

Alan J. Jarvis, Esquire
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Resolution 9-1999

DEED OF DEDICATION

THIS INDENTURE made this ^{4th} ~~1st~~ day of ^{May} ~~June~~, 1999,
between Simmers Builders, Inc., and Honey Brook Township, Chester
County, Pennsylvania

WITNESSETH:

THAT said Simmers Builders, Inc., a Pennsylvania corporation, for and in consideration of the sum of One (\$1.00) Dollar, as well as the advantage to it accruing as and for divers other considerations affecting the public welfare which they seek to advance hath granted, bargained, sold, aliened, enfeoffed, released and confirmed and **By These Presents** doth grant, bargain, sell, alien, enfeoff, release and confirm unto the said Honey Brook Township, its successors and assigns:

Premises A: ALL THAT CERTAIN strip of land known as Scarlett Oaks Circle with a macadam street and various utilities erected therein, (.910 Acres, more or less) and

Premises B: ALL THAT CERTAIN 25 feet wide strip of land known as Park Road, (.322 Acres, more or less) situated in the Township of Honey Brook, County of Chester, State of Pennsylvania, bounded and described according to a plan known as Subdivision Plan of Scarlett Oaks prepared by NePo Associates, Inc., dated March 23, 1994, and last revised May 16, 1995, as more fully described in Exhibit "A," attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises described unto the said Honey Brook Township, its successors and assigns, to and for the only proper use and behoof of the said Honey Brook Township, its successors and assigns, forever, as and for public streets or highways and for no other use or purpose whatsoever and to the same extent and with the same effect as if the said streets had been opened by a Decree of the Court of Common Pleas of Chester County, after proceeding duly and for that purpose under and in pursuance of the Road Laws of the Commonwealth of Pennsylvania.

AND the said Simmers Builders, Inc., for itself, its successors and assigns does **By These Presents** confirm, promise and agree to and with the said Honey Brook Township, its successors and assigns that neither the said Simmers Builders, Inc., its successors and assigns shall or will at any time

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hereafter ask, demand, recover of or from the said Honey Brook Township, its successors and assigns, any sums of money as and for damages for or by reason of the physical grading of the said streets to the grade as now established by the said Honey Brook Township, and if such grade shall not be established at the day of the date of These Presents that neither the said Simmers Builders, Inc., nor its successors or assigns, shall nor will at any time hereafter ask, demand, recover or receive any such damages by reason of the physical grading of the said streets to conform to the grade as first thereafter established or confirmed by the said Honey Brook Township.

AND the said Simmers Builders, Inc., a Pennsylvania corporation, its successors and assigns, doth By These Presents further covenant, grant, promise and agree to and with the said Honey Brook Township, its successors and assigns, that it, the said Simmers Builders, Inc., all and singular the said premises herein described unto the said Honey Brook Township, its successors and assigns, against it, the said Simmers Builders, Inc., and against all and every person or persons whomsoever lawfully claiming or to claim the same or any part hereof, by, from, or under it, or any of them, **SHALL AND WILL** Warrant and forever defend.

IN WITNESS WHEREOF, the said Simmers Builders, Inc., has caused These Presents to be duly executed, and Honey Brook Township, by its duly accredited officer(s), and pursuant to an Ordinance passed, does hereby join in the within Deed for the purpose of acceptance of the same.

Dated the day and year hereinabove written.

SIMMERS BUILDERS, INC.

By:


Lloyd C. Simmers
President

Attest:



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ACCEPTANCE, by Honey Brook Township, Chester County, Pennsylvania:

We, the undersigned, being the duly designated members of Honey Brook Township Board of Supervisors, Chester County, Pennsylvania, in consideration of the within Deed of Dedication for the roads in lengths and widths above specified and having satisfied ourselves that the same have been constructed in accordance with the specifications for streets in said Township, do hereby accept said streets for future maintenance and repair.

Michael A. Janney
Dallas D. Fox
John L. Wagner

Attest:

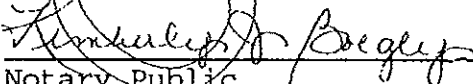
Ruby M. Kitzman

Unofficial

COMMONWEALTH OF PENNSYLVANIA :
: ss
COUNTY OF CHESTER :

On this 9th day of June, 1999, before me, the undersigned officer, personally appeared MICHAL A. JANY, DALLAS D. FORD, and PETER DRAPER, known to me (or satisfactorily proven) to be the BOARD OF SUPERVISORS OF HONEY BROOK TOWNSHIP, Chester County, Pennsylvania, and that they as such officers, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing their names as the Board of Supervisors.

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


Notary Public

Notarial Seal
Kimberly J. Boegly, Notary Public
West Chester Boro, Chester County
My Commission Expires Sept. 2, 2002

Unofficial

PREMISES A:

DESCRIPTION of a street known as Scarlett Oaks Circle within the Scarlett Oaks Subdivision.

ALL THAT CERTAIN strip of land known as Scarlett Oaks Circle with a macadam street and various utilities erected therein, Hereditaments and Appurtenances, SITUATE in the Township of Honey Brook, County of Chester and State of Pennsylvania, bounded and described according to a Subdivision Plan of Scarlett Oaks prepared by NePo Associates, Inc., dated 03/23/1994, and last revised 05/16/1995, as follows, to wit:

BEGINNING at a point on the Northeast ultimate right of way of Park Road (T-364), a corner of Lot 12; thence along said Northeast ultimate right of way North 32 degrees 22 minutes 6 seconds West 100 feet to a concrete monument set at a point of curve, a corner of Lot 1; thence along said Lot 1 by a line curving to the left, having a radius of 25 feet, a chord bearing of South 77 degrees 22 minutes 6 seconds East, and a chord distance of 35.355 feet, for an arc distance of 39.27 feet to a concrete monument set at a point of tangent; thence continuing along said Lot 1, along Lot 2 and partly along Lot 3, North 57 degrees 37 minutes 54 seconds East 214.91 feet to a concrete monument set at a point of curve; thence continuing along said Lot 3, along Lots 4 and 5, and partly along Lot 6 by a line curving to the right, having a radius of 175 feet, a chord bearing of South 89 degrees 52 minutes 6 seconds East and a chord distance of 188.055 feet, for an arc distance of 198.53 feet to a concrete monument set at a point of tangent; thence continuing along said Lot 6 and partly along Lot 7 South 57 degrees 22 minutes 6 seconds East 131.48 feet to a concrete monument set at a point of curve; thence continuing along said

Lot 7 by a line curving to the left, having a radius of 25 feet, a chord bearing of South 84 degrees 21 minutes 9 seconds East, and a chord distance of 22.69 feet, for an arc distance of 23.55 feet to a concrete monument set at a point of reverse curve; thence continuing along said Lot 7 and along Lot 8 by a line curving to the right, having a radius of 60 feet, a chord bearing of South 51 degrees 39 minutes 52 seconds East, and a chord distance of 103.58 feet, for an arc distance of 124.98 feet to a point; thence continuing along said Lot 8 South 57 degrees 22 minutes 6 seconds East 23.59 feet to an iron pin set in line of land of Steve S. and Annie Z. Stoltzfus; thence along said Stoltzfus' land South 57 degrees 53 minutes 7 seconds West 55.94 feet to a point, a corner of Lot 9; thence along said Lot 9 by a line curving to the right, having a radius of 60 feet, a chord bearing of North 62 degrees 45 minutes 27 seconds West, and a chord distance of 103.24 feet for an arc distance of 124.32 feet to a concrete monument set at a point of reverse curve; thence continuing along said Lot 9 by a line curving to the left having a radius of 25 feet, a chord bearing of North 30 degrees 23 minutes 3 seconds West, and a chord distance of 22.69 feet, for an arc distance of 23.55 feet to a point of tangent; thence continuing along said Lot 9, along Lot 10, and partly along Lot 11 North 57 degrees 22 minutes 6 seconds West 131.48 feet to a point of curve, thence continuing along said Lot 11, by a line curving to the left, having a radius of 125 feet, a chord bearing of North 89 degrees 52 minutes 6 seconds West, and a chord distance of 134.32 feet, for an arc distance of 141.81 feet to a point of tangent; thence continuing along said Lot 11, and partly along Lot 12 South 57 degrees 37 minutes 54 seconds West 214.91 feet to a point of curve; thence continuing along said Lot 12 by a line curving to the left, having a radius of 25 feet, a chord bearing of South 12 degrees 37 minutes 54 seconds West and a chord distance of 35.36 feet, for an arc distance of 39.27 feet to the point and place of BEGINNING.

CONTAINING .910 acres of land be the same more or less.

BEING a new street known as Scarlett Oaks Circle.

PREMISES B:

DESCRIPTION of Park Road (T-364) within a Subdivision known as Scarlett Oaks.

ALL THAT CERTAIN 25 feet wide strip of land known as Park Road, Hereditaments and Appurtenances, SITUATE in the Township of Honey Brook, County of Chester and State of Pennsylvania, bounded and described according to a Subdivision Plan of Scarlett Oaks prepared by NePo Associates, Inc., dated 03/23/1994, and last revised 05/16/1995, as follows, to wit:

BEGINNING at a spike on the title line within Park Road (T-364), a corner of land of Steve S. and Annie Z. Stoltzfus, thence along said title line North 32 degrees 22 minutes 6 seconds West 561 feet to an existing spike; thence crossing the Northeast legal right of way line of said Park Road North 59 degrees 39 minutes 15 seconds East 25.01 feet to a concrete monument set on the Northeast ultimate right of way line of said Park Road, a corner of Lot 1; thence along said ultimate right of way line for the following 3 courses and distances: (1) along said Lot 1 South 32 degrees 22 minutes 6 seconds East 184.20 feet to a concrete monument set at a point of curve marking the entrance of a new street known as Scarlett Oaks Circle, (2) along the entrance of said street South 32 degrees 22 minutes 6 seconds East 100 feet to a point of tangent at the exit of said new street, a corner of Lot 12, and (3) along said Lots 12 and 13 South 32 degrees 22 minutes 6 seconds East 276.03 feet to a concrete monument set in line of the aforementioned land of Steve S. and Annie Z. Stoltzfus; thence along said Stoltzfus' land South 57 degrees 53 minutes 7 seconds West 25 feet to the place of BEGINNING.

CONTAINING .322 acres of land be the same more or less.

BEING Park Road (T-364) as shown on the above mentioned subdivision plan.