

**BOARD OF COMMISSIONERS, COUNTY OF YORK  
COMMONWEALTH OF PENNSYLVANIA**

**ORDINANCE NO.: 2006-01**

**AN ORDINANCE CONDEMNING 3,911 SQUARE FEET,  
MORE OR LESS, OF LAND SITUATE IN MONAGHAN  
TOWNSHIP, YORK COUNTY, PENNSYLVANIA FOR THE  
PURPOSE OF REALIGNMENT, CONSTRUCTION AND  
RECONSTRUCTION OF A BRIDGE**

**WHEREAS**, the County of York is a County of the third class; and

**WHEREAS**, the County of York desires to acquire the lands described herein owned by Timothy F. Nicholson and Deborah B. Nicholson and

**WHEREAS**, pursuant to §2501 of the County Code, the County of York is empowered to acquire lands for use of the construction and placement of a bridge by eminent domain; and

**WHEREAS**, the Commissioners of the County of York have determined that the acquisition of the herein described lands for bridge construction and placement is in the best interest of the residents of York County.

**NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED**, by the Board of Commissioners of York County, Pennsylvania, as follows:

**Section 1.** The County of York hereby condemns the lands of Timothy F. Nicholson and Deborah B. Nicholson and more particularly described in Exhibit "A," attached hereto and incorporated by reference herein.

**Section 2.** That legal counsel and staff of the County of York be authorized to prepare and file all documents necessary under law to accomplish condemnation of said lands and give notice thereof and further, that the President of the Board of Commissioners and the Administrator/Chief Clerk of the County of York be authorized to execute such documents as are necessary to accomplish said condemnation.

**Section 3.** This Ordinance shall take effect immediately.

**ORDAINED AND ENACTED** this 15 day of February, 2006.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS**

  
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Charles Noll, Administrator/Chief Clerk

  
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Lori O. Mitrick, President

  
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Douglas E. Kilgore, Vice President

  
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Steve Chronister, Commissioner

Ordinance 2006-01 was ordained, enacted and adopted this 15 day of February, 2006 at a regularly scheduled meeting of the Board of Commissioners of the County of York duly advertised and assembled upon motion of Commissioner Chronister and seconded by Commissioner Kilgore and passed by a vote of 3 yes and 0 no.

LEGAL DESCRIPTION  
BISHOP ROAD REQUIRED RIGHT-OF-WAY  
TIMOTHY F. AND DEBORAH B. NICHOLSON

ALL that certain tract of land as shown on Drawings Authorizing Acquisition of Right-of-Way for Gilbert Road (T-892) and Bishop Road (T-612), recorded in S Plan Book 1740, page 7330 of York County records, and situate in the Township of Monaghan, County of York, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the southern side of the Yellow Breeches Creek, said point being located on the westerly Legal Right-of-Way Line of Gilbert Road and along the northern property line of land now or formerly owned by Timothy F. And Deborah B. Nicholson, deed for said property being recorded in Plan Book 1283, Page 8261 of York County records; THENCE along said property line N 59 degrees 12 minutes 41 seconds W, a distance of 22.57 feet to a point, said point being 25 feet left of Station 12+83; thence through land now or formerly owned by Timothy F. And Deborah B. Nicholson, the following seven courses: (1) by a curve to the left having a radius of 381.08 feet, an arc distance of 49.03 feet, the chord of which is S 60 degrees 45 minutes 30 seconds W, 49.00 feet to a point, said point being 25 feet left of Station 12+37; (2) S 77 degrees 17 minutes 02 seconds W, a distance of 13.85 feet to a point, said point being 30 feet left of Station 12+25; (3) S 53 degrees 16 minutes 38 seconds W, a distance of 54.32 feet to a point, said point being 32 feet left of Station 11+75; (4) S 34 degrees 56 minutes 41 seconds W, a distance of 80.41 feet to a point, said point being 23 feet left of Station 11+00; (5) S 29 degrees 29 minutes 18 seconds W, a distance of 23.19 feet to a point, said point being 20 feet left of Station 10+77; (6) S 36 degrees 55 minutes 11 seconds W, a distance of 102.00 feet to a concrete monument, said point being 20 feet left of Station 9+75; (7) S 53 degrees 04 minutes 49 seconds E, a distance of 3.50 feet to a point on the westerly Legal Right-of-Way Line of Gilbert Road; thence along said right-of-way line the following three courses: (1) N 36 degrees 55 minutes 11 seconds E, a distance of 105.34 feet to a point; (2) by a curve to the right having a radius of 396.50 feet, an arc length of 175.74 feet, the chord of which is N 49 degrees 37 minutes 01 seconds E, 174.30 feet to a point; (3) N 62 degrees 18 minutes 52 seconds E, a distance of 44.15 feet to the Point of Beginning.

CONTAINING 3911 Square Feet or 0.090 Acres of Land.