER O. & MILDRED H. DIXON  
ADDRESS:  
WALLACETON, PA  
EASEMENT AREA: 624 S.F. ±  
EASEMENT LENGTH: 69 L.F. ±



DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
TO BE ACQUIRED BY  
WALLACETON-BOGGS MUNICIPAL AUTHORITY  
FROM  
CHESTER O. & MILDRED H. DIXON  
WALLACETON BOROUGH - BOGGS TOWNSHIP  
CLEARFIELD COUNTY, PENNSYLVANIA

SWEETLAND ENGINEERING  
& ASSOCIATES, INC.  
Consulting Engineers & Surveyors  
800 Science Park Road  
State College, Pennsylvania 16803  
PH: (814) 237-8518 FAX: (814) 237-1488

DRAWN BY: LDH  
CHECKED BY: THW  
DATE: 10-15-99  
SCALE: 1" = 80'  
PROJECT NO: 3334



NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

TAX MAP NO.: 010  
TAX PARCEL NO.: 46.2  
DEED BOOK: 576 PAGE: 180  
PROPERTY OWNER(S): DECEASED  
NORMAN E. & HELEN B. DIXON  
ADDRESS: RD 1  
BOX 44A  
WEST CDECATUR, PA.  
EASEMENT AREA: 17,678.8 S.F. ±  
EASEMENT LENGTH: 931 L.F. ±

LEGEND	
	PROPOSED SAN. SEWER LINE
	PROPOSED SAN. SEWER MANHOLE
	EXIST. SAN. SEWER LINE
	EXISTING MANHOLE/CATCH BASIN
	EXISTING WATER LINE
	EXISTING FIRE HYDRANT
	EXISTING GAS LINE
	EXISTING BUILDING/HOUSE
	PROPERTY LINE ON R.O.W. LINE
	TAX MAP/PARCEL NUMBERS
	WALL
	EXISTING RETAINING WALL
	EXISTING CULVERT/STORM SEWER PIPE
	EXISTING FENCE
	EXISTING CURB AND GUTTER
	EXISTING SIDEWALK
	EXISTING UTILITY POLE
	EXISTING POST
	EXISTING MAILBOX
	EXISTING MISC. FENCE/SHRUB/HEDGE
	EXISTING TREE LINE
	EXISTING SHOULDER/DRAINAGE DITCH
	EXISTING PAVED ROADWAY

DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
TO BE ACQUIRED BY  
WALLACETON-BOGGS MUNICIPAL AUTHORITY  
FROM  
DECEASED  
NORMAN E. & HELEN B. DIXON

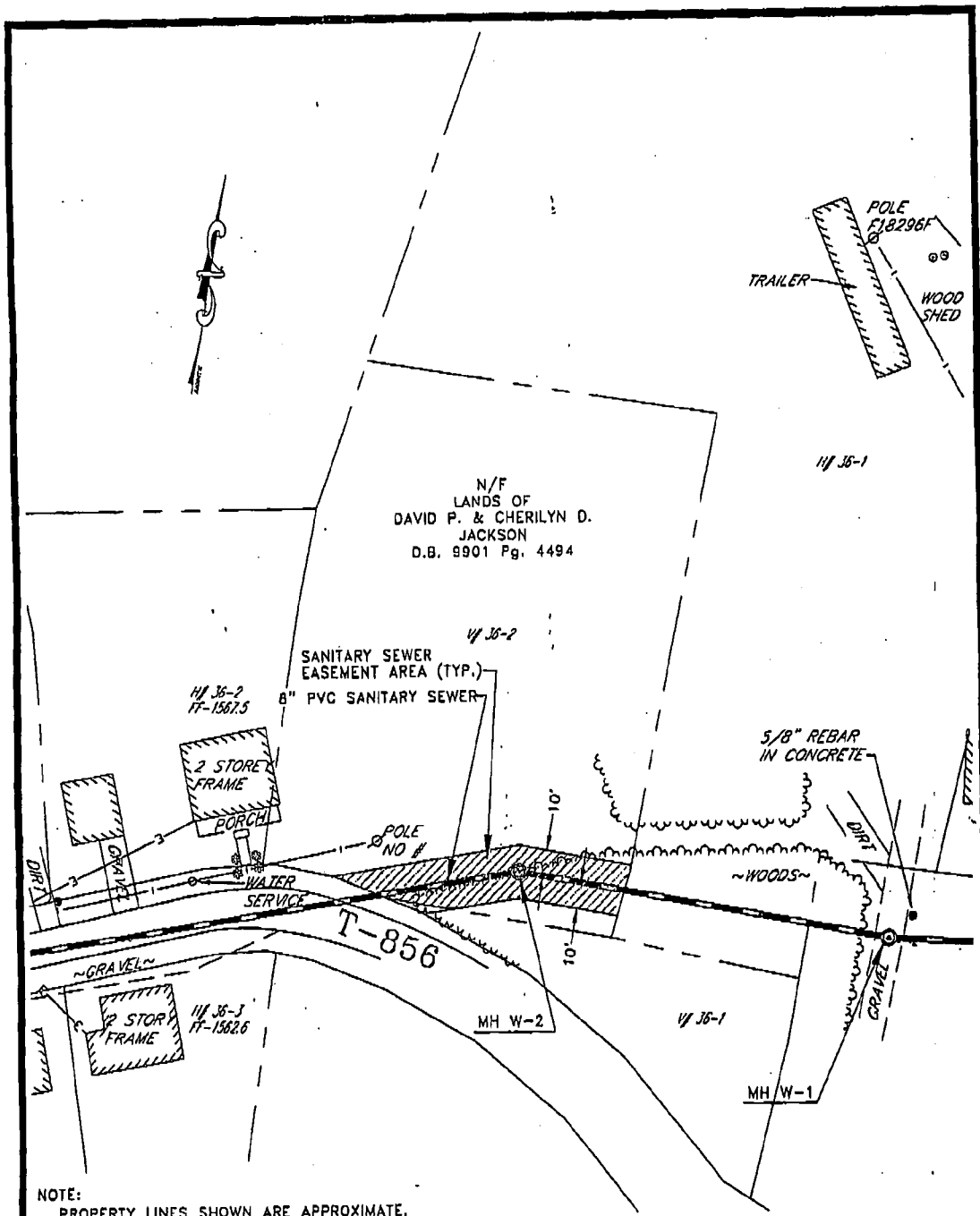
WALLACETON BOROUGH - BOGGS TOWNSHIP  
CLEARFIELD COUNTY, PENNSYLVANIA

REVISED: 3/1/00

SWEETLAND ENGINEERING  
& ASSOCIATES, INC.

Consulting Engineers & Surveyors  
800 Science Park Road  
State College, Pennsylvania 16803  
PH: (814) 237-6518 FAX: (814) 237-1488

DRAWN BY: LDH	SCALE: 1" = 100'
CHECKED BY: THW	H*14-5
DATE: 10-15-99	PROJECT NO: 3334



NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

TAX MAP NO.: 011 - ENLARG. 578  
TAX PARCEL NO.: 29  
DEED BOOK: 9901 PAGE: 4494  
PROPERTY OWNER(S):  
DAVID P. & CHERILYN D. JACKSON  
ADDRESS:  
P.O. BOX 65  
WEST DECATUR, PA  
EASEMENT AREA: 1,885 S.F. ±  
EASEMENT LENGTH: 97 L.F. ±

LEGEND	
	PROPOSED SAN. SEWER LINE
	PROPOSED SAN. SEWER MANHOLE
	EXIST. SAN. SEWER LINE
	EXISTING INLET/OUTLET BASIN
	EXISTING WATER LINE
	EXISTING FIRE HYDRANT
	EXISTING GAS LINE
	EXISTING BUILDING/HOUSE
	PROPERTY LINE OR A.O.W. LINE
	TAX MAP/PARCEL BOUNDARY
	EXISTING RETAINING WALL
	EXISTING CULVERT/STORM SEWER PIPE
	EXISTING FENCE
	EXISTING CURVE RAIL
	EXISTING SIGN
	EXISTING UTILITY POLE
	EXISTING POST
	EXISTING WALKWAY
	EXISTING WELL, TREE, or UTILITY
	EXISTING TREE LINE
	EXISTING STAKED/GRAVEL/STONE ROAD
	EXISTING PAVED ROADWAY

DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
TO BE ACQUIRED BY  
WALLACETON-BOGGS MUNICIPAL AUTHORITY  
FROM

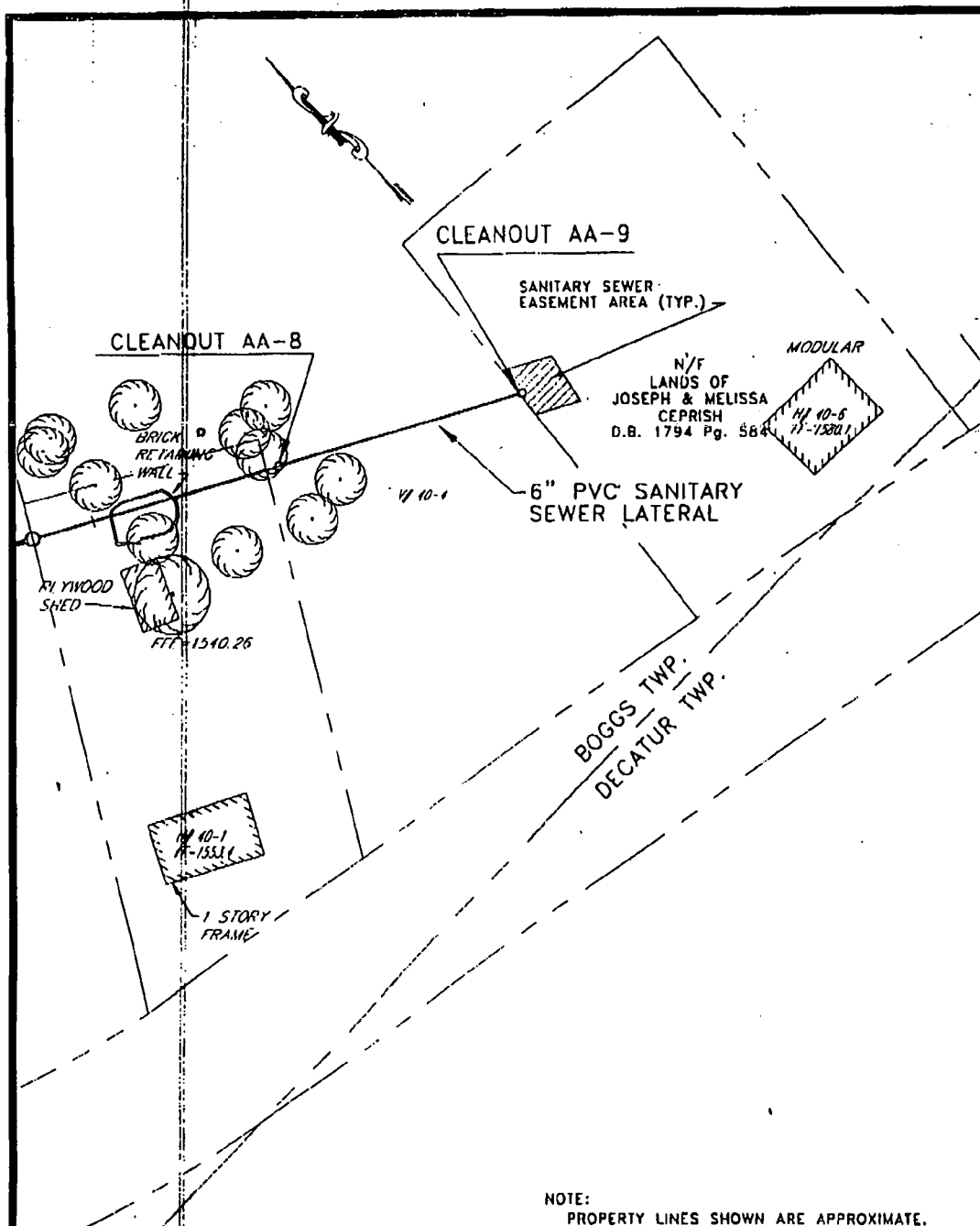
DAVID P. & CHERILYN D. JACKSON  
WALLACETON BOROUGH - BOGGS TOWNSHIP  
CLEARFIELD COUNTY, PENNSYLVANIA

SWEETLAND ENGINEERING  
& ASSOCIATES, INC.  
Consulting Engineers & Surveyors  
800 Solente Park Road  
State College, Pennsylvania 16803  
PH(814)237-8510 FAX(814)237-1188

DRAWN BY: LOM SCALE: 1" = 50'  
CHECKED BY: THW  
DATE: 10-15-99 PROJECT NO: 3334







NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

TAX MAP NO.: 011  
TAX PARCEL NO.: 155  
DEED BOOK: 1784 PAGE: 584  
PROPERTY OWNER(S): JOSEPH & MELISSA CEPRISH  
ADDRESS: R.R. 1 BOX 4609 WEST DECATUR, PA.  
EASEMENT AREA: 370 S.F. ±  
EASEMENT LENGTH: 10 L.F. ±

#### LEGEND

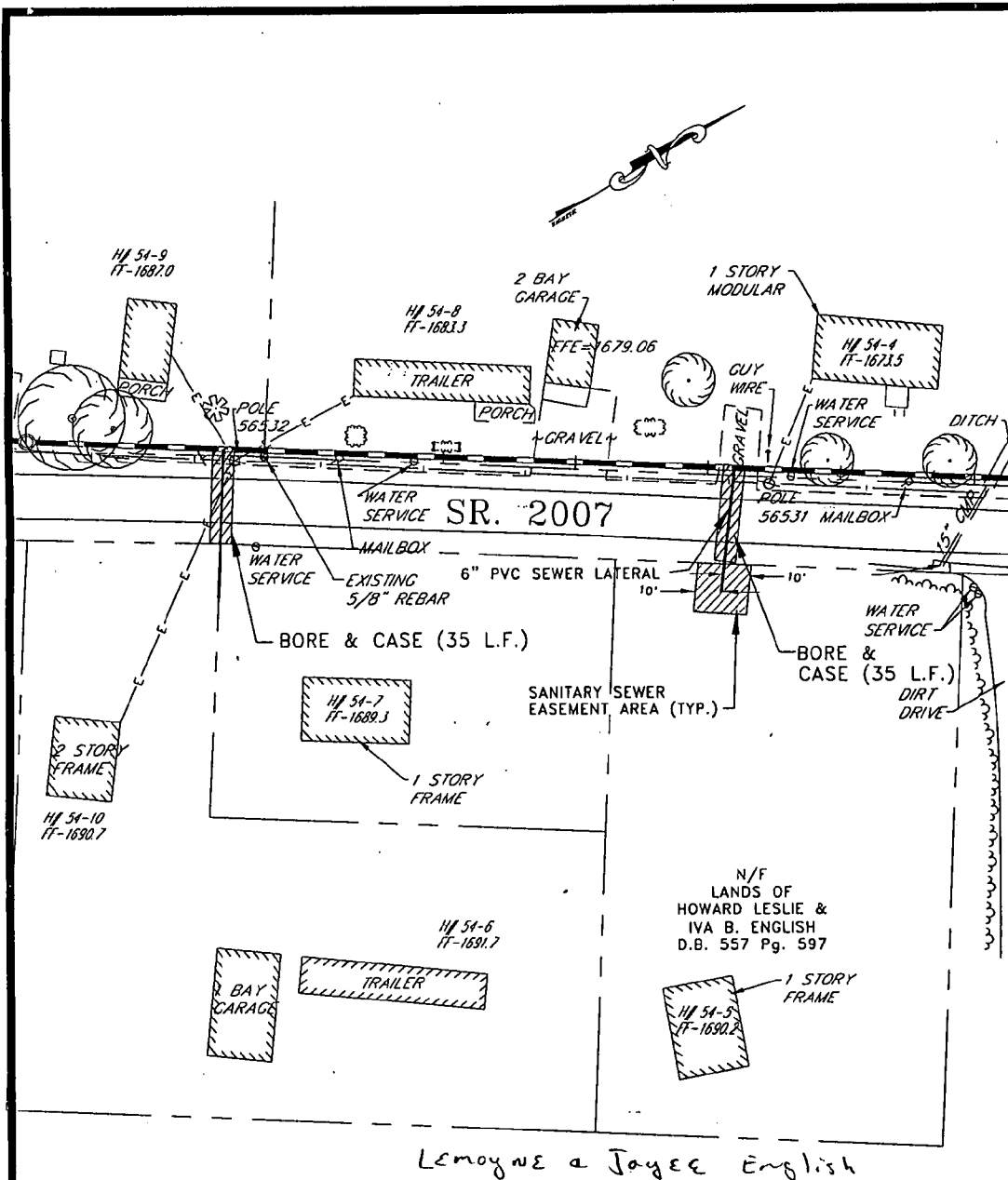
	PROPOSED SAN. SEWER LINE		EXISTING RETAINING WALL
	PROPOSED SAN. SEWER MANHOLE		EXISTING CLAY/STONE SEWER PIPE
	EXIST. SAN. SEWER LINE		EXISTING FENCES
	EXISTING WATER LINE		EXISTING GUARD RAIL
	EXISTING FIRE HYDRANT		EXISTING SIGN
	EXISTING GAS LINE		EXISTING UTILITY POLE
	EXISTING BUILDING/HOUSE		EXISTING POSTS
	PROPERTY LINE OR R.O.W. LINE		EXISTING MAILBOX
	TAX MAP/PARCEL NUMBERS		EXISTING MISC. TREES/SHRUBS/HEDGES
			EXISTING TREE LINE
			EXISTING STABILIZED/GRAVEL/STONE ROAD
			EXISTING PAVED ROADWAY

DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
TO BE ACQUIRED BY  
WALLACETON-HOGGS MUNICIPAL AUTHORITY  
FROM  
JOSEPH & MELISSA CEPRISH

WALLACETON BOROUGH - HOGGS TOWNSHIP  
CLEARFIELD COUNTY, PENNSYLVANIA  
REVISED: 3/1/00

**SWEETLAND ENGINEERING & ASSOCIATES, INC.**  
Consulting Engineers & Surveyors  
800 Science Park Road  
State College, Pennsylvania 16803  
PH: (814) 837-8518 FAX: (814) 837-1488

DRAWN BY: LDH	SCALE: 1" = 50'
CHECKED BY: THW	H#40-6
DATE: 10-15-99	PROJECT NO: 3334



NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

TAX MAP NO.: 011  
TAX PARCEL NO.: 5  
DEED BOOK: 557 PAGE: 597  
PROPERTY OWNER(S): HOWARD LESLIE & IVA B. ENGLISH  
ADDRESS: R.D. #1  
BOX 113  
WEST DECATUR, PA  
EASEMENT AREA: 366 S.F. ±  
EASEMENT LENGTH: 11 L.F. ±

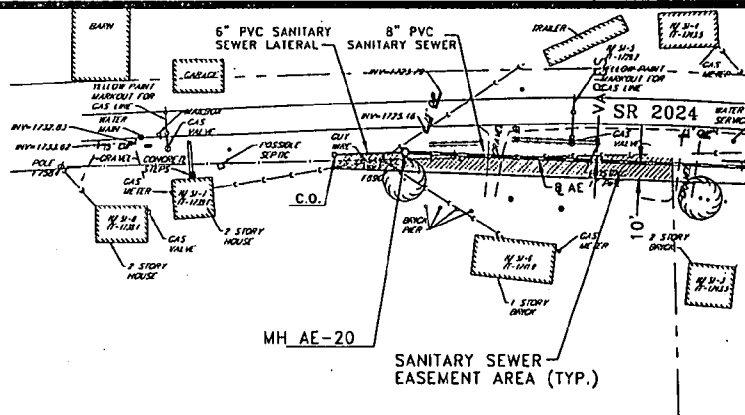
**LEGEND**

PROPOSED SAN. SEWER LINE PROPOSED SAN. SEWER MANHOLE EXIST. SAN. SEWER LINE EXIST. INLET/CATCH BASIN EXISTING WATER LINE EXISTING FIRE HYDRANT EXISTING GAS LINE EXISTING BUILDING/HOUSE PROPERTY LINE OR R.O.W. LINE TAX MAP/PARCEL NUMBERS	WALL EXISTING CULVERT/STORM SEWER PIPE EXISTING FENCE EXISTING GRADE RAIL EXISTING SIGN EXISTING UTILITY POLE EXISTING POSTS EXISTING MAILBOX EXISTING MISC. TREES/SHRUBS/HEDGES EXISTING TREE LINE EXISTING STABILIZED/GRAVEL/STONE ROAD EXISTING PAVED ROADWAY
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DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
TO BE ACQUIRED BY  
WALLACETON-BOGGS MUNICIPAL AUTHORITY  
FROM  
HOWARD LESLIE & IVA B. ENGLISH  
WALLACETON BOROUGH - BOGGS TOWNSHIP  
CLEARFIELD COUNTY, PENNSYLVANIA

**SWEETLAND ENGINEERING & ASSOCIATES, INC.**  
Consulting Engineers & Surveyors  
800 Science Park Road  
State College, Pennsylvania 16803  
PH: (814) 237-0518 FAX: (814) 237-1468

DRAWN BY: LOH	SCALE: 1" = 50'
CHECKED BY: THW	H# 54-5
DATE: 10-15-99	PROJECT NO: 3334



N/F  
LANDS OF  
CLAIR A.  
GODISSART  
D.B. 797 Pg. 521

NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

TAX MAP NO.: 011  
TAX PARCEL NO.: 88  
DEED BOOK: 797 PAGE: 521  
PROPERTY OWNER(S): CLAIR A GODISSART  
ADDRESS: R.D. #1  
BOX 437  
PHILIPSBURG, PA 16866  
EASEMENT AREA: 2,245 S.F. ±  
EASEMENT LENGTH: 197 L.F. ±

LEGEND			
	PROPOSED SAN. SEWER LINE		EXISTING RETAINING WALL
	PROPOSED SAN. SEWER MANHOLE		EXISTING CULVERT/STORM SEWER PIPE
	EXIST. SAN. SEWER LINE		EXISTING FENCE
	EXISTING INLET/CATCH BASIN		EXISTING GRADE RAIL
	EXISTING WATER LINE		EXISTING SIGN
	EXISTING FIRE HYDRANT		EXISTING UTILITY POLE
	EXISTING GAS LINE		EXISTING POST
	EXISTING BUILDING/HOUSE		EXISTING MAILBOX
	PROPERTY LINE OR R.O.W. LINE		EXISTING MISC. TREES/SHRUBS/HEDGES
	TAX MAP/PARCEL NUMBER		EXISTING TREE LINE
			EXISTING STABILIZED/GRAVEL/STONE ROAD
			EXISTING PAVED ROADWAY

DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
TO BE ACQUIRED BY  
WALLACETON-BOGGS MUNICIPAL AUTHORITY  
FROM

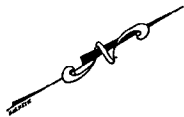
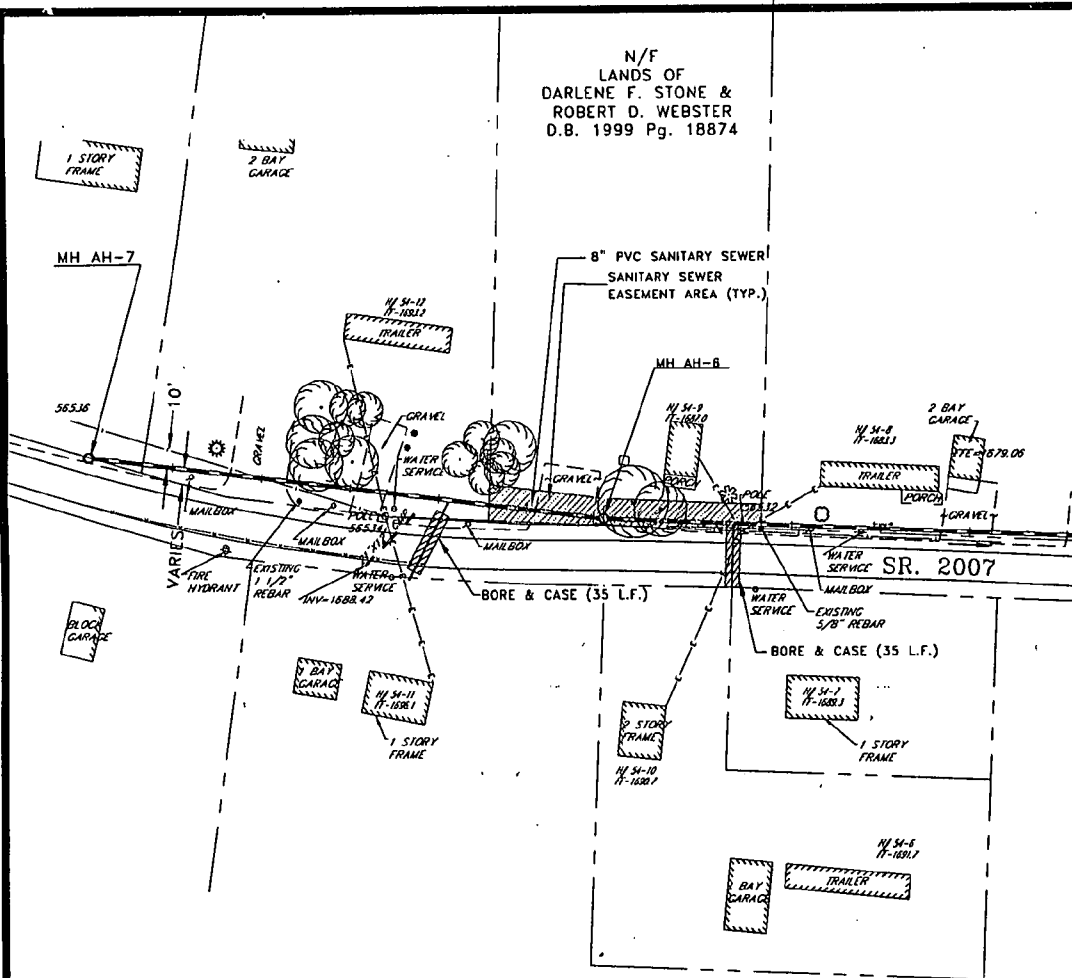
CLAIR A. GODISSART

WALLACETON BOROUGH - BOGGS TOWNSHIP  
CLEARFIELD COUNTY, PENNSYLVANIA

SWEETLAND ENGINEERING  
& ASSOCIATES, INC.  
Consulting Engineers & Surveyors  
600 Science Park Road  
State College, Pennsylvania 16803  
PH: (814) 237-8518 FAX: (814) 237-1488

DRAWN BY: LDH	SCALE: 1" = 100'
CHECKED BY: THW	H#51-6
DATE: 10-15-99	PROJECT NO: 3334

N/F  
LANDS OF  
DARLENE F. STONE &  
ROBERT D. WEBSTER  
D.B. 1999 Pg. 18874



*I Believe  
This went to  
coordination*

NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

TAX MAP NO.: 011  
TAX PARCEL NO.: 165  
DEED BOOK: 1999 PAGE: 18874  
PROPERTY OWNER(S):  
DARLENE F. STONE & ROBERT D. WEBSTER  
R.D. #1  
ADDRESS: WEST DECATUR, PA  
EASEMENT AREA: 2,382 S.F. ±  
EASEMENT LENGTH: 150 L.F. ±

#### LEGEND

	PROPOSED SAN. SEWER LINE		EXISTING RETAINING WALL
	PROPOSED SAN. SEWER MANHOLE		EXISTING CULVERT/STORM SEWER PIPE
	EXIST. SAN. SEWER LINE		EXISTING FENCE
	EXISTING INLET/CATCH BASIN		EXISTING GUIDE RAIL
	EXISTING WATER LINE		EXISTING SIGN
	EXISTING FIRE HYDRANT		EXISTING UTILITY POLE
	EXISTING GAS LINE		EXISTING POSTS
	EXISTING BUILDING/HOUSE		EXISTING MAILBOX
	PROPERTY LINE OR R.O.W. LINE		EXISTING MISC. TREES/SHRUBS/HEDGES
	TAX MAP/PARCEL NUMBERS		EXISTING TREE LINE
			EXISTING STABILIZED/GRAVEL/STONE ROAD
			EXISTING PAVED ROADWAY

DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
TO BE ACQUIRED BY  
WALLACETON-BOGGS MUNICIPAL AUTHORITY  
FROM

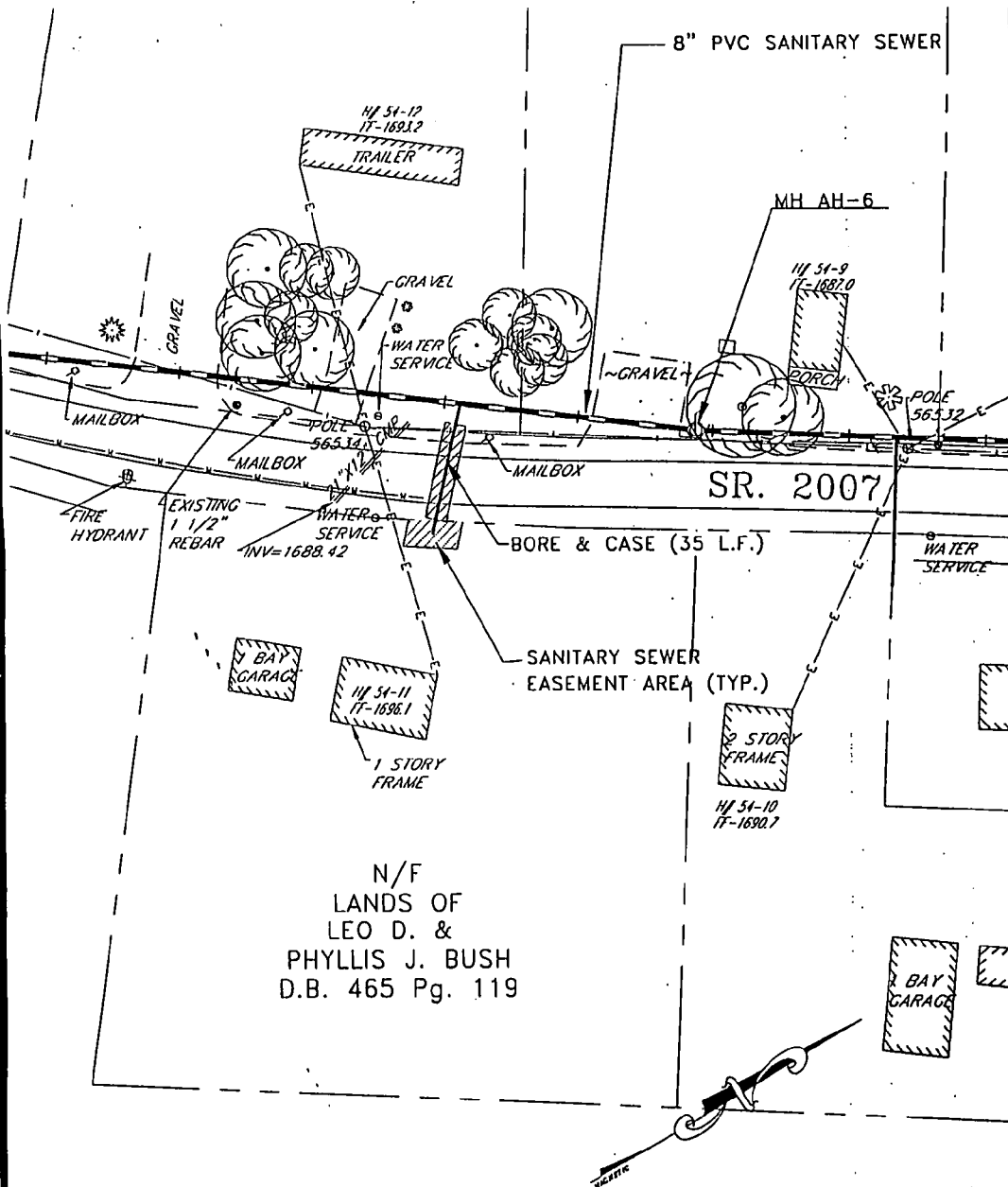
DARLENE F. STONE & ROBERT D. WEBSTER

WALLACETON BOROUGH - BOGGS TOWNSHIP  
CLEARFIELD COUNTY, PENNSYLVANIA  
REVISED: 2/28/00

SWEETLAND ENGINEERING  
& ASSOCIATES, INC.

Consulting Engineers & Surveyors  
800 Science Park Road  
State College, Pennsylvania 16803  
PH: (814) 237-6515 FAX: (814) 237-1488

DRAWN BY: LDH	SCALE: 1" = 80'
CHECKED BY: THW	H#54-9
DATE: 10-15-99	PROJECT NO: 3334



NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

TAX MAP NO.:	011
TAX PARCEL NO.:	165
DEED BOOK:	465 PAGE: 119
PROPERTY OWNER(S):	LEO D. & PHYLLIS J. BUSH
ADDRESS:	R.D. #1 BOX 115 WEST DECATUR, PA
EASEMENT AREA:	203 S.F. ±
EASEMENT LENGTH:	10 L.F. ±

LEGEND			
	PROPOSED SAN. SEWER LINE		EXISTING RETAINING WALL
	PROPOSED SAN. SEWER MANHOLE		EXISTING CULVERT/STORM SEWER PIPE
	EXIST. SAN. SEWER LINE		EXISTING FENCE
	EXISTING WATER/CATCH BASIN		EXISTING GUIDE RAIL
	EXISTING WATER LINE		EXISTING SIGN
	EXISTING FIRE HYDRANT		EXISTING UTILITY POLE
	EXISTING GAS LINE		EXISTING POSTS
	EXISTING BUILDING/HOUSE		EXISTING MANHOLE
	PROPERTY LINE OR R.O.W. LINE		EXISTING MISC. TREES/SHRUBS/PLODES
	TAX MAP/PARCEL NUMBERS		EXISTING TREE LINE
	EXISTING STABILIZED/GRAVEL/STONE ROAD		EXISTING PAVED ROADWAY

DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
TO BE ACQUIRED BY  
WALLACETON-BOGGS MUNICIPAL AUTHORITY  
FROM

LEO D. & PHYLLIS J. BUSH

WALLACETON BOROUGH - BOGGS TOWNSHIP  
CLEARFIELD COUNTY, PENNSYLVANIA

REVISED: 2/28/00

**SWEETLAND ENGINEERING,  
& ASSOCIATES, INC.**  
Consulting Engineers & Surveyors  
800 Science Park Road  
State College, Pennsylvania 16803  
PH: (814) 237-6519 FAX: (814) 237-1488

DRAWN BY: LDH

SCALE:

1" = 80'

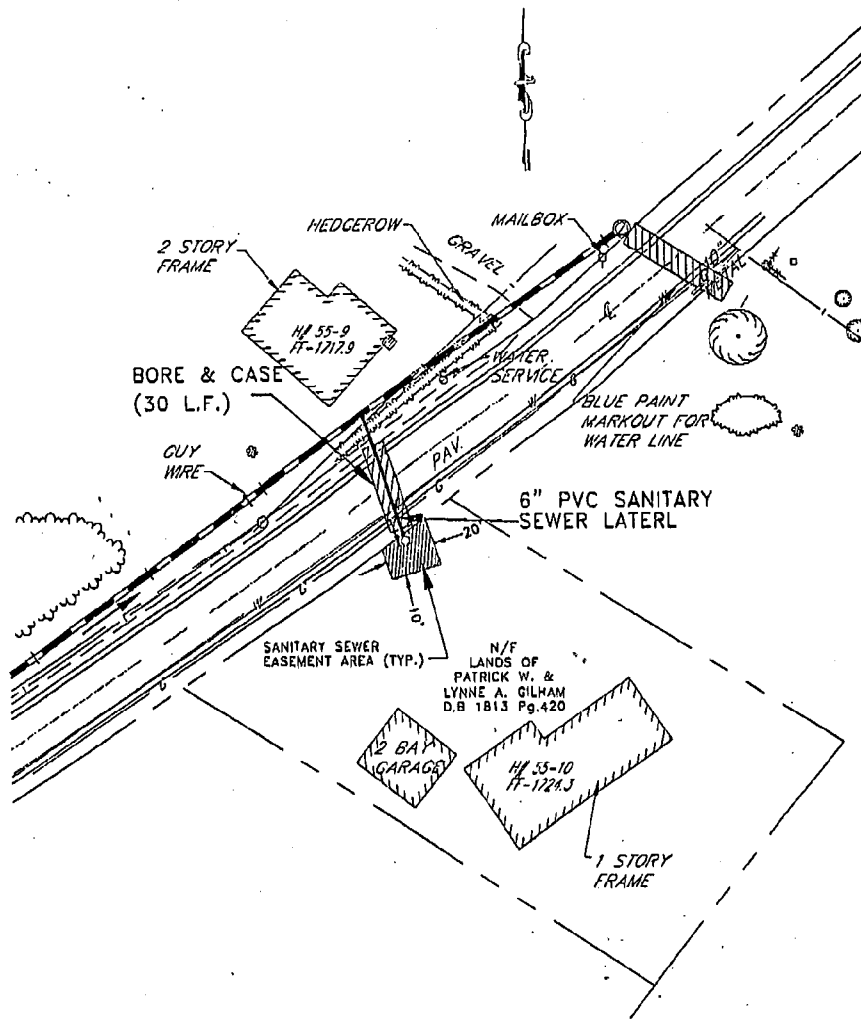
CHECKED BY: THW

**H#54-11**

DATE: 10-15-99

PROJECT NO: 3334

4/14/00



NOTE:  
PROPERTY LINES SHOWN ARE APPROXIMATE.

TAX MAP NO.:	011
TAX PARCEL NO.:	130
DEED BOOK:	1813 PAGE: 420
PROPERTY OWNER(S):	PATRICK W. & LYNNE A. GILHAM
ADDRESS:	R.R. 1 BOX 119A WEST DECATUR, PA
EASEMENT AREA:	761 S.F. ±
EASEMENT LENGTH:	37 L.F. ±

LEGEND			
	PROPOSED 6" SAN. SEWER LINE		EXISTING RETAINING WALL
	PROPOSED 6" SAN. SEWER MANHOLE		EXISTING CULVERT/STORM SEWER PIPE
	EXIST. 6" SAN. SEWER LINE		EXISTING FENCE
	EXISTING INLET/CATCH BASIN		EXISTING GRADE RAIL
	EXISTING WATER LINE		EXISTING DITCH
	EXISTING FIRE HYDRANT		EXISTING UTILITY POLE
	EXISTING GAS LINE		EXISTING POST
	EXISTING BUILDING/HOUSE		EXISTING MAILBOX
	PROPERTY LINE OR R.O.W. LINE		EXISTING MISC. TREES/SHRUBS/HEDGES
	TAX MAP/PARCEL NUMBERS		EXISTING TREE LINE
			EXISTING STABILIZED/GRAVEL/DIRT ROAD
			EXISTING PAVED ROADWAY

DRAFT SHOWING  
PERMANENT RIGHT-OF-WAY EASEMENT  
 TO BE ACQUIRED BY  
WALLACETON-BOGGS MUNICIPAL AUTHORITY  
 FROM  
PATRICK W. & LYNNE A. GILHAM  
 WALLACETON BOROUGH - BOGGS TOWNSHIP  
 CLEARFIELD COUNTY, PENNSYLVANIA

**SWEETLAND ENGINEERING  
& ASSOCIATES, INC.**  
 Consulting Engineers & Surveyors  
 800 Science Park Road  
 State College, Pennsylvania 16803  
 PH(814)237-8818 FAX(814)237-1480

DRAWN BY:	AMS	SCALE:	1" = 50'
CHECKED BY:	TAG	H#	55-10
DATE:	10-24-00	PROJECT NO:	3334

FILED

~~SE~~ OCT 31 2000

William A. Straw  
Prothonotary

01235/ethy Ltd  
PO 288.00  
NCC



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

IN RE: CONDEMNATION BY THE  
WALLACETON BOGGS MUNICIPAL  
AUTHORITY OF PROPERTIES  
LOCATED IN WALLACETON  
BOROUGH AND BOGGS TOWN-  
SHIP, CLEARFIELD COUNTY  
PENNSYLVANIA

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No. 2000-01342CD

**MEMORANDUM OF RECORDING NOTICE OF CONDEMNATION**

In accordance with Section 404 of the Eminent Domain Code, 26 P.S. Section 1-404, NOW COMES the Wallaceton Boggs Municipal Authority by its Counsel, George S. Test, Esquire and files this Memorandum that on the 31<sup>st</sup> day of October, 2000, a Notice of this condemnation was recorded with the Recorder of Deeds of Clearfield County and is of record at Instrument Number 200016275

  
George S. Test, Esquire

Solicitor for the Wallaceton Boggs Municipal Authority

FILED

OCT 31 2000

William A. Shaw  
Prothonotary

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
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IN RE: CONDEMNATION BY THE  
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AUTHORITY OF PROPERTIES  
LOCATED IN WALLACETON  
BOROUGH AND BOGGS TOWN-  
SHIP, CLEARFIELD COUNTY  
PENNSYLVANIA

\*  
\* No. 2000-1340-CD  
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\*  
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**BOND**

KNOW ALL MEN BY THESE PRESENTS, THAT THE WALLACETON BOGGS MUNICIPAL AUTHORITY, a Pennsylvania Municipal Authority, with its office at the Boggs Township Building, P. O. Box 97, West Decatur, Pennsylvania 16878, hereinafter called "OBLIGOR" is held and firmly bound unto the Commonwealth of Pennsylvania, hereinafter called "OBLIGEE" for the use and benefit of the owner or owners of the property interests condemned. The condition of which shall be that the OBLIGOR shall pay such damages as shall be determined by law.

WHEREAS, the Wallaceton Boggs Municipal Authority, the OBLIGOR herein, shall pay or cause to be paid such amount of damages as the said owner or owners of the property interests shall be entitled to, 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.

ATTEST:

By:

Christopher P. Buege  
Secretary

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

By:

Richard J. Shaw  
Chairman

(SEAL)

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

FILED

OCT 31 2000

William A. Shaw  
Prothonotary

William C. Kriner  
Attorney at Law  
110 North Second Street  
P. O. Box 752  
Reading, Pennsylvania 16830

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

IN RE: CONDEMNATION BY THE  
WALLACETON BOGGS MUNICIPAL  
AUTHORITY OF PROPERTIES  
LOCATED IN WALLACETON  
BOROUGH AND BOGGS TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYL-  
VANIA

:  
:  
: No. 00-01340-CD  
:  
:

: Type of Case: Eminent Domain/Condemnation  
:  
:

: Type of Pleading: Preliminary Objections  
:  
:

: Filed on behalf of: Norman E. Dixon  
:  
:

: Counsel of record for this party:  
:

: William C. Kriner, Esq.  
:

: P. O. Box 1425  
:

: 31 North Third Street  
:

: Clearfield, PA 16830  
:

: 814-768-7893  
:

: Supreme Ct. I. D. No. 15559  
:

**FILED**

DEC 08 2000

William A. Shaw  
Prothonotary

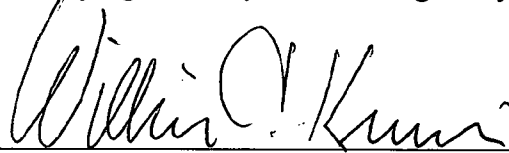
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

IN RE: CONDEMNATION BY THE :  
WALLACETON BOGGS MUNICIPAL :  
AUTHORITY OF PROPERTIES : No. 00-01340-CD  
LOCATED IN WALLACETON :  
BOROUGH AND BOGGS TOWNSHIP, :  
CLEARFIELD COUNTY, PENNSYL- :  
VANIA :

**NOTICE TO DEFEND**

TO: Wallaceton Boggs Municipal Authority  
c/o George S. Test, Esq.  
P. O. Box 706  
Philipsburg, PA 16866

YOU ARE HEREBY NOTIFIED TO PLEAD to the within Preliminary Objections  
within twenty (20) days of service hereof or a default judgment may be entered against you.



William C. Kriner, Esq.  
31 North Third Street  
P. O. Box 1425  
Clearfield, PA 16830  
No. 15559

ATTORNEY FOR NORMAN E. DIXON

Dated - December 8, 2000

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

IN RE: CONDEMNATION BY THE :  
WALLACETON BOGGS MUNICIPAL :  
AUTHORITY OF PROPERTIES : No. 00-01340-CD  
LOCATED IN WALLACETON :  
BOROUGH AND BOGGS TOWNSHIP, :  
CLEARFIELD COUNTY, PENNSYL- :  
VANIA :

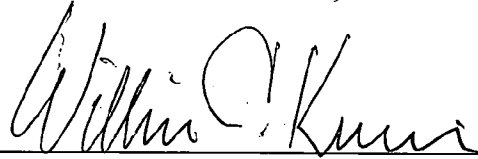
**PRELIMINARY OBJECTIONS**

NOW COMES, Mr. Norman E. Dixon, by and through his legal counsel, William C. Kriner, Esquire, and files the following Preliminary Objections to the above captioned matter.

1. The real property subject to the Declaration of Taking is the same real property subject to a former Eminent Domain action by the same municipality filed to 00-410-CD.
2. That the 00-410-CD action has not been terminated or discontinued.
3. As a matter of law, the same municipality cannot condemn the same real property twice.
4. That under the Eminent Domain Code, just compensation due Norman Dixon is calculated from the date of taking.
5. That the date of taking as per Norman Dixon must be determined by the Court to be the date of the 00-410-CD action.

WHEREFORE, Norman Dixon prays that the Honorable Court grant these Preliminary Objections and strike the Declaration of Taking filed in the above captioned matter.

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script, appearing to read "William C. Kriner", written over a horizontal line.

William C. Kriner, Esq.  
Attorney for Condemnee  
31 North Second Street  
P. O. Box 1425  
Clearfield, PA 16830

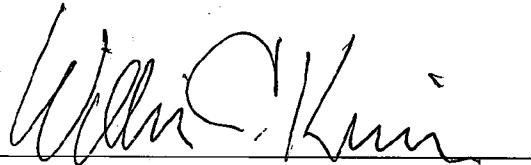
Dated: December 8, 2000

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Preliminary Objections was served on the following by regular mail on December 8, 2000:

George S. Test, Esquire  
P. O. Box 706  
Philipsburg, PA 16866

ATTORNEY FOR CONDEMNOR

A handwritten signature in dark ink, appearing to read 'William C. Kriner', is written over a horizontal line.

William C. Kriner, Esq.  
Attorney for Norman E. Dixon (Condemnee)



FILED

DEC 08 2000

01343/110<<

William A. Shaw  
Prothonotary

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KTD

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

IN RE: CONDEMNATION BY THE  
WALLACETON BOGGS MUNICIPAL  
AUTHORITY OF PROPERTIES  
LOCATED IN WALLACETON  
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CLEARFIELD COUNTY, PENNSYL-  
VANIA

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:  
: No. 00-01340-CD  
:  
:  
: Type of Case: Eminent Domain/Condemnation  
:  
: Type of Pleading: Praeipie to Withdraw  
: Preliminary Objections  
:  
: Filed on behalf of: Norman E. Dixon  
:  
: Counsel of record for this party:  
: William C. Kriner, Esq.  
: P. O. Box 1425  
: 31 North Third Street  
: Clearfield, PA 16830  
: 814-768-7893  
: Supreme Ct. I. D. No. 15559

**FILED**

JAN 31 2001

William A. Shaw  
Prothonotary

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

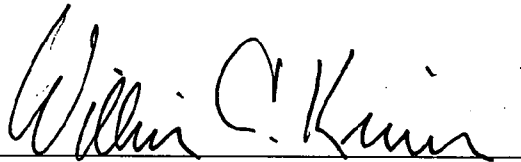
IN RE: CONDEMNATION BY THE :  
WALLACETON BOGGS MUNICIPAL :  
AUTHORITY OF PROPERTIES : No. 00-01340-CD  
LOCATED IN WALLACETON :  
BOROUGH AND BOGGS TOWNSHIP, :  
CLEARFIELD COUNTY, PENNSYL- :  
VANIA :

**PRAECIPE TO WITHDRAW PRELIMINARY OBJECTIONS**

TO WILLIAM A. SHAW, PROTHONOTARY:

Please mark the Preliminary Objections filed on behalf of the Condemnee, Norman E.

Dixon, as withdrawn.



William C. Kriner, Esq.  
Attorney for Condemnee  
31 North Second Street  
P. O. Box 1425  
Clearfield, PA 16830

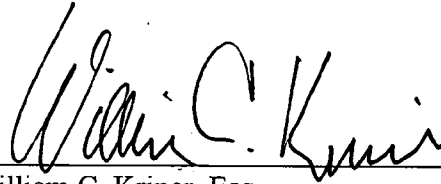
Dated: January 30, 2001

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Praeceptum to Withdraw Preliminary Objections was served on the following by regular mail on January 30, 2000.

George S. Test, Esquire  
P. O. Box 706  
Philipsburg, PA 16866

ATTORNEY FOR CONDEMNOR

A handwritten signature in cursive script, reading "William C. Kriner", is written over a horizontal line.

William C. Kriner, Esq.  
Attorney for Norman E. Dixon (Condemnee).

FILED

JAN 31 2001

M/9.3.31 no cc  
William A. Shaw  
Prothonotary

*Copy A*  
*for*