

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

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

2003-771-CD

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. _____ OF 2003 C.D.

PROCEEDINGS IN REM

FILED

MAY 23 2003
0/10:00/way
William A. Shaw
Prothonotary/Clerk of Courts
2 CERT 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 seq., ("Code"), and those Sections of the Second Class Township Code of the Commonwealth of Pennsylvania not repealed and not superseded by 26 P.S. Sections 1-101, et.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 seq., and those Sections of the Second Class Township Code not repealed and not superseded by 26 P.S. Sections 1-101, et.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:

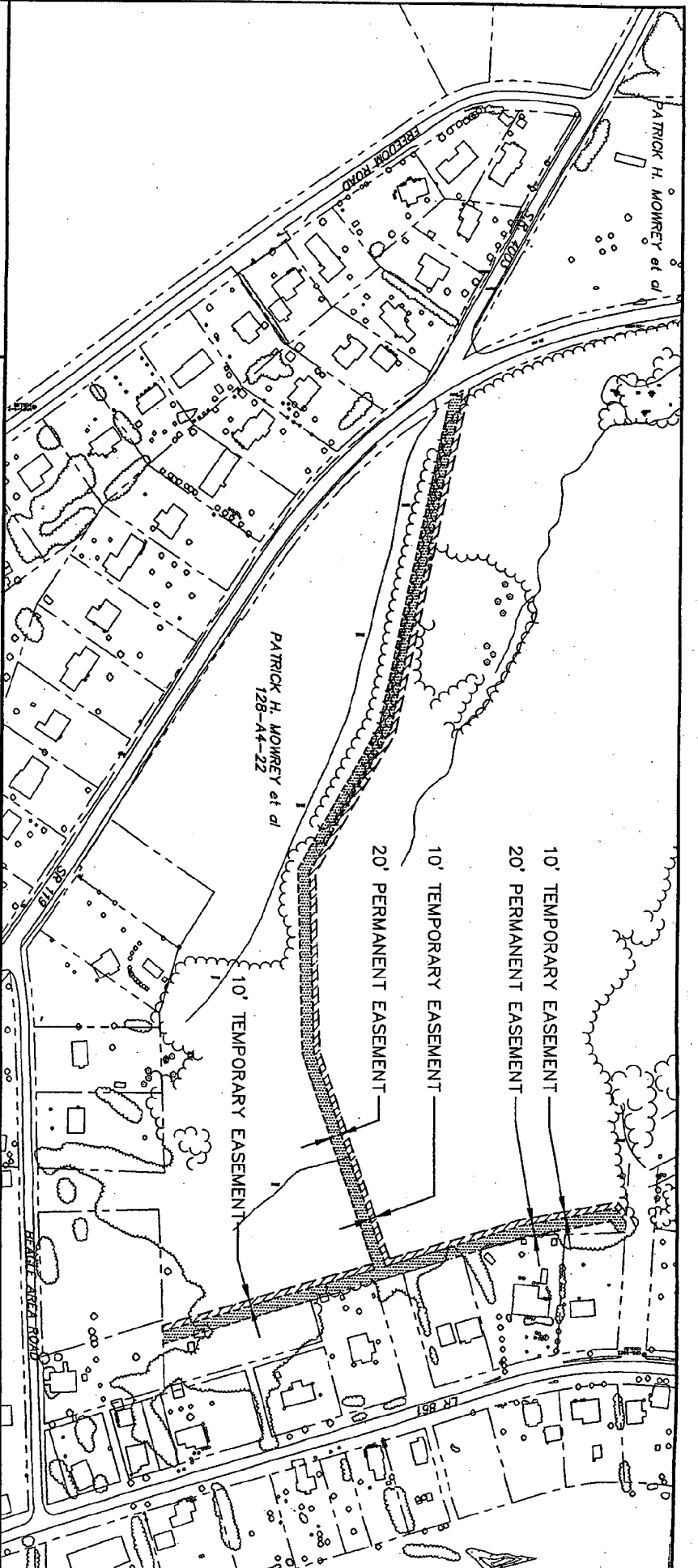
COUNTY OF JEFFERSON

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.


Notary Public

Notarial Seal
Shelly A. Reasinger, Notary Public
Sandy Twp., Clearfield County
My Commission Expires Mar. 28, 2005
Member, Pennsylvania Association of Notaries



LEGEND

PERMANENT EASEMENT
 TEMPORARY EASEMENT
 LEGAL RIGHT OF WAY
 PROPERTY LINE

EASEMENT AREA

PERMANENT: 47764.95 SQ. FT.
 TEMPORARY: 23533.07 SQ. FT.

1. All properties are plotted from deeds of record, recorded subdivision or lot plans, or from field survey. Property lines were surveyed only when determined necessary by the professional land surveyor responsible for the project. Property lines not established by field survey were plotted based on existing topographical features and limited field data. This drawing is not to be substituted for a boundary or property survey.
2. Temporary easement(s), where shown, are required only until the construction or work indicated by the plan is completed, unless sooner relinquished in writing by the grantee.

SANDY TOWNSHIP

BOARD OF SUPERVISORS

PROPERTY OWNER: PATRICK H. MOWREY et al

ADDRESS: 382 NORTH PARK STREET
 STYVESVILLE, PA. 15865

TAX PARCEL NO. 128-44-22

DEED BOOK NO. 1278 PAGE NO. 438

REFERENCE FROM PAP SHEET NO. 31

DATE 4/17/03 JOB 01094 SCALE 1"=200'

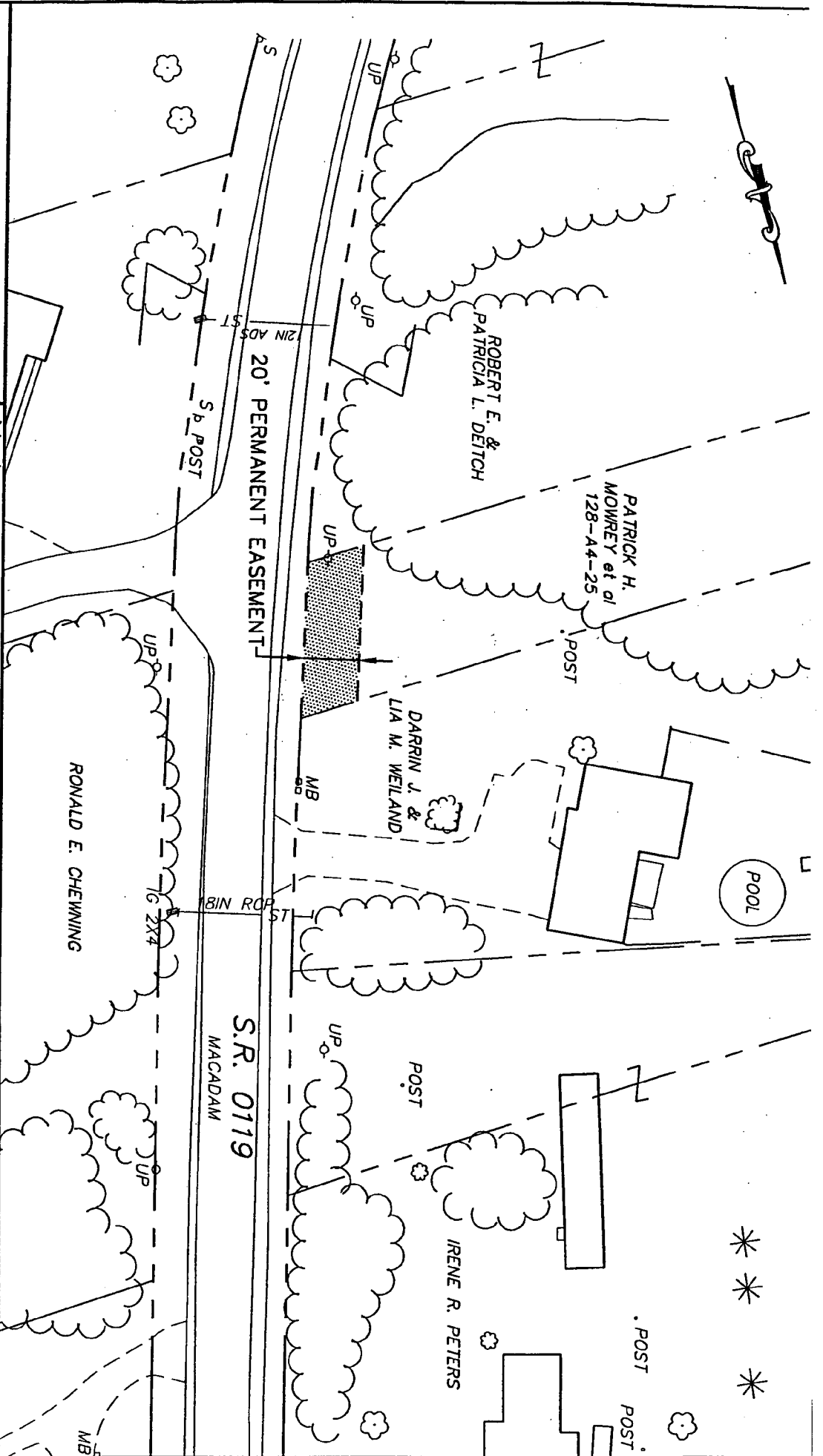
FILE 31-1 DRAWN BY: AUL CHK BY: MVO

GWIN
 DOBSON &
 FOREMAN INC.
 Consulting Engineers
 3022 Murray Drive
 Altoona, PA 16602


SHEET NO:

31-1

EXHIBIT 'D'



LEGEND

PERMANENT EASEMENT 
 TEMPORARY EASEMENT 
 LEGAL RIGHT OF WAY 
 PROPERTY LINE 

EASEMENT AREA

PERMANENT: 1110.08 SQ. FT.

Notes:

1. All properties are plotted from deeds of record, recorded subdivision or lot plans, or from field survey. Property lines were surveyed only when determined necessary by the professional land surveyor responsible for the project. Property lines not established by field survey were plotted based on existing topographical features and limited field data. This drawing is not to be substituted for a boundary or property survey.
2. Temporary easement(s), where shown, are required only until the construction or work indicated by the plan is completed, unless sooner relinquished

SANDY TOWNSHIP WATER & SEWER AUTHORITY

PROPERTY OWNER: PATRICK H. MOWREY et al

ADDRESS: 362 NORTH PARK STREET
 SKESVILLE, PA. 15865

TAX PARCEL NO: 128-A4-25

DEED BOOK NO. 1278 PAGE NO. 438

REFERENCE FROM P&P SHEET NO. 3

DATE: 7/23/02 JOB: 01094

FILE: 3-1 DRAWN BY: RUB SCALE: 1"=50' CHK BY: MVG

GD&F

GWIN
 DOBSON &
 FOREMAN INC
 Consulting Engineers
 3111 Parkway Drive
 Allentown, PA 18602

SHEET NO:

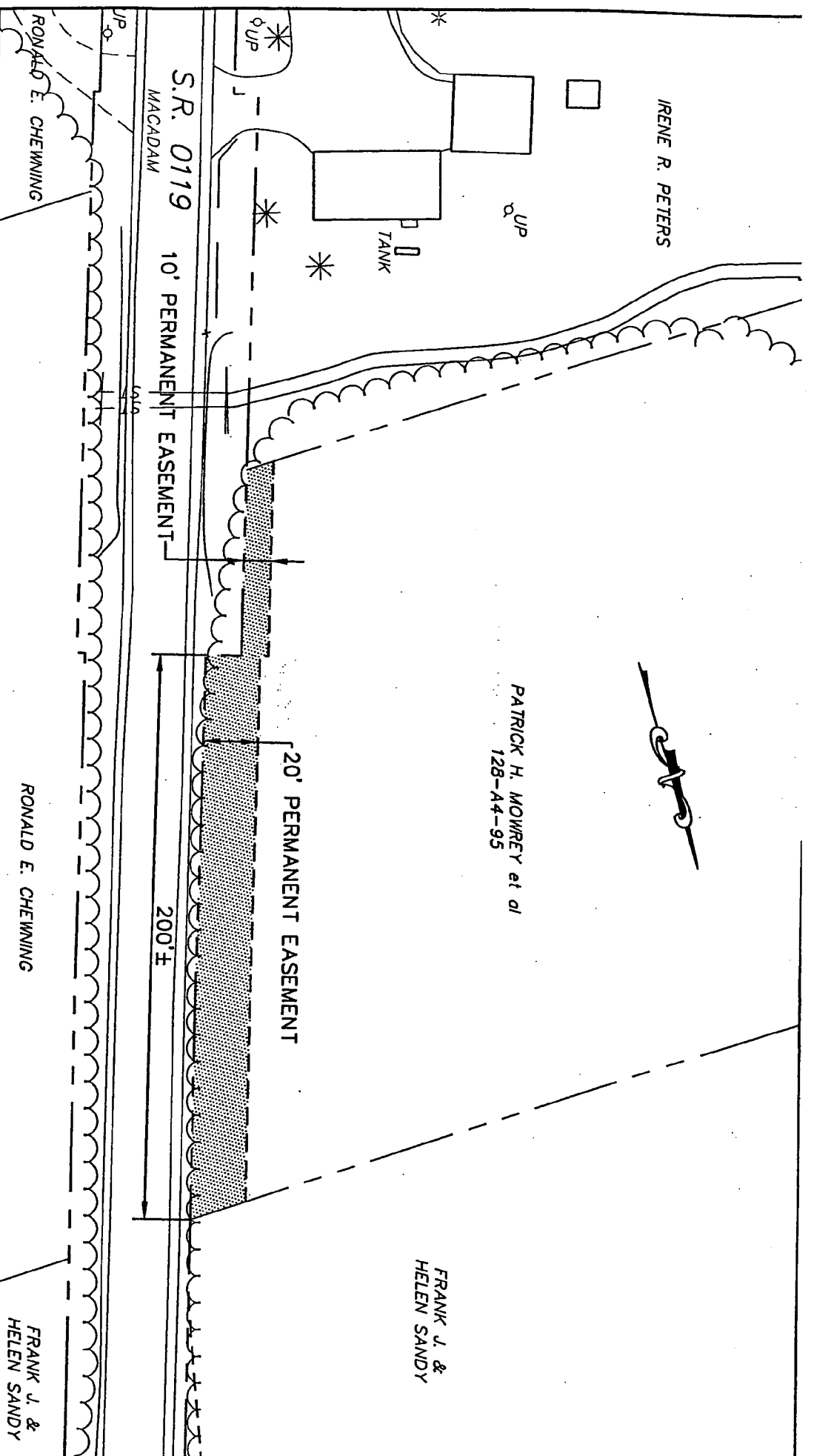
3-1

EXHIBIT 'C'

IRENE R. PETERS

PATRICK H. MOWREY et al
128-A4-95

FRANK J. &
HELEN SANDY



LEGEND

PERMANENT EASEMENT
TEMPORARY EASEMENT
LEGAL RIGHT OF WAY
PROPERTY LINE

EASEMENT AREA

PERMANENT: 4617.99 SQ. FT.

NOTES:

1. All properties are plotted from deeds of record, recorded subdivision or lot plans, or from field survey. Property lines were surveyed only when determined necessary by the professional land surveyor responsible for the project. Property lines not established by field survey were plotted based on existing topographical features and limited field data. This drawing is not to be substituted for a boundary or property survey.
2. Temporary easement(s), where shown, are required only until the construction or work indicated by the plan is completed, unless sooner relinquished in writing by the grantee.

SANDY TOWNSHIP WATER & SEWER AUTHORITY

PROPERTY OWNER: PATRICK H. MOWREY et al

ADDRESS: 362 NORTH PARK STREET
SYKESTOWN, PA. 15885

TAX PARCEL NO: 128-A4-95

DEED BOOK NO. 1986 PAGE NO. 322

REFERENCE FROM PAD SHEET NO. 3

DATE: 7/24/02 JOB: 01094

FILE: 3-4

DRAWN BY: RJB

SCALE: 1"=50'

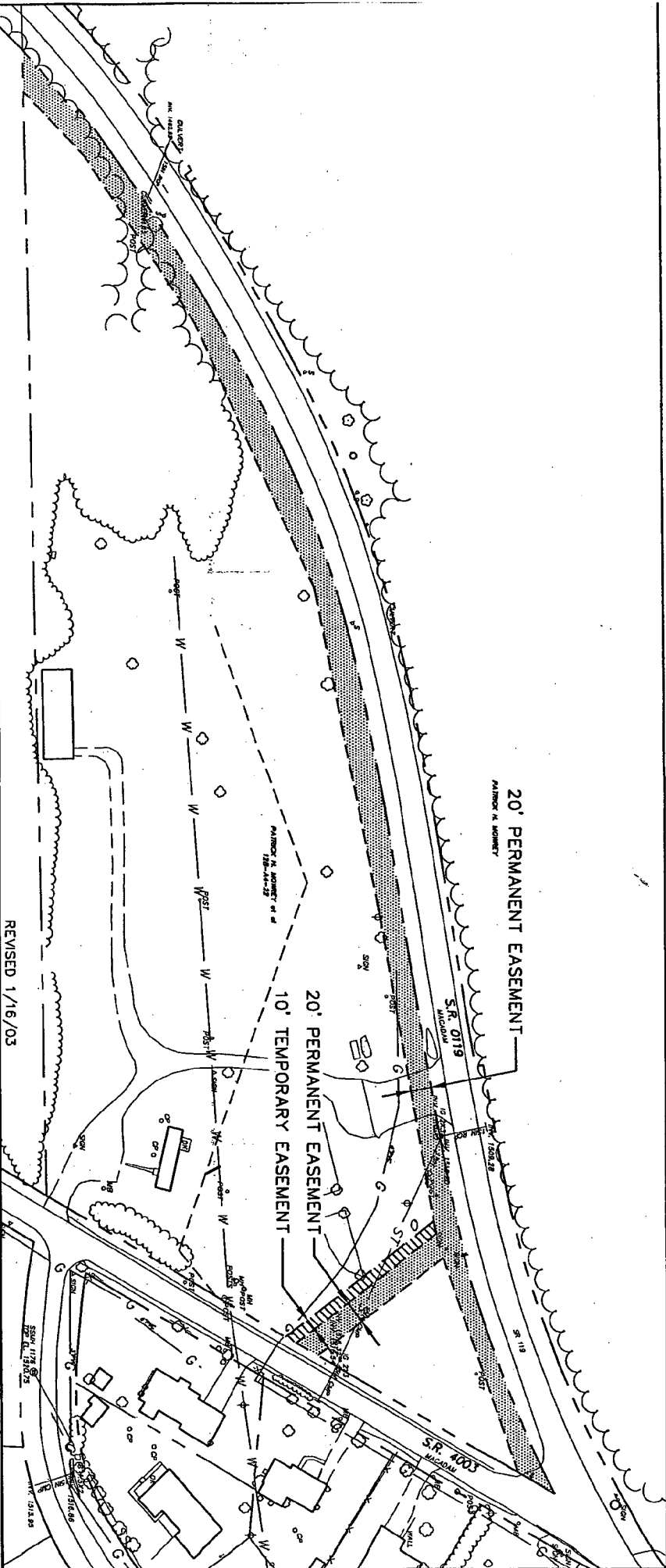
CHK BY: MYG

GD&F

GWIN
DOBSON &
FOREMAN INC.
Consulting Engineers
3121 Railway Drive
Allentown, PA 18603

SHEET NO:

3-4



LEGEND

PERMANENT EASEMENT
TEMPORARY EASEMENT
LEGAL RIGHT OF WAY
PROPERTY LINE

EASEMENT AREA

PERMANENT: 23584.70 SQ. FT.
TEMPORARY: 9056.17 SQ. FT.

1. All properties are plotted from deeds of record, recorded subdivision or lot plans, or from field survey. Property lines were surveyed only when determined necessary by the professional land surveyor responsible for the project. Property lines not established by field survey were plotted based on existing topographical features and limited field data. This drawing is not to be substituted for a boundary or property survey.
2. Temporary easement(s), where shown, are required only until the construction or work indicated by the plan is completed, unless sooner relinquished in writing by the grantee.

REVISED 1/16/03

SANDY TOWNSHIP
BOARD OF SUPERVISORS

PROPERTY OWNER: PATRICK H. MONREY et al

ADDRESS: 302 NORTH PARK STREET
STIKESVILLE, PA 15855

TAX PARCEL NO: 128-A4-22

DEED BOOK NO: 1278 PAGE NO: 438

REFERENCE FROM PAR. SHEET NO. 5
DATE: 7/24/02 JOB: 01094 SCALE: 1"=100'

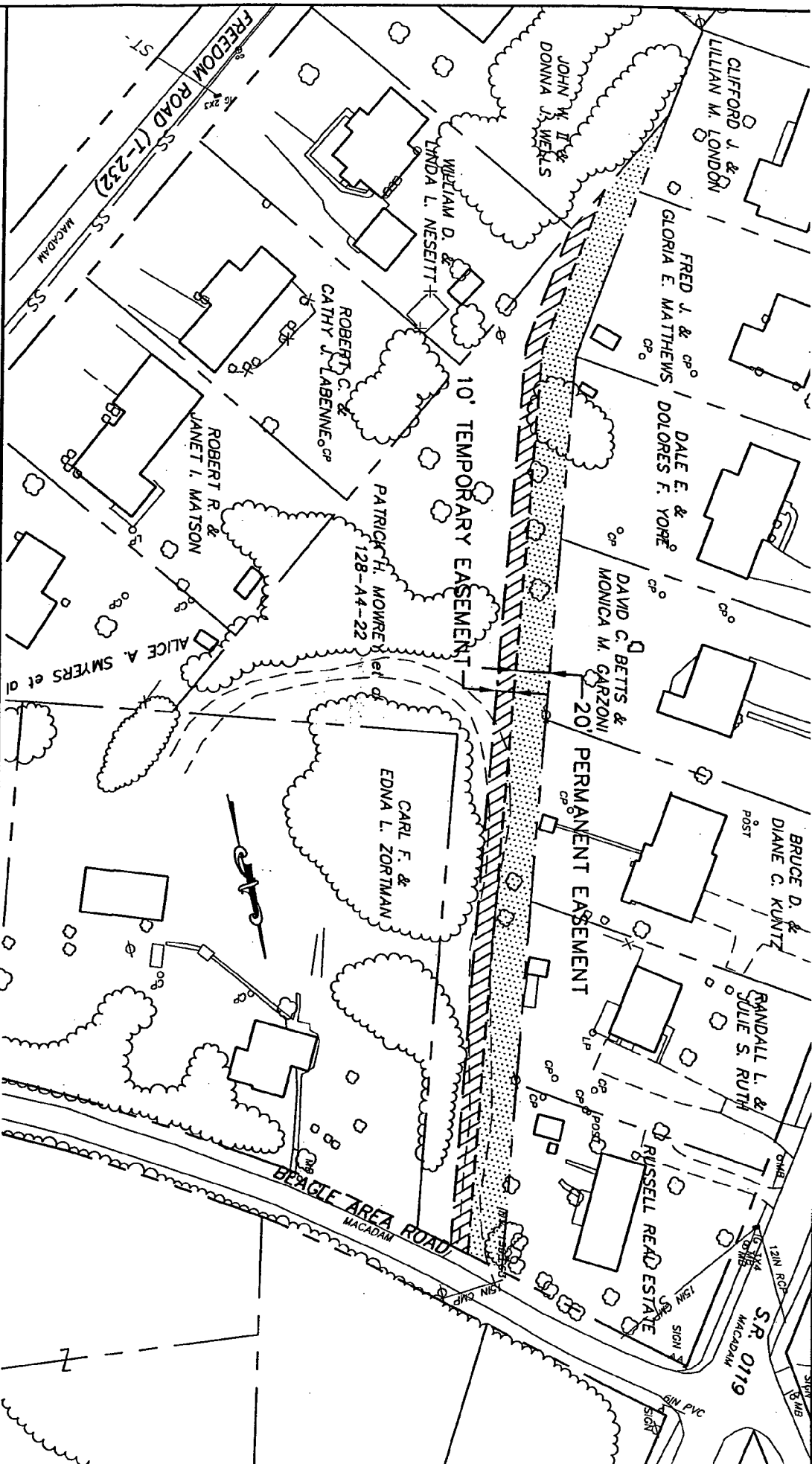
FILE: 5-1 DRAWN BY: RJB CHK BY: MWC

CD&F





GWIN
DOBSON &
FOREMAN INC
Consulting Engineers
301 Railway Drive
Allentown, PA 18601

SHEET NO:

5-1



LEGEND

PERMANENT EASEMENT 
 TEMPORARY EASEMENT 
 LEGAL RIGHT OF WAY 
 PROPERTY LINE 

EASEMENT AREA

PERMANENT: 12657.44 SQ. FT.
 TEMPORARY: 5947.50 SQ. FT.

Notes:

1. All properties are plotted from deeds of record, recorded subdivision or lot plans, or from field survey. Property lines were surveyed only when determined necessary by the professional land surveyor responsible for the project. Property lines not established by field survey were plotted based on existing topographical features and limited field data. This drawing is not to be substituted for a boundary or property survey.
2. Temporary easement(s), where shown, are required only until the construction or work indicated by the plan is completed, unless sooner relinquished in writing by the grantee.

SANDY TOWNSHIP WATER & SEWER AUTHORITY

PROPERTY OWNER: PATRICK H. MOWREY et al

ADDRESS: 352 NORTH PARK STREET
 SYKESVILLE, PA. 15865

TAX PARCEL NO: 128-A4-22

DEED BOOK NO: 1278 PAGE NO: 438

REFERENCE FROM P&P SHEET NO. 8

FILE: 8-5	DATE: 7/28/02	JOB: 01094	SCALE: 1"=80'
DRAWN BY: RJB	CHK BY: MYG		

GD&F

GWYN
 DOBSON &
 FOREMAN INC.
Consulting Engineers
 3121 Fairway Drive
 Allentown, PA 16603

SHEET NO:

8-5

EXHIBIT "F"

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
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 - 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:

James M. Brub
Attorney for Township of Sandy

Dated: JUNE 3, 2003

FILED

JUN 03 2003

William A. Shaw
Prothonotary

FILED

No CC

g/1:00-81
JUN 03 2003

Cert. of disc.

to Atty, copy to CIA

William A. Shaw
Prothonotary

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.

William A. Shaw, Prothonotary