

03-771-CD  
SANDY TOWNSHIP vs. PATRICK H. MOWERY TRUST, et al.

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

2003-771-C0

CONDEMNATION BY THE : NO. \_\_\_\_\_ OF 2003 C.D.  
TOWNSHIP OF SANDY OF :  
LANDS OF PATRICK H. :  
MOWREY AND KIM E. MOWREY, :  
FORMERLY KNOWN AS KIM MOWREY :  
HOBBA, TRUSTEES OF THE PATRICK :  
H. MOWREY FAMILY TRUST; AND :  
KIM E. MOWREY AND PATRICK H. :  
MOWREY, TRUSTEES OF THE KIM :  
E. MOWREY FAMILY TRUST FOR THE :  
PURPOSES OF THE CONSTRUCTION :  
OF SANITARY SEWER IMPROVEMENTS :  
IN THE WEST LIBERTY AREA OF THE :  
TOWNSHIP OF SANDY FOR THE HEALTH :  
AND SAFETY OF ITS CITIZENS :  
: PROCEEDINGS IN REM

FILED

MAY 23 2003  
010:00 (w) po  
William A. Shaw 85-  
Prothonotary/Clerk of Courts

2 Cents To  
Sandy  
Twp.

**DECLARATION OF TAKING**

The TOWNSHIP OF SANDY, pursuant to the Pennsylvania Eminent Domain Code, as amended, 26 P.S. Sections 1-101, et. seq., ("Code"), and those Sections of the Second Class Township Code of the Commonwealth of Pennsylvania not repealed and not superseded by 26 P.S. Sections 1-101, et. seq., governing the procedure for the exercise of eminent domain, as amended, 53 P.S. Sections 65101, et. seq., hereby declares:

1. The Condemnor is the Township of Sandy, a Second Class Township situate in the Commonwealth of Pennsylvania, with address of PO Box 267, DuBois, PA (15801).
2. This condemnation is authorized by 26 P.S. Section 101, et. seq., and those Sections of the Second Class Township Code not repealed and not superseded by 26 P.S. Sections 1-101, et. seq., found at 53 P.S. Sections 65101, et. seq..
3. Pursuant to a Resolution of the Township of Sandy approved May 22, 2003, the Township of Sandy appropriates and condemns the parcels of Patrick H.

Mowrey and Kim E. Mowrey, formerly known as Kim Mowrey Hobba, Trustees of the Patrick H. Mowrey Family Trust; and Kim E. Mowrey and Patrick H. Mowrey, Trustees of the Kim E. Mowrey Family Trust. The record of the Resolution may be examined at the Office of the Secretary of the Township of Sandy, Municipal Building, PO Box 267, DuBois, PA (15801).

4. A brief description of the purpose of the condemnation is as follows – for purposes of the improvement of the sanitary sewer system in the West Liberty area of the Township of Sandy for the health and safety of its citizens.

5. The description of the properties condemned are as set forth on the attached Exhibits "A", "B", "C", "D", "E" and "F". These maps are also on this same day being lodged for record with the Notice of Condemnation in the Office of the Recorder of Deeds for Clearfield County, PA.

6. The nature of the title being acquired is easements and rights-of-way.

7. An inspection of the plan showing the condemned property may be conducted at the Office of the Secretary of the Township of Sandy, Municipal Building, PO Box 267, DuBois, PA (15801).

8. Just compensation will be secured through the power of taxation granted to the Township of Sandy by the State Legislature, which said power is sufficient to secure just compensation for the appropriation of the properties described herein.

**WHEREFORE**, the Township of Sandy declares the within premises condemned and appropriated for the public purposes mentioned.



Raymond Anderson, Chairman

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF JEFFERSON

On this the 22 day of May, 2003, before me, the undersigned officer, personally appeared RAYMOND ANDERSON, as Chairperson of the Board of Supervisors of Sandy Township, and that he has such Chairperson, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

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

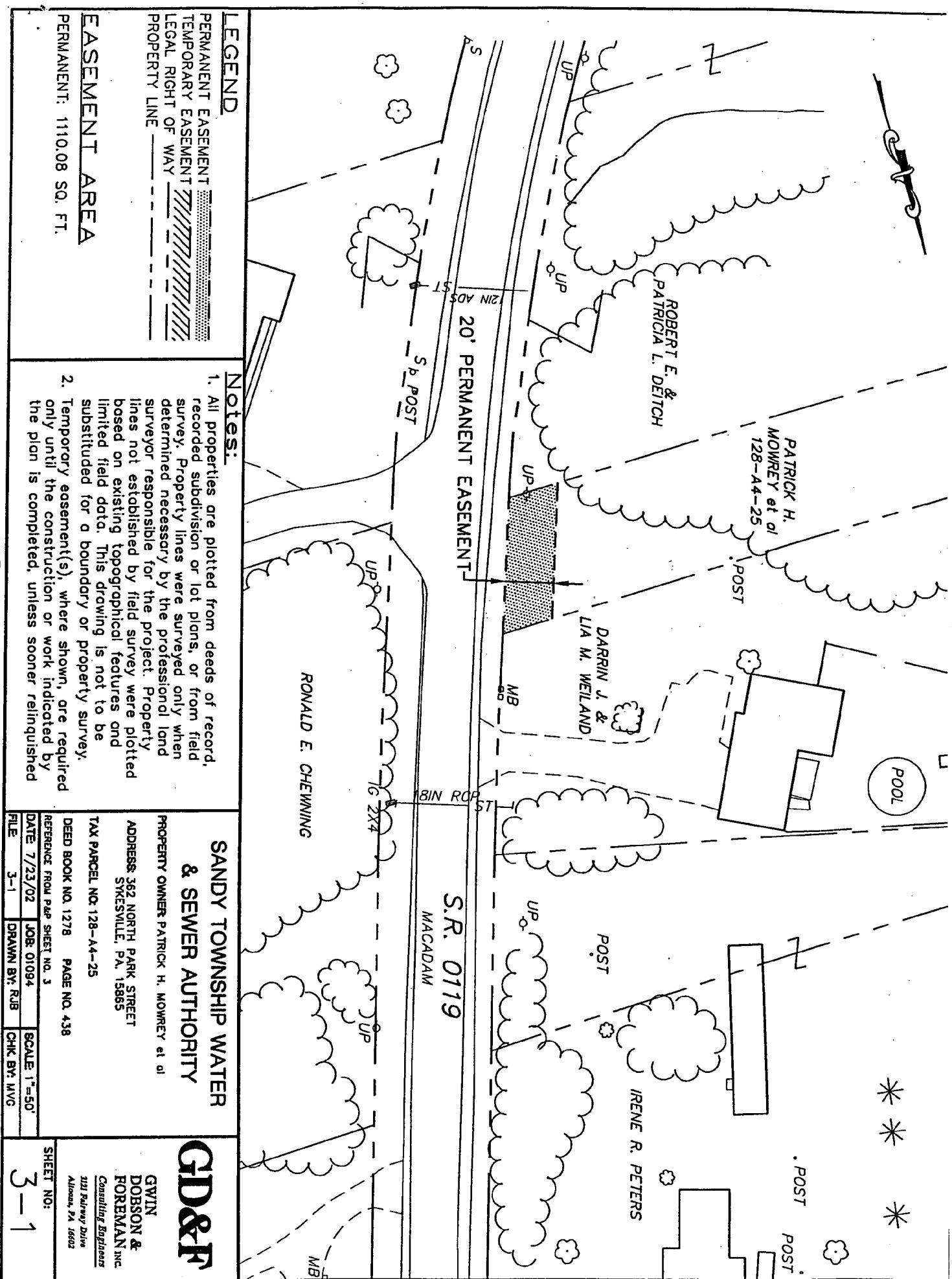
Shelly A. Reisinger  
Notary Public

Notarial Seal  
Shelly A. Reisinger, Notary Public  
Sandy Twp., Clearfield County  
My Commission Expires Mar. 28, 2005

Member, Pennsylvania Association of Notaries



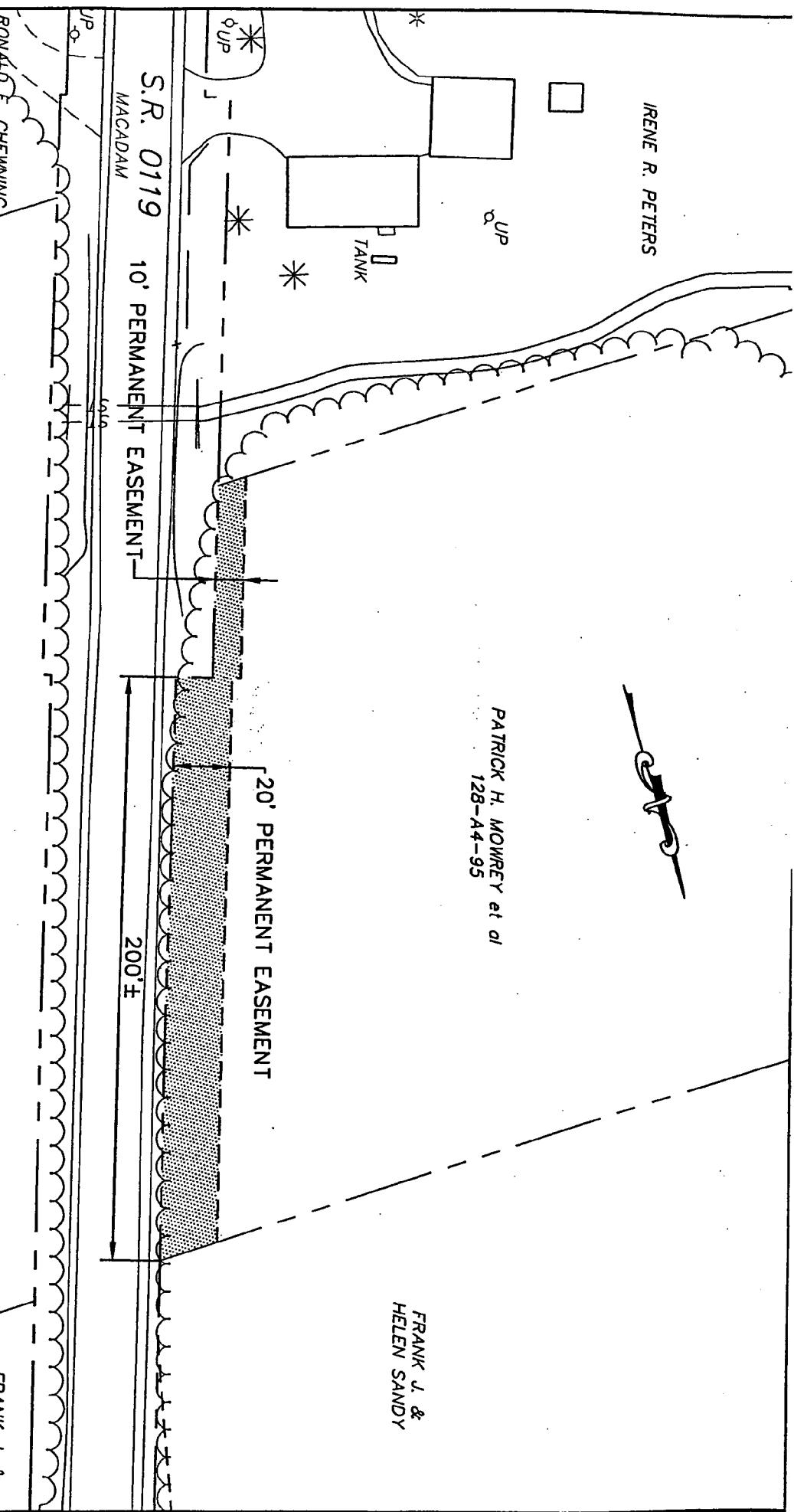


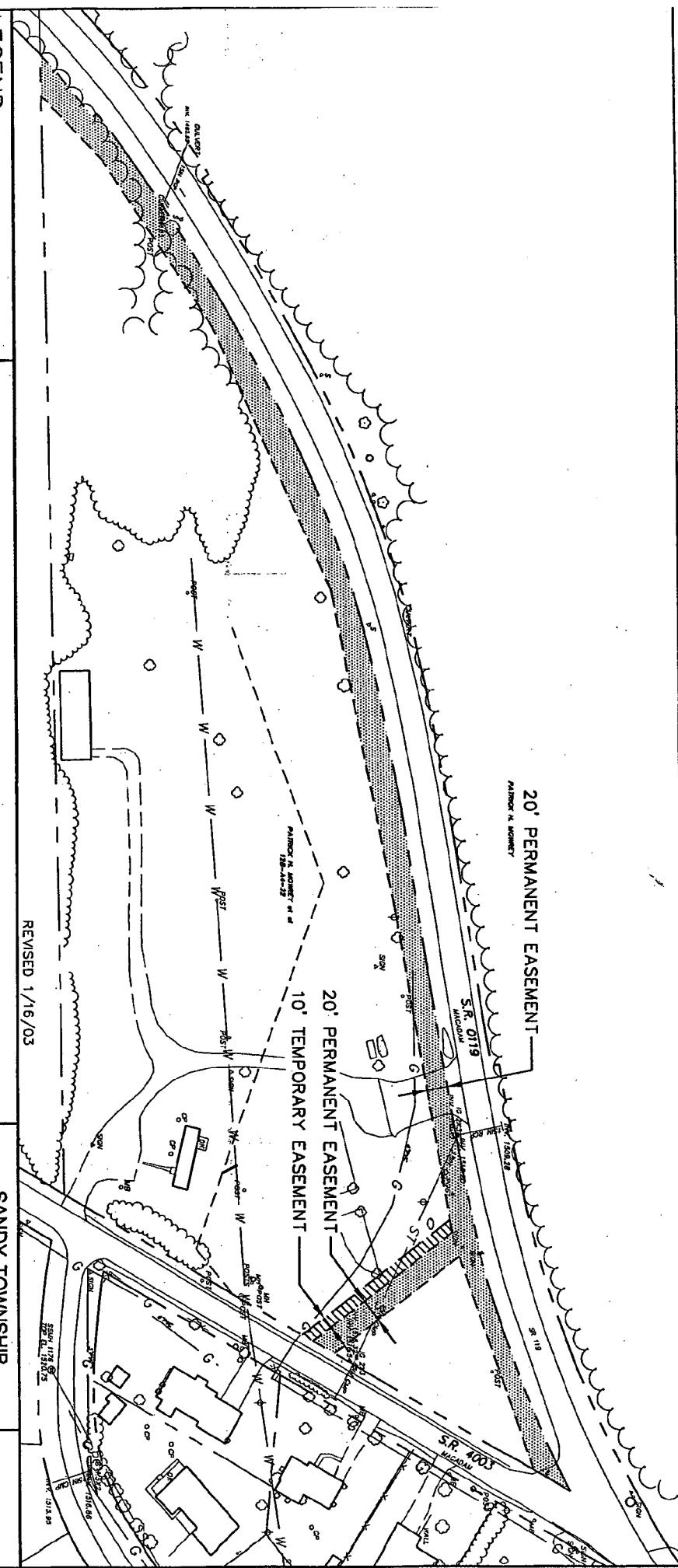


IRENE R. PETERS

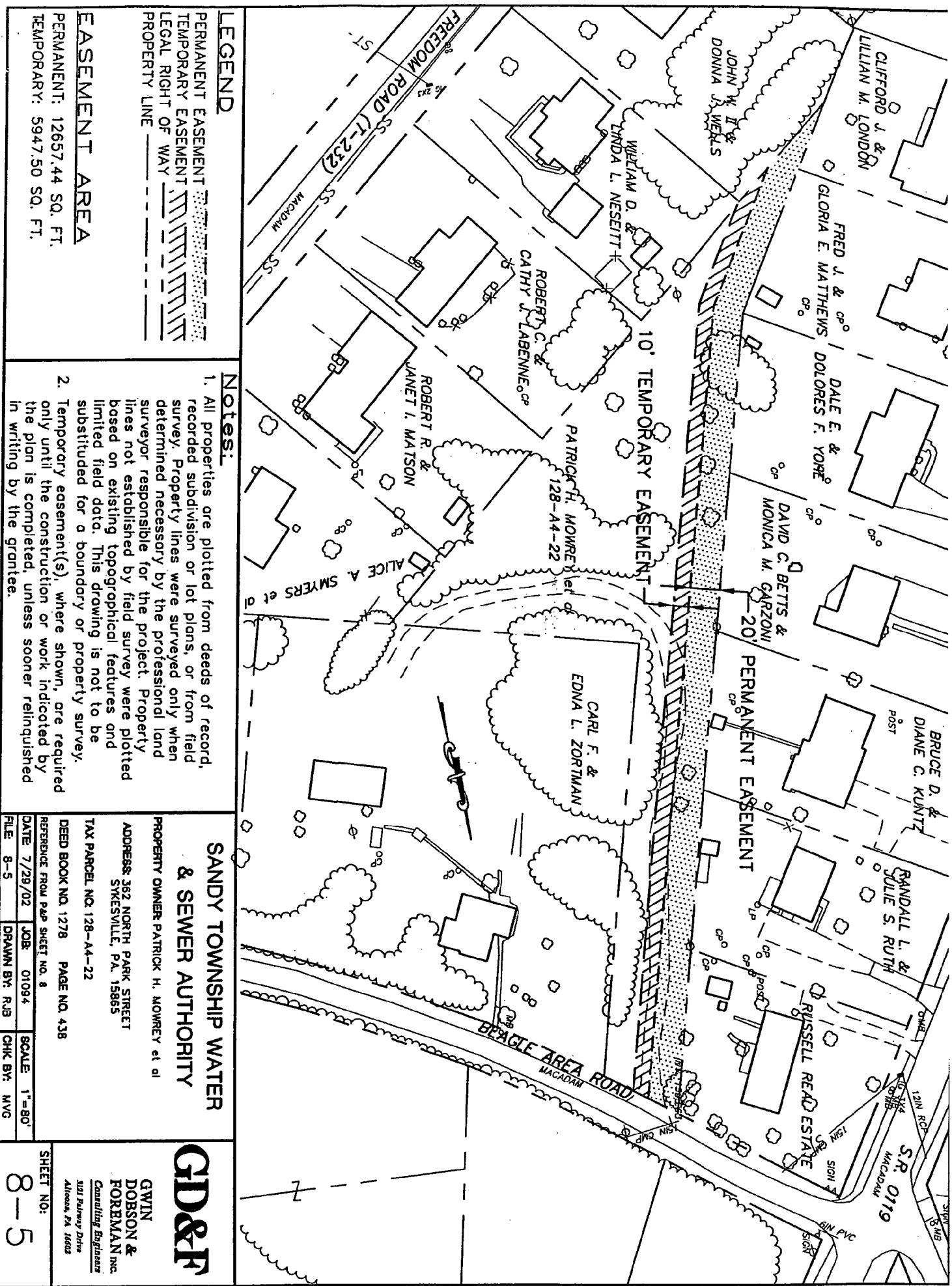
PATRICK H. MOWREY et al  
128-A4-95

FRANK J. &  
HELEN SANDY





<b>LEGEND</b>	
<b>PERMANENT EASEMENT</b>	
<b>TEMPORARY EASEMENT</b>	
<b>LEGAL RIGHT OF WAY</b>	
<b>PROPERTY LINE</b> — — — — —	
<b>EASEMENT AREA</b>	
<b>PERMANENT:</b> 2358.47 SQ. FT. <b>TEMPORARY:</b> 9056.17 SQ. FT.	
<b>BOARD OF SUPERVISORS</b>	
<b>PROPERTY OWNER:</b> PATRICK H. MONROY et al <b>ADDRESS:</b> 382 NORTH PARK STREET <b>SYKESVILLE, MD 21783</b>	
<b>TAX PARCEL NO:</b> 128-A4-22 <b>DEED BOOK NO:</b> 1278 <b>PAGE NO:</b> 438 <b>REFERENCE FROM PAP SHEET NO. 5</b>	
<b>DATE:</b> 7/24/02 <b>JOB:</b> 0194 <b>SCALE:</b> 1"=100' <b>FILE:</b> 5-1 <b>DRAWN BY:</b> RUB <b>CHK BY:</b> MVG	
<b>SHEET NO:</b>	
<b>5 — 1</b>	



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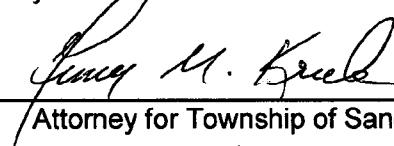
NO. 2003 - 771 - C.D.

**PRAECIPE**

TO WILLIAM SHAW, PROTHONOTARY OF SAID COURT:

Please mark the above-captioned matter as being "SETTLED, DISCONTINUED  
AND ENDED."

FERRARO & YOUNG  
Attorneys at Law

BY:   
\_\_\_\_\_  
Attorney for Township of Sandy

Dated: JUNE 3, 2003

**FILED**

JUN 03 2003

William A. Shaw  
Prothonotary

**FILED**

No CC

01:00-01  
JUN 03 2003

Cert. of ~~Se~~ Disc.

William A. Shaw  
Prothonotary

EK2 to Atty, copy to CIA

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

**Condemnation by the Township  
of Sandy of lands of Patrick H.  
Mowrey and Kim E. Mowrey,  
formerly known as Kim Mowrey Hobba,  
Trustees of the Patrick H. Mowrey Family  
Trust; and Kim E. Mowrey and Patrick H.  
Mowrey, trustees of the Kim E. Mowrey  
Family Trust for the purposes of the construction  
of sanitary sewer improvements in the West Liberty  
area of the Township of Sandy for the health and  
safety of its citizens**

**No. 2003-00771-CD**

**CERTIFICATE OF DISCONTINUATION**

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on June 3, 2003, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$85.00 have been paid in full by Sandy Township Supervisors.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 3rd day of June A.D. 2003.

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William A. Shaw, Prothonotary