

ORDINANCE NO. 280

AN ORDINANCE, OF THE BOROUGH OF CLYMER, COUNTY OF INDIANA, AND COMMONWEALTH OF PENNSYLVANIA, ACCEPTING OWNERSHIP AND CONTROL OF A PORTION OF ADAMS STREET.

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Clymer, Indiana County, Pennsylvania, and it is hereby ordained and enacted as follows:

1. Clymer Borough does hereby accept the dedication, use, and ownership of all that portion of Adams Street described in the Indenture, attached hereto and made a part hereof, consisting of 270.33 feet of Adams Street previously owned, maintained, and controlled by Cherryhill Township, Indiana County, Pennsylvania.

ORDAINED AND ENACTED by the Borough Council of Clymer Borough this 5th day of August, 1997.

ATTEST:

BOROUGH OF CLYMER

Carrie L. Custer  
Secretary

By John Bracken  
President of Council

APPROVED this 5th day of August, 1997.

Joseph E. Krolick  
Mayor

**QUIT-CLAIM DEED**

**MADE THE** 7<sup>th</sup> day of August in the year of our Lord one thousand nine hundred ninety-seven

**BETWEEN TOWNSHIP OF CHERRYHILL**, a municipality, having its principal place of business at R. D. #1, Penn Run, Pennsylvania;

**GRANTOR**

**A N D**

**CLYMER BOROUGH**, a municipality, having its principal place of business at 20 Sixth Street, Clymer, Pennsylvania;

**GRANTEE**

**WITNESSETH**, that the said Township of Cherryhill for and in consideration of the sum of ONE DOLLAR AND NO/100 (\$1.00) lawful money of the United States of America, unto it well and truly paid by the said grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold aliened, enfeoffed, released and confirmed and by these presents does grant, bargain, sell, alien, enfeoff, release and confirm unto the said grantee, its successors and assigns,

**ALL** that certain piece or parcel of land situate in the County of Indiana and State of Pennsylvania, bounded and described as follows:

**BEGINNING** at a point in the center of Adams Street where it intersects with the Clymer Borough line, said point being the point of beginning; thence from said point of beginning, North 78°49'35" East along a line in Adams Street a distance of 107.55 feet; thence continuing along a line in Adams Street, North 74°08'23" East a distance of 60.17 feet to a point in Adams Street; thence by a curve to the left over lands now or formerly of the Cherrytree and Dixonville Railroad having a radius of 60 feet and a length of 92.39 feet. (Chord angle North 30°01'41" East a distance of 83.53 feet) to a point in Adams Street; thence over lands of same, North 14°05' West a

distance of 10.22 feet to a point in Adams Street, said point being the point which Adams Street re-enters Clymer Borough. The portion of Adams Street described above is 270.33 feet in length.

**TOGETHER** with all and singular the buildings, improvements, ways, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining, and the reversions, and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whosoever, of in law, equity, or otherwise howsoever, of, in and to the same and every part thereof,

**TO HAVE AND TO HOLD** the said tract of land, together with hereditaments and premises hereby granted or mentioned and intended so to be with the appurtenances, unto the said grantee, its successors and assigns, to and for the only proper use and behoof of the said grantee, its successors and assigns forever.

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 REMOVAL 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, EXCEPTED OR RESERVED BY THIS INSTRUMENT.

NOTICE - The Grantor states that the property herein conveyed is not presently being used for the disposal of hazardous waste, nor to the best of its knowledge has it ever been so used. This statement is made in compliance with the Solid Waste Management Act No. 1980-97, Section 405.

WITNESS the due execution hereof the day, month and year first above written.

ATTEST:

TOWNSHIP OF CHERRYHILL

*Phyllis Butner*  
Secretary

By \_\_\_\_\_  
Supervisor

By *T.J. Dittus*  
Supervisor

By *James Holbert*  
Supervisor

COMMONWEALTH OF PENNSYLVANIA

:  
: SS.  
:

COUNTY OF INDIANA

ON this the *16<sup>th</sup>* day of August, 1997, before me a notary public the undersigned officer, personally appeared *Terry Stiffner & James Boker* known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

Notarial Seal  
Laura E. Bodnar, Notary Public  
Indiana Boro, Indiana County  
My Commission Expires Feb. 22, 1999

*Laura E. Bodnar*  
Title of Officer

CERTIFICATE OF RESIDENCE

I do hereby certify that the precise residence and complete post office address of the within named grantee is 20 Sixth Street, Clymer, PA 15728.

Date:

*[Signature]*  
Attorney for Grantee

