RESOLUTION NO. 2025-Q

A RESOLUTION OF THE BOARD OF SUPERVISORS OF CONEWAGO TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA ACCEPTING ADDITIONAL RIGHT-OF-WAY DEDICATION FOR PUBLIC ROAD PURPOSES AT THE INTERSECTION OF OXFORD AVE. AND KINDIG LN.

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 additional right-of-way, at the intersection of Oxford Ave. and Kindig Ln., in connection with another ongoing project, has been made by C & J Clark America, Inc. to be utilized as public roads. The Deed of Dedication 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 additional right-of-way area, as more fully described in the roadway plat and legal description attached hereto.

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 All provisions of previous resolutions or ordinances which are contrary to this Resolution are expressly repealed.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 December, 2025.

ATTEST:

Tamara Bittle, Secretary

CONEWAGO TOWNSHIP

By: Charlotte Shaffer, Chair

(SEAL)

EXHIBIT "A"

Right-of-Way Deed of Dedication

DEED OF DEDICATION

THIS DEED OF DEDICATION made this 6th day of January, 2026, by and between **C & J CLARK AMERICA, INC.**, a Pennsylvania corporation maintaining a registered business address of 60 Tower Rd., Waltham, MA 02451 ("Grantor"), and **CONEWAGO TOWNSHIP**, a township of the second class, maintaining an address of 541 Oxford Ave., Hanover, PA 17331, situated in Adams County, Pennsylvania, duly organized and operating under the laws of the Commonwealth of Pennsylvania ("Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner of certain real property located in Conewago Township, Adams County, Pennsylvania with a Tax Parcel ID No, of 08K14-0007-000; and

WHEREAS, in connection with intersection improvements at Oxford Avenue (S.R. 2008) and Kindig Lane (T-477), and in accordance with the Township's Subdivision and Land Development Ordinance and the Pennsylvania Municipalities Planning Code, the Grantor has agreed to dedicate to the Township certain lands for public right-of-way and roadway purposes; and

WHEREAS, Grantor now desires, pursuant to this Deed of Dedication, to dedicate the legal right-of-way depicted on the plans and legal descriptions attached as Exhibit "A."

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

It is the intent and purpose of this Deed of Dedication to grant and convey unto Grantee the indicated legal right of way of the portion of Kindig Lane as shown and described herein, to include any and all storm sewers, pipes, culverts and other appurtenances which have been constructed or installed by or on behalf of Grantor within said legal rights-of-way for street and right-of-way purposes.

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 public road purposes, including but not limited to the installation of public utilities and related public service, such as sanitary and storm sewers, water main, streetlights, electrical and gas service, cable 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 rights-of-way, 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 all easements, restrictions, encumbrances, subdivision plans, covenants, rights, and reservations of record or visible on the ground, if any.

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.

[the remainder of this page has been left intentionally blank; signatures to follow]

IN WITNESS WHEREOF, Grantor has set its hand and seal the day and year first above written.

ATTEST

GRANTOR

C & J CLARK AMERICA, INC.

By: _____
Authorized Representative

Kris Paxson
Print Name

(SEAL)

COMMONWEALTH OF PENNSYLVANIA :
: **SS:**
COUNTY OF ADAMS :

On this, the 6th day of January, 2026, before me, a notary public, the undersigned officer, personally appeared Kris Paxon, who acknowledged himself to be the Authorized representative of **C & J CLARK AMERICA, INC.**, a Pennsylvania corporation (the "Corporation"), and that he, as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Corporation by himself as such authorized representative.

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

Commonwealth of Pennsylvania - Notary Seal
Holly D. Zepp, Notary Public
York County
My commission expires December 14, 2029
Commission number 1185094
Member, Pennsylvania Association of Notaries

(SEAL)

Holly D. Zepp
Notary Public

My commission expires: Dec. 14, 2029

EXHIBIT A

Plat and Legal Description of Right-of-Way

CERTIFICATE OF BUSINESS ADDRESS

I hereby certify that the precise business address of the within named Grantee is 541 Oxford Ave., Hanover, PA 17331.

Township Solicitor