

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOROUGH OF GETTYSBURG,
ADAMS COUNTY, PENNSYLVANIA, ACCEPTING DEDICATION
OF LEFEVER STREET, AS STRAIGHTENED AND RELOCATED,
AND AS OFFERED BY DEED OF DEDICATION FROM THE
GETTYSBURG AREA SCHOOL DISTRICT.**

WHEREAS, the Gettysburg Area School District, as part of its Middle School campus land development project, has completed construction of Lefever Street, which has been straightened and relocated consistent with Ordinance No. 1416-14, enacted, adopted and ordained on June 9, 2014 by the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania; and

WHEREAS, the Gettysburg Area School District is offering for dedication to public use Lefever Street, which has been straightened and relocated consistent with the said Ordinance No. 1416-14 and has been constructed pursuant to the specifications of the Borough of Gettysburg, Adams County, Pennsylvania; and

WHEREAS, the Borough Council of the Borough of Gettysburg desires to accept dedication, for the use within the Borough of Gettysburg by the traveling public, of Lefever Street, as the same has been straightened and relocated.

NOW, THEREFORE, the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, hereby enacts, adopts, and ordains the following:

SECTION 1: The Borough Council of the Borough of Gettysburg hereby accepts from the Gettysburg Area School District dedication of Lefever Street, as the same has been straightened and relocated, for the use of the traveling public and the said Lefever Street, as



straightened, relocated and constructed, shall become part of the public street system of the Borough of Gettysburg, Adams County, Pennsylvania.

SECTION 2: The Borough Council of the Borough of Gettysburg hereby approves and accepts delivery of the Deed of Dedication executed and delivered by Gettysburg Area School District. A true and correct copy of the Deed of Dedication is attached hereto as Exhibit "A" and is incorporated herein by reference.

SECTION 3: The Borough Council of the Borough of Gettysburg shall cause the Deed of Dedication to be placed of record and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania.

SECTION 4: This ordinance shall be effective upon enactment.

THIS ORDINANCE DULY ENACTED, ADOPTED AND ORDAINED according to law this 13th day of July, 2015 at a duly advertised general monthly business meeting of the Borough Council of the Borough of Gettysburg.

BOROUGH OF GETTYSBURG

By: _____
Michael J. Birkner
President of Borough Council

ATTEST:

By: _____
Sara L. Stull, Secretary

APPROVED this ____ day of July, 2015.

By: _____
William E. Troxell, Mayor

Exhibit "A"

DEED OF DEDICATION

MADE THE ____ day of _____, in the year of our Lord two thousand fifteen (2015).

BETWEEN **GETTYSBURG AREA SCHOOL DISTRICT**, A School District of the Commonwealth of Pennsylvania, with its administrative offices located at 900 Biglerville Road, Gettysburg, 17325, party of the first part, GRANTOR

- AND -

THE BOROUGH OF GETTYSBURG, a municipal corporation and body politic, existing and incorporated under and by virtue of the laws of the Commonwealth of Pennsylvania, with its local government offices at 59 East High Street, Gettysburg, Adams County, Pennsylvania, 17325, party of the second part, GRANTEE

WITNESSETH, that the said Grantor, for and in consideration of the advantage of it accruing as well as for divers 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 tract of land situate, lying and being in the Borough of Gettysburg, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point situate at the intersection of the southerly right-of-way line for Legion Alley and westerly right-of-way line for East Confederate Avenue; thence running along said westerly right-of-way line South 03 degrees 18 minutes 07 seconds East, 44.82 feet to a point of deflection; thence South 35 degrees 00 minutes 36 seconds East, 8.87 feet to a point; thence leaving said westerly right-of-way line and running over and through lands of Gettysburg

Area School District for a new line of right-of-way South 37 degrees 38 minutes 02 seconds West 218.13 feet to a point; thence along a curve to the left having a radius of 142.00 feet, an arc length of 149.83 feet, and a chord of South 07 degrees 24 minutes 23 seconds West, 142.98 feet to a point; thence South 22 degrees 49 minutes 16 seconds East, 69.77 feet to a point; thence along a curve to the right having a radius of 228.00 feet, an arc length of 284.41 feet, and a chord of South 12 degrees 54 minutes 53 seconds West 266.33 feet to a point; thence South 48 degrees 39 minutes 03 seconds West, 934.33 feet to a point; thence along a curve to the right having a radius of 225.00 feet, an arc length of 42.78 feet, and a chord of South 54 degrees 05 minutes 51 seconds West, 42.71 feet to a point; thence North 30 degrees 46 minutes 18 seconds West, 13.61 feet to a point situate on the northerly right-of-way line of Wainwright Avenue; thence continuing along said northerly right-of-way line South 86 degrees 42 minutes 08 seconds West, 74.23 feet to a point situate on the Easterly right-of-way line of Schoolhouse Alley; thence continuing along said easterly right-of-way line North 04 degrees 02 minutes 55 seconds West, 14.51 feet to a point; thence leaving said easterly right-of-way line and continuing over and through lands of Gettysburg Area School District for a new line of right-of-way along a curve to the left having a radius of 175.00 feet, an arc length of 94.16 feet, and a chord of North 64 degrees 03 minutes 56 seconds East, 93.03 feet; thence North 48 degrees 39 minutes 03 seconds East, 934.33 feet to a point; thence along a curve to the left having a radius of 178.00 feet, an arc length of 222.04 feet, and a chord of North 12 degrees 54 minutes 53 seconds East, 207.92 feet to a point; thence North 22 degrees 49 minutes 16 seconds West, 69.77 feet to a point; thence along a curve to the right having a radius of 192.00 feet, an arc length of 202.59 feet, and a chord of North 07 degrees 24 minutes 23 seconds East, 193.32 feet to a point; thence North 37 degrees 38 minutes 02 seconds East, 244.84 feet to a point situate on said southerly right-of-way line of Legion Alley; thence continuing along said southerly right-of-way line North 88 degrees 46 minutes 38 seconds East, 15.62 feet to the point of **BEGINNING**.

For a new area of right-of-way containing 86,974.53 square feet or 2.00 acres, more or less.

The above description was taken from the Preliminary/Final Land Development Plan for the New Middle School for Gettysburg Area School District, titled "R.O.W. Vacation and Dedication Plan," Sheet 7 of 38, prepared by K & W Engineers on October 26, 2011 and conditionally approved by the Planning Commission of the Borough of Gettysburg on May 21, 2012 and recorded on October 26, 2012, in Record Book 5759 at page 560 (page 7 thereof recorded at 5759 at page 566).

Being part of the the Middle School campus which Gettysburg Area School District, as Grantor and Grantee, consolidated and described in a deed dated August 8, 2012, which deed is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 5733 at page 607.

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 the 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 Adams, after proceedings duly had for that purpose under and in pursuance of the Road Laws of the Commonwealth of Pennsylvania.

And the said grantor, for it, its successors and assigns, by these presents covenants, promises and agrees to and with the said grantee, its successors and assigns, that neither the grantor nor its successors and assigns, shall nor will at any time hereafter, ask, demand, or 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 street to the grade as now established by the Borough of Gettysburg, grantee, and if such grade shall not be established at the day of the date of these presents that neither the said grantor, nor its successors and assigns, shall nor will at any time thereafter ask, demand, recover or receive any such damages by reason of the physical grading of said Street to conform to the grade as first thereafter established or confirmed by the said Borough of Gettysburg, grantee.

AND the said Grantor hereby covenants and agrees that it will warrant specially the property hereby conveyed.

IN WITNESS WHEREOF, the party of the first part has caused this Deed of Dedication to be signed in its corporate name and has caused to be affixed hereunto the common and corporate seal of the Gettysburg Area School District, the day and year first above written.

GETTYSBURG AREA SCHOOL DISTRICT

Attest:

Brad N. Hunt, Secretary

By: _____ (SEAL)
Todd W. Orner, President

STATE OF PENNSYLVANIA

ss.

COUNTY OF ADAMS

ON THIS, the ____ day of _____, 2015, before me, the undersigned officer, personally appeared Todd W. Orner, who acknowledged himself to the President of the Gettysburg Area School District Board of Directors, and that he as such President being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Gettysburg Area School District by himself as President.

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

Notary Public
My commission expires:

CERTIFICATE OF RESIDENCE

I do hereby certify that the precise residence and complete post office address of the within named grantee is: 59 East High Street, Gettysburg, PA 17325

Solicitor for Grantee

_____, 2015
RLM #5935