

EAST GOSHEN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

RESOLUTION NO. 2021-201

**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.**

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**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 and the required right-of-way) 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 12,360 square feet, more or less, identified on Exhibit A as "Required Sidewalk Easement" and a temporary construction easement having an area measuring 12,346 square feet, more or less, identified on Exhibit A as "Temporary Construction Easement," and right-of-way having an area measuring 15,892 square feet, more or less, identified on Exhibit A as "Required Right-of-Way;" and

**WHEREAS**, the Necessary Real Property Interests are, as of the date of this Resolution, part of the real property identified as Chester County Tax Map Parcel No. 53-3-1.8.

**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 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

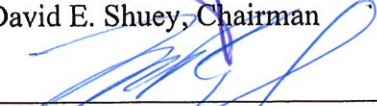
**BE IT FURTHER RESOLVED** by the Board, and it is hereby resolved by authority of the same, that the Township Manager and the Township Solicitor are authorized and directed to take any and all steps which they, in their discretion, deem necessary and proper and in the best interests of the Township 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 15<sup>th</sup> 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**

- NOTES:**
- 1) THE LEGAL RIGHT-OF-WAY WIDTH ON PAOLI PIKE SR 2014 FROM STA. 97+00 TO STA. 104+23.46 IS VARIABLE FROM 40 FEET TO 84 FEET BASED ON DRAWINGS FOR ACCEPTING DEDICATION OF RIGHT-OF-WAY FOR STATE ROUTE 2014. SECTION L-27-R/W DATED MAY 13, 1992 AND RECORDED IN THE CHESTER COUNTY RECORDER OF DEEDS IN PLAN BOOK 89 PAGE 7 ON JULY 14, 1992.
  - 2) **TEMPORARY CONSTRUCTION EASEMENT.** AN EASEMENT TO USE THE LAND AS NECESSARY DURING CONSTRUCTION OF THE PROJECT. THE EASEMENT IS REQUIRED ONLY UNTIL THE CONSTRUCTION OR WORK INDICATED BY THE PLAN IS COMPLETED, UNLESS SOONER RELINQUISHED IN WRITING BY EAST GOSHEN TOWNSHIP.
  - 3) **SIDEWALK EASEMENT.** AN EASEMENT FOR THE CONSTRUCTION, INSPECTION, MAINTENANCE, REPAIR, RECONSTRUCTION AND ALTERATION OF A SIDEWALK. THE EASEMENT SHALL NOT PREVENT THE PROPERTY OWNER FROM MAKING ANY LEGAL USE OF THE AREA WHICH IS NOT DETRIMENTAL TO ITS USE FOR SIDEWALK PURPOSES.
  - 4) THE BEARING SYSTEM IS BASED ON THE PROJECT DATUM: PENNSYLVANIA STATE PLANE COORDINATE SYSTEM (NAD 83).

TOTAL AREA OF **REQUIRED SIDEWALK EASEMENT**  
= 12360 SF, 0.284 AC

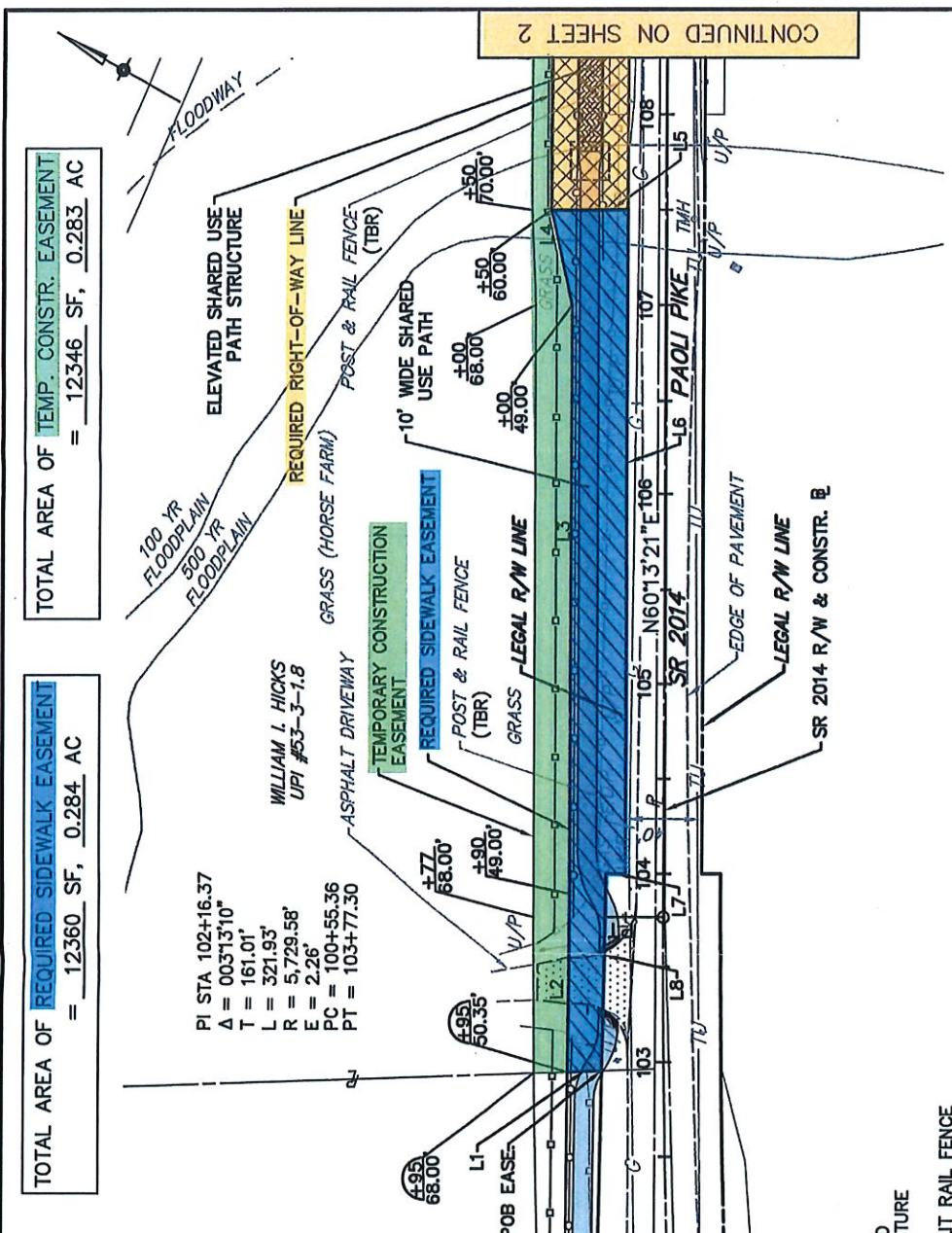
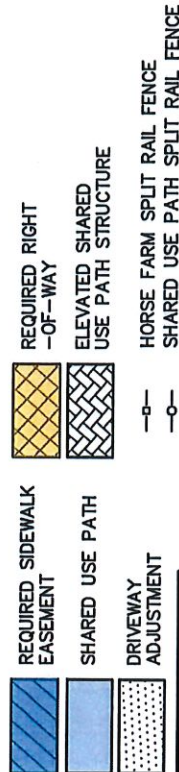
TOTAL AREA OF **TEMP. CONSTR. EASEMENT**  
= 12346 SF, 0.283 AC

PI STA 102+16.37  
Δ = 003°13'10"  
T = 161.01'  
L = 321.93'  
R = 5,729.58'  
E = 2.26'  
PC = 100+55.36  
PT = 103+77.30

WILLIAM I. HICKS  
UPI #53-3-1.8

**REQUIRED SIDEWALK EASEMENT LINE TABLE**

LINE	BEARING	DISTANCE
L1	N31°49'54"W	17.95'
L2	N60°40'41"E	95.34'
L3	N60°13'21"E	310.00'
L4	N47°48'54"E	51.20'
L5	S29°46'39"E	40.00'
L6	S60°13'21"W	350.01'
L7	N29°46'58"W	10.00'
L8	S61°13'02"W	104.71'



835 SPRINGDALE DRIVE  
SUITE 200  
EXTON, PA. 19341  
TELE: (610)-594-9995  
FAX: (610)-594-9565



**PLAN OF REQUIRED SIDEWALK EASEMENT FOR LANDS OF WILLIAM I. HICKS (UPI #53-3-1.8) SITUATE IN EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PA.**








3/3/20  
JOB #816417-20  
SCALE: 1" = 60'  
SHEET: 1 of 2

CONTINUED ON SHEET 2

**NOTES:**

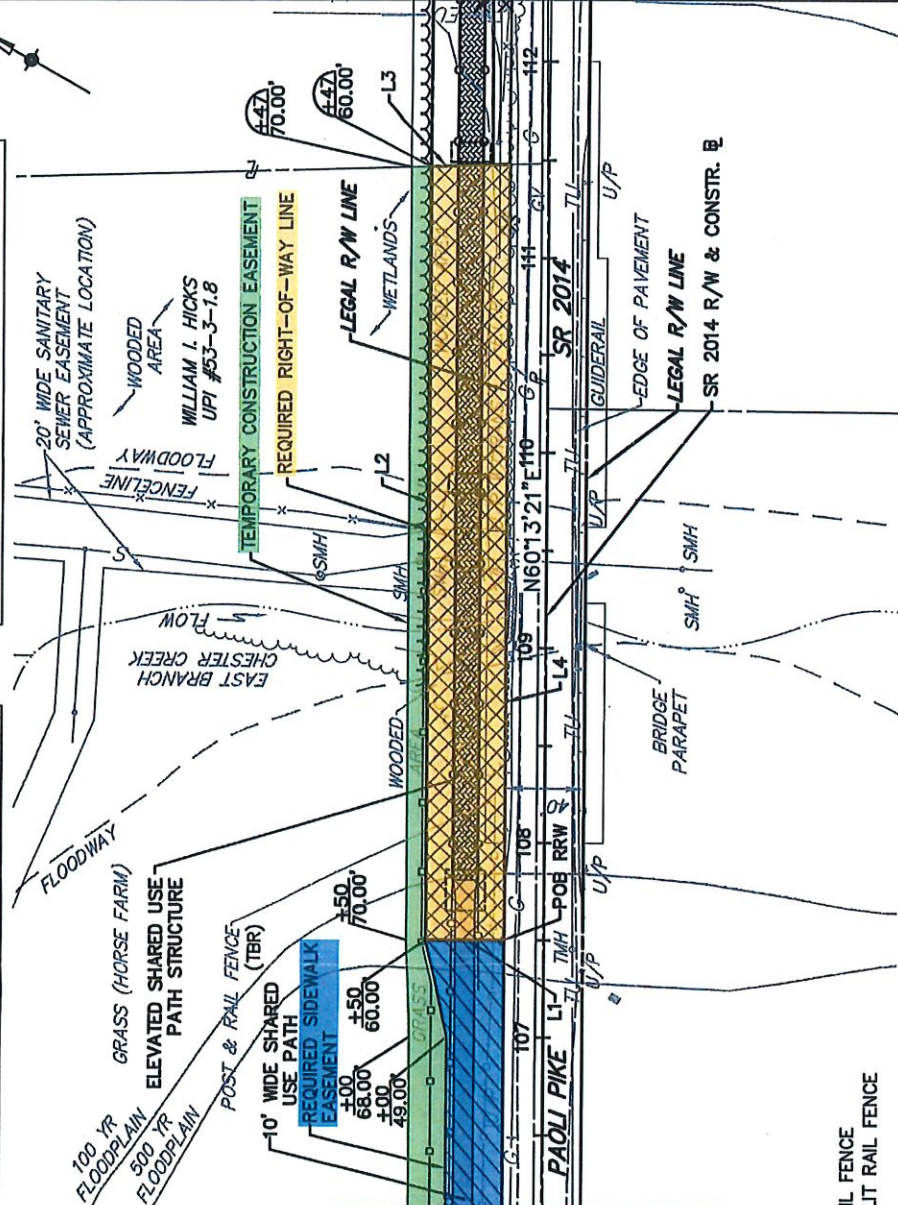
- 1) THE LEGAL RIGHT-OF-WAY WIDTH ON PAOLI PIKE SR 2014, FORMERLY ROUTE NO. 143 FROM STA. 104+23.46 TO STA. 128+94.65 IS 40 FEET BASED ON FINAL DRAWINGS FOR CONSTRUCTION AND CONDEMNATION OF RIGHT-OF-WAY FOR ROUTE 143 SECTION 2, DATED OCTOBER 4, 1945 AND SIGNED BY THE GOVERNOR EDWARD MARTIN ON APRIL 25, 1946.
- 2) **TEMPORARY CONSTRUCTION EASEMENT:** AN EASEMENT TO USE THE LAND AS NECESSARY DURING CONSTRUCTION OF THE PROJECT. THE EASEMENT IS REQUIRED ONLY UNTIL THE CONSTRUCTION OR WORK INDICATED BY THE PLAN IS COMPLETED, UNLESS SOONER RELINQUISHED IN WRITING BY EAST GOSHEN TOWNSHIP.
- 3) **SIDEWALK EASEMENT:** AN EASEMENT FOR THE CONSTRUCTION, INSPECTION, MAINTENANCE, REPAIR, RECONSTRUCTION AND ALTERATION OF A SIDEWALK. THE EASEMENT SHALL NOT PREVENT THE PROPERTY OWNER FROM MAKING ANY LEGAL USE OF THE AREA WHICH IS NOT DETRIMENTAL TO ITS USE FOR SIDEWALK PURPOSES.
- 4) THE BEARING SYSTEM IS BASED ON THE PROJECT DATUM: PENNSYLVANIA STATE PLANE COORDINATE SYSTEM (NAD 83).

REQUIRED RIGHT-OF-WAY LINE TABLE	
LINE	BEARING DISTANCE
L1	N29°46'39"W 40.00'
L2	N60°13'21"E 396.77'
L3	S31°17'42"E 40.01'
L4	S60°13'21"W 397.83'

-  REQUIRED SIDEWALK EASEMENT
-  REQUIRED RIGHT-OF-WAY
-  SHARED USE PATH
-  ELEVATED SHARED USE PATH STRUCTURE
-  SELECTIVE TREE REMOVAL
-  HORSE FARM SPLIT RAIL FENCE
-  SHARED USE PATH SPLIT RAIL FENCE

TOTAL AREA OF REQUIRED RIGHT-OF-WAY = 15892 SF, 0.365 AC

TOTAL AREA OF TEMP. CONSTR. EASEMENT = 12346 SF, 0.283 AC



CONTINUED ON SHEET 1



**PLAN OF REQUIRED RIGHT-OF-WAY FOR LANDS OF WILLIAM I. HICKS (UPI #53-3-1.8) SITUATE IN EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PA.**

835 SPRINGDALE DRIVE  
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3/3/20  
JOB #816417.20  
SCALE: 1" = 60'  
SHEET: 2 of 2

# **EXHIBIT B**



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

March 3, 2020

**DESCRIPTION OF REQUIRED SIDEWALK EASEMENT  
FOR LANDS OF WILLIAM I. HICKS  
(UPI #53-3-1.8)**

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 January 1987 in Deed Book 591 Page 18 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 WILLIAM I. HICKS (UPI #53-3-1.8)" dated March 3, 2020, as follows to wit;

Beginning at a point of intersection of the northerly Legal Right-of-Way line of Paoli Pike (SR 2014) (40 feet wide), with the westerly line of Grantors, thence extending the following courses and distances:

- 1) Along the westerly line of Grantors, North 31 degrees 49 minutes 54 seconds West, 17.95 feet to a point.

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

- 2) North 60 degrees 40 minutes 41 seconds East, 95.34 feet to a point.
- 3) North 60 degrees 13 minutes 21 seconds East, 310.00 feet to a point.
- 4) North 47 degrees 48 minutes 54 seconds East, 51.20 feet to a point.
- 5) South 29 degrees 46 minutes 39 seconds East, 40.00 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 three courses:

- 6) South 60 degrees 13 minutes 21 seconds West, 350.01 feet to a point.
- 7) North 29 degrees 46 minutes 58 seconds West, 10.00 feet to a point.
- 8) South 61 degrees 13 minutes 02 seconds West, 104.71 feet to the point and place of beginning.

Containing 12360 square feet, or 0.284 acres.

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

March 3, 2020

**DESCRIPTION OF REQUIRED RIGHT-OF-WAY  
FOR LANDS OF WILLIAM I. HICKS  
(UPI #53-3-1.8)**

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Beginning at a point in the northerly Legal Right-of-Way line of Paoli Pike (SR 2014) (40 feet wide), said point being distant the following three courses from the point of intersection of the westerly line of Grantor with the northerly Legal Right-of-Way line of Paoli Pike:

- a) Extending along the northerly Legal Right-of-Way line of Paoli Pike, North 61 degrees 13 minutes 02 seconds East, 104.71 feet to a point.
- b) Thence, continuing along the northerly Legal Right-of-Way line of Paoli Pike, South 29 degrees 46 minutes 58 seconds East, 10.00 feet to a point.
- c) Extending along the northerly Legal Right-of-Way line of Paoli Pike, North 60 degrees 13 minutes 21 seconds East, 350.01 feet to the point and place of beginning.

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

- 1) North 29 degrees 46 minutes 39 seconds West, 40.00 feet to a point.
- 2) North 60 degrees 13 minutes 21 seconds East, 396.77 feet to a point.
- 3) South 31 degrees 17 minutes 42 seconds East, 40.01 feet to a point in the northerly Legal Right-of-Way line at Paoli Pike.
- 4) Thence, along the northerly Legal Right-of-Way line of Paoli Pike, South 60 degrees 13 minutes 21 seconds West, 397.83 feet to the point and place of beginning.

Containing 15892 square feet, or 0.365 acres.

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