

#4-99  
10/28/99 pt 75.00

TOWNSHIP OF CAMBRIA  
CAMBRIA COUNTY  
PENNSYLVANIA

RESOLUTION NO. 1999 - 429

MOTION BY: Robert Shook

SECONDED BY: David Hoover

TO ENACT AND ADOPT THE FOLLOWING RESOLUTION

FILED FOR RECORD  
99 OCT 28 PM 3:30  
CLERK OF COURTS  
CAMBRIA COUNTY, PA

WHEREAS, the Supervisors of the Township of Cambria have determined that Pennview Street should be laid out, opened and widened so as to become a public street/road; and,

WHEREAS, the said Pennview Street is located in the Mylo area of the Township of Cambria, Cambria County, Pennsylvania; and,

WHEREAS, the said Pennview Street will have a forty (40) foot right-of-way, a cartway of at least eighteen (18) feet, and will include a cul-da-sac having a fifty (50) foot radius; and,

WHEREAS, Dino S. Persio and Rosemary Persio, husband and wife, and Carmen DeYulis, a widow, now owners of said cul-da-sac area, have deeded the said cul-da-sac area to the Township of Cambria for purposes of turn around and use in relationship to Pennview Street; and,

WHEREAS, said cul-da-sac area is a part of the laid out/opened Pennview Street; and,

WHEREAS, if and in the event at anytime the entire area of the cul-da-sac is no longer needed or to be utilized for the purposes of Pennview Street, then said portion of the unused area is to revert to the aforesaid owners, their successors and assigns; and,

WHEREAS, pursuant to the Second Class Township Code, Section 2316 (53 P.S. 2316), the Supervisors are empowered by Resolution to accept any land dedicated by deed to the Township to be utilized as a road, street or alley.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED as follows:

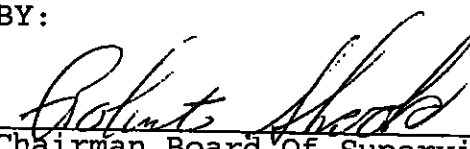
(1). The above set forth recitals are incorporated herein as though same were set forth at length.

(2). The Supervisors of the Township of Cambria on behalf of the Township of Cambria hereby accept the Special Warranty Deed from Mr. Dino S. Persio and Rosemary Persio, his wife, and Carmen DeYulis, a widow, subject to the covenant(s)/condition(s) as above and hereinafter set forth. The said covenant(s)/condition(s), i.e. the lands being utilized as a public road/street, and as to reversion of the unused portion, are covenants running with the land and shall be for the benefit of the parties, their heirs, successors and assigns.

(3). The Supervisors on behalf of the Township of Cambria do accept, for the aforesaid purposes, the Deed of conveyance/dedication.

RESOLVED AND ENACTED this 25 day of October, 1999.

TOWNSHIP OF CAMBRIA  
BY:

  
Chairman Board Of Supervisors

David J. Hovur  
Supervisor  
Fred Sanger  
Supervisor

ATTEST:

Norma Zimmerman  
(Secretary)

I hereby certify this to be a true and exact copy of Resolution No. 429 adopted at the Board of Supervisors meeting held on October 25, 1999

Norma Zimmerman  
-Norma Zimmerman  
Secretary and Treasurer

THIS DEED

MADE the 30<sup>th</sup> day of October in the year of our Lord one thousand nine hundred and ninety-nine (1999)

BETWEEN: DINO S. PERSIO and ROSEMARY PERSIO, husband and wife, and CARMEN DeYULIS, a widow, all of the Township Of Cambria, Cambria County, Pennsylvania

Grantors;

AND

THE TOWNSHIP OF CAMBRIA, a Pennsylvania Municipal Corporation, Second Class Township, with offices located at Municipal Road, Ebensburg, Pennsylvania;

Grantee:

WITNESSETH, that in consideration of the sum of ONE AND 00/100 ----- (\$1.00) ----- DOLLAR, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey to the said Grantee, its heirs, successors and/or assigns:

All that certain strip of land which is/is to be a part/portion of Pennview Street located in the Village of Mylo Park, Township of Cambria, County of Cambria, and State of Pennsylvania, and which is a cul-da-sac having a fifty (50) foot radius; said strip of land being more particularly bounded and described as follows:

BEGINNING at a point on the southeasterly right-of-way line of Pennview Street at a corner common to the lands now or formerly owned by Eileen A. Guinivan and the lands herein described; thence, with the lands of said Guinivan;

South 38 degrees 43' 00" East 12.30 feet to a point; thence, through the lands of which this is part with a curve to the right having a radius of 50.00 feet, an included angle of 27 degrees 00' 00" an arc length of 235.62 feet, to a point; thence continuing;

North 51 degrees 17' 00" East 30.00 feet to a corner on the northwesterly right-of-way line of Pennview Street at a corner common to the lands now or formerly owned by Richard Kimmel and the lands herein described; thence, crossing said Pennview Street;

South 38 degrees 43' 00" East 40.00 feet to a point on the aforementioned southeasterly right-of-way line of Pennview Street; thence, continuing with said southeasterly right-of-way line with a curve to the left having a radius of 88.09 feet; an arc length of 20.18 feet, the chord of which bears;

North 44 degrees 43' 22" East 20.13 feet to the point and place of beginning.

Attached hereto and made a part hereof is a copy of a Plan prepared by CPS Surveys, Inc. entitled "Survey Plan of Pennview Street situate in Cambria Township, Pennsylvania". Being marked as Exhibit "A".

UNDER AND SUBJECT to the following reversion provision on a portion of the above described premises, which becomes effective in the event Pennview Street is extended beyond the cul-da-sac as shown on the attached print. The portion of the premises which would revert to the above grantors, their heirs and assigns is described as follows:

BEGINNING at a point on the southeasterly right-of-way line of Penn Street extension at a corner common to the lands now or formerly owned by Eileen A. Guinivan and the lands herein described; thence, with the lands of said Guinivan;

South  $38^{\circ} 43' 00''$  East 12.30 feet to a point; thence, through the lands of which is part with a curve to the right having a radius of 50.00 feet, an included angle of  $191^{\circ} 32' 13''$  an arc length of 167.15 feet, to a point on the said southeasterly right-of-way line of Penn Street Extension; thence, continuing with said southeasterly right-of-way line;

North  $51^{\circ} 17' 00''$  East 78.99 feet to a point on the aforementioned southeasterly right-of-way line of Penn Street extended; thence, continuing with said southeasterly right-of-way line with a curve to the left having a radius of 88.09 feet, an arc length of 20.18 feet, the chord of which bears;

North  $44^{\circ} 43' 22''$  East 20.13 feet to the point and place of beginning. Being a right-of-way for cul-da-sac to be constructed at the end of Penn Street Extension.

BEING shown on a print made by CPS Surveys, Inc., marked as Exhibit B, attached hereto and made a part hereof.

FURTHER, UNDER AND SUBJECT TO ALL exceptions, reservations, restrictions, conditions, easements, rights and rights-of-way as contained in prior deeds and instruments of record.

BEING a portion of a certain piece or parcel of land title to which vested in Dino S. Persio and Rosemary Persio, husband and wife, and Dino DeYulis and Carmen DeYulis, husband and wife, by Deed of Quentin R. Stover et ux.; said Deed being dated March 13, 1981, and recorded on March 13, 1981, in the Recorder of Deeds Office in and for the County of Cambria, in Deed Book Volume 1078, Page 177. The said Dino DeYulis died on July 4, 1993, thereby vesting his interest in said property in Carmen DeYulis, the surviving tenant by the entireties.

The Grantors herein state that the hereinabove described property is not presently being used for the disposal of hazardous waste, nor to the best of their knowledge, information and belief has it ever been used for the disposal of hazardous waste. This statement is made in compliance with the Solid Waste Management Act No. 1980-97, Section 405.

# NOTICE

The undersigned grantee (grantees) hereby certifies that he/they know and understand that he/they may not be obtaining the right of protection against subsidence resulting from coal mining operations, and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal.

Witness signatures of grantee (grantees) this ..... day of ..... , 19 ...  
*David J. Brown* ..... (SEAL)  
Witness *Robert H. Brown, Chairman, Coalbridge, W.V.* (SEAL) 10-25-99

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND 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 THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. 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.

AND the said Grantors hereby covenant and agree that they will warrant SPECIALLY the property hereby conveyed.

IN WITNESS WHEREOF, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered  
in the presence of

*Margaret A. Olmstead*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Dino S. Persio* (Seal)  
Dino S. Persio

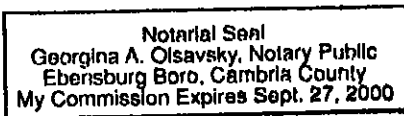
*Rosemary Persio* (Seal)  
Rosemary Persio

*Carmen DeYulis* (Seal)  
Carmen DeYulis

STATE OF PENNSYLVANIA :  
COUNTY OF CAMBRIA : SS:

On this, the 25<sup>th</sup> day of October, 1999, before me, the undersigned officer, personally appeared Dino S. Persio and Rosemary Persio, husband and wife, and Carmen DeYulis, Widow, known to me (or) satisfactorily proven to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed same for the purposes therein contained.

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



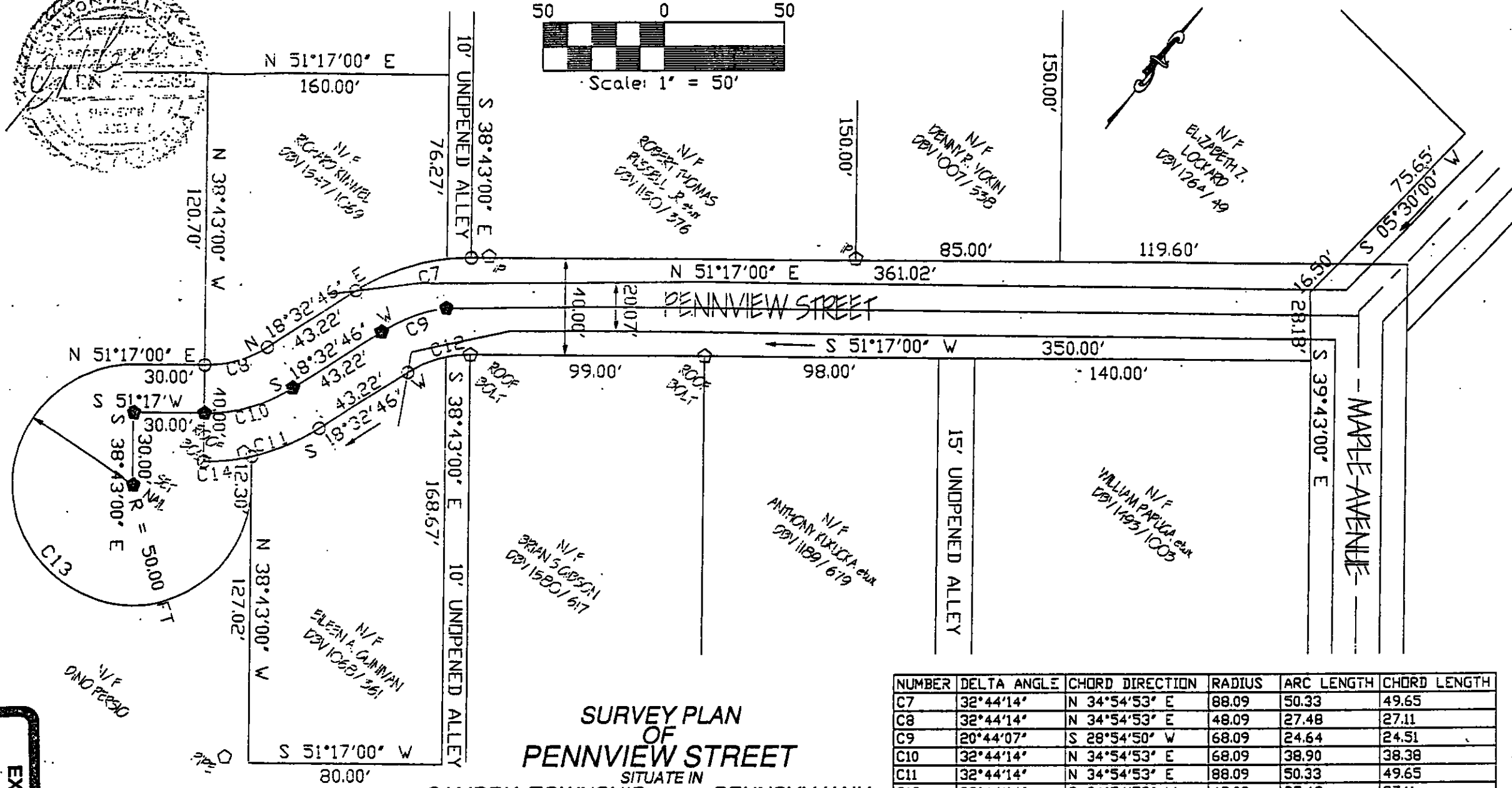
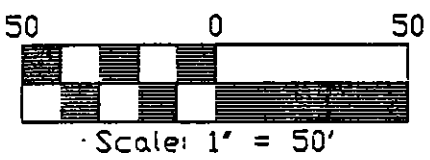
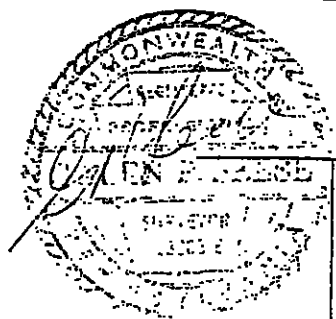
Georgina A. Olsavsky (Seal)  
Notary Public

#### CERTIFICATE OF RESIDENCE

I do hereby certify that the precise residence and complete post office address of the within party of the second part is: Township of Cambria, P.O. box 248, Revloc, PA 15948.

October 25, 1999

[Signature]  
Attorney for DeYulis

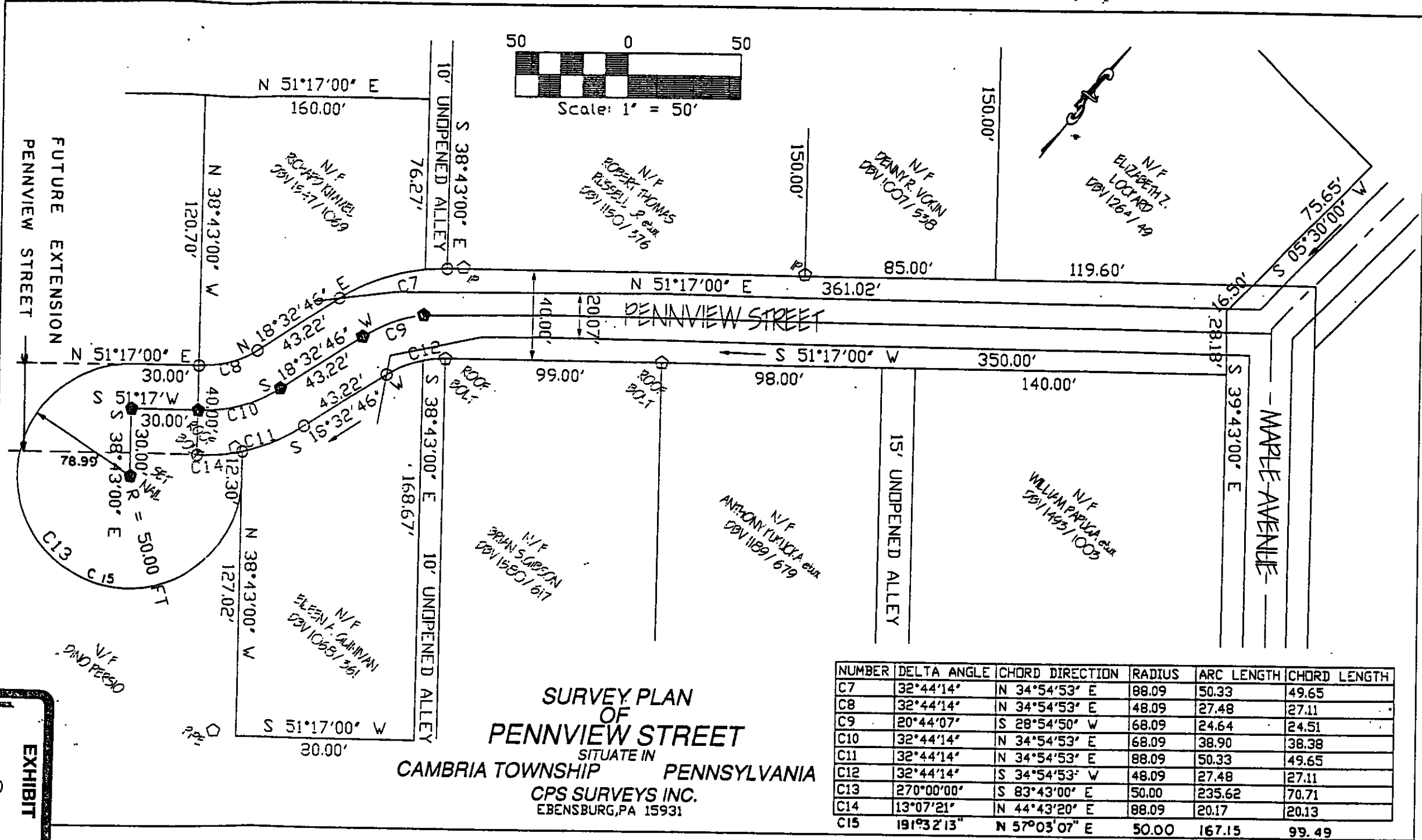
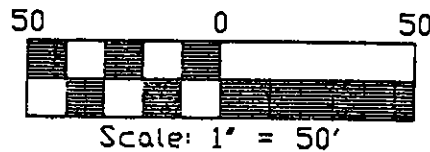


**SURVEY PLAN  
OF  
PENNVIEW STREET**  
SITUATE IN  
**CAMBRIA TOWNSHIP PENNSYLVANIA**  
**CPS SURVEYS INC.**  
EBENSBURG, PA 15931

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C7	32°44'14"	N 34°54'53" E	88.09	50.33	49.65
C8	32°44'14"	N 34°54'53" E	48.09	27.48	27.11
C9	20°44'07"	S 28°54'50" W	68.09	24.64	24.51
C10	32°44'14"	N 34°54'53" E	68.09	38.90	38.38
C11	32°44'14"	N 34°54'53" E	88.09	50.33	49.65
C12	32°44'14"	S 34°54'53" W	48.09	27.48	27.11
C13	270°00'00"	S 83°43'00" E	50.00	235.62	70.71
C14	13°07'21"	N 44°43'20" E	88.09	20.17	20.13

EXHIBIT  
A





**SURVEY PLAN**  
**OF**  
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C12	32°44'14"	S 34°54'53" W	48.09	27.48	27.11
C13	270°00'00"	S 83°43'00" E	50.00	235.62	70.71
C14	13°07'21"	N 44°43'20" E	88.09	20.17	20.13
C15	191°32'13"	N 57°03'07" E	50.00	167.15	99.49

EXHIBIT  
 B



COUNTY OF CAMBRIA  
EBensburg, PENNSYLVANIA 15931



ANDREA F. SIMS  
RECORDER OF DEEDS

RECEIVED FROM:

DATE

DENNIS GOVACHINI, ESQ

10/28/1999

NO. AND TRANSACTION		COUNTY	PENNA	TOTAL
20543 DEEDS - Cambria Twp	1	32.00	50	32.50
MORTGAGES	2			
AGREEMENTS	3			
ASSIGNMENTS	4			
BONDS	5			
COMMISSIONS	6			
	7			
SATISFACTIONS	8			
	9			
	10			

REALTY TRANSFER TAXES:

COMMONWEALTH OF PENNSYLVANIA

\$

MUNICIPALITY & SCHOOL DISTRICT

\$

PAID

TOTAL  
AMOUNT →

DOLLARS	CENTS
\$ 32	50

Received By

*[Signature]*

CASH

☒ CHECK

#

15198

RECEIPT  
NUMBER

088873

We Have Received This Day For Record A

Deed

ENTERED FOR RECORD  
RECORDED  
OCT 29 1999

From Dino S. Persio et ux. et al., Grantors

To Township Of Cambria, Grantee  
ANDREA F. SIMS  
RECORDER

#20543

*Andrea F. Sims*

Andrea Fedore Sims  
Recorder of Deeds

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