

**In re: Sandy Twp et al
2006-1055-CD**

**06-1055-CD
In Re: Sandy Twp. Moravian Drive**

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Re: Sandy Township
Resolution 12-2006
Re: Moravian Drive

~~(Plaintiff)~~

(Street Address)

(City, State ZIP)

VS.

(Defendant)

(Street Address)

(City, State ZIP)

CIVIL ACTION

No. 2006-1055-CD

Type of Case: Road Docket

Type of Pleading: Resolution

Filed on Behalf of:

Sandy Township Board of Supervisors
~~(Plaintiff/Defendant)~~

FILED

JUN 30 2006

0/11:30

William A. Shaw
Prothonotary/Clerk of Courts

COVEN SHEET IN
ROAD DOCKET
FILE

Perry L. Bowser
(Filed by)

P.O. Box 267 DuBois, PA 15801
(Address)

(814) 371-4220
(Phone)

Perry L. Bowser
(Signature)

SANDY TOWNSHIP RESOLUTION NO. 12-2006

A RESOLUTION OF THE TOWNSHIP OF SANDY ACCEPTING AS AND FOR THE PURPOSES OF A PUBLIC STREET OR HIGHWAY, AND FOR PURPOSES OF SEWER, WATER AND OTHER UTILITY INSTALLATIONS, CERTAIN DEEDS OF DEDICATION AS SET FORTH IN THIS RESOLUTION.

WHEREAS, the Township of Sandy has received two Deeds of Dedication in the Schall Development of Sandy Township, from Frank S. Schall and Julianne Schall, Raymond E. Schall and Margaret S. Schall, and Schall Land Company, for certain parcels more fully identified as Moravian Drive and Fallen Timber Drive; and

WHEREAS, the Township of Sandy has received a Quit Claim Deed of Dedication from D&R Land Development Company, LP, a Pennsylvania Limited Partnership, for Fallen Timber Drive and for Moravian Drive, said Drives being located in the Sylvan Heights Development of Sandy Township, Clearfield County, Pennsylvania; and

WHEREAS, the Township of Sandy desires to accept the land dedicated by said Deeds to the Township to be used as a road, street, avenue and/or highway and for purposes of sewer, water and other utility installations; and

WHEREAS, the Second Class Township Code of the Commonwealth of Pennsylvania authorizes the Board of Supervisors by Resolution to accept any land dedicated by Deed to the Township to be so used.

THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Township of Sandy at a regular meeting of the Board of Supervisors of the Township of Sandy, duly advertised, as follows:

Section I. The Township of Sandy does hereby officially accept as a road, street, avenue and/or highway, and for purposes of sewer, water and other utility installations, the following described land as set forth in the following Deeds of Dedication:

- (a) Deed of Dedication from Frank S. Schall and Julianne Schall, Raymond E. Schall and Margaret S. Schall and Schall Land Company to the Township of Sandy dated November 27, 2000 for a parcel known as Moravian Drive; and**
- (b) Deed of Dedication from Frank S. Schall and Julianne Schall, Raymond E. Schall and Margaret S. Schall and Schall Land Company to the Township of Sandy dated December 27, 2000 for a parcel known as Fallen Timber Drive; and**

(c) Deed of Dedication from D&R Land Development Company, LP, a Pennsylvania Limited Partnership, dated March 22, 2006.

Section II. The lengths and widths of the parcels described in the Deeds of Dedication are set forth in the attached Exhibit "A".

Section III. The Chairman of the Board of Supervisors and the Secretary of Sandy Township are hereby authorized to sign this Resolution and to have a certified copy of it filed with the Clerk of the Court of Common Pleas of Clearfield County, PA, and upon the filing of the same the said described parcels shall become a part of the public road system of the Township of Sandy.

Section IV. Effective Date – This Resolution is effective upon its signing by the Chairman of the Board of Supervisors and the Secretary of the Township of Sandy or the earliest date authorized by the Second Class Township Code whichever is sooner.

IN WITNESS WHEREOF, the proper officials of the Township of Sandy have executed this Resolution at a regular meeting of the Township of Sandy this 19th day of June, 2006.

ATTEST:

Barbara D. Hopkins
Secretary

**SANDY TOWNSHIP
BOARD OF SUPERVISORS:**

BY:

Chairman

DEED OF DEDICATION

QUITCLAIM DEED

THIS QUITCLAIM DEED, dated the 22nd day of March, 2006, by and between ***D & R LAND DEVELOPMENT COMPANY, LP, a Pennsylvania limited partnership***, whose address is Oklahoma-Salem Road, P.O. Box 527A, DuBois, Pennsylvania 15801, hereafter known as Grantor,

AND

THE TOWNSHIP OF SANDY, a municipal subdivision of the Commonwealth of Pennsylvania, whose address is P.O. Box 967, DuBois, Pennsylvania 15801, hereafter known as Grantee,

WITNESSETH, that in consideration of the sum of ONE DOLLAR (\$1.00), the receipt whereof is hereby acknowledged, and the advantage to them accruing as well as for the numerous other considerations affecting the public welfare which they seek to advance, the Grantor does hereby remise, release and quitclaim unto the said Grantee forever, all of Grantor's right, title and interest in and to the following described parcels of land, and improvements and appurtenances thereto in the County of Clearfield, Commonwealth of Pennsylvania, to wit:

ALL those certain lots or parcels of ground known as Fallen Timber Drive and Moravian Drive, situate, lying and being in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows to wit:

THE FIRST THEREOF: (FALLEN TIMBER DRIVE - VARIABLE R/W)

All that certain piece, parcel or tract of land lying and being situate in Sandy Township (Sylvan Heights Development), Clearfield County, Pennsylvania, bounded and described as follows to wit:

BEGINNING at a rebar set on the southern Right-of-Way for William Penn Avenue (50' R/W) and being at the western right-of-way intersection of Fallen Timber Road with William Penn Avenue, and being on the North line of Lot Number 33 in the Sylvan Heights Subdivision as shown on the attached survey map.

THENCE North 82 degrees 31 Minutes 07 seconds East along the southern Right-of-Way for William Penn Avenue (50' R/W) a distance of 120.44 feet to a point;

THENCE along Lot Number 34 in the Sylvan Heights Subdivision by a curve to the left, said curve having a radius of 35.00 feet and an arc length of 52.55 feet, said arc having a chord bearing of South 39 degrees 40 minutes 34 seconds West a chord distance of 47.75 feet to a point;

THENCE; along Lot Number 34, 61 & 62 of the Sylvan Heights Subdivision by a curve to the right, said curve having a radius of 325.00 feet and an arc length of 199.01 feet, said arc having a chord bearing of S 14 degrees 02 minutes 32 seconds W a chord distance of 195.91 feet to a point,

THENCE; S 56 degrees 37 minutes 49 seconds E along Lot Number 61 of the Sylvan Heights Subdivision a distance of 20.01 feet to a point,

THENCE; along Lot Number 62 in the Sylvan Heights Subdivision and through the Right-of-way for Moravian Drive (50' R/W), by a curve to the right, said curve having a radius of 345.00 feet and an arc length of 166.43 feet, said arc having a chord bearing of S 45 degrees 30 minutes 32 seconds W a chord distance of 164.83 feet to a point on the southern Right-of-Way for Moravian Drive (50' R/W),

THENCE; along Lot Number 63 in the Sylvan Heights Subdivision by a curve to the left, said curve having a radius of 25.00 feet and an arc length of 33.36 feet, said arc having a chord bearing of N 78 degrees 24 minutes 22 seconds W a chord distance of 30.94 feet to a point,

THENCE; along Lot Number 63 & 64 in the Sylvan Heights Subdivision by a curve to the right, said curve having a radius of 325.00 feet and an arc length of 108.62, said arc having a chord bearing of South 72 degrees, 56 minutes, 37 seconds West, a chord distance of 108.12 feet to a point;

THENCE; S 82 degrees 31 minutes 07 seconds W along Lot Number 64 & 65 in the Sylvan Heights Subdivision a distance of 120.00 feet to a point,

THENCE; along Lot Number 65, 66, 67, & 68 in the Sylvan Heights Subdivision by a curve to the right, said curve having a radius of 385.00 feet and an arc length of 325.94 feet, said arc having a chord bearing of N 73 degrees 13 minutes 40 seconds W a chord distance of 316.30 feet to a point,

THENCE; N 48 degrees 58 minutes 47 seconds W along Lot Number 69 & 69 a distance of 193.21 feet to a point,

THENCE; N 72 degrees 38 minutes 55 seconds W along Lot Number 69 in the Sylvan Heights Subdivision a distance of 229.84 feet to a point, the northwest corner of Lot Number 69 in said plan of lots,

THENCE; N 15 degrees 50 minutes 21 seconds E along lands now or formerly D & R Development Company, L.P. (Instrument Number 200318013) a distance of 97.66 feet to a point, the southwest corner of Lot Number 70 in the Sylvan Heights Subdivision,

EXHIBIT "A"

THENCE; along Lot Number 70 in the Sylvan Heights Subdivision by a curve to the right, said curve having a radius of 50.00 feet and an arc length of 99.74 feet, said arc having a chord bearing of S 77 degrees 13 minutes 40 seconds E a chord distance of 84.01 feet to a point,

THENCE; along Lot Number 70 in the Sylvan Heights Subdivision by a curve to the left, said curve having a radius of 25.00 feet and an arc length of 23.60 feet, said arc having a chord bearing of S 47 degrees 05 minutes 52 seconds E a chord distance of 22.73 feet to a point,

THENCE; S 74 degrees 14 minutes 57 seconds E along Lot Number 70 in the Sylvan Heights Subdivision a distance of 2.28 feet to a point,

THENCE; along Lot Number 70 in the Sylvan Heights Subdivision by a curve to the right, said curve having a radius of 269.00 feet and an arc length of 105.13 feet, said arc having a chord bearing of S 62 degrees 57 minutes 17 seconds E a chord distance of 104.46 feet to a point,

THENCE; S 51 degrees 45 minutes 04 seconds E along Lot Number 70 a distance of 75.98 feet to a point, the common corner of Lots 70 & 71 in the Sylvan Heights Subdivision,

THENCE; S 48 degrees 58 minutes 47 seconds E along Lot Number 71 & 72 in the Sylvan Heights Subdivision a distance of 169.36 feet to a point,

THENCE; along Lot Number 72, 73, & 74 by a curve to the left, said curve having a radius of 320.00 feet and an arc length of 270.79 feet, said arc having a chord bearing of S 73 degrees 14 minutes 21 seconds E a chord distance of 262.78 feet to a point,

THENCE; N 82 degrees 31 minutes 07 seconds E along Lot Number 74 & 75 in the Sylvan Heights Subdivision a distance of 115.55 feet to a point,

THENCE; along Lot Number 75 & 33 by a curve to the left, said curve having a radius of 260.00 feet and an arc length of 227.78 feet, said arc having a chord bearing of N 58 degrees 23 minutes 38 seconds E a chord distance of 220.57 feet to a point,

THENCE; S 56 degrees 41 minutes 37 seconds E along Lot Number 33 in the Sylvan Heights Subdivision a distance of 15.00 feet to a point,

EXHIBIT "A"

THENCE along Lot Number 33 in the Sylvan Heights Subdivision by a curve to the left, said curve having a radius of 275.00 feet and an arc length of 167.07 feet, said arc having a chord bearing of North 15 degrees 54 minutes 06 seconds East a chord distance of 164.51 feet to a point;

THENCE along Lot Number 33 in the Sylvan Heights Subdivision by a curve to the left, said curve having a radius of 35.00 feet and an arc length of 58.63 feet, said arc having a chord bearing of North 49 degrees 29 minutes 32 seconds West, a chord distance of 52.01 feet to the place of beginning.

CONTAINING 94,766 square feet or 2.176 Acres.

To have and to hold, the said lot or piece of ground above-described unto the said grantee, to and for the only proper use and behoof of said grantee, its successors and assigns forever, as and for a public street or highway and for purposes of sewer, water and other utility installations, and for no other use or purpose whatsoever and to the same extent and with the same effect as if the said street had been opened by a decree of the Court of Common Pleas of Clearfield County, after proceeding duly had for that purpose under and pursuant to the laws of the Commonwealth of Pennsylvania.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights-of-way, reservations, restrictions and limitations shown or contained in prior instruments of record and as recorded.
2. All coal, mining, mineral, oil and gas rights of every kind and nature.

BEING the same premises as surveyed and drawn by Alexander & Associates, Inc., Falls Creek, PA 15840. Said survey plat is under the date of November 11, 2005, is referenced as JN2768-05, and is intended to be recorded in the Clearfield County Courthouse for a more particular description

EXHIBIT "A"

THE SECOND THEREOF: MORAVIAN DRIVE (50' R/W)

ALL that certain piece, parcel or tract of land lying and being situate in Sandy Township (Sylvan Heights Development), Clearfield County, Pennsylvania, bounded and described as follows to wit:

Beginning at a point on the eastern Right-of-Way for Fallen Timber Drive (Variable' R/W), said point being the southwest corner of Lot Number 62 in the Sylvan Heights Subdivision,

THENCE; S 33 degrees 12 minutes 00 seconds E along Lot Number 62 in the Sylvan Heights Subdivision a distance of 52.18 feet to a point,

THENCE; along Lot Number 62 & 76 in the Sylvan Heights Subdivision by a curve to the left, said curve having a radius of 300.00 feet and an arc length of 212.22 feet, said arc having a chord bearing of S 53 degrees 27 minutes 56 seconds E a chord distance of 207.82 feet to a point,

THENCE; S 73 degrees 43 minutes 53 seconds E along Lot Number 76, 77, & 78 in the Sylvan Heights Subdivision a distance of 203.56 feet to a point,

THENCE; along Lot Number 78 by a curve to the left, said arc having a radius of 15.00 feet and an arc length of 13.62 feet, said arc having a chord bearing of N 80 degrees 15 minutes 30 seconds E a chord distance of 13.16 feet to a point,

THENCE; along Lot Number 78, 79, 80, 81, & 82 in the Sylvan Heights Subdivision by a curve to the right, said curve having a radius of 50.00 feet and an arc length of 247.87 feet, said arc having a chord bearing of S 16 degrees 16 minutes 06 seconds W a chord distance of 61.54 feet to a point,

THENCE; along Lot Number 82 in the Sylvan Heights Subdivision by a curve to the left, said curve having a radius of 15.00 feet and an arc length of 13.62 feet, said arc having a chord bearing of N 47 degrees 43 minutes 17 seconds W a chord distance of 13.16 feet to a point,

THENCE; N 73 degrees 43 minutes 53 seconds W along Lot Number 82 & 83 in the Sylvan Heights Subdivision a distance of 203.56 feet to a point,

EXHIBIT "A"

THENCE, along Lot Number 83, 84, & 63 in the Sylvan Heights Subdivision by a curve to the right, said curve having a radius of 350.00 feet and an arc length of 247.59 feet, said arc having a chord bearing of North 53 degrees 27 minutes 56 seconds West, a chord distance of 242.46 feet to a point;

THENCE, North 33 degrees 12 minutes 00 seconds West along Lot Number 63 in the Sylvan Heights Subdivision, a distance of 47.70 feet to a point;

THENCE along Lot Number 63 in the Sylvan Heights Subdivision by a curve to the left, said curve having a radius of 25.00 feet and an arc length of 3.05 feet, said arc having a chord bearing of North 36 degrees 41 minutes 26 seconds West, a chord distance of 3.04 feet to a point on the eastern Right-of-Way for Fallen Timber drive (Variable R/W);

THENCE along the eastern Right-of-Way for Fallen Timber Drive (Variable R/W) by a curve to the left, said curve having a radius of 345.00 feet and an arc length of 50.25 feet, said arc having a chord bearing of North 55 degrees 09 minutes 24 seconds East, a chord distance of 50.21 feet to the place of beginning.

CONTAINING 32,258 square feet or 0.741 Acre.

To have and to hold, the said lot or piece of ground above-described unto the said grantee, to and for the only proper use and behoof of said grantee, its successors and assigns forever, as and for a public street or highway and for purposes of sewer, water and other utility installations, and for no other use or purpose whatsoever and to the same extent and with the same effect as if the said street had been opened by a decree of the Court of Common Pleas of Clearfield County, after proceeding duly had for that purpose under and pursuant to the laws of the Commonwealth of Pennsylvania.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights-of-way, reservations, restrictions and limitations shown or contained in prior instruments of record and as recorded.
2. All coal, mining, mineral, oil and gas rights of every kind and nature.

BEING the same premises as surveyed and drawn by Alexander & Associates, Inc., Falls Creek, PA 15840. Said survey plat is under the date of November 11, 2005, is referenced as JN2768-05, and is intended to be recorded in the Clearfield County Courthouse for a more particular description

EXHIBIT "A"

TRANSFER TAX: It is hereby certified for purposes of the Pennsylvania Realty Transfer Tax Act that the within conveyance is exempt from transfer taxes because it is a deed of dedication to a municipal subdivision of the Commonwealth of Pennsylvania in lieu of condemnation.

IN WITNESS WHEREOF, said grantors have hereunto set their hands and seals the day and year first above-written.

WITNESS:

D&R LAND DEVELOPMENT
COMPANY, LP, a Pennsylvania Limited
Partnership

By: D&R Land Development, Inc., a
General Partner

Samuel F. Wilson

BY *Dennis V. Raybuck* (SEAL)
DENNIS V. RAYBUCK, President

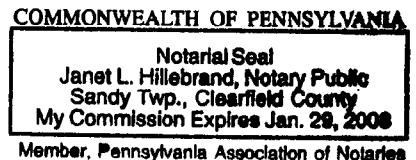
COMMONWEALTH OF PENNSYLVANIA

:

: SS:

COUNTY OF CLEARFIELD

:



On this, the 3rd day of May, 2006, before me, the undersigned officer, personally appeared DENNIS V. RAYBUCK, known to me (or satisfactorily proven) to be the President of D&R Land Development, Inc., a Pennsylvania corporation which serves as a General Partner of D&R Land Development Company, LP, a Pennsylvania Limited Partnership, and that he, as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of said corporation by himself as such officer.

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

My Commission Expires: 1/27/2008

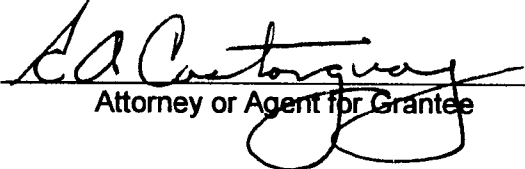
Janet L. Hillebrand
Notary Public

EXHIBIT "A"

CERTIFICATE OF RESIDENCE

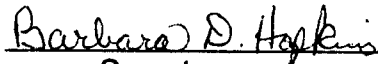
I hereby certify the precise residence herein is as follows:

P.O. Box 267
DuBois, PA 15801


Attorney or Agent for Grantee

ATTEST:

ACCEPTED BY THE
TOWNSHIP OF SANDY
THE 19 DAY OF ^{June}~~MAY~~, 2006.


Secretary


Chairman
Sandy Township
PO Box 267
DuBois, PA 15801

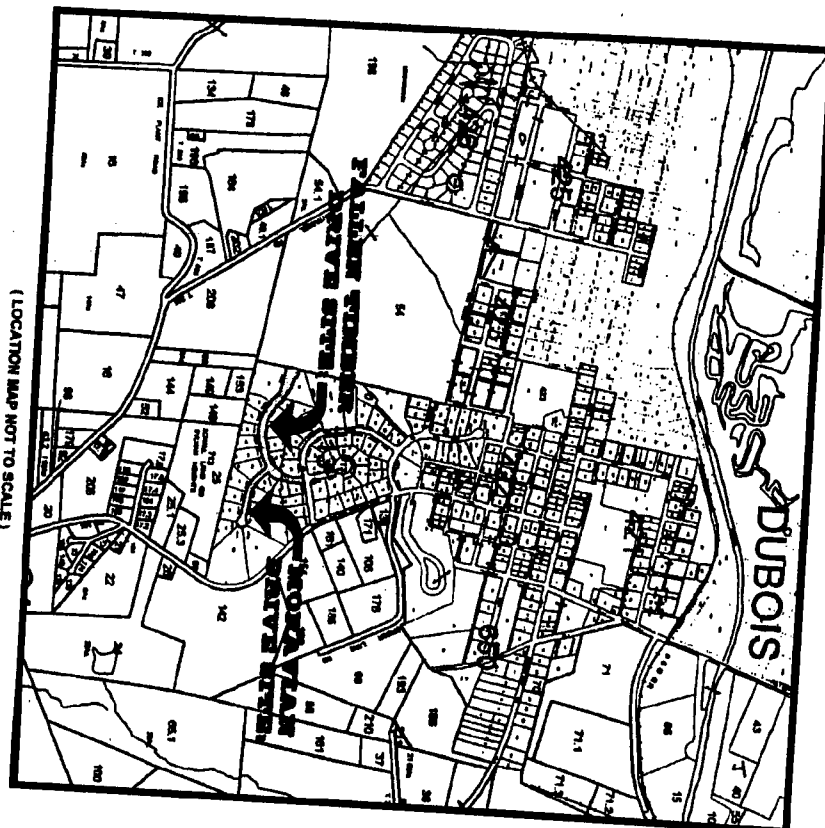
EXHIBIT "A"



NOTE:
The location of underground utilities as shown on this map is based on information furnished by the owner. The location of underground utilities is not guaranteed by the surveyor. The surveyor is not responsible for the location of underground utilities. The surveyor is not responsible for the location of underground utilities. The surveyor is not responsible for the location of underground utilities.

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Call Before You Dig!
Please call 1-800-368-5898 for more information. The location of underground utilities is not guaranteed by the surveyor. The surveyor is not responsible for the location of underground utilities. The surveyor is not responsible for the location of underground utilities.

- Wetlands Statement -
The location of wetlands as shown on this map is based on information furnished by the owner. The location of wetlands is not guaranteed by the surveyor. The surveyor is not responsible for the location of wetlands. The surveyor is not responsible for the location of wetlands.

LEGEND:

- 1. Point of Beginning
- 2. Easement
- 3. Easement
- 4. Easement
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- 94. Easement
- 95. Easement
- 96. Easement
- 97. Easement
- 98. Easement
- 99. Easement
- 100. Easement

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The location of wetlands as shown on this map is based on information furnished by the owner. The location of wetlands is not guaranteed by the surveyor. The surveyor is not responsible for the location of wetlands. The surveyor is not responsible for the location of wetlands.

Certificates by Surveyor that the Survey and Plans are Correct:
I, the undersigned, do hereby certify that I am a registered Land Surveyor in the State of Tennessee, and that I have carefully examined the plans and maps of the land shown on this map, and that I find them to be correct and accurate.

Date: _____ Signature: _____

EXHIBIT "A"

DEED

D & R LAND DEVELOPMENT
COMPANY, LP

A
N
D

THE TOWNSHIP OF SANDY

LAW OFFICES

CHRISTOPHER E. MOHNEY

90 BEAVER DRIVE - SUITE 111B

DUBOIS, PA 15801

(814) 375-1044

EXHIBIT "A"

County Parcel No. _____

RECORDED
06/29/2006 1:43:03 PM
KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania
Inst Num: 20061072/

THIS DEED

MADE the 27th day of November in the year two thousand (2000)

BETWEEN FRANK S. SCHALL and JULIANNE SCHALL, husband and wife, whose address is 61 Treasure Lake, DuBois, Pennsylvania 15801; and RAYMOND E. SCHALL and MARGARET S. SCHALL, husband and wife, whose address is R.D. #6, Box 231, Kittanning, Pennsylvania 16201, individually and doing business as the SCHALL LAND COMPANY, hereinafter referred to as Grantor;

A
N
D

THE TOWNSHIP OF SANDY, a municipal subdivision of the Commonwealth of Pennsylvania, with address of P.O. Box 267, DuBois PA 15801, hereinafter referred to as Grantee

The words "Grantor" and "Grantee" shall mean all Grantors and Grantees listed above.

WITNESSETH:

That the said grantor, for and in consideration of the sum of One Dollar (\$1.00) and the advantage to them accruing as well as for the numerous other considerations affecting the public welfare which they seek to advance, have granted, bargained, sold, aliened, offered, released and confirmed and by these presents do grant, bargain, sell, alien, enfeoff, release and confirm unto the said grantee its successors and assigns.

ALL that certain lot or parcel of ground known as Moravian Drive situate, lying and being in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows to wit:

BEGINNING at a point in the southern right of way of Fallen Timber Drive and the northwesterly corner of lot 62;

Thence by same South 33° 12' 00" East, 52.21 feet to a point;

EXHIBIT "A"

Thence by same a curve to the left having a radius of 300.00 feet and an arc of 114.33 feet with a chord South 44° 07' 05" East, 113.64 feet to a point in lot 76;

Thence by same an arc of 97.89 feet with a chord South 64° 23' 01" East, 97.45 feet to a point;

Thence by same South 73° 43' 53" East, 203.77 feet to a point in lot 78;

Thence by same a curve to the left having a radius of 15.00 feet and an arc of 13.62 feet with a chord North 80° 15' 31" East, 13.16 feet to a point;

Thence by same a curve to the right having a radius of 50.00 feet and an arc of 59.22 feet with a chord North 88° 10' 43" East, 55.82 feet to a point in lot 79;

Thence by same an arc of 47.06 feet with a chord South 30° 55' 44" East, 45.34 feet to a point in lot 80;

Thence by same an arc of 47.06 feet with a chord South 22° 59' 48" West, 45.34 feet to a point in lot 81;

Thence by same an arc of 47.06 feet with a chord South 76° 55' 20" West, 45.34 feet to a point in lot 82;

Thence by same an arc of 47.48 feet with a chord North 48° 54' 47" West, 45.71 feet to a point;

Thence by same a curve to the left having a radius of 15.00 feet and an arc of 13.62 feet with a chord North 47° 43' 16" West, 13.16 feet to a point;

Thence by same North 73° 43' 53" West, 203.76 feet to a point in lot 83;

Thence by same a curve to the right having a radius of 350.00 feet and an arc of 26.14 feet with a chord North 71° 35' 29" West, 26.14 feet to a point in lot 84;

Thence by same an arc of 108.25 feet with a chord North 60° 35' 28" West, 107.82 feet to a point in lot 63;

Thence by same an arc of 113.20 feet with a chord North 42° 27' 55" West, 112.70 feet to a point;

Thence North 33° 12' 00" West, 47.74 feet to a point;

Thence by the southern right of way of Fallen Timber Drive North 51° 41' 22" East, 50.20 feet to the point of beginning.

EXHIBIT "A"

To have and to hold, the said lot or piece of ground above described unto the said grantee, to and for the only proper use and behoof of said grantee, its successors and assigns forever, as and for a public street or highway and for purposes of sewer, water and other utility installations, and for no other use or purpose whatsoever and to the same extent and with the same effect as if the said street had been opened by a decree of the Court of Common Pleas of Clearfield County, after proceeding duly had for that purpose under and in pursuant to the laws of the Commonwealth of Pennsylvania.

EXCEPTING and RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, and limitations shown or contained in prior instruments of record and as recorded.
2. All coal, mining, mineral, oil and gas rights of every kind and nature.

BEING a portion of the property conveyed by Deed dated September 30, 1993, by Raymond Schall, Inc., a Pennsylvania corporation, to Raymond E. Schall and Margaret S. Schall, husband and wife. Said deed having been recorded on October 15, 1993 in the Clearfield County Recorder's Office in Volume 1562, Page 540.

ALSO BEING a portion of the property conveyed by deed dated August 10, 1989 by Deposit Bank, a banking corporation organized and existing under the laws of the Commonwealth of Pennsylvania, as Trustee under trust dated August 7, 1989 to Raymond Schall, Inc., a Pennsylvania corporation, and Frank S. Schall, an individual, co-partners, trading and doing business as Schall Land Company. Said deed having been recorded on August 15, 1989 in the Clearfield County Recorder's Office in Volume 1297, Page 485.

Transfer Tax: It is hereby certified for purposes of the Pennsylvania Realty Transfer Tax Act that the within conveyance is exempt from transfer taxes because it is a deed of dedication to a municipal subdivision of the Commonwealth of Pennsylvania in lieu of condemnation.

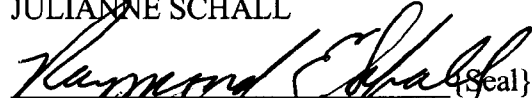
PROMISES: And the said Grantor herein will **SPECIALLY WARRANT AND FOREVER DEFEND** the property hereby conveyed.

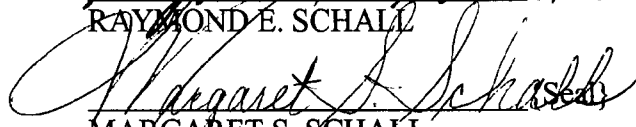
EXHIBIT "A"

IN WITNESS WHEREOF, said Grantor has hereunto set his/her hand and seal the day and year first above written.


FRANK S. SCHALL {Seal}


JULIANNE SCHALL {Seal}


RAYMOND E. SCHALL {Seal}


MARGARET S. SCHALL {Seal}

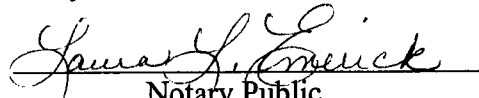
Commonwealth of Pennsylvania)
:ss:
County of Clearfield)

On this, the 27th day of Dec., 2000, before me, the undersigned officer, personally appeared FRANK S. SCHALL, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

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

My Commission Expires:

4/22/04


Notary Public

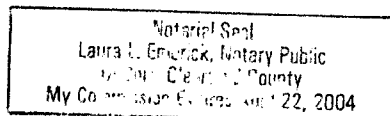


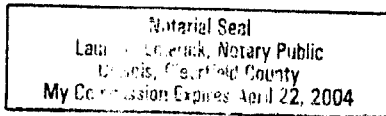
EXHIBIT "A"

Commonwealth of Pennsylvania)
)
) :SS:
County of Clearfield)

On this, the 1st day of Dec., 2000¹, before me, the undersigned officer, personally appeared JULIANNE SCHALL, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purpose therein contained.

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

My Commission Expires: 4/22/04 *Janet J. Emerick*
Notary Public



Commonwealth of Pennsylvania)
)
) :SS:
County of Armstrong)

On this, the 29th day of January, 2001²⁰⁰¹, before me, the undersigned officer, personally appeared ~~RAYMOND E. SCHALL~~ and MARGARET S. SCHALL, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

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

My Commission Expires: 8/5/2002 *Alice O. McKinley*
Notary Public

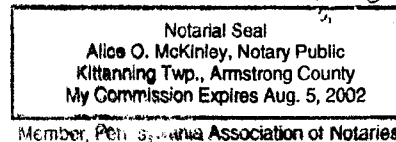


EXHIBIT "A"

State of Florida)
)
)ss:
County of Volusia)

On this, the 31 day of JAN, 2001, before me, the undersigned officer, personally appeared RAYMOND E. SCHALL, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

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

My Commission Expires: _____

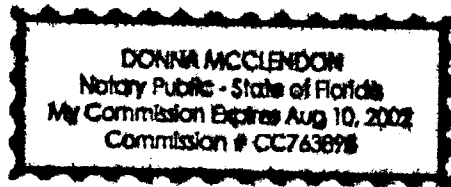
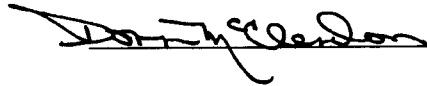


EXHIBIT "A"

NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966", I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

This ____ day of _____, ____.

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE OF THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended.)

CERTIFICATE OF RESIDENCE

I/we hereby certify, that the precise residence for the Grantee herein is as follows:

P.O. Box 267
DuBois, PA 15801

Attorney or Agent for Grantee

EXHIBIT "A"

Accepted by the Township of Sandy by Resolution duly adopted at a regular meeting of the Board of Supervisors of the Township of Sandy held the 19 day of June, ²⁰⁰⁶~~2000~~.

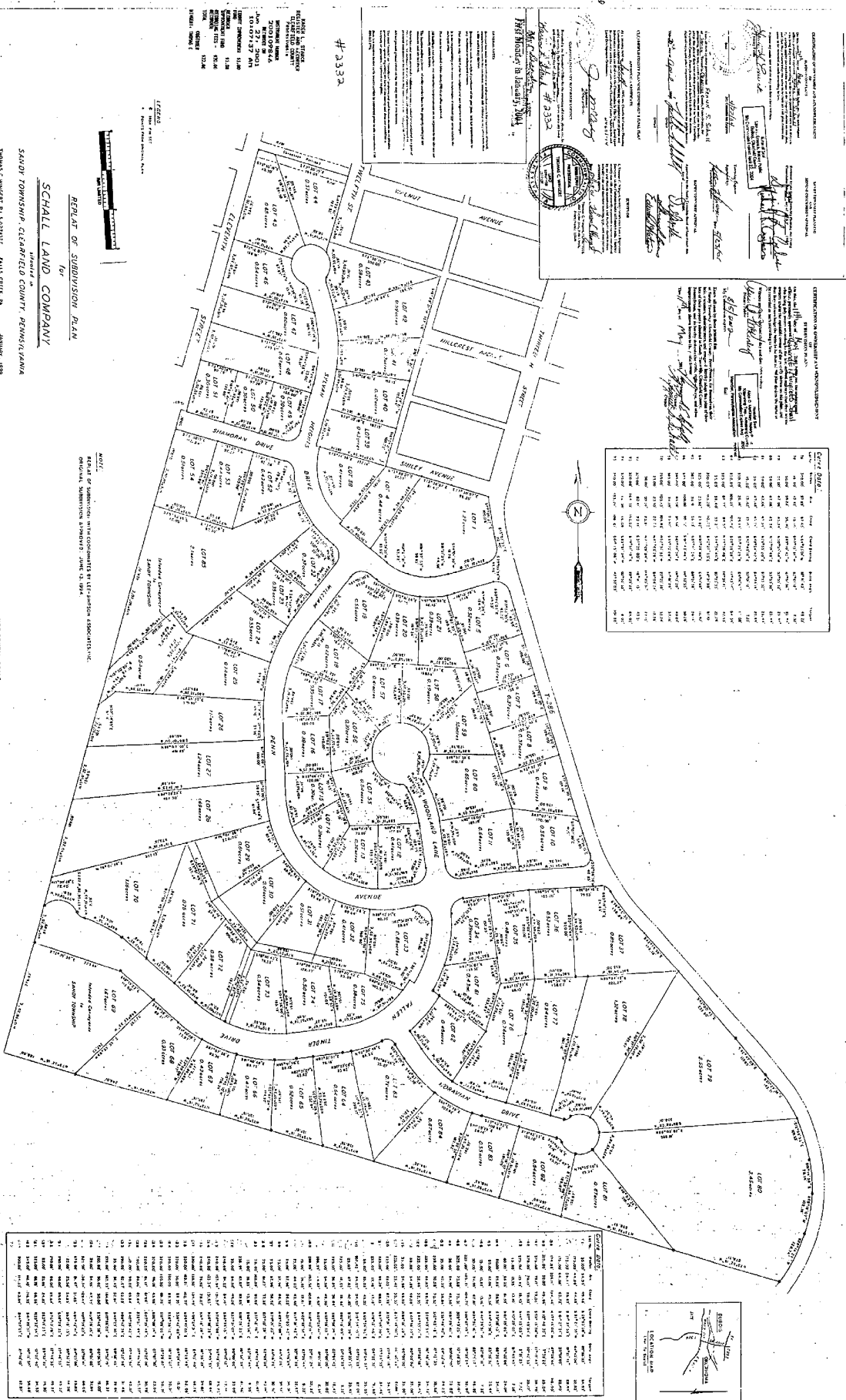
ATTEST:

SANDY TOWNSHIP

Barbara D. Hopkins

BY: 

Chairman

[illegible]

REPORT OF SUBDIVISION PLAN
for
SCHALL LAND COMPANY
situated in
SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA
THOMAS C. MURKETT, PL. 1-5273021 PAULS CREEK, PA. JANUARY, 1899

HORIZONTAL SCALE

0 50 100 200

100 FT