

P2  
101

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE FOR UPPER BERN TOWNSHIP, BERKS COUNTY,  
PENNSYLVANIA, ACCEPTING CERTAIN ROADWAYS INTO  
THE TOWNSHIP PUBLIC ROAD SYSTEM**

Be it and it is hereby enacted and ordained by the Board of Supervisors of Upper Bern Township, Berks County, Pennsylvania (the "Township"), that the following roads are accepted as public roadways within Upper Bern Township:

Section 1: A. South Sixth Street between Old Route 22 and Walnut Drive. A copy of the description of the portion of South Sixth Street being hereby dedicated is attached hereto, made a part hereof and marked Exhibit "A";

B. Feick Industrial Drive between Mountain Road and Feick Avenue. A copy of the description of the portion of Feick Industrial Drive being hereby dedicated is attached hereto, made a part hereof and marked as Exhibit "B"; and

C. Feick Avenue from Feick Industrial Drive to the end of the cul-de-sac bulb. A copy of the description of the portion of Feick Avenue being hereby dedicated is attached hereto, made a part hereof and marked as Exhibit "C".

Section 2: The engineer for Upper Bern Township is hereby directed to change the Township topographical map to include the above-referenced roads into the Township public road system.

Section 3: Any provision of any ordinance inconsistent with the provisions of this Ordinance is repealed to the extent of the inconsistency.

DULY ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2004, by the Board of Supervisors of the Township of Upper Bern in public session duly assembled.

ATTEST:

BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF UPPER BERN,  
PENNSYLVANIA

\_\_\_\_\_  
Secretary

By: Paul J. Magelha  
Chairman



ELLIE ANTOINE ROD

BERKS  
COUNTY ROD

South Sixth Street  
Upper Bern Township, Berks County  
September 14, 2004  
Revised September 15, 2004  
MEA File #04-052

**DESCRIPTION**

ALL THAT CERTAIN parcel or piece of ground, situate on the Southerly side of Old Route 22, formerly known as Main Street (50 feet wide), between 5<sup>th</sup> Street and Schoolhouse Road, in the Township of Upper Bern, County of Berks, and Commonwealth of Pennsylvania, and being more fully bounded and described as follows, to wit:

BEGINNING at a point along the Southerly right-of-way line of the said Old Route 22, said point being a corner of lands of Tracy B. and Kyle L. Seitzinger, h/w, and said point also being the most northeasterly corner of the herein described tract;

THENCE leaving the said Old Route 22, and along the said lands of Tracy B. and Kyle L. Seitzinger, h/w, and partially along lands of John J. and Helen M. Seitzinger, h/w, South 19 degrees 38 minutes 27 seconds West, a distance of 220.00 feet to a point, said point being a corner of the said lands of John J. and Helen M. Seitzinger, h/w;

THENCE continuing along said lands of John J. and Helen M. Seitzinger, h/w, North 70 degrees 21 minutes 33 seconds West, a distance of 50.00 feet to a point, the Southeast corner of a certain 20' wide public alley, also known as Walnut Drive;

THENCE along the easterly terminus of the said 20' wide public alley, and along lands of Earl J. (Jr.) and Linda J. Hemerly, h/w, North 19 degrees 38 minutes 27 seconds East, a distance of 220.00 feet to a point on the said Southerly right-of-way line of Old Route 22;

THENCE along the said Southerly right-of-way line of Old Route 22, South 70 degrees 21 minutes 33 seconds East, a distance of 50.00 feet to the place of BEGINNING.

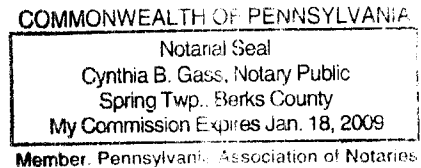
CONTAINING IN AREA: 11,000 square feet (0.2525 acres) of land, more or less

COMMONWEALTH OF PENNSYLVANIA :  
 : ss.  
COUNTY OF BERKS :

On this 30 day of February, 2006, before me Cynthia B. Gass, the undersigned officer, personally appeared Paul L. Mogel, Sr., who acknowledged himself to be the Chairman of the Board of Supervisors for the Township of Upper Bern, a Municipal corporation, and that he as such Chairman, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

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

Cynthia B. Gass  
Notary Public



2006097004

Ellie Antoine  
Recorder of Deeds

County of Berks  
County Service Center  
Reading, PA 19601  
610-478-3380  
Customer Receipt

Receipt Number: 159130  
Operator ID: JGEHRIS  
Station ID: CASHIER7  
Submitter Name:  
LEISAWITZ HELLER ABRAMOWITCH PHILLIPS PC

MISCELLANEOUS INSTRUMENTS

RECORD BK05040-PG1863 2006097004  
Pages: 3  
Recorded: 12/22/2006 02:28:23 PM:2

Recording Fee	\$13.00
Recording Page Fee	\$1.00
No of Pages 3	\$0.00
No of Names 1	\$0.00
ROD Improvement Fund	\$5.00
Writ Tax	\$0.50
	-----
Total:	\$19.50

Check #50009

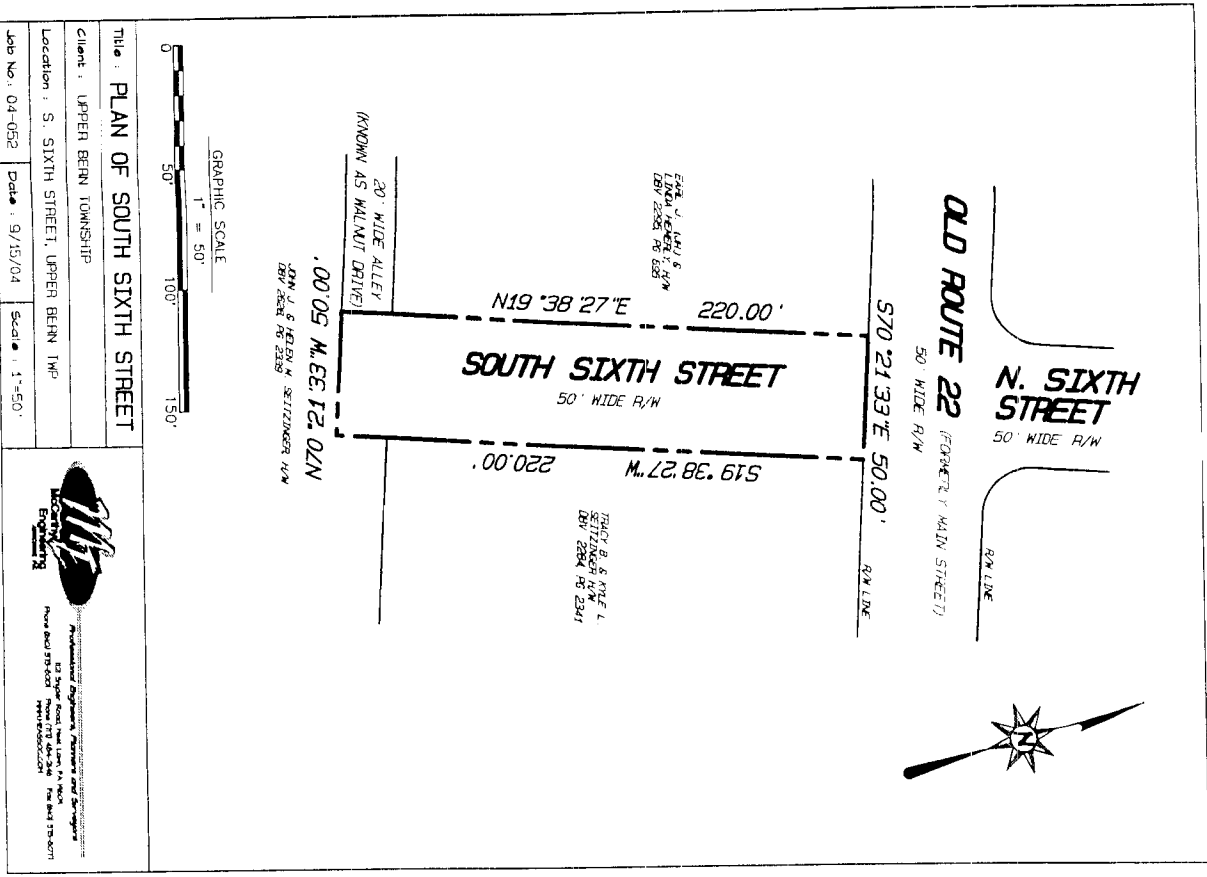
RECORDED

RECORDED OF DEEDS

REC BK05040-PG1865 MISCELLANEOUS INSTRUMENTS  
2006097004 12/22/2006 02:28:23 PM:2  
BERKS COUNTY ROD

PAGE: 3 of 3

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*This Deed, Made the* 31st *Day*  
*of* October *in the year of our Lord two thousand and*  
*one; A.D. 2003*

*Between* LESTER H. FEICK, EXECUTOR OF THE ESTATE OF LESTER L. FEICK,  
DECEASED, *hereinafter called the "Grantor", party of the first part*

AND

TOWNSHIP OF UPPER BERN, County of Berks and Commonwealth of  
Pennsylvania, *hereinafter called the "Grantee", party of the of the second part:*

*Witnesseth* That the said party of the first part, for and in consideration of the sum of ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATION *lawful money of the United States of America, well and truly paid by the said party of the second part to the said party of the first part, at or before ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, enfeoff, release, convey and confirm unto the said party of the second part, his and assigns forever.*

ALL THAT CERTAIN 50 foot wide cul-de-sac street located on the Southern side of Mountain Road, SR 4011, situate in the Township of Upper Bern, County of Berks, and Commonwealth of Pennsylvania, designated as "Feick Industrial Drive", as shown on Blue Marsh Surveyors plan number E-160-92, known as "Shartlesville Industrial Park" as recorded in Plan Book Volume 218, Page 38, Berks County records, being more fully bounded and described as follows, to wit:

BEGINNING at a point in the center of Mountain Road, SR 4011, being the Northern most corner of the herein described tract of land, also being a common corner of lands of Larry and Nancy Hartman (DBV 1683-1239);

THENCE leaving the place of beginning and along said Hartman property South 24 degrees 41 minutes 08 seconds East for a distance of 26.22 feet to an iron pin on the Southern ultimate right-of-way line of Mountain Road, SR 4011 (50 feet wide), being a common corner of land of the Schwans Sales Enterprises, Inc. (DBV 1949-66) of which the herein described tract of land was a part;

THENCE along said Schwan property, and along the Southern ultimate right-of-way line of Mountain Road, South 47 degrees 44 minutes 47 seconds West for a distance of 7.52 feet to a point of curve;

THENCE leaving said Southern ultimate right-of-way line of Mountain Road and continuing along said Schwans property the 4 (four) following courses and distances, viz:

1. Along a curve to the left having a central angle of 90 degrees, a radius of 24 feet, and an arc length of 37.70 feet to a point of reverse curve,
2. Along a curve to the right having a central angle of 77 degrees 22 minutes 22 seconds, a radius of 247.98 feet, and an arc length of 334.87 feet to a point of reverse curve,
3. Along a curve to the left having a central angle of 59 degrees 48 minutes 17 seconds, a radius of 168 feet, and an arc length of 175.36 feet to a point of tangency,
4. South 24 degrees 41 minutes 08 seconds East for a distance of 400 feet to an iron pin marking a point of curvature, said pin being a common corner of the lands of Lot #1 of "Shartlesville Industrial Park II", property of Quality Machine Services,

THENCE along said Lot #1 of "Shartlesville Industrial Park II" the 2 (two) following courses and distances, viz:

1. Along a curve to the right having a central angle of 18 degrees 47 minutes 20 seconds, a radius of 1,000 feet, and an arc length of 327.93 feet to a point of reverse curve, and

AFFIDAVIT SUBMIT

2. Along a curve to the left having a central angle of 55 degrees 46 minutes 17 seconds, a radius of 20 feet, and an arc length of 19.47 feet to a point of reverse curve:

THENCE extending along said Feick Industrial Drive extension, along lands designated as Lot 1 of "Shartlesville Industrial Park" and along lands of DODDS, LLC, and along a curve to the right having a central angle of 291 degrees 32 minutes 37 seconds, a radius of 60 feet, and an arc length of 305.31 feet to a point of reverse curve:

THENCE continuing along said lands of DODDS, LLC, the 3 (three) following courses and distances, viz:

1. Along a curve to the left having a central angle of 55 degrees 46 minutes 17 seconds, a radius of 20 feet, and an arc length of 19.47 feet to a point of compound curve.
2. Along a curve to the left having a central angle of 18 degrees 47 minutes 20 seconds, a radius of 950 feet, and an arc length of 311.53 feet to a point of tangency,
3. North 24 degrees 41 minutes 08 seconds West for a distance of 400 feet to a point of curve, said point marking a corner of property belonging to Brian K. and April A. Steely;

THENCE continuing along said lands of Brian K. and April A. Steely the 5 (five) following courses and distances, viz:

1. Along a curve to the right having a central angle of 59 degrees 48 minutes 17 seconds, a radius of 218 feet, and an arc length of 227.55 feet to a point of reverse curve,
2. Along a curve to the left having a central angle of 77 degrees 22 minutes 22 seconds, a radius of 197.98 feet, and an arc length of 267.35 feet to a point of compound curve,
3. Along a curve to the left having a central angle of 90 degrees, a radius of 24 feet, and an arc length of 37.70 feet to a point of tangency on the Southern ultimate right-of-way line of Mountain Road, SR 4011;
4. Continuing along said Steely property, and along said Southern ultimate right-of-way line of Mountain Road, SR 4011, South 47 degrees 44 minutes 47 seconds West for a distance of 66.40 feet to a point, and
5. North 04 degrees 38 minutes 13 seconds West for a distance of 31.55 feet to a PK nail in the Center of Mountain Road;

THENCE along the center of Mountain Road North 47 degrees 44 minutes 47 seconds East for a distance of 160.57 feet to the PLACE OF BEGINNING.

CONTAINING IN AREA: 1.80 ACRES

BEING FOR THE MOST PART a part of the same premises which Amanda E. Bock, widow, by her deed dated December 21, 1942, granted and conveyed unto Lester L. and Beulah Feick, his wife, as recorded in Deed Book Volume 865, Page 413, Berks County records, at Reading, Pennsylvania.

AND the said Beulah Feick (having been married to the said Lester L. Feick) conveyed her interest therein to Lester L. Feick alone by their deed dated May 17, 1951, as recorded in Deed Book Volume 1101, Page 46, Berks County records, at Reading, Pennsylvania.

ALSO being in part the same premises which Schwans Sales Enterprises, Inc., by their deed dated December 2, 1996, granted and conveyed unto Lester L. Feick as recorded in Record Book Volume 2792, Page 705, Berks County records, at Reading, Pennsylvania.

AND the said Lester L. Feick died on December 30, 1999, leaving a Will probated and registered in Berks County to File No. 6-00-0002, wherein he appointed Lester H. Feick, Executor to whom Letters Testamentary were granted on January 3, 2000.

*And the said Grantor does hereby covenant to and with the said Grantee that he, the said Grantor DOES, SHALL and WILL, Warrant and Defend the herein above described premises, with the hereditaments and appurtenances, unto the said Grantee, his heirs and assigns and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under him, her, them or any of them.*

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In Witness Whereof, the said party of the first part to these presents has hereunto set his hand and seal dated the day and year first above written.

Signed, Sealed and Delivered }

IN THE PRESENCE OF }

Stanley J. Kuter

Lester H. Feick, Exec  
LESTER H. FEICK, Executor for the  
Estate of Lester L. Feick

Received the day of the date above the Indenture of the above-named

STATE OF PENNSYLVANIA }  
COUNTY OF BERKS } ss

On the 7th day of October Anno Domini 2003,  
before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer personally appeared the above-named LESTER H. FEICK, Executor for the Estate of Lester L. Feick, known to me (or satisfactorily proven) to be the person whose name is subscribed to the above Indenture, and acknowledged that he executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

Shirley L. Samsell  
Notary Public

NOTARIAL SEAL  
SHIRLEY L. SAMSELL, Notary Public  
Reading, Berks County  
My Commission Expires June 28, 2007

6700900687A

DEED

LESTER H. FEICK, Executor of the Estate  
of Lester L. Feick

TO

TOWNSHIP OF UPPER BERN

PREMISES: Upper Bern Township  
Berks County, Pennsylvania

I hereby certify that the precise address of  
the grantee is 25 N. Fifth Street, P.O. Box 185,  
Sharpsville, PA, 19554.

Stanley J. Kuter, Esquire  
124 W. Lancaster Avenue  
Shillington, PA 19607  
(610) 777-1923

Approved by the Upper Bern Township Board of Supervisors:

Paul F. Magel

11-6-03  
Date

Dale Barber

11-10-03  
Date

\_\_\_\_\_

\_\_\_\_\_  
Date



*Blue Marsh Surveyors*

LAND SURVEYING &amp; LAND PLANNING



P.O. BOX 761 223 CENTER AVENUE LEESPORT, PA 19533

(610) 926-1263 FAX (610) 926-1264

**LEGAL DESCRIPTION****SHARTLESVILLE INDUSTRIAL PARK IV****FEICK INDUSTRIAL DRIVE EXTENSION****TO BE DEDICATED AS FEICK AVENUE**

All that certain tract of land shown as Feick Industrial Drive Extension to be dedicated as Feick Avenue on a subdivision plan known as "Shartlesville Industrial Park Section IV", by Blue Marsh Surveyors, Plan No. 681-00 and on an as built plan for "Feick Industrial Drive Extension to be dedicated as Feick Avenue" by Blue Marsh Surveyors, Plan No. 836-02 both being recorded with the Berks County Recorder of Deeds, situate on the east side of Mountain Road (SR4011), 1/4 mile north of I-78, in the Township of Upper Bern, County of Berks and Commonwealth of Pennsylvania, being more fully bounded and described as follows, to wit;

Beginning at a point on the South side of Feick Industrial Drive Extension to be dedicated as Feick Avenue, said point being the southwestern most corner of this tract and is on the southeastern side of Feick Industrial Drive cul-de-sac;

Thence along the right-of-way of Feick Industrial Drive and along the arc of a curve to the left having a radius of 60.00', a central angle of 70°32'20" and an arc length of 73.87' to a point;

Thence along the same and along a curve to the right having a radius of 20.00', a central angle of 55°46'17" and an arc length of 19.47' to a point;

Thence along same and along the arc of a curve to the left having a radius of 1000', a central angle of 1°01'20" and an arc length of 17.84', a chord bearing of N. 6°24'55"W. for a distance of 17.84' to a point;

Thence along Lot #1 of Shartlesville Industrial Park Section II (PBV 218-38) and an annexation Lot as shown on PBV 234-7, the following two courses and distances, viz: 1. Along the arc of a curve to the left having a radius of 35.00', a central angle of 88°58'40" and an arc length of 54.35' to a point; 2. N.84°06'12"E. for a distance of 334.15' to a point of curve;

Thence along an area reserved for a future street extension and along Lot #1 of

Shartlesville Industrial Park Section IV and along Lot #2 of Shartlesville Industrial Park Section II and along the arc of the cul-de-sac, curving to the right having a radius of 60.00', a central angle of 259°50'09" and an arc length of 272.10' to an iron pin;

Thence along Lot 2 of Shartlesville Industrial Park Section II (PBV 218-38) and Lot 1 of Shartlesville Industrial Park (PBV 197-32) the following three courses and distances, viz; 1. Along the arc of a curve to left having a radius of 25.00', a central angle of 79°50'09" and an arc length of 34.84' to an iron pin; 2. S.84°06'12"W. for a distance of 232.95' to an iron pin; 3. Along the arc of a curve to the left having a radius of 20.00', a central angle of 75°13'59" and an arc length of 26.26' to the point and place of beginning.

Containing in area 0.61 acres.

Being a portion of the same property which Amanda E. Bock, widow, by deed dated 12/21/42, granted and conveyed unto Lester L. and Beulah Feick as recorded in DBV 865, page 413, Berks county records.

**EASEMENT:**

The following easement is being granted by the owner of Lot #1 of Shartlesville Industrial Park (PBV 197-32) DBA Bradley Specialties to grant additional right-of-way easement for road paving and swale installed beyond the road right-of-way.

Beginning at a point on the South right-of-way line of Feick Industrial Drive Extension to be dedicated as Feick Avenue, said point is also on the property line of Lot #1 of Shartlesville Industrial Park (PBV 197-32) and Lot #2 of Shartlesville Industrial Park II (PBV218-38);

Thence leaving said road right-of-way and extending along Lot #2 of Shartlesville Industrial Park II, S.5°53'48"E. for a distance of 10.00' to a point;

Thence leaving said property line and extending through Lot #1 of Shartlesville Industrial Park (PBV 197-32), the following 4 courses and distances, viz:

1. S.84°06'12"W. for a distance of 159.99' to a point;
2. Along the arc of a curve to the left having a radius of 10', a central angle of 75°13'59" and an arc length of 13.13' to a point;
3. Along the arc of a curve to the right having a radius of 70.00', a central angle of 21°22'57" and an arc length of 26.12' to a point;
4. N.59°44'59"W. for a distance of 10.00' to a point at the cul-de-sac right-of-way for Feick Industrial Drive to be dedicated as Feick Avenue;

Thence along the arc of the cul-de-sac of Feick Industrial Drive and a curve to the left having a radius of 60.00', a central angle of 21°22'57" and an arc length of 22.39' to a point;

Thence along the south right-of-way of Feick Industrial Drive Extension to be dedicated as Feick Avenue, the following 2 courses and distances, viz:

1. Along the arc of a curve to the right having a radius of 20.00', a central angle of 75°13'59" and an arc length of 26.26' to a point of tangency;
2. N.84°06'12"E. for a distance of 159.99' to the place of beginning.

Containing in area 2,039.45 SQ. FT.

Source of title:

The easement is being granted by the owner of Lot #1 of Shartlesville Industrial Park (PBV 197-32) DBA Bradley Specialties to grant additional right-of-way easement for road paving and swale installed beyond the road right-of-way. Being a portion of the same property which Lester Feick, by deed dated \_\_\_\_\_ granted and conveyed unto Bradley R. Knittle as recorded in Deed Book Volume 2359-516, Berks County Records at Reading, Pa.

**EASEMENT:**

The following easement is being granted by the owner of Lot #2 of Shartlesville Industrial Park II (PBV 218-38) DBA Bradley Specialties to grant additional right-of-way easement for road paving and swale installed beyond the road right-of-way.

Beginning at a point of curve on the South right-of-way line of Feick Industrial Drive Extension to be dedicated as Feick Avenue, said point is at the beginning of the cul-de-sac,

Thence along the arc of a curve to the right having a radius of 25', a central angle of 79°50'09" and an arc length of 34.84' to a point;

Thence along a curve to the left having a radius of 60.00', a central angle of 6°40'16" and an arc length of 6.99' to a point on the cul-de-sac right-of-way;

Thence leaving said right-of-way and extending through said Lot #2 the following 5 courses and distances, viz;

1. S. 67°16'04"W. for a distance of 8.00' to a point;
2. By a curve to the right having a radius of 68.00', a central angle of 6°40'16" and an arc length of 7.92' to a point;
3. Along the arc of a curve to the left having a radius of 17.00', a central angle of 79°50'09" and an arc length of 23.69' to a point;
4. S.84°06'12"W. for a distance of 15.96' to a point;
5. N.5°53'48"W. for a distance of 8.00' to a point on the South right-of-way

line of Feick Industrial Drive Extension to be dedicated as Feick Avenue;

Thence along said South right-of-way line N.84°06'12"E. for a distance of 15.96' to the point and place of beginning.

Containing in area 421.36 SQ. FT.

The easement is being granted by the owner of Lot #2 of Shartlesville Industrial Park II (PBV 218-38) DBA Bradley Specialties to grant additional right-of-way-easement for road paving and swale installed beyond the road right-of-way. Being a portion of the same property which Lester Feick, by deed dated 12/4/96, granted and conveyed unto Bradley R. Knittle as recorded in Deed Book Volume 2788-392, Berks county Records at Reading, Pa.

5/21/03