

**TOWNSHIP OF CRANBERRY
BUTLER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2021 -

**A RESOLUTION OF THE BOARD OF TOWNSHIP SUPERVISORS IN
AND FOR THE TOWNSHIP OF CRANBERRY, BUTLER COUNTY,
FORMALLY ACCEPTING A PORTION OF CRANBERRY WOODS DRIVE
AS A PUBLIC STREET LOCATED IN CRANBERRY TOWNSHIP AND
ACCEPTING A DEED OF DEDICATION OF RIGHT-OF-WAY
AGREEMENT AT A VALUE OF \$593,000.00.**

WHEREAS, the Township of Cranberry ("Township") is a municipal township of the second class situated in Butler County, Pennsylvania, and has the power and authority to accept dedications of streets and roads within its geographic boundaries and to maintain the same; and

WHEREAS, from time to time, new streets and roads are offered or dedicated for public use and maintenance, whether by deed of dedication, development of streets and roads in accordance with Township approved land subdivision plans, or otherwise; and

WHEREAS, Township has physically accepted various streets and roads as part of its public road system, whether by formal action by its Board of Township Supervisors or by custom and usage; and

WHEREAS, it is desirable to document and permanently record the various streets and roads regarded by Township to be public streets and roads within its maintenance jurisdiction.

NOW, THEREFORE, on motion approved by a vote of all Supervisors present, be and it is hereby;

RESOLVED: That a portion of Cranberry Woods Drive is hereby deemed and recognized to be a public street within the maintenance jurisdiction of the Township of Cranberry by formal acceptance of this resolution and attached deed of dedication;

1. The street is more fully described in the exhibit attached hereto as listed below:

	<u>Value</u>	<u>Length (miles)</u>	
Cranberry Woods Drive (partial)	\$593,000.00	0.034 miles	-

2. The Township Manager is hereby authorized and directed to file or record duly certified copies of this Resolution in all appropriate governmental office in accordance with law.

APPROVED AND ADOPTED this _____ day of November, 2021.

ATTEST:

TOWNSHIP OF CRANBERRY

Daniel D. Santoro
Township Manager/Secretary

By _____
Richard M. Hadley
Chairman, Board of Supervisors

DEED OF DEDICATION OF RIGHT-OF-WAY AGREEMENT

THIS DEED OF DEDICATION OF RIGHT-OF-WAY AGREEMENT is made as of the _____ day of _____, 2021 by and between MSA Worldwide, LLC, having an address of 1000 Cranberry Woods Drive, Cranberry Township, Pennsylvania 16066 ("MSA") and Cranberry Woods Owners' Association, Inc., having an address of 800 Cranberry Woods Drive, Suite 260, Cranberry Township, Pennsylvania 16066 ("CWOA") (MSA and CWOA are collectively "Grantor") and **CRANBERRY TOWNSHIP**, a municipal corporation, having its principal place of business at 2525 Rochester Road, Cranberry Township, Butler County, Pennsylvania 16066 ("Grantee").

RECITALS

A. MSA is the 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, Instrument Number 201810290021892, which in part includes Cranberry Woods Drive and CWOA is the owners association for the business park known as Cranberry Woods which is responsible for the maintenance of the roads in Cranberry Woods ("Grantor's Property").

B. Grantor has agreed to dedicate and convey certain rights-of-way to Grantee to provide for public access, construction, maintenance and repair of Cranberry Woods Drive, located on 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 creates, grants, conveys, dedicates and declares in favor of Grantee, its successors and assigns, a permanent right-of-way, including the right of ingress, egress and regress over and across the Right-of-Way Area as a public roadway, as hereinafter defined. Said Right-of-Way Area being more fully described in Exhibit "A" (legal description) and shown in Exhibit "B" (drawings by Herbert Rowland & Grubic, Inc. dated March 5, 2020).
3. It is understood and agreed that the right-of-way granted hereunder shall (a) run with the land for so long as Cranberry Woods Drive is used for public purposes; (b) be binding upon Grantor, its heirs and assigns, including without limitation, all owners and occupants of the Grantor's Property, or any portion thereof and all persons or entities claiming by, through or under any of them, and (c) inure to the benefit of Grantee, its successors and assigns, including, without limitation, all users of the Grantee's property, Cranberry Woods Drive, or any portion thereof and all persons or other entities claiming by, through or under any of them. Grantor represents, warrants and covenants that there

will not be conveyed, any other easement or conflicting rights within the Right-of-Way Area.

4. Grantor, its heirs and assigns, covenant and agree that the Grantor's Property shall not be used in a manner to interfere with the rights and easements granted herein. In the event such interference shall occur or Grantor, or its heirs and assigns, shall otherwise violate this Agreement, Grantee, its successors and assigns, shall have the right to obtain injunctive relief to prevent the same.

5. Grantor represents, warrants and covenants that it is the sole owner in fee simple of the Grantor's Property and has the right, title and capacity to grant the easement conveyed herein. Grantor covenants with Grantee that Grantor shall warrant and forever defend all rights and privileges granted to Grantee against all claimants lawfully claiming the same or any part thereof.

6. This Agreement shall be governed by the laws of the Commonwealth of Pennsylvania and is a deed of dedication of a public right-of-way.

7. This Agreement shall not be amended, modified, revised or terminated except by an agreement between the owner of the Grantee's Property and the owner of Grantor's Property and such documents and any relocation of the Easement Area shall be recorded in the Office of the Recorder of Deeds of Butler County, Pennsylvania.

8. THIS CONVEYANCE IS EXEMPT FROM PAYMENT OF REALTY TRANSFER TAXES UNDER THE PROVISIONS OF SECTION 91.193(b)(ii) OF PENNSYLVANIA'S REALTY TRANSFER TAX PROVISIONS.

[SIGNATURES FOLLOW ON NEXT PAGE]

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:

GRANTOR:

MSA WORLDWIDE, LLC

By: _____

Print Name: _____

Title: _____

WITNESS:

GRANTOR:

CRANBERRY WOODS
OWNERS' ASSOCIATION, INC.

By: _____

Print Name: _____

Title: _____

ATTEST:

Daniel D. Santoro, Twp. Manager/Secretary

GRANTEE:

TOWNSHIP OF CRANBERRY

Richard M. Hadley
Chairman, Board of Supervisors

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF BUTLER)

On this the _____ day of _____, 2021, before me a Notary Public, the undersigned persons, personally appeared _____ who acknowledged to be the _____ of _____, the owner of the subject property, and that _____ as _____ of such owner, executed the foregoing instrument for the purpose therein contained.

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

Notary Public

MY COMMISSION EXPIRES:

Seal

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF BUTLER)

On this the _____ day of _____, 2021, before me a Notary Public, the undersigned persons, personally appeared _____ who acknowledged to be the _____ of _____, the owner of the subject property, and that _____ as _____ of such owner, executed the foregoing instrument for the purpose therein contained.

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

Notary Public

MY COMMISSION EXPIRES:

Seal

All that certain strip of land situate in the Township of Cranberry, County of Butler, Commonwealth of Pennsylvania, being a portion of the 6.353 acres described as Cranberry Woods Drive recorded in Plan Book 277, Pages 36 & 37 of the Official Records of Butler County, Pennsylvania, said strip of land being shown on a plan titled "Roadway Dedication Plat for Cranberry Woods Drive" as prepared by Herbert, Rowland & Grubic, Inc. on March 5, 2020, said strip of land being further bounded and described as follows:

Commencing at a point, said point the northeasterly corner of lands conveyed to North PGH Hotel, LLC as recorded in Instrument Numbered 200205100016375, said point being located on the southerly right of way line for State Route 228 (Mars-Criders Road), said point being the True Point of Beginning for the hereinafter described dedicated Right of way for Cranberry Woods Drive;

Thence continuing with said southerly right of way line for State Route 228 (Mars-Criders Road), South 87 degrees 38 minutes 39 seconds East, a distance of 150.45 feet to a point, said point being the easterly right of way line of the herein dedicated Right of way for Cranberry Woods Drive;

Thence with said easterly right of way line of the herein dedicated Right of way for Cranberry Woods Drive the following five (5) courses:

- 1.) South 11 degrees 19 minutes 58 seconds West, a distance of 206.59 feet to a point;
- 2.) Thence with a curve to the right having a radius of 560.00 feet, and arc length of 593.26 feet, and a chord bearing and distance of South 41 degrees 40 minutes 57 seconds West, 565.91 feet to a point;
- 3.) Thence South 72 degrees 01 minutes 55 seconds West, a distance of 248.35 feet to a point;
- 4.) Thence with a curve to the left having a radius of 370.00 feet, and arc length of 491.22 feet, and a chord bearing and distance of South 33 degrees 59 minutes 54 seconds West, 455.93 feet to a point;
- 5.) Thence South 04 degrees 02 minutes 07 seconds East, a distance of 227.73 feet to a point;

Thence through said 6.353 acres described as Cranberry Woods Drive recorded in Plan Book 277, Pages 36 & 37, South 85 degrees 57 minutes 53 seconds West, a distance of 60.00 feet to a point, said point being on the westerly right of way line of the herein dedicated Right of way for Cranberry Woods Drive;

Thence with said westerly right of way line of the herein dedicated Right of way for Cranberry Woods Drive the following six (6) courses:

- 1.) North 04 degrees 02 minutes 07 seconds West, a distance of 227.73 feet to a point;
- 2.) Thence with a curve to the right having a radius of 430.00 feet, and arc length of 515.03 feet, and a chord bearing and distance of North 30 degrees 16 minutes 39 seconds East, 484.79 feet to a point;
- 3.) Thence North 64 degrees 35 minutes 00 seconds East, a distance of 365.98 feet to a point;
- 4.) Thence with a curve to the left having a radius of 459.65 feet, and arc length of 319.24 feet, and a chord bearing and distance of North 44 degrees 48 minutes 23 seconds East, 312.86 feet to a point;
- 5.) Thence with a curve to the left having a radius of 384.00 feet, and arc length of 212.92 feet, and a chord bearing and distance of North 08 degrees 49 minutes 19 seconds East, 212.92 feet to a point;
- 6.) Thence North 07 degrees 16 minutes 24 seconds West, a distance of 82.77 feet to the True Point of Beginning

Containing 3.291 acres (143,349 square feet), more or less.



EXHIBIT

B

Mars Criders Rd. (S.R. 228)
Variable Width Right-Of-Way

Legal Right-Of-Way Line

POB

S87°38'39"E

Legal Right-Of-Way Line

150.45'

82.77'

N7°16'24"W

87.05'

S11°19'58"W

Required Right-Of-Way Line

North PGH Hotel LLC

Parcel ID: 130-4F44-36FB-0000
Instrument #: 200205100016375
10.346 Acres

R = 384.00'
L = 215.75'
Δ = 32°11'30"
CH = N8°49'19"E
DIST = 212.92'

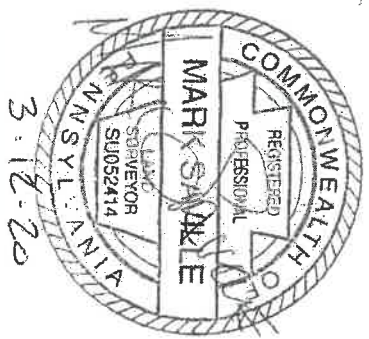
AREA OF ROAD DEDICATION
143,349 SF (3.291 AC)

Cranberry Woods Dr.
Variable Width Right-Of-Way

Khushing, Inc.
Parcel ID: 130-4F44-36H-0000
Instrument #: 201903070004017
3.71 Acres

R = 560.00'
L = 593.26'
Δ = 60°41'52"
CH = S41°40'57"W
DIST = 565.91'

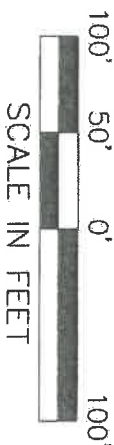
R = 459.65'
L = 319.24'
Δ = 39°47'37"
CH = N44°48'23"E
DIST = 312.86'



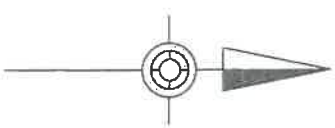
3-18-20

Match Line See Sheet EHX-2

Wells Reit II Cranberry Woods
Development
Parcel ID: 130-4F44-36J-0000
Instrument #: 200708020020262
83.397 Acres



SCALE IN FEET



HRC
Herbert Rowland & Goble, Inc.
Engineering & Related Services
AN EMPLOYEE-OWNED COMPANY

200 West Kensington Drive, Suite 400
Cranberry Township, PA 16066
Tel: (724) 773-8777
Fax: (724) 773-4711
hrginc.com
www.hrginc.com

ROADWAY DEDICATION PLAT

FOR

CRANBERRY WOODS DRIVE

CRANBERRY TOWNSHIP

BUTLER COUNTY

PENNSYLVANIA

PROJ. MGR. - JMM
DESIGN -
CADD - DMH
CHECKED - REG
SCALE - AS SHOWN
DATE - 03.05.2020

DRAWING NO.
RW-1
SHEET NO.
1 OF 3
PROJECT: R001261.0492

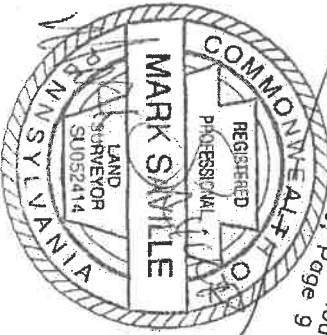
Match Line See Sheet EHX-1

North PGH Hotel LLC
Parcel ID: 130-4F44-36FB-0000
Instrument #: 200205100016375
10.346 Acres

Cranberry NP Hotel Co.
Parcel ID: 130-4F44-36FE-0000
Instrument #: 201109300023628
3.165 Acres

R = 430.00'
L = 515.03'
Δ = 68°37'32"
CH = N30°16'39"E
DIST = 484.79

Reserved Right-of-Way Area
Future Township Road
P.B.V. 329, Page 9



Advisors LLC 3-12-20
201200010015750

HRG
Hickel, Rowland & Grubb, Inc.
Engineering & Related Services
300 West Washington Drive, Suite 400
Cranberry Township, PA 16006
Tel: (724) 779-4772
Fax: (724) 779-4711
www.hrg-inc.com
AN EMPLOYEE-OWNED COMPANY

Cranberry Woods Dr.
Variable Width Right-of-Way

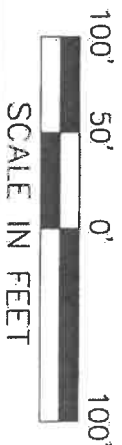
R = 370.00'
L = 491.22'
Δ = 76°04'02"
CH = S33°59'54"W
DIST = 455.93

572.01'55"W
248.35'
143,349 SF (3.291 AC)
AREA OF ROAD DEDICATION

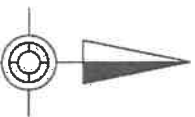
Wells Reit II Cranberry Woods
Development
Parcel ID: 130-4F44-36J-0000
Instrument #: 200708020020262
83.397 Acres

R = 560.00'
L = 593.26'
Δ = 60°41'52"
CH = S41°40'57"W
DIST = 565.91

Match Line See Sheet EHX-3



SCALE IN FEET



ROADWAY DEDICATION PLAT

FOR

CRANBERRY WOODS DRIVE

CRANBERRY TOWNSHIP

BUTLER COUNTY

PENNSYLVANIA

PROJ. MGR. - JAH
DESIGN -
CADD - DMH
CHECKED - REQ
SCALE - AS SHOWN
DATE - 03.05.2020

DRAWING NO.
RW-1
SHEET NO.
2 OF 3
PROJECT: R001261.0462

Match Line See Sheet EHX-2

Principio Advisors LLC
Parcel ID: 130-4F44-36FF-0000
Instrument #: 201206010015750
24.97 Acres

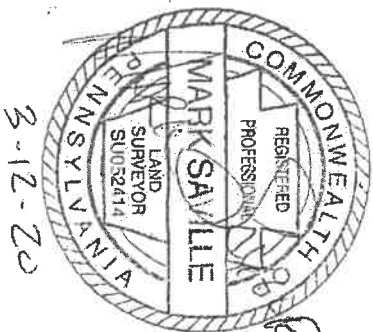
Cranberry Woods Apartments, LLC
Parcel ID: 130-4F44-36FFA-0000
Instrument #: 201212210036785
17.75 Acres

N4°02'07"W
227.73'
227.73'
S4°02'07"E

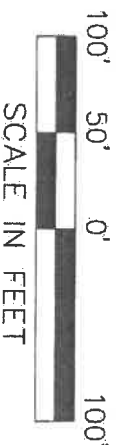
S85°57'53"W
60.00'

AREA OF ROAD DEDICATION
143,349 SF (3.291 AC)

Wells Reit II Cranberry Woods
Development
Parcel ID: 130-4F44-36J-0000
Instrument #: 200708020020262
83.397 Acres



3-12-20



SCALE IN FEET

HRG
Herbert Rowland & Grubb, Inc.
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CRANBERRY TOWNSHIP

BUTLER COUNTY

ROADWAY DEDICATION PLAT
FOR
CRANBERRY WOODS DRIVE

PENNSYLVANIA

PROJ. MGR. - JAM
DESIGN -
CADD - DMH
CHECKED - REO
SCALE - AS SHOWN
DATE - 03.05.2020

DRAWING NO.
RW-1
SHEET NO.
3 OF 3
PROJECT R001261.0482