

ORDINANCE NO. 72-6

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL,
BEAVER COUNTY, PENNSYLVANIA ACCEPTING THE
DEDICATION OF VALLEYVIEW DRIVE AS A PUBLIC
STREET.

WHEREAS, Minnie D. Wallace, a widow, by her deed of dedication bearing date of June 10, 1972 and appearing of record in the Office of the Recorder of Deeds in and for the County of Beaver and Commonwealth of Pennsylvania in Deed Book 993, page 252, did remise, release and quitclaim unto the Township of Hopewell a certain right of way and easement for public highway and other public purposes; and

WHEREAS, pursuant to the authority contained in Section 2020 of The First Class Township Code [53 P.S. § 57020], the Board of Commissioners, by Resolution adopted on June 12, 1972, did previously accept said deed dedication for and in behalf of the Township of Hopewell; and

WHEREAS, pursuant to the authority contained in Sections 2020 and 3066 (j) of The First Class Township Code [53 P.S. § 57020 and 58066 (j)] the Board of Commissioners of the Township of Hopewell now desire to accept the dedication of said right of way and easement for public highway and other public purposes; and

WHEREAS, pursuant to the authority contained in Section 1502 of The First Class Township Code [53 P.S. § 56552], the Board of Commissioners now desire to accept the roadway constructed within said right of way and easement as a public street and to adopt Valleyview Drive as the name of said public street;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Township of Hopewell, a municipal corporation under The First Class Township Code situate in the County of Beaver and Commonwealth of Pennsylvania, AND IT IS HEREBY ORDAINED:

1. That the dedication of the right of way and easement for public highway and other public purposes granted by deed of Minnie D. Wallace to the Township of Hopewell is hereby accepted. A photocopy of said recorded deed is attached hereto as Exhibit A and, by reference, made a part hereof.

2. That pursuant to the authority contained in The First Class Township Code the right of way and easement described in said recorded deed, as now and hereafter improved or altered, is hereby accepted as a public street in the Township of Hopewell to be known and hereafter referred to as VALLEYVIEW DRIVE.

ORDAINED AND ENACTED this 24th day of August, 1972.

TOWNSHIP OF HOPEWELL

(SEAL)

by N Ray Miller
President of the Board of
Commissioners

ATTEST:

Charlotte M. Buffington
Secretary

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I N D E N T U R E

THIS INDENTURE made this 16th day of June,
1972 between

MINNIE D. WALLACE, a widow, of the Township of Hopewell,
County of Beaver and Commonwealth of Pennsylvania,

A

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D

TOWNSHIP OF HOPEWELL, a municipal corporation under the
First Class Township Code, situate in the County of Beaver and
Commonwealth of Pennsylvania,

W I T N E S S E T H :

That the said party of the first part, in consideration
of the sum of ONE DOLLAR (\$1.00), the receipt whereof is hereby
acknowledged, by these presents does REMISE, RELEASE and QUITCLAIM
unto the said party of the second part and to its successors and
assigns, the following described right of way and easement for
public purposes:

ALL the right, title and interest of said party of the
first part in and to that certain right of way and easement situate
in the Township of Hopewell County of Beaver and Commonwealth of
Pennsylvania, the same extending forty (40) feet in width and
traversing a total lineal distance of 2, 181.32 feet, more or less,
as measured upon the center line thereof and as shown in a survey
prepared by Michael Baker Jr., Inc., dated February 1964 (revised
May 12, 1972); said survey being attached hereto, by reference, is

made a part hereof. The center line of said right of way and easement, from its point of beginning to its point of terminus, is described as follows, to-wit:

BEGINNING at a point formed by the intersection of the center lines of Kane Road (Legislative Route 04023) and Valleyview Drive (formerly known as Valley View Avenue); thence North 24° 15' East, a distance of 1876.37 feet to a point; thence North 53° 08' East, a distance of 201.59 feet to a point; thence North 39° 14' East, a distance of 103.36 feet, more or less, to the southerly line of the right of way shown and described in Beaver County Deed Book 496, page 197.

BEING a part of the same premises which J. Frank Kelker, a single man, by his deed bearing date of September 26, 1942 and appearing of record in the Office of the Recorder of Deeds in and for the said County of Beaver in Deed Book 499, page 257, did grant and convey unto John S. Wallace and Minnie D. Wallace, husband and wife, as tenants by the entirety. And the said John S. Wallace having died on _____, 19__, exclusive title to the fee in said premises vested by operation of law in Minnie D. Wallace, his surviving spouse and the herein grantor.

THE PURPOSE of this Indenture is to vest in the said Township of Hopewell a perpetual right of way and easement in, over and under the hereinabove described premises for public purposes, including without limitation, highway, street lighting, storm and sanitary sewers, water supply lines, fire hydrants, electric and gas transmission lines and other public utilities and all facilities and appurtenances related or necessary to any of the aforesaid public purposes.

THIS BEING a deed of dedication to a municipal corporation for public purposes for which no monetary consideration has been exchanged, the same is exempt from the realty transfer taxes imposed by the Commonwealth of Pennsylvania and the governing authorities situate in the said Township of Hopewell.

TO HAVE AND TO HOLD all and single the right of way and easement hereinabove described, together with the appurtenances belonging and appertaining thereto unto the said party of the second part, its successors and assigns forever.

NOTICE THE UNDERSIGNED, AS EVIDENCED BY THE SIGNATURE (S) TO THIS NOTICE AND THE ACCEPTANCE AND RECORDING OF THIS DEED, (IS, ARE) FULLY COGNIZANT OF THE FACT THAT THE UNDERSIGNED MAY NOT BE OBTAINING THE RIGHT OF PROTECTION AGAINST SUBSIDENCE, AS TO THE PROPERTY HEREIN CONVEYED, RESULTING FROM COAL MINING OPERATIONS AND THAT THE PURCHASED PROPERTY, HEREIN CONVEYED, MAY BE PROTECTED FROM DAMAGE DUE TO MINE SUBSIDENCE BY A PRIVATE CONTRACT WITH THE OWNERS OF THE ECONOMIC INTEREST IN THE COAL. THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1966.

WITNESS:

THE TOWNSHIP OF HOPEWELL

by

Solicitor

WITNESS the hand and seal of the said party of the first part, the day and year first above written.

Minnie D. Wallace (SEAL)
Minnie D. Wallace

ATTEST:

Robert H. O.

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF BEAVER : SS.

On this the 10th day of June, 1972, before me, a Notary Public, the undersigned officer, personally appeared MINNIE D. WALLACE, a widow, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Anna Lucille Porter
Notary Public

My Commission Expires:

ANNA LUCILLE PORTER, NOTARY PUBLIC
BEAVER BOROUGH, BEAVER COUNTY
MY COMMISSION EXPIRES FEB. 13, 1973
Member, Pennsylvania Association of Notaries

CERTIFICATE OF RESIDENCE

I hereby certify that the precise residence of the herein grantee is Municipal Building, Clark Boulevard, Hopewell Township [Post Office: Aliquippa, Pennsylvania 15001], Beaver County, Pennsylvania.

Eugene Munn
pro hac vice

DATED:

June 13, 1972

PROOF OF PUBLICATION

The **Beaver County Times**, a daily newspaper of general circulation, published by BEAVER NEWSPAPERS, INC., a Pennsylvania corporation, 400 Fair Avenue, West Bridgewater, Beaver County, Pennsylvania, was established in 1946, and has been issued regularly, except legal holidays since said date.

The attached advertisement, which is exactly as printed and published, appeared in the regular issue on 9/01 By *[Signature]*

BEAVER NEWSPAPERS, INC.

STATE OF PENNSYLVANIA, }
COUNTY OF BEAVER, } SS:

By *James R. Miller*

Before me, a Notary Public in and for such county and state, person: JAMES R. MILLER, who being duly sworn according to law

SECRETARY-TREASURER of BEAVER NEWSPAPERS, INC.; that nor said corporation is interested in the subject matter of the attached advertisement that all of the allegations of the foregoing statement including those as to the character of publication are true.

Sworn to and subscribed before me
this 12TH day of SEPTEMBER 1972

Michael L. [Signature]

The costs of advertising and

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