

ORDINANCE NO. 17-89

AN ORDINANCE DEDICATING, ORDAINING, AND NAMING AS PUBLIC STREETS OF BERWICK TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, THE ROADWAYS KNOWN AS ORCHARD DRIVE AND SUMMIT COURT, ALL BEING WITH THE ORCHARD ACRES SECTION 3A SUBDIVISION.

BE IT ENACTED and ORDAINED by Berwick Township, Adams County, Pennsylvania, and the Board of Supervisors, by its authority, upon a finding that it is necessary for the promotion of the public good and welfare of the Township to add the following roads to the highway system of said Township, do hereby enact and ordain as follows:

Section One. Dedication as Public Streets. There are ordained as public streets, roads, and highways the following roadways which are to be made a part of the public road system of Berwick Township:

Two roadways known as Orchard Drive. and Summit Court, as more particularly described in a Deed conveyed by Charles W. Test and Ingeborg G. Test, of Berwick Township, Adams County, Pennsylvania, to Berwick Township, a Second Class Township of Adams County, Pennsylvania, dated September 21,

1989, a copy thereof attached hereto and incorporated herein as Exhibit "A".

Section Two. Filing. The Township Secretary is directed to file a certified copy of this Ordinance, together with a draft of said streets, in the Office of the Recorder of Deeds of Adams County, Pennsylvania.

Section Three. Valid Date. This Ordinance shall become effective within five days of its enactment.

Enacted, April 11, 1989
Berwick Township, Adams
County, Pennsylvania, Board
of Supervisors

ATTEST:

Secretary

BY [Signature]
/s/ [Signature]
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OZ
Chairman

COPY

DEED OF DEDICATION

THIS INDENTURE, made this 5, 7th day of , 1989,

between CHARLES W. TEST and INGEBORG G, TEST, his wife, of Berwick Township, Adams County, Pennsylvania, parties of the first part, GRANTORS,

AND

BERWICK TOWNSHIP, a Second Class Township of Adams County, Pennsylvania, party of the second part, GRANTEE.

WITNESSETH, that the said Grantors, for and in consideration of the sum of One Dollar (\$1.00) paid by Grantee unto Grantors, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, release and ~~ronrirm~~ unto the saki BERW I CK TOWNSHIP, its successors and assigns, ALL the following described two (2) tracts of land situate, lying and being in Berwick Township, Adams County, Pennsylvania, and identified as Orchard Drive and Summit Court (Section 3-A), as follows, to-wit:

TRACT NO. 1 (Orchard Drive) - BEGINNING at a steel pin on the northern side of Orchard Drive, a fifty (50) foot street, at the division line between Lot: No. 45, Section Two and Lot No. 44, Section 3-A; thence with the northern right-of-way line of the herein described street by a curve to the left whose radius is three hundred twenty-five (325) feet, an arc distance of two hundred twenty-one and fifty hundredths (221.50) feet, **the** long chord of which is 1) South eighty-three (83) degrees fifty-seven (57) minutes forty-two (42) seconds East, two hundred seventeen and 'twenty-three hundredths (217.23) feet to a point; thence by the same 2) North seventy-six (76) **degrees thirty (30) minutes fifty (50) seconds East, thirty-eight and one hundredih (38.01) feet to a steel pin, the . southeastern most property corner of Lot No. 44, Section 3-A,** this being at the temporary terminus of the herein described street; thence crossing said street 3) South thirteen (13) degrees twenty-nine (29) minutes ten (10) seconds East, fifty (50) feet to a point; thence with the southern right-of-way line of the herein described street, 4) **South** seventy-six (76) degrees thirty (30) minutes fifty (50) seconds West, thirty-eight and one hundredth (38.01) feet to a point; thence by a curve to the right whose radius is three hundred seventy-five (375) feet, an arc distance of fifty-one and thirty-two hundredths (51.32) feet, the long chord of which is 5) South eighty

(80) degrees twenty-six (26) minutes five (05) seconds West, fifty-one and twenty-eight hundredths (51.28) feet to a steel pin at the northeastern most property corner of Lot No. 19, Section 3-A; thence with said lot by a curve to the right whose radius is three hundred seventy-five (375) feet, an arc distance of one hundred forty-one and fifty-nine hundredths (141.59) feet, the long chord of which is 6) North eighty-four (84) degrees forty-nine (49) minutes forty (40) seconds West, one hundred forty and seventy-five hundredths (140.75) feet to a steel pin at the beginning of the diagonal cut-off at the southeastern intersection of Orchard Drive and Summit Court; thence running across the opening of Summit Court by a curve to the right whose radius is three hundred seventy-five (375) feet, an arc distance of seventy-seven and five hundredths (77.05) feet, the long chord of which is 7) North sixty-eight (68) degrees seven (07) minutes thirty (30) seconds West, seventy-six and ninety-two hundredths (76.92) feet to a point at the previous street adoption; thence crossing said street 8) North forty-one (41) degrees forty-two (42) minutes thirty-seven (37) seconds East, fifty-one and seventy-six hundredths (51.76) feet to a point, the place of BEGINNING.

TRACT NO. 2 (Summit Court) - BEGINNING at a point on the southern right-of-way line of Orchard Drive, a fifty (50) foot street, said point being at Lot No. 13, Section Two, at the beginning of the diagonal cut-off at the southwest corner of the intersection of said Orchard Drive and Summit Court, the herein described street; thence running with the southern right-of-way line of said Orchard Drive by a curve to the left whose radius is three hundred seventy-five (375) feet, an arc distance of seventy-seven and five hundredths (77.05) feet, the long chord of which is 1) South sixty-eight (68) degrees seven (07) minutes thirty (30) seconds East, seventy-six and ninety-two hundredths (76.92) feet to a point at Lot No. 19, Section 3-A, at the southeastern corner of the aforementioned intersection; thence by the diagonal cut-off 2) South sixty-three (63) degrees fifty-five (55) minutes fifty-three (53) seconds West, twenty and nine hundredths (20.09) feet to a point on the eastern right-of-way line of Summit Court; thence continuing along said street 3) South twenty-one (21) degrees fifty-two (52) minutes thirty (30) seconds West, one hundred twenty-three (123) feet to a point; thence by a curve to the right whose radius is two hundred seventy-five (275) feet, an arc distance of three hundred eight and sixty-one hundredths (308.61) feet, the long chord of which is 4) South fifty-four (54) degrees one (01) minute twenty-seven (27) seconds West, two hundred ninety-two and sixty-seven hundredths (292.67) feet to a point.; thence by a curve to the left whose radius is twenty-five (25) feet, an arc distance of twenty-one and three hundredths (21.03) feet, the long chord of which is 5) South sixty-two (62) degrees four (04) minutes thirty-four (34) seconds West, twenty and forty-one hundredths (20.41) feet to a point; thence by a

curve to the right whose radius is fifty (50) feet, an arc distance of two hundred forty-one and nineteen hundredths (241.19) feet, the long chord of which is 6) North three (03) degrees forty-nine (49) minutes thirteen (13) seconds West, sixty-six and sixty-seven hundredths (66.67) feet to a point; thence by a curve to the left whose radius is twenty-five (25) feet, an arc distance of twenty-one and three hundredths (21.03) feet, the long chord of which is 7) South sixty-nine (69) degrees forty-three (43) minutes forty-nine (49) seconds East, twenty and forty-one hundredths (20.41) feet to a point; thence by a curve to the left whose radius is two hundred twenty-five (225) feet, an arc distance of two hundred fifty-two and fifty hundredths (252.50) feet, the long chord of which is 8) North fifty-four (54) degrees one (01) minute twenty-seven (27) seconds East, two hundred thirty-nine and forty-six hundredths (239.46) feet to a point; thence 9) North twenty-one (21) degrees fifty-two (52) minutes thirty (30) seconds East, one hundred twenty-three (123) feet to a point; thence 10) North twenty (20) degrees ten (10) minutes fifty-three (53) seconds West, twenty and ten hundredths (20.10) feet to a point, the place of BEGINNING.

TO RAVE AND TO HOLD the said lots or pieces of ground above described unto the said Berwick Township, its successors and assigns, to and for the only proper use and behoof of the said Berwick Township, its successors and assigns, forever as and for a public street or highway, and to the same extent and with the same effect as if the said streets had been opened by an Ordinance of Berwick Township after proceedings duly had for that purpose under and in pursuant to the Township Code and the Road Laws of the Commonwealth of Pennsylvania.

AND, the said Grantors, for themselves, their heirs and assigns, by these presents covenant, promise and agree to and with the said Grantee, its' successors and assigns, that neither the Grantors, nor their heirs and assigns, shall nor will at any time hereafter ask, demand, or recover or receive of or from the said Grantee, its' successors and assigns, any sum or sums of money as and for damages for or by reason of the physical grading of said streets to the grade as hereafter established by the Engineer of Berwick Township, Grantee.

AND, the said Grantors do hereby covenant and agree to and with the said Grantee that they, the Grantors, their heirs and assigns, shall and will warrant specially and forever defend the hereinabove described premises, with the hereditaments and appurtenances, unto the said Grantee, its successors and assigns, against the said Grantors, and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof.

IN WITNESS WHEREOF, the said Grantors have executed this Deed of Dedication the day and year first above mentioned.

Witness:.

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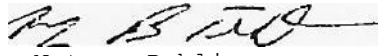
COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF ADAMS

On this, the -4/ day of _____, 1989, before me, a Notary Public, the undersigned officer, personally appeared Charles W. Test and Ingeborg G. Test, his wife, known to me (or satisfactorily proven) to be the persons whose 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 notarial seal.



(SEAL)

Notary Public
Title of Officer

NO TANGIBLE SEAL
HANDY B. TEST, NOTARY PUBLIC
REBINICK TOWNSHIP, ADAMS COUNTY
MY COMMISSION EXPIRES NOV. 7, 1992
Member, Pennsylvania Association of Notaries