

02-1437-CD

In Re: Lawrence Twp Thomas K Kelly

02

02-1437-CD
IN RE: LAWRENCE TOWNSHIP, THOMAS AND SUSAN KELLY

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

IN RE: CONDEMNATION BY
LAWRENCE TOWNSHIP OF AN
EASEMENT ON PROPERTY OWNED
BY THOMAS K. KELLY, SR., AND
SUSAN K. KELLY, KNOWN AS
CLEARFIELD COUNTY ASSESSMENT
MAP NUMBERS 123-L8-684-48
AND 123-L8-694-1

No. 02 - 1437 - CD

Type of Pleading:

DECLARATION OF TAKING

Filed on behalf of:
Lawrence Township

Counsel of Record for
this party:

James A. Naddeo, Esq.
Pa I.D. 06820

211 1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

FILED

SEP 16 2002

013:00 (att) Naddeo
William A. Shaw
Prothonotary pd 80.00

W.A. Shaw
E

Noce

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

IN RE: CONDEMNATION BY *
LAWRENCE TOWNSHIP OF AN *
EASEMENT ON PROPERTY OWNED * No. 02 - - CD
BY THOMAS K. KELLY, SR., AND *
SUSAN K. KELLY, KNOWN AS *
CLEARFIELD COUNTY ASSESSMENT *
MAP NUMBERS 123-L8-684-48 *
AND 123-L8-694-1 *

DECLARATION OF TAKING

NOW COMES, Lawrence Township, Clearfield County, Pennsylvania, and files the following Declaration of Taking:

1. The Condemnor is Lawrence Township, a second class township with its offices at P.O. Box 508, George Street, Clearfield, Pennsylvania 16830.

2. This condemnation is authorized by Section 3401-3407 of the Second Class Township Code, 53 P.S. 68401-68407, as amended and supplemented.

3. This Declaration of Taking was authorized by resolution duly passed by Lawrence Township at a regular meeting held on September 3, 2002. The record thereof, including a copy of the Resolution, may be examined at the office of the Township at P.O. Box 508, George Street, Clearfield, Pennsylvania, 16830, during regular business hours.

4. The purpose of this condemnation is to acquire an easement for the purposes of the Township's rehabilitation and extension of its sewer system and related facilities.

5. The property condemned are shown on plats thereof annexed to this Declaration of Taking as a part hereof, which property is identified by the following plat number, assessment number and owner(s) as known to the Township.

<u>Plat Number</u>	<u>Map Number</u>	<u>Owner(s)</u>
8GR-S	123-L8-684-48 & 123-L8-694-1	Thomas K. Kelly, Sr. & Susan K. Kelly

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 property described in Paragraph 5 hereof is a permanent, exclusive 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, under, across, upon and through the easement area as shown on the Plat, with the temporary right

during construction to use an additional area of the surface of the property also shown on the Plat to construct and install within the permanent easement area the facilities to be constructed with rights to do all things necessary, convenient and required to carry out the construction within the permanent easement area.

7. The construction plans of the Township showing the facilities to be constructed and installed as well as the condemned property may be inspected at the office of the Township at P.O. Box 508, George Street, Clearfield, PA 16830, during regular business hours.

8. Just compensation for this condemnation is secured by the Bond of the Township, 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:

LAWRENCE TOWNSHIP

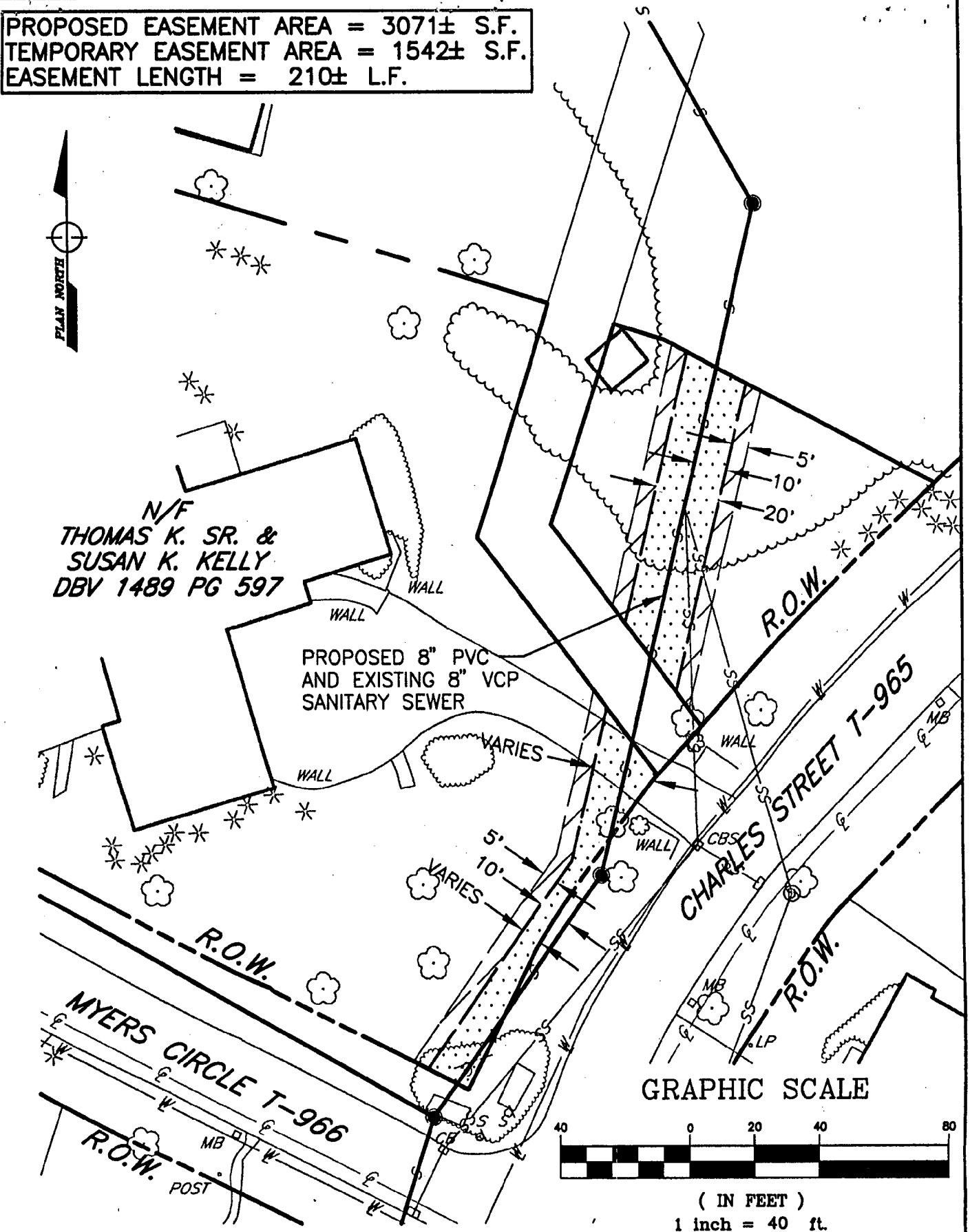
By:

Barbara Shaffner
Barbara Shaffner, Secretary






William D. Lawhead
William D. Lawhead, Chairman

"Seal"

PROPOSED EASEMENT AREA = 3071± S.F.
 TEMPORARY EASEMENT AREA = 1542± S.F.
 EASEMENT LENGTH = 210± L.F.



LEGEND

-  TEMPORARY EASEMENT
-  UTILITY EASEMENT
-  PROPOSED SANITARY SEWER AND MANHOLE
-  PROPERTY LINE
-  RIGHT-OF-WAY LINE

NOTES:

1. PROPERTY LINE LOCATIONS WERE COMPILED FROM DEEDS AND DO NOT REPRESENT AN ACTUAL FIELD SURVEY.
2. PERMANENT SANITARY SEWER EASEMENT TO BE 20'-0" WIDE UNLESS OTHERWISE NOTED.
3. TEMPORARY CONSTRUCTION EASEMENT TO BE 5'-0" WIDE UNLESS OTHERWISE NOTED.

**STIFFLER, McGRAW
 & ASSOCIATES, INC.**

*Consulting Engineers
 & Surveyors*

19 North Juniata Street
 P.O. Box 462
 Hollidaysburg, PA 16848
 (814) 696-6280

DRAFT SHOWING
SANITARY SEWER EASEMENT
 TO BE ACQUIRED BY
LAWRENCE TOWNSHIP SUPERVISORS
 FROM
THOMAS K. SR. & SUSAN K. KELLY
 SITUATE
LAWRENCE TOWNSHIP
CLEARFIELD COUNTY, PENNSYLVANIA

SCALE:

1" = 40'

DATE:

5/3/01

PLAT NO.

8GR-5

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13053

IN RE: CONDEMNATION BY LAWRENCE TOWNSHIP

02-1437-CD

VS.

KELLY, SUSAN K. & THOMAS K. SR.

DECLARATION OF TAKING

SHERIFF RETURNS


NOW SEPTEMBER 20, 2002, SHERIFF OF BRYAN COUNTY, GEORGIA WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN DECLARATION OF TAKING ON THOMAS K. KELLY SR. AND SUSAN K. KELLY, DEFENDANTS.

NOW SEPTEMBER 25, 2002 SERVED THE WITHIN DECLARATION OF TAKING ON THOMAS K. KELLY SR., DEFENDANT BY DEPUTIZING THE SHERIFF OF BRYAN COUNTY GEORGIA. THE RETURN OF SHERIFF OF BRYAN COUNTY IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED THOMAS K. KELLY SR., DEFENDANT.

NOW SEPTEMBER 25, 2002 SERVED THE WITHIN DECLARATION OF TAKING ON SUSAN K. KELLY, DEFENDANT BY DEPUTIZING THE SHERIFF OF BRYAN COUNTY GEORGIA. THE RETURN OF SHERIFF OF BRYAN COUNTY IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED THOMAS K. KELLY SR.,

Return Costs

Cost	Description
38.48	SHFF. HAWKINS PAID BY: ATTY.
50.00	SHFF. BRYAN CO., GA. PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

FILED
01342
OCT 24 2002 

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13053

IN RE: CONDEMNATION BY LAWRENCE TOWNSHIP

02-1437-CD

VS.

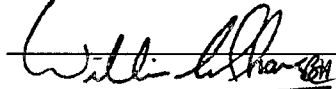
KELLY, SUSAN K. & THOMAS K. SR.

DECLARATION OF TAKING

SHERIFF RETURNS

Sworn to Before Me This

24th Day Of October 2002



Deputy Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,



Chester A. Hawkins
Sheriff

Civil Action No. 02-1437-CD

Superior Court	<input type="checkbox"/>	Magistrate Court	<input type="checkbox"/>
State Court	<input type="checkbox"/>	Probate Court	<input type="checkbox"/>
Juvenile Court	<input type="checkbox"/>	Common Pleas	X

Date Filed _____

Pennsylvania
~~Georgia~~ Clearfield COUNTY

Attorney's Address

James A. Naddeo
 211 1/2 East Locus Street
 Clearfield, PA 16830

Lawrence Township

Plaintiff

VS.

Thomas K. Kelly, Sr.

Name and Address of Party to be Served.

Thomas K. Kelly, Sr.

Defendant

2134 Oak Level RoadRichmond Hill, GA 31324

Garnishee

SHERIFF'S ENTRY OF SERVICE

PERSONAL

I have this day served the defendant Thomas K. Kelly, Sr personally with a copy
 of the within action and summons.

NOTORIOUS

I have this day served the defendant _____ by leaving a
 copy of the action and summons at his most notorious place of abode in this County.

☐ Delivered same into hands of _____ described as follows:
 age, about _____ years; weight _____ pounds; height, about _____ feet and _____ inches, domiciled at the residence of
 defendant.

CORPORATION

Served the defendant _____ a corporation
☐ by leaving a copy of the within action and summons with _____
 in charge of the office and place of doing business of said Corporation in this County.

TACK & MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said
 affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the
 defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the
 place stated in the summons.

NON EST

☐ Diligent search made and defendant _____
☐ not to be found in the jurisdiction of this Court.

This 25 day of SEPT. ,20 02

William B. Bragg 128
 DEPUTY

SHERIFF DOCKET _____ PAGE _____

Civil Action No. 02-1437-CD

Date Filed _____

Superior Court	<input type="checkbox"/>	Magistrate Court	<input type="checkbox"/>
State Court	<input type="checkbox"/>	Probate Court	<input type="checkbox"/>
Juvenile Court	<input type="checkbox"/>	Common Pleas	<input checked="" type="checkbox"/>

Pennsylvania

~~Greene~~ Clearfield COUNTYLawrence Township

Attorney's Address

James A. Naddeo

211 1/2 East Locus Street

Clearfield, PA 16830

Plaintiff

VS.

Susan K. Kelly

Name and Address of Party to be Served.

Susan K. Kelly

Defendant

2134 Oak Level RoadRichmond Hill, GA 31324

Garnishee

SHERIFF'S ENTRY OF SERVICE

PERSONAL

I have this day served the defendant _____ personally with a copy
☐ of the within action and summons.

NOTORIOUS

I have this day served the defendant Susan K. Kelly by leaving a
 copy of the action and summons at his most notorious place of abode in this County.

☒ Delivered same into hands of Thomas K. Kelly described as follows:
 age, about 60 years; weight 210 pounds; height about 5 feet and 9 inches, domiciled at the residence of
 defendant.

CORPORATION

Served the defendant _____ a corporation
☐ by leaving a copy of the within action and summons with _____
 in charge of the office and place of doing business of said Corporation in this County.

TACK & MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said
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NON EST

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☐ not to be found in the jurisdiction of this Court.

This 25 day of Sept, 20 02.

William B. Bragg 128
 DEPUTY

SHERIFF DOCKET _____ PAGE _____

County X / City _____


SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BRYAN COUNTY SHERIFF
Attn: Civil Process
PO Box 960
Pembroke, GA. 31321

COMPLETE THIS SECTION ON DELIVERY

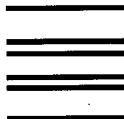
A. Signature 	<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name) Bryan Sheriff	C. Date of Delivery 9/23/02
D. Is delivery address different from item 1? If YES, enter delivery address below:	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

3. Service Type	<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
	<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
	<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)	<input type="checkbox"/> Yes	

2. Article Number
(Transfer from service label) 7001 1940 0001 9405 9598

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

UNITED STATES POSTAL SERVICE



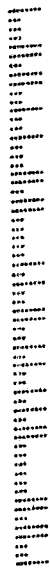
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

CHESTER A. HAWKINS
Sheriff of Clearfield County
1 N. 2nd St. Suite 116
Clearfield, Pa. 16830

13653

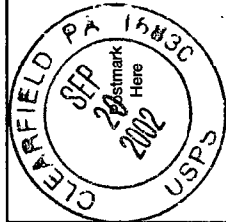
09



U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.11



Sent To BRYAN COUNTY SHERIFF
BRYAN COUNTY CIVIL PROCESS
or PO Box No. 960
City, State, Zip, Apt. No. Pembroke, GA 31321

PS Form 3800, January 2001 See Reverse for Instructions

2002 0461 1000 9405 8656

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

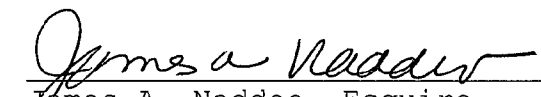
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

IN RE: CONDEMNATION BY *
LAWRENCE TOWNSHIP OF AN *
EASEMENT ON PROPERTY OWNED *
BY THOMAS K. KELLY, SR., AND *
SUSAN K. KELLY, KNOWN AS *
CLEARFIELD COUNTY ASSESSMENT *
MAP NUMBERS 123-L8-684-48 *
AND 123-L8-694-1 *

No. 02 - 1437 - CD

MEMORANDUM OF RECORDING
NOTICE OF CONDEMNATION

In accordance with Section 404 of the Eminent Domain Code, 26 P.S. Section 1-404, now comes Lawrence Township, by its counsel, James A. Naddeo, Esquire, and files this Memorandum that on the 16th day of September, 2002, a Notice of this condemnation was recorded with the Recorder of Deeds of Clearfield County and is of the record as Instrument Number 2002 14799.


James A. Naddeo, Esquire
Counsel to Lawrence Township

FILED

SEP 17 2002

William A. Shaw
Prothonotary

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 502
CLEARFIELD, PENNSYLVANIA 16830

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FILED

Office
SEP 17 2007

WAC
cc
[Signature]

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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CLEARFIELD COUNTY ASSESSMENT *
MAP NUMBERS 123-L8-684-48 *
AND 123-L8-694-1 *

BOND

KNOW ALL MEN BY THESE PRESENTS, THAT LAWRENCE
TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, a Second Class
Township, with its office at P.O. Box 508, George Street,
Clearfield, Pennsylvania 16830, hereafter 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, Lawrence Township, the OBLIGOR herein, shall
pay or cause to be paid such amount of damages as the said
owner(s) of the property interest 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 remain in full force and effect.

FILED

SEP 16 2002
0/3:00/1000
William A. Shaw
Prothonotary

ATTEST:

LAWRENCE TOWNSHIP

By:

Barbara Shaffner
Barbara Shaffner, Secretary

William D. Lawhead
William D. Lawhead, Chairman

"Seal"

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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CLEARFIELD COUNTY ASSESSMENT *
MAP NUMBERS 123-L8-684-48 *
AND 123-L8-694-1 *

NOTICE

TO: Susan K. Kelly
2134 Oak Level Road
Richmond Hill, GA 31324

You are hereby notified in accordance with Section 405 of the Pennsylvania Eminent Domain Code, 26 P.S. Section 1-405 that a Declaration of Taking was filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, Pennsylvania on September 16, 2002, to Docket No. 02-1437-CD by Lawrence Township, P.O. Box 508, George Street, Clearfield, PA 16830, by which property to which you are the owner(s) as known to the Authority has been condemned.

A true copy of the Declaration of Taking as filed is annexed hereto as Exhibit "A".

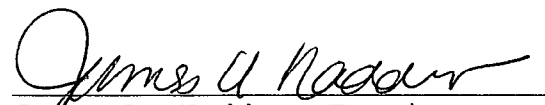
The property condemned is shown on a plat thereof annexed hereto as Exhibit "B".

You are further notified that if you wish to challenge the power or the right of Lawrence Township to appropriate the condemned property, the sufficiency of the security, the procedure followed by Lawrence Township or the Declaration of Taking, you are required to file preliminary objections within thirty (30) days after service of this Notice.

FILED

SEP 16 2002

0130012cc Sherry
William A. Shaw
Prothonotary


James A. Naddeo, Esquire
Counsel to Lawrence Township

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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EXHIBIT "A"

4. The purpose of this condemnation is to acquire an easement for the purposes of the Township's rehabilitation and extension of its sewer system and related facilities.

5. The property condemned are shown on plats thereof annexed to this Declaration of Taking as a part hereof, which property is identified by the following plat number, assessment number and owner(s) as known to the Township.

<u>Plat Number</u>	<u>Map Number</u>	<u>Owner(s)</u>
8GR-S	123-L8-684-48 & 123-L8-694-1	Thomas K. Kelly, Sr. & Susan K. Kelly

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during construction to use an additional area of the surface of the property also shown on the Plat to construct and install within the permanent easement area the facilities to be constructed with rights to do all things necessary, convenient and required to carry out the construction within the permanent easement area.

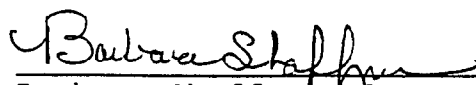
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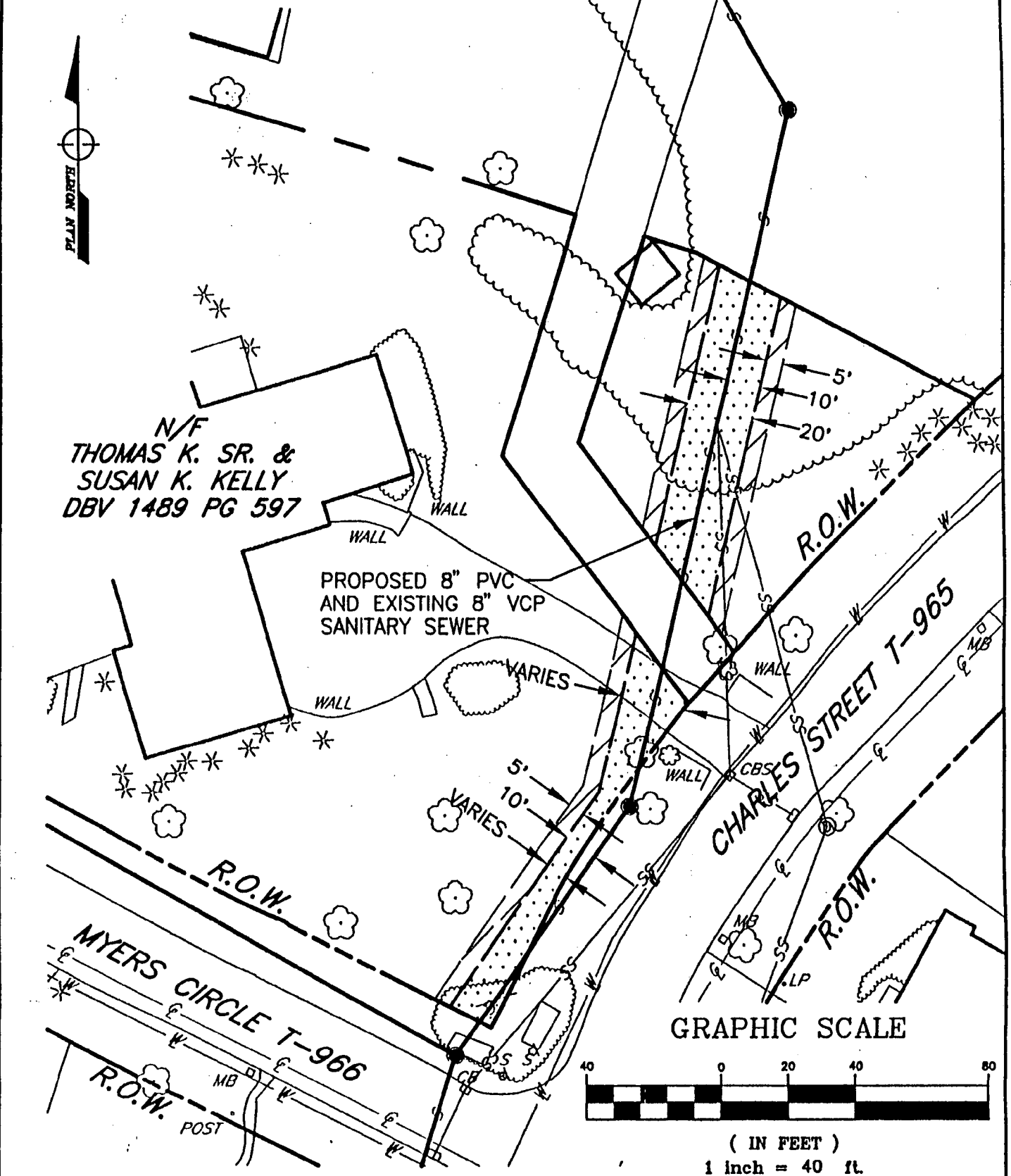
By:


Barbara Shaffner, Secretary







William D. Lawhead, Chairman

"Seal"

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 TEMPORARY EASEMENT AREA = 1542± S.F.
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-  UTILITY EASEMENT
-  PROPOSED SANITARY SEWER AND MANHOLE
-  PROPERTY LINE
-  RIGHT-OF-WAY LINE

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2. PERMANENT SANITARY SEWER EASEMENT TO BE 20'-0" WIDE UNLESS OTHERWISE NOTED.
3. TEMPORARY CONSTRUCTION EASEMENT TO BE 5'-0" WIDE UNLESS OTHERWISE NOTED.

**STIFFLER, McGRAW
 & ASSOCIATES, INC.**
*Consulting Engineers
 & Surveyors*
 19 North Juniata Street
 P.O. Box 482
 Hollidaysburg, PA 16648
 (814) 696-6280

DRAFT SHOWING
SANITARY SEWER EASEMENT
 TO BE ACQUIRED BY
LAWRENCE TOWNSHIP SUPERVISORS
 FROM
THOMAS K. SR. & SUSAN K. KELLY
 SITUATE
LAWRENCE TOWNSHIP
CLEARFIELD COUNTY, PENNSYLVANIA

SCALE:	1" = 40'
DATE:	5/3/01
PLAT NO.	8GR-5

EXHIBIT "B"

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
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Lap over margin

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2134 Oak Level Road
Richmond Hill, GA 31324

You are hereby notified in accordance with Section 405 of the Pennsylvania Eminent Domain Code, 26 P.S. Section 1-405 that a Declaration of Taking was filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, Pennsylvania on September 16, 2002, to Docket No. 02-1437-CD by Lawrence Township, P.O. Box 508, George Street, Clearfield, PA 16830, by which property to which you are the owner(s) as known to the Authority has been condemned.

A true copy of the Declaration of Taking as filed is annexed hereto as Exhibit "A".

The property condemned is shown on a plat thereof annexed hereto as Exhibit "B".

You are further notified that if you wish to challenge the power or the right of Lawrence Township to appropriate the condemned property, the sufficiency of the security, the procedure followed by Lawrence Township or the Declaration of Taking, you are required to file preliminary objections within thirty (30) days after service of this Notice.

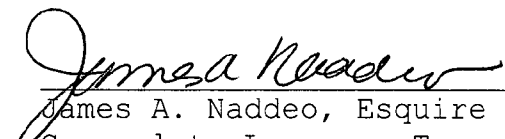
FILED

SEP 18 2002

01/30/2002 Shaw

William A. Shaw
Prothonotary

Shaw


James A. Naddeo, Esquire
Counsel to Lawrence Township

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

IN RE: CONDEMNATION BY *
LAWRENCE TOWNSHIP OF AN *
EASEMENT ON PROPERTY OWNED * No. 02 - - CD
BY THOMAS K. KELLY, SR., AND *
SUSAN K. KELLY, KNOWN AS *
CLEARFIELD COUNTY ASSESSMENT *
MAP NUMBERS 123-L8-684-48 *
AND 123-L8-694-1 *

DECLARATION OF TAKING

NOW COMES, Lawrence Township, Clearfield County, Pennsylvania, and files the following Declaration of Taking:

1. The Condemnor is Lawrence Township, a second class township with its offices at P.O. Box 508, George Street, Clearfield, Pennsylvania 16830.

2. This condemnation is authorized by Section 3401-3407 of the Second Class Township Code, 53 P.S. 68401-68407, as amended and supplemented.

3. This Declaration of Taking was authorized by resolution duly passed by Lawrence Township at a regular meeting held on September 3, 2002. The record thereof, including a copy of the Resolution, may be examined at the office of the Township at P.O. Box 508, George Street, Clearfield, Pennsylvania, 16830, during regular business hours.

EXHIBIT "A"

4. The purpose of this condemnation is to acquire an easement for the purposes of the Township's rehabilitation and extension of its sewer system and related facilities.

5. The property condemned are shown on plats thereof annexed to this Declaration of Taking as a part hereof, which property is identified by the following plat number, assessment number and owner(s) as known to the Township.

<u>Plat Number</u>	<u>Map Number</u>	<u>Owner(s)</u>
8GR-S	123-L8-684-48 & 123-L8-694-1	Thomas K. Kelly, Sr. & Susan K. Kelly

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 property described in Paragraph 5 hereof is a permanent, exclusive 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, under, across, upon and through the easement area as shown on the Plat, with the temporary right

during construction to use an additional area of the surface of the property also shown on the Plat to construct and install within the permanent easement area the facilities to be constructed with rights to do all things necessary, convenient and required to carry out the construction within the permanent easement area.

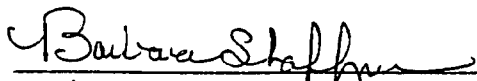
7. The construction plans of the Township showing the facilities to be constructed and installed as well as the condemned property may be inspected at the office of the Township at P.O. Box 508, George Street, Clearfield, PA 16830, during regular business hours.

8. Just compensation for this condemnation is secured by the Bond of the Township, 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:

LAWRENCE TOWNSHIP

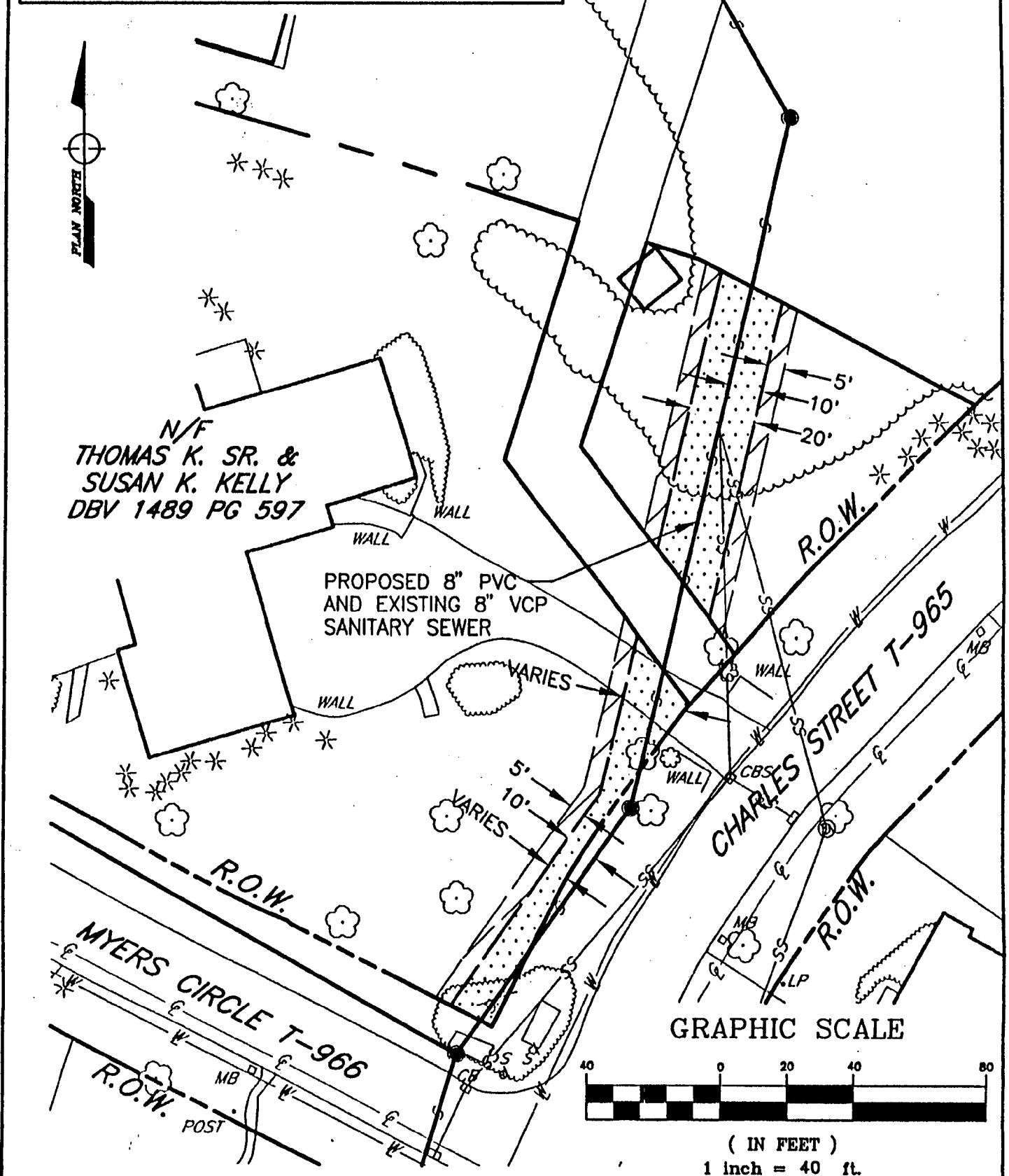
By:


Barbara Shaffner, Secretary


William D. Lawhead, Chairman

"Seal"

PROPOSED EASEMENT AREA = 3071± S.F.
TEMPORARY EASEMENT AREA = 1542± S.F.
EASEMENT LENGTH = 210± L.F.



LEGEND

- TEMPORARY EASEMENT
- UTILITY EASEMENT
- PROPOSED SANITARY SEWER AND MANHOLE
- PROPERTY LINE
- RIGHT-OF-WAY LINE

NOTES:

1. PROPERTY LINE LOCATIONS WERE COMPILED FROM DEEDS AND DO NOT REPRESENT AN ACTUAL FIELD SURVEY.
2. PERMANENT SANITARY SEWER EASEMENT TO BE 20'-0" WIDE UNLESS OTHERWISE NOTED.
3. TEMPORARY CONSTRUCTION EASEMENT TO BE 5'-0" WIDE UNLESS OTHERWISE NOTED.

STIFFLER, McGRAW & ASSOCIATES, INC.
Consulting Engineers & Surveyors
19 North Juniata Street
P.O. Box 482
Hollidaysburg, PA 16648
(814) 696-6280

DRAFT SHOWING
SANITARY SEWER EASEMENT
TO BE ACQUIRED BY
LAWRENCE TOWNSHIP SUPERVISORS
FROM
THOMAS K. SR. & SUSAN K. KELLY
SITUATE
LAWRENCE TOWNSHIP
CLEARFIELD COUNTY, PENNSYLVANIA

EXHIBIT "B"

SCALE:	1" = 40'
DATE:	5/3/01
PLAT NO.	8GR-5

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin