

RESOLUTION NO. 68-112

A RESOLUTION OF THE TOWNSHIP OF HOPEWELL,  
BEAVER COUNTY, PENNSYLVANIA, GRANTING AN  
EASEMENT AND RIGHT OF WAY ACROSS PUBLIC  
LANDS TO BE USED EXCLUSIVELY NOW AND HERE-  
AFTER BY THE OWNERS OF LOTS NOS. 18 AND  
19 IN THE BAKER PLACE SECTION B EXTENSION  
PLAN OF LOTS FOR THE SOLE PURPOSE OF INGRESS  
AND EGRESS BETWEEN SAID LOTS AND NEISH AVENUE  
AS NOW OPENED AND IMPROVED.

WHEREAS, a certain portion of Neish Avenue abutting  
the frontage of Lots Nos. 18 and 19 in the Baker Place Section  
B Extension Plan of Lots has not heretofore been opened or im-  
proved for highway purposes for the use of the traveling public  
and

WHEREAS, that unopened portion of Neish Avenue was  
separated from an opened and improved portion of Neish Avenue,  
the same as shown on the Revision of Lots 64 to 81 inclusive of  
the Hillcrest Plan of Lots, First Addition, by a strip of land  
which previous to July 22, 1968 was held in private ownership;  
and

WHEREAS, by deed dated May 31, 1968 and recorded on  
July 22, 1968 in Beaver County Deed Book 939, page 862 the Town-  
ship of Hopewell acquired full title to that strip previously  
held in private ownership; and

WHEREAS, ingress and egress across the entire frontage  
of Lots 18 and 19 is now denied and both said lots are landlocked  
from approach;

WHEREAS, no public highway abuts the whole of the  
frontage of Lots Nos. 18 and 19 and ingress and egress thereto  
from Neish Avenue as now improved is denied by reason of the  
aforesaid strip; and

WHEREAS, Allan Gastfriend and Marlyn B. Gastfriend, husband and wife, have purchased Lots Nos. 18 and 19 and desire to erect thereon a dwelling house and to construct a driveway and a sidewalk therefrom to the right of way of the opened portion of Neish Avenue, as shown in the Revision of Lots 64 to 81 inclusive in the Hillcrest Plan of Lots First Addition; and

WHEREAS, said owners of Lots Nos. 18 and 19 may not engage in their contemplated construction upon said Lots without the grant of a right of way and easement to enter upon said strip and improve the same,

Now therefore, be it resolved by the Board of Commissioners of the Township of Hopewell, a municipal corporation of the Commonwealth of Pennsylvania situate in the County of Beaver of said Commonwealth, and the same is hereby resolved:

1. That an easement and right of way is hereby granted to Allan Gastfriend and Marlyn Gastfriend, husband and wife, as tenants by the entirety, their heirs and assigns in upon and across the following described strip of land:

THE PREMISES

ALL that certain parcel of land situate in the said Township of Hopewell, County of Beaver and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at an iron pipe placed at the Southeastern corner of Lot No. 19 in the Baker Place Section B Extension Plan of Lots, which said plan is recorded in the Office of the Recorder of Deeds in and for the said County of Beaver in Plan Book 5, page 89; thence by land now or formerly of Peter Radanovich et ux., South 57° 04' East, a distance of 40.16 feet to the easterly line

of land heretofore conveyed by Mae McQ. Smith to the Township of Hopewell, as shown on a survey dated May 21, 1968 and prepared by Earl R. Beringer, R.E., a copy of which is annexed hereto and, by reference, made a part thereof; thence South 24° 30' West, a distance of 89.29 feet to a point on the northerly line of Summit Street; thence by said line of said street and the prolongation thereof, 40.30 feet to the southeasterly line of Lot No. 18 in the aforesaid Plan of Lots; thence North 24° 30' East 88.48 feet, more or less, to the iron pipe at the place of beginning.

Being the same premises which Mae McQ. Smith, a widow, by her deed dated May 31, 1968 and recorded in the Office of the Recorder of Deeds in and for the said County of Beaver in Deed Book 939, page 862, did grant and convey to the said Township of Hopewell.

2. That this easement and right of way shall be used exclusively now and hereafter by the owners of Lots Nos. 18 and for the sole purpose of ingress and egress between said Lots and Neish Avenue as now opened and improved.

Adopted this 9th day of September, 1968.

THE BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF HOPEWELL

SEAL

by /s/ Michael Volitich  
Chairman

ATTEST

/s/ Charlotte M. Buffington  
Secretary

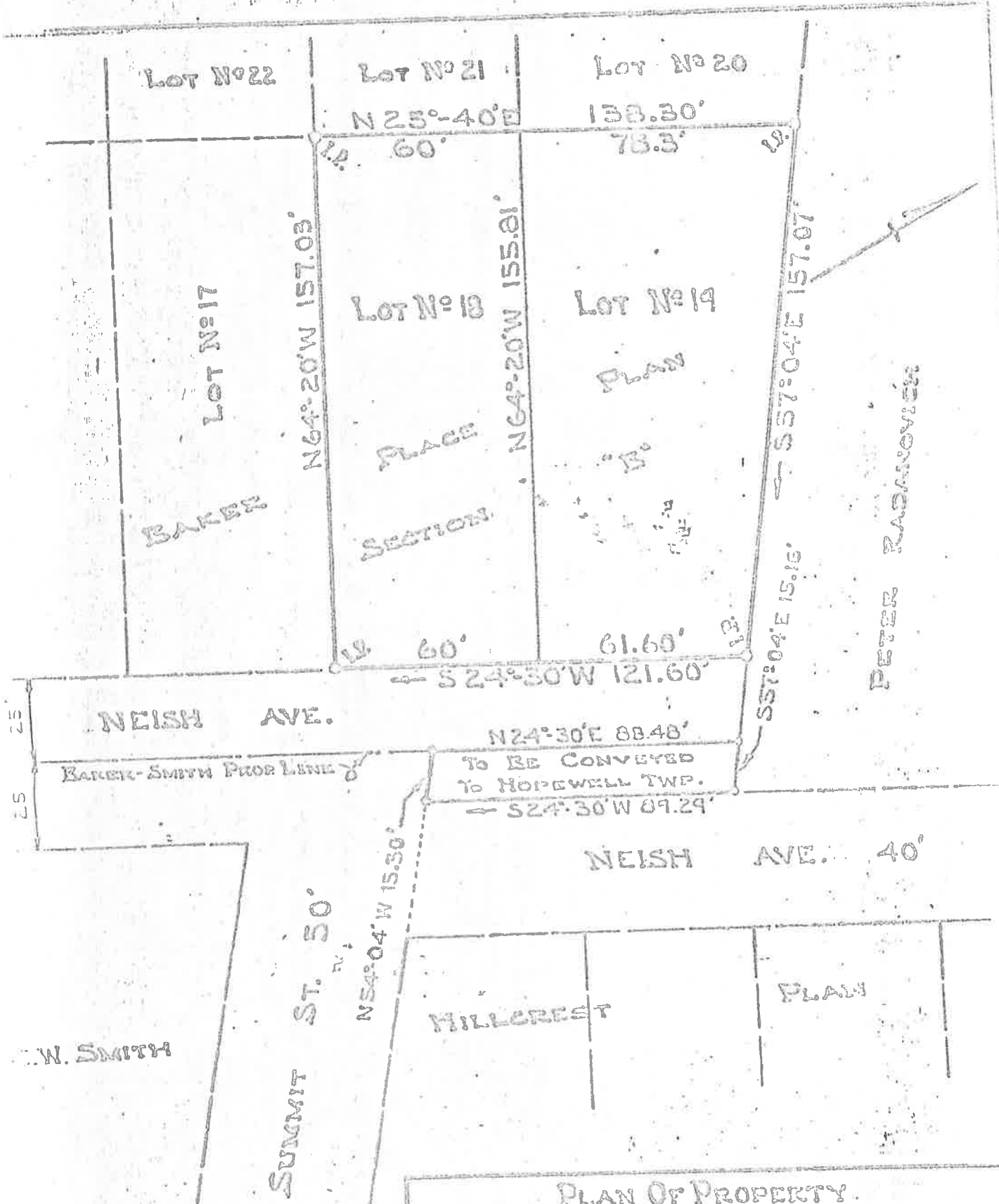
AND NOW this 3rd day of September, 1968,  
the Planning and Zoning Commission of the Township of Hopewell,  
Beaver County, Pennsylvania, hereby recommends the execution of  
the within Resolution.

THE HOPEWELL TOWNSHIP PLANNING  
AND ZONING COMMISSION

by /s/John Sobeski  
Chairman

ATTEST

/s/ Norwood Singer  
Secretary



LOT No 22

LOT No 21

LOT No 20

N 25°-40' E  
60'

138.30'  
73.3'

LOT No 17

LOT No 18

LOT No 19

N 64°-20' W 157.03'

N 64°-20' W 155.01'

S 57°-04' E 157.07'

BAKER

PLACE

SECTION

PLAN

PETER RASHKOVICH

NEISH AVE.

S 24°-30' W 121.60'

Baker-Smith Prior Line

N 24°-30' E 88.48'  
To BE CONVEYED  
To HOPEWELL TWP.  
S 24°-30' W 89.29'

NEISH AVE. 40'

SUMMIT ST. 50'

N 54°-04' W 15.30'

MILLCREST

PLAN

C.W. SMITH

PLAN OF PROPERTY.  
TO BE ACQUIRED BY ALLAN GASTFRIENDS et ux.  
LOTS No 18 & No 19 - BAKER PLACE PLAN - SECT. B  
HARRISON TRUST COMPANY