

R E S O L U T I O N 78-107

WHEREAS, on May 1, 1975, Lang Builders, Inc. (see D. B. Vol. 1041, page 6), conveyed all of Lot No. 122 and one foot of Lot No. 123 in the Barrett Plan as recorded in Plan Book Vol. 11, page 47, to Dr. Paul V. Tabita and Debroah A. Tabita, husband and wife, together with one story brick and aluminum siding dwelling house with an attached garage; and

WHEREAS, on the same date, Lang Builders, Inc. also conveyed the southerly 10 feet of Lot No. 121 adjoins Lot No. 122, same plan to the Tabitas; and

WHEREAS, said strip of land is 10 feet in width fronting on Wimpole Street, and runs along the entire length of northerly boundary of Lot No. 122 141.19 feet to the westerly line of Brodhead Road at which point it narrows to a width of 8.21 feet; (See print attached); and

WHEREAS, on June 23, 1977, the Tabitas conveyed their home, aforesaid, and all of Lot No. 122 and one foot of Lot No. 123 aforesaid to John G. Shaffer et al.; they also agreed to sell the latter the southerly 10 feet of Lot No. 121, aforesaid; and

WHEREAS, on title examination and search of the township records, unbeknown to the Tabitas, it was discovered that official subdivision approval of the 10 foot cut of Lot No. 121 had never been secured from the Township of Hopewell as per its ordinances; and

WHEREAS, on October 7, 1977, formal request by letter was made on the Hopewell Township Planning Commission to obtain such approval by Layden C. Sadecky, attorney for the Tabitas; and

WHEREAS, on November 7, 1977, the Planning Commission by letter informed Layden C. Sadecky, Attorney, that they have reviewed the matter and recommended approval of said subdivision to the Hopewell Township Board of Commissioners (See letter attached);

THEREFORE, Be It Resolved That the following Resolution be adopted:

(1) The subdivision of Lot No. 121 in the Barrett Plan as recorded in the Recorder's Office in and for the County of Beaver, Commonwealth of

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Pennsylvania, in Plan Book Vol. 11, page 47 in the manner, form and dimensions shown on the print attached and marked Exhibit "A" is hereby approved; and

(2) Permission is given Dr. Paul V. Tablita and Deborah A. Tablita, husband and wife to convey the southerly 10 feet of Lot No. 121 in said subdivision to John G. Shafer and Debra Morar Shafer, his wife, by deed of general warranty as per the terms of their Agreement of Sale dated June 24, 1977;

(3) That said southerly 10 feet strip of Lot No. 121 shall be joined to Lot No. 122 and one foot strip of Lot No. 123 already acquired by John G. Shafer and Debra Morar Shafer, aforesaid, to form one parcel with the stipulation that no part of this new parcel can be sold separately in the future without further permission of the Township of Hopewell and in compliance with its several ordinances and the statutes of the Commonwealth of Pennsylvania governing subdivision; and

(4) That the Secretary be and is hereby authorized and directed to deliver to the Tabitas and the Shafers or their attorneys, a copy of this Resolution properly certified by her as evidence of the action taken by the Commissioners on this matter.

IN WITNESS WHEREOF, We have hereunto set our hands and seals and affixed the Seal of the Township this 9th day of February, 1978.

ATTEST:

TOWNSHIP OF HOPEWELL
BOARD OF COMMISSIONERS

Ann Kovaly
Secretary

Michael G. Davis Jr.
President

CERTIFICATION

I do hereby certify that this is a true and correct copy of the Resolution adopted at a meeting held by the Board of Commissioners of the Township of Hopewell on February 9, 1978.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Township of Hopewell this 10 day of February, 1978.

Ann Kovaly
Secretary