

**EAST NORRITON TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 580**

**AN ORDINANCE OF EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY,  
PENNSYLVANIA, CONVEYING A PORTION OF ROUTE 202 TO THE  
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION (“PENNDOT”)**

**WHEREAS**, PennDOT desires to widen Route 202, and must acquire a right-of-way located on Route 202 in East Norriton Township, more particularly described in the plan attached hereto as Exhibit A and incorporated herein by reference (hereinafter the “Route 202 Right-of-Way”);

**WHEREAS**, the Second Class Township Code authorizes the Board of Supervisors to convey real property “it judges to be in the best interest of the Township”;

**WHEREAS**, the Board has determined that conveyance to PennDOT of the Route 202 Right-of-Way to facilitate the widening of Route 202, is in the best interest of the Township;

**NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED**, by the Board of Supervisors as follows:

**I. CONVEYANCE OF PROPERTY**

The Board of Supervisors is hereby authorized to execute the deed attached hereto as Exhibit A, conveying the Route 202 Right-of-Way to PennDOT; and

The East Norriton Township Manager, the East Norriton Township Engineer, the East Norriton Township Director of Public Works, and the East Norriton Township Solicitor are hereby authorized to take all action necessary to effectuate the conveyance.

**II. REPEALER**

Any and all terms, conditions, and provisions of any Ordinance or Resolution of East Norriton Township in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such conflict.

**III. SEVERABILITY**

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

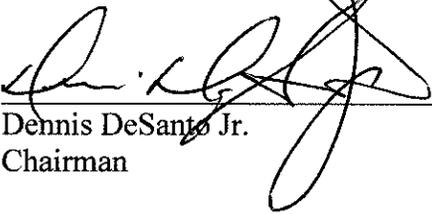
**IV. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon adoption by the Board of Supervisors of East Norriton Township.

ORDAINED AND ENACTED, by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this 27th day of March, 2018.



**EAST NORRITON  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
Dennis DeSanto Jr.  
Chairman

ATTEST:

  
\_\_\_\_\_  
Robert R. Hart, Esq.  
Secretary

# EXHIBIT A

Prepared By: Rjoseph

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION  
7000 GEERDES BOULEVARD  
KING OF PRUSSIA, PA 19406-1525



Return To: Rjoseph

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION  
7000 GEERDES BOULEVARD  
KING OF PRUSSIA, PA 19406-1525

**Site Location:**

RW-316 (11/16)

ROW OFFICE PROJ. NO.	060129
COUNTY	Montgomery
S.R. - SECTION	202-61S
MUNICIPALITY	E. Norriton Township
PARCEL NO.	998
CLAIM NO.	4601901000
CLAIMANT	East Norriton Township

**DEED  
(QUITCLAIM)**

THIS INDENTURE, made by East Norriton Township owner(s) of property affected by the construction or improvement of the above mentioned State Route, its heirs, executors, administrators, successors, and/or assigns, hereinafter, whether singular or plural, called the GRANTOR, and the Commonwealth of Pennsylvania, Department of Transportation, hereinafter called the COMMONWEALTH,

**WITNESSETH:**

WHEREAS the COMMONWEALTH has filed a plan in the Recorder of Deeds Office of the aforesaid County indicating its authorization to condemn property for the above highway from the aforesaid property; and

WHEREAS the parties hereto have agreed that, in lieu of condemnation, the GRANTOR will remise, release, and quitclaim to the COMMONWEALTH the property or portion thereof required by the COMMONWEALTH,

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the GRANTOR does hereby remise, release and quitclaim to the COMMONWEALTH

- the premises described by metes and bounds in exhibit "A".
- that portion of the aforesaid premises designated as required right-of-way on the plot plan attached hereto and made a part hereof; and those areas, if any, designated as required for easement or other purposes as identified by the plot plan and set forth below.

BEING all or a portion of the same property conveyed or devised to the GRANTOR by deed of Stephen Guardino and Anne L. Guardino, dated 12/21/87 and recorded in book 4864 page 522. This conveyance contains 893 square feet of required right of way and is identified on COMMONWEALTH plans as Parcel 998, together with the improvements, hereditaments and appurtenances thereto and the GRANTOR remises, releases and quitclaims the property hereby conveyed.

RESERVING, however, to the GRANTOR the right to deep mine minerals and remove gas and oil within the areas hereunder acquired from a minimum depth to be determined by the COMMONWEALTH, from mine shafts or by means of wells located off the right-of-way.

The GRANTOR does further remise, release, quitclaim and forever discharge the COMMONWEALTH or any agency or political subdivision thereof or its or their employees or representatives of and from all suits, damages, claims and demands which the GRANTOR might otherwise have been entitled to assert under the provisions of the Eminent Domain Code, 26 Pa.C.S. § 101 et seq., for or on account of this conveyance and any injury to or destruction of the aforesaid property of the GRANTOR through or by reason of the aforesaid highway construction or improvement, except damages, if any, under Section 710 (Limited Reimbursement of Appraisal, Attorney and Engineering Fees) and Section 711 (Payment on Account of Increased Mortgage Costs) of the Eminent Domain Code; provided, however, that if relocation of a residence or business or farm operation is involved, this release shall likewise not apply to damages, if any, under Section 902 (Moving Expenses) and/or Section 903 and/or 904 (Replacement Housing) of the Eminent Domain Code.

The GRANTOR does further indemnify the COMMONWEALTH against any claim made by any lessee of the aforesaid property who has not entered into a Settlement Agreement with the COMMONWEALTH.

**Certificate of Residence**

I hereby certify the Grantee's precise residence to be:

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION  
7000 GEERDES BOULEVARD  
KING OF PRUSSIA, PA 19406-1525

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Agent for the Commonwealth of Pennsylvania  
Department of Transportation

The GRANTOR has executed or caused to be executed these presents, intending to be legally bound thereby.

**INDIVIDUALS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ENTITIES\***

GRANTOR:

East Norriton Township  
(Name of Entity)

BY:

[Signature]  
Chairman Dennis DeSanto Jr.

BY:

[Signature]  
Secretary Robert Hart

\* Use this block for a corporation, partnership, LLC, government entity, school district, church, trust, club, association, POA, attorney-in-fact, executor, administrator or any other entity. See R/W Manual Section 3.06.

**INDIVIDUAL**

**ENTITY**

STATE OF PENNSYLVANIA  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
before me, \_\_\_\_\_,  
the undersigned officer, personally appeared \_\_\_\_\_,  
\_\_\_\_\_ known to me  
(or satisfactorily proven) to be the person(s) whose  
name(s) \_\_\_\_\_ subscribed to the within instrument,  
and acknowledged that \_\_\_\_\_ executed the  
instrument for the purposes contained in it.

In witness whereof, I hereto set my hand and official  
seal.

\_\_\_\_\_  
[Signature]  
[Title]

[Seal]

STATE OF PENNSYLVANIA  
COUNTY OF Montgomery

On this 27th day of March, 2018,  
before me, Larry Brown, the undersigned  
officer, personally appeared Dennis DeSanto / Robert  
Hart, who acknowledged them self  
to be the Chairman & Secretary [title] of  
East Norriton Township [name of entity],  
and that as such Chairman & Secretary  
\_\_\_\_\_ [title], being authorized to do so,  
executed the foregoing instrument for the purposes  
contained in it by signing on behalf of the entity as  
Chairman & Secretary [title].

In witness whereof, I hereto set my hand and official seal.

[Signature] [Signature]  
Notary [Title]

[Seal]

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Larry L. Brown, Notary Public  
East Norriton Twp., Montgomery County  
My Commission Expires April 30, 2021  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

**APPROVED AS TO FORM AND LEGALITY**

For Chief Counsel

Deputy General Counsel

Deputy Attorney General

