

EAST GOSHEN TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

RESOLUTION NO. 2021-200

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 including, without limitation, Section 2201 of the Pennsylvania Second Class Township Code, 53 P.S. § 67201, to acquire real property interests necessary for, and in furtherance of completion of, the Paoli Pike Trail; and

WHEREAS, in order to facilitate the Paoli Pike Trail, the Township requires certain permanent and temporary easement interests and rights-of-way or fee-simple ownership in, on, over, to, and through certain portions of real property *situate* within the Township and as more fully depicted on Exhibit A and as more fully described by metes and bounds (as to the required permanent easement) on Exhibit B, each attached hereto and incorporated herein by reference (the "Necessary Real Property Interests"); and

WHEREAS, the Necessary Real Property Interests include a permanent easement having an area measuring 8,482 square feet, more or less, identified on Exhibit A as "Required Sidewalk Easement" and a temporary construction easement having an area measuring 7,011 square feet, more or less, identified on Exhibit A as "Temporary Construction Easement;" and

WHEREAS, the Necessary Real Property Interests are, as of the date of this Resolution, part of the real property which is identified as Chester County Tax Map Parcel No. 53-3-1.9.

NOW, THEREFORE,

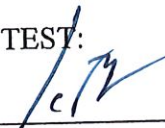
BE IT RESOLVED by the Board, and it is hereby resolved by authority of the same, that the acquisition of the Necessary Real Property Interests by purchase or condemnation according to law is authorized for, and in connection with, the public recreation project known as the Paoli Pike Trail; and

BE IT FURTHER RESOLVED by the Board, and it is hereby resolved by authority of the same, that the Necessary Real Property Interests for the public recreation project known as the Paoli Pike Trail shall be acquired by the Township by purchase or condemnation under the provisions of the Acts of Assembly, as more fully set forth in the Resolution; 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 this ^{15th} day of June, 2021.

ATTEST:



Louis F. Smith, Secretary

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**




David E. Shuey, Chairman



Michael P. Lynch, Vice-Chairman

John Hertzog, Member

Michelle Truitt, Member



E. Martin Shane, Member

EXHIBIT A

EXHIBIT B



McMAHON ASSOCIATES, INC.
835 Springdale Drive, Suite 200
Exton, PA 19341
p 610-594-9995 | f 610-594-9565

June 14, 2021

**DESCRIPTION OF REQUIRED SIDEWALK EASEMENT
FOR LANDS OF PETER M. HICKS AND PHILIP HICKS
(UPI #53-3-1.9)**

All that certain required pieces of land situate in the Township of East Goshen, County of Chester, Commonwealth of Pennsylvania. Being part of land further described in an indenture dated the 7th day of October 2014 in Deed Book 9008 Page 2284 and recorded at West Chester in the Office for the Recorder of Deeds of Chester County, Pennsylvania. Bounded and described in accordance with a plan made by McMahon Associates, Inc., Exton, PA, entitled "PLAN OF REQUIRED SIDEWALK EASEMENT FOR LANDS OF PETER M. HICKS AND PHILIP HICKS (UPI #53-3-1.9)" June 14, 2021, as follows to wit;

Beginning at the point of intersection of the northerly Legal Right-of-Way line of Paoli Pike (SR 2014) (72 feet wide), with the westerly line of Grantors, thence extending the following courses and distances:

1) Along the westerly line of Grantors, North 33 degrees 40 minutes 54 seconds West, 15.01 feet to a point.

Thence, through portions of lands of Grantors, the following five courses:

2) Along a line curving to the right having an arc length of 95.28 feet, a radius of 5,672.58 feet, a chord length of 95.28 feet, and a chord bearing of North 57 degrees 29 minutes 04 seconds East, to a point.

3) Thence, North 57 degrees 00 minutes 11 seconds East, 197.34 feet to a point.

4) Thence, North 57 degrees 18 minutes 06 seconds East, 70.64 feet to a point.

5) Thence, North 60 degrees 40 minutes 41 seconds East, 177.14 feet to a point in the easterly line of Grantors.

6) Thence along the easterly line of Grantors, South 31 degrees 49 minutes 54 seconds East, 17.95 feet to a point in the northerly Legal Right-of-Way line of Paoli Pike.

Thence, along the northerly Legal Right-of-Way line of Paoli Pike, the following four courses:

- 7) South 61 degrees 13 minutes 02 seconds West, 197.21 feet to a point.
- 8) Thence, along a line curving to the left having an arc length of 45.01 feet, a radius of 5,771.58 feet, a chord length of 45.01 feet, and a chord bearing of South 57 degrees 13 minutes 36 seconds West, to a point.
- 9) Thence, South 57 degrees 00 minutes 11 seconds West, 202.70 feet to a point.
- 10) Thence, along a line curving to the left having an arc length of 95.11 feet, a radius of 5,687.58 feet, a chord length of 95.10 feet, and a chord bearing of South 57 degrees 28 minutes 56 seconds West, to the point and place of beginning.

Containing 8482 square feet, or 0.195 acres.

E:\eng\816417.20\Design\Right-of-Way\Takes\Segment B\53-3-1.9 - P. Hicks\Preparation Materials\Peter M. Hicks RSB Legal Description.docx

