

**EAST COVENTRY TOWNSHIP  
BOARD OF SUPERVISORS**

**CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA**

**RESOLUTION NO. 2013-11**

**Wood Crest Estates Subdivision and Land Development**

**Acceptance of Sanitary Sewer Facilities and Easements**

**WHEREAS, WOODCREST AT EAST COVENTRY, L.P.** ("Grantor") has developed a certain tract of land situate in East Coventry Township, Chester County, Pennsylvania known as the Wood Crest Estates Subdivision and Land Development (the "Development"); and

**WHEREAS,** as part of the Development, Grantor has constructed and installed certain sanitary sewer facilities and utilities, and has reserved various easements across, over, under and through portions of the Development; and

**WHEREAS,** at the request of East Coventry Township, Grantor, for and in consideration of One Dollar (\$1.00), desire to dedicate to the Township the sanitary sewer facilities (excluding laterals) by Bill of Sale so that the facilities (excluding laterals) may be owned, operated and maintained by the Township as a part of the Township's public sanitary sewer system; and

**WHEREAS,** Grantor and the Township have further agreed to execute an Assignment and Assumption of Easements to permit the Township to enter the Development from time to time in order to operate and maintain the aforementioned sanitary sewer facilities (excluding laterals) and exercise other easement rights reserved therein for the benefit of the public; and

**WHEREAS,** the Township, by accepting a Bill of Sale for the aforementioned sanitary sewer facilities and executing the Assignment and Assumption of Easements, accepts such sanitary sewer facilities as and for public use and accepts the easement rights assigned therein.

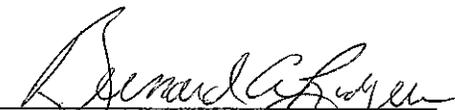
**NOW, THEREFORE, BE IT RESOLVED**, that the East Coventry Township Board of Supervisors accepts dedication of the sanitary sewer facilities (excluding laterals) described in the Bill of Sale attached hereto as Exhibit "A", to have and to hold, forever, for public sanitary sewer service.

**BE IT FURTHER RESOLVED** that the East Coventry Township Board of Supervisors hereby authorizes the execution of an Assignment and Assumption of Easements with the Grantor, which Agreement shall be satisfactory to the Township Solicitor and in substantially the form attached hereto as Exhibit "B".

**APPROVED** this 11<sup>th</sup> day of March, 2013, by the Board of Supervisors of East Coventry Township.

**EAST COVENTRY TOWNSHIP**

By:   
\_\_\_\_\_  
**Ray Kolb, Chairman**

Attest:   
\_\_\_\_\_  
**Bernard A. Rodgers, Secretary**

**Bill of Sale**

**EXHIBIT "A"**

**Prepared By:**

Andrew R. Freimuth, Esquire  
Wisler Pearlstine, LLP  
Blue Bell Executive Campus  
460 Norristown Road, Suite 110  
Blue Bell, PA 19422



**Record and return to:**

Mark A. Hosterman, Esquire  
Andrew R. Freimuth, Esquire  
Wisler Pearlstine, LLP  
Blue Bell Executive Campus  
460 Norristown Road, Suite 110  
Blue Bell, PA 19422

RETURN TO

Parcels: Wood Lea Road, Oleander Lane, Wintergreen Lane,  
Ellis Woods Road, Sanitary Sewer Easement "A", Sanitary Sewer Easement "B",  
Utility Easement "A".

P/O Parcel Nos. 18-4-109.11S/18-4-109.11T/18-4-109.11W

**BILL OF SALE**

**BACKGROUND:**

A. **WOODCREST AT EAST COVENTRY, L.P.**, a Pennsylvania limited partnership, with a registered office at 1650 Governor's Way, P.O. Box 1181, Blue Bell, Pennsylvania 19422 (hereinafter "Seller"), is the developer of the subdivision and land development known as "Wood Crest Estates" (hereinafter, "Wood Crest"). The Record Plan of the approved final plan of Wood Crest, prepared by Bursich Associates, Inc., has been recorded in the Office for the Recording of Deeds in and for Chester County, Pennsylvania, as Plan No. 17315 (the approved final plan, including all sheets thereof, being hereinafter referred to as the "Final Wood Crest Plans").

B. Seller has entered into various agreements with **EAST COVENTRY TOWNSHIP**, a Township of the Second Class, with offices at the East Coventry Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465 (hereinafter the "Township"), including a certain Development Agreement (the "Development Agreement") and a certain Financial Security Agreement, both dated March 7, 2005, which provide for certain improvements to be constructed, installed or otherwise completed in Wood Crest, including certain on-site wastewater and sanitary sewer structures and facilities, in accordance such agreements, as amended. The Development Agreement and the Financial Security Agreement

2/2/3  
84.5



any "building sewer" or "service line," or any part thereof, as such "building sewer" and "service line" are defined in the "Township Technical Specifications," which specifications are defined and used in and under the On-Site Wastewater Facilities Agreement, and/or (ii) any pipe and/or structure, or any part thereof, which connects any such "building sewer" or "service line" to a lateral;

**TO HAVE AND TO HOLD**, the Personal Property unto the Township, its successors and assigns, to and for its own use and benefit whatsoever, forever, including having and holding the Personal Property, together with and as part of the On-Site Sanitary Sewer Improvements, for the uses and purposes for which the said On-Site Sanitary Sewer Improvements have been granted and conveyed to Township hereunder;

**AND** Seller vouches that it has full right and lawful authority to sell and dispose of the Personal Property, and for itself and its successors and assigns, does covenant unto Township, its successors and assigns, to forever defend the Personal Property against the lawful claims of all other persons.

[signature page follows]

11260361 B: 8675 P: 867 MSC  
03/25/2013 12:35 PM Page 3 of 22  
WISLER PEARLSTINE LLP



ACCEPTANCE

THE FOREGOING BILL OF SALE IS ACCEPTED by East Coventry Township, Chester County, Pennsylvania, by and through its Board of Supervisors.

WITNESS the signatures of said Board and the seal of the Township, this 11<sup>th</sup> day of MARCH, 2012.2013

BOARD OF SUPERVISORS  
EAST COVENTRY TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

By: Ray Kolb  
Ray A. Kolb, Chairman

By: Marica Gelo  
Marica Gelo, Vice Chairman

By: W. Atlee Rinehart  
W. Atlee Rinehart, Supervisor

By: Michael Albert Moyer  
Michael Albert Moyer, Supervisor

Attest: Bernard A. Rodgers  
Bernard A. Rodgers, Secretary

By: Karne Nocella  
Karne Nocella, Supervisor

11260361 B: 8675 P: 869 MSC  
03/25/2013 12:35 PM Page 5 of 22  
WISLER PEARLSTINE LLP



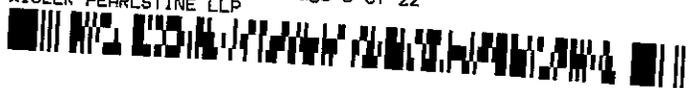
**Exhibit "A"**  
**Legal Description of Lands Dedicated by Deed to Township**  
**(See Attached)**

11260361 B: 8675 P: 871 MSC  
09/25/2013 12:35 PM Page 7 of 22  
WISLER PEARLSTINE LLP



BEING THE BED OF OLEANDER LANE, AS SHOWN ON THE ABOVE  
MENTIONED PLAN.

11260361 B: 8675 P: 873 MSC  
03/25/2013 12:35 PM Page 9 of 22  
WISLER PEARLSTINE LLP



WINTERGREEN LANE

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY SIDE OF WOOD LEA ROAD (50.00 FEET WIDE), AT THE WESTERNMOST TERMINUS OF A ROUND CORNER CONNECTING THE SOUTHEASTERLY SIDE OF WOOD LEA ROAD WITH THE SOUTHWESTERLY SIDE OF WINTERGREEN LANE (50.00 FEET WIDE) AS SHOWN ON THE ABOVE MENTIONED PLAN AND PLACE OF BEGINNING; THENCE EXTENDING FROM SAID PLACE OF BEGINNING AND ALONG THE SOUTHEASTERLY SIDE OF WOOD LEA ROAD, THE TWO (2) FOLLOWING COURSES AND DISTANCES, TO WIT: (1) NORTH 58 DEGREES 16 MINUTES 28 SECONDS EAST 33.80 FEET TO A POINT OF CURVE; THENCE (2) ON THE ARC OF A CIRCLE CURVING TO THE LEFT HAVING A RADIUS OF 625.00 FEET THE ARC DISTANCE OF 72.79 FEET TO A POINT BEING THE EASTERNMOST TERMINUS OF A ROUND CORNER CONNECTING THE SOUTHEASTERLY SIDE OF WOOD LEA ROAD WITH THE NORTHEASTERLY SIDE OF WINTERGREEN LANE AND BEING IN LINE OF LOT NO. 9; THENCE EXTENDING ALONG LOT NO. 9, THE THREE (3) FOLLOWING COURSES AND DISTANCES, TO WIT: (1) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 30.00 FEET THE ARC DISTANCE OF 44.90 FEET TO A POINT OF TANGENT; THENCE (2) SOUTH 33 DEGREES 34 MINUTES 54 SECONDS EAST 47.31 FEET TO A POINT OF CURVE; THENCE (3) ON THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF 175.00 FEET THE ARC DISTANCE OF 114.03 FEET TO A POINT IN LINE OF LOT NO. 10; THENCE EXTENDING ALONG LOT NO. 10, ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 40.00 FEET THE ARC DISTANCE OF 24.21 FEET TO A POINT OF REVERSE CURVE IN LINE OF LOT NO. 11; THENCE EXTENDING ALONG LOT NO. 11, 12 AND 13 ON THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET THE ARC DISTANCE OF 230.97 FEET TO A POINT OF REVERSE CURVE IN LINE OF LOT NO. 13; THENCE EXTENDING ALONG LOT NO. 13, THE FOUR (4) FOLLOWING COURSES AND DISTANCES, TO WIT: (1) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 40.00 FEET THE ARC DISTANCE OF 43.31 FEET TO A POINT OF COMPOUND CURVE; THENCE (2) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 125.00 FEET THE ARC DISTANCE OF 55.18 FEET TO A POINT OF TANGENT; THENCE (3) NORTH 33 DEGREES 34 MINUTES 54 SECONDS WEST 46.44 FEET TO A POINT OF CURVE; THENCE (4) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 30.00 FEET THE ARC DISTANCE OF 46.15



WOOD LEA ROAD

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY SIDE OF ELLIS WOODS ROAD (30.00 FEET FROM THE CENTER LINE) SAID POINT BEING THE NORTHERNMOST TERMINUS OF A ROUND CORNER CONNECTING THE NORTHEASTERLY SIDE OF ELLIS WOODS ROAD WITH THE NORTHWESTERLY SIDE OF WOOD LEA ROAD (50.00 FEET WIDE) AND IN LINE OF LOT NO. 1 AS SHOWN ON THE ABOVE MENTIONED PLAN AND PLACE OF BEGINNING; THENCE EXTENDING FROM SAID PLACE OF BEGINNING AND ALONG LOT NO. 1, THE FOUR (4) FOLLOWING COURSES AND DISTANCES, TO WIT: (1) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 30.00 FEET THE ARC DISTANCE OF 47.14 FEET TO A POINT OF TANGENT; THENCE (2) NORTH 72 DEGREES 11 MINUTES 01 SECONDS EAST 43.83 FEET TO A POINT OF CURVE; THENCE (3) ON THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF 225.00 FEET THE ARC DISTANCE OF 55.16 FEET TO A POINT OF TANGENT; THENCE (4) NORTH 86 DEGREES 13 MINUTES 51 SECONDS EAST ALONG LOT NO. 2, 100.89 FEET TO A POINT OF CURVE; THENCE ALONG LOT NO. 2 AND LOT NO. 3 ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 175.00 FEET THE ARC DISTANCE OF 85.39 FEET TO A POINT OF TANGENT; THENCE EXTENDING ALONG LOT NO. 3, 4, 5, 6 AND 7 NORTH 58 DEGREES 16 MINUTES 28 SECONDS EAST 574.19 FEET TO A POINT IN LINE OF LOT NO. 7; THENCE EXTENDING ALONG LOT NO. 7 AND LOT NO. 8 ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 575.00 FEET THE ARC DISTANCE OF 229.07 FEET TO A POINT IN LINE OF LANDS NOW OR LATE OF THOMAS AND NANCY SMITH AND THE SOUTHWEST SIDE OF AN EXISTING 30 FEET WIDE UGI GASLINE EASEMENT; THENCE EXTENDING ALONG SAME SOUTH 52 DEGREES 09 MINUTES 26 SECONDS EAST 50.04 FEET TO A POINT A CORNER OF LOT NO. 9; THENCE EXTENDING ALONG LOT NO. 9 AND CROSSING THE HEAD OF WINTERGREEN LANE (50.00 FEET WIDE) ON THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF 625.00 FEET THE ARC DISTANCE OF 246.90 FEET TO A POINT OF TANGENT; THENCE CONTINUING ALONG THE HEAD OF WINTERGREEN LANE AND ALONG LOT NO. 13, LOT NO. 14, CROSSING THE HEAD OF OLEANDER LANE (50.00 FEET WIDE) AND ALONG LOT NO. 21, SOUTH 58 DEGREES 16 MINUTES 28 SECONDS WEST 574.19 FEET TO A POINT OF CURVE; THENCE EXTENDING ALONG LOT NO. 21 AND LOT NO. 22 ON THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF 225.00 FEET THE ARC DISTANCE OF



**ELLIS WOODS ROAD**

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE BED OF ELLIS WOODS ROAD (33 FEET WIDE) SAID POINT BEING MEASURED SOUTH 64 DEGREES 54 MINUTES 58 SECONDS WEST FROM A CORNER OF LOT NO. 22 AND IN LINE OF LANDS NOW OR LATE OF ARVID VOGEL, AS SHOWN ON THE ABOVE MENTIONED PLAN AND PLACE OF BEGINNING; THENCE EXTENDING FROM SAID PLACE OF BEGINNING AND THROUGH THE BED OF ELLIS WOODS ROAD, THE TWO (2) FOLLOWING COURSES AND DISTANCES, TO WIT: (1) NORTH 25 DEGREES 05 MINUTES 02 SECONDS WEST 270.20 FEET TO A POINT, AN ANGLE; THENCE (2) NORTH 17 DEGREES 35 MINUTES 02 SECONDS WEST 250.00 FEET TO A POINT, A CORNER; THENCE LEAVING THE BED OF ELLIS WOODS ROAD, AND EXTENDING NORTH 46 DEGREES 49 MINUTES 58 SECONDS EAST 36.36 FEET TO A POINT IN LINE OF LOT NO. 1; THENCE EXTENDING ALONG LOT NO. 1 AND CROSSING THE HEAD OF WOOD LEA ROAD (50.00 FEET WIDE) SOUTH 17 DEGREES 47 MINUTES 41 SECONDS EAST 223.19 FEET TO A POINT OF CURVE IN LINE OF LOT NO. 22; THENCE EXTENDING ALONG LOT NO. 22, THE (3) FOLLOWING COURSES AND DISTANCES, TO WIT: (1) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 970.00 FEET THE ARC DISTANCE OF 159.68 FEET TO A POINT OF TANGENT; THENCE (2) SOUTH 27 DEGREES 13 MINUTES 35 SECONDS EAST 80.99 FEET TO A POINT OF CURVE; THENCE (3) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 530.00 FEET THE ARC DISTANCE OF 68.00 FEET TO A POINT IN LINE OF LANDS OF ARVID VOGEL; THENCE EXTENDING ALONG SAME, SOUTH 64 DEGREES 54 MINUTES 58 SECONDS WEST 32.92 FEET TO A POINT IN THE BED OF ELLIS WOODS ROAD, AFORESAID; BEING THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

BEING THE BED OF ELLIS WOODS ROAD, AS SHOWN ON THE ABOVE MENTIONED PLAN.



SANITARY SEWER EASEMENT A

June 25, 2004  
Revised November 10, 2005

RE: Sanitary Sewer Easement A  
(Lot 22)  
Wood Crest Estates  
East Coventry Township  
Chester County, PA

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO SHEET 2 OF A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT on the southerly right-of-way line of Wood Lea Road (50 feet wide), said point being located the following two courses and distances from the intersection of the southerly right-of-way line of Wood Lea Road and the easterly right-of-way line of Ellis Woods Road:

1. Along a curve to the right having a radius of 34.44 feet, an arc distance of 54.09 feet, with a chord bearing and distance of North 27 degrees 11 minutes 41 seconds East 48.70 feet;
2. North 72 degrees 11 minutes 01 seconds East 13.07 feet;

THENCE 1) FROM THE POINT OF BEGINNING, continuing along said right-of-way line, North 72 degrees 11 minutes 01 seconds East 20.10 feet to a point;

THENCE 2) Through Lot 22, South 11 degrees 59 minutes 19 seconds East a distance of 98.69 feet to a point;

THENCE 3) Through the same, North 68 degrees 25 minutes 48 seconds East a distance of 15.87 feet to a point;

THENCE 4) Through the same, South 21 degrees 34 minutes 12 seconds East a distance of 53.10 feet to a point;

THENCE 5) Through the same and also along and crossing Drainage Easement A, South 85 degrees 43 minutes 33 seconds West a distance of 73.99 feet to a point on the easterly right-of-way line of Ellis Woods Road;

THENCE 6) Along the same, along a curve to the right having a radius of 970.00 feet, an arc



**SANITARY SEWER EASEMENT B**

June 25, 2004  
Revised November 10, 2005

RE: Sanitary Sewer Easement B  
(Lots 18, 19, & 22)  
Wood Crest Estates  
East Coventry Township  
Chester County, PA

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO SHEET 2 OF A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT on the easterly ultimate right-of-way line of Ellis Woods Road (30 feet from centerline), said point being the corner of Lot 22 and in line of lands now or late Arvid Vogel;

- THENCE 1) Along said easterly ultimate right-of-way line of Ellis Woods Road, along a curve to the left having a radius of 530.00 feet, an arc distance of 20.06 feet, with a chord bearing and distance of North 20 degrees 57 minutes 34 second West 20.05 feet to a point;
- THENCE 2) Through Lot 22, and also through Drainage Easement A and Lot 20, North 64 degrees 54 minutes 58 seconds East a distance of 210.52 feet to a point;
- THENCE 3) Through Lot 22, Lot 19 and Lot 18, South 25 degrees 05 minutes 02 seconds East, a distance of 222.07 feet to a point;
- THENCE 4) Through Lot 18, North 64 degrees 49 minutes 00 seconds East, a distance of 38.47 feet to a point;
- THENCE 5) Through the same and along Utility Easement A, South 25 degrees 11 minutes 00 seconds East, a distance of 20.00 feet to a point;
- THENCE 6) Along lands of now or late Kenneth J. and Rachelle Stevenson, South 64 degrees 49 minutes 00 seconds West, a distance of 58.50 feet to a pipe in line of lands of now or late Cheryl A. and Ernest Fosnocht;
- THENCE 7) Along the same and also along lands of now or late Arvid Vogel, North 25 degrees 05 minutes 02 seconds West, a distance of 222.10 feet to a point;



**UTILITY EASEMENT A**

June 25, 2004  
Revised November 10, 2005

RE: Utility Easement A  
(Lots 17, 18 and lands now or late Jesse F. Kern, Jr.)  
Wood Crest Estates  
East Coventry Township  
Chester County, PA

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO SHEET 2 OF A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT on the southeasterly right-of-way line of Oleander Lane, said point being the common corner of Lots 17 and 18;

- THENCE 1) Along the southeasterly right-of-way line of Oleander Lane, along a curve to the left having a radius of 50.00 feet, an arc distance of 12.63 feet, with a chord bearing and distance of North 51 degrees 02 minutes 09 seconds East 12.60 feet to a point;
- THENCE 2) Through Lot 17, South 31 degrees 43 minutes 32 seconds East, a distance of 96.29 feet to a point in line of lands now or late Debra Jenkins and Robert B. and Irene Kepner;
- THENCE 3) Along the same and also along lands of now or late Jesse F. Kern, Jr., South 64 degrees 49 minutes 00 seconds West, a distance of 215.71 feet to a point;
- THENCE 4) Through lands of now or late Jesse F. Kern, Jr., South 25 degrees 11 minutes 00 seconds East, a distance of 214.43 feet to a point on the northerly right-of-way line of Buckwalter Road;
- THENCE 5) Along the same, South 64 degrees 58 minutes 58 seconds West, a distance of 25.00 feet to a point;
- THENCE 6) Along lands of now or late Kenneth J. and Rachelle Stevenson and also along Sanitary Sewer Easement B and through Lot 18, North 25 degrees 11 minutes 00 seconds West, a distance of 234.36 feet to a point;
- THENCE 7) Through Lot 18, North 64 degrees 49 minutes 00 seconds East, a distance of 100.00



**Legal Description**

**Assignment and Assumption of Easements**

**EXHIBIT "B"**

0284  
4up, #5



**Prepared by and Return To:**  
**MARK A. HOSTERMAN, ESQUIRE**  
Wisler Pearlstine, LLP  
Blue Bell Executive Campus  
460 Norristown Road, Ste 110  
Blue Bell, PA 19422

Parcel No. 18-4-109.11A/18-4-109.11B/18-4-109.11C/18-4-109.11D/  
18-4-109.11E/18-4-109.11F/18-4-109.11G/18-4-109.11H/18-4-109.11I/  
18-4-109.11J/18-4-109.11K/18-4-109.11L/18-4-109.11M/18-4-109.11N/  
18-4-109.11O/18-4-109.11P/18-4-109.11Q/18-4-109.11R/18-4-109.11S/  
18-4-109.11T/18-4-109.11U/18-4-109.11V/18-4-109.11W/

# ASSIGNMENT AND ASSUMPTION OF EASEMENTS

DOC # 11259007 03/19/2013 02:47 PM  
Receipt #: 13-12658  
Rec Fee: \$354.00  
Chester County, Recorder of Deeds  
{00725697}

11259007 B: 8671 P: 652 MSA  
03/19/2013 02:47 PM Page 1 of 40  
WISLER PEARLSTINE



Declaration of Utility Easements and Restrictions, attached hereto as Exhibit "A"; (b) Declaration of Sanitary Sewer Easements and Restrictions, attached hereto as Exhibit "B"; (c) Declaration of Snow Removal Easements and Restrictions, attached hereto as Exhibit "C"; and (d) Declaration of Temporary Access and Grading Easements and Restrictions, attached hereto as Exhibit "D". Assignee hereby accepts such assignment, and Assignee agrees that from the date of this Assignment forward, Assignee shall be responsible for all of the obligations and responsibilities of Declarant under said Declarations.

3. Assignor hereby transfers and assigns to Assignee, its successors and assigns, all of its rights, title, and interest in and to the easement related to "Sanitary Sewer Lines" in the Declaration of Easement attached hereto as Exhibit "D", as such term is more particularly defined therein, but specifically excluding: (a) any "building sewer" or "service line," or any part thereof, as such "building sewer" and "service line" are defined in the "Township Technical Specifications"; and/or (b) any pipe and/or structure, or any part thereof, which connects any such "building sewer" or "service line" to a lateral. Assignee hereby accepts such assignment, and Assignee agrees that from the date of this Assignment forward, Assignee shall be responsible for all of the obligations and responsibilities of Declarant under said Declaration.

4. Assignor represents and warrants to Assignee that it has the full right and authority to assign the easements as set forth herein and that there have been no prior assignments thereof.

5. This Assignment Agreement shall be binding upon each party's respective successors and assigns.

(Signature page follows)

INTENTIONALLY BLANK

11259007 B: 8671 P: 654 MSA  
03/19/2013 02:47 PM Page 3 of 40  
WISLER PEARLSTINE



**ACKNOWLEDGEMENT**

COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF Berks :

On this, the 4<sup>th</sup> day of February, <sup>2013</sup>~~2012~~, before the undersigned officer, personally appeared **Michael A. Nolen**, known to me or satisfactorily proven to be the President of Wigglesworth LLC, the General Partner of Woodcrest at East Coventry, L.P., and as such officer, being duly authorized to do so, executed the foregoing instrument on behalf of Woodcrest at East Coventry, L.P. for the purposes therein contained by signing the name of the corporation by himself as such officer.

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

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
John A. Barbary, Notary Public  
Earl Twp., Berks County  
My Commission Expires Nov. 6, 2015  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES



**Exhibit "A"**

**Declaration of Utility Easements and Restrictions**



Lots 17 and 18 and which shall be binding upon all parties having or acquiring any interest in Lots 17 and 18, in perpetuity.

1. Incorporation by Reference. The Background recitals to this Declaration are hereby incorporated herein by this reference. Any terms used in this Declaration that are defined in said recitals shall have the meanings ascribed to them in the recitals.

2. Utility Easement. Declarant hereby creates, declares and establishes a non-exclusive, perpetual, free, irrevocable and uninterrupted easement over and across the Easement Area for the purpose of (i) accessing, grading and excavating the Easement Area for purposes of housing, operating, maintaining, improving, repairing, reconstructing and/or replacing sanitary sewer lines and other facilities therein and (ii) establishing restrictions upon the use and modification of the Easement Area by the owners of Lots 17 and 18, which easements shall burden Lots 17 and 18 and shall run with the land. Declarant reserves the right to offer dedication of the Easements to East Coventry Township, Chester County, Pennsylvania, which offer East Coventry Township shall have the right, at its sole discretion, to accept.

3. Restrictions on Use of Easement Area. The owners of Lots 17 and 18 are restricted in perpetuity from altering or modifying the Easement Area. The owners of the Lots 17 and 18 shall comply with all provisions of the Recorded Plan applicable to the easements.

4. Easements, Covenants and Restrictions Running With the Land. The easements, covenants and restrictions herein shall constitute easements, covenants and restrictions running with the land and shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

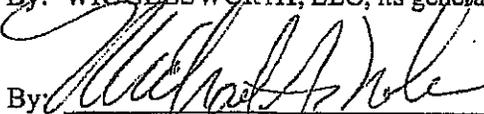
5. Governing Law. This Declaration shall be governed by Pennsylvania law.

IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the day and year first above written.

DECLARANT:

WOODCREST AT EAST COVENTRY, L.P.

By: WIGGLESWORTH, LLC, its general partner

By: 

Michael A. Nofen, President & Member



SECURITY AB OF PA

12/13/2005 09:54A

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Page: 3 of 6

B-6709 P-2236

11259007 B: 8671 P: 660 MSA  
03/19/2013 02:47 PM Page 9 of 40  
WISLER PEARLSTINE



**EXHIBIT "A"**  
**UTILITY EASEMENT A**

June 25, 2004  
Revised November 10, 2005

RE: Utility Easement A  
(Lots 17, 18 and lands now or late Jesse F. Kern, Jr.)  
Wood Crest Estates  
East Coventry Township  
Chester County, PA

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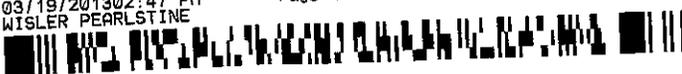
ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO SHEET 2 OF A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT on the southeasterly right-of-way line of Oleander Lane, said point being the common corner of Lots 17 and 18;

- THENCE 1) Along the southeasterly right-of-way line of Oleander Lane, along a curve to the left having a radius of 50.00 feet, an arc distance of 12.63 feet, with a chord bearing and distance of North 51 degrees 02 minutes 09 seconds East 12.60 feet to a point;
- THENCE 2) Through Lot 17, South 31 degrees 43 minutes 32 seconds East, a distance of 96.29 feet to a point in line of lands now or late Debra Jenkins and Robert B. and Irene Kepner;
- THENCE 3) Along the same and also along lands of now or late Jesse F. Kern, Jr., South 64 degrees 49 minutes 00 seconds West, a distance of 215.71 feet to a point;
- THENCE 4) Through lands of now or late Jesse F. Kern, Jr., South 25 degrees 11 minutes 00 seconds East, a distance of 214.43 feet to a point on the northerly right-of-way line of Buckwalter Road;
- THENCE 5) Along the same, South 64 degrees 58 minutes 58 seconds West, a distance of 25.00 feet to a point;
- THENCE 6) Along lands of now or late Kenneth J. and Rachelle Stevenson and also along Sanitary Sewer Easement B and through Lot 18, North 25 degrees 11 minutes 00 seconds West, a distance of 234.36 feet to a point;
- THENCE 7) Through Lot 18, North 64 degrees 49 minutes 00 seconds East, a distance of 100.00

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Page 4 of 6  
SECURITY AB OF PA 12/13/2005 09:54A B-6709 P-2236

11259007 B: 8671 P: 662 MSA  
03/19/2013 02:47 PM Page 11 of 40  
WISLER PEARLSTINE



**Exhibit "B"**

**Declaration of Sanitary Sewer Easements and Restrictions**



restrictions set forth herein, all of which shall be easements, covenants and restrictions running with Lots 18, 19 and 22 and which shall be binding upon all parties having or acquiring any interest in Lots 18, 19 and 22, in perpetuity.

1. Incorporation by Reference. The Background recitals to this Declaration are hereby incorporated herein by this reference. Any terms used in this Declaration that are defined in said recitals shall have the meanings ascribed to them in the recitals.

2. Sanitary Sewer Easements. Declarant hereby creates, declares and establishes non-exclusive, perpetual, free, irrevocable and uninterrupted easements over and across the Easement Areas for accessing, grading and excavating the Easement Areas for purposes of housing, operating, maintaining, improving, repairing, reconstructing and/or replacing sanitary sewer lines and other facilities therein, which easements shall burden Lots 18, 19 and 22 and shall run with the land. Declarant reserves the right to offer dedication of the easements to East Coventry Township, Chester County, Pennsylvania, which offer East Coventry Township shall have the right, at its sole discretion, to accept.

3. Restrictions on Use of Easement Areas. The owners of Lots 18, 19 and 22 are restricted in perpetuity from altering or modifying the Easement Areas. The Lot owners acknowledge and shall comply with all provisions of the Recorded Plan applicable to the easements.

4. Easements, Covenants and Restrictions Running With the Land. The easements, covenants and restrictions herein shall constitute easements, covenants and restrictions running with the land and shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

5. Governing Law. This Declaration shall be governed by Pennsylvania law.

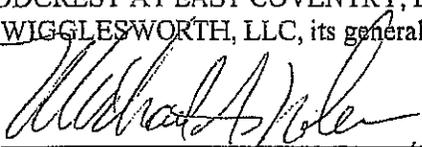
IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the day and year first above written.

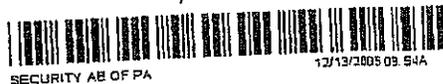
DECLARANT:

WOODCREST AT EAST COVENTRY, L.P.

By: WIGGLESWORTH, LLC, its general partner

By:

  
Michael A. Nolen, President *Member*



10605091  
Page 2 of 6  
B-6709 P-2241

11259007 B: 8671 P: 666 MSA  
03/19/2013 02:47 PM Page 15 of 40  
WISLER PEARLSTINE



**EXHIBIT "A"**  
**SANITARY SEWER EASEMENT A**

June 25, 2004  
Revised November 10, 2005

RE: Sanitary Sewer Easement A  
(Lot 22)  
Wood Crest Estates  
East Coventry Township  
Chester County, PA

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO SHEET 2 OF A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT on the southerly right-of-way line of Wood Lea Road (50 feet wide), said point being located the following two courses and distances from the intersection of the southerly right-of-way line of Wood Lea Road and the easterly right-of-way line of Ellis Woods Road:

1. Along a curve to the right having a radius of 34.44 feet, an arc distance of 54.09 feet, with a chord bearing and distance of North 27 degrees 11 minutes 41 seconds East 48.70 feet;
2. North 72 degrees 11 minutes 01 seconds East 13.07 feet;

THENCE 1) FROM THE POINT OF BEGINNING, continuing along said right-of-way line, North 72 degrees 11 minutes 01 seconds East 20.10 feet to a point;

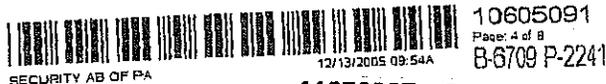
THENCE 2) Through Lot 22, South 11 degrees 59 minutes 19 seconds East a distance of 98.69 feet to a point;

THENCE 3) Through the same, North 68 degrees 25 minutes 48 seconds East a distance of 15.87 feet to a point;

THENCE 4) Through the same, South 21 degrees 34 minutes 12 seconds East a distance of 53.10 feet to a point;

THENCE 5) Through the same and also along and crossing Drainage Easement A, South 85 degrees 43 minutes 33 seconds West a distance of 73.99 feet to a point on the easterly right-of-way line of Ellis Woods Road;

THENCE 6) Along the same, along a curve to the right having a radius of 970.00 feet, an arc



SECURITY AB OF PA

11259007 B: 8671 P: 668 MSA  
03/19/2013 02:47 PM Page 17 of 40  
WISLER PEARLSTINE



**EXHIBIT "B"**  
**SANITARY SEWER EASEMENT B**

June 25, 2004  
Revised November 10, 2005

RE: Sanitary Sewer Easement B  
(Lots 18, 19, & 22)  
Wood Crest Estates  
East Coventry Township  
Chester County, PA

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO SHEET 2 OF A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT on the easterly ultimate right-of-way line of Ellis Woods Road (30 feet from centerline), said point being the corner of Lot 22 and in line of lands now or late Arvid Vogel;

- THENCE 1) Along said easterly ultimate right-of-way line of Ellis Woods Road, along a curve to the left having a radius of 530.00 feet, an arc distance of 20.06 feet, with a chord bearing and distance of North 20 degrees 57 minutes 34 second West 20.05 feet to a point;
- THENCE 2) Through Lot 22, and also through Drainage Easement A and Lot 20, North 64 degrees 54 minutes 58 seconds East a distance of 210.52 feet to a point;
- THENCE 3) Through Lot 22, Lot 19 and Lot 18, South 25 degrees 05 minutes 02 seconds East, a distance of 222.07 feet to a point;
- THENCE 4) Through Lot 18, North 64 degrees 49 minutes 00 seconds East, a distance of 38.47 feet to a point;
- THENCE 5) Through the same and along Utility Easement A, South 25 degrees 11 minutes 00 seconds East, a distance of 20.00 feet to a point;
- THENCE 6) Along lands of now or late Kenneth J. and Rachelle Stevenson, South 64 degrees 49 minutes 00 seconds West, a distance of 58.50 feet to a pipe in line of lands of now or late Cheryl A. and Ernest Fosnocht;
- THENCE 7) Along the same and also along lands of now or late Arvid Vogel, North 25 degrees 05 minutes 02 seconds West, a distance of 222.10 feet to a point;



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Page 6 of 8  
B-6709 P-2241

11259007 B: 8671 P: 670 MSA  
03/19/2013 02:47 PM Page 19 of 40  
WISLER PEARLSTINE



**Exhibit "C"**

**Declaration of Snow Removal Easements and Restrictions**

11259007 B: 8671 P: 672 MSA  
03/19/2013 02:47 PM Page 21 of 40  
WISLER PEARLSTINE



shall be held, transferred, sold and conveyed under and subject to the easements, covenants and restrictions set forth herein, all of which shall be easements, covenants and restrictions running with Lots 13, 17 and 18 and which shall be binding upon all parties having or acquiring any interest in Lots 13, 17 and 18, in perpetuity.

1. Incorporation by Reference. The Background recitals to this Declaration are hereby incorporated herein by this reference. Any terms used in this Declaration that are defined in said recitals shall have the meanings ascribed to them in the recitals.

2. Snow Removal Easements. Declarant hereby creates, declares and establishes a non-exclusive, perpetual, free, irrevocable and uninterrupted easement over and across the Easement Areas for the purpose of storing snow and other accumulations plowed or otherwise removed from the surface of Oleander Lane and Wintergreen Lane within the respective Easement Areas, which easements shall burden Lots 13, 17 and 18 and shall run with the land. Declarant reserves the right to offer dedication of the easements to East Coventry Township, Chester County, Pennsylvania, its successors and assigns, which offer East Coventry Township shall have the right, at its sole discretion, to accept.

3. Restrictions on Use of Easement Areas. The owners of Lots 13, 17 and 18 are restricted in perpetuity from altering or modifying the Easement Areas. The owners of Lots 13, 17 and 18 acknowledge and shall comply with all provisions of the Recorded Plan applicable to the easements including, but not limited to, Note No. 29 appearing on Sheet 1 of the Recorded Plan.

4. Easements, Covenants and Restrictions Running With the Land. The easements, covenants and restrictions herein shall constitute easements, covenants and restrictions running with the land and shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

5. Governing Law. This Declaration shall be governed by Pennsylvania law.

IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the day and year first above written.

DECLARANT:  
WOODCREST AT EAST COVENTRY, L.P.  
By: WIGGLESWORTH, LLC, its general partner

By:   
Michael A. Nolen, President & Member



SECURITY AB OF PA

12/19/2005 09:54A

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Page 2 of 5

B-6709 P-2223

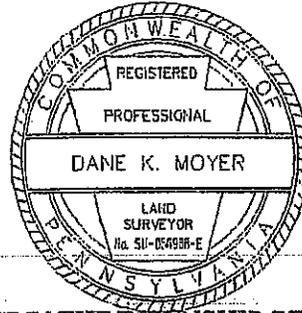
11259007 B: 8671 P: 674 MSA  
03/19/2013 02:47 PM Page 23 of 40  
WISLER PEARLSTINE



**EXHIBIT "A"**  
**SNOW REMOVAL EASEMENT A**

June 25, 2004  
Revised November 10, 2005

RE: Snow Removal Easement A  
(Lots 17 and 18)  
Wood Crest Estates  
East Coventry Township  
Chester County, PA

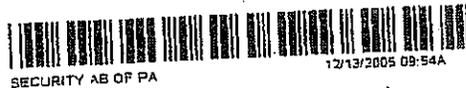


ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO SHEET 2 OF A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, on the southeasterly right-of-way line of Oleander Lane, said point being the common corner of Lots 17 and 18;

- THENCE 1) Along the southeasterly right-of-way line of Oleander Lane, along a curve to the left having a radius of 50.00 feet, an arc distance of 10.07 feet, with a chord bearing and distance of North 52 degrees 30 minutes 22 seconds East 10.05 feet to a point;
- THENCE 2) Through Lot 17 and Utility Easement A, South 31 degrees 43 minutes 32 seconds East, a distance of 10.17 feet to a point;
- THENCE 3) Through the same and also through Lot 18, on a curve to the right having a radius of 60.00 feet, an arc distance of 20.09 feet, with a chord bearing and distance of South 58 degrees 16 minutes 28 seconds West 20.00 feet to a point;
- THENCE 4) Through Lot 18 and Utility Easement A, North 31 degrees 43 minutes 32 seconds West, a distance of 10.17 feet to a point on the southeasterly right-of-way line of Oleander Lane;
- THENCE 5) Along the same, on a curve to the left having a radius of 50.00 feet, an arc distance of 10.07 feet, with a chord bearing and distance of North 64 degrees 02 minutes 35 seconds East 10.05 feet to the POINT OF BEGINNING.

CONTAINING: 201 square feet more or less.



10605088  
Page 4 of 6  
B-6709 P-2223

11259007 B: 8671 P: 676 MSA  
03/19/2013 02:47 PM Page 25 of 40  
WISLER PEARLSTINE



**Exhibit "D"**

**Declaration of Easement**



2001 and last revised February 16, 2005 (hereinafter referred to as the "Plans"), which Plans provide for the subdivision of the Premises into 22 Fee simple lots (hereinafter collectively referred to as the "Lots") and open spaces areas. The Plans are intended to be recorded in the Office of the Recorder of Deeds in Chester County, Pennsylvania.

C. Declarant intends to construct or cause to be constructed single family residences on the Lots.

D. Title to the Lots is likely to be conveyed to different owners.

E. Declarant intends to install the underground sanitary sewer lines which are shown on the Plans and to connect the same to the Township's sanitary sewer system (hereinafter referred to as the "Sanitary Sewer Lines").

F. Declarant intends to install or create storm water drainage facilities which consist of storm pipes, similar appurtenances, and surface drainage courses to serve the Lots, all of which are shown on the Plans (hereinafter referred to as the "Storm Water Facilities").

G. Declarant intends to install the underground water lines in order to service the Lots (hereinafter referred to as the "Water Lines").

H. The Declarant may further install cable television, telephone, electric and other utility service lines in the future (hereinafter referred to as the "Additional Lines").

I. In order to assure itself and any further grantees of the Lots of planned and orderly development, maintenance and use of the Premises and the Lots, the Declarant desires to reserve unto itself for the benefit of itself and others the easements shown on the Plans over and across the Lots to permit the Declarant to install, lay, construct, create, use, repair, inspect, renew, relocate, add to, operate, and maintain the Sanitary Sewer Lines, the Storm Water Facilities, the Water Lines, and the Additional Lines.



- 2 -

11259007 B: 8671 P: 680 MSA  
03/19/2013 02:47 PM Page 29 of 40  
WISLER PEARLSTINE



appropriate sewer or municipal authority with jurisdiction over the Premises including Chester County and Pennsylvania Department of Transportation (the "Governmental Authorities"). In the event of such an assignment by the Declarant, the then current owners of the Lots shall execute any documents requested by the Declarant or by its assignee in order to confirm the continued existence of the Easement. If such owners shall fail to comply with the provisions of this Paragraph 3, the Declarant is hereby irrevocably appointed attorney-in-fact to execute such documentation on their behalf and such appointed is hereby acknowledged to be coupled with interest.

3. **ACKNOWLEDGEMENTS.** The recording of this Declaration prior to the conveyance of any of the Lots will be deemed an acknowledgment by all future Lot owners of the Easements created hereunder in favor of the Declarant and the Governmental Authorities. Declarant shall have the right to enforce the rights and obligations arising from these acknowledgements by an appropriate action brought in the Chester County Court of Common Pleas.

4. **TERM.** This Agreement and the Easement, covenants and agreements set forth herein shall restrict and be a servitude against the Premises and the Lots and shall constitute easements, covenants and agreements running with the Premises and the Lots and be binding upon all present and future owners and grantees of the Lots. The Easement and rights granted herein shall be perpetual and shall not lapse or be deemed extinguished by violation of this Declaration or by non-use of the Easement.

5. **GOVERNING LAW.** This Declaration shall be construed, interpreted and enforced in accordance with the laws of the Commonwealth of Pennsylvania.

6. **RECORDING.** This Declaration shall be recorded in the Office of the Recorder



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Page 4 of 5

B-6709 P-2218

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11259007 B: 8671 P: 682 MSA  
03/19/2013 02:47 PM Page 31 of 40  
WISLER PEARLSTINE



**Exhibit "E"**

**Declaration of Temporary Access and Grading Easements and Restrictions**

11259007 B: 8671 P: 684 MSA  
03/19/2013 02:47 PM Page 33 of 40  
WISLER PEARLSTINE



C. It is intended that Wood Lea Road be extended into the property located directly east of Lots 8 and 9 and known as Chester County U.P.I. No. 18-4-110.1A (the "Neighboring Property") at the time the property is subdivided and developed, if at all. In the event Wood Lea Road is extended into the Neighboring Property, the easements created hereby shall terminate in accordance with the terms hereof.

NOW, THEREFORE, Declarant hereby declares and covenants for itself and its successors and assigns that Lots 8 and 9, as shown and described on sheet 2 of the Recorded Plan, are and shall be held, transferred, sold and conveyed under and subject to the easements, covenants and restrictions set forth herein, all of which shall be easements, covenants and restrictions running with Lots 8 and 9 and which shall be binding upon all parties having or acquiring any interest in Lots 8 and 9, in perpetuity.

1. Incorporation by Reference. The Background recitals to this Declaration are hereby incorporated herein by this reference. Any terms used in this Declaration that are defined in said recitals shall have the meanings ascribed to them in the recitals.

2. Access Easements. Declarant hereby creates, declares and establishes a non-exclusive, free, irrevocable and uninterrupted easement over and across the Access Easement Areas for the purpose of accessing Wood Lea Road, which easements shall burden Lots 8 and 9 and shall inure to the benefit of those lawfully using Wood Lea Road and the Declarant. Declarant reserves the right to offer dedication of the easements to East Coventry Township, Chester County, Pennsylvania, its successors and assigns, which offer East Coventry Township shall have the right, at its sole discretion, to accept.

3. Grading Easements. Declarant hereby creates, declares and establishes a non-exclusive, free, irrevocable and uninterrupted easement over and across the Grading Easement Areas for the purpose of excavating, filling and otherwise grading within the Grading Easement Areas in connection with the removal of the road improvements located within the Access Easement Areas and the construction of an extension of Wood Lea Road on the Neighboring Property in the event of an extension of Wood Lea Road into the Neighboring Property, and placing within the Grading Easement Areas, grass which easements shall burden Lots 8 and 9 and shall inure to the benefit of the Declarant.

4. Restrictions on Use of Easement Areas. The owners of Lots 8 and 9 are restricted from altering or modifying the Access Easement Areas. The owners of Lots 8 and 9 acknowledge and shall comply with all provisions of the Recorded Plan applicable to the easements including, but not limited to, Note No. 22 appearing on sheet 1 of the Recorded Plan.

5. Duration of Easements. The duration of the easements granted hereby shall be during the period of development of the Wood Crest Estates and the Neighboring Property (if at all), and until such time as (a) the extension of Wood Lea Road intending to be constructed on the Neighboring Property has been substantially completed as evidenced by written certification of the Township Engineer, (b) the developer of the Neighboring Property is permitted by East Coventry Township to use such extension of Wood Lea Road intended to be constructed on the Neighboring



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Page 2 of 5  
B-6709 P-2228

11259007 B: 8671 P: 686 MSA  
03/19/2013 02:47 PM Page 35 of 40  
WISLER PEARLSTINE



COMMONWEALTH OF PENNSYLVANIA :  
 : SS  
COUNTY OF MONTGOMERY :

On the 18 day of November, 2005, before me the undersigned, a notary public for the Commonwealth of Pennsylvania residing in the County of Montgomery, personally appeared Michael A. Nolen, who acknowledged himself to be the President of Wigglesworth, LLC, the general partner of Woodcrest at East Coventry, L.P., and that he as such officer, being authorized to do so, executed the foregoing instrument for the purposes herein contained by signing the name of the limited liability company by himself as such officer.

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

*Christina M. Sica*  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Christina M. Sica, Notary Public  
Conshohocken Boro, Montgomery County  
My Commission Expires Oct 2, 2007  
Member, Pennsylvania Association Of Notaries

11259007 B: 8671 P: 688 MSA  
03/19/2013 02:47 PM Page 37 of 40  
WISLER PEARLSTINE



SECURITY AB OF PA

12/19/2005 09:54A

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Page 4 of 8  
B-6709 P-2228

**EXHIBIT "B"**  
**TEMPORARY ACCESS EASEMENT 2**

June 25, 2004  
Revised November 10, 2005

RE: Temporary Access Easement 2  
(Lot 9)  
Wood Crest Estates  
East Coventry Township  
Chester County, PA

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO SHEET 2 OF A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT on the southeasterly right-of-way line of Wood Lea Road (50 feet wide), said point being located along the southeasterly right-of-way line of Wood Lea Road, along a curve to the right, having a radius of 625.00 feet, an arc distance of 20.98 feet with a chord bearing and distance of South 36 degrees 36 minutes 08 seconds West 20.98 feet from a point in line of lands now or late Thomas and Nancy Smith;

THENCE 1) Through Lot 9 and Temporary Grading Easement 2, and crossing Drainage Easement E, on a curve to the right having a radius of 50.00 feet, an arc distance of 108.29 feet, with a chord bearing and distance of South 41 degrees 36 minutes 59 seconds West 88.33 feet to a point on the southeasterly right-of-way line of Wood Lea Road;

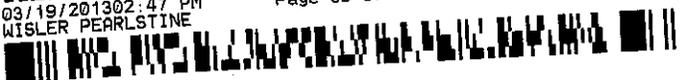
THENCE 2) Along the same, along a curve to the left having a radius of 625.00 feet, an arc distance of 88.41 feet, with a chord bearing and distance of North 41 degrees 36 minutes 59 seconds East 88.33 feet to the POINT OF BEGINNING.

CONTAINING: 1,580 square feet more or less.



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Page: 8 of 9  
B-6709 P-2228

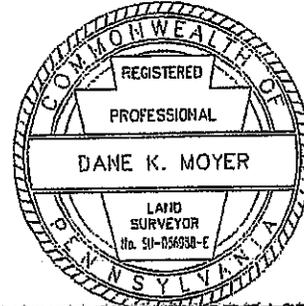
11259007 B: 8671 P: 690 MSA  
03/19/2013 02:47 PM Page 39 of 40  
WISLER PEARLSTINE



**EXHIBIT "D"**  
**TEMPORARY GRADING EASEMENT 2**

June 25, 2004  
Revised November 10, 2005

RE: Temporary Grading Easement 2  
(Lot 9)  
Wood Crest Estates  
East Coventry Township  
Chester County, PA



ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST COVENTRY, COUNTY OF CHESTER, AND COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO SHEET 2 OF A SUBDIVISION PLAN OF WOODCREST ESTATES, PREPARED FOR HERITAGE BUILDING GROUP, BY BURSICH ASSOCIATES, INC. DATED 2/14/2001 AND LAST REVISED 8/8/2002, AND RECORDED 1/18/2005 IN PLAN BOOK 17315 PAGE 1, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, on the southeasterly right-of-way line of Wood Lea Road (50 feet wide), said point being a corner of Lot 9 and in line of lands now or late Thomas and Nancy Smith;

THENCE 1) Along lands now or late Thomas and Nancy Smith, South 52 degrees 09 minutes 26 seconds East, a distance of 30.02 feet to a point;

THENCE 2) Through Lot 9 and crossing Drainage Easement E, on a curve to the right having a radius of 655.00 feet, an arc distance of 67.16 feet, with a chord bearing and distance of South 38 degrees 40 minutes 44 seconds West 67.13 feet to a point of compound curvature;

THENCE 3) Through the same, on a curve to the right having a radius of 55.00 feet, an arc distance of 62.66 feet, with a chord bearing and distance of South 74 degrees 15 minutes 23 seconds West 59.33 feet to a point on the southeasterly right-of-way line of Wood Lea Road;

THENCE 4) Along the same, on a curve to the left having a radius of 625.00 feet and an arc distance of 115.20 feet, with a chord bearing and distance of North 40 degrees 55 minutes 15 seconds East 115.04 feet to the POINT OF BEGINNING.

CONTAINING: 3,067 square feet more or less.



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Page: 8 of 8  
B-6709 P-2228

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