

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 TOWNSHIP,
CLEARFIELD COUNTY
PENNSYLVANIA**

FILED

OCT 31 2000

William A. Shaw
Prothonotary

DECLARATION OF TAKING

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

1. The Condemnor is the Wallacetton 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 Wallacetton Boggs Municipal Authority at a Special Meeting held on the 25th 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 Wallacetton 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 Wallaceton 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:

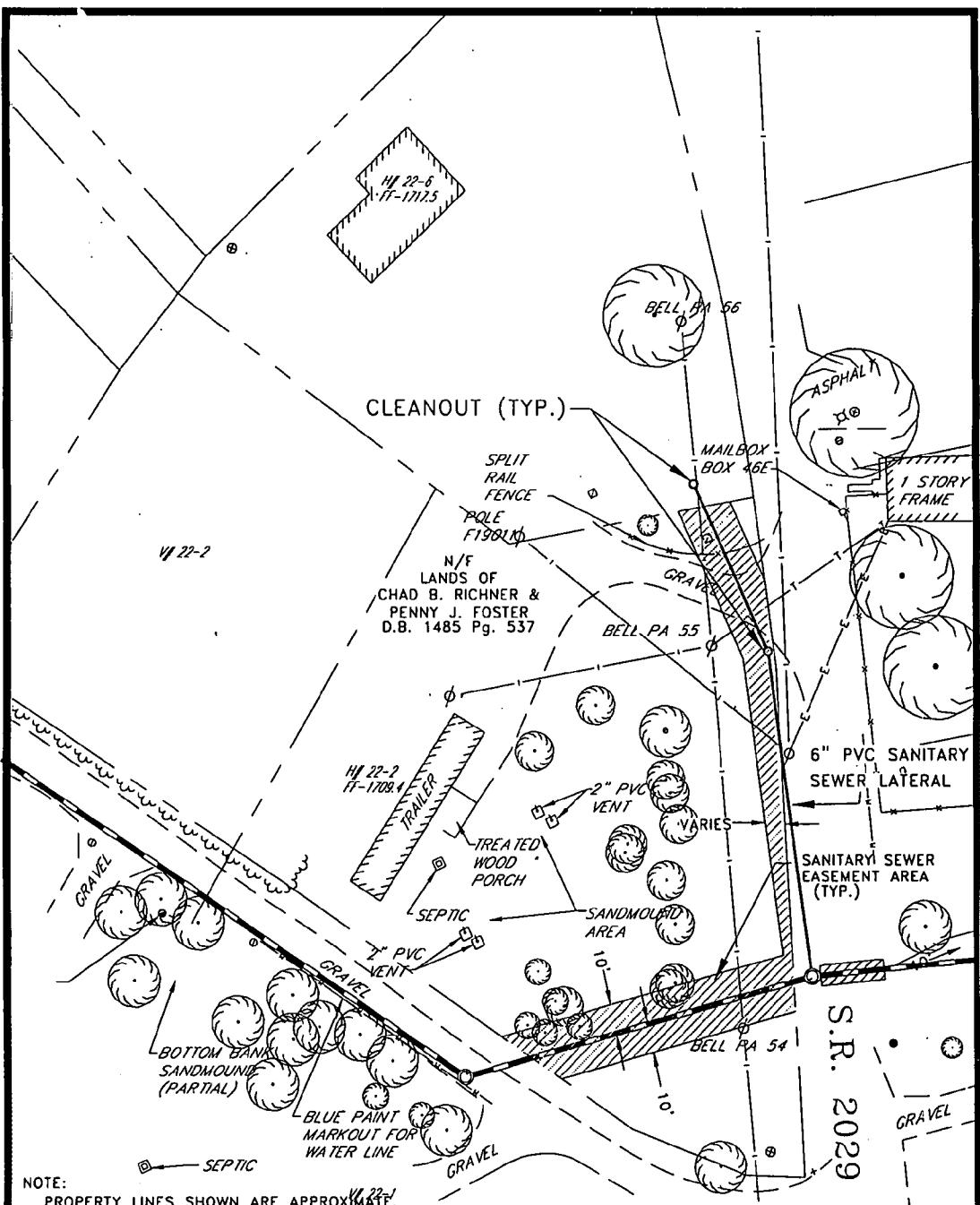
Christopher P. Bunge
Secretary

WALLACETON BOGGS
MUNICIPAL AUTHORITY

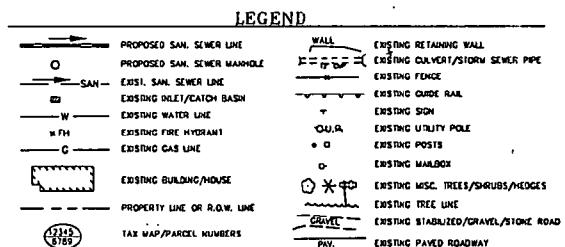
By: *Robert O. Mevin*
President

(SEAL)

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



TAX MAP NO.: 010
TAX PARCEL NO.: 51
DEED BOOK: 1485 537
PROPERTY OWNER(S): CHAD B. RICHNER & PENNY J. FOSTER
ADDRESS: RR 1
BOX 13B
WEST DECATUR, PA 16878
EASEMENT AREA: 4,239 S.F. ±
EASEMENT LENGTH: 286 L.F. ±

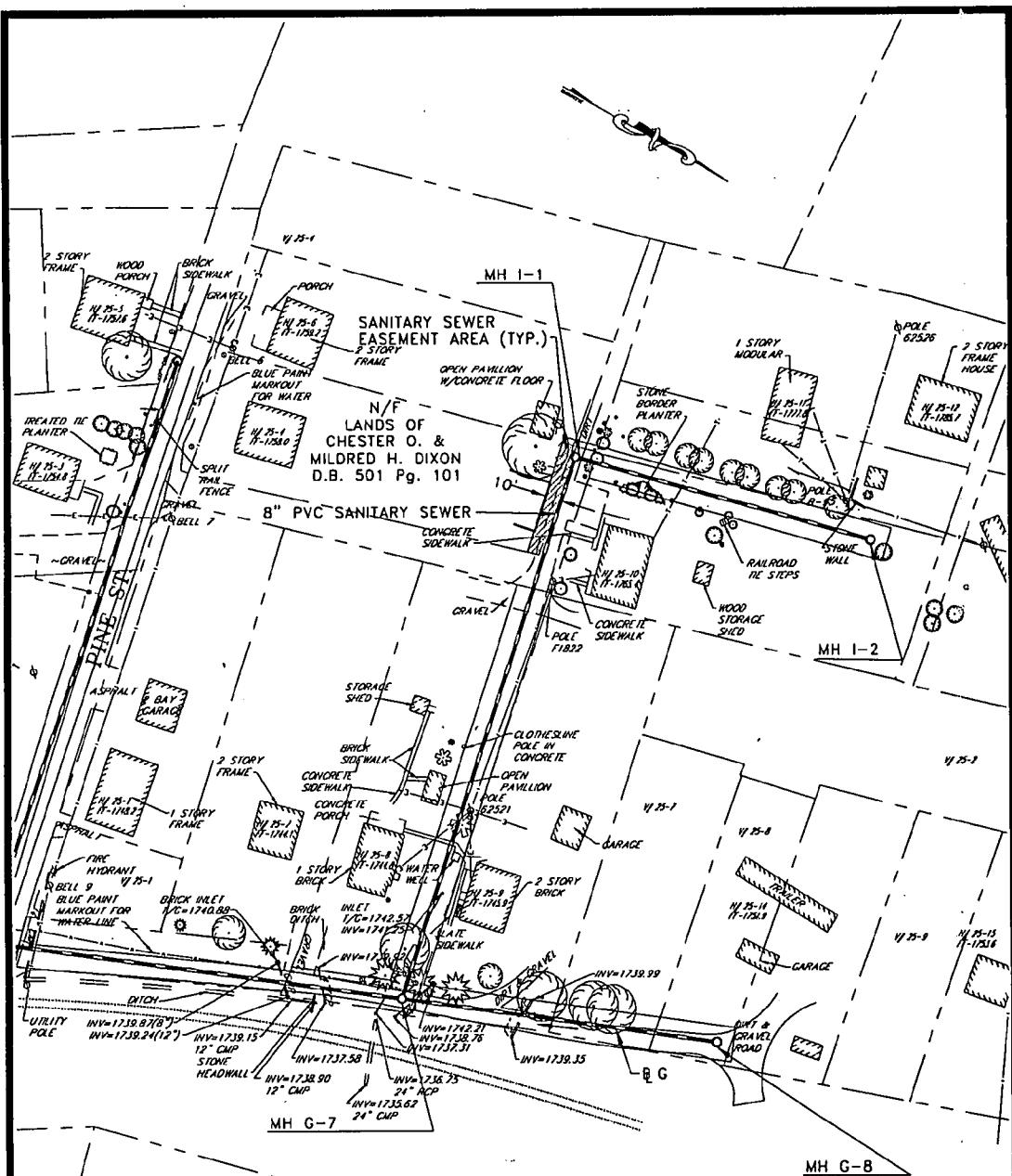


DRAFT SHOWING
PERMANENT RIGHT-OF-WAY EASEMENT
TO BE ACQUIRED BY
WALLACETON-BOGGS MUNICIPAL AUTHORITY
FROM

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) 237-1484

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. ±

LEGEND

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

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

Phone: (814) 237-6318 FAX: (814) 237-1488

DRAWN BY: _____

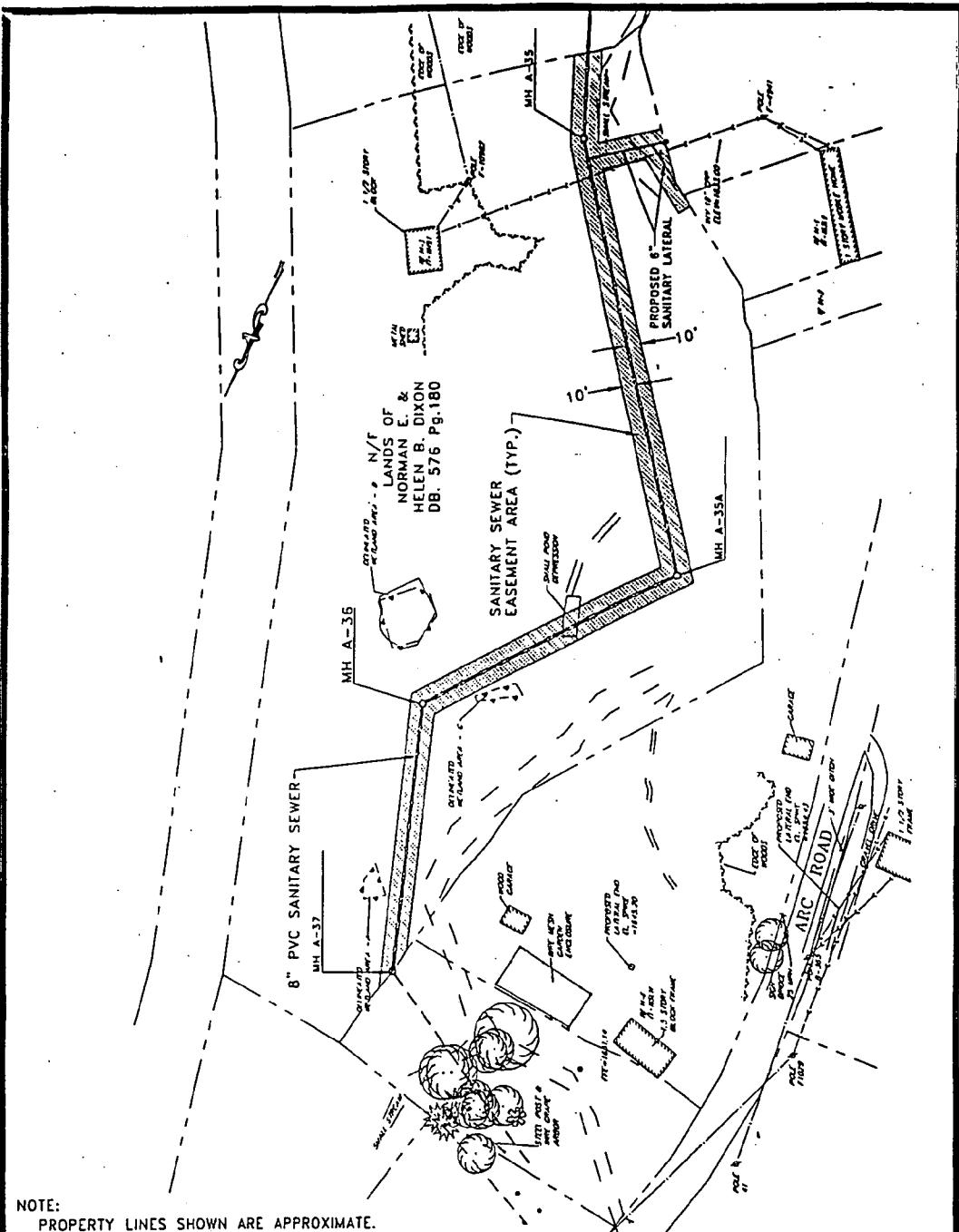
STAIN: LDH SCALE: 1" = 80'

CHECKED BY: THW 11/20/04

THW | H-23-4

7-102 CCC/EST-NC

DATE: 10-15-99 PROJECT NO: 3334



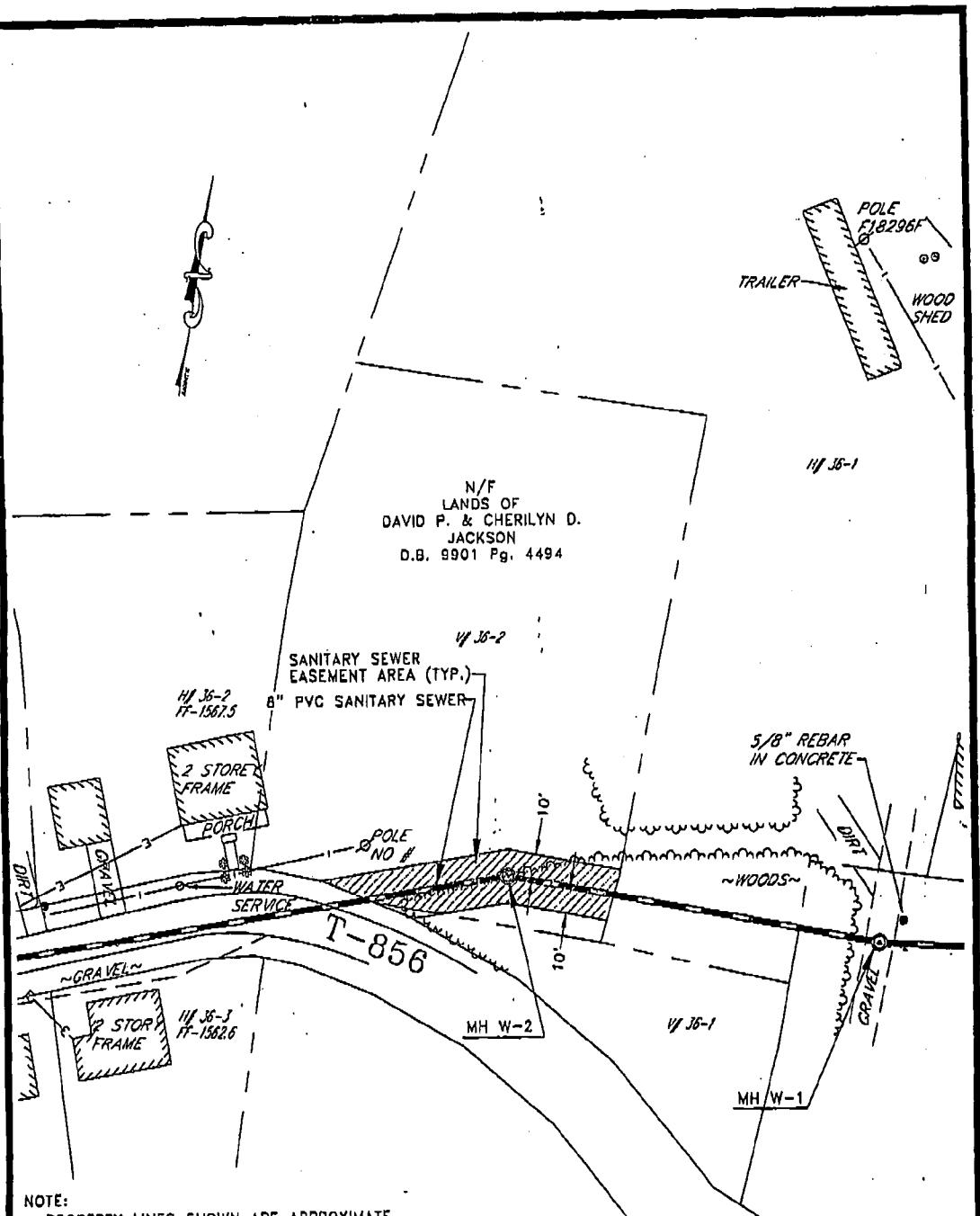
TAX MAP NO.: 010
 TAX PARCEL NO.: 46.2
 DEED BOOK: 576 PAGE: 180
 PROPERTY OWNER(S): *DECEASED*
 NORMAN E. & HELEN B. DIXON
 ADDRESS: RD 1
 BOX 44A
 WEST CINCINNATI, PA.
 EASEMENT AREA: 17,628.8 S.F. ±
 EASEMENT LENGTH: 931 L.F. ±

LEGEND	
	PROPOSED SAN. SEWER LINE
	EXIST. SAN. SEWER MANHOLE
	EXIST. SAN. SEWER LINE
	EXIST. VALVE/CATCH BASIN
	EXIST. WATER LINE
	EXIST. FIRE HYDRANT
	EXIST. GAS LINE
	EXIST. BUILDING/HOUSE
	PROPERTY LINE OR R.O.W. LINE
	TAX MAP/PARCEL NUMBERS
	EXISTING RETAINING WALL
	EXISTING CULVER/STORM SEWER PIPE
	EXISTING FENCE
	EXISTING CURE RAIL
	EXISTING SIGN
	TO P.
	EXISTING UTILITY POLE
	EXISTING POSTS
	EXISTING MAILBOX
	EXISTING INC. TREES/SHRUBS/HEDGES
	EXISTING TREE LINE
	EXISTING SHREDDED/CRUSHED/STONE ROAD
	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

SWEETLAND ENGINEERING
 & ASSOCIATES, INC.
 Consulting Engineers & Surveyors
 600 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



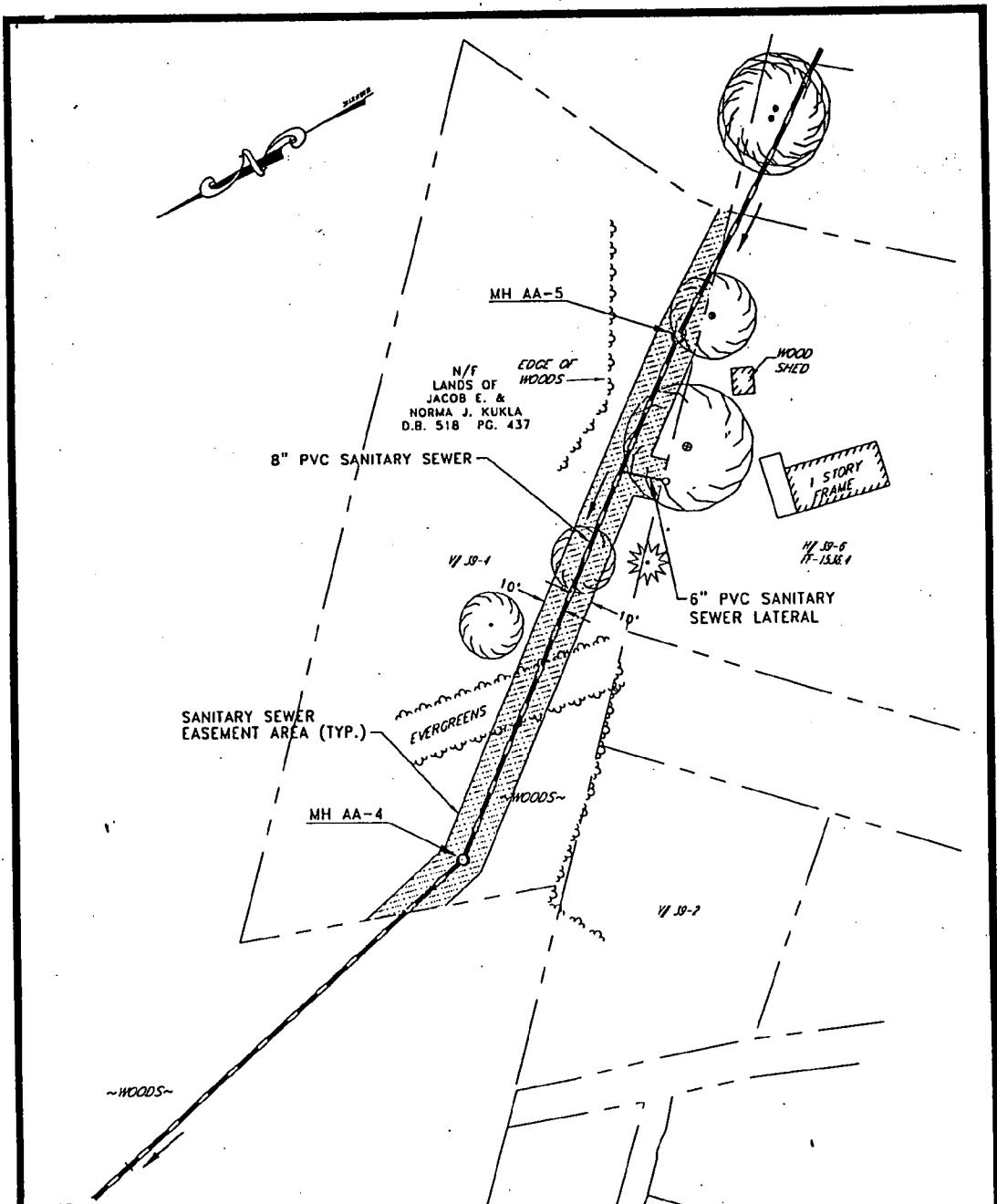
TAX MAP NO.: 011 - ENLARG. 578
 TAX PARCEL NO.: 29
 DEED BOOK: 9901 PAGE: 4494
 PROPERTY OWNER(S): DAVID P. & CHERILYN D. JACKSON
 ADDRESS: P.O. BOX 65 WEST DECATUR, PA
 EASEMENT AREA: 1,885 S.F. ±
 EASEMENT LENGTH: 97 L.F. ±

LEGEND	
	PROPOSED SAN. SEWER LINE
	EXIST. SAN. SEWER LINE
	EXISTING WATER LINE
	EXISTING FIRE HYDRANT
	EXISTING GAS LINE
	EXISTING BUILDING/HOUSE
	PROPERTY LINE OR ROAD LINE
	TAX MAP/PARCEL NUMBER
	EXISTING RETAINING WALL
	EXISTING CULVERT/THROUGH SEWER PIPE
	EXISTING FENCE
	EXISTING CURB RAIL
	EXISTING SEWER
	EXISTING UTILITY POLE
	EXISTING PORT
	EXISTING MAILBOX
	EXISTING TREE
	EXISTING STABILIZED/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 Science Park Road
 State College, Pennsylvania 16803
 PH: (814) 837-8510 FAX: (814) 237-1400

DRAWN BY: LDH	SCALE: 1" = 50'
CHECKED BY: THW	V#36-2
DATE: 10-15-99	PROJECT NO: 3334



TAX MAP NO.: 011 - ENLARG. 583
 TAX PARCEL NO.: 7
 DEED BOOK: 518 PAGE: 437
 PROPERTY OWNER(S): JACOB E. & NORMA J. KUKLA
 ADDRESS: R.D. 1
 BOX 463
 WEST DECATUR, PA 16878
 EASEMENT AREA: 6,940 S.F. ±
 EASEMENT LENGTH: 347 L.F. ±

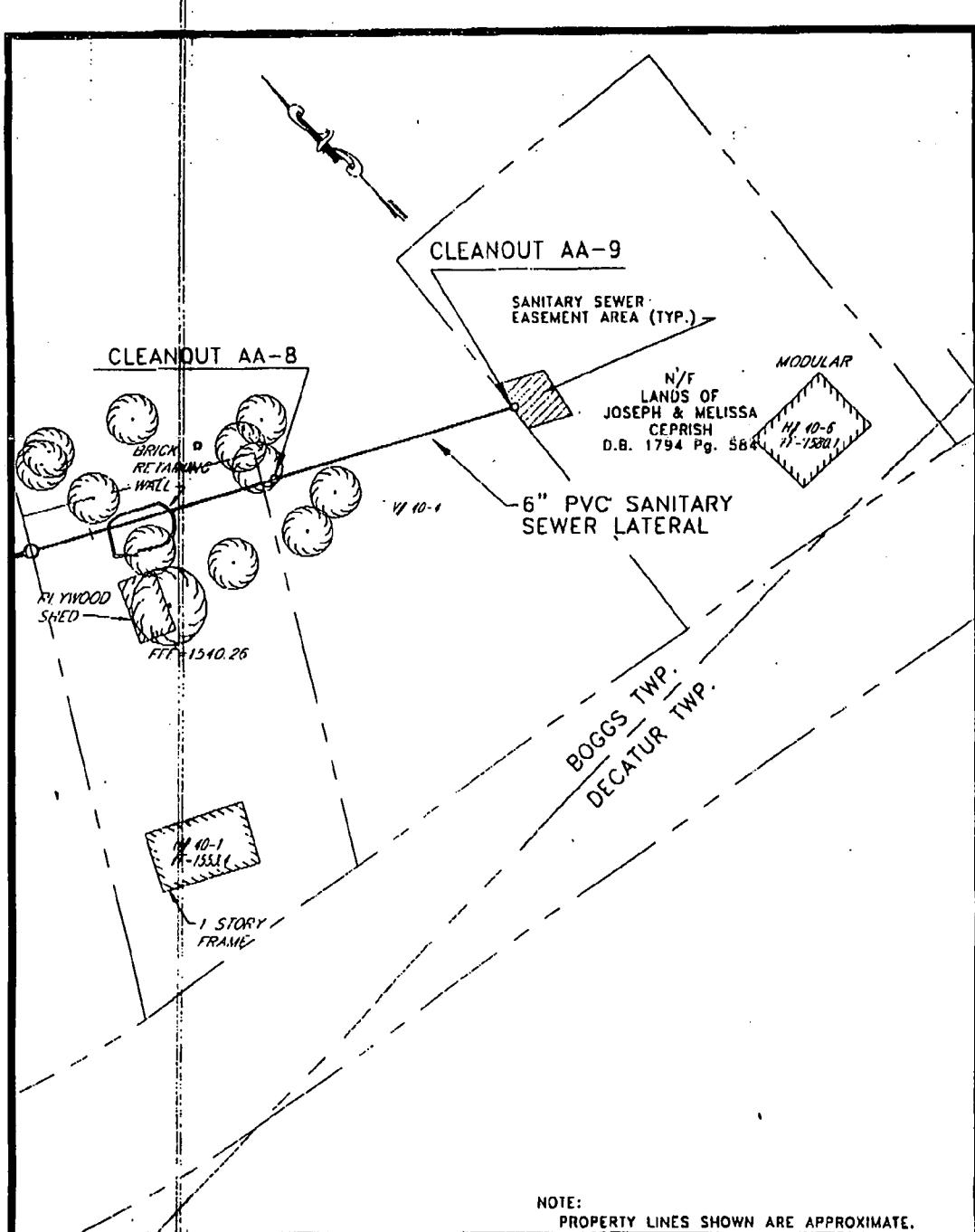
LEGEND	
—	PROPOSED SAN. SEWER LINE
— SAN —	PROPOSED SAN. SEWER MANHOLE
— ED —	EXIST. SAN. SEWER LINE
— W —	EXISTING SEWER/CATCH BASIN
— FH —	EXISTING WATER LINE
— G —	EXISTING FIRE HYDRANT
—	EXISTING GAS LINE
—	EXISTING BUILDING/HOUSE
—	PROPERTY LINE OR BLDG. LINE
—	TAX MAP/PARCEL NUMBER
WALL	EXISTING RETAINING WALL
— O —	EXISTING CULVERT/STORM SEWER PIPE
— FENCE —	EXISTING FENCE
—	EXISTING CLOUD LINE
— G —	EXISTING SIGN
— U.P. —	EXISTING UTILITY POLE
— O —	EXISTING POLE
—	EXISTING VALVE
—	EXISTING WSC. TREES/SHRUBS/MEADOWS
—	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
JACOB E. & NORMA J. KUKLA
WALLACETON BOROUGH - BOGGS TOWNSHIP
CLEARFIELD COUNTY, PENNSYLVANIA

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 & ASSOCIATES, INC.

 Consulting Engineers & Surveyors
 600 Science Park Road
 State College, Pennsylvania 16803
 PH: (814)237-8518 FAX: (814)237-1450

DRAWN BY: LDH	SCALE: 1" = 60'
CHECKED BY: THW	V #39-4
DATE: 10-15-99	PROJECT NO: 3334



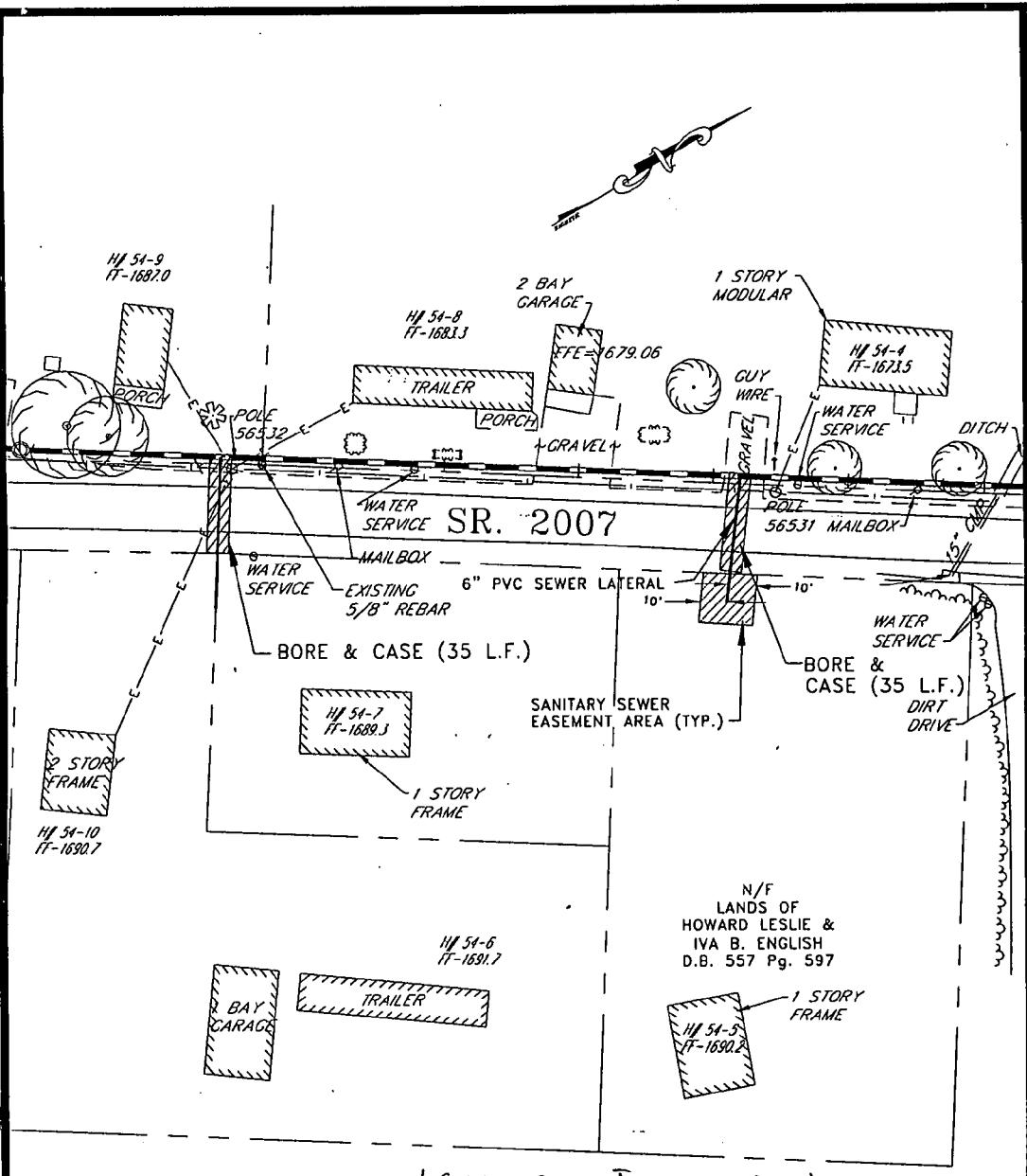
TAX MAP NO.:	011		
TAX PARCEL NO.:	155		
DEED BOOK:	1794	PAGE:	584
PROPERTY OWNERS:			
JOSEPH & MELISSA CEPRISH			
ADDRESS:	R.R. 1 BOX 460 WEST DECATUR, PA.		
BASEMENT AREA:	370 S.F. ±		
EASEMENT LENGTH:	10 L.F. ±		

LEGEND	
PROPOSED SAN. SEWER LINE	WALL
PROPOSED SAN. SEWER MANHOLE	EXISTING SAN. SEWER PIPE
EXIST. SAN. SEWER LINE	EXISTING FENCE
EXIST. WALL/CATCH BASIN	EXISTING CLOTH RAIL
EXIST. WATER LINE	EXISTING SOH
EXIST. FIRE HYDRANT	EXISTING UTILITY POLE
EXIST. GAS LINE	EXISTING POSTS
EXIST. BUILDING/HOUSE	EXISTING WALLS
PROPERTY LINE OR R.O.W. LINE	EXISTING MISC. TREES/SHRUBS/HEDGES
TAP MAP/PARCEL NUMBERS	EXISTING TREE LINE
	EXISTING STABILIZED/GRVEL/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) 837-0510 FAX: (814) 837-1480

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.

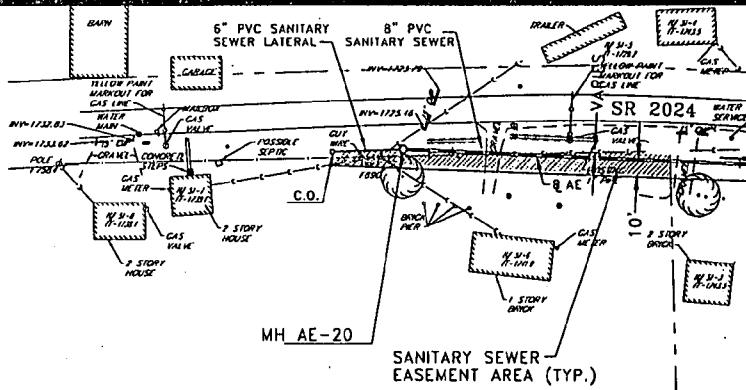
TAX MAP NO.:	011		
TAX PARCEL NO.:	5		
DEED BOOK:	557	PAGE:	597
PROPERTY OWNER(S):			
HOWARD LESLIE & IVA B. ENGLISH			
ADDRESS:	R.D. #1 BOX 113 WEST DECATUR, PA		
EASEMENT AREA:	366 S.F. ±		
EASEMENT LENGTH:	11 L.F. ±		

LEGEND	
PROPOSED SAN. SEWER LINE	EXISTING RETAINING WALL
PROPOSED SAN. SEWER MANHOLE	EXISTING CULVERT/STORM SEWER PIPE
○ SAN	EXISTING FENCE
■ SAM	EXISTING GUIDE RAIL
■ W	EXISTING SIGN
■ FH	EXISTING UTILITY POLE
■ G	EXISTING POSTS
■ B	EXISTING MAILBOX
■ BLDG	EXISTING MISC. TREES/SHRUBS/HEDGES
■ T	EXISTING TREE LINE
■ RD	EXISTING STABILIZED/GRAVEL/STONE ROAD
■ PWD	EXISTING PAVED ROADWAY
■ BLDG	EXISTING BUILDING/HOUSE
■ T	PROPERTY LINE OR R.O.W. LINE
■ T	TAX MAP/PARCEL NUMBERS

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
600 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# 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. ±		

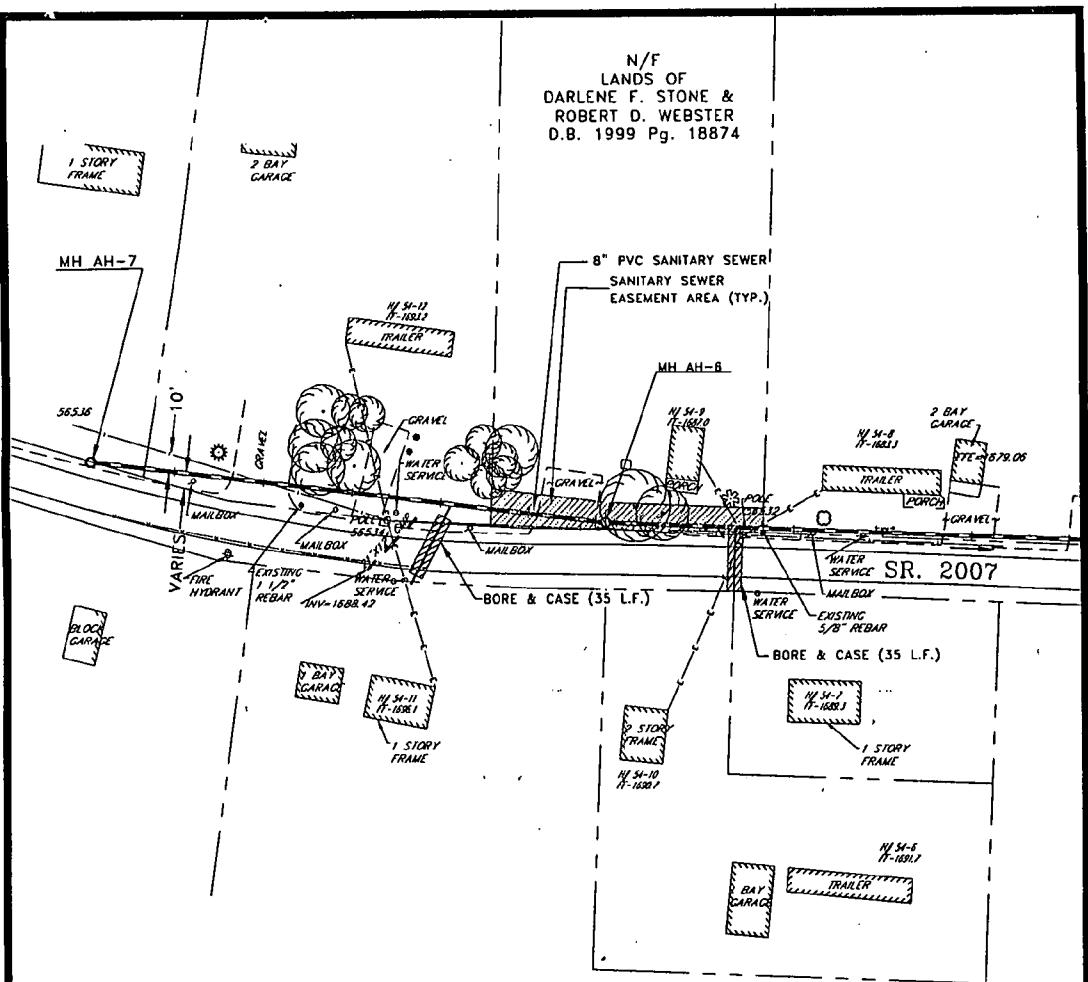
LEGEND

PROPOSED SAN. SEWER LINE	WALL	EXISTING RETAINING WALL
PROPOSED SAN. SEWER MANHOLE	—	EXISTING CULVERT/STORM SEWER PIPE
— SAN —	—	EXISTING FENCE
— ED —	—	EXISTING GUIDE RAIL
— W —	—	EXISTING SGW
— FH —	—	EXISTING UTILITY POLE
— G —	—	EXISTING POSTS
—	—	EXISTING VALDOX
—	—	EXISTING WSC TREES/SHRUBS/HEDGES
—	—	EXISTING TREE LINE
—	—	EXISTING STABILIZED/CRAGEL/STONE ROAD
PROPERTY LINE OR R.O.W. LINE	—	P.W.
TAX MAP/PARCEL NUMBERS		

**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) 237-6516 FAX: (814) 237-1468

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



I believe
this went to
condition A
H-54-11 H-18874

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
ADDRESS: R.D. #1
WEST DECATUR, PA
EASEMENT AREA: 2,382 S.F. ±
EASEMENT LENGTH: 150 L.F. ±

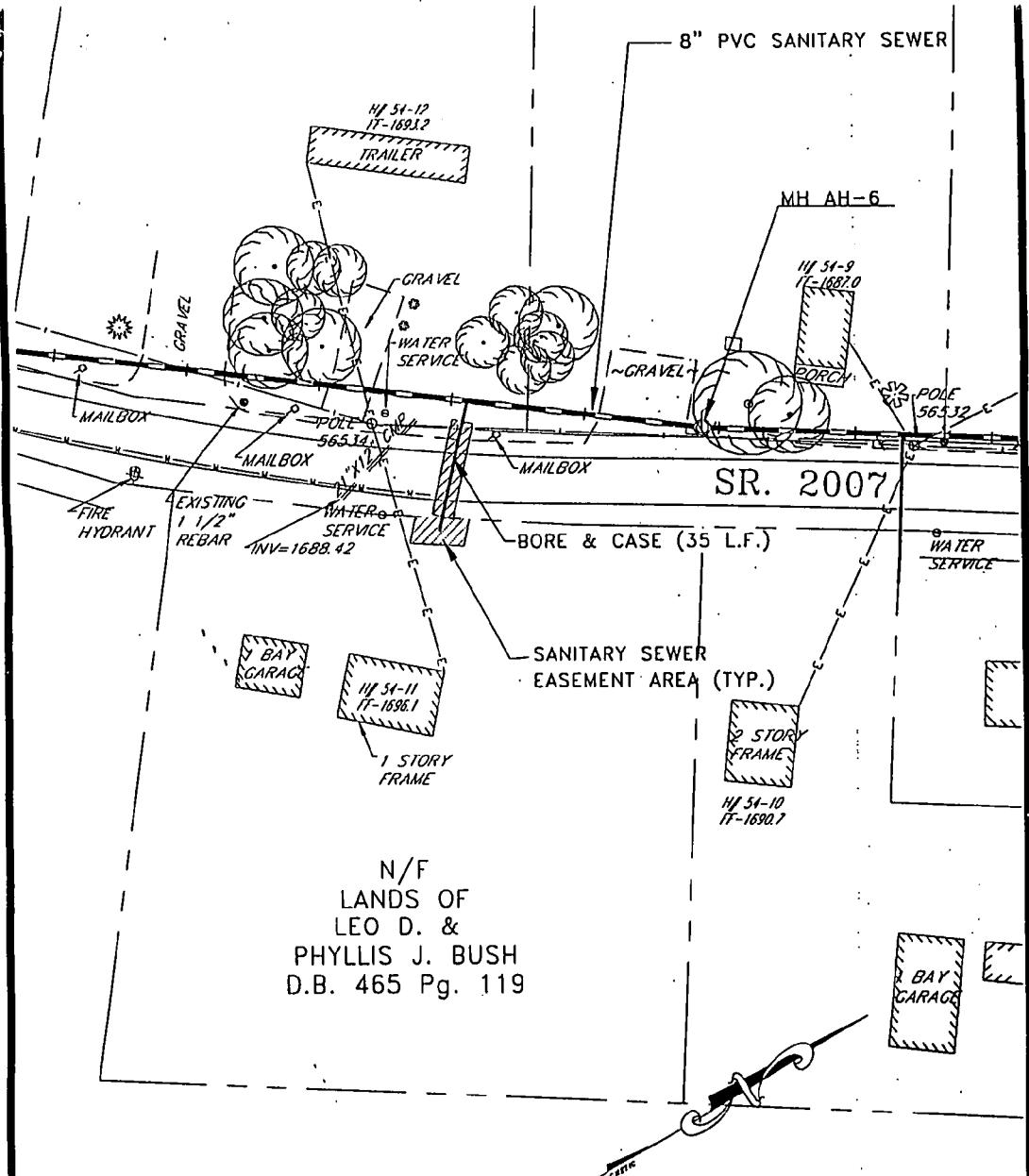
LEGEND	
—	PROPOSED SAN. SEWER LINE
O	PROPOSED SAN. SEWER MANHOLE
— SAN —	EXIST. SAN. SEWER LINE
— IN —	EXISTING INLET/CATCH BASIN
— W —	EXISTING WATER LINE
— FH —	EXISTING FIRE HYDRANT
— C —	EXISTING GAS LINE
—■—	EXISTING BUILDING/HOUSE
— — —	PROPERTY LINE OR R.O.W. LINE
— 1215 1709 —	MAP MAP/PARCEL NUMBERS
WALL	EXISTING RETAINING WALL
—○—	EXISTING CULVERT/STORM SEWER PIPE
— FENCE —	EXISTING FENCE
— G.R. —	EXISTING GUIDE RAIL
T	EXISTING SIGN
— O.U.P. —	EXISTING UTILITY POLE
•	EXISTING POSTS
D	EXISTING MAILBOX
— X —	EXISTING MISC. TREES/SHRUBS/EDGES
— G —	EXISTING TREE LINE
— P —	EXISTING STABILIZED/GRAVEL/STONE ROAD
PAV.	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
600 Science Park Road
State College, Pennsylvania 16803
PH:(814)237-6518 FAX:(814)237-1408

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
O	PROPOSED SAN. SEWER MANHOLE
—	EXIST. SAN. SEWER LINE
ED	EXIST. SEWER/CATCH BASIN
—	EXISTING WATER LINE
W	EXISTING FIRE HYDRANT
W/H	EXISTING GAS LINE
—	EXISTING BUILDING/HOUSE
—	PROPERTY LINE OR R.D.W. LINE
	TAX MAP/PARCEL NUMBERS
WALL	EXISTING RETAINING WALL
—	EXISTING CULVERT/STORM SEWER PIPE
—	EXISTING FENCE
—	EXISTING GATE
—	EXISTING BOM
—	EXISTING UTILITY POLE
—	EXISTING POSTS
—	EXISTING MAILBOX
—	EXISTING MISC. TREES/SHRUBS/HEDGES
—	EXISTING TREE LINE
—	EXISTING STABILIZED/GRANULE/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

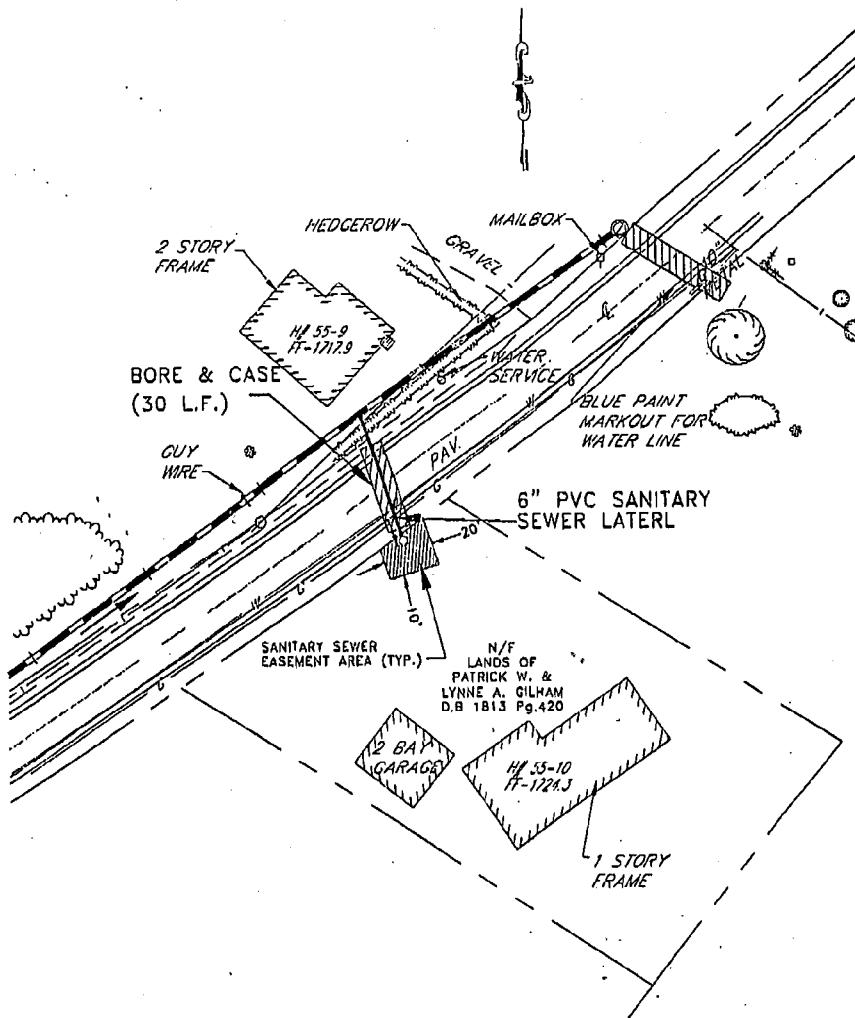
REVISED: 2/28/00

SWEETLAND ENGINEERING,
& ASSOCIATES, INC.

Consulting Engineers & Surveyors
800 Science Park Road
State College, Pennsylvania 16803
Ph: (814)237-6618 Fax: (814)237-1460

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 SAN. SEWER LINE
○	PROPOSED SAN. SEWER MANHOLE
—	EXIST. SAN. SEWER LINE
—	EXISTING INLET/CATCH BASIN
—	EXISTING WATER LINE
—	EXISTING FIRE HYDRANT
—	EXISTING GAS UNIT
■	EXISTING BUILDING/HOUSE
—	PROPERTY LINE OR E.G.W. LINE
—	TAX MAP/PARCEL NUMBERS
—	EXISTING RETAINING WALL
—	EXISTING CULVERT/STORM SEWER PIPE
—	EXISTING FENCE
—	EXISTING GATE
—	EXISTING DRAIN
—	EXISTING DITCH
—	EXISTING UTILITY POLE
—	EXISTING POST/PIER
○	EXISTING MAILBOX
○	EXISTING WIRE, 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-BOOGS MUNICIPAL AUTHORITY
 FROM
PATRICK W. & LYNNE A. GILHAM
 WALLACETON BOROUGH - BOOGS TOWNSHIP
 CLEARFIELD COUNTY, PENNSYLVANIA

SWEETLAND ENGINEERING
 & ASSOCIATES, INC.

Consulting Engineers & Surveyors
 800 Toleno Park Road
 State College, Pennsylvania 16808
 PH(814)237-6018 FAX(814)237-1460

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

FILED

Oct 31 2000
S/C 35/4474
William A. Graw
Prothonotary
Pasco Co

10cc

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

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 31st 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 1

~~George S. Test, Esquire~~
Solicitor for the Wallaceton Boggs Municipal Authority

ED

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
CIVIL DIVISION

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

*
* No. 2000-1340-CD
*
*
*
*

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. Burns
Secretary

WALLACETON BOGGS
MUNICIPAL AUTHORITY

By:

Richard J. Stein
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
Mifflin, 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, PENNSYLVANIA :
: 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

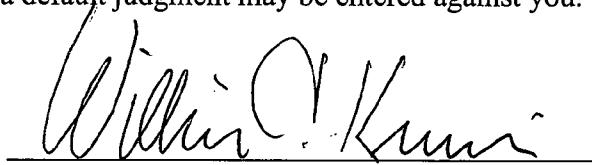
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

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: Wallacetton 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 :
:

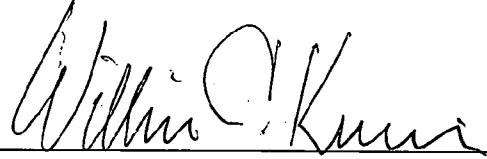
PRELIMINARY OBJECTIONS

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,



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



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

FILED

DEC 08 2000
O 13 43 110 CC
William A. Shaw
Prothonotary
EAB

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, PENNSYLVANIA :
: Type of Case: Eminent Domain/Condemnation
: Type of Pleading: Praecipe 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

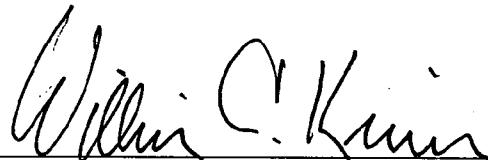
IN RE: CONDEMNATION BY THE :
WALLACETON BOGGS MUNICIPAL :
AUTHORITY OF PROPERTIES : No. 00-01340-CD
LOCATED IN WALLACETON :
BOROUGH AND BOGGS TOWNSHIP, :
CLEARFIELD COUNTY, PENNSYLVANIA :
:

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

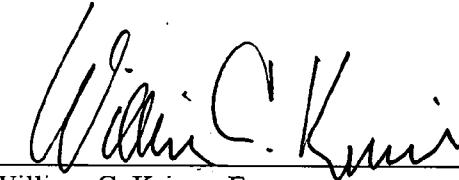
Dated: January 30, 2001

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Praeclipe 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



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

FILED

JAN 31 2001

M 1a.33) no cc

William A. Shaw

Prothonotary

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Next