

EXHIBIT A

RESOLVED, that a depository account be opened and/or maintained with First Eastern Bank, N.A., Wilkes Barre, Pennsylvania ("Bank") in the Authority's name and for Authority's use and that from time to time any and all money, checks, drafts, notes, acceptances, or any other evidence of indebtedness, which may now or hereafter be possessed, be deposited in said account; and that said Bank is authorized to make payments or withdrawals from such account upon and according to the checks, drafts, notes, orders, withdrawal slips, or acceptances signed by: \_\_\_\_\_

and to receive such instruments when so signed for the credit of, or in payment from the payee or any other holder without inquiry as to the circumstances of their issue or the disposition of their proceeds, even if drawn to the individual order or tendered in payment of obligations of the above-named individuals, other officers of this Authority or otherwise; and it is further

RESOLVED, that the Bank is authorized to supply any endorsement for the Authority on any check or other instrument tendered for this account and it is thereby relieved of any liability in connection with the collections of such items which are handled by it without negligence and it shall not be liable for the acts of its agents, subagents or others or for any casualty. Checks may not be drawn on account and withdrawals may not be made on account of such items until collected, and any amount not collected may be charged back to this account, including any expenses incurred.

RESOLUTION OF EMINENT DOMAIN

3-1989

WHEREAS, the Smithfield Township Sewer Authority has determined that it is necessary to acquire certain tracts of land and legal rights-of-way located in the Township of Smithfield, County of Monroe and Commonwealth of Pennsylvania upon which shall be constructed a wastewater treatment plant, pumping stations and a sewage collection system; and

WHEREAS, title to this real property is owned by persons whose names appear on the legal descriptions attached hereto, made a part hereof and marked Exhibit "A" of this resolution; and

WHEREAS, unsuccessful attempts have been made to purchase the necessary interest in the properties involved, but because of the need to promptly obtain title, this action must now be taken by the Smithfield Township Sewer Authority;

NOW THEREFORE, be it resolved that:

1. The title to the tracts of land and the legal rights of way on property belonging to the persons whose names appear on the legal descriptions attached hereto as Exhibit "A" and made a part hereof shall be taken by Eminent Domain Code of 1964, as amended, approved June 22, 1964, P.L. 84, 26 P.S. §1-101 et seq. and the Municipality Authorities Act of 1945, approved May 2 1945, P.L. 382, as amended and supplemented. The purpose of this taking shall be to obtain the property necessary to construct and operate a wastewater treatment plant, pumping stations and a sewage

collection system in Smithfield Township.

2. A copy of the descriptions of the tracts and the legal rights-of-way to be acquired by the Smithfield Township Sewer Authority for the operation of the sewer system are attached hereto and made a part of this resolution as Exhibit "A".

3. The Chairman of the Smithfield Township Sewer Authority, Nicholas Fredericks and the Secretary, Marianne Higgins are authorized and directed to execute and file the proper Declaration of taking, the notice thereof, the bond and such other documentation necessary to comply with the Eminent Domain Code and the Municipality Authorities Act as specifically referred to above, against the properties described in Exhibit "A" and such other properties as necessary to construct and operate the Smithfield Township Sewer System.

SMITHFIELD TOWNSHIP SEWER  
AUTHORITY

BY:   
NICHOLAS FREDERICKS, Chairman

ATTEST:

  
Marianne Higgins, Secretary

Dated: May 18, 1989

CERTIFICATION

I, Marianne Higgins, Secretary of the Smithfield Township Sewer Authority do hereby certify that the attached Resolution was properly adopted by the Smithfield Township Sewer Authority at a special meeting held on May 18, 1989 at 7:00 p.m.

*Marianne Higgins*  
\_\_\_\_\_  
MARIANNE HIGGINS

ANNA CERRIA AND BARBARA VAN DENBURG TO  
SMITHFIELD TOWNSHIP SEWER AUTHORITY

PLAN NO. 200

DESCRIPTION OF AREA TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER AND ACCESS ROAD TO THE WASTEWATER TREATMENT PLANT THROUGH THE PROPERTY OF ANNA CERRIA AND BARBARA VANDENBURG, SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.

ALL THAT CERTAIN tract of land situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEGINNING at a point formed by the intersection of the northwesterly side of a private street through Valhalla Estates and the line dividing lands of Anna Cerria and Barbara VanDenburg (tax block 24-4) on the northwest from lands of Anna Cerria and Barbara VanDenburg (tax block 24-6) on the southeast, said beginning point being a point on the center line of the aforementioned sanitary sewer; thence from the point of beginning extending along said side of the private street on the arc of a circle curving to the left in a southeasterly direction having a radius of 130' an arc distance of 10.01' to a point; thence extending in and through lands of Cerria/VanDenburg South 55 degrees 59 minutes 54 seconds West 89.89' to a point on line of lands of Elva K. Tinney and Marie K. Keesler; thence extending along the same North 36 degrees 49 minutes 13 seconds West 20.02' to a point; thence extending in and through lands of Cerria/VanDenburg North 55 degrees 59 minutes 54 seconds East 90.88' to a point on the aforesaid northwesterly side of a private street; thence extending along the same on the arc of a circle curving to the left in a southeasterly direction having a radius of 130' an arc distance of 10.01' to the first mentioned point and place of beginning.

CONTAINING 1,803 square feet of land.

INTENDING to describe a 20' wide tract through the property of Anna Cerria and Barbara VanDenburg extending in a northwesterly direction from the northwesterly side of a private street to line of lands of Elva K. Tinney and Marie K. Keesler and the sanitary sewer treatment plant, being bounded within a 40' wide temporary right-of-way for construction purposes only as shown on the said plan.

Exhibit "H"

MILTON A. MOSIER AND

DOROTHY A. MOSIER

TO

SMITHTFIELD TOWNSHIP SEWER AUTHORITY

ALL THAT CERTAIN tract of land situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by Achterman Associates, East Stroudsburg, Pennsylvania dated April 26, 1989, as follows:

BEGINNING at a point on the line dividing lands of Milton A. Mosier et ux on the southwest from lands of Gerald Lockward et ux on the northeast, said point of beginning being measured N 42 degrees 30' 00" W 85.00 feet from the most southerly corner of lands of Lockward; thence from the said point of beginning extending along aforesaid dividing line between lands of Mosier and lands of Lockward and along the dividing line between lands of Milton A. Mosier et ux on the southwest and lands of H. Helen Strunk on the northeast S 42 degrees 30' 00" E (at a distance of 85.00 feet passing the most southerly corner of Lockward, said corner being also the most westerly corner of lands of H. Helen Strunk) 125.00 feet to a point on the southwesterly side of Music Center Road (33' wide) and being also on the line dividing lands of Mosier and lands of Strunk; thence extending in and through lands of Mosier the following three (3) courses and distances;

1. S 47 degrees 30' 00" W 125.00 feet to a point;
2. N 42 degrees 30' 00" W 125.00 feet to a point;
3. N 47 degrees 30' 00" E 125.00 feet to the first mentioned point and place of beginning.

CONTAINING 15,625 square feet or 0.359 acre of land.

BEING a part of the same premises which Harriet Mosier, by indenture bearing date the first day of November 1979, and recorded in the office of the Recorder of Deeds in and for Monroe County, Pennsylvania, in Deed Book No. 986, on Page No. 17, granted and conveyed unto Milton A. Mosier and Dorothy A. Mosier, grantors hereof in fee.

TOGETHER WITH two (2) perpetual right of ways and easements, to construct, lay, operate, renew, alter, inspect, maintain, repair, add to, change the size of, replace or remove such part of its sewer system, lines, and additional lines, drainage structures, accessories and other appurtenances pertaining thereto, as Township may from time to time require, including any pipes, conduits, manholes, valves, boxes, drains, wires, structures and other facilities used or useful in connection therewith, in, upon, over, under, across and through the land of the Grantors, including any roads, streets, or alleys adjoining the Grantors' land situate in Monroe County, Pennsylvania, as is more particularly described as follows:

RIGHT-OF-WAY AND EASEMENT NO. 1:

BEGINNING at a point on the line dividing lands of Mosier on the southwest from lands of Donald W. Pius et ux on the northeast, said point being measured at a distance of 200.00' measured S44 57'00"W from the southwesterly side of Del Sol Drive (40' wide); thence from said point of beginning extending in and through lands of Mosier the following three (3) courses and distances;

1. S47 08'23"W 20.00' to a point;
2. N42 30'00"W crossing an existing P.P.& L. right-of-way 507.99' to a point;
3. N78 32'50"W 62.16' to a point on the line dividing lands of Mosier on the southeast from lands of William J. Kelly et ux on the northwest; thence extending along same N47 00'00"E 56.58' to a point the northerly corner of lands of Mosier; thence extending along the line dividing lands of Mosier on the southwest from lands of others on the northeast and recrossing an existing P.P.& L. right-of-way S42 30'00"E 558.62' to the first mentioned point and place of beginning.

CONTAINING 12,097 square feet or 0.278 acre of land.

RIGHT-OF-WAY AND EASEMENT NO. 2:

BEGINNING at a point on the line dividing lands of Milton A. Mosier et ux on the southwest from lands of Gerald Lockward et ux on the northeast, said point of beginning being measured N 42 degrees 30' 00" W 85.00 feet from the most southerly corner of lands of Lockward; thence extending in and through lands of Mosier the following three (3) courses and distances:

1. S 47 degrees 30' 00" W 30.00 feet to a point;
2. N 42 degrees 30' 00" W 522.86 feet to a point;
3. N 47 degrees 30' 00" E 30.00 feet to a point on the line dividing lands of Milton A. Mosier et ux on the southwest from lands of Nicholas Fredericks on the northeast; thence extending along the line dividing lands of Mosier on the southwest from lands of others on the northeast S 42 degrees 30' 00" E 522.86 feet to the first mentioned point and place of beginning.

CONTAINING 15,686 square feet or 0.360 acre of land.

TOGETHER WITH the free and uninterrupted right of ingress, egress and regress, over and across the lands of the Grantors at all times, for any and all purposes, including surveys, by the Township's agents, lessees, employees and servants, and together with an easement that the surface of said right-of-way shall remain unencumbered by the Grantors of all buildings or structures of any kind and the grade will not be changed over said sewer line or lines.

RESERVING UNTO the Grantors the right to use and enjoy the surface of said land, except that no buildings, structures or excavations of any kind may be built thereon and Township covenants to replace and restore the land as near as reasonably possible to its condition at the time of the execution of this easement; and the Grantors do hereby release, remise, and quitclaim Township from all claims for damages from whatsoever cause incidental to the exercise by Township of the rights herein granted.

RIGHT-OF-WAY NO. 1 INTENDING to describe a permanent right-of-way of variable width for the construction and maintenance of a sanitary sewer force main through the property of Milton A. Mosier and Dorothy A. Mosier, grantors hereof, being bounded on the northeast and on the northwest by lands of others and on the remaining sides by a 20' wide temporary right-of-way for construction purposes.

RIGHT-OF-WAY NO. 2 INTENDING to describe a 30' wide permanent right-of-way for the construction of a sanitary sewer gravity main and sanitary sewer force main through property of Milton A. Mosier and Dorothy A. Mosier, grantors hereof, being bounded on the northeast by lands of others, on the southeast by a proposed pumping station site and on the remaining sides by a 10' wide temporary right-of-way for construction purposes.

A copy of the plan prepared by Achterman Associates, East Stroudsburg, Pennsylvania, dated April 26, 1989 depicting the pumping station site described above and the sanitary sewer gravity and force main right-of-ways are attached hereto and labeled Exhibit "A".



Matt H. Vegari  
to  
Township of Smithfield

All that certain lot, parcel or piece of land situate in the Township of Smithfield, County of Monroe and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point, a corner of lands of Daniel Harvin; thence along said lands of Daniel Harvin (bearings from the Pennsylvania Plane Coordinate System meridian), N  $0^{\circ} 28' 34''$  E 17.26 feet to a point on the southwesterly line of Route 447; thence along the southwesterly line of Route 447, S  $47^{\circ} 27' 50''$  E 177.99 feet to a point; thence along other lands of Matt H. Vegari of which this was formerly a part, S  $42^{\circ} 32' 10''$  W 103.90 feet to a point in line of lands of Spruce Cabin Corp.; thence partly along said lands of Spruce Cabin Corp. and partly along lands of the said Daniel Harvin, N  $18^{\circ} 46' 26''$  W (at 77.52 feet passing the corner of Spruce Cabin Corp. and Daniel Harvin) 189.22 feet to the place of BEGINNING. Containing 0.2247 Acres, more or less.

RIGHT-OF-WAY NO.121

DESCRIPTION OF AREA TO BE OBTAINED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER THROUGH THE PROPERTY OF GERALD G. ARCH AND SUSAN D. ARCH, HIS WIFE, SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.

ALL THAT CERTAIN 20' wide permanent right-of-way situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEGINNING at a point formed by the intersection of the southeasterly side of Independence Drive (L.R. 45058) on the southwest with the line of lands of Gerald G. Arch, et ux on the Northeast, said point being at a distance of 163.49' measured North 36 degrees 55 minutes West from the southerly most corner of lands of Arch; thence from the said point of beginning extending along said side of Independence Drive North 36 degrees 55 minutes West 20.10' to a point; thence extending in and through lands of Arch the following seven (7) courses and distances;

1. North 58 degrees 56 minutes 24 seconds East crossing an existing driveway 211.01' to a point;

2. North 63 degrees 16 minutes 57 seconds East 158.45' to a point;

3. North 21 degrees 08 minutes 48 seconds West recrossing an existing driveway 200.14' to a point;

4. North 56 degrees 08 minutes 03 seconds East 212.26' to a point;

5. North 55 degrees 21 minutes 39 seconds East 184.78' to a point;

6. North 38 degrees 28 minutes 01 seconds East 180.30' to a point on the line dividing lands of the same on the southwest from lands N/L of David Mazer on the northeast; thence extending along the same South 41 degrees 25 minutes East recrossing an existing driveway 20.32' to a point; thence extending in and through lands of Arch the following eleven (11) courses and distances;

1. South 38 degrees 28 minutes 01 seconds West 167.62' to a point;

2. South 46 degrees 15 minutes 56 seconds East

recrossing an existing driveway 161.20' to a point;  
3. South 45 degrees 37 minutes 51 seconds west  
recrossing an existing driveway 49.07' to a point;  
4. North 44 degrees 22 minutes 09 seconds West 20.00' to  
a point;  
5. North 45 degrees 37 minutes 51 seconds East 28.39' to  
a point;  
6. North 46 degrees 15 minutes 56 seconds West 141.49'  
to a point;  
7. South 55 degrees 21 minutes 39 seconds West 178.11'  
to a point;  
8. South 56 degrees 08 minutes 03 seconds West  
recrossing an existing driveway 196.41' to a point;  
9. South 21 degrees 08 minutes 48 seconds East 202.30'  
to a point;  
10. South 63 degrees 16 minutes 57 seconds West 175.83'  
to a point;  
11. South 58 degrees 56 minutes 24 seconds West 208.20'  
to the first mentioned point and place of beginning.

CONTAINING 26,687 square feet or 0.613 acre of land.

INTENDING to describe a 20' wide permanent right-of-way for the construction and maintenance of a sanitary sewer through the property of Gerald G. Arch et ux extending from the southwesterly side of Independence Drive in a northeastwardly and northwestwardly direction to lands of N/L David Mazer, said 20' wide permanent right-of-way containing a private driveway and being bounded within a 40' wide temporary right-of-way for construction purposes only as shown on said plan.

RIGHT-OF-WAY NO. 125-1

DESCRIPTION OF AREA TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER THROUGH THE PROPERTY OF GEOFFREY AYERS AND KATHIE AYERS, H/W, SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.

ALL THAT CERTAIN right-of-way of variable width situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by Achterman Associates, East Stroudsburg, Pennsylvania dated May 1, 1989 as follows:

BEGINNING at a point on the southwesterly side of Briarleigh Drive (40' wide), said point being a common corner to lands of Geoffrey Ayers et ux on the southeast and lands of Walter J. Schupp et ux on the northwest; thence from said point of beginning extending along the foresaid southwesterly side of Briarleigh Drive on the arc of a circle curving to the left in a southeasterly direction having a radius of 170.00' an arc distance of 20.05' to a point; thence extending in and through lands of Ayers the following two courses and distances;

1. S 52° 44' 50" W 240.27' to a point;
2. S 41° 03' 55" E 169.43' to a point on the line dividing lands of Ayers on the northwest from lands of Kerry Althouse on the southeast; thence extending along the same S 36° 19' 50" W 30.74' to a point on the line dividing lands of Ayers on the northeast from lands of Albion Cardell on the southwest; thence extending along the same, N 41° 03' 55" W 198.18' to a point on the line dividing lands of Ayers on the southeast from lands of Walter J. Schupp on the northwest; thence extending along the same N 52° 44' 40" E 270.49' to the first mentioned point and place of beginning.

CONTAINING 10,618 square feet or 0.243 acres of land.

INTENDING to describe a permanent right-of-way of variable width for the construction and maintenance of a sanitary sewer through the property of Geoffrey Ayers et ux extending in a southwesterly and southeasterly direction along the lines dividing lands of Ayers from lands of Schupp and lands of Cardell and being bounded on the southwest and northeast by a temporary right-of-way of variable width for construction purposes only as shown on said plan.

RIGHT-OF-WAY NO.116

DESCRIPTION OF AREA TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER THROUGH THE PROPERTY OF MICHAEL R. HALPERIN, SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.

ALL THAT CERTAIN 20' wide permanent right-of-way situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEGINNING at a point formed by the intersection of the southerly side of Business Route 209 (L.R. 167) with the line of lands of Michael R. Halperin on the southeast, said beginning point being at a distance of 42.67' measured South 66 degrees West from the northeasterly most corner of lands of Michael R. Halperin; thence from said point of beginning extending in and through lands of Halperin the following three (3) courses and distances: (1) South 26 degrees 15 minutes 38 seconds East 241.17' to a point; thence (2) South 08 degrees 48 minutes 59 seconds East 566.47' to a point; thence (3) South 27 degrees 17 minutes 02 seconds West to a point dividing lands of same on the northeast and lands of Minda Krawitz on the southwest; thence extending along the same North 72 degrees 45 minutes West 20.31' to a point; thence extending in and through lands of Halperin the following three courses and distances: (1) North 27 degrees 17 minutes 02 seconds East 367.38' to a point; thence (2) North 08 degrees 48 minutes 59 seconds West 556.89' to a point; thence (3) North 26 degrees 15 minutes 38 seconds West 238.89' to a point on the aforesaid side line of Business Route 209; thence along the same North 66 degrees East 20.02' to the first mentioned point and place of beginning.

CONTAINING 23,390 square feet or 0.537 acres of land.

INTENDING to describe a 20' wide permanent right-of-way for the construction and maintenance of a sanitary sewer through the property of Michael R. Halperin extending from the southerly side line of Business Route 209 in a southeastwardly and southwestwardly direction to line of lands of Minda Krawitz said 20' wide permanent right-of-way being bounded within a 40' wide temporary right-of-way for construction purposes only as shown on said plan.

RIGHT-OF-WAY NO.125-2

DESCRIPTION OF AREA TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER THROUGH THE PROPERTY OF STANLEY ISKOWITZ AND MARY ISKOWITZ H/W, SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.

ALL THAT CERTAIN 20' wide permanent right-of-way situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEGINNING at a point on the northeast side of Briarleigh Drive (40' wide), said point of beginning also being the southwest corner of lands of Stanley Iskowitz et ux; thence extending from point of beginning along the line dividing lands of Iskowitz on the southeast from lands of John Lucianetti et ux on the northwest N54d56'35"E 169.47' to a point on the line dividing lands of Iskowitz on the southwest from lands of Hermance Evertz on the northeast; thence extending along same S69d38'30"E 24.29' to a point; thence extending in and through lands of Iskowitz S54d56'35"W 182.54' to a point on the aforesaid northeast side of Briarleigh Drive; thence extending along same on the arc of a circle curving to the right in a northwesterly direction having a radius of 280.00' an arc distance of 20.00' to the first mentioned point and place of beginning.

CONTAINING 3520 square feet of land.

INTENDING to describe a 20' wide permanent right-of-way for the construction and maintenance of a sanitary sewer through the property of Stanley Iskowitz et ux being bounded on the southwest by Briarleigh Drive on the northeast by lands of Hermance Evertz on the northwest by lands of John Lucianetti et ux and on the southeast by a temporary right-of-way of variable width for construction purposes only, as shown on said plan.

RIGHT-OF-WAY NO. V5-1&2

DESCRIPTION OF AREA TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER THROUGH THE PROPERTY OF THE POCONO STROUDSBURG AIRPORT INC., SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.

ALL THAT CERTAIN permanent right-of-way of variable width situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEING right-of-way V5-1

BEGINNING at a point formed by the intersection of the line dividing lands of Harold Hamlen et ux on the southwest from lands of Philip Becker on the northeast with the southeasterly side of a private street right-of-way reserved for Hamlen; thence from the point of beginning extending along the line dividing lands of Harold Hamlen on the southeast from the lands of the Pocono Stroudsburg Airport Inc. tract no.2 South 84 degrees 43 minutes 41 seconds West along the southeasterly side of the aforesaid private street right-of-way reserved for Harold Hamlen 1,243' to a point; thence extending in and through lands of the Pocono Stroudsburg Airport Inc. tract no.2 the following two (2) courses and distances: (1) North 06 degrees 10 minutes West 40.00' to a point; (2) North 84 degrees 43 minutes 41 seconds East 1,243' to a point on line of lands of the Pocono Stroudsburg Airport Inc. tract no.1; thence extending along the same South 06 degrees 10 minutes East crossing the aforesaid Hamlen private street right-of-way 40.00' to the first mentioned point and place of beginning.

CONTAINING 49,720 square feet or 1.83 acres of land.

TOGETHER with the hereinafter described right-of-way V5-2 for the construction and maintenance of a sanitary sewer.

BEGINNING at a point on the line dividing lands of Harold Hamlen on the southeast from lands of the Pocono Stroudsburg Airport Inc. on the northwest, said point of beginning being

RIGHT-OF-WAY NO. 123-1

DESCRIPTION OF AREA TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER THROUGH THE PROPERTY OF BENJAMIN LAMANNA & LORRAINE LAMANNA, H/W, SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.

ALL THAT CERTAIN 30' wide permanent right-of-way situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEGINNING at a point on the northeasterly corner of lands of Benjamin Lamanna et ux, said point also being on the southwesterly side of Spring Lake Drive (40' wide); thence from the point of beginning extending along aforesaid side of Spring Lake Drive S39 32'15"E 30.07' to a point; thence extending in and through lands of Lamanna S50 27'45"W 59.02' to a point on the line dividing lands of same on the southeast from lands of Spring Lake Estates on the northwest; thence extending along same N00 46'10"W 39.43' to an angle point; thence continuing along same N50 27'45"E 33.51' to the first mentioned point and place of beginning.

CONTAINING 1,391 square feet of land.

INTENDING to describe a 30' wide permanent right-of-way for the construction and maintenance of a sanitary sewer through the property of Benjamin Lamanna et ux being bounded on the northwest by lands of Spring Lake Estates on the northeast by Spring Lake Drive and on the southeast by lands of Lamanna and being within a 40' wide temporary right-of-way for construction purposes only, as shown on the said plan.



measured 14.93' from the southwesterly most corner of the hereinbefore described right-of-way V5-1; thence from the point of beginning extending in and through lands of the Pocono Stroudsburg Airport Inc. tract no.2 the following two (2) courses and distances: (1) South 84 degrees 43 minutes 41 seconds West 644.89' to a point; (2) South 81 degrees 29 minutes 44 seconds West 276.82' to a point on line of lands of Donald T. Egan; thence extending along the same North 04 degrees 04 minutes West 20.06' to a point; thence extending in and through lands of the Pocono Stroudsburg Airport Inc. tract no.2 the following two (2) courses and distances: (1) North 81 degrees 29 minutes 44 seconds East 274.38' to a point; (2) North 84 degrees 43 minutes 41 seconds East 645.44' to a point on the southwesterly terminus of the hereinbefore described right-of-way V5-1; thence extending South 06 degrees 10 minutes East across the same 20.00' to the first mentioned point and place of beginning.

CONTAINING 18,380 square feet or 0.42 acre of land.

INTENDING to describe two (2) permanent rights-of-ways of variable widths for the construction and maintenance of a sanitary sewer through the property of the Pocono Stroudsburg Airport Inc. tract no. 2 extending from lands of the Pocono Stroudsburg Airport Inc tract no.1 in a southwesterly direction to lands of Donald T. Egan as shown on the said plan.

DESCRIPTION OF AN UNDEDICATED PRIVATE STREET

R/W 124-5

**DESCRIPTION OF AREA TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER WITHIN AN PRIVATE STREET, SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.**

ALL THAT CERTAIN 40' wide strip of land in a private street designated Redwood Lane situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEGINNING at a point formed by the intersection of the northwesterly side of Redwood Lane and the southwesterly side of Spring Lake Drive said beginning point being a radius round corner; thence from the point of beginning extending along the aforesaid side of Spring Lake Drive (private street) South 19 degrees 42 minutes 10 seconds East crossing the easterly terminus of Redwood Lane a distance of 105.59' to a point of radius round corner; thence extending along the southeasterly side of Redwood Drive on a radius round corner curving to the left in a southwestwardly direction having a radius of 30' along line of lands of Anthony Gaglione et ux an arc distance of 39.28' to a point of tangency; thence continuing along the aforesaid side of Redwood Lane and lands of various other owners the following four (4) curves, courses and distances: (1) South 87 degrees 00 minutes West 135.99' to a point; (2) South 84 degrees 17 minutes West 134.17' to a point of curvature; (3) on the arc of a circle curving to the left in a southwestwardly direction having a radius of 130' an arc distance of 38.98' to a point of tangency; (4) South 67 degrees 6 minutes 5 seconds West 124.88' to a point on the northwesterly most corner of lands Byron E. Phoebus; thence extending along the westerly terminus of Redwood Lane and lands of Barbara J. Burris North 16 degrees 36 minutes 25 seconds West a distance of 40.24' to a point on the northwesterly side of Redwood Lane; thence extending along the same and along lands of various other owners the following five (5) curves, courses and distances; (1) North 67 degrees 6 minutes 5 seconds East along line of lands of William C. Livingood 120.48' to a point of curvature; (2) on the arc of a circle curving to the right in a northeastwardly direction having a radius of 170' an arc distance

northeastwardly direction having a radius of 170' an arc distance of 50.98' to a point of tangency; (3) North 84 degrees 17 minutes East 135.07' to a point; (4) North 87 degrees 0 minutes East 112.92' to a point of curvature; (5) on a radius round corner curving to the left in a northwestwardly direction having a radius of 30' an arc distance of 57.31' to a point of radius round corner, the first mentioned point and place of beginning.

CONTAINING 18,741 square feet or 0.430 acres of land.

INTENDING to describe a 40' wide strip of land for the construction and maintenance of a sanitary sewer through a private street known as Redwood Lane extending from the southwesterly side of Spring Lake Drive in a southwesterly direction to the lands of Barbara J. Burris being bounded on the North by lands of Julian J. Raphael et ux and William C. Livingood and on the South by lands of Anthony Gaglione et ux, Arthur S. Lockard et ux and Byron Phoebus et ux as shown on the said plan. owners.

PHILIP BECKER AND ROSE BECKER TO  
SMITHFIELD TOWNSHIP SEWER AUTHORITY

DESCRIPTION OF AN UNDEDICATED PRIVATE STREET  
PLAN NO. V5A-1

**DESCRIPTION OF AN UNDEDICATED PRIVATE STREET TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER, SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.**

ALL THAT CERTAIN tract of land right-of-way situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEGINNING at a point formed by the intersection of the northwesterly side of the private street extending from lands of Harold Hamlen et ux to lands of Ervin Shamp et ux with the northwesterly most corner of lands of Shamp; thence from the point of beginning extending across the northeasterly terminus of the said private street South 11 degrees 11 minutes East along the aforesaid line of lands of Shamp 87.24' to a point on the line dividing lands of Shamp on the northeast from lands of Philip Becker on the southwest; thence extending along the frontage of lands of Becker the following two (2) courses and distances: (1) on the arc of a circle curving to the left in a southwesterly direction having a radius of 74.79' an arc length of 107.84' to a point; (2) South 86 degrees 16 minutes West 834.19' to a point on line of lands of Hamlen et ux; thence extending across the private street North 03 degrees 21 minutes West 42.04' to a point on line of lands of the Pocono Stroudsburg Airport Inc.; thence extending along the same the following three (3) courses and distances: (1) North 87 degrees 30 minutes East 329.99' to a point; (2) South 02 degrees 30 minutes East 14.41' to a point; (3) North 85 degrees 37 minutes East 619.95' to the first mentioned point and place of beginning.

CONTAINING 24,503 square feet or 0.562 acre of land.

INTENDING to describe an undedicated private street for the construction and maintenance of a sanitary sewer extending from the line dividing lands of Harold Hamlen on the southeast from lands of the Pocono Stroudsburg Airport Inc. on the northwest in a northeasterly direction along lands of aforesaid Airport on the northwest and lands of Philip Becker on the southeast to lands of Ervin Shamp as shown on the said plan.

RIGHT-OF-WAY NO.124-3

**DESCRIPTION OF AREA TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER THROUGH THE PROPERTY OF RICHARD SCHIAVONE AND ELAINE SCHIAVONE, H/W, SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.**

ALL THAT CERTAIN 20' wide permanent right-of-way situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEGINNING at a point on the line dividing lands of Richard Schiavone et ux on the northeast from lands of Lawrence A. Ludwig et ux on the southwest, said point of beginning being measured S14 05'00"E 191.91' from the southeasterly side of Franklin Hill Road (L.R. 45059); thence extending from the point of beginning in and through lands of Schiavone N73 54'52"E 174.61' to a point on the line dividing lands of same on the southwest from lands of C. John Simms et ux on the northeast; thence extending along same S14d05'E 20.01' to a point; thence extending in and through lands of Schiavone S73 54'52"W 174.61' to a point on the aforesaid dividing line between lands of Schiavone lands of and Ludwig; thence extending along same N14 05'00"W 20.01' to the first mentioned point and place of beginning.

CONTAINING 3,494 square feet of land.

INTENDING to describe a 20' wide permanent right-of-way for the construction and maintenance of a sanitary sewer through the property of Richard Schiavone et ux extending from lands of Ludwig in a northeasterly direction to lands of Simms, said 20' wide permanent right-of-way being within a 40' wide temporary right-of-way for construction purposes only as shown on said plan.

RIGHT-OF-WAY NO. 136-2

DESCRIPTION OF AREA TO BE ACQUIRED BY SMITHFIELD TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER THROUGH LANDS OF TWIN LAKE ESTATES INC., SITUATE IN SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.

ALL THAT CERTAIN permanent right-of-way of variable width situate in Smithfield Township, Monroe County, bounded and described in accordance with a plan prepared by BCM Eastern Inc., Plymouth Meeting, Pennsylvania dated April 25, 1988 as follows:

BEGINNING at a point formed by the intersection of the southeasterly side of Business Route 209 with the northeasterly most corner of lands of Twin Lake Estates Inc.; thence from the point of beginning extending along the line dividing lands of the same on the southwest from lands of William Chariot on the northeast South 27 degrees 18 minutes 35 seconds East 26.94' to a point; thence extending in and through the lands of Twin Lake Estates Inc. South 19 degrees 31 minutes 16 seconds East 241.25' to a point on the northeasterly side of Mt. Tom Road (T-624); thence extending along the same North 87 degrees 07 minutes 10 seconds West 21.63' to a point; thence extending in and through the lands of Twin Lake Estates North 19 degrees 31 minutes 16 seconds West 264.42' to a point on the southwesterly side of Business Route 209; thence extending along the same North 86 degrees 36 minutes 25 seconds East 17.02' to the first mentioned point and place of beginning.

CONTAINING 5,266 square feet of land.

INTENDING to describe a permanent right-of-way of variable width through lands of Twin Lake Estates Inc. for the construction and maintenance of a sanitary sewer extending from the southeasterly side of B.R. 209 in a southeasterly direction to the northeasterly side of Mt. Tom Road (T-624) as shown on said plan.

COURT OF COMMON PLEAS OF MONROE COUNTY  
FORTY-THIRD JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA

CONDEMNATION OF CERTAIN TRACTS	*	No.
AND LEGAL RIGHTS-OF-WAY	*	
LOCATED IN THE TOWNSHIP OF	*	
SMITHFIELD, COUNTY OF MONROE	*	
AND COMMONWEALTH OF	*	
PENNSYLVANIA UPON WHICH SHALL	*	
BE CONSTRUCTED AND LOCATED A	*	
CERTAIN SEWAGE COLLECTION	*	
SYSTEM, PUMP STATIONS AND	*	
WASTEWATER TREATMENT PLANT	*	
TO SERVE THE TOWNSHIP SEWAGE	*	
SYSTEM.	*	

BOND

KNOW ALL MEN BY THESE PRESENTS, THAT THE SMITHFIELD TOWNSHIP SEWER AUTHORITY, organized and existing in accordance with the Municipal Authorities Act of 1945, May 2, P.L. 382 and the laws of the Commonwealth of Pennsylvania, hereinafter called "OBLIGOR" is held and firmly bound unto the COMMONWEALTH OF PENNSYLVANIA, hereinafter called "OBLIGEE", for the use and benefit of the owner or owners of the property condemned as hereinafter noted, and other proper parties in interest for such amount of damages as said owner or owners of the said property and other parties in interest shall be entitled to receive after the same shall have been agreed upon or assessed in the manner prescribed by law, by reason of the condemnation by the Smithfield Township Sewer Authority of certain land located within the Township of Smithfield, Monroe County, Pennsylvania and described as follows:

Exhibit "D"

See Exhibit "A" attached hereto and made a part hereof.

To which payment well and truly to be made, the OBLIGOR does bind itself and its successors and assigns firmly by these presents. Sealed with the Authority's seal and duly executed this 19<sup>th</sup> day of May, 1989.

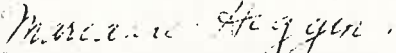
WHEREAS, the Smithfield Township Sewer Authority has condemned the said property and cannot agree with the owner or owners of said land upon the just compensation to be paid for the damages sustained by said owner or owners as a result of the condemnation;

NOW THE CONDITION of this bond is such that if the Smithfield Township Sewer Authority, the OBLIGOR herein shall pay or cause to be paid such amount of damages as the owner or owners of the property and other parties in interest shall be entitled to receive by reason of such condemnation, after the same shall have been agreed upon or assessed in the manner provided by law, then this obligation shall be void; otherwise to be and remain in full force and effect.

SMITHFIELD TOWNSHIP SEWER  
AUTHORITY

BY:   
NICHOLAS FREDERICKS, Chairman

ATTEST:

  
Marianne Higgins, Secretary