

RUSH TOWNSHIP

Schuylkill County, Pennsylvania

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ORDINANCE NO. 110

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AN ORDINANCE

CONDEMNING CERTAIN TWO (2) PARCELS  
IN RUSH TOWNSHIP OF LAND KNOWN AS THE  
"BLACKWELL" PROPERTY.

WHEREAS, Rush Township has completed a plan providing for the sewage collection and treatment of the areas of Rush Township known as Quakake and Tamamend in a plan known as the Act 537 Plan; and

WHEREAS, the said Plan calls for the construction of a pump station and a treatment plant on two (2) separate pieces or parcels of land; and

WHEREAS, Rush Township, Schuylkill County, Pennsylvania is a Second Class Township in the Commonwealth of Pennsylvania and is authorized to establish and construct sewer systems within the Township under 53 P.S. 65730 and to condemn lands providing for same by ordinance pursuant to the Second Class Township Code 53 P.S. 65102 et seq. and, as the Township has a taxing power, authorizes the Township to issue a Bond Without Surety to secure the payment of damages;

NOW THEREFORE, be it ordained by the Rush Township Board of Supervisors in accordance with the authority conferred by law:

1. Rush Township selects and appropriates for the purposes of the construction and operation of a sewage treatment facility, and all uses

reasonable and necessary for the construction and operation of said treatment facility, fee simple title of all that certain lot or piece of ground more fully described in Exhibit "A" attached to and hereby incorporated by reference into this Ordinance. A map showing the location of this parcel is attached hereto as Exhibit "B" and forms a part of this Ordinance;

2. Be it also ordained that Rush Township, Schuylkill County in accordance with the authority conferred by law selects and appropriates for the purpose of the construction and operation of a pump station to serve the sewage collection and treatment system, and all uses reasonable and necessary for construction and operation of said sewage collection and treatment system and pump station, fee simple title in a parcel of land more fully described in Exhibit "C", a copy of which description is incorporated herein by reference to this Ordinance and forms a part hereof. A map showing the location of said parcel is attached hereto as Exhibit "D" and forms a part of this Ordinance;

3. That the title to be acquired by Rush Township shall be fee simple title and that all private or public rights, titles or easements of whatever nature, located within either of the two parcels are hereby selected and appropriated for the purposes set forth in this Ordinance in accordance with law;

4. That Rush Township Board of Supervisors are hereby authorized to institute eminent domain proceedings and to pay for the institution of such proceedings and to pay any damages that may be awarded to the owners of such premises out of the general fund of Rush Township.

DULY ADOPTED AND ORDAINED this 23<sup>rd</sup> day of May,

1994.

TOWNSHIP OF RUSH  
Schuylkill County, Pennsylvania

By: *Ronald T. Werner*  
Ronald T. Werner, Chairman

*Raymond R. Boze*  
Vice Chairman

*Kenno Motroni*  
Supervisor

ATTEST:

*Carol Ann Opet*  
Carol Opet, Secretary

(SEAL)

March 24, 1994

TECHNICAL DESCRIPTION

lands to be conveyed by

Betty C. and Donald C. Blackwell

situate in

Rush Township, Schuylkill County, Pennsylvania

Beginning at a point, an iron pin, said point being in the easterly right-of-way line of S.R. 1019 and being common to a corner of lands of David A. and Theresa M. Fegley. Thence along said lands of Fegley the following two (2) courses and distances:

1. (S 83° 55' 59" E - 237.93') to a point, an existing iron pin.
2. (N 21° 04' 01" E - 404.89') to a point, an iron pin, said point being in line of lands of Robert D. and Ruth Ann M. Heckman.

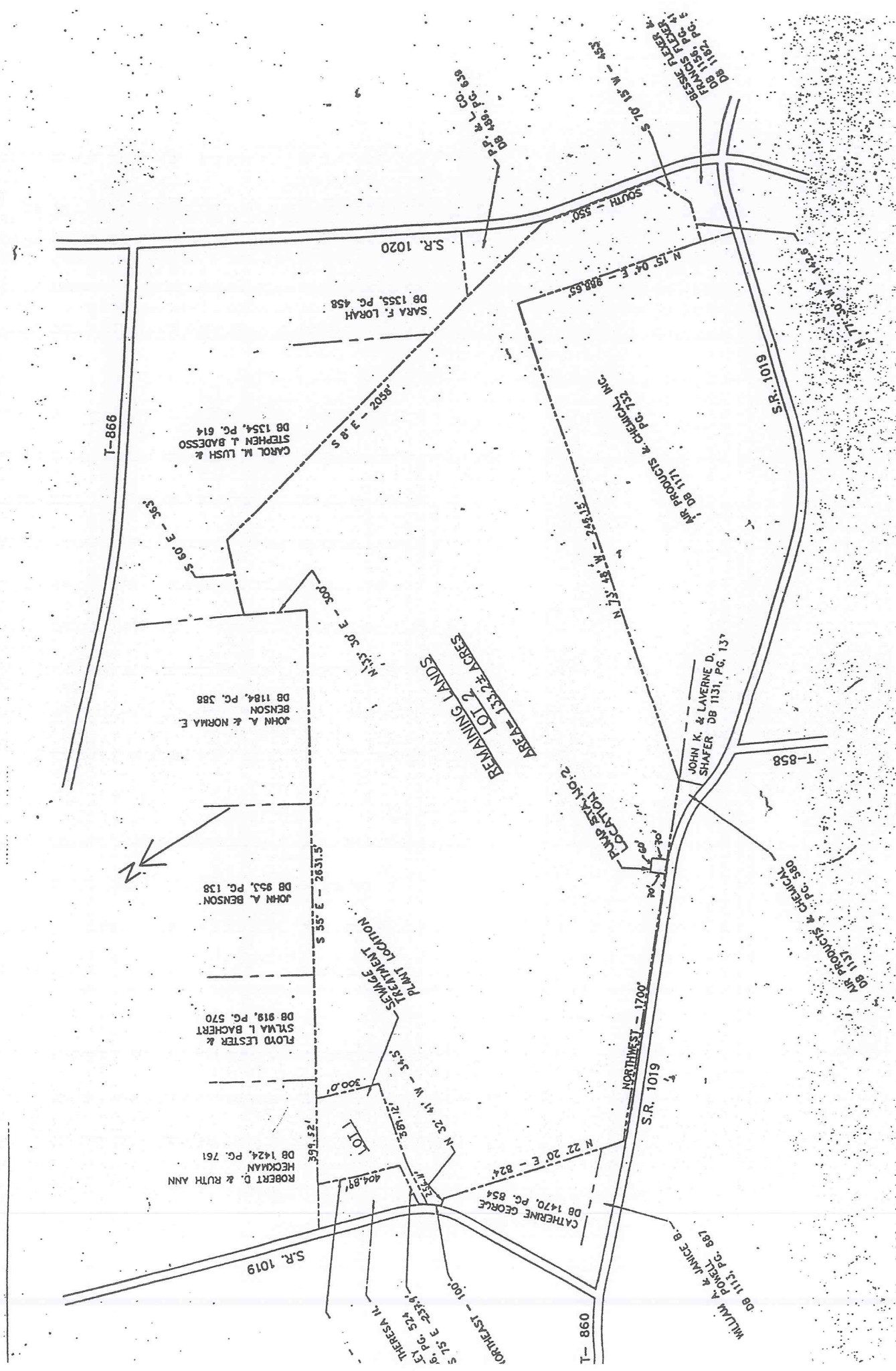
Thence along said lands of Heckman (S 54° 29' 41" E - 399.52') to a point, an iron pin, said point being common to a corner of lands to be retained by Betty C. and Donald C. Blackwell.

Thence along said lands to be retained by Blackwell the following three (3) courses and distances:

1. (S 21° 04' 01" W - 300.00') to a point, an iron pin.
2. (N 75° 03' 24" W - 389.12') to a point, an iron pin.
3. (N 83° 55' 59" W - 256.11') to a point, an iron pin, said point being in the aforementioned easterly right-of-way line of S.R. 1019.

Thence along the said easterly right-of-way line of S.R. 1019 (N 44° 17' 14" E - 44.55') to a point, the place of beginning.

Containing 3.49 Acres.



RESERVE FLEETS &  
DB 1150, PG. 41  
DB 1184, PG. 5

P. P. & L. CO.  
DB 450, PG. 638

SOUTH - 550'

S.R. 1020

SARA F. LORAH  
DB 1355, PG. 458

CAROL M. LUSH &  
STEPHEN T. BADESSO  
DB 1354, PG. 614

T-866

S. 60' E - 383'

N. 33° 30' E - 300'

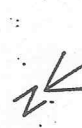
JOHN A. & NORMA E.  
BENSON  
DB 1184, PG. 388

REMAINING LANDS  
AREA = 133.2± ACRES

AIR PRODUCTS & CHEMICAL, INC.  
DB 1171  
PG. 732

JOHN K. & LAVENE D.  
SHAFFER  
DB 1151, PG. 137

T-858



JOHN A. BENSON  
DB 953, PG. 138

S 55° E - 2631.5'

FLOYD LESTER &  
SYLVIA I. BACHERT  
DB 919, PG. 570

SEWAGE  
TREATMENT  
PLANT LOCATION

LOT 1  
N 32° 41' W - 34.5'  
389.25' ± 15.6'

ROBERT D. & RUTH ANN  
HECKMAN  
DB 1424, PG. 761

S.R. 1019

404.89'

CATHERINE GEORGE  
DB 1470, PG. 854

N 22° 20' E - 824'

S.R. 1019

NORTHWEST - 1700'

AIR PRODUCTS & CHEMICAL  
DB 1151, PG. 580

WILLIAM A. FOWELL & JANCE B.  
DB 113, PG. 887

THeresa H.  
S. 75° E - 239.4'  
B. PG. 524

EAST - 100'

T-866

TECHNICAL DESCRIPTION

lands to be conveyed by

Betty C. and Donald C. Blackwell

situate in

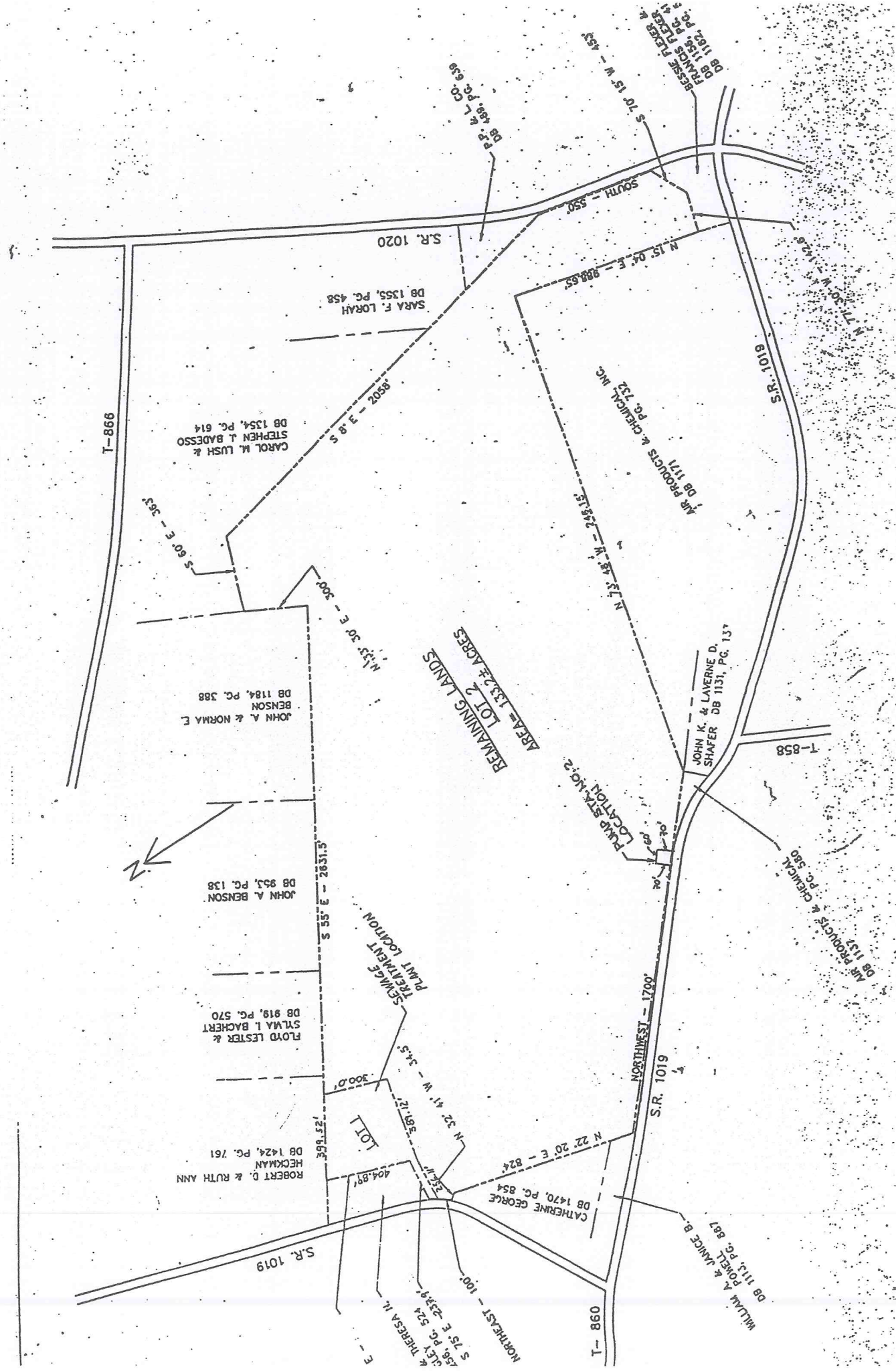
Rush Township, Schuylkill County, Pennsylvania

Beginning at a point, said point being at the intersection of the northerly right-of-way line of a Pennsylvania Power and Light Co. right-of-way and the easterly right-of-way line of S.R. 1019. Thence along the said easterly right-of-way line of S.R. 1019 (N 45° 30' W - 60.00') to a point, said point being common to a corner of lands to be retained by Betty C. and Donald C. Blackwell.

Thence along said lands to be retained by Blackwell the following three (3) courses and distances:

1. (N 44° 30' E - 70.00') to a point.
2. (S 45° 30' E - 60.00') to a point.
3. (S 44° 30' W - 70.00') to a point, the place of beginning.

Containing 4,200.00 Square Feet (0.096 Acres).



BESSE FLECK & FRANKS FLECK DB 1182, PG. 41

P. & L. CO. DB 438, PG. 638

S 70° 15' W - 453'

SOUTH - 550'

S.R. 1020

SARA F. LORAH DB 1355, PG. 458

CAROL M. LUSH & STEPHEN J. BADESSO DB 1354, PG. 614

T-866

S 60° E - 363'

N 33° 30' E - 300'

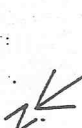
JOHN A. & NORMA E. BENSON DB 1184, PG. 388

REMAINING LANDS AREA - 133.2 ACRES LOT 2

MR. PRODUCTS & CHEMICAL INC. DB 1171, PG. 732

JOHN K. & LAVERNE D. SHAFER DB 1131, PG. 137

T-858



JOHN A. BENSON DB 953, PG. 138

SEWAGE TREATMENT PLANT LOCATION

FLOYD LESTER & SYLVIA I. BACHER DB 919, PG. 570

N 32° 41' W - 34.5'

ROBERT D. & RUTH ANN HECKMAN DB 1424, PG. 761

LOT 1

CATHERINE GEORGE DB 1470, PG. 854

NORTHWEST - 1700'

S.R. 1019

N 22° 20' E - 824'

S.R. 1019

DEB. TREREA M. 158, PG. 524 S 75° E - 237.8'

NORTHWEST - 100'

T-068

WILLIAM A. JANCE B. DB 1115, PG. 887

MR. PRODUCTS & CHEMICAL DB 1137, PG. 580