

07-1201-CB
In Re: Rt. 879 Section A01 R/W

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE
COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
TRANSPORTATION, OF THE
RIGHT-OF-WAY FOR STATE
ROUTE 0879, SECTION A01 R/W, IN
THE TOWNSHIP OF LAWRENCE

NO. 2007-1201-CD

EMINENT DOMAIN PROCEEDING
IN REM

DECLARATION OF TAKING

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

This Declaration of Taking, based on the provisions of Chapter 3, Section 302 of the Eminent Domain Code, 26 Pa. C. S. § 302, respectfully represents that:

1. The Condemnor is the Commonwealth of Pennsylvania, Department of Transportation, acting through the Secretary of Transportation.

2. The address of the Condemnor is:

Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212

FILED *en*

JUL 30 2007
0111:15 PM
William A. Shaw
Prothonotary/Clerk of Courts

2 copy to ATR

3. The Department of Transportation is authorized by the provisions of Section 2003(e) of the Administrative Code of 1929, P. L. 177, 71 P. S. 513(e), as amended, to acquire by gift, purchase, condemnation or otherwise, land in fee simple or such other estate or interest as it shall determine, in the name of the Commonwealth for all transportation purposes.

4. The within condemnation has been authorized by a plan signed by the Secretary of Transportation on January 30, 2007, titled "Drawings Authorizing

Acquisition of Right-of-Way for State Route 0879, Section A01 R/W in Clearfield County", a copy of which plan was filed in the County Recorder's Office as Instrument Number 200709527 on June 8, 2007.

5. The purpose of the within condemnation is to acquire property for transportation purposes.

6. A Schedule of Property Condemned identifying and specifying the location of the property hereby condemned is attached hereto and made a part hereof.

7. Plans showing the property hereby condemned may be inspected in the Recorder's Office of the aforesaid County at the places indicated on the attached Schedule of Property Condemned or, if not shown thereon, on the day of the filing of this document being lodged for record or filed in said Recorder's Offices, where they may be inspected.

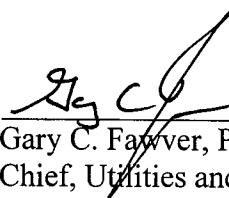
8. The nature of the title hereby condemned is fee simple and a drainage easement.

9. In the event there are recoverable minerals (including gas and oil) within the areas, if any, hereby condemned in fee simple, the mineral rights (including rights to gas and oil) in those areas are hereby excepted and reserved from this condemnation, provided however, that the right of support of the areas condemned is included within the scope of this condemnation, and no access from the surface of such areas for removal purposes will be allowed without permission from the Commonwealth.

10. The payment of just compensation in this matter is secured by the Commonwealth's power of taxation.

11. I, Gary C. Fawver, P.E., Chief, Utilities and Right of Way Section, of the Department of Transportation, do hereby depose, swear and affirm that I am authorized by and do hereby execute this Declaration of Taking on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the averments contained and set forth herein are true and correct to the best of my knowledge, information and belief, and are made subject to penalties provided in 18 Pa. C. S. §4904, relating to false swearing to authorities.

WHEREFORE, fee simple title and a drainage easement are hereby condemned from the property identified on the attached Schedule of Property Condemned, as indicated on the plans referenced in paragraph 7 above.



Gary C. Fawver, P.E.
Chief, Utilities and Right of Way Section

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
SCHEDULE OF PROPERTY CONDEMNED
(Declaration of Taking)



ROW OFFICE PROJ. NO.	020145
COUNTY	Clearfield
S.R. – SECTION	0879-A01
MUNICIPALITY	Lawrence Township

*TYPE OF TAKE	
PT-	Partial Take
TT-	Total Take

**TYPE OF DESCRIPTION	
D-	Deed Description
P-	Plan lodged for recording with Notice of Condemnation
R-	Plan now recorded in Recorder's Office

Parcel No.	Claim Number	*Type of Take	Name, Property Interest of Condemnees, Mailing Address, and Location of Condemned Property	Attached Exhibit Number (if any)	**Type of Description	Plan (if any) Recorded in
2	1700265000	PT	<p>Equipment Locators, Inc.</p> <p>Corporate Ownership Lloyd L. Dahlem, President 107 West First Street Clearfield, PA 16830</p> <p>Location of Property Condemned: DB 1354, PG 370</p>		R	<p>Instrument No. 200709527 Sheets 9 & 23</p>

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CLEARFIELD COUNTY, PENNSYLVANIA

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ROUTE 0879, SECTION A01 R/W,
IN THE TOWNSHIP OF LAWRENCE

DECLARATION OF TAKING

Christopher J. Clements
Assistant Counsel in-Charge, R/W
ID No. 44699

Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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PENNSYLVANIA, DEPARTMENT OF
TRANSPORTATION, OF THE RIGHT-
OF-WAY FOR STATE ROUTE 0879,
SECTION A01 R/W, IN THE TOWNSHIP
OF LAWRENCE

NO. 2007-1201-CD

EMINENT DOMAIN PROCEEDING
IN REM

PRAECIPE TO ENTER APPEARANCE

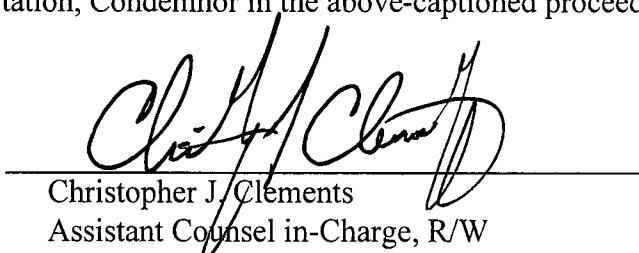
FILED

JUL 30 2007

TO THE PROTHONOTARY OF SAID COURT:

William A. Shaw
Prothonotary/Clerk of Courts

Please enter the appearance of Walter F. Cameron, Assistant Counsel in-Charge, 1209 State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania and Christopher J. Clements, Assistant Counsel in-Charge, R/W, Office of Chief Counsel, Department of Transportation, P.O. Box 8212, Harrisburg, PA 17105-8212, as attorneys for the Commonwealth of Pennsylvania, Department of Transportation, Condemnor in the above-captioned proceedings.



Christopher J. Clements

Assistant Counsel in-Charge, R/W

Walter F. Cameron
Assistant Counsel in-Charge

Dated: 7.2.07

IN THE COURT OF COMMON PLEAS OF
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OF RIGHT OF WAY FOR STATE ROUTE
0879, SECTION A01 R/W,
IN THE
TOWNSHIP OF LAWRENCE

PRAECLPTE TO ENTER APPEARANCE

Filed, _____, 20____

____ A.M. ____ P.M.

Commonwealth of Pennsylvania
Department of Transportation

Office of Chief Counsel
P.O. Box 8212
Harrisburg, Pennsylvania 17105-8212
Telephone No. (717) 787-3128

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE
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SECTION A01 R/W, IN THE TOWNSHIP
OF LAWRENCE

NO. 1201-CD TERM, 2007

EMINENT DOMAIN PROCEEDING IN REM

MEMORANDUM TO PROTHONOTARY

You are hereby informed that notice of the condemnation effected by the Declaration of
Taking filed to the above term and number on July 30, 2007, was recorded in the
office of the Recorder of Deeds of the above county in Inst. # 200712359, Page(s) _____

The condemnation book and page number, file number, or microfilm number of any property plat filed or microfilmed separately from the said Notice of Condemnation is shown on the list of property condemned which is attached hereto.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

BY Sam J. Begnaud
District Right of Way Administrator
Engineering District No. 2-0

FILED 0/11:35 AM SEP 26 2007 2CC Commonwealth
Suffolk County Superior Court

William A. Shaw
Prothonotary/Clerk of Courts

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

IN RE: CONDEMNATION BY THE
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RIGHT-OF-WAY FOR STATE
ROUTE 0879, SECTION A01
IN THE TOWNSHIP OF LAWRENCE

: NO. 1201-CD TERM, 2007
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PROOF OF SERVICE

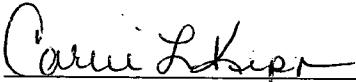
COMMONWEALTH OF PENNSYLVANIA :
: ss:
COUNTY OF CLEARFIELD :
:

FILED 2CC
01/12/00 cm Comm of PA
OCT 29 2007
i.m.
William A. Shaw
Prothonotary/Clerk of Courts

MICHAEL HNAT, being duly sworn according to law, deposes and says that he is District Right-of-Way Administrator of Engineering District 2-0, Department of Transportation, Commonwealth of Pennsylvania, and that on or before August 6, 2007, notice of the filing of the declaration of taking in the above matter was served on the condemnees affected thereby in compliance with Chapter 3, Section 305, of the Eminent Domain Code. Schedules of the condemnees, mortgagees of record, and lienholders of record notified are attached hereto and made part hereof.


Michael Hnat, District Right-of-Way
Administrator

Sworn to and subscribed before me


Carrie L. Kipp
Notary Public

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Carrie L. Kipp, Notary Public
Lawrence Twp., Clearfield County
My Commission Expires March 15, 2011
Member, Pennsylvania Association of Notaries

Attachments: RW-437, Schedule of Property Condemned

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
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IN RE: CONDEMNATION BY THE
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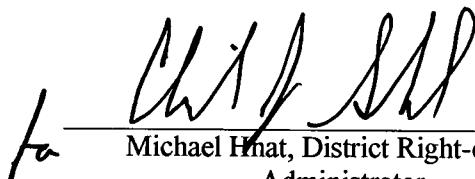
PROOF OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :
:

FILED 2CC
01/21/00 cm Comm of PA
OCT 29 2007
LAW

William A. Shaw
Prothonotary/Clerk of Courts

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Michael Hnat, District Right-of-Way
Administrator

Sworn to and subscribed before me


Carrie L. Kipp

Notary Public

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Lawrence Twp., Clearfield County	
My Commission Expires March 15, 2011	
Member, Pennsylvania Association of Notaries	

Attachments: RW-437, Schedule of Property Condemned

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
SCHEDULE OF PROPERTY CONDEMNED
(Declaration of Taking)



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COUNTY	Clearfield
S.R. - SECTION	SR 0879-A01
MUNICIPALITY	Lawrence Township

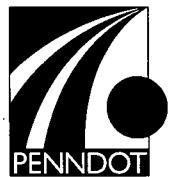
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2	1700265000	PT	<p>EQUIPMENT LOCATORS INC CORPORATE OWNERSHIP, LLOYD L DAHLEM, PRESIDENT 107 W FIRST AVENUE CLEARFIELD, PA 16830</p> <p>LOCATION OF CONDEMNED PROPERTY - DB 1354 PG 370</p>		R	<p>INST #200709527 SHEETS 2, 9 & 23 OF 23</p>

RW-432ML (11/06)

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
SCHEDULE OF MORTGAGEES & LIENHOLDERS



ROW OFFICE PROJ. NO.	020145
ROW OFFICE DT NO.	2018501
COUNTY	Clearfield
S.R. - SECTION	0879-A01
MUNICIPALITY	Lawrence Township

Parcel No.	Claim Number	Name and Mailing Address of Mortgagee and/or Lienholder
2	1700265000	County National Bank 1 South 2 nd Street PO Box 42 Clearfield, PA 16830

SCHEDULE OF PROPERTY OWNERS SERVED

**CLEARFIELD COUNTY
SR 0879-A01
LAWRENCE TOWNSHIP**

**CLAIM NUMBER 1700265000
EQUIPMENT LOCATORS, INC.
107 WEST FIRST STREET
CLEARFIELD, PA 16830
LLOYD DAHLEM**

HAND DELIVERED BY CARRIE KIPP ON AUGUST 6, 2007