

09-28004

J. SCOTT MAXWELL, ESQUIRE  
IDENTIFICATION NO. 09449  
PAUL G. MULLIN, ESQUIRE  
IDENTIFICATION NO. 90495  
HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN  
375 MORRIS ROAD  
P.O. BOX 1479  
LANSDALE, PA 19446-0773  
(215) 661-0400

09895-183

ATTORNEY FOR  
CONDEMNOR  
HATFIELD TOWNSHIP MUNICIPAL AUTHORITY

03/10/2009

IN THE COURT OF COMMON PLEAS  
OF MONTGOMERY COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

In Re:  
CONDEMNATION PROCEEDINGS  
IN REM BY:

HATFIELD TOWNSHIP MUNICIPAL AUTHORITY  
Condemnor

NO. 09-28004

v.

A CERTAIN PARCEL OF LAND  
IDENTIFIED BY LAST KNOWN OWNER  
AND TAX PARCEL NO. AS:

JOHN R. EVANS  
TAX PARCEL NO. 35-00-10315-00-9  
BLOCK 52, UNIT 33  
2413 TREWIGTOWN ROAD  
COLMAR, PA 18915

Condemnee



2009-28004-0000  
9/10/2009 11:08:43 AM  
Declaration of Taking EMIN Domain (Civil)  
Receipt 2009-042832  
Mark Levy - Montgomery County Prothonotary

CMJ  
38.50

DECLARATION OF TAKING

1. The name and address of the Condemnor is the Hatfield Township Municipal Authority, 3200 Advance Lane, Colmar, PA 18915. ("Condemnor"). The Condemnor is a municipal authority organized and existing in accordance with the Municipality Authorities Act of 2001, Act of June 19, 2001 P.L. 287, as amended, 53 P.S. § 5601 et seq.

2. This condemnation is authorized under the Municipality Authorities Act of 2001, Act of June 19, 2001 P.L. 287, as amended, 53 P.S. § 5601 et seq.

3. This Declaration of Taking was authorized by a resolution adopted by a majority of the entire Board of the Condemnor at a duly advertised and convened public meeting held June 9, 2009. Copy of said Resolution is attached hereto as Exhibit "A" and made part hereof. The original thereof is filed of record with the Condemnor and may be examined at the aforesaid address of the Condemnor. ~~03/18/2009~~

4. The purpose of this condemnation is to acquire an easement in land and two temporary construction easements to be used for the construction, reconstruction, installation, repair and maintenance of a sanitary sewer line, related appurtenances or other necessary public improvements (the "Improvements") within the condemned area.

5. A description of the portion of property subject to the taking sufficient for identification thereof is set forth in Exhibit "B," attached hereto and made a part hereof.

6. On the date this Declaration is being submitted to and filed with the Prothonotary of Montgomery County, notice and plans showing the property condemned are being filed in the Office of the Recorder of Deeds of Montgomery County in accordance with Section 304 of the Eminent Domain Code, 26 Pa.C.S.A. Section 101, *et seq.* A true and correct copy of said Notice is attached hereto and made a part hereof as Exhibit "C."

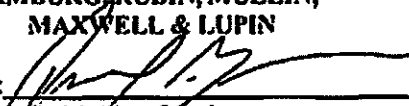
7. The nature and title to your property that has been acquired is a permanent easement and two temporary construction easements as marked on the plan. Title to the permanent easement and temporary construction easements is acquired together with the free ingress, egress to and for the Condemnor and its successors and assigns and designates to do all things necessary to construct, install, maintain, reconstruct, repair and replace the Improvements.

8. The plan showing the condemned property is attached hereto and made a part hereof as Exhibit "D." All plans may be inspected at the offices of Condemnor at the aforesaid address.

9. Just Compensation for the condemnation of said properties is secured by an open-end bond without surety pursuant to § 303 (a) of the Eminent Domain Code, 26 Pa.C.S.A. ~~§ 303~~ 03/10/2009

10), et seq. A true and correct copy of said bond is attached hereto as Exhibit "E" and made part hereof.

HAMBURG, RUBIN, MULLIN,  
MAXWELL & LUPIN

By:   
Paul G. Mullin, Esquire  
Attorney for Condemnor  
Hatfield Township Municipal Authority  
375 Morris Road  
Lansdale, PA 19446-0773

Dated: 9-10-09

HATFIELD TOWNSHIP MUNICIPAL AUTHORITY  
3200 ADVANCE LANE  
COLMAR, PA 18915  
215-822-9300

03/18/2003

RESOLUTION NO. 06-09-09 A

**RESOLUTION AUTHORIZING THE CONDEMNATION OF CERTAIN REAL ESTATE LOCATED WITHIN HATFIELD TOWNSHIP FOR THE PURPOSE OF CONSTRUCTING, INSTALLING, MAINTAINING, RECONSTRUCTING, REPAIRING AND REPLACING SANITARY SEWER LINES, MANHOLES, PUBLIC UTILITY LINES AND OTHER NECESSARY PUBLIC IMPROVEMENTS AND APPURTENANCES THERETO**

WHEREAS, the Hatfield Township Municipal Authority ("Authority") is desirous of reconstructing an sanitary sewer interceptor line and appurtenances thereto ("Sewer Improvements") over and within properties in Hatfield Township ("Township") as part of its interceptor replacement project; and

WHEREAS, it is necessary to acquire easements and/or rights-of-way over certain real estate located in the Township being identified as Tax Parcel No. 35-00-10315-00-9 (the "Property") in order to construct certain portions of the Sewer Improvements; and

WHEREAS, the Authority is desirous of taking that action necessary to acquire easements and/or rights-of-way necessary for it to construct, install, maintain, reconstruct, repair and replace the Sewer Improvements.

NOW, THEREFORE, be it resolved, and it is hereby resolved as follows:

1. The Authority hereby ratifies the preparation by its staff and engineer of the legal descriptions and plans necessary to provide the complete description of those



portions of the Property which must be subject to easements and rights-of-way in order to permit the construction, installation, maintenance, reconstruction, repair and replacement of those portions of the Sewer Improvements located on the Property.

2. The Authority hereby authorizes its solicitor to file all necessary ~~05/19/2009~~ documents, including, but not limited to, a Declaration of Taking, and to take those actions which are necessary to acquire the easements and/or rights-of-way necessary for the aforesaid purpose.

3. The Authority authorizes its chairman, vice-chairman, secretary and assistant secretary to execute those documents which are necessary to give effect to this Resolution and the actions contemplated by it.

RESOLVED, this 6<sup>th</sup> day of June, 2009.

ATTEST:

HATFIELD TOWNSHIP MUNICIPAL  
AUTHORITY

J. A. Wat for

By: Charles Gurgis

**CHARLES E. SHOEMAKER, INC.**

**ENGINEERS AND SURVEYORS**  
SOUTHEAST CORNER OF EASTON & EDGE HILL ROADS  
1007 EDGE HILL ROAD  
ABINGTON, PENNSYLVANIA 19001

**TEMPORARY EASEMENT 'A'**  
**PREPARED FOR HATFIELD TOWNSHIP MUNICIPAL AUTHORITY**  
**THROUGH LANDS OF JOHN R. EVANS**  
**HATFIELD TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

**09/10/2008**

**ALL THAT CERTAIN parcel of land designated as Temporary Easement 'A', SITUATE in the Township of Hatfield, County of Montgomery and Commonwealth of Pennsylvania bounded and described in accordance with an Easement Plan through lands of John R. Evans, dated July 25, 2008 and revised December 22, 2008 as prepared by Charles E. Shoemaker, Inc., Engineers and Surveyors of Abington, Pennsylvania as follows:**

**BEGINNING at an interior point on line of lands now or formerly of Michael H. and Dorothy S. Malin, said point being at a distance of forty-four and thirty-six one-hundredths feet (44.36") measured South thirty-four degrees twenty-nine minutes fifty seconds West (S 34° 29' 50" W) from a point, a corner of lands now or formerly of Michael H. and Dorothy S. Malin; THENCE along said lands, South thirty-four degrees twenty-nine minutes fifty seconds West (S 34° 29' 50" W) ten and twenty-seven one-hundredths feet (10.27') to a point on the Northeasterly side of an existing 30' wide sanitary sewer easement; THENCE along said Northeasterly side of said existing 30' wide sanitary sewer easement and through lands now or formerly of John R. Evans the two following courses and distances: 1) North sixty-eight degrees forty-two minutes twenty-four seconds West (N 68° 42' 24" W) one hundred sixty-eight and thirty-five one-hundredths feet (168.35'); 2) North seventy-three degrees eight minutes fourteen seconds West (N 73° 08' 14" W) twenty and seventy-one one-hundredths feet (20.71') to a point, a corner of Permanent Easement 'C'; THENCE along the Northeasterly side of said Permanent Easement 'C' and continuing through lands now or formerly of John R. Evans the two following courses and distances: 1) North seventy degrees one minute thirty seconds West (N 70° 01' 30" W) eighty-one and seventy-seven one-hundredths feet (81.77'); 2) North seventy-three degrees twenty-two minutes zero seconds West (N 73° 22' 00" W) three hundred thirteen and fifty-seven one-hundredths feet (313.57') to a point on line of lands now or formerly of John J. and Jane O'Brien; THENCE along said lands, North thirty-five degrees fifty-six minutes twenty-three seconds East (N 35° 56' 23" E) ten and sixty one-hundredths feet (10.60') to a point; THENCE through lands now or formerly of John R. Evans the four following courses and distances: 1) South seventy-three degrees twenty-two minutes zero seconds East (S 73° 22' 00" E) three hundred ten and thirty-six one-hundredths feet (310.36'); 2) South seventy degrees one minute thirty seconds East (S 70° 01' 30" E) eighty-one and seventy-nine one-hundredths feet (81.79'); 3) South seventy-three degrees eight**



FAX: (215) 576-7791

PHONE: (215) 887-2165

**CHARLES E. SHOEMAKER, INC.**  
*ENGINEERS AND SURVEYORS*  
SOUTHEAST CORNER OF EASTON & EDGE HILL ROADS  
1007 EDGE HILL ROAD  
ABINGTON, PENNSYLVANIA 19001

03/18/2008

TEMPORARY EASEMENT 'A'  
PREPARED FOR HATFIELD TOWNSHIP MUNICIPAL AUTHORITY  
THROUGH LANDS OF JOHN R. EVANS  
HATFIELD TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA

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minutes fourteen seconds East (S 73° 08' 14" E) twenty and eighty-three one-hundredths feet (20.83'); 4) South sixty-eight degrees forty-two minutes twenty-four seconds East (S 68° 42' 24" E) one hundred seventy-one and eight one-hundredths feet (171.08') to the first mentioned point and place of beginning.

BEING Temporary Easement 'A' through lands now or formerly of John R. Evans.

CONTAINING 5,842 square feet.

25414-A  
HAT.-144  
August 7, 2008  
Revised: December 22, 2008

FAX: (215) 576-7791

PHONE: (215) 887-2165

**CHARLES E. SHOEMAKER, INC.**  
*ENGINEERS AND SURVEYORS*  
SOUTHEAST CORNER OF EASTON & EDGE HILL ROADS  
1007 EDGE HILL ROAD  
ABINGTON, PENNSYLVANIA 19001

TEMPORARY EASEMENT 'B'  
PREPARED FOR HATFIELD TOWNSHIP MUNICIPAL AUTHORITY.  
THROUGH LANDS OF JOHN R. EVANS  
HATFIELD TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA

03/10/2008

ALL THAT CERTAIN parcel of land designated as Temporary Easement 'B', SITUATE in the Township of Hatfield, County of Montgomery and Commonwealth of Pennsylvania bounded and described in accordance with an Easement Plan through lands of John R. Evans, dated July 25, 2008 and revised December 22, 2008 as prepared by Charles E. Shoemaker, Inc., Engineers and Surveyors of Abington, Pennsylvania as follows:

BEGINNING at an interior point, a corner of lands now or formerly of Michael H. and Dorothy S. Malin, said point also being on the Southwesterly side of an existing 30' wide sanitary sewer easement; THENCE along lands now or formerly of Michael H. and Dorothy S. Malin, South eighty-seven degrees thirty-one minutes thirteen seconds West (S 87° 31' 13" W) thirty and nineteen one-hundredths feet (30.19') to a point; THENCE through lands now or formerly of John R. Evans the three following courses and distances: 1) North seventy-three degrees eight minutes fourteen seconds West (N 73° 08' 14" W) fifty-one and sixty-six one-hundredths feet (51.66'); 2) North seventy-four degrees twenty-five minutes thirty-seven seconds West (N 74° 25' 37" W) one hundred sixty-three and ninety-three one-hundredths feet (163.93'); 3) South seventy-one degrees fifty-nine minutes eighteen seconds West (S 71° 59' 18" W) sixty-one and ninety-four one-hundredths feet (61.94') to a point on line of lands now or formerly of John J. and Jane O'Brien; THENCE along said lands, North thirty-five degrees fifty-six minutes twenty-three seconds East (N 35° 56' 23" E) sixteen and ninety-nine one-hundredths feet (16.99') to a point on the Southeasterly side of an existing 30' wide sanitary sewer easement; THENCE along said Southeasterly side of said existing 30' wide sanitary sewer easement and through lands now or formerly of John R. Evans, North seventy-one degrees fifty-nine minutes eighteen seconds East (N 71° 59' 18" E) fifty-one and twenty-two one-hundredths feet (51.22') to a corner of said existing 30' wide sanitary sewer easement; THENCE along the aforesaid Southwesterly side of said existing 30' wide sanitary sewer easement and continuing through lands now or formerly of John R. Evans the two following courses and distances: 1) South seventy-four degrees twenty-five minutes thirty-seven seconds East (S 74° 25' 37" E) one hundred sixty-seven and six one-hundredths feet (167.06'); 2) South seventy-three degrees eight minutes fourteen seconds East (S 73° 08' 14" E) eighty and twenty-seven one-hundredths feet (80.27') to the first mentioned point and place of beginning.



FAX: (215) 576-7791

PHONE: (215) 887-2165

**CHARLES E. SHOEMAKER, INC.**  
*ENGINEERS AND SURVEYORS*  
SOUTHEAST CORNER OF EASTON & EDGE HILL ROADS  
1007 EDGE HILL ROAD  
ABINGTON, PENNSYLVANIA 19001

09/10/2008

TEMPORARY EASEMENT 'B'  
PREPARED FOR HATFIELD TOWNSHIP MUNICIPAL AUTHORITY.  
THROUGH LANDS OF JOHN R. EVANS  
HATFIELD TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA

Page 2

BEING Temporary Easement 'B' through lands now or formerly of John R. Evans

CONTAINING 2,880 square feet.

25414-A  
HAT.-144  
August 7, 2008  
Revised: December 22, 2008

FAX: (215) 576-7791

PHONE: (215) 887-2165

**CHARLES E. SHOEMAKER, INC.**  
ENGINEERS AND SURVEYORS  
SOUTHEAST CORNER OF EASTON & EDGE HILL ROADS  
1007 EDGE HILL ROAD  
ABINGTON, PENNSYLVANIA 19001

PERMANENT EASEMENT 'C'  
PREPARED FOR HATFIELD TOWNSHIP MUNICIPAL AUTHORITY  
THROUGH LANDS OF JOHN R. EVANS  
HATFIELD TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA

09/20/2008

ALL THAT CERTAIN parcel of land designated as Permanent Easement 'C', SITUATE in the Township of Hatfield, County of Montgomery and Commonwealth of Pennsylvania bounded and described in accordance with an Easement Plan through lands of John R. Evans, dated July 25, 2008 and revised December 22, 2008 as prepared by Charles E. Shoemaker, Inc., Engineers and Surveyors of Abington, Pennsylvania as follows:

BEGINNING at an interior point on the Northeasterly side of an existing 30' wide sanitary sewer easement and the Southwesterly side of Temporary Easement 'A', said point being at a distance of twenty and seventy-one one-hundredths feet (20.71') measured North seventy-three degrees eight minutes fourteen seconds West (N 73° 08' 14" W) from a point, said point being at a distance of one hundred sixty-eight and thirty-five one-hundredths feet (168.35') measured North sixty-eight degrees forty-two minutes twenty-four seconds West (N 68° 42' 24" W) from a point on line of lands now or formerly of Michael H. and Dorothy S. Malin, said point being at a distance of fifty-four and sixty-three one-hundredths feet (54.63') measured South thirty-four degrees twenty-nine minutes fifty seconds West (S 34° 29' 50" W) from a point, a corner of lands now or formerly of Michael H. and Dorothy S. Malin; THENCE along said Northeasterly side of said existing 30' wide sanitary sewer easement and through lands now or formerly of John R. Evans the two following courses and distances: 1) North seventy-three degrees eight minutes fourteen seconds West (N 73° 08' 14" W) two hundred nine and forty-two one-hundredths feet (209.42'); 2) North seventy-four degrees twenty-five minutes thirty-seven seconds West (N 74° 25' 37" W) one hundred seventy-six and forty-five one-hundredths feet (176.45') to a point, a corner of said existing 30' wide sanitary sewer easement; THENCE along the Southeasterly side of said existing 30' wide sanitary sewer easement and continuing through lands now or formerly of John R. Evans, South seventy-one degrees fifty-nine minutes eighteen seconds West (S 71° 59' 18" W) nineteen and six one-hundredths feet (19.06') to a point on line of lands now or formerly of John J. and Jane O'Brien; THENCE along said lands, North thirty-five degrees fifty-six minutes twenty-three seconds East (N 35° 56' 23" E) nineteen and ten one-hundredths feet (19.10') to a point on the aforesaid Southwesterly side of aforesaid Temporary Easement 'A'; THENCE along said Southwesterly side of said Temporary Easement 'A' and through lands now or formerly

FAX: (215) 576-7791

PHONE: (215) 887-2165

**CHARLES E. SHOEMAKER, INC.**  
**ENGINEERS AND SURVEYORS**  
SOUTHEAST CORNER OF EASTON & EDGE HILL ROADS  
1007 EDGE HILL ROAD  
ABINGTON, PENNSYLVANIA 19001

PERMANENT EASEMENT 'C'  
PREPARED FOR HATFIELD TOWNSHIP MUNICIPAL AUTHORITY  
THROUGH LANDS OF JOHN R. EVANS  
HATFIELD TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA

08/10/2008

Page 2

of John R. Evans the two following courses and distances: 1) South seventy-three degrees twenty-two minutes zero seconds East (S 73° 22' 00" E) three hundred thirteen and fifty-seven one-hundredths feet (313.57'); 2) South seventy degrees one minute thirty seconds East (S 70° 01' 30" E) eighty-one and seventy-seven one-hundredths feet (81.77') to the first mentioned point and place of beginning.

BEING Permanent Easement 'C' through lands now or formerly of John R. Evans.

CONTAINING 1,838 square feet.

25414-A  
HAT.-144  
August 7, 2008  
Revised: December 22, 2008

J. SCOTT MAXWELL, ESQUIRE  
IDENTIFICATION NO. 09449  
PAUL G. MULLIN, ESQUIRE  
IDENTIFICATION NO. 90495  
HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN  
375 MORRIS ROAD  
P.O. BOX 1479  
LANSDALE, PA 19446-0773  
(215) 661-0400

ATTORNEY FOR  
CONDEMNOR  
HATFIELD TOWNSHIP MUNICIPAL  
AUTHORITY

09/10/200

IN THE COURT OF COMMON PLEAS  
OF MONTGOMERY COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

In Re:  
CONDEMNATION PROCEEDINGS  
IN REM BY:  
HATFIELD TOWNSHIP MUNICIPAL AUTHORITY  
Condemnor  
v.  
A CERTAIN PARCEL OF LAND  
IDENTIFIED BY LAST KNOWN OWNER  
AND TAX PARCEL NO. AS:  
JOHN R. EVANS  
TAX PARCEL NO. 35-00-10315-00-9  
2413 TREWIGTOWN ROAD  
COLMAR, PA 18915  
Condemnee  
NO. 09-  
BOND

KNOW ALL MEN BY THESE PRESENTS, that the Hatfield Township  
Municipal Authority, a municipal corporation organized and existing under the laws of  
the Commonwealth of Pennsylvania, hereinafter 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 condemned, as hereinafter noted,

(00365355;v1)



and other proper parties-in-interest, for such amount of damage as the said owner or owners of said property and other parties-in-interest shall be entitled to receive after the same shall have been agreed upon or assessed in the manner prescribed by law, by reason of the condemnation by the Hatfield Township Municipal Authority of a certain easement described in Exhibit "A" attached hereto and made a part hereof.

23/10/2009

WHEREAS, the Hatfield Township Municipal Authority has condemned the said property and has not yet agreed with the owner of said land upon the just compensation to be paid for the damages sustained by said owner as a result of the condemnation.

NOW, THE CONDITION, of this Bond is such that if the Hatfield Township Municipal Authority, the Obligor herein, shall pay or cause to be paid such amount of damages as the said owner of the property and other parties-in-interest shall be entitled to receive 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 be and remain in full force and effect.

Sealed with the corporate seal and executed this 6<sup>th</sup> day of June, 2009.

ATTEST:

HATFIELD TOWNSHIP MUNICIPAL  
AUTHORITY

J. A. West Sr.

By: Charles Smurgin

**VERIFICATION**

I, Paul G. Mullin, Esquire, verify that the statements made in the foregoing Declaration of Taking are true and correct to the best of my knowledge, information and belief, and that this ~~09/10/2008~~ statement is made subject to the penalties of 18 Pa. Cons. Stat. Ann. Section 4904, relating to unsworn falsification to authorities.

Dated: 9-10-09

  
\_\_\_\_\_  
PAUL G. MULLIN, ESQUIRE

000317

No. 1000 The Great Seal - Treasurer  
The & Liberty Co. PHILADELPHIA

**This Indenture** made the 5<sup>th</sup>  
day of FEBRUARY in the year of our Lord one thousand nine  
hundred and Seventy-one (1971) **Between**  
JOHN R. EVANS & VIRGINIA M., HIS WIFE

(hereinafter called the Grantor A), of the one part, and

JOHN R. EVANS

(hereinafter called the Grantor B), of the other part:

**Witnesseth**, That the said Grantor A for and in consideration of the sum of  
ONE AND NO/100 (\$1.00) lawful  
money of the United States of America, unto them well and truly paid by the said  
Grantor B at and before the sealing and delivery of these presents, the receipt whereof is  
hereby acknowledged, have granted, bargained, sold, aliened, enfeoffed, released and  
confirmed, and by these presents do give, grant, bargain, sell, alien, enfeoff, release and  
confirm unto the said Grantor B, his Heirs and Assigns,

ALL THAT CERTAIN PIECE or tract of land with the buildings  
and improvements thereon erected.

SITUATE in the Township of Hatfield, County of Montgomery  
and Commonwealth of Pennsylvania, bounded and described according  
to a survey and plan thereof made by John E. Burkhardt, Surveyor  
dated October 1955, as follows, to wit:

BEGINNING at a point in the bed of Trawigtown Road; THENCE  
extending along the bed of said road, the five following courses and  
distances: (1) South fifty three degrees, one minute East, nineteen  
and ninety nine one-hundredths feet to a point; (2) THENCE extending  
South sixty four degrees, five minutes East, fifty feet to a point;  
(3) THENCE extending South eighty one degrees, ten minutes East,  
fifty feet to a point; (4) THENCE extending South eighty four degrees,  
seven minutes East, fifty feet to a point; (5) North seventy nine  
degrees, eight minutes East, one hundred sixty three and five tenths  
feet to a point; THENCE extending South forty seven degrees, twenty  
four minutes East, crossing said road to a point in the bed of Branch  
of Meshaminy Creek, thirty feet; THENCE extending along the bed of  
said Creek, South five degrees, thirty eight minutes, ten seconds  
West along the line of land of George Irving, five hundred, six and  
ninety five, one-hundredths feet to a point; THENCE extending North  
seventy five degrees, forty one minutes West, crossing said Creek,  
twenty three feet to a point; THENCE extending South forty degrees,  
twenty four minutes West, one hundred twenty feet to a point in the  
bed of Meshaminy Creek; THENCE extending along the bed of said creek,  
the three following courses and distances: (1) North fifty six degrees,  
fifty seven minutes, thirty seconds West, one hundred fifty four and

0003643 PG 79

eighty one, one-hundredths feet to a point; (2) North seventy two degrees, thirteen minutes, forty seconds West one hundred fifty seven and eighteen one-hundredths feet to a point; (3) North eighty seven degrees, five minutes, ten seconds West three hundred thirty three and forty five one-hundredths feet to a point on the South-westerly side of said Creek; ~~THENCE~~ extending North forty one degrees, twenty minutes East, crossing said creek, six hundred, thirty five and twenty nine, one-hundredths feet to a point in the bed of Trewigtown Road, the first mentioned point and place of beginning.

~~BEING~~ known as #2413 Trewigtown Road.

~~BEING~~ the same premises which Paul H. Jenkins & Diane M., his wife by Indenture bearing date the 13th day of March A.D., 1968 and recorded in the Office for the Recording of Deeds in Montgomery County in Deed Book 3505 page 112 granted and conveyed unto John R. Evans & Virginia W., his wife'

~~ORDER & SUBJECT~~ to certain conditions and restrictions as now appear of record.



**Together** with all and singular buildings and ———— improvements, ways, streets, alleys, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever therunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantors, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

**To have and to hold** the said lot or piece of ground above described with the buildings and improvements thereon erected, ———— hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, his Heirs ———— and Assigns, to and for the only proper use and behoof of the said Grantee, his Heirs ———— and Assigns forever.

**And** the said Grantors, for themselves, their ————

Heirs, Executors, and Administrators **do** by these presents covenant, grant and agree, to and with the said Grantee, his Heirs ———— and Assigns, that they the said Grantors, their

Heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, his Heirs and Assigns, against — them — the said Grantors, their

Heirs, and against all and every other Person and Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, them or any of them, Shall and Will **SUBJECT AS ABOVE SAID**

**WARRANT** and forever **DEFEND**.

**In Witness Whereof** the said part 1<sup>st</sup> of the first part to these presents have hereunto set their hands and seals. Dated the day and year first above written.

Witness, Given and Delivered }  
in the presence of us

*[Signature]*

*[Signature]*  
JOHN R. EVANS  
*[Signature]*  
FRANCIS G. EVANS

COMMONWEALTH OF PENNSYLVANIA }  
COUNTY OF PHA } SS.

On this the 5th day of February 1971, before me, the subscriber, a Notary Public in and for the Commonwealth of Pa. the undersigned officer, personally appeared JOHN R. EVANS & VIRGINIA M. HIS WIFE known to me (or satisfactorily proven) to be the person or persons whose name or names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

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



*[Signature]*  
Notary Public, Philadelphia, Pennsylvania  
My Commission Expires July 22, 1973  
Title of Office

317  
25.9  
25.9  
GA-1461 1961  
GETTA  
STANLEY  
THE ESTATE

Deed

JOHN R. EVANS & VIRGINIA M. HIS WIFE

JOHN R. EVANS

113 TREMONT ROAD  
MATTIELD, PA.

11 FEB 1971

1-10-61 11-1-71

Montgomery County S. S.  
Recorded in the Office for Recorder of Deeds & c.  
in and for said county in Deed ... book  
No. 3643 ... Page 79 ... & c.  
Witness my hand and seal of office this 10th ...  
day of February ... 19 71  
*[Signature]* Recorder

The residence of the within-named Grantee is  
*[Signature]*  
On behalf of said Grantee

000895

MAR-26-68

00110

DEEDS • 895 A =

7.00

This Deed,

made this

Twenty Fifth

day of

March,

19 68

Between, PAUL H. JENKINS and DIANE M. JENKINS, his wife,

(hereinafter called the "Grantors"),

of the one part, and JOHN R. EVANS and VIRGINIA W. EVANS, his wife,

(hereinafter called the "Grantees"), of the other part.

Witnesseth, That in consideration of TWENTY FIVE THOUSAND (\$25,000.00)

Dollars,

in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the said Grantees, their heirs and assigns,

ALL THAT CERTAIN piece or tract of land with the buildings and improvements thereon erected, Situate in the Township of Hatfield, County of Montgomery and Commonwealth of Pennsylvania, bounded and described according to a Survey and Plan thereof made by John E. Burkhardt, Surveyor, dated October, 1955 as follows, to wit:

BEGINNING at a point in the bed of Trewigtown Road; thence extending along the bed of said road, the five following courses and distances: (1) South fifty three degrees, one minute East, Nineteen and ninety nine one-hundredths feet to a point; (2) thence extending South sixty four degrees, five minutes East, Fifty feet to a point; (3) thence extending South eighty one degrees, ten minutes East, Fifty feet to a point; (4) thence extending South eighty four degrees, seven minutes East, Fifty feet to a point; (5) North seventy nine degrees, eight minutes East, One hundred sixty three and five tenths feet to a point; thence extending South forty seven degrees, twenty four minutes East, crossing said road to a point in the bed of Branch of Neshaminy Creek, Thirty feet; thence extending along the bed of said Creek, South five degrees, thirty eight minutes, ten seconds West; along the line of land of George Irving, Five hundred six and ninety five one-hundredths feet to a point; thence extending North seventy five degrees, forty one minutes West, crossing said creek, Twenty three feet to a point; thence extending South forty degrees, twenty four minutes West, One hundred twenty feet to a point in the bed of Neshaminy Creek; thence extending along the bed of said Creek, the three following courses and distances: (1) North fifty six degrees, fifty seven minutes, thirty seconds West, One hundred fifty four and eighty one one-hundredths feet to a point; (2) North seventy two degrees, thirteen minutes, forty seconds West, One hundred fifty seven and eighteen one-hundredths feet to a point; (3) North eighty seven degrees, five minutes, ten seconds West, Three hundred thirty three and forty five one-hundredths feet to a point on the Southwesterly side of said Creek; thence extending North forty one degrees, twenty minutes East, crossing said Creek, Six hundred thirty five and twenty nine one-hundredths feet to a point in the bed of Trewigtown Road the first mentioned point and place of beginning.

BEING the same premises which Paul A. Rilly and Elizabeth Rilly, his wife, by Indenture bearing date the 16th day of April, A. D. 1964 and recorded at Horristown in the office for the Recording of Deeds, in and for the County of Montgomery on the 17th day of April, A. D. 1964 in Deed Book 3326 page 1083 etc., granted and conveyed unto Paul H. Jenkins and Diane M. Jenkins, his wife, in fee.

Hatfield Twp. - 9000 Transfer Tax Paid

In the amount of \$250.00

THE TITLE EXCHANGE CORPORATION OF PENNSYLVANIA



The State of Pennsylvania does hereby certify the full constitution including these and all amendments.

IN WITNESS WHEREOF

And the said Grantor s do hereby covenant to and with the said Grantee s that they the said Grantor s SHALL and WILL Warrant and forever Defend the herein above described premises, with the hereditaments and appurtenances, unto the said Grantee s, their heirs and assigns, against the said Grantor s and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under him, her, them or any of them.

IN WITNESS WHEREOF, the said Grantor ha caused these presents to be duly executed, the day and year first above written.

SEALED AND DELIVERED In the Presence of:

Harold N. Smith  
E. Louis Myers

Paul H. Jenkins  
 Paul H. Jenkins  
Diane H. Jenkins  
 Diane H. Jenkins

State of Pennsylvania County of Bucks  
 On this 25th day of March 19 68 before me, the undersigned officer, personally appeared Paul H. Jenkins and Diane H. Jenkins his wife, known to me (or satisfactorily proven) to be the person s whose name s are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

*Paul H. Jenkins*  
 Notary Public  
 NOTARY PUBLIC, DOVERESTOWN, PA., BUCKS CO., PA.  
 My Commission Expires July 1, 1971

354,361 D  
 THE ESTATE OF HENRY H. HAYWARD  
 Head 895

PAUL H. JENKINS and  
 DIANE H. JENKINS, his wife

Mar 26 1 59 PM '68

TO

JOHN R. EVANS and  
 ARGENTIA W. EVANS, his wife

The address of the County is  
 Box 233, Colmar, Pa., 18913  
*Lena Baynes*

Montgomery County

March 26, 1968  
 DED in Deed Book 3505 PAGE 112  
 under my hand and the seal of the said  
 be due above written.

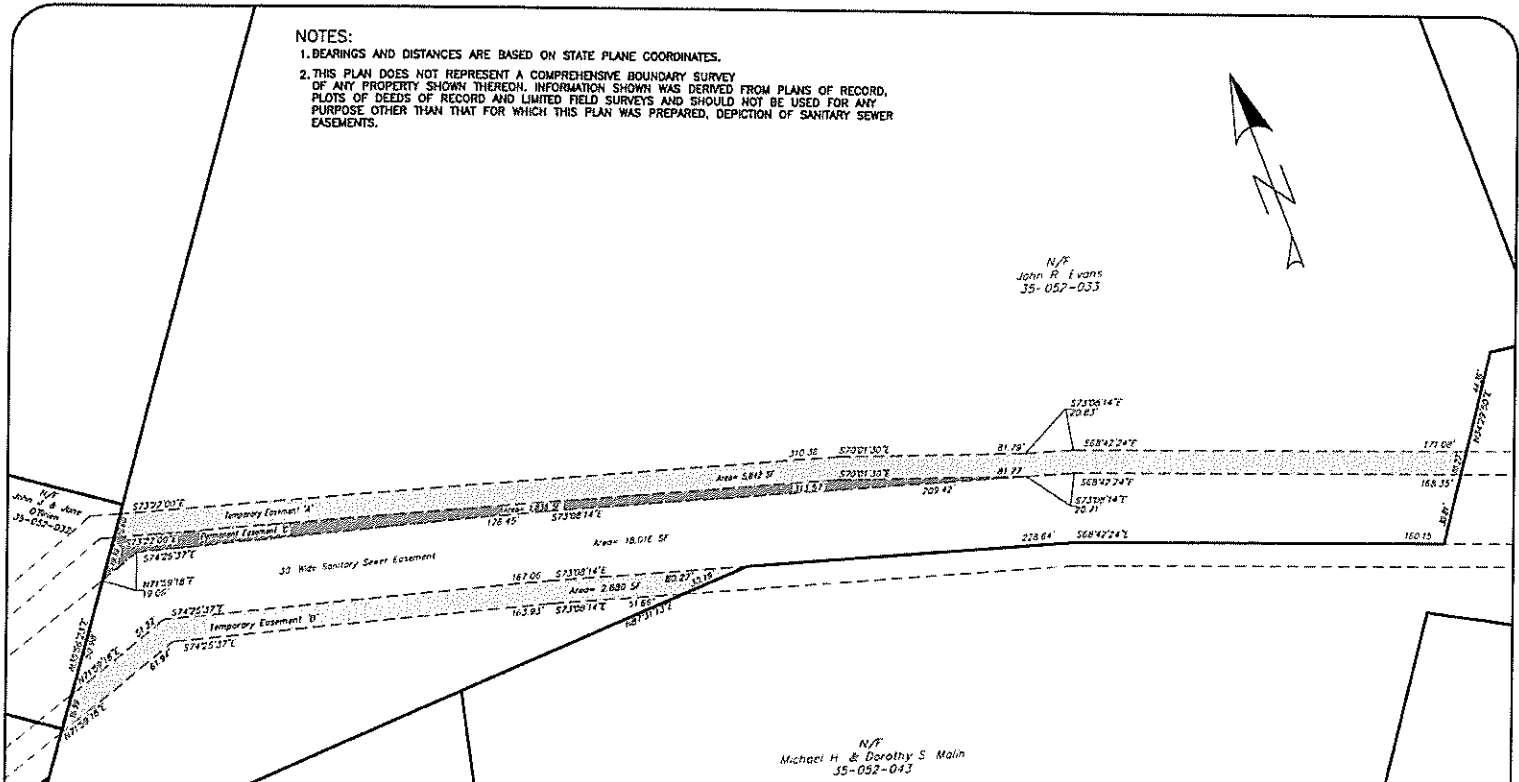
*Paul G. Buckler*  
 Notary Public

**NOTES:**

1. BEARINGS AND DISTANCES ARE BASED ON STATE PLANE COORDINATES.
2. THIS PLAN DOES NOT REPRESENT A COMPREHENSIVE BOUNDARY SURVEY OF ANY PROPERTY SHOWN THEREON. INFORMATION SHOWN WAS DERIVED FROM PLANS OF RECORD, PLOTS OF DEEDS OF RECORD AND LIMITED FIELD SURVEYS AND SHOULD NOT BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH THIS PLAN WAS PREPARED, DEPICTION OF SANITARY SEWER EASEMENTS.



N/E  
John R. Evans  
35-052-033



N/E  
Michael H. & Dorothy S. Main  
35-052-043



<b>RECORD OWNER(S)</b> John R. Evans	
<b>SITE ADDRESS</b> 2413 Trewigtown Road Colmar, PA 18915	<b>COUNTY PARCEL NO.</b> 35-00-10315-00-9
<b>DEED BOOK - PAGE</b> 3643-079	<b>BLOCK - UNIT</b> 82-33

**CHARLES E. SHOEMAKER, INC.**  
ENGINEERS & SURVEYORS  
1007 EDGE HILL ROAD ABRINGTON, PA. 19001

PHONE: 215-887-2165 FAX: 215-578-7791  
E-MAIL: staff@ceshoemaker.com  
SCALE 1" = 40'

**EASEMENT PLAN**  
of  
TPN: 35-052-033  
HATFIELD TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA  
MADE FOR  
Hatfield Township Municipal Authority

c/o Peter R. Dorney  
3200 Advance Lane  
Colmar, PA 18915

<b>JOB NO.</b> 25414-A	<b>DWG NO.</b> HAT-144
<b>DATE</b> JULY 25, 2008	<b>REVISION</b> DEC. 22, 2008
<b>SHEET NO.</b> <b>1 OF 1</b>	