RESOLUTION NO. 2022-I

A RESOLUTION OF THE BOARD OF SUPERVISORS OF CONEWAGO TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA ACCEPTING A ROAD DEDICATION IN CONNECTION WITH THE CHAPEL RIDGE DEVELOPMENT

WHEREAS, Conewago Township, Adams County, Pennsylvania (the "Township"), is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Township is authorized by the Second-Class Township Code, at Section 2316, 53 P.S. § 67316, to accept by dedication lands dedicated to the Township to be used as public road, street, or alley; and

WHEREAS, an offer of dedication of Galaxy Drive, in connection with the Chapel Ridge development, has been made by BJML Enterprises to be utilized as public roads. The Deed of Dedication for Galaxy Drive has been attached hereto as Exhibit "A" and is incorporated herein by reference; and

WHEREAS, the Board of Supervisors of Conewago Township desires to accept the dedication of the above-listed lands as roads for public use; and

NOW THEREFORE, the Board of Supervisors of Conewago Township hereby resolves as follows:

SECTION 1. The foregoing recitals to this Resolution are incorporated herein and made a part hereof.

SECTION 2. The Conewago Township Board of Supervisors does hereby accept dedication by deed of the road known as Galaxy Drive, as more fully described in the roadway plat and legal description attached hereto as Exhibit "B" and incorporated herein by reference.

SECTION 3. Pursuant to Section 2316 of the Second-Class Township Code, a copy of this Resolution, including its attachments, shall be filed with the Clerk of Courts of the Adams County Court of Common Pleas. Upon the filing of the copy of this Resolution and its attachments, the above-listed streets shall become a part of the Conewago Township public road system.

SECTION 4. All provisions of previous resolutions or ordinances which are contrary to this Resolution are expressly repealed.

SECTION 5. If any word, phrase, sentence, part, section, subsection, or other portion of this Resolution or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable and the

remaining provisions of this Resolution and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 6. This Resolution shall take effect in accordance with other applicable provisions of law.

DULY ADOPTED, pursuant to the authority granted to the Township under the laws of the Commonwealth of Pennsylvania in lawful session duly assembled on the 15th day of August, 2022.

ATTEST:

Tamara Bittle, Secretary

CONEWAGO TOWNSHIP

By: Charlotte M. Shaffer
Charlotte Shaffer, Chair

(SEAL)

EXHIBIT "A"

Galaxy Drive Deed of Dedication

EXHIBIT "B"

Galaxy Drive Roadway Plat and Legal Description

Karen Heflin, Register and Recorder
117 Baltimore St. Room 102
Gettysburg, PA 17325-2398
(717) 337-9826

ADAMS COUNTY, PA RECORDING COVER SHEET

Received From :
BJML ENTERPRISES
CALL JOLENE 717-337-3021 TO PICK UP

***First Direct**
BJML ENTERPRISES

***First Indirect**
CONEWAGO TOWNSHIP OF

***Index Type :** GENERAL

Book : 7007 **Page :** 715

***Type of Instrument :** DEED

This is a certification page

DO NOT DETACH

This page is now part of this legal document.

***Recording Fee:**

Affordable Housing	$23.50
Deeds - Recording Fees	$25.00
Recorder Improvement Fund	$3.00
County Improvement Fund	$2.00
Writ Tax - Deeds Taxable	$0.50
School Fund	$0.00
Commonwealth Acct	$0.00
Municipality Fund	$0.00
Access To Justice Fee	$40.25

***Recording Pages :** 12

Clerk: Linda H

Recorded Information

State of Pennsylvania
Adams County, PA

I hereby certify that the within and foregoing was recorded in the Recorder's office for Adams County, PA

On (Recorded Date) : 08/29/2022
At (Recorded Time) : 1:19 PM

Doc ID - 008754400012

Stamp #2022-060958
Consideration $1.00
Loc Conewago Township

CommonWealth of Pennsylvania	$0.00
Conewago Township	$0.00
Conewago Valley School Dist-A	$0.00

Total : $0.00

Karen Heflin, Register and Recorder

***Information denoted by asterisk may change during the verification process and may not be reflected on this page.**

DEED OF DEDICATION

THIS INDENTURE made this 15th day of August, 2022, by and between BJML ENTERPRISES, a Pennsylvania limited partnership, maintaining a registered business address at 363 Dart Dr., Hanover, PA 17331 ("Grantor"), and CONEWAGO TOWNSHIP, a municipal township of the second class, situated in Adams County, Pennsylvania, duly organized and operating under the laws of the Commonwealth of Pennsylvania ("Grantee").

WITNESSETH:

WHEREAS, Grantor is the subdivider and developer of certain subdivision known as the "Chapel Ridge Development," situated in Conewago Township, Adams County, Pennsylvania (hereinafter "Plans"); and

WHEREAS, said Plans specifically include Galaxy Drive (hereinafter "Road"); and

WHEREAS, Grantor has completed the installation of the Road described herein; and

WHEREAS, Grantor desires to convey and dedicate the Road described herein to Grantee for inclusion in its public road system for public use and maintenance.

NOW THEREFORE, in consideration of the mutual promises and covenants set forth herein and intending to be legally bound, the Parties hereto agree as follows:

That the said Grantor, for and in consideration of the sum of ONE DOLLAR AND NO/100 DOLLARS ($1.00), the receipt of which is hereby acknowledged, as well as for diverse other considerations affecting the public welfare which it seeks to advance, and intending to be legally bound hereby, have granted, bargained and sold, and by these presents do grant, bargain and sell unto the said Grantee, its successors and assigns, the free and uninterrupted use, liberty and privilege of, and passage in and through all that certain tracts or parcels of ground in Conewago Township, Adams County, Pennsylvania, being bounded and described in a roadway plat and

corresponding legal description, which are attached hereto as Exhibit "A" and are incorporated herein by reference.

BEING PART OF THE SAME PROPERTY granted and conveyed unto BJML Enterprises, and depicted by the Subdivision Plan for Chapel Ridge, recorded at Plat Book 95, Page 15, in the Office of the Recorder of Deeds for Adams County.

TO HAVE AND TO HOLD all and singular the privileges aforesaid unto the said Grantee to and for only the proper use and behoof of the said Grantee, its successors and assigns forever, as and for a public road and the installation of public utilities and related public service, including but not limited to sanitary and storm sewers, water main, streetlights, electrical and gas service, cable television lines, and the like.

AND THE SAID GRANTOR, for itself, its successors and assigns, by these presents, covenant, promise, and agree to and with the said Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns, shall nor will at any time hereafter ask, demand, or recover or receive of or from the said Grantee, its successors and assigns, any sum or sums of money as and for damages for or by reason of the physical grading of the said street to the grade as now established by Conewago Township, Grantee hereunder.

AND THE SAID GRANTOR, for itself, its successors and assigns, do by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that they, the said Grantor, its successors and assigns, the said lots of ground above-described and granted or mentioned, and intended so to be, unto the said Grantee, its successors and assigns, against them, the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under it, them or any of them, shall and will warrant and forever defend.

SUBJECT TO the rights of Conewago Township Municipal Authority to replace, maintain and repair any and all sanitary sewer lines lying within the roadway beds of the premises conveyed hereby.

THIS IS A TRANSFER TAX EXEMPT TRANSACTION AS THIS CONVEYANCE REPRESENTS A DEED IN LIEU OF CONDEMNATION.

NOTICE – THIS DOCUMENT SHALL NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LANDS 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 THE CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LANDS AND ANY HOUSES, BUILDINGS, OR OTHER STRUCTURES ON OR IN SUCH LANDS. 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.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal this 15th day of August, 2022.

ATTEST:

Tammie Shittle

CONEWAGO TOWNSHIP

By: Charlotte M. Shaffer
Charlotte Shaffer, Chair

(SEAL)

ATTEST:

Linda Leese

BJML ENTERPRISES

By: Laverne L Leese
Authorized Representative

Laverne L Leese
Print Name

(SEAL)

State of North Carolina

~~COMMONWEALTH OF PENNSYLVANIA~~ :
Brunswick County : SS:
~~ADAMS COUNTY~~ :

On this 25th day of August, 2022, before me, a Notary Public, personally appeared Laverne L Leese, who has been satisfactorily proven to be the person whose name is subscribed to this written instrument, who acknowledged himself/herself to be an authorized representative of BJML ENTERPRISES, a Pennsylvania limited partnership, and that he/she as such authorized representative, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of BJML ENTERPRISES by himself/herself as an authorized representative.

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

JOHN JACOBS JR NC NOTARY PUBLIC NEW HANOVER COUNTY My Commission Expires 03-13-27

(SEAL)

Notary Public

COMMONWEALTH OF PENNSYLVANIA :
: SS:
ADAMS COUNTY :

On this 18th day of August, 2022, before me, a Notary Public, personally appeared Charlotte Shaffer, who has been satisfactorily proven to be the person whose name is subscribed to this written instrument, who acknowledged herself to be Chair of CONEWAGO TOWNSHIP, a Pennsylvania township of the second class, and that she as such Chair, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of CONEWAGO TOWNSHIP by herself as Chair.

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

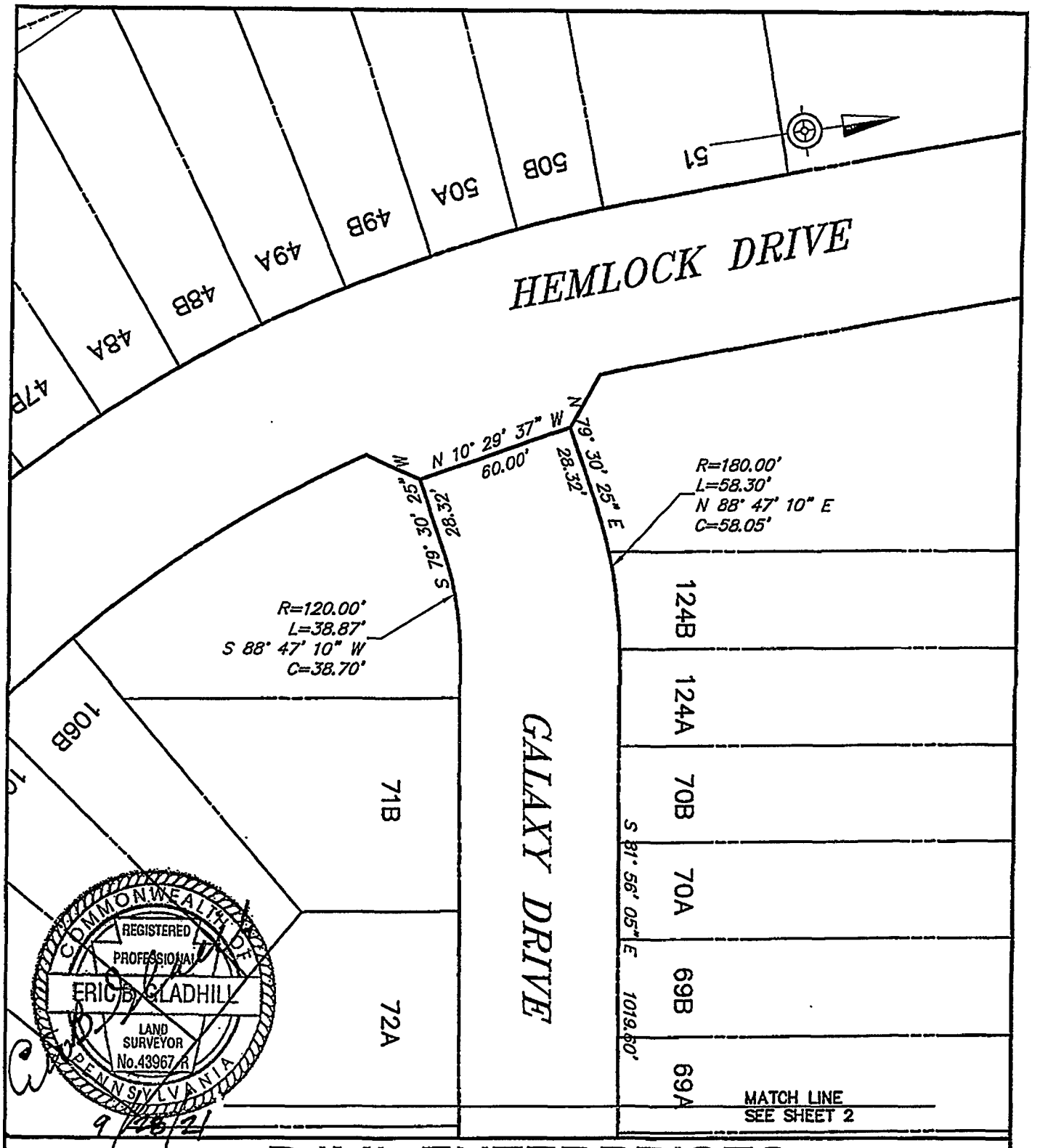
Commonwealth of Pennsylvania - Notary Seal
Holly D. Zepp, Notary Public
York County
My commission expires December 14, 2025
Commission number 1185094
Member, Pennsylvania Association of Notaries

Holly D. Zepp
Notary Public

(SEAL)

EXHIBIT "A"

Galaxy Drive Roadway Plat and Legal Description



BJML ENTERPRISES

C.S. Davidson, Inc.
Excellence in Civil Engineering
38 N. DUKE STREET, YORK, PA • PHONE (717)846-4805 • FAX (717)846-5811
50 W. MIDDLE STREET, GETTYSBURG, PA • PHONE (717)337-3021 • FAX (717)337-0782
315 W. JAMES STREET, LANCASTER, PA • PHONE (717)481-2991 • FAX (717)481-8690
WWW.CSDAVIDSON.COM

RIGHT OF WAY EXHIBIT
SHEET 1 OF 4

CONEWAGO TOWNSHIP ADAMS COUNTY , PENNSYLVANIA

DRAWN BY	EBG
CHECKED BY	
SCALE	1" = 50'
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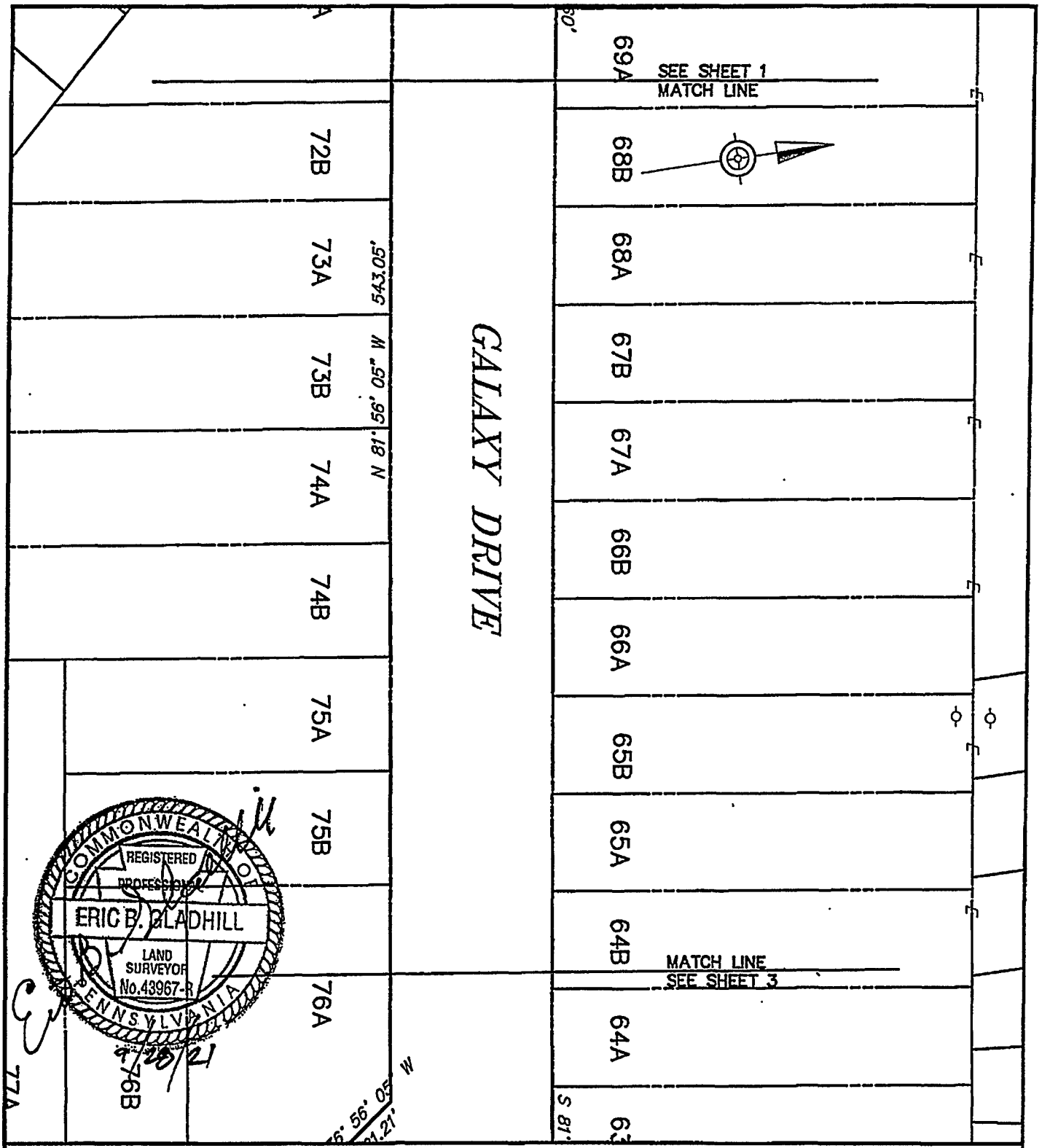
DWG. NO.	332920200_Field
FILE NO.	3329.2.03.00



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RIGHT OF WAY EXHIBIT
SHEET 2 OF 4

CONEWAGO TOWNSHIP ADAMS COUNTY , PENNSYLVANIA

DRAWN BY	EBG
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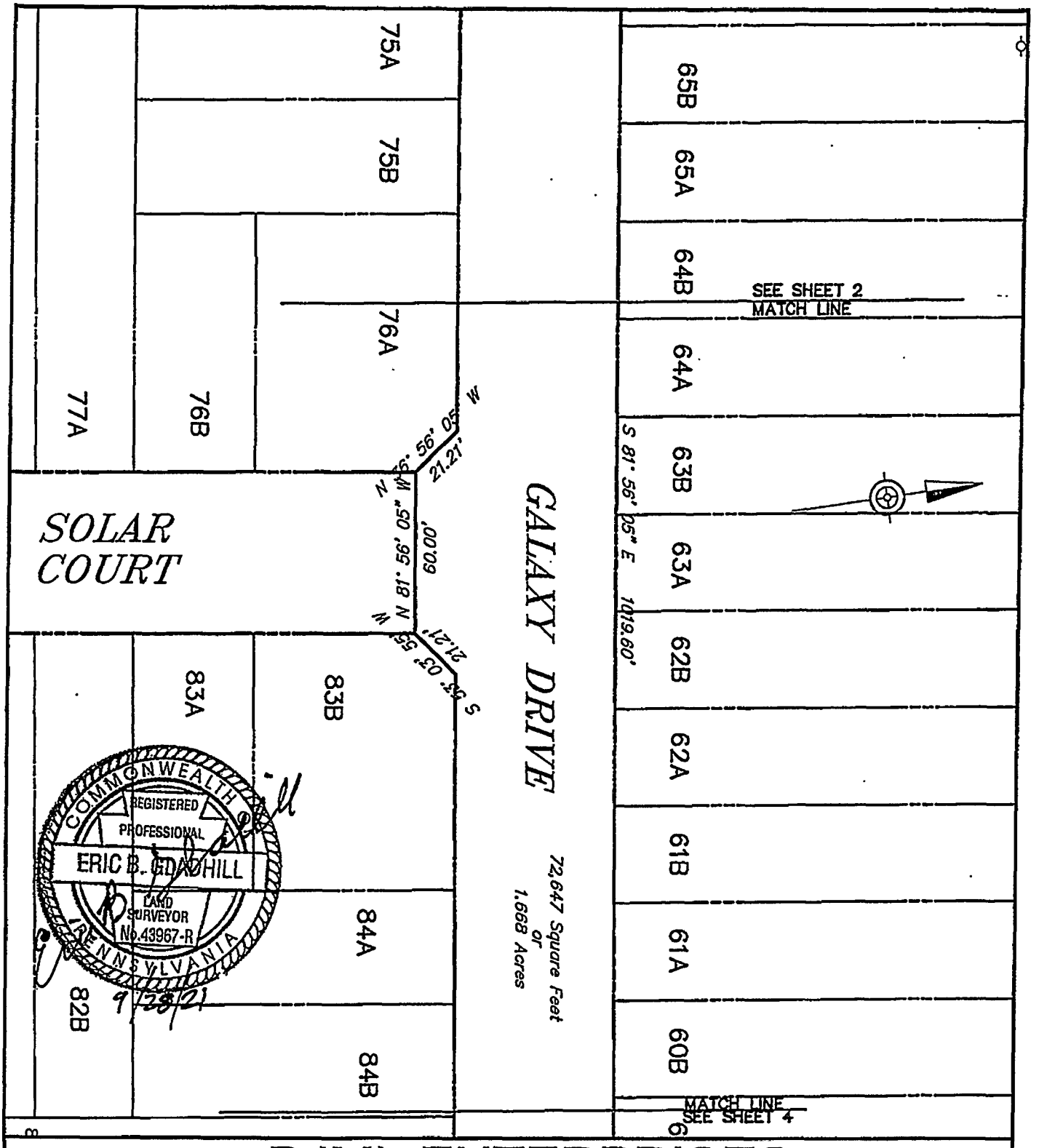

BJML ENTERPRISES

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RIGHT OF WAY EXHIBIT
SHEET 3 OF 4

CONEWAGO TOWNSHIP ADAMS COUNTY , PENNSYLVANIA

DRAWN BY	EBG
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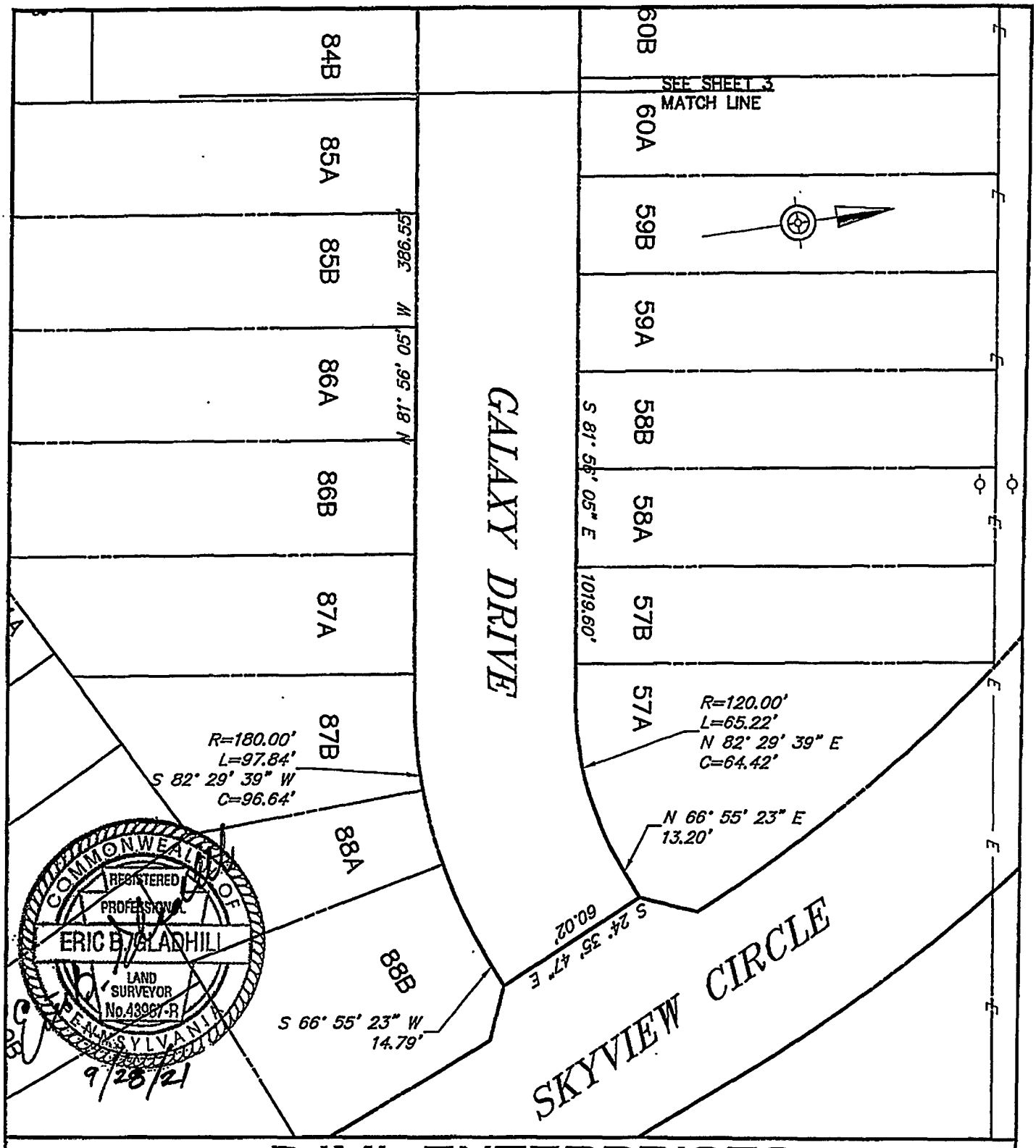

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RIGHT OF WAY EXHIBIT
SHEET 4 OF 4

CONEWAGO TOWNSHIP ADAMS COUNTY , PENNSYLVANIA

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DATE	09/24/2021
DWG. NO.	332920200_Field
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Legal Description for Galaxy Drive

Beginning at a point on the eastern side of the previously dedicated right of way for Hemlock Drive as described in a Deed of Dedication, recorded at Deed Book 5646, Page 446, said point being located at the south side of Galaxy Drive, hereby being dedicated, and as shown on Subdivision Plan for Chapel Ridge, recorded at Plat Book 95, Page 15; thence by the previously dedicated right of way for Hemlock Drive; N10° 29' 37"W, for a distance of 60.00' to a point; thence by the northern right of way line of Galaxy Drive and the previously approved lots on the aforementioned plan the following five (5) courses and distances:

1. N79° 30' 25"E for a distance of 28.32' to a point,

2. By a curve to the right, having an arc length of 58.30', a radius of 180.00', a chord bearing N88° 47' 10"E, for a distance of 58.05' to a point,

3. S81° 56' 05"E for a distance of 1019.60' to a point,

4. By a curve to the left, having an arc length 65.22', a radius of 120.00', a chord bearing N82° 29' 39"E, for a distance of 64.42' to a point,

5. N66° 55' 23"E for a distance of 13.20' to a point on the western right of way line of Skyview Circle, another street, as shown on the aforementioned subdivision plan;

Thence by said right of way line; S24° 35' 47"E for a distance of 60.02' to a point on the southern right of way line of Galaxy Drive; thence by the said right of way line and the previously approved lots on the aforementioned subdivision plan, the following four (4) courses and distances:

1. S66° 55' 23"W for a distance of 14.79' to a point,

2. By a curve to the right, having an arc length of 97.84', and a radius of 180.00' and a chord bearing S82° 29' 39"W, for a distance of 96.64' to a point,

3. N81° 56' 05"W for a distance of 386.55' to a point,

4. S53° 03' 55"W for a distance of 21.21' to a point on the eastern right of way line of Solar Court, as shown on the above-referenced subdivision plan;

Thence crossing said Solar Court; N81° 56' 05"W for a distance of 60.00' to a point on the aforesaid southern right of way line of Galaxy Drive, thence by said right of way line the following four (4) courses and distances:

1. N36° 56' 05"W for a distance of 21.21' to a point,

2. N81° 56' 05"W for a distance of 543.05' to a point,

3. By a curve to the left, having an arc length of 38.87', and a radius of 120.00', a chord bearing S88° 47' 10"W, for a distance of 38.70' to a point,

4. S79° 30' 25"W for a distance of 28.32' to a point, the point of Beginning,

Containing in area 72,647 Square Feet or 1.668 Acres

pennsylvania DEPARTMENT OF REVENUE (EX) MOD 06-19 (FI)

REV-183

BUREAU OF INDIVIDUAL TAXES
PO BOX 280603
HARRISBURG, PA 17128-0603

1830019105

REALTY TRANSFER TAX STATEMENT OF VALUE
COMPLETE EACH SECTION

RECORDER'S USE ONLY
State Tax Paid:
Book: | Page:
Instrument Number:
Date Recorded:

SECTION I TRANSFER DATA

Date of Acceptance of Document: August 15, 2022			
Grantor(s)/Lessor(s): BJML Enterprises	Telephone Number:	Grantee(s)/Lessee(s): Conewago Township	Telephone Number:
Mailing Address: 363 Dart Drive		Mailing Address: 541 Oxford Avenue	
City: Hanover / State: PA / ZIP Code: 17331		City: Hanover / State: PA / ZIP Code: 17331	

SECTION II REAL ESTATE LOCATION

Street Address: Galaxy Drive	City, Township, Borough: Conewago Township	
County: Adams	School District: Conewago Valley	Tax Parcel Number: Part of 08K13-0019---000

SECTION III VALUATION DATA

Was transaction part of an assignment or relocation? ○ YES ○ NO

1. Actual Cash Consideration: 1.00	2. Other Consideration: + 0.00	3. Total Consideration: = 1.00
4. County Assessed Value	5. Common Level Ratio Factor: X	6. Computed Value: =

SECTION IV EXEMPTION DATA - Refer to instructions for exemption status.

1a. Amount of Exemption Claimed: $	1b. Percentage of Grantor's Interest in Real Estate: 100 %	1c. Percentage of Grantor's Interest Conveyed: %

2. Fill in the Appropriate Oval Below for Exemption Claimed.

- ○ Will or intestate succession. _____ (Name of Decedent) _____ (Estate File Number)
- ○ Transfer to a trust. (Attach complete copy of trust agreement and all amendments.)
- ○ Transfer from a trust. (Attach complete copy of trust agreement and all amendments.)
- ○ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- ● Transfers to the commonwealth, the U.S. and instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ○ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment.)
- ○ Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
- ○ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ○ Other (Provide a detailed explanation of exemption claimed. If more space is needed attach additional sheets.)

SECTION V CORRESPONDENT INFORMATION - All inquiries may be directed to the following person:

Name: E. Lee Stinnett II			Telephone Number: (717) 234-6700
Mailing Address: 1801 Market Street, Suite 300	City: Camp Hill	State: PA	ZIP Code: 17011

Under penalties of law, I declare that I have examined this statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party | Date: 08/25/2022

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUESTED DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.

1830019105

1830019105