

**WEST VINCENT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2025 - 219

AN ORDINANCE OF THE TOWNSHIP OF WEST VINCENT, COUNTY OF CHESTER, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING AND DIRECTING THE FILING OF A DECLARATION OF TAKING FOR THE PURPOSE OF ACQUIRING PROPERTY IN FEE AND A TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION OF A NEW BRIDGE ON BUTTONWOOD LANE

WHEREAS, it has been determined that the bridge on Buttonwood Lane over the Birchrun is in need of replacement; and

WHEREAS, in order to maintain vehicle access to Buttonwood Lane while a new bridge is under construction, it has been determined that a new bridge parallel to the existing bridge be constructed; and

WHEREAS, in order to construct the new bridge, it is necessary for the Township to acquire additional property, and a temporary Construction Easement; and

WHEREAS, in order to acquire said additional property and a temporary Construction Easement, it is necessary for the Township to file and serve an appropriate Declaration of Taking and related papers.

NOW, THEREFORE, the Board of Supervisors of West Vincent Township does hereby **ORDAIN AND ENACT** as follows:

1. The Board of Supervisors hereby authorize and direct the Solicitor for West Vincent Township to promptly prepare, file and serve a Declaration of Taking and associated notices and plans appropriating property located at 11 Buttonwood Lane, Spring City, PA 19475, for the purpose of acquiring property and a Temporary Construction Easement for the construction of a new bridge on Buttonwood Lane, which Temporary Construction Easement shall include, for the condemnor, its successors and assigns, the right to operate construction vehicles and equipment, store and use construction materials, locate excavated materials and perform other necessary and desirable construction activities on said Construction Easement area.

A. Acquisition of property in fee for the purpose of constructing a new bridge on Buttonwood Lane as described more particularly as follows:

All that certain required piece of land situate in West Vincent Township, County of Chester, Commonwealth of Pennsylvania. Being part of land further described in an indenture dated the 17th day of April 2008 in Deed Book 7416 Page 2065 and recorded at West Chester in the Office for the Recorder of Deeds in and for the County of Chester. Bounded and described in accordance

with a plan made by Bowman, Exton, PA, entitled "PLAN OF REQUIRED RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT FROM THE LANDS OF C. GARY WHITNEY, TRUSTEE OF THE WHITNEY LIVING TRUST (UPI# 25-4-63.15)" dated August 1, 2025 as follows to wit;

Beginning at point of intersection of the easterly terminus of the legal right-of-way line of Buttonwood Lane with the southerly property line of lands of C. Gary Whitney, Trustee of the Whitney Living Trust; extending thence the following courses:

Along the easterly legal right-of-way line of Buttonwood Lane the following three courses:

1. On a curve to the right having a radius of 25.00 feet, an arc length of 29.97 feet, a central angle of 68 degrees 40 minutes 45 seconds and being subtended by a chord bearing North 76 degrees 12 minutes 59 seconds West a chord distance of 28.20 feet to a point.

2. Thence, North 41 degrees 52 minutes 52 seconds West, a distance of 104.39 feet to a point on a curve.

3. On a curve to the right having a radius of 223.66 feet, an arc length of 75.59 feet, a central angle of 19 degrees 21 minutes 52 seconds and being subtended by a chord bearing North 32 degrees 11 minutes 58 seconds West a chord distance of 75.23 feet to a point.

Thence through lands of C. Gary Whitney, Trustee of the Whitney Living Trust the following two courses:

4. South 50 degrees 08 minutes 11 seconds East, a distance of 94.97 feet to a point.

5. Thence, South 41 degrees 36 minutes 41 seconds East, a distance of 111.29 feet to a point in the southerly property line of lands of C. Gary Whitney, Trustee of the Whitney Living Trust.

6. Thence, along the southerly property line of lands of C. Gary Whitney, Trustee of the Whitney Living Trust, South 67 degrees 18 minutes 14 seconds West, a distance of 10.43 feet to the point and place of beginning.

Containing 4,244 square feet, or 0.097 acres.

B. Acquisition of a temporary Construction Easement, as described more particularly as follows:

All that certain required piece of land situate in West Vincent Township, County of Chester, Commonwealth of Pennsylvania. Being part of land further described in an indenture dated the 17th day of April 2008 in Deed Book 7416 Page 2065 and recorded at West Chester in the Office for the Recorder of Deeds in and for the County of Chester. Bounded and described in accordance with a plan made by Bowman, Exton, PA, entitled "PLAN OF REQUIRED RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT FROM THE LANDS OF C. GARY WHITNEY, TRUSTEE OF THE WHITNEY LIVING TRUST (UPI# 25-4-63.15)" dated August 1, 2025 as follows to wit;

Beginning at point in the southerly property line of lands of C. Gary Whitney, Trustee of the Whitney Living Trust, said point being distant 10.43 feet from the intersection of the easterly terminus of the legal right-of-way line of Buttonwood Lane with the southerly property line of lands of C. Gary Whitney, Trustee of the Whitney Living Trust on a course bearing North 67 degrees 18 minutes 14 seconds East; extending thence the following courses:

Through lands of C. Gary Whitney, Trustee of the Whitney Living Trust the following six courses:

1. North 41 degrees 36 minutes 41 West, a distance of 111.29 feet to a point.
2. Thence, 50 degrees 08 minutes 11 seconds West, a distance of 94.97 feet to a point.
3. Thence, 61 degrees 40 minutes 57 seconds East, a distance of 145.92 feet to a point.
4. Thence, South 41 degrees 36 minutes 41 seconds East, a distance of 62.27 feet to a point.
5. Thence, North 76 degrees 27 minutes 40 seconds East, a distance of 7.93 feet to a point.
6. Thence, South 79 degrees 37 minutes 03 second East, a distance of 29.04 feet to a point in the southerly property line of C. Gary Whitney, Trustee of the Whitney Living Trust.
7. Thence, along the southerly property line of C. Gary Whitney, Trustee of the Whitney Living Trust, South 67 degrees 11 minutes 55 seconds West, a distance of 64.32 feet to the point and place of beginning.

Containing 5,110 square feet, or 0.117 acres.


The condemnation of the above-described property shall be for the purpose of a Temporary Construction Easement for the purpose of construction a new bridge on Buttonwood Lane to expire thirty-six (36) months from the date of filing this Declaration of Taking or eighteen (18) months following the completion of construction of the aforesaid bridge, whichever is sooner.

All being portions of County UPI No. 25-4-63.15.

ENACTED AND ORDAINED by the Board of Supervisors of the Township of West Vincent this 20th day of October, 2025.

ATTEST:

**WEST VINCENT TOWNSHIP,
BOARD OF SUPERVISORS**



Jim Wendelgass, Secretary



Dana Alan, Chairman