

MIDDLE SMITHFIELD TOWNSHIP,
A SECOND CLASS TOWNSHIP,
MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 10-2016-1

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MIDDLE SMITHFIELD TOWNSHIP AGREEING TO ACCEPT FROM RONALD W. FISH AND JOY FISH, HIS WIFE, OWNERS, A "DEED OF DEDICATION" SETTING FORTH THE LEGAL DESCRIPTION FOR ADAMS DRIVE AS SHOWN ON PLAN/MAP BOOK VOLUME 79, PAGE 98, WHICH WAS RECORDED ON MAY 10, 2007, AT THE OFFICE FOR THE RECORDING OF DEEDS, IN AND FOR THE COUNTY OF MONROE, AT STROUDSBURG, PENNSYLVANIA AND CONVEYING SAID ROAD AND EASEMENTS TO MIDDLE SMITHFIELD TOWNSHIP FOR USE AS PUBLIC ROADWAY.

WITNESSETH:

WHEREAS, Middle Smithfield Township, is a Second Class Township, located at 147 Municipal Drive, East Stroudsburg, Monroe County, Pennsylvania 18302; and

WHEREAS, Ronald W. Fish and Joy Fish, husband and wife, of 1 Adams Drive, East Stroudsburg, Pennsylvania 18302, are the owners of Adams Drive which is situate within the confines of Middle Smithfield Township, Monroe County, Pennsylvania; and

WHEREAS, Section 2316 of the Second Class Township Code, 53 P.S. § 67316, Acceptance of Land for Road Purposes, subsection (a) states: "[t]he board of supervisors may by resolution accept any land dedicated by deed to the township to be used as a road, street or alley. A copy of the resolution, together with a draft or survey of the road, street or alley, showing location and width thereof, shall be filed with the clerk of the court of common pleas;" and

WHEREAS, Ronald W. Fish and Joy Fish, his wife, have constructed Adams Drive which is more particularly located on the plan or map filed in the Office of the Recorder of Deeds Office, in and for Monroe County, Pennsylvania, in Map/Plan Book 79 at Page 98; and

WHEREAS, the said road has been constructed in accordance with the applicable provisions of the Subdivision and Road Ordinances of the Township; and

WHEREAS, Ronald W. Fish and Joy Fish, his wife, are desirous of dedicating the said Adams Drive to the township by virtue of a deed, a copy of which is labeled Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, the Board of Supervisors has determined that it is in the best interest of the Township to accept the road for dedication and that the road is acceptable for such dedication.

NOW THEREFORE, BE IT HEREBY ENACTED, by the Board of Supervisors of the Township of Middle Smithfield, Monroe County, Pennsylvania, as follows, to wit:

1. The Township of Middle Smithfield does hereby accept the dedication and conveyance of the road known as Adams Drive, as more particularly described in a "Deed of Dedication" which is attached hereto and made a part hereof as Exhibit "A"; and

2. It is further resolved that the original "Deed of Dedication" as set forth in Exhibit "A", is a deed conveying title to Adams Drive, and said "Deed of Dedication" shall be recorded with the Office of the Recorder of Deeds Office, in and for Monroe County, at Stroudsburg, Pennsylvania; and

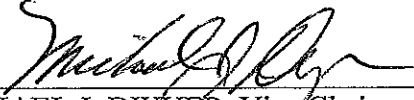
3. A certified and attested copy of this Resolution shall be filed with the Clerk of Courts of the Monroe County Court of Common Pleas; and

4. Upon filing of a certified and attested copy of this Resolution with the Clerk of Courts, Adams Drive shall become a part of the public road system of the Middle Smithfield Township.


TOWNSHIP OF MIDDLE SMITHFIELD



ANNETTE E. ATKINSON, Chairperson/Supervisor



MICHAEL J. DWYER, Vice Chairperson



MARK ONEY, Supervisor

(TOWNSHIP SEAL)



MICHELE L. CLEWELL, Secretary

EXHIBIT "A" TO RESOLUTION

[Deed of Dedication attached hereto]

PREPARED BY:
KING, SPRY, HERMAN, FREUND & FAUL, LLC
One West Broad Street, Suite 700
Bethlehem, PA 18018
610-332-0390

RETURN TO:
KING, SPRY, HERMAN, FREUND & FAUL, LLC
One West Broad Street, Suite 700
Bethlehem, PA 18018
610-332-0390

Tax Id No. 09/112826 (PORTION OF)
PIN No.: 09731401172625

DEED OF DEDICATION

THIS INDENTURE, made this ____ day of _____, 2016, by and between RONALD W. FISH and JOY FISH, husband and wife, of 1 Adams Drive, East Stroudsburg, Pennsylvania 18302, of the one part (hereinafter referred to as "GRANTOR") and the TOWNSHIP OF MIDDLE SMITHFIELD, a Second Class Township, with offices located at 147 Municipal Drive, East Stroudsburg, Monroe County, Pennsylvania, of the other part (hereinafter referred to as "GRANTEE").

WITNESSETH:

That the said Grantor, for and in consideration of the advantage to it accruing as well as for diverse other considerations affecting the public welfare which it seeks to advance, 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 road right-of-way situate in the Township of Middle Smithfield, County of Monroe, Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin, in line of lands of Carrie Adams, said pin also being the point of beginning of lands of Ronald W. and Joy Fish, recorded in Deed Book Volume 1923 on page 1689 in the Monroe County Courthouse;

THENCE (A) along lands of said Adams (Lot # 201 as shown on a plan titled "Plotting I, Map of Wooddale Country Acres") S 43° 32' 38" W 260.00' to an iron pin;

THENCE (B) along same along a curve to the left having a radius of 40.00' and a central angle of 90° 00' 00" an arc distance of 62.83' to an iron pin on the Northeasterly right-of-way line of Denise Lane;

THENCE (C) along said right-of-way N 46° 27' 22" W 130.00' to an iron pin;

THENCE (D) leaving said right-of-way and along Lot # 112 as shown on the above mentioned plan, along a curve to the left having a radius of 40.00' and a central angle of 90° 00' 00" an arc distance of 62.83' to an iron pin;

THENCE (E) along same N 43° 32' 38" E 362.47' to an iron pin;

THENCE (F) along the Northern terminus of the herein described Adams Drive along a curve to the right having a radius of 60.00' and a central angle of 248° 40' 35" an arc distance of 260.41' to an iron pin;

THENCE (G) along a curve to the left having a radius of 50.00' and a central angle of 68° 40' 35" an arc distance of 59.93' to the point of beginning.

CONTAINING 0.6933 acres, more or less, and further depicted in the Plan attached hereto as Exhibit "A".

SUBJECT to any and all easements, covenants and/or restrictions of record.

BEING PART OF THE SAME PREMISES which Carrie Smith Adams and Chester G. Adams, her husband, by deed dated September 7, 1976 and recorded in the Office for the Recording of Deeds, in and for the County of Monroe, at Stroudsburg, Pennsylvania, in Deed Book Volume 732, Page 277, granted and conveyed unto Ronald W. Fish and Joy Fish, his wife, in fee.

BEING THE SAME PREMISES which Reed P. Fish and June R. Fish, his wife, by Deed dated December 2, 1993, and recorded in the Office for the Recording of Deeds, in and for the County of Monroe, at Stroudsburg, Pennsylvania in Record Book Volume 1923, Page 1689, granted and conveyed unto Ronald W. Fish and Joy Fish, his wife, in fee.

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

THIS BEING A CONVEYANCE OF A RIGHT OF WAY TO A SECOND CLASS TOWNSHIP FOR A PUBLIC STREET, PURSUANT TO THE SECOND CLASS TOWNSHIP CODE, NO REALTY TRANSFER TAXES APPLY.

TO HAVE AND TO HOLD, the said lot or piece of ground above described unto the said Grantee, to and for the only proper use and behoof of said Grantee, its successors and assigns forever, as and for a public street or highway and for no other use or purpose whatsoever and to the same extent and with the same effect as if the said street had been opened by a Decree of the Court of Common Pleas for the County of Monroe, after proceedings duly had for that purpose under and in pursuance of the Road Laws and/or the Second Class Township Code of the Commonwealth of Pennsylvania.

AND THE SAID GRANTOR, for itself, its heirs, executors and administrators by these presents covenant, promise and agree to and with the said Grantee, its successors and assigns, that neither the Grantor nor its heirs, executors and administrators, shall nor will at any time hereafter, ask, demand, 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 said streets, to the grade as now established by the Board of Supervisors of the Township of Middle Smithfield, Grantee; and if such grade shall not be established at the day of the date of presents that neither the Grantor, nor its heirs, executors and administrators, shall nor will at any time thereafter ask, demand, recover or receive any such damage by reason of the physical grading of said streets to conform to the grade as first thereafter established or confirmed by the said Board of Supervisors of the Township of Middle Smithfield, Grantee.

AND THE SAID GRANTOR for itself, its heirs, executors, and administrators does by these presents further covenant, promise and agree to and with said Grantee, its successors, and assigns, that the said lots of ground above described granted unto the said Grantee, its successors and assigns, against it the said Grantor, its heirs and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it shall and will warrant and forever defend.

IN WITNESS WHEREOF, the party of the first part hereto, has hereunto set its hand and seal, the day and year first above written.

ATTEST:

Ronald W. Fish

Ronald W. Fish

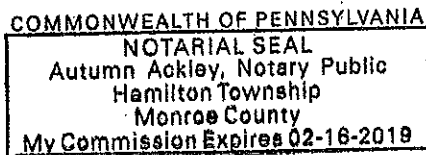
Joy Fish

Joy Fish

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONROE :

On this 21 day of October, 2016, before me, a Notary Public of the Commonwealth of Pennsylvania, the undersigned officer, personally appeared, Ronald W. Fish and Joy Fish, husband and wife, 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 have hereunto set my hand and official.

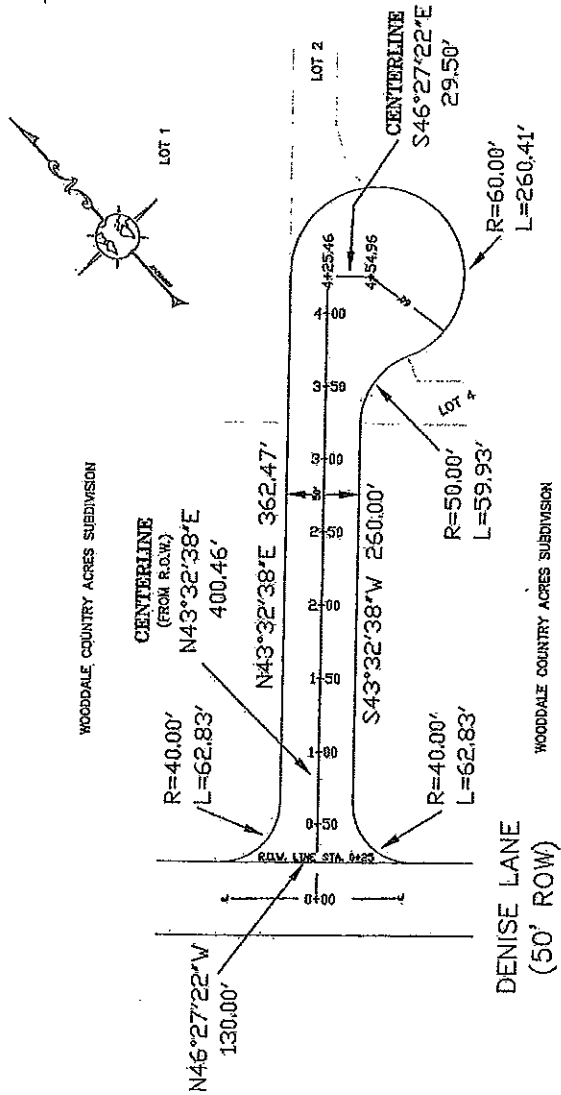


Ackley
Notary Public

The precise address of the within Grantee:

147 Municipal Drive
East Stroudsburg, PA 18302

On Behalf of Grantee



R.O.W. AREA: 0.693 AC.

- * NOTE: THIS SURVEY IS CERTIFIED ONLY IF AFFIXED WITH ORIGINAL SIGNATURE, WITH DATE AND EMBOSSED SEAL OF DONALD S. FENSYL II, PROFESSIONAL LAND SURVEYOR.
- * NOTE: WETLANDS, IF ANY EXIST ON THIS PROPERTY, HAVE NOT BEEN DELINEATED OR SURVEYED BY THE UNDERSIGNED.
- * NOTE: SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND/OR COVENANTS AS OF RECORD, WHETHER SHOWN HEREON OR NOT.
- * NOTE: UNDERGROUND UTILITIES IF ANY EXIST HAVE NOT BEEN LOCATED.

PENSYL
CREAK ASSOCIATES
 3485 TURKEY HILL ROAD
 STROUDSBURG, PA 17860
 (570) 350-2567 / (570) 601-8080

Donald S. Fensyl II
DONALD S. FENSYL II
 PROFESSIONAL LAND SURVEYOR
 PA. LIC. NO. S106534E

CLIENT: FISH

JOB NO.:	Fish/16/02	DATE:	8-14-16
DEED REF.:	1923,1689	SCALE:	1" = 100'
FILE MAP:	79,98	SURVEY BY:	DSP/MS
TAX MAP:		DRAWN BY:	DSP
FIELD BOOK:	PCA 100	CHECKED BY:	MS
REVISIONS:		DWG. NO.:	Fish/16/02

R.O.W. DEDICATION PLAN
ADAMS DRIVE

MIDDLE SMITHFIELD TOWNSHIP -- MONROE COUNTY -- PENNSYLVANIA