

Prepared by/Return to:

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**UPI Nos. 25-7-45
25-7-42**

DEED OF TRANSFER OF DEVELOPMENT RIGHTS (TDR)

THIS DEED made this _____ day of _____, 2025, by and between **James V. Hanna and Caryl A. Hanna**, (hereinafter "Grantors") and the **Board of Supervisors of West Vincent Township**, Chester County, Pennsylvania, 729 St. Matthews Road, Chester Springs, PA 19425 (hereinafter "Township").

RECITALS

WHEREAS, Grantors are the legal owners of a property located at 1152 Hollow Road, West Vincent Township, Chester County, Pennsylvania, pursuant to a Deed dated February 20, 2016 and recorded in the Office of the Chester County Recorder of Deeds on March 11, 2016 in Deed Book 9275, Page 667, consisting of approximately 9 acres of land identified as Chester County Tax Parcel Number 25-7-45 and 1147 Hollow Road, West Vincent Township, Chester County, Pennsylvania, pursuant to a Deed dated June 19, 2024, recorded in the Office of the Chester County Recorder of Deeds on June 25, 2024, in Deed Book 1126, Page 1838, consisting of approximately 4.5 acres identified as Chester County Tax Parcel Number 25-7-42, hereinafter both parcels described in **Exhibit "A"** attached hereto (the "Property").

WHEREAS, the Pennsylvania Municipalities Planning Code (MPC), 53 P.S. Section 10101, *et.seq.* defines "Transferable Development Rights" as "the attaching of development right to specified lands which are desired by municipality to be kept undeveloped, but permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands within the municipality where more intensive development is deemed by the municipality to be appropriate," and enables municipalities to transfer development rights for the purpose of preserving open space, agricultural lands and resources and managing growth.

WHEREAS, a Transfer of Development Rights and Restrictive Covenant Agreement by and between Grantors and the Board of Supervisors of West Vincent Township, Chester County, Pennsylvania pursuant to Section 390-203 of the West Vincent Township Zoning Ordinance (the "Zoning Ordinance"), dated the date hereof and to be recorded in the Recorder of Deeds Office of Chester County, Pennsylvania, restricts future development of the Property.

NOW, THEREFORE, in consideration of the sum of Ninety-Six Thousand Dollars (\$96,000.00) lawful money of the United States of America and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantors do grant and convey to West Vincent Township three (3) Development Rights designated as TDR No. _____, which leaves Zero (0) Development Right(s) attached to the Property.

BEING part of the total Development Rights, as hereinabove received, identified as an estate in land severable and separately conveyable from the estate in fee simple, which the Grantors acquired by Deed to the Property.

AND, Grantors covenant that Grantors have not done, committed or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever, whereby the Development Rights hereby conveyed, or any part thereof, is, are or shall be impeached, charged or encumbered in title, charge, estate or otherwise howsoever, and that Grantors will execute such further assurances of said Development Rights as may be requisite and that Grantors have the right to convey the Development Rights.

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

WITNESS:

GRANTORS:

James V. Hanna

Caryl A. Hanna

APPROVED as to form and legality by the governing body of West Vincent Township pursuant to Section 619.1 of the Pennsylvania Municipalities Planning Code (53 P.S. Section 10619.1) this _____ day of _____, 2025.

Attest:

**BOARD OF SUPERVISORS
WEST VINCENT TOWNSHIP**

Dana Alan, Chair

Bernie Couris, Vice Chair

Charlene Briggs, Member

COMMONWEALTH OF PENNSYLVANIA :
:
COUNTY OF :

On this _____ day of _____, 2025, before me, the undersigned, personally appeared **James V. Hanna and Caryl A. Hanna**, known to me (or satisfactorily proven) to be the individuals whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained.

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

Notary Public

COMMONWEALTH OF PENNSYLVANIA :
:
COUNTY OF :

On this _____ day of _____, 2025, before me, the undersigned, personally appeared _____, known to me (or satisfactorily proven) to be _____ (title) of the Township of West Vincent and acknowledged that _____ executed the same for the purposes therein contained.

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

Notary Public

COMMONWEALTH OF PENNSYLVANIA :
:
COUNTY OF :

On this _____ day of _____, 2025, before me, the undersigned, personally appeared _____, known to me (or satisfactorily proven) to be _____ (title) of the Township of West Vincent and acknowledged that _____ executed the same for the purposes therein contained.

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

Notary Public

COMMONWEALTH OF PENNSYLVANIA :
:
COUNTY OF :

On this _____ day of _____, 2025, before me, the undersigned, personally appeared _____, known to me (or satisfactorily proven) to be _____ (title) of the Township of West Vincent and acknowledged that _____ executed the same for the purposes therein contained.

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

Notary Public



EXHIBIT A

The Land referred to herein below is situated in the County of Chester, State of Pennsylvania, and is described as follows:

PREMISES A:

ALL THAT CERTAIN parcel or tract of land situate in the Township of West Vincent, County of Chester and Commonwealth of Pennsylvania, as shown on a Plan of Boundary and Topographical Survey, made for Ryan Todd, prepared by R.F. Kline and Associates, Inc., Professional Land Surveyors, Project No. 1607, dated 09/20/2004, last revised 06/03/2005, as follows:

BEGINNING at a point, a spike found on the title line in the bed of Hollow Road, a township road, being 33 feet wide at this point, said point also being the common property corner of this tract, other portion of said lands of Ryan Todd (TPN 25-7-42), lands now or late of Kathleen J. Forrester (TPN 25-7-41) and lands now or late of Elizabeth E. Albert (TPN 25-7-65.1); thence, leaving said beginning point and along the title line in the bed of said Hollow Road and other portion of lands of Ryan Todd (TPN 25-7-42) the following 3 courses and distances: (1) North 48 degrees 17 minutes 44 seconds East, a distance of 253.31 feet, to a spike found; (2) North 45 degrees 30 minutes 56 seconds East, a distance of 132.57 feet, to a nail found; (3) North 39 degrees 11 minutes 49 seconds East, a distance of 247.24 feet, to a spike found, a common corner of this tract, other portion of lands of Ryan Todd (TPN 25-7-42), lands now or late of Carl and Margaret Regina Massara (TPN 25-3-142) and lands now or late of Joanne Marie Scott (TPN 25-7-44); thence along said lands of Scott, passing over the Southeasterly side of Hollow Road, South 46 degrees 18 minutes 00 seconds East, a distance of 313.53 feet, to a 1 inch pipe found at the common corner of this parcel, said lands of Scott and lands now or late of Douglas E. Siana (TPN 25-8-3.5); thence, continuing along said lands of Siana, South 49 degrees 02 minutes 38 seconds East, a distance of 464.06 feet, to a 5/8 inch rebar found, a common corner of this parcel, said lands of Siana and in line of lands now or late of Joseph Ippolito (TPN 25-8-4.3); thence, continuing along said lands of Ippolito and lands now or late of Walter and Zaneta M. Pronsky (TPN 25-8-4.2), passing over a drill hole found in boulder on line at a distance of 49.17 feet from the late described point, South 40 degrees 27 minutes 19 seconds West, a total distance of 346.15 feet, to a 1 inch pipe found, a common corner of this parcel, said lands of Pronsky and lands now or late of Laymans Home Missionary Movement (TPN 25-7-46); thence, continuing along lands of Laymans Home Missionary Movement, the following 2 courses and distances; (1) North 48 degrees 37 minutes 08 seconds West, a distance of 421.93 feet, to a point; South 41 degrees 48 minutes 14 seconds West, a distance of 300.00 feet, to a 1 inch pipe found, a common corner of this parcel, said lands of Laymans Home Missionary Movement and said lands of Albert; thence, along said lands of Albert, crossing the Southeasterly side of Hollow Road, North 45 degrees 00 minutes 25 seconds West, a distance of 390.18 feet, to a point, said point being the first mentioned point and place of BEGINNING.

UPI NO. 25-7-45

BEING the same premises which James P. Simpson, IV, by Deed dated 02/20/2016 and recorded 03/11/2016 in the Office of the Recorder of Deeds in and for the County of Chester in Record Book 9275, Page 667, granted and conveyed unto James V. Hanna and Caryl A. Hanna, as tenants by the entirety.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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PREMISES B:

ALL THAT CERTAIN parcel or tract of land situate in the Township of West Vincent, County of Chester and State of Pennsylvania, as shown on a Plan of Boundary and Topographic Survey, made for Ryan Todd, prepared by R.F. Kline & Associates, Inc., Professional Land Surveyors, Project No. 1607, dated September 29, 1994, last revised June 3, 2005, as follows:

BEGINNING at a point, a spike found on the title line in the bed of Hollow Road, a Township Road, being 33 feet wide at this point, said point also being the common property corner of this tract, other portion of said lands of Ryan Todd (TPN 25-7-42), lands now or late of Kathleen Forrester (TPN 25-7-42) and lands now or late of Elizabeth E. Albert (TPN 25-7-65.1); thence leaving said beginning point and along the common property line between this parcel and said lands of Forrester, North 46 degrees 34 minutes 00 seconds West, a distance of 398.37 feet, passing over a 3/4 foot pipe found, to a point in Birch Run Creek, a common property corner of this parcel, said lands of Forrester and lands now or late of Kell M. & Katherine S. Damsgaard (TPN 25-7-40); thence along the Birch Run Creek and said common property line between this parcel and said lands of Damsgaard, the following four (4) courses and distances: (1) North 51 degrees 14 minutes 00 seconds East, a distance of 94.95 feet, to a point; (2) North 82 degrees 19 minutes 00 seconds East, a distance of 120.68 feet, to a point; (3) North 46 degrees 39 minutes 00 seconds East, a distance of 51.25 feet, to a point; (4) Leaving the Birch Run Creek, North 44 degrees 35 minutes 20 seconds West, a distance of 34.46 feet, to a 1 inch rebar found at the common property corner of this parcel, said lands of Damsgaard and lands now or late of Carl & Margaret Regina Massara (TPN 25-3-142); thence along said common property line between this parcel and said lands of Massara, the following four (4) courses and distances: (1) North 47 degrees 27 minutes 40 seconds East, a distance of 191.18 feet, 1 inch rebar found; (2) Crossing the Birch Run Creek, South 49 degrees 01 minutes 39 seconds East, a distance of 69.18 feet, to a 1 inch rebar found; (3) North 32 degrees 10 minutes 34 seconds East, a distance of 194.21 feet, to a 1 inch rebar found; (4) South 47 degrees 52 minutes 10 seconds East, crossing the Northwestern side of Hollow Road, a distance of 304.76 feet, to a spike found on the title line of said Hollow Road, a township road being 33 feet wide at this point, said spike being a common property corner of this parcel, said lands of Massara, lands now or late of Joanne Marie Scott (TPN 25-7-44) and other lands of Ryan and Tara Todd (TPN 25-7-44) and other lands of Ryan and Tara Todd (TPN 25-7-45); thence along said title line of Hollow Road and along said other lands of Todd, the following three (3) courses and distances: (1) South 39 degrees 11 minutes 49 seconds West, a distance of 247.24 feet, to a nail found; (2) South 45 degrees 30 minutes 56 seconds West, a distance of 132.57 feet to a spike found; (3) South 48 degrees 17 minutes 44 seconds West, a distance of 253.31 feet, to a spike found, said spike being the first mentioned point and place of BEGINNING.

UPI NO. 25-7-42

BEING the same premises which David Howard Flather and Maria Gracia Flather, by Deed dated 06/19/2024 and recorded 06/25/2024 in the Office of the Recorder of Deeds in and for the County of Chester in Record Book 11226, Page 1838, granted and conveyed unto James V. Hanna and Caryl A. Hanna, as tenants by the entirety.

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