

V-C

State College Area School District
Office of Physical Plant
Ed Poprik, Director

To: Board of School Directors
From: Ed Poprik
RE: **Easement at Radio Park Elementary**
Date: September 12, 2016

Recommend that the Board of School Directors execute the attached Permanent Storm Water Easement with State College Borough to maintain sinkholes at the Radio Park Elementary School property.

Background: At the October 13, 2014 meeting, the Board approved a temporary construction easement to repair sinkholes on the Radio Park property.

The Borough of State College completed repairs to the area through their Public Works Department. As stated at the October 2014 meeting, a permanent maintenance easement is required to maintain those areas that have been repaired.

E A S E M E N T

THIS EASEMENT, granted this _____ day of _____, 20__

by and between:

State College Area School District, having offices at 131 West Nittany Avenue, State College, Centre County, Pennsylvania, party of the first part, hereinafter referred to as “**Grantor**”

-A N D-

Borough of State College, a Home Rule Municipality having offices at 243 S. Allen Street, State College, Centre County, Pennsylvania, party of the second part, hereinafter referred to as “**Grantee.**”

R E C I T A L S:

Grantor is the owner of real estate situate in the Borough of State College, Centre County, Pennsylvania, as identified as Tax Parcel No. 36-001-,200-,000- as well as on real estate more fully described in Centre County Deed Book 0400 at Page 0322, said parcel being identified as Tax Parcel No. 36-001-,300-,0000-, both parcels having title taken in the name of **State College Area School District**. The Borough maintains or intends to reconstruct and maintain storm sewer facilities, including a sinkhole and

related structures through the right-of-way area hereinafter described. Grantor has agreed and does hereby grant to Grantee a permanent storm water easement for access, maintenance, repair, construction, reinstallation of storm sewer facilities and related structures which will automatically revert to the Grantor at the time when construction is complete.

NOW, THEREFORE, intending to be legally bound hereby, the said Grantor does hereby grant to Grantee a permanent storm water easement as depicted on Exhibit "A" attached hereto and made a part hereof.

1. Said permanent storm water easement shall be for the purpose of installing, maintaining, repairing or replacing storm sewer facilities, including sinkholes and related structures desired by Grantee in the easement as depicted and described on Exhibit "A" attached hereto and incorporated herein by reference.

2. Together with the right to enter upon such easement for the purpose of inspection and other purposes set forth herein including, but not limited to, the installation, repair, reinstallation, maintenance and inspection of the storm sewer facilities, including sinkholes and related structures as hereinabove described.

3. In the event of excavation by said Grantee, or its assignees, for the purposes aforesaid, the surface of the land will be restored at Grantee's, or Grantee's assignees, expense to as nearly the same good order and condition as the same was prior to the commencement of work.

4. Whenever the context shall so require, all words herein in the masculine gender shall be deemed to include the feminine or neuter gender, all singular words shall include the plural and all plural words shall include the singular.

5. Grantee shall indemnify and hold harmless Grantor with respect to any claims, damages, or losses arising out of or caused by the activity of the Grantee.

EXECUTED as of the day and year first written above.

WITNESS:

GRANTOR:
State College Area School District

Amber Concepcion, President

ATTEST:

GRANTEE:
Borough of State College

Thomas J. Fountaine, Borough Manager

COMMONWEALTH OF PENNSYLVANIA)

) SS:

COUNTY OF CENTRE)

On this, the _____ day of _____, 20____, before me the undersigned authority, personally appeared _____

_____, who acknowledged herself to be _____

of **State College Area School District**, and that she being authorized to do so executed the foregoing instrument for the purposes therein contained.

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

COMMONWEALTH OF PENNSYLVANIA)

) SS:

COUNTY OF CENTRE)

On this, the _____ day of _____, 20____, before me the undersigned authority, personally appeared _____

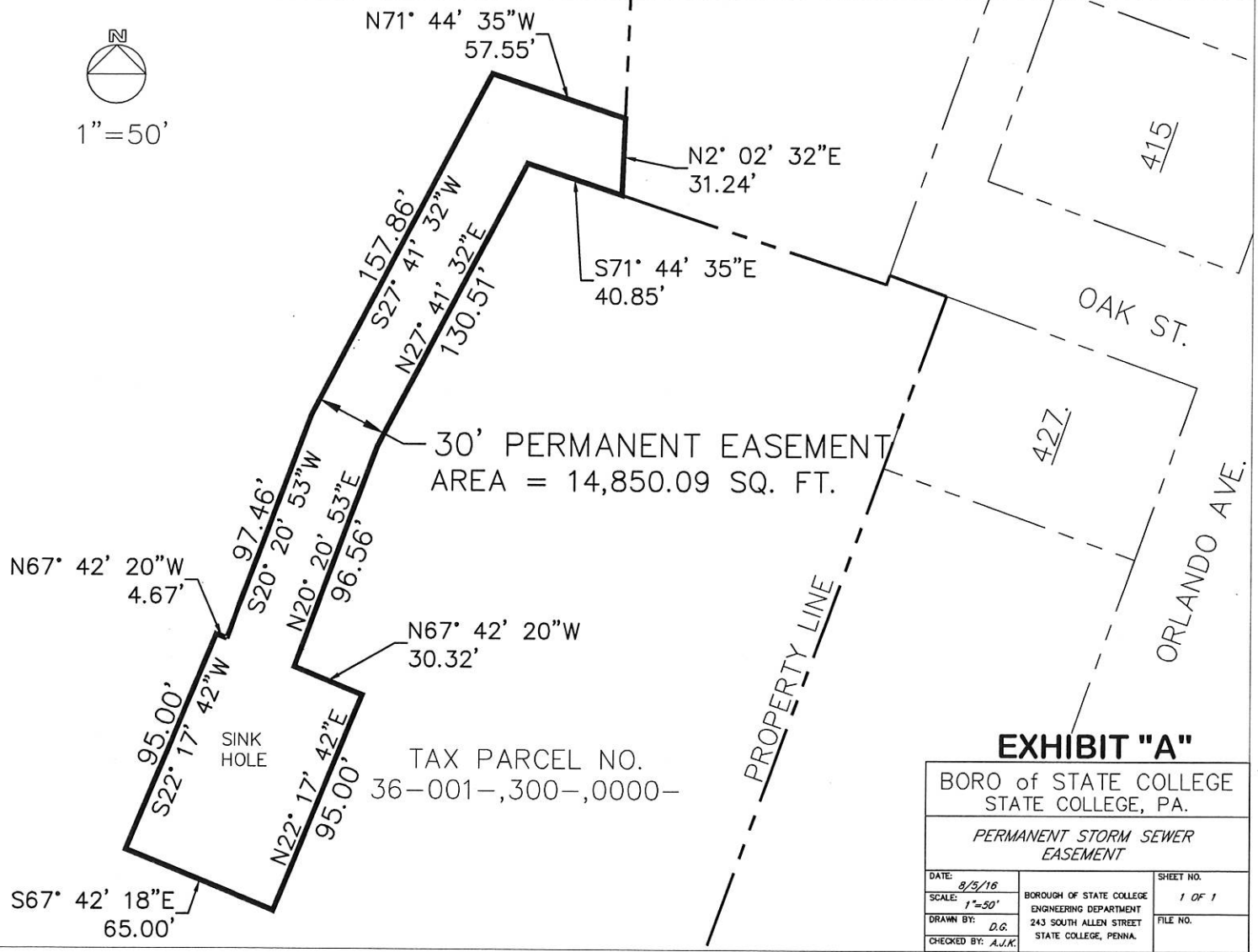
_____, who acknowledged himself to be _____

of **Borough of State College**, the foregoing municipality, and that he being authorized to do so executed the foregoing instrument for the purposes therein contained

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



1"=50'



30' PERMANENT EASEMENT
AREA = 14,850.09 SQ. FT.

TAX PARCEL NO.
36-001-,300-,0000-

EXHIBIT "A"

BORO of STATE COLLEGE STATE COLLEGE, PA.		
PERMANENT STORM SEWER EASEMENT		
DATE: 8/3/16	BOROUGH OF STATE COLLEGE ENGINEERING DEPARTMENT 243 SOUTH ALLEN STREET STATE COLLEGE, PENNA.	SHEET NO. 1 OF 1
SCALE: 1"=50'		FILE NO.
DRAWN BY: D.G.		
CHECKED BY: A.J.K.		

