

Ordinance

Zoning Map

Ordinance No. 2001-01

**An Ordinance of the Township of Hopewell, County of Beaver,
Commonwealth of Pennsylvania, Amending the Official Zoning Map of
Hopewell Township Zoning Ordinance 95-2.**

Whereas, Stephen Zernich, Wallace Zernich and Michael Zernich have requested that the Hopewell Township Board of Commissioners rezone a tract of land consisting of approximately 122.45 Acres, located in the Eastern Quadrant of the Township and situate at the intersection of Longvue Avenue and Sohn Road, bearing tax parcel no. 65-194-0123-000-1 and recorded in D.B.V. 1041, PG. 547, from Residential-1 (R-1) Agricultural District to Residential-3 (R3) Medium Density District. The exact location of said parcel is identified in Exhibit "A", which is attached hereto and made a part of the within Ordinance and;

Whereas, the Zone Change Amendment was sent to the Beaver County Planning Commission pursuant to Section 505 of the Pennsylvania Municipalities Code, and reviewed at a meeting held on November 21, 2000. As a result of this review, Beaver County Planning made comments to the Township in a letter dated November 22, 2000 **and**;

Whereas, the Hopewell Township Planning Commission met in regular session on Tuesday, December 5, 2000 and recommended approval of the Zone Map amendment request of the Zernich's from R-1 to R-3 **and**;

Whereas, the Hopewell Township Board of Commissioners advertised and held a public meeting on January 22, 2001 at 8:00 PM in the Township Municipal Building, to hear public comment on the zoning map amendment from any and all interested persons **and**;

NOW THEREFORE, Be it enacted and ordained by the Board of Commissioners of Hopewell Township, Beaver County, Pennsylvania, it is hereby ordained and enacted by the authority of the same as follows:

1. The Official Zoning Map of the Township of Hopewell Zoning Ordinance No. 95-2 is hereby amended to change tax parcel no. 65-194-0123-000-1, the district formerly zoned as R-1, Residential-Agricultural to the R-3, Residential- Medium District. The exact location of said parcel is identified and attached hereto as Exhibit "A" and incorporated herein as set forth fully.
2. All Ordinances or parts of Ordinances in conflict with these provisions are Hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED THIS 26TH DAY OF FEBRUARY 2001.

TOWNSHIP OF HOPEWELL

Betsy A. DeMarco, Sr.
President, Board of Commissioners

ATTEST:

[Signature]
Township Secretary

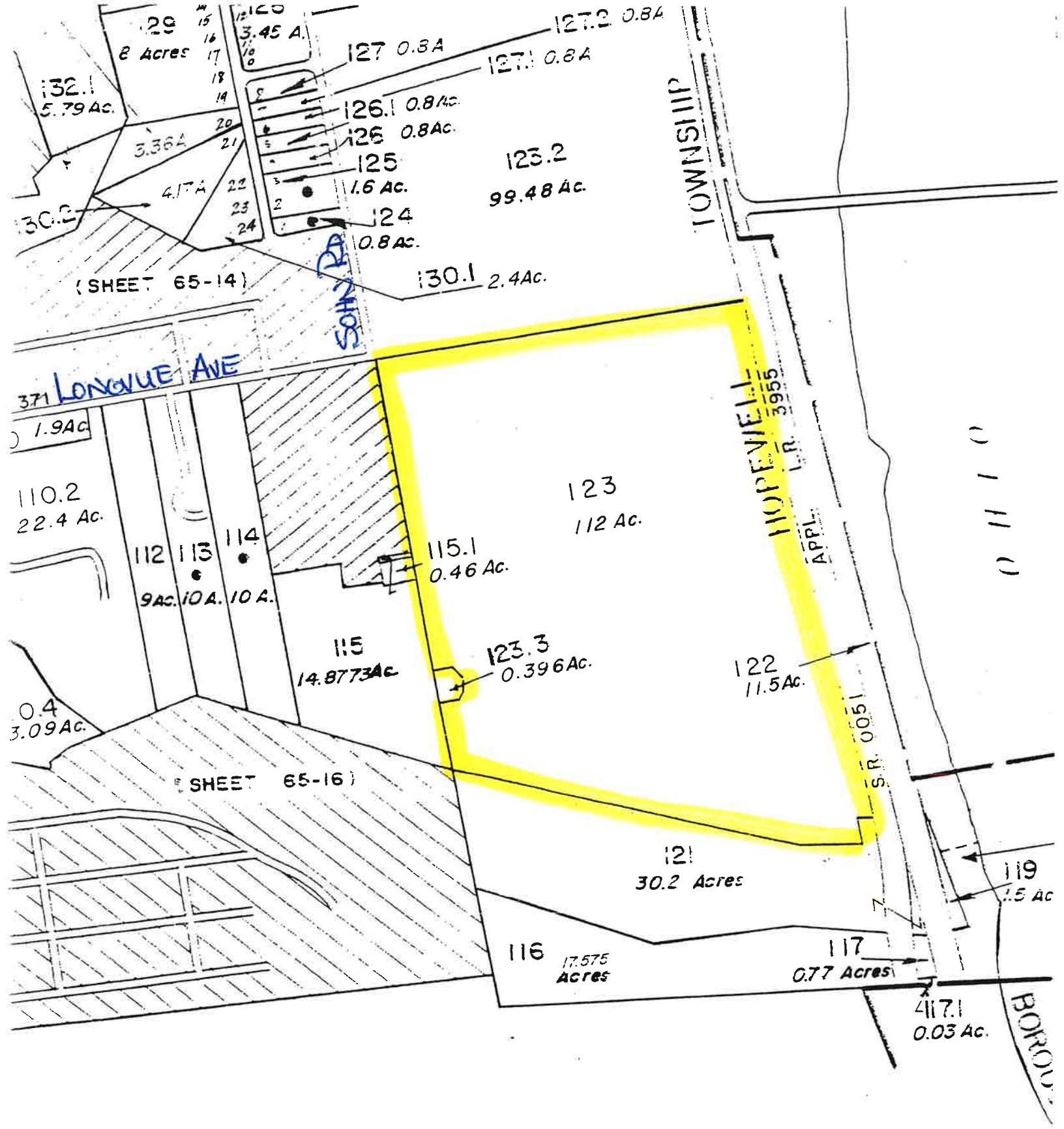


EXHIBIT "A"
 65-194-0123-000-1

EXHIBIT "A" TO BE ATTACHED
TO THE ZORNICH ZONE CHANGE
ORDINANCE. (2 COPIES)



TD

THIS INDENTURE

MADE the 7th day of December, 1999, between MICHAEL R. ZERNICH, STEPHEN ZERNICH, JR. and WALLACE ZERNICH,

(herein called "Grantors")

AND

MICHAEL R. ZERNICH, KURT M. ZERNICH and PAULA M. O'ROURKE; STEPHEN ZERNICH, JR., ADRIENNE ZERNICH, and VALERIE ZERNICH; and WALLACE ZERNICH, GREGG ZERNICH, BRYAN ZERNICH and GARY ZERNICH,

(herein called "Grantees")

WITNESSETH, that the Grantors in consideration of the sum of ONE and 00/100 (\$1.00), to them now paid by the said Grantees, do grant, bargain, sell and convey unto the said Grantees, thier heirs, and assigns:

ALL those certain tracts of land situate in the Township of Hopewell, County of Beaver, Commonwealth of Pennsylvania conveyed by the Deed from SWAM'S, Inc. to Michael R. Zernich, Stephen Zernich, Jr. and Wallace Zernich dated April 30, 1975 and recorded in the Beaver County Recorder of Deeds Office at Deed Book Volume 1041, Page 547.

SUBJECT to the exceptions, reservations, intentions, easements and rights of way referred to therein.

IT is the intention of this Deed that the Grantees will hold the property as Tenants in Common in the following shares:

- Michael R. Zernich, a one-ninth (1/9) share;
- Kurt M. Zernich, a one-ninth (1/9) share;
- Paula M. O'Rourke, a one-ninth (1/9) share;
- Stephen Zernich, Jr., a one-ninth (1/9) share;
- Adrienne Zernich, a one-ninth (1/9) share;
- Valerie Zernich, a one-ninth (1/9) share;

Instrument # - 3051324
 Instrument: (DEED) DEED
 12/08/1999 10:48AM
 Recording Fee 13.0
 Writ Tax 0.5
 Affordable Housing 13.0
 Act 8 2.0
 Additional Names 3.0
 State Transfer Tax 0.5
 65-HOPENELL TWP 0.0
 114-HOPENELL SCHOOL DISTRICT 0.0
 Receipt # 246913 Item # 1
 Janice Jeschke Beall
 Beaver Co. Rec. of Deeds



I hereby CERTIFY that this document is recorded in the Recorder's Office at Beaver County, Pennsylvania.

Janice Jeschke Beall
11

Wallace Zernich, a one-twelfth (1/12) share;
Gregg Zernich, a one-twelfth (1/12) share;
Bryan Zernich, a one-twelfth (1/12) share; and
Gary Zernich, a one-twelfth (1/12) share.

IT is the intention of this Deed to convey the land comprised within Parcel No. 65-194-123 and 65-194-119 as shown in the Assessment Records of Beaver County subject to easements and rights of way referred to in prior Deeds of record.

BEING the same premises which SWAMS, Inc. by their Deed dated April 30, 1975 and recorded in the Office of the Recorder of Deeds of Beaver County on June 6, 1975 in Deed Book Volume 1041, Page 547, did grant and convey unto the Grantors herein.

THIS BEING A CONVEYANCE BETWEEN AND AMONG PARENTS AND CHILDREN, THE TRANSFER IS EXEMPT FROM THE PAYMENT OF PENNSYLVANIA REALTY TRANSFER TAXES.

with the appurtenances:

TO HAVE AND TO HOLD the same unto and for the use of the said Grantee, his heirs, and assigns forever, and the Grantors, for their heirs, executors and administrators covenant with the Grantee his heirs and assigns against all lawful claimants **GENERALLY** the same and every part thereof to Warrant and Defend.

NOTICE -- THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, RECEIVED OR RESERVED BY THIS INSTRUMENT. [This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L. 984, as amended, and is not intended as notice of unrecorded instruments, if any.]



MCWILLEN BRUCK ET AL

DEED

31 58

3051324

Page: 2 of 4

5/2/86/1099 10:40A

Beaver, PA

Feb. 13, 2001 4:07PM Beaver County Assessment Office

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, HEHEIN 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:

Patricia A. Swartz

Michael R. Zernich
Stephen Zernich, Jr.
Wallace Zernich

IN WITNESS WHEREOF, the Grantors have caused this instrument to be duly executed

on the day and year first above written.

Michael R. Zernich (SEAL)
Michael R. Zernich
Stephen Zernich, Jr. (SEAL)
Stephen Zernich, Jr.
Wallace Zernich (SEAL)
Wallace Zernich

WITNESS:

Patricia A. Swartz
as to her part

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF BEAVER }

SS:

ON this 7th day of December, 1999, before me, a notary public, personally appeared **Michael R. Zernich** known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

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

Janet L. Fisher
Notary Public

My commission expires:

Notarial Seal
Janet L. Fisher, Notary Public
Hopewell Twp., Beaver County
My Commission Expires Sept. 8, 2000
Member, Pennsylvania Association of Notaries

501732 014

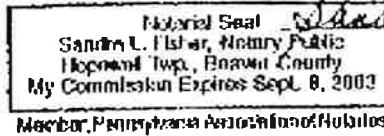
COMMONWEALTH OF PENNSYLVANIA }

SS:

COUNTY OF BEAVER }

ON this 7th day of December, 1999, before me, a notary public, personally appeared Stephen Zernich, Jr. known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

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



Sandra L. Fisher
Notary Public

My commission expires:

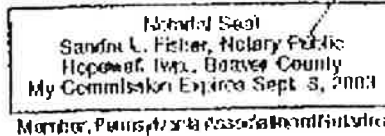
COMMONWEALTH OF PENNSYLVANIA }

SS:

COUNTY OF BEAVER }

ON this 7th day of December, 1999, before me, a notary public, personally appeared Wallace Zernich known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

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



Sandra L. Fisher
Notary Public

My commission expires:

CERTIFICATE OF RESIDENCE

The undersigned hereby certifies that the precise residence of the Grantors is 107 Zernich Drive, Aliquippa, Pennsylvania 15001

WITNESS my hand this 7th day of December, 1999.

[Signature]
FOR THIS PURPOSE ONLY



3051324
Page: 4 of 4
12/86/1999 16:40A



3051324
Page: 1 of 4
12/08/1999 10:48A

TD

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(herein called "Grantors")

AND

MICHAEL R. ZERNICH, KURT M. ZERNICH and PAULA M. O'ROURKE; STEPHEN ZERNICH, JR., ADRIENNE ZERNICH, and VALERIE ZERNICH; and WALLACE ZERNICH, GREGG ZERNICH, BRYAN ZERNICH and GARY ZERNICH,

(herein called "Grantees")

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- Kurt M. Zernich, a one-ninth (1/9) share;
- Paula M. O'Rourke, a one-ninth (1/9) share;
- Stephen Zernich, Jr., a one-ninth (1/9) share;
- Adrienne Zernich, a one-ninth (1/9) share;
- Valerie Zernich, a one ninth (1/9) share;

Instrument # - 3051324	
Instrument: (DEED) DEED	
12/08/1999 10:48AM	
Recording Fee	13.00
Unit Tax	0.50
Affordable Housing Act 8	13.00
Additional Taxes	2.00
State Transfer Tax	3.00
65-HOPEWELL TWP	0.00
114-HOPEWELL SCHOOL DISTRICT	0.00
Receipt # 248913 Item # 1	



I hereby CERTIFY that this document is recorded in the Recorder's Office at Beaver County, Pennsylvania.

Janice Jeschke Beall

Janice Jeschke Beall
Beaver Co. Rec. of Deeds

Wallace Zernich, a one-twelfth (1/12) share;
Gregg Zernich, a one-twelfth (1/12) share;
Bryan Zernich, a one-twelfth (1/12) share; and
Gary Zernich, a one-twelfth (1/12) share.

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with the appurtenances:

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3051324

Page: 2 of 4

12/05/1999 10:40A

McILLEN URICK ET AL DEED 31 58 Beaver, PA

RECORDED
INDEXED
4:05 PM
BEAVER COUNTY RECORDER'S OFFICE

Feb. 13, 2001 4:07PM Beaver County Assessment Office

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:

Patricia A. Swanson

Michael R. Zernich
Stephen Zernich, Jr.
Wallace Zernich

IN WITNESS WHEREOF, the Grantors have caused this instrument to be duly executed

on the day and year first above written.

Michael R. Zernich (SEAL)
Michael R. Zernich
Stephen Zernich, Jr. (SEAL)
Stephen Zernich, Jr.
Wallace Zernich (SEAL)
Wallace Zernich

WITNESS:

Patricia A. Swanson
as to all parties

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF BEAVER }

SS:

ON this 7th day of December, 1999, before me, a notary public, personally appeared Michael R. Zernich known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

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

Standra L. Fisher
Notary Public

My commission expires:

Notarial Seal
Standra L. Fisher, Notary Public
Hopewell Twp., Beaver County
My Commission Expires Sept. 8, 2000
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA

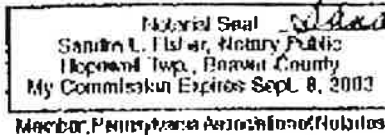
}
}
}

SS:

COUNTY OF BEAVER

ON this 7th day of December, 1999, before me, a notary public, personally appeared **Stephen Zernich, Jr.** known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

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



Sandra L. Fisher
Notary Public

My commission expires:

COMMONWEALTH OF PENNSYLVANIA

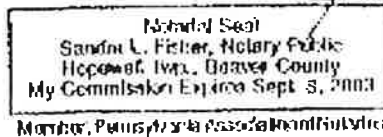
}
}
}

SS:

COUNTY OF BEAVER

ON this 7th day of December, 1999, before me, a notary public, personally appeared **Wallace Zernich** known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

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



Sandra L. Fisher
Notary Public

My commission expires:

CERTIFICATE OF RESIDENCE

The undersigned hereby certifies that the precise residence of the Grantees is 107 Zernich Drive, Aliquippa, Pennsylvania 15001

WITNESS my hand this 7th day of December, 1999.

[Signature]

FOR THIS PURPOSE ONLY



3051324

Page: 4 of 4
12/08/1999 10:40A
Beaver, PA