

Comm 2007. 2/10/07

RESOLUTION NO. 4 - 2007

**DAUPHIN COUNTY BOARD OF COMMISSIONERS RESOLUTION
AUTHORIZING FILING OF DECLARATION OF TAKING**

WHEREAS, the County of Dauphin, pursuant to its power and duty to operate a county road system and more specifically in order to own, possess, construct and maintain a bridge as a part of the County road system; and

WHEREAS, the County of Dauphin has determined that the necessary or appropriate location for a bridge is on two parcels of land on Matterstown Road on either side of Wiconisco Creek in Washington Township, Dauphin County, Pennsylvania, more specifically described in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof ("Property"); and

WHEREAS, the County of Dauphin is unable to agree with the owner or owners of the Property as to the acquisition of the same by the County of Dauphin; and

WHEREAS, the County of Dauphin is authorized to acquire title to the property for the stated public purpose by Eminent Domain proceedings;

NOW, THEREFORE, BE IT RESOLVED, that the County of Dauphin shall proceed with, elects and appropriates with purposes of owning the two parcels on Property identified in Exhibit "A" and Exhibit "B" attached hereto and made a part thereof, on which it can construct and maintain a bridge across Wiconisco Creek in the Township of Washington, Dauphin County, Pennsylvania.

RESOLVED, that all title and private rights or easements of whatever nature of property owners located within the area described are selected and appropriated, in accordance with the law.


RESOLVED, that the title to be acquired shall be an absolute fee simple title, including all easements, rights-of-way and real property interests of whatever nature.

RESOLVED, that the proper officers of the County of Dauphin, are hereby authorized to file a Declaration of Taking and such other proceedings, including the entry of such Bond as may be necessary or desirable, for the purposes of this resolution.

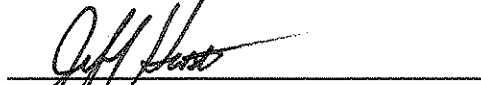
RESOLVED, that the institution of such proceedings and any damages which may be agreed upon or awarded to any party in interest, including the owner or owners of said Property, shall be paid out of funds of the County of Dauphin.

ENACTED THIS 7th DAY OF February, 2007.


ATTEST:


Chad Saylor
Chief Clerk/Chief of Staff

COUNTY OF DAUPHIN
BOARD OF COMMISSIONERS


Jeff Waste, Chairman


Dominic D. DiFrancesco II, Vice Chairman


George P. Hartwick III, Secretary

(SEAL)

BRIDGE REPLACEMENT
DAUPHIN COUNTY BRIDGE NO. 42
REQUIRED RIGHT-OF-WAY
ON LAND OF

DAVID E. MATTIS AND ELLA JANE WEINSTOCK

ALL THAT CERTAIN tract of land situated in Washington Township, County of Dauphin, State of Pennsylvania, bounded and described as follows, to wit:

TRACT NO. 1

BEGINNING at a point located at the intersection of the Southerly required right-of-way line and the Southerly legal right-of-way line of Township Road No. 595 (T-595) distant sixteen and five tenths (16.5) feet Southerly and measured at right angles from the right-of-way and construction centerline at or about Station 4+50 thereof; thence in a Southeasterly direction along said required right-of-way line to a point distant forty (40) feet Southerly and measured at right angles from the right-of-way and construction centerline at or about Station 5+00 thereof; thence in a Southeasterly direction along said required right-of-way line to a point distant fifty (50) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 6+00 thereof; thence in a Southeasterly direction along said required right-of-way line to a point distant forty (40) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 7+00 thereof; thence in a Southerly direction to a point distant forty (40) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 7+50 thereof; thence in a Southerly direction to a point distant forty-five (45) feet Southerly and measured at right angles from the right-of-way and construction centerline at or about Station 8+00 thereof; thence in a Southerly direction along said required right-of-way line to a point distant forty-five (45) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 8+50 thereof; thence in a Southerly direction along said required right-of-way line to a point distant fifty-five (55) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 9+00 thereof; thence in a Southeasterly direction along said required right-of-way line to a point distant fifty-five (55) feet Southerly and measured radially from the right-of-way

and construction centerline at or about Station 9+50 thereof; thence in an Easterly direction to a point in the center of Wiconisco Creek being the dividing line of lands of Theodore C. Deibler; thence in a Northerly direction along said property line to a point on the existing legal right-of-way line of T-595; thence in a Northwesterly direction along said existing legal right-of-way line to the point of BEGINNING.

TRACT NO. 2

BEGINNING at a point located at the intersection of the Northerly required right-of-way line and the Northerly legal right-of-way line of Township Road No. 595 (T-595) distant sixteen and five tenths (16.5) feet Northerly and measured at right angles from the right-of-way and construction centerline at or about Station 4+50 thereof; thence in a Northeasterly direction along said required right-of-way line to a point distant forty (40) feet Northerly and measured at right angles from the right-of-way and construction centerline at or about Station 5+00 thereof; thence in an Easterly direction along said required right-of-way line to a point distant fifty (50) feet Northerly and measured radially from the right-of-way and construction centerline at or about Station 5+50 thereof; thence in a Southeasterly direction along said required right-of-way line to a point distant twenty-five (25) feet Northerly and measured radially from the right-of-way and construction centerline at or about Station 6+00 thereof; thence in a Southeasterly direction along said required right-of-way line to a point distant forty-five and seventeen hundredths (45.17) feet Northerly and measured radially from the right-of-way and construction centerline at or about Station 6+70 thereof; thence in a Southeasterly direction along said required right-of-way line to a point distant fifty (50) feet Easterly and measured radially from the right-of-way and construction centerline at or about Station 7+50 thereof; thence in a Southerly direction along said required right-of-way line to a point distant thirty-five (35) feet Easterly and measured at right angles from the right-of-way and construction centerline at or about Station 8+00 thereof; thence in a Southerly direction along said required right-of-way line to a point distant thirty (30) feet Northerly and measured radially from the right-of-way and construction centerline at or about Station 19.06 thereof; thence in an Easterly direction along said required right-of-way line to a point in the center of Wiconisco Creek being a point on the dividing line of property of Theodore C. Deibler; thence in a Southerly direction along said property line to a point on the

Northerly existing legal right-of-way line of T-595; thence in a Northwesterly direction along said legal right-of-way line to the point of BEGINNING.

Tract No. 1 and Tract No. 2 contain 24,977.50 square feet or 0.573 Acres.

TRACT NO. 3

(Temporary Area for Construction)

BEGINNING at a point located on the Southerly required right-of-way line of Township Road No. 595 (T-595) distant forty-five (45) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 8+50 thereof; thence in a Southerly direction along said required right-of-way line to a point distant fifty-five (55) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 9+00 thereof; thence in a Southeasterly direction along said required right-of-way line to a point distant fifty-five (55) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 9+50 thereof; thence in an Easterly direction to a point in the center of Wiconisco Creek being the dividing line of lands of Theodore C. Deibler; thence in a Southerly direction along said property line to a point on the line for temporary construction easement; thence in a Westerly direction to a point distant ninety (90) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 9+50 thereof; thence in a Northwesterly direction to a point distant ninety (90) feet Southerly and measured radially from the right-of-way and construction centerline at or about Station 9+00 thereof; thence in a Northerly direction to the point of BEGINNING.

TRACT NO. 4

(Temporary Area for Construction)

BEGINNING at a point located on the Northerly required right-of-way line of Township Road No. 595 (T-595) distant thirty-five (35) feet Northerly and measured at right angles from the right-of-way and construction centerline at or about Station 8+00 thereof; thence in a Southerly direction along said required right-of-way line to a point distant thirty (30) feet Northerly and measured radially from the right-of-way and construction centerline at or about Station 9+19.06 thereof; thence in an Easterly direction along said required right-of-way line to a

point in the center of Wiconisco Creek being the dividing line of lands of Theodore C. Deibler; thence in a Northerly direction along said property line to a point on the line for temporary construction easement; thence in a Northwesterly direction to the point of BEGINNING.

Tract No. 3 and Tract No. 4 contain 8,207.58 square feet or 0.188 Acres.

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