

EAST GOSHEN TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

RESOLUTION NO. 2019-187

RESOLUTION OF THE BOARD OF SUPERVISORS OF EAST GOSHEN TOWNSHIP AUTHORIZING THE ACQUISITION OF REAL PROPERTY INTERESTS SITUATE IN THE TOWNSHIP OF EAST GOSHEN, CHESTER COUNTY, PENNSYLVANIA BY PURCHASE OR CONDEMNATION FOR THE PURPOSE OF THE PUBLIC RECREATION PROJECT KNOWN AS THE PAOLI PIKE TRAIL.

WHEREAS, East Goshen Township (the “Township”) is engaged in consultation and cooperation with the Commonwealth of Pennsylvania Department of Transportation with regard to that certain public recreation project known as the Paoli Pike Trail; and

WHEREAS, the Board of Supervisors of the Township (the “Board”) is authorized and empowered pursuant to applicable law to acquire real property necessary for public ownership of a portion of that certain roadway known as Pennsylvania Route 352 (a.k.a. North Chester Road) in furtherance of completion of the Paoli Pike Trail; and

WHEREAS, the Board is authorized and empowered pursuant to applicable law to acquire real property interests necessary for completion of the Paoli Pike Trail; and

WHEREAS, in order to facilitate public ownership of that certain roadway known as Pennsylvania Route 352 (a.k.a North Chester Road) so as to complete the Paoli Pike Trail, the Township requires fee simple title in, on, over, to, and through certain portions of real property *situate* within the jurisdictional limits of the Township, as more fully depicted on **Exhibit A** attached hereto and incorporated herein by reference (the “East Side Fee Simple Property Rights”); and

WHEREAS, in order to facilitate public ownership of that certain roadway known as Pennsylvania Route 352 (a.k.a North Chester Road) so as to complete the Paoli Pike Trail, the Township requires fee simple title in, on, over, to, and through certain portions of real property *situate* within the jurisdictional limits of the Township, as more fully depicted in yellow shading on **Exhibit B** attached hereto and incorporated herein by reference (the “West Side Fee Simple Property Rights”); and

WHEREAS, in order to complete the Paoli Pike Trail, the Township requires permanent sidewalk easement rights and temporary construction easement rights in, on, over, to, and through certain portions of real property *situate* within the jurisdictional limits of the Township, as more fully depicted on **Exhibit C** attached hereto and incorporated herein by reference (the “Easement Property Rights”).

NOW, THEREFORE,

BE IT RESOLVED by the Board, and it is hereby resolved by authority of the same, that the acquisition of the East Side Fee Simple Property Rights, the West Side Fee Simple Property Rights and the Easement Property Rights by purchase or condemnation according to law is authorized for, and in connection with, the public recreation project known as the Paoli Pike Trail; and

BE IT FURTHER RESOLVED by the Board, and it is hereby resolved by authority of the same, that the real property interests necessary for the public recreation project known as Paoli Pike Trail shall be acquired by the Township by purchase or condemnation under the provisions of the Acts of Assembly, in fee simple or such lesser estate as the Township shall determine necessary therefore; and

BE IT FURTHER RESOLVED by the Board, and it is hereby resolved by authority of the same, that the Township Manager and the Township Solicitor are authorized and directed to take any and all steps which they, in their discretion, deem necessary and proper and in the best interests of the Township to effectuate this Resolution including, without limitation, the filing of one or more Declaration(s) of Taking under and pursuant to the Pennsylvania Eminent Domain Code, 26 Pa.C.S.A. § 101 *et seq.*

ADOPTED by the Board of Supervisors of East Goshen Township the 28th day of May, 2019.

ATTEST:



Louis F. Smith, Secretary

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**




Janet L. Emanuel, Chairman



E. Martin Shane, Vice-Chairman

Carmen R. Battavio, Member



David E. Shuey, Member



Michael P. Lynch, Member

Exhibit A

Exhibit B




NOTES:
 1) THE PENNDOT LEGAL RIGHT-OF-WAY ALONG PAOLI PIKE IS 40.00 FEET WIDE ESTABLISHED BY PENNSYLVANIA PAMPHLET LAWS DATED APRIL 14, 1834 AND RECORDED ON PAGE 442. ALSO RECORDED IN THE CHESTER COUNTY COURTHOUSE IN ROAD DOCKET G PAGE 172 AND ORIGINAL PAPERS VOLUME 46 PAGE 47.

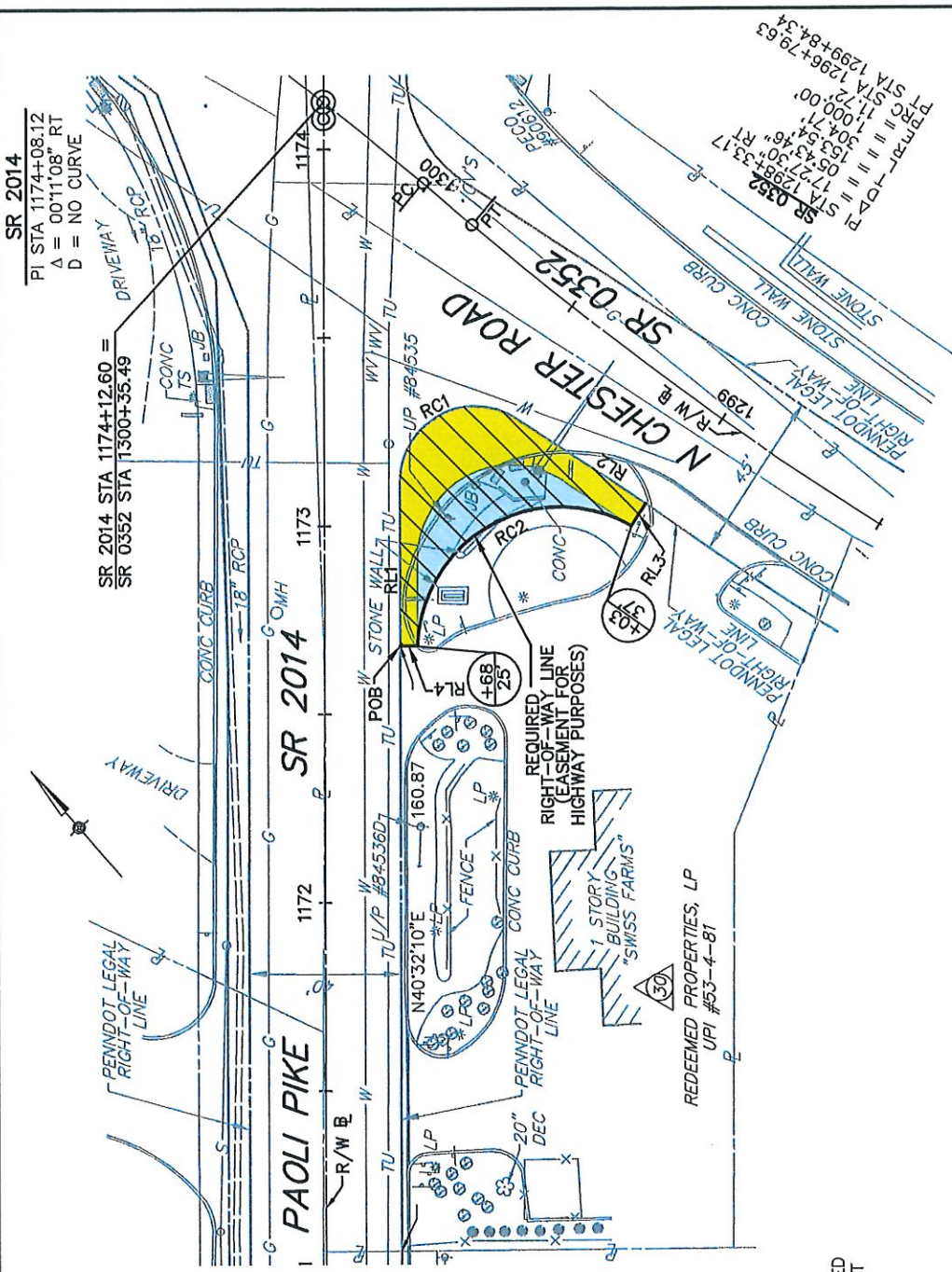
2) THE BEARING SYSTEM IS BASED ON THE PROJECT DATUM, PENNSYLVANIA STATE PLANE COORDINATE SYSTEM (NAD 83).

REQUIRED RIGHT-OF-WAY (EASEMENT FOR HIGHWAY PURPOSES) LINE TABLE		
LINE	BEARING	DISTANCE
RL1	N40°32'10"E	43.61'
RL2	S16°10'31"E	41.30'
RL3	S73°49'29"W	7.14'
RL4	N49°27'50"W	4.55'

REQUIRED RIGHT-OF-WAY (EASEMENT FOR HIGHWAY PURPOSES) CURVE TABLE			
CURVE	RADIUS	LENGTH	CHORD
RC1	20.00'	43.04'	35.20'
RC2	38.04'	78.42'	65.25'

TOTAL AREA OF REQUIRED RIGHT-OF-WAY (EASEMENT FOR HIGHWAY PURPOSES)
 = 1.671 SF, 0.038 AC

-  REQUIRED RIGHT-OF-WAY AREA (EASEMENT FOR HIGHWAY PURPOSES)
-  EASEMENT RIGHT-OF-WAY PREVIOUSLY ACQUIRED BY EAST GOSHEN TOWNSHIP BASED ON A 50 FT PENNDOT LEGAL RIGHT-OF-WAY
-  EASEMENT RIGHT-OF-WAY GAP AREA TO BE ACQUIRED BY EAST GOSHEN TOWNSHIP



PLAN OF REQUIRED RIGHT-OF-WAY (EASEMENT FOR HIGHWAY PURPOSES)
 FOR LANDS OF REDEEMED PROPERTIES, L.P. (UPI #53-4-81)
 SITUATE IN EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PA.

840 SPRINGDALE DRIVE
 EXTON, PA, 19341
 TELE: (610)-594-9995
 FAX: (610)-594-9565

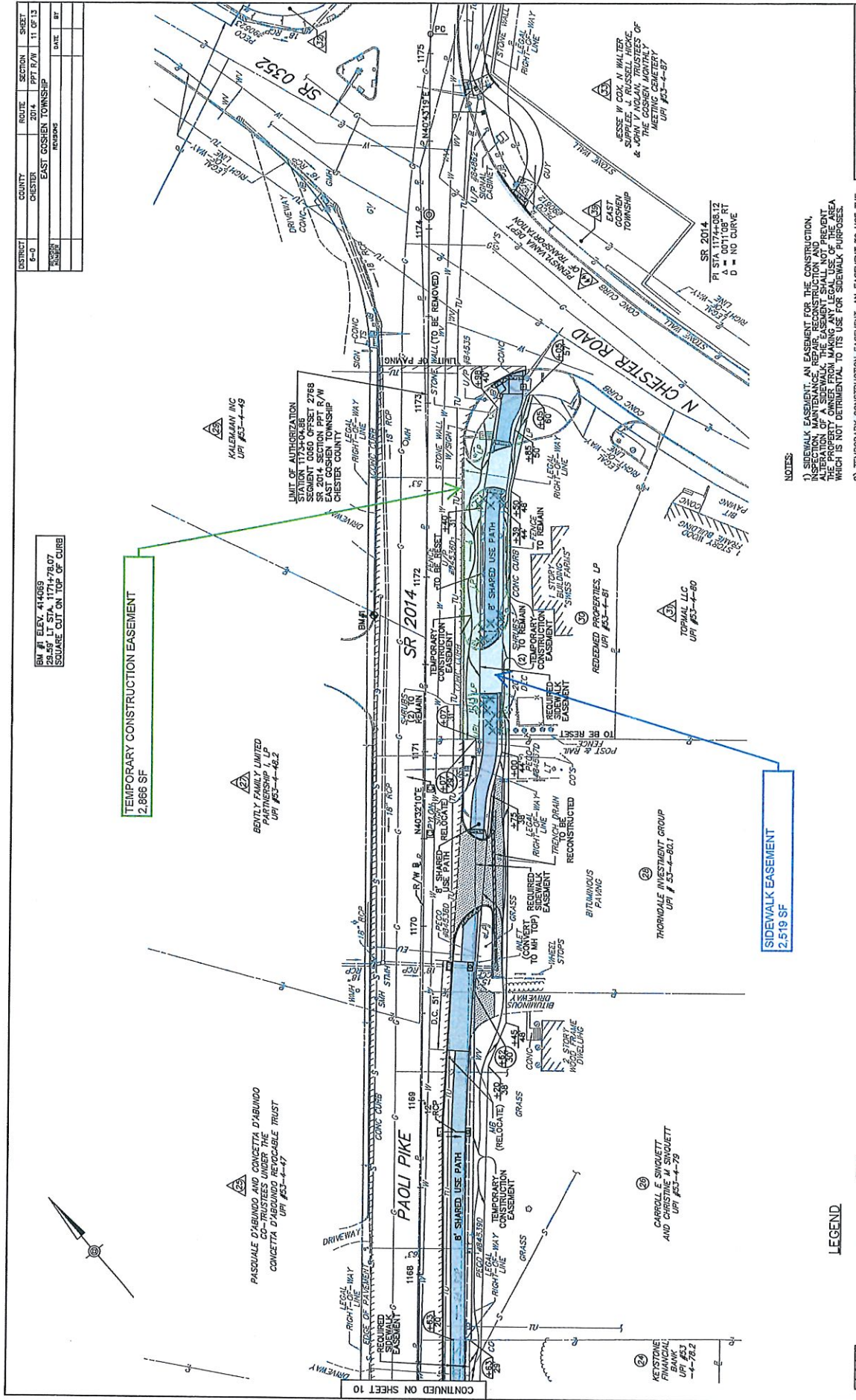


10/24/17
 JOB #816417.21
 SCALE: 1" = 30'
 SHEET: 1 of 1

Exhibit C

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
E-9	CHESTER	2014	PPT R/W	11 OF 13
EAST COSHEN TOWNSHIP		ROADWAYS		
DATE	BY			

2,866 SF
 TEMPORARY CONSTRUCTION EASEMENT
 2,866 SF
 SQUARE OUT ON TOP OF CURB



- LEGEND**
- PROPOSED BITUMINOUS WIDENING/ PAVEMENT RESTORATION
 - PROPOSED SIDEWALK ADJUSTMENT
 - SHARED USE PATH
 - PROTECTIVE RAILING
 - REMOVE EXISTING TREE/SHRUB

- NOTES:**
- 1) SIDEWALK EASEMENT, AN EASEMENT FOR THE CONSTRUCTION, ALTERATION OR REMOVAL OF SIDEWALK OR CONSTRUCTION OF SIDEWALK BY THE PROPERTY OWNER FROM MAKING ANY LEGAL USE OF THE AREA WHICH IS NOT DETRIMENTAL TO ITS USE FOR SIDEWALK PURPOSES.
 - 2) TEMPORARY CONSTRUCTION EASEMENT, AN EASEMENT TO USE THE LAND AS NECESSARY DURING CONSTRUCTION OF THE PROJECT, THE LAND AS NECESSARY FOR THE COMPLETION OF THE CONSTRUCTION OR WORK INDICATED BY THE PLANS IS COMPLETED UNLESS SOURCE IS RELINQUISHED IN WRITING BY THE TOWNSHIP.

CONTINUED ON SHEET 10