

TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA
RESOLUTION NO. 2022 - 10 A

A RESOLUTION OF THE BOARD OF TOWNSHIP SUPERVISORS OF
MIDDLESEX TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA,
ACCEPTING DEDICATION OF APPIAN DRIVE AS AND FOR A PUBLIC
ROADWAY OR HIGHWAY OF THE TOWNSHIP OF MIDDLESEX

WHEREAS, Braam Hattingh was the owner of a certain tract or parcel of land located in Middlesex Township, Cumberland County, Pennsylvania as more fully described in a Deed dated June 14, 2002 and recorded June 18, 2002 in the Office of the Recorder of Deeds in and for Cumberland County at Deed Book 252, Page 1132 (the "Property"); and

WHEREAS, the Property was subdivided by Braam Hattingh pursuant to the Final Subdivision Plan of Appalachian Estates, which Plan was recorded in the Office of the Recorder of Deeds in and for Cumberland County at Plan Book 91, Pages 7 through 7K, and by such Plan, a roadway identified as Appian Way was proposed to be constructed and dedicated to Middlesex Township as a public street or roadway of Middlesex Township; and

WHEREAS, the lot owners in Appalachian Estates approved a modifications to the design of Appian Drive by each lot owner entering into Improvement Modification Agreements with Middlesex Township, which agreements have been recorded in the Office of the Recorder of Deeds in and for Cumberland County; and

WHEREAS, Tiday Property Management, LLC has completed the necessary improvements associated with the development of Appalachian Estates as required by the Township of Middlesex; and

WHEREAS, Braam Hattingh has tendered a Deed of Dedication to the Township of Middlesex thereby conveying a portion of the Property and dedicating certain lands identified as Appian Drive as and for a public roadway within the Township of Middlesex.

NOW THEREFORE, it is hereby RESOLVED by the Board of Township Supervisors of Middlesex Township, as follows:

1. The Deed of Dedication tendered by Braam Hattingh with respect to Appian Drive dated and acknowledged the 8th day of November, 2022, is hereby accepted by the Township of Middlesex. A copy of said Deed is attached hereto and incorporated by reference herein as "Exhibit A".

2. The tract or parcel conveyed by Braam Hattingh to the Township of Middlesex as more fully described in the aforementioned Deed of Dedication is accepted subject to the terms, covenants and warranties set forth in said Deed as and for a public roadway or highway of the Township of Middlesex. The legal description of said Deed is incorporated by reference herein as if fully set forth in this Resolution.

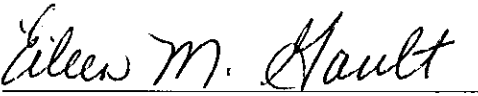
3. The acceptance of the Deed of Dedication is subject to and shall not negate the obligation of Tiday Property Management, LLC to post and maintain certain financial security for the maintenance of Appian Drive as required by applicable law or ordinance.

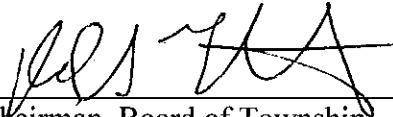
4. A certified copy of this Resolution shall be filed in the Office of the Clerk of Courts of Cumberland County after approval and execution of this Resolution.

RESOLVED this 18th day of November, 2022.

ATTEST:

TOWNSHIP OF MIDDLESEX


Township Secretary

By: 
Chairman, Board of Township
Supervisors

(Township Seal)

DEED OF DEDICATION

THIS INDENTURE, made this 8 day of November, 2022, by and between **BRAAM HATTINGH**, a married man, joined by **NATALIE HATTINGH**, his wife, both of Mechanicsburg, Cumberland County, Pennsylvania, (the "Grantor")

AND

MIDDLESEX TOWNSHIP, a municipal corporation duly organized under the laws of the Commonwealth of Pennsylvania, with offices located at 350 N. Middlesex Rd. Carlisle, PA 17013 (the "Grantee").

WHEREAS, Grantor is the owner in fee of certain lands located in Middlesex Township, Cumberland County, Pennsylvania, as shown on the Final Subdivision Plan of Appalachian Estates, as recorded in the Cumberland County Office of Recorder of Deeds in Plan Book 91, Pages 7-7K and, in connection with the subdivision of said lands, a roadway known as Appian Drive, has been constructed through a portion of said lands in accordance with the specifications of the Grantee, which roadway Grantor desires to dedicate, grant, and convey to Grantee for the public use; and

WHEREAS, Grantee desires to accept said roadways and thereafter use, reconstruct, maintain, and service said roadway.

WITNESSETH

That Grantor, for and in consideration of the sum of One Dollar (\$1.00), the receipt whereof is hereby acknowledged, as well as for diverse and other considerations affecting the public welfare which it seeks to advance, has granted, bargained and sold, and by those presents does grant, bargain, and sell unto the said Grantee, its successors and assigns, all that certain lot or parcel of ground situate in Middlesex Township, Cumberland County, Pennsylvania, as described in Exhibit "A" attached hereto and made a part hereof and made a part hereof and shown on Exhibit "B" attached hereto and made a part hereof.

TO HAVE AND TO HOLD all and singular the privileges aforesaid unto the said Grantee to and for only the proper use and behoof of the said Grantee, its successors and assigns forever, as and for a public road and for any other public purpose and the installation of utilities and related services. By the acceptance and recording of this Deed of Dedication, the Grantee agrees that it shall maintain the said roadways and Grantor shall have no further duty to maintain the said roadway.

AND THE SAID GRANTOR, for themselves, their heirs, successor and assigns by these presents, covenants, promises and agrees to and with the said Grantee, its successors and assigns, that neither the Grantor nor their heirs, successor and assigns, shall 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 for damages for or by reason of the physical grading of the said street to the grade now established by

Middlesex Township, Grantee hereunder, and if such grade shall not be established at the day of the date of these presents neither the said Grantor, nor their heirs, successor and assigns, will at any time hereafter ask, demand, recover or receive any such damage by reason of the physical grading of said street to confirm to the grade as first thereafter established or confirmed by Middlesex Township.

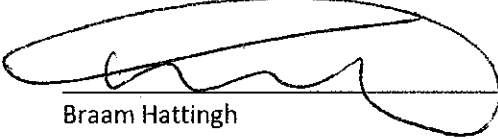
AND THE SAID GRANTOR, for themselves, their heirs, successor and assigns, does by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that they, the said Grantor, their heirs, successors and assigns, all and singular the hereditaments and premises herein described and granted or mentioned, and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against them, the said Grantor, their heirs, successors and assigns, and against all and any person or persons whosoever lawfully claiming or to claim the same or any part thereof, by, through or under them, or any of them, shall and will, specially warrant and defend.

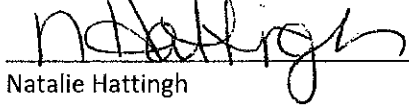
BEING PART OF THE SAME PREMISES which Marlin L. Lehmer and Alice F. Lehmar, by deed dated June 14, 2002, recorded June 18, 2002, in the Office of the Recorder of Deeds in and for Cumberland County, Pennsylvania, in Book 252 Page 1132, granted and conveyed unto Braam Hattingh, Grantor herein.

IN WITNESS WHEREOF, Braam Hattingh and Natalie Hattingh, has caused this indenture to be signed, the day and year first above written.

{SIGNATURE PAGE TO FOLLOW}

GRANTOR:

 (Seal)
Braam Hattingh

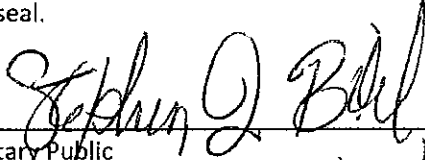
 (Seal)
Natalie Hattingh

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CUMBERLAND : SS

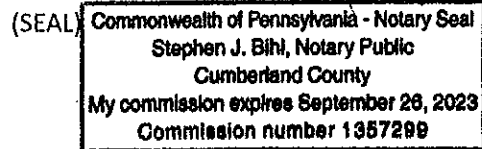
On this, the 8 day of November, 2022, before me, the undersigned Notary Public, personally appeared **Braam Hattingh and Natalie Hattingh** known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

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


Notary Public

My Commission Expires:

09/26/2023



CERTIFICATE OF BUSINESS ADDRESS

I hereby certify that the precise business and complete post office address of the within named Grantee is:

350 N. MIDDLESEX ROAD

CARLISLE PA 17013

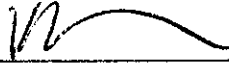

Attorney or Agent for Grantee

EXHIBIT "A"

Legal Description

Appian Drive

Middlesex Township, Cumberland County

Beginning at a point, said point located on the northern right of way line of Trindle Road (SR 0641), said point also being the common point of the terminus of the eastern right of way line of Appian Drive (50' dedicated right of way) and Lot 1; thence, along the northern right of way line of Trindle Road, North 79 degrees 50 minutes 27 seconds West a distance of 120.00 feet to a point, said point being the common property corner of Lot 11 and the terminus of the western right of way line of Appian Drive, thence along the western right of way line of Appian Drive, along Lot 11, Lot 10, Lot 9, Lot 8, and Lot 7 the following courses:

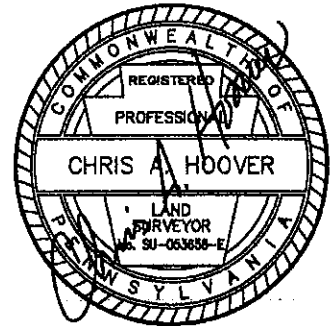
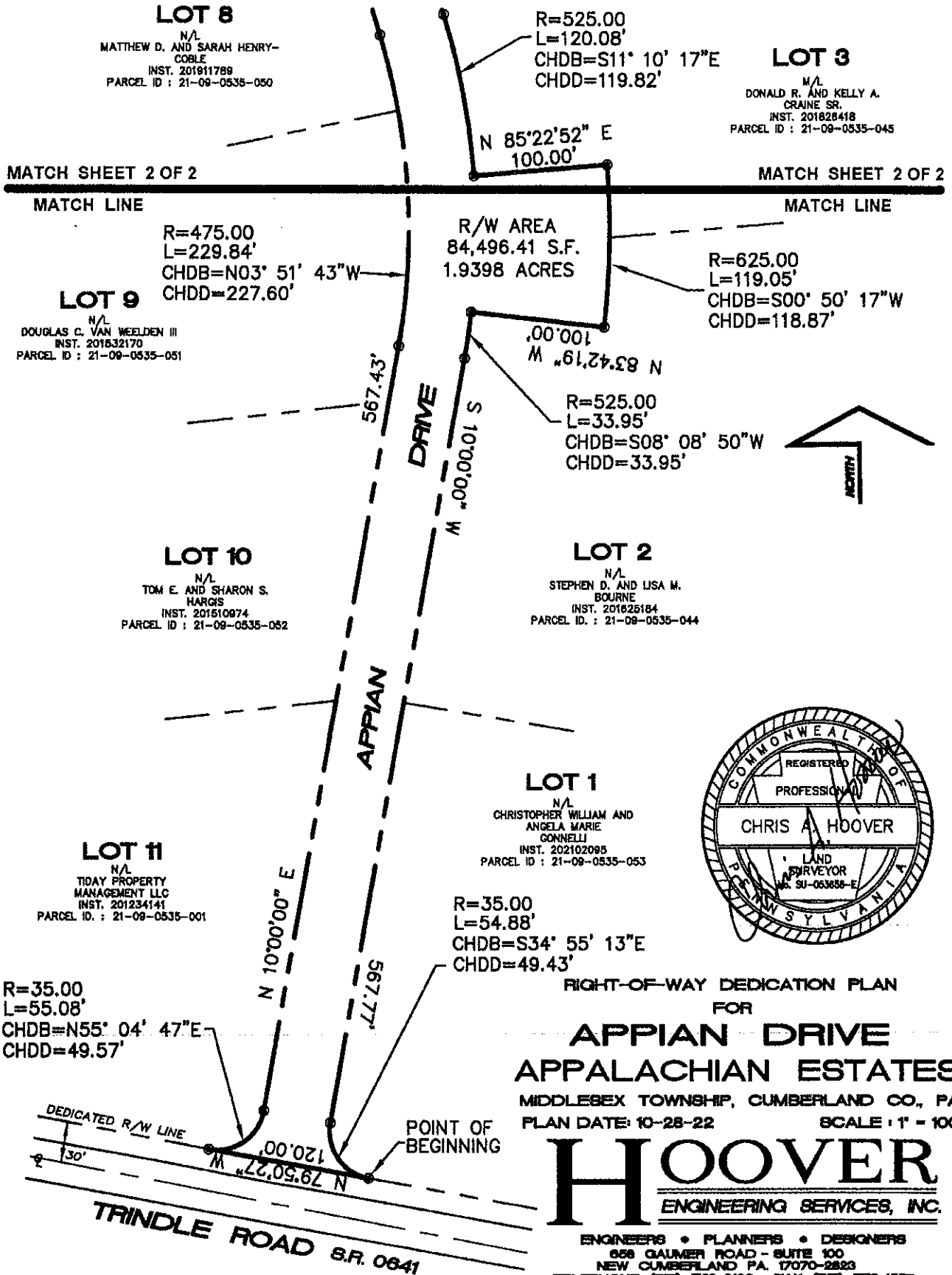
1. Along a curve to the left, said curve having a radius of 35.00 feet, an arc length of 55.08 feet, with a chord bearing of North 55 degrees 4 minutes 47 seconds east, and a chord distance of 49.57 feet to a point; thence,
2. North 10 degrees 0 minutes 0 seconds East a distance of 567.43 feet to a point; thence,
3. On a curve to the left, said curve having a radius of 475.00 feet, an arc length of 229.84 feet, with a chord bearing of North 3 degrees 51 minutes 43 seconds West, and a chord distance of 227.60 feet to a point; thence,
4. North 17 degrees 43 minutes 26 seconds West a distance of 377.95 feet to a point, said point located on the western right of way line and being the common property corner of Lot 7 and Lot 6; thence,

Along Lot 6, on a curve to the left, said curve having a radius of 25.00 feet, an arc length of 23.55 feet, with a chord bearing of North 44 degrees 42 minutes 29 seconds West, and a chord distance of 22.69 feet to a point; thence, along Lot 6 and Lot 5, on a curve to the right, said curve having a radius of 60.00 feet, an arc length of 301.53 feet, with a chord bearing of North 72 degrees 16 minutes 34 seconds East, and a chord distance of 70.59 feet to a point; thence, along Lot 5 on a curve to the left, said curve having a radius of 25.00 feet, an arc length of 23.55 feet, with a chord bearing of South 9 degrees 15 minutes 36 seconds West, and a chord distance of 22.69 feet to a point; thence, along Lot 5, Lot 4, Lot 3, Lot 2 and Lot 1 the following courses:

1. South 17 degrees 43 minutes 26 seconds East a distance of 377.95 feet to a point, thence,
2. On a curve to the right, said curve having a radius of 525.00 feet, an arc length of 120.08 feet, with a chord bearing of South 11 degrees 10 minutes 17 seconds East, and a chord distance of 119.82 feet to a point; thence,
3. North 85 degrees 22 minutes 52 seconds East a distance of 100.00 feet to a point; thence,
4. Along a curve to the right, said curve having a radius of 625.00 feet, an arc length of 119.05 feet, with a chord bearing of South 0 degrees 50 minutes 17 seconds West, and a chord distance of 118.87 feet to a point; thence,
5. North 83 degrees 42 minutes 19 seconds West a distance of 100.00 feet to a point; thence,
6. Along a curve to the right, said curve having a radius of 525.00 feet, an arc length of 33.95 feet, with a chord bearing of South 8 degrees 8 minutes 50 seconds West, and a chord distance of 33.95 feet to a point; thence,
7. South 10 degrees 0 minutes 0 seconds West a distance of 567.77 feet to a point; thence,

On a curve to the left, said curve having a radius of 35.00 feet, an arc length of 54.88 feet, with a chord bearing of South 34 degrees 55 minutes 13 seconds East, and a chord distance of 49.43 feet to a point; said point being the place of ***beginning***.

Said right of way area of Appian Drive consists of 84,496.41 square feet or 1.9398 acres.



HOOVER
ENGINEERING SERVICES, INC.

ENGINEERS • PLANNERS • DESIGNERS
658 GAUMER ROAD - SUITE 100
NEW CUMBERLAND PA. 17070-2823
TELEPHONE (717) 770-0100 FAX (717) 770-1557

RIGHT-OF-WAY DEDICATION PLAN
FOR
APPIAN DRIVE
APPALACHIAN ESTATES
MIDDLESEX TOWNSHIP, CUMBERLAND CO., PA.
PLAN DATE: 10-28-22 SCALE: 1" = 100'

HOOVER
ENGINEERING SERVICES, INC.

ENGINEERS • PLANNERS • DESIGNERS
655 GAUMER ROAD - SUITE 100
NEW CUMBERLAND PA. 17070-2823
TELEPHONE (717) 770-0100 FAX (717) 770-1557

LOT 6
N/L
CURTIS L. AND DOLORES M.
ARMSTRONG
INST. 201628375
PARCEL ID : 21-09-0535-048

R=60.00
L=301.53'
CHDB=N72° 16' 34"E
CHDD=70.59'

LOT 5
N/L
JOHN A. AND LISA
CONWAY
INST. 202133130
PARCEL ID : 21-09-0535-047

R=25.00
L=23.55'
CHDB=S09° 15' 36"W
CHDD=22.69'

R=25.00
L=23.55'
CHDB=N44° 42' 29"W
CHDD=22.69'

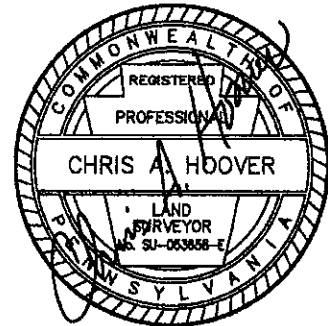
LOT 7
N/L
ABRIC JOHN
ROSEGRANT
INST. 201812957
PARCEL ID : 21-09-0535-049

LOT 4
N/L
SEAN D. AND IRATZE
GARRITY
INST. 202125458
PARCEL ID. 21-09-0535-046

LOT 8
N/L
MATTHEW D. AND SARAH HENRY-
COBLE
INST. 201811788
PARCEL ID : 21-09-0535-050

R=525.00
L=120.08'
CHDB=S11° 10' 17"E
CHDD=119.82'

LOT 3
N/L
DONALD R. AND KELLY A.
CRANE SR.
INST. 201826418
PARCEL ID : 21-09-0535-045



MATCH LINE
MATCH SHEET 1 OF 2

LOT 9
N/L
DOUGLAS C. VAN WEELDEN III
INST. 201532170
PARCEL ID : 21-09-0535-051

R=475.00
L=229.84'
CHDB=N03° 51' 43"W
CHDD=227.60'

R/W AREA
84496.41 S.F.
1.9398 ACRES

R=625.00
L=119.05'
CHDB=S00° 50' 17"W
CHDD=118.87'

SHEET 2 OF 2