

**WEST POTTS GROVE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WEST POTTS GROVE TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AUTHORIZING THE CONDEMNATION BY RIGHT OF EMINENT DOMAIN OF THE REAL PROPERTY LOCATED AT 0 WEST HIGH STREET SITUATE IN WEST POTTS GROVE TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AND HAVING TAX PARCEL IDENTIFICATION NO. 64-00-01744-10-9 FOR MUNICIPAL PURPOSES.

WHEREAS, West Pottsgrove Township is a municipal corporation located in Montgomery County, Pennsylvania, and existing under and governed by The First Class Township Code (53 P.S. § 55101 et seq.), as amended; and

WHEREAS, the Board of Commissioners of West Pottsgrove Township has determined the need to acquire for municipal purposes the real property located at 0 West High Street in West Pottsgrove Township, Montgomery County, Pennsylvania, and having Tax Parcel Identification No. 64-00-01744-10-9 and owned by H K Partners, as more fully described and identified in the Deed dated December 30, 2005 and recorded in the Montgomery County Recorder of Deeds Office at Deed Book 5587, Page 00975, attached hereto and incorporated herein as Exhibit “A”; and

WHEREAS, the property subject to this Resolution is a portion of the aforementioned property more fully described and identified as “Premises A” in aforementioned Deed, all being within West Pottsgrove Township and more fully described and identified in the Plan prepared by Township Engineer, Bursich Associates, dated March 4, 2024, and attached hereto and incorporated herein as Exhibit “B” (hereinafter referred to as the “Property”); and

WHEREAS, the legal description of the Property is more fully described and identified in the Legal Description prepared by Township Engineer, Bursich Associates, dated March 4, 2024, and attached hereto and incorporated herein as Exhibit “C”; and

WHEREAS, the Property is vacant, unimproved land; and

WHEREAS, the Board of Commissioners of West Pottsgrove Township intend to utilize the Property as a park, playground and recreation place; and

WHEREAS, in accordance with Section 56901 of The First Class Township Code, West Pottsgrove Township is authorized to “enter upon, appropriate, injure or destroy private lands, property and material” for the purpose of “establishing of parks, playgrounds and recreation places”; and

WHEREAS, in accordance with The First Class Township Code, and in accordance with the relevant sections of the Eminent Domain Code (26 Pa. C.S. § 101 et seq.), as amended, the Board of Commissioners of West Pottsgrove Township wish to authorize the condemnation of the Property through Eminent Domain proceedings.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Board of Commissioners of West Pottsgrove Township, in accordance with the authority conferred by law, has identified, for certain authorized municipal purposes, the Property owned by H K Partners located at 0 West High Street in West Pottsgrove Township, Montgomery County, Pennsylvania, and having Tax Parcel Identification No. 64-00-01744-10-9, as more fully described and identified in the Deed attached hereto and incorporated herein as Exhibit “A”, as well as in the Plan attached hereto and incorporated herein as Exhibit “B” and in the Legal Description attached hereto and incorporated herein as Exhibit “C”.

RESOLVED, that the title to be acquired shall be in fee simple.

RESOLVED, that the Solicitor for West Pottsgrove Township and its proper officers are hereby authorized to file a Declaration of Taking and such other proceedings, including the entry of such Bond as may be necessary or desirable, to carry out the purpose of this Resolution.

RESOLVED, that the institution of such proceedings, and any damages which may be agreed upon or awarded to any party in interest, including the owner or owners of the Property, shall be paid out of the funds of West Pottsgrove Township.

ENACTED and RESOLVED, at a public meeting of the Board of Commissioners of West Pottsgrove Township held on this 6th day of March, 2024.

**WEST POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS**

BY: _____
Stephen Miller, President

ATTEST: _____
Courtney Harris, Secretary

EXHIBIT “A”

Deed

RECORDER OF DEEDS
MONTGOMERY COUNTY PENNSYLVANIA
Jeanne Sorg

One Montgomery Plaza
Swede and Airy Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax (610) 278-3869

**I hereby certify that the following is a true and correct
copy of the original document
recorded in Montgomery County, PA**



Jeanne Sorg

Jeanne Sorg, Recorder of Deeds



DE BK05587-0975

DT-DEED

2006007775 01/19/2006 09 13:49 AM 1

RCD FEE \$81.50 LCL TAX \$7.600.00 ST TAX \$7.600.00



MONTGOMERY
COUNTY ROD

18-POTTSTOWN BOROUGH \$7.600.00 NANCY BECKER ROD

File Number DW05-2753

This Indenture, Made this 30TH day of DECEMBER, 2005

Between

STOWE ASSOCIATES GLASGOW, A GENERAL PARTNERSHIP, hereinafter called the grantor of the one part, and

H K PARTNERS, A GENERAL PARTNERSHIP, hereinafter called the grantee, of the other part

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Seven Hundred Sixty Thousand dollars & no cents Dollars, (\$760,000.) lawful money of the United State of America, unto said Grantor, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, enfeoffs, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Montgomery County, Pennsylvania, viz:

See Exhibit "A" for legal description

100% Taxes are paid to Pottstown Borough, 0% Taxes are paid to West Pottsgrove Twp.

MONTGOMERY COUNTY COMMISSIONERS REGISTRY

16-00-15568-00-4 POTTSTOWN

619 W HIGH ST

STOWE ASSOCIATES GLASGOW

B 054 U 006 L 2103 DATE 01/19/06

REGISTERED

DEED Individual Warranty Deed
Closers' Choice

64-00-01744-10-9

MONTGOMERY COUNTY COMMISSIONERS REGISTRY

64-00-02311-00-1 WEST POTTS GROVE

607 W HIGH ST

STOWE ASSOCIATES GLASGOW

B 020 U 004 L 2100 DATE 01/09/06

MONTGOMERY COUNTY COMMISSIONERS REGISTRY

16-00-15564-00-8 POTTSTOWN

601 W HIGH ST

STOWE ASSOCIATES GLASGOW

B 054 U 010 L 4275 DATE 01/09/06

eCertified copy of recorded # 2006007775 (page 1 of 5)
Montgomery County Recorder of Deeds



Prepared by and PLEASE RETURN TO
DIAMOND ABSTRACT
1800 EAST HIGH STREET
POTTSTOWN, Pennsylvania 19464

File Number DW05-2753

EXHIBIT "A"

PREMISES A.

BEING TAX PARCEL NO 16-00-15564-00-8 / 64-00-01744-10-9

ALL THAT CERTAIN message, tenement, tract or piece of land, situate partly in the Borough of Pottstown and partly in West Pottsgrove Township, Montgomery County, Pennsylvania, bounded and described as follows, to wit

BEGINNING at an iron pin, a point on the Northerly property line of High Street (80 feet wide) and a corner of property now or late of Edgar I. Klink; thence along the Northerly side of High Street North 72 degrees 13 minutes East 124 feet to the Northwestern intersection of the property lines of High Street and Glasgow Street (50 feet wide); thence along the Westerly side of Glasgow Street North 7 degrees 22 minutes West 220 feet 6-1/2 inches and North 7 degrees 28 minutes East 129 feet 10 inches to a corner of lands (30 feet lot) now or late of the National Iron Bank of Pottstown, thence along said lands North 82 degrees 32 minutes West 313 feet 11-1/2 inches to the Southerly side of a given 20 feet wide alley, thence along the Southern side of said alley South 41 degrees 49 minutes West 375 feet 3-3/4 inches to a point on line of now or late Edgar I Klink; thence along said Klink's lands the following three courses and distances; South 74 degrees 33 minutes East 414 feet 7 inches and South 83 degrees 18 minutes East 46 feet 11 inches and South 19 degrees 57 minutes East 34 feet 10 inches to the Northerly property line of High Street, the point of Beginning.

CONTAINING 3 acres and 147 perches of land.

PREMISES B:

BEING TAX PARCEL NO 16-00-15568-00-4 / 64-00-02311-00-1

ALL THAT CERTAIN message or tenement and tract of land situate in the Borough of Pottstown (formerly Pottsgrove) in the County of Montgomery and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a Cherry tree thence by land now or late of John Weisner, South twenty-seven degrees East four perches and seven tenths to a point in the Turnpike Road thence along the same South sixty-eight degrees and a half West forty-two perches and five tenths to a post on said Turnpike Road, then by land formerly of Charles Rhoads now or late Adam Roth, North ten

DEED Individual Warranty Deed
Closers' Choice



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DIAMOND ABSTRACT
1800 EAST HIGH STREET
POTTSTOWN, Pennsylvania 19464

File Number DW05-2753

degree and a half West twenty-eight perches to a post thence by land now or late of John Weisner South seventy-nine degrees an a half East forty-one perches and one tenth to a Cherry tree thence by the same South eighty-nine degrees and a half East two perches and six tenths of a perch to the place of Beginning. Covering four acres and twenty-two perches more or less, excepting therefrom the portions appropriated by Juries of View in the widening of High Street and laying out of Vine Street.

EXCEPTING AND RESERVING therefrom the following conveyances: from the second of the above described tracts: Deed dated September 28th, 1942, and recorded at Norristown in Deed Book 1492, page 110, Deed dated November 27, 1945 and recorded at Norristown in Deed Book 1692, page 211; Deed dated July 2, 1949, and recorded at Norristown in Deed Book 2009, page 60; Deed dated January 8, 1952 and recorded at Norristown in Deed Book 2245, page 444.

BEING the same premises which National Bank of Boyertown, now Investors Trust Company, as Trustee under Trust Agreement, dated April 25, 1990 and Investors Trust Company and Barbara J. Nester, Executors of the Estate of Randall J. Nester, deceased by Deed bearing date October 15, 2002 and recorded in the Office of the Recorder of Deeds in and for the County of Montgomery, State of Pennsylvania in Deed Book 5437 page 401 granted and conveyed unto STOWE ASSOCIATES GLASGOW, A GENERAL PARTNERSHIP, in fee.

DEED Individual Warranty Deed
Closers' Choice



Prepared by and PLEASE RETURN TO:
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POTTSTOWN, Pennsylvania 19464

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Together with all and singular buildings and improvements, ways, waters, water-courses, rights, liberties, privileges, tenements, hereditaments and appurtenances whatsoever thereunder belonging, or in any wide 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 grantor, in law, equity or otherwise howsoever, of, in and to the same and every part thereof.

To Have and to Hold, the said lot or piece of ground with the buildings and improvements thereon erected, hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, to and for the only proper use and behoof of the said Grantee in fee simple forever.

And the said Grantor(s) heirs, executors and administrators do(es) covenant, promise and agree, to and with the said Grantee(s), heirs and assigns, by these presents, that the said Grantor(s) and heirs, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee(s), heirs and assigns, against them, the said Grantor(s) and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from, or under him, her, them, or any of them, shall and will, Subject, as aforesaid, Specially Warrant and Forever Defend.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence

Witness

Witness

Witness

STOWE ASSOCIATES GLASGOW

 (Seal)
GARY J. SILVI, SOLE MEMBER OF VESPER REALTY
DEVELOPMENT, LLC, PARTNER

 (Seal)
S. DAVID PROIZER, SOLE MEMBER OF SDP
ENTERPRISES, LLC, PARTNER

 (Seal)
JAMES C. KONNICK, VICE PRESIDENT OF
CARDINAL GROUP, INC., PARTNER

DEED Individual Warranty Deed
Closers' Choice



Prepared by and PLEASE RETURN TO
DIAMOND ABSTRACT
1800 EAST HIGH STREET
POTTSTOWN, Pennsylvania 19464

File Number DW05-2753

State of PENNSYLVANIA
County of MONTGOMERY

On this the 30th day of December, 2005, the undersigned officer, personally appeared GARY J. SILVI, SOLE MEMBER OF VESPER REALTY DEVELOPMENT, LLC, PARTNER, S. DAVID PRIZER, SOLE MEMBER OF SDP ENTERPRISES, LLC, PARTNER AND JAMES A. KONNICK, VICE PRESIDENT OF CARDINAL GROUP, INC, PARTNER OF STOWE ASSOCIATES GLASGOW, A GENERAL PARTNERSHIP, who are personally known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledge that they executed the same in the capacity therein stated and for the purposes therein contained.

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

Notary Public

My Commission
Expires:

GRANTEE ADDRESS

H K PARTNERS
40 K.m. + A.I.
1494 N. Charlotte St, Ste. 7, Box 7
Pottstown, PA 19464

NOTARIAL SEAL
AMY L. FINK, NOTARY PUBLIC
LOWER POTTS GROVE TWP., COUNTY OF MONTGOMERY
MY COMMISSION EXPIRES MARCH 19, 2007

BOROUGH OF POTTSTOWN
MONTGOMERY COUNTY, PA
PROPERTY DEED TRANSFER
REGISTRATION APPROVED

DATE: 1-6-06

BY: [Signature]

BOROUGH TREASURER



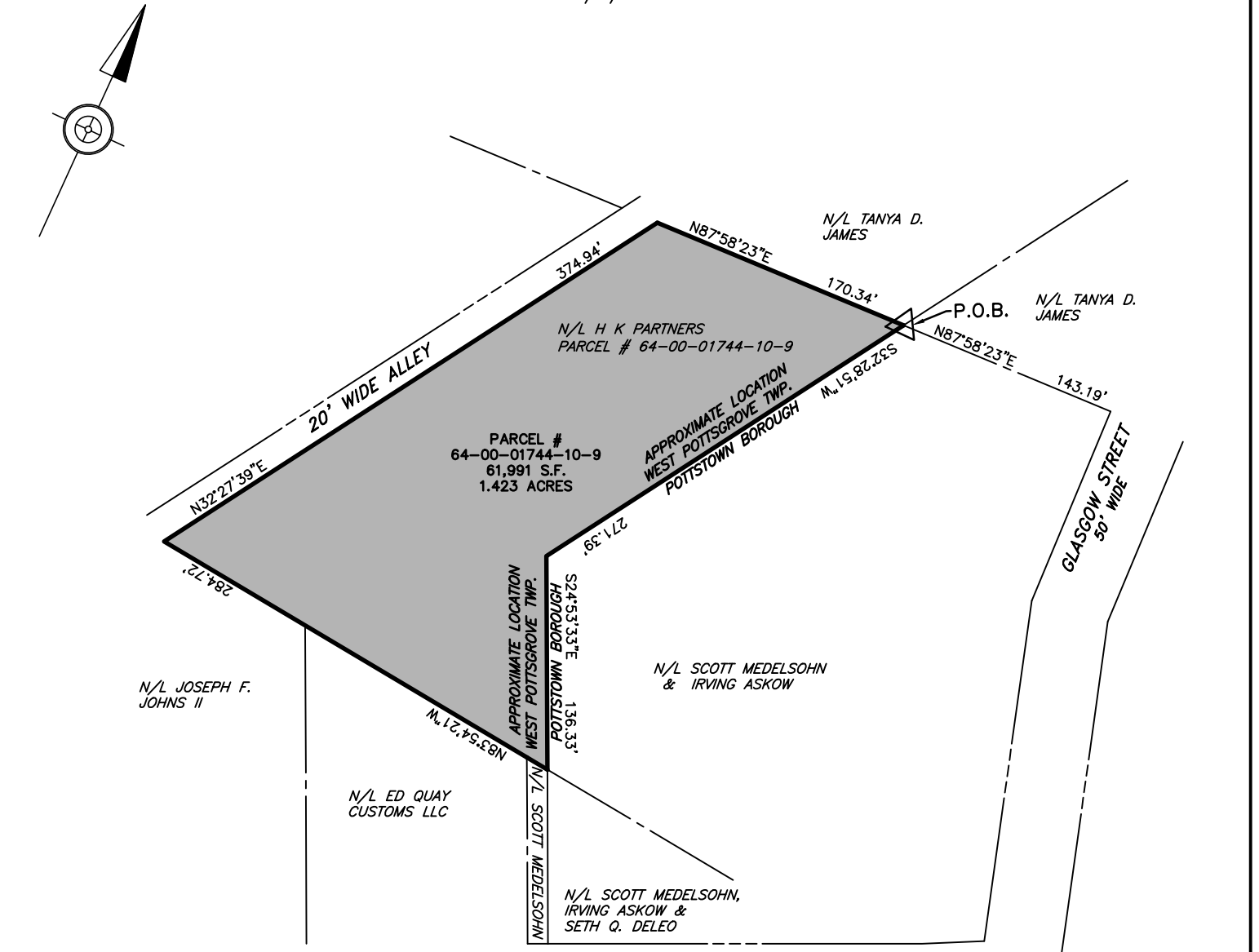
DEED Individual Warranty Deed
Closers' Choice



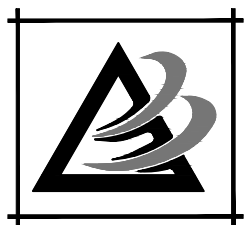
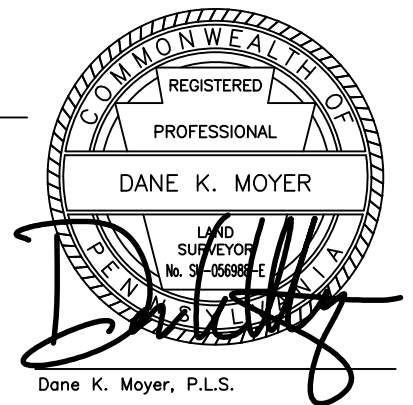
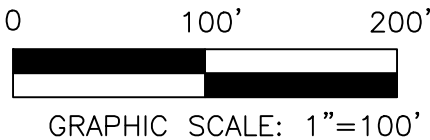
EXHIBIT “B”

Plan

REFERENCE PLANS: PLANS ENTITLED "LAND DEVELOPMENT
 PLANS-POTTSTOWN COLLISION CENTER" PREPARED BY BARRY ISETT
 & ASSOCIATES, INC. JOB NO. 1024519.001 SHEETS 1-17 DATED
 9/4/2019.



HIGH STREET STREET
 (S.R. 4031 80' WIDE)



BURSICH ASSOCIATES
 ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS
 2129 EAST HIGH STREET
 POTTSTOWN, PA 19464
 610.323.4040

www.bursich.com

CLIENT
 WEST POTTS GROVE
 TOWNSHIP
 980 GROSSTOWN ROAD
 STOWE, PA 19464

SCALE: 1"=100'	REV: -
DATE: 3/04/24	DRWN BY: TLJ
JOB NO.: 248404	CHKD BY: -
DWG NO.: EX148404	SHEET: 1 OF 1

EXHIBIT PLAN

H K PARTNERS
 PARCEL #
 64-00-01744-10-9
 WEST POTTS GROVE TOWNSHIP
 MONTGOMERY COUNTY
 PENNSYLVANIA

EXHIBIT “C”

Legal Description

Legal Description

March 4, 2024

RE: H K Partners Parcel # 64-00-01744-10-9
West Pottsgrove Township
Montgomery County, PA

ALL THAT CERTAIN tract of land known as H K Partners Parcel # 64-00-01744-10-9, situated in West Pottsgrove Township, Montgomery County, Commonwealth of Pennsylvania, as shown on plans by Bursich Associates, Inc., entitled "Exhibit Plan – H K Partners", Job No. 248404, dated March 4, 2024 and being more fully described as follows;

BEGINNING a point on the Westerly legal right-of-way of Glasgow Street (50' wide) said point being a common corner of the lands now or late Tanya D. James and the lands now or late Scott Medelsohn & Irving Askow and being measured North 87 degrees 58 minutes 23 seconds East 143.19 feet to the TRUE POINT OF BEGINNING;

THENCE 1) Along the lands now or late Scott Medelsohn & Irving Askow, South 32 degrees 28 minutes 51 seconds West 271.39 feet to a point;

THENCE 12) Along the same, South 24 degrees 53 minutes 33 seconds East 136.33 feet to a point;

THENCE 13) Along the lands now or late Scott Medelsohn, the lands now or late Ed Quay and the lands or late Joseph F. Johns II, North 83 degrees 54 minutes 21 seconds West 284.72 feet to a point on the Easterly side of a 20' wide alley;

THENCE 14) Along said alley, North 32 degrees 27 minutes 39 seconds East 374.94 feet to a point;

THENCE 15) Leaving said alley and along the lands now or late Tanya D. James, North 87 degrees 58 minutes 23 seconds East 170.34 feet to the POINT OF BEGINNING

Containing 61,991 square feet or 1.423 acres, more or less

ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS



2129 E. High Street | Pottstown, PA 19464
N 40° 14' 40.2" W 075° 36' 09.6"

610.323.4040
www.bursich.com