

## **TEMPORARY CONSTRUCTION EASEMENT**

This Temporary Construction Easement granted and made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between **ST. FERDINAND PARISH CHARITABLE TRUST**, a Pennsylvania charitable trust, having address of 2535 Rochester Road, Cranberry Township, Pennsylvania (the "Grantor") and **CRANBERRY TOWNSHIP**, a municipal corporation, having its principal place of business at 2525 Rochester Road, Cranberry Township, Butler County, Pennsylvania 16066 (the "Grantee").

### **RECITALS**

- A. Grantor is the sole fee simple owner of certain real property located in the Township of Cranberry, County of Butler, Commonwealth of Pennsylvania, as recorded in the Butler County Recorder of Deeds Office, the properties are identified as 130-4F108-30DA, 139-4F108-30D and 130-4F108-30F ("Grantors Property").
- B. Grantor has agreed to convey certain Temporary Construction Easements to Grantee to provide for construction of Rochester Road located through Grantor's Property.

### **AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing, and further good and valuable consideration, the receipt and sufficiency of which is acknowledged, and intending to be legally bound hereby, the parties agree as follows:

1. The provisions set forth above under the caption "Recitals" are hereby made a part of this Agreement as if they were fully set forth herein.
2. Grantor hereby grants to Grantee, a Temporary Construction Easement, including the right of ingress, egress and regress over and across the Temporary Construction Easement Area as hereinafter defined. Said Temporary Construction Easement Area being more fully described and called "Temporary Construction Easement" in the attached Exhibit "TCE Exhibit 11, TCE Exhibit 12, and TCE Exhibit 13".
3. Grantee agrees to indemnify Grantors for any liability for claims of bodily or personal injury or property damage relating to the Grantee's use of said Temporary Construction Easement other than for liability occurring on account of Grantor's negligence.
4. Upon the completion of the reconstruction / improvements to Rochester Road, Grantee agrees to restore the lawn, landscaping and trees disturbed within the Temporary Construction Easement to the condition that existed prior to the reconstruction / improvements to Rochester Road to the extent reasonably possible.

5. Grantors covenant that they are the sole owners in fee simple of the Grantors' Property and have the right, title and capacity to grant the Temporary Construction Easements identified herein.

6. All rights associated with the Temporary Construction Easements shall terminate upon the completion of the reconstruction / improvements to Rochester Road where located on the Grantor's property.

IN WITNESS WHEREOF, the parties hereto have caused this Right-of-Way Agreement to be executed as of the day and year first above written.

WITNESS:

Cheryl A. Harding

GRANTOR:

**MOST REVEREND DAVID A.  
ZUBIK, BISHOP OF THE  
ROMAN CATHOLIC DIOCESE  
OF PITTSBURGH, SUCCESSOR  
TRUSTEE FOR THE ST.  
FERDINAND PARISH  
CHARITABLE TRUST**

By: Lawrence A. DiNardo

Print Name: VERY REVEREND  
LAWRENCE A. DiNARDO

ATTORNEY IN FACT FOR MOST  
REVEREND DAVID A. ZUBIK BY VIRTUE  
OF POWER OF ATTORNEY, DATED  
2/19/12, AND RECORDED IN THE OFFICE  
OF THE RECORDER OF DEEDS OF BUTLER  
COUNTY AT INSTRUMENT NO.  
201202230005048

ATTEST:

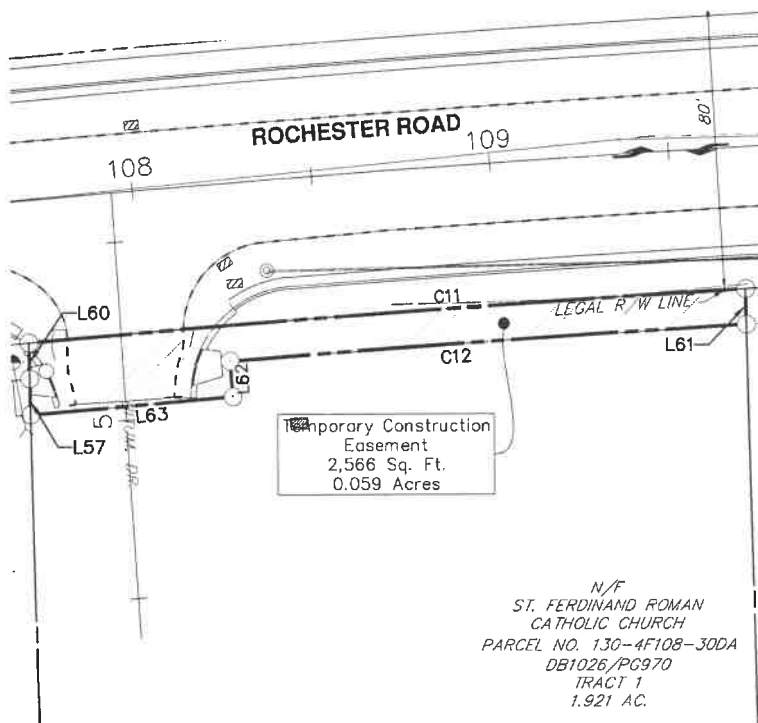
Jerry A. Andree, Twp. Manager/Secretary

**GRANTEE:  
TOWNSHIP OF CRANBERRY**

Richard M. Hadley  
Chairman, Board of Supervisors

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	DISTANCE
C11	5689.65'	200.25'	100.13'	2°00'59"	N85°52'28"E	200.24'
C12	5679.65'	144.49'	72.25'	1°27'27"	S86°09'02"W	144.49'

LINE TABLE		
LINE	BEARING	LENGTH
L57	N1°20'57"W	10.04'
L60	N1°20'57"W	10.02'
L61	S1°20'57"E	10.00'
L62	S4°34'41"E	10.00'
L63	S85°07'01"W	56.32'



#### LEGEND



**HRG**  
Herbert, Rowland & Grubb, Inc.  
Engineering & Related Services  
AN EMPLOYEE-OWNED COMPANY

200 West Kensington Drive, Suite 400  
Cranberry Township, PA 16066  
(724) 779-4777  
Fax (724) 779-4711  
hr@hr-ginc.com  
www.hr-ginc.com

**PROPOSED RIGHT-OF-WAY  
FOR  
S.R. 3022 (ROCHESTER ROAD) IMPROVEMENTS  
PARCEL ID: 130-4F108-30DA**

CRANBERRY TOWNSHIP

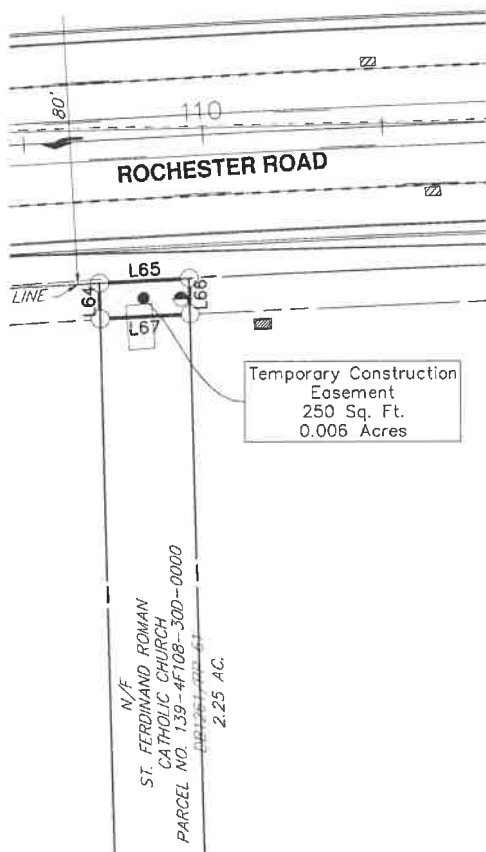
BUTLER COUNTY

PENNSYLVANIA

PROJ: HGR - RPM  
DESIGN: DB  
CADD: DMH & REQ  
CHECKED: RPM & DMH  
SCALE: 1" = 40'  
DATE: AUG. 2019

DRAWING NO.  
**EXH-5**  
SHEET NO.  
**1 OF 1**  
PROJECT: T001261.0500

"TCE Exhibit 11"



LINE TABLE		
LINE	BEARING	LENGTH
L64	N1°20'57"W	10.00'
L65	N87°00'31"E	25.01'
L66	S1°08'11"E	10.00'
L67	S87°00'20"W	24.97'



#### LEGEND



SCALE IN FEET



200 West Kensington Drive, Suite 400  
Cranberry Township, PA 16064  
(724) 779-4272  
Fax: (724) 779-4711  
hr@hr-ginc.com  
www.hr-ginc.com

CRANBERRY TOWNSHIP

### PROPOSED RIGHT-OF-WAY FOR S.R. 3022 (ROCHESTER ROAD) IMPROVEMENTS PARCEL ID: 130-4F108-30D

BUTLER COUNTY

PENNSYLVANIA

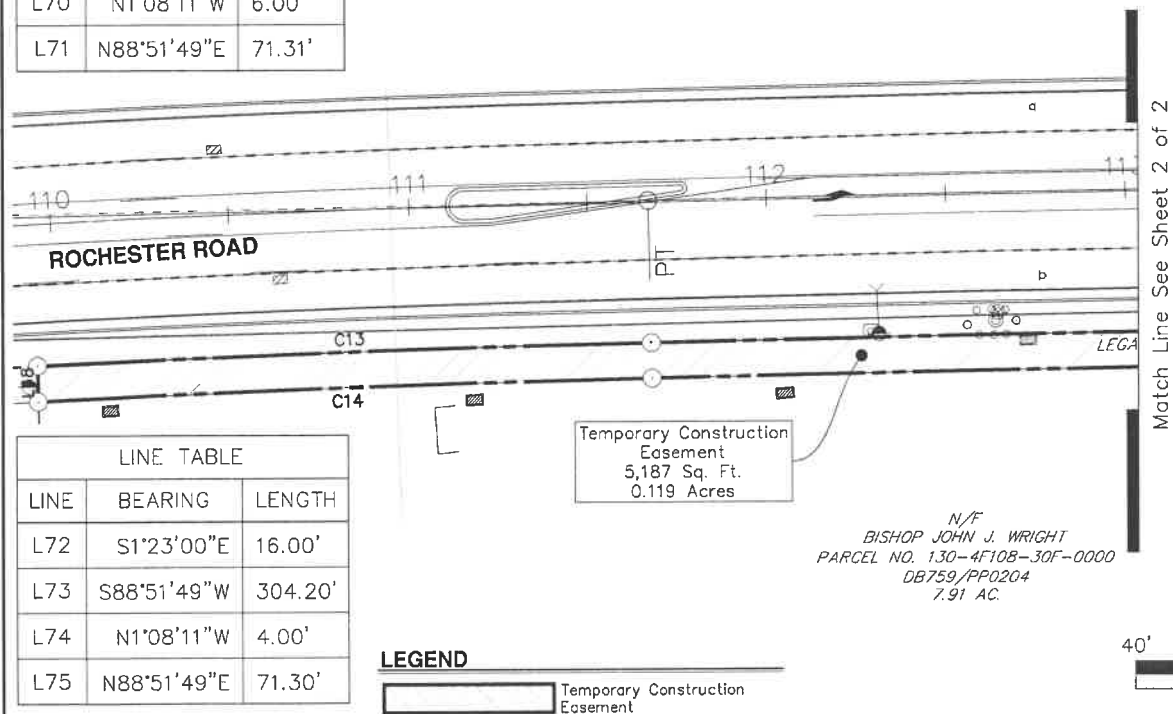
PROJ. MGR - RPM  
DESIGN - DB  
CADD - DMH & REQ  
CHECKED - RPM & DMH  
SCALE - 1" = 40'  
DATE - AUG. 2019

DRAWING NO.  
**EXH-6**  
SHEET NO.  
**1** OF **1**  
PROJECT T001261.0500

"TCE Exhibit 12"

LINE TABLE		
LINE	BEARING	LENGTH
L68	N1°08'11"W	10.00'
L69	N88°51'49"E	232.82'
L70	N1°08'11"W	6.00'
L71	N88°51'49"E	71.31'

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	DISTANCE
C13	5689.65'	171.71'	85.86'	1°43'45"	N87°59'57"E	171.71'
C14	5679.65'	171.71'	85.86'	1°43'56"	S87°59'51"W	171.71'



LINE TABLE		
LINE	BEARING	LENGTH
L72	S1°23'00"E	16.00'
L73	S88°51'49"W	304.20'
L74	N1°08'11"W	4.00'
L75	N88°51'49"E	71.30'

**HRG**  
HERBERT, ROWLAND & GRONKE, INC.  
Engineering & Related Services  
AN EMPLOYEE-OWNED COMPANY

200 West Kensington Drive, Suite 400  
Cranberry Township, PA 15066  
(724) 779-4777  
Fax (724) 779-4711  
hrghrg@hrg.com  
www.hrg-inc.com

PROPOSED RIGHT-OF-WAY  
FOR  
S.R. 3022 (ROCHESTER ROAD) IMPROVEMENTS  
PARCEL ID: 130-4F108-30F

CRANBERRY TOWNSHIP

BUTLER COUNTY

PENNSYLVANIA

PROJ. MGR. - RPM  
DESIGN - DB  
CADD - DMH & REQ  
CHECKED - RPM & DMH  
SCALE - 1" = 40'  
DATE - AUG. 2019

DRAWING NO.  
**EXH-7**  
SHEET NO.  
**1 OF 2**  
PROJECT 1001261.0500

"TCE Exhibit 13"