

BOROUGH OF AVALON
RESOLUTION NO. 1019

A RESOLUTION OF THE BOROUGH OF AVALON, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA AUTHORIZING THE PROPER OFFICERS OF THE BOROUGH TO TAKE ANY AND ALL STEPS NECESSARY TO ACQUIRE CERTAIN REAL PROPERTY IN THE BOROUGH OF AVALON BY GIFT AND WITHOUT RESTRICTION; KNOWN AS THE TAYLOR PROPERTY AND DESIGNATED AS LOT AND BLOCK 214-M-12, AND KNOWN AS 1 FERNLEAF AVENUE, DEED BOOK VOLUME 8393, PAGE 638; AND REPEALING ALL INCONSISTENT RESOLUTIONS.

WHEREAS, the Act of February 1, 1966, as amended, P.L. 581, § 2702, 53 P.S. § 47702, authorizes Boroughs to acquire buildings and tracts of land by gift; and

WHEREAS, certain Borough benefactors, to-wit, Frank C. Taylor, Administrator of the Estate of Alice E. Taylor, deceased, Frank C. Taylor and Jacqueline Taylor, husband and wife, Donna E. Pryor and James C. Taylor, husband and wife, and Lydia O. Crigler, a single individual, desire to donate to the Borough of Avalon, without restriction, a certain tract of land (structure already removed), within the Borough limits, and known as the Taylor property, and designated as Lot and Block 214-M-12, a portion of the property described in Deed Book Volume 8393, Page 638, a more specific description of the property donated as shown on the Indenture which is attached hereto and made a part hereof; and

WHEREAS, Borough Council is desirous of accepting the donation of the Taylor property, designated as Lot and Block 214-M-12, Deed Book Volume 8393, Page 638, from the within grantors; and

NOW THEREFORE, be it resolved by Council of the Borough of Avalon and it is hereby resolved with the authority of same:


SECTION 1: The proper officers of the Borough are hereby authorized to take any and all steps necessary to accept the donation of the Taylor property, without restriction, and designated as 1 Fernleaf Avenue, Lot and Block 214-M-12, Deed Book Volume 8393, Page 638 as shown on the Indenture attached hereto.

SECTION 2: All resolutions or parts of resolutions conflicting herewith are repealed insofar as they conflict herewith.

RESOLVED this 21th day of June, 2005.

ATTEST:

BOROUGH OF AVALON


Harry W. Dilmore
Secretary


Edward Klicker
President
Borough Council

THIS RESOLUTION examined and approved by me
this 28th day of June, 2005.


Mayor Daniel K. Bricmont, Esquire

FIDUCIARY DEED--For Guardian, Trustee,
Executor or Administrator

THIS INDENTURE

MADE THE 17TH day of MAY, 2005

BETWEEN **FRANK C. TAYLOR, as ADMINISTRATOR OF THE ESTATE OF ALICE E. TAYLOR, deceased, FRANK C. TAYLOR and JACQUELINE TAYLOR, husband and wife, DONNA E. PRYOR and JAMES C. TAYLOR, husband and wife, and LYDIA O. CRIGLER, a single individual,**

hereinafter called "Grantors" and

THE BOROUGH OF AVALON, a Pennsylvania municipality,
hereinafter called "Grantee"

WITNESSETH, that whereas the said **ALICE E. TAYLOR,** by virtue of divers Conveyances and Assurances in law, duly had and executed, became in her lifetime lawfully seized in fee simple the hereinafter described real estate.

AND WHEREAS, ALICE E. TAYLOR died intestate May 22, 2004 survived by her three children, namely, **FRANK C. TAYLOR, DONNA E. PRYOR and LYDIA O. CRIGLER.**

AND WHEREAS, LETTERS OF ADMINISTRATION were granted to **FRANK C. TAYLOR,** as Administrator of the **ESTATE OF ALICE E. TAYLOR,** by the Register of Wills in and for Allegheny County, Pennsylvania on or about June 7, 2004.

NOW THIS INDENTURE WITNESSETH, That the said Grantor for and in consideration of the sum of

ONE AND NO/100 (\$1.00) Dollars

lawful money of the United States, to them in hand paid by the said Grantee at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, granted, bargained, sold, aliened, released and confirmed, and by these presents does grant, bargain sell, alien, release and confirm unto the said GRANTEES, THEIR HEIRS AND ASSIGNS, ALL OF THE FOLLOWING DESCRIBED PREMISES:

ALL that certain lot or piece of ground situated in the Borough of Avalon, County of Allegheny and State of Pennsylvania, being part of Lot numbered Seventeen (17) in North Avalon Plan of Lots

as recorded in the Recorder's Office of Allegheny County in Plan Book Vol. 18, pages 158 and 159, and bounded and described as follows, to-wit:

BEGINNING on the westerly side of Fernleaf Avenue at the dividing line between Lots Nos. 16 and 17 in said plan; thence westerly along said dividing line Eighty (80) feet to a point; thence northerly at right angles thereto, Sixty and 04/100 (60.04) feet to a point on the southerly side of an unnamed 15 foot alley; thence easterly along the said alley Sixty-three and 57/100 (63.57) feet to Fernleaf Avenue; and thence southeasterly along Fernleaf Avenue, Sixty-two and 25/100 (62.25) feet to the place of beginning.

HAVING thereon erected a one and one-half story frame dwelling with attached stucco garage, known as 1 Fernleaf Avenue.

BEING known and designated as Block 214-M, Lot 12 in the Deed Registry records of Allegheny County, Pennsylvania.

BEING the same property which Alice E. Taylor, widow of Frank L. Taylor, deceased, by Deed dated December 17, 1990 and recorded December 19, 1990 in the Office of the Recorder of Deeds in and for Allegheny County, Pennsylvania in Deed Book Volume 8393, Page 638 granted and conveyed unto Alice E. Taylor, in her own right. Alice E. Taylor died May 22, 2004 intestate survived by her three (3) children, **FRANK C. TAYLOR, DONNA E. PRYOR and LYDIA O. CRIGLER, her children. FRANK C. TAYLOR and JACQUELINE TAYLOR, his wife, DONNA E. PRYOR and JAMES C. PRYOR, her husband, and LYDIA O. CRIGLER, an individual,** join in this conveyance to transfer any interest they have as intestate heirs of Alice E. Taylor, or the spouses of the intestate heirs of Alice E. Taylor, deceased.

THE PURPOSE of this Deed is to convey full right, title and interest in the subject property to **THE BOROUGH OF AVALON, a Pennsylvania municipality.**

THIS transfer is a transfer and conveyance unto the Borough of Avalon, a Pennsylvania municipality and is thus tax exempt under the laws of the Commonwealth of Pennsylvania.

TOGETHER with all and singular ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and also all the estate,

IN WITNESS WHEREOF, the said FRANK C. TAYLOR, ADMINISTRATOR OF THE ESTATE OF ALICE E. TAYLOR has hereunto set his hand and seal the day and year first above written.

SEALED AND DELIVERED IN THE PRESENCE OF

Samuel Herb

WITNESS:

Samuel Herb

) Frank C. Taylor (Seal)
) FRANK C. TAYLOR, ADMINSTRATOR,
) OF THE ESTATE OF ALICE E. TAYLOR,
) deceased

Frank C. Taylor
FRANK C. TAYLOR

Jacqueline Taylor
JACQUELINE TAYLOR

Donna E. Pryor
DONNA E. PRYOR

James C. Pryor
JAMES C. PRYOR

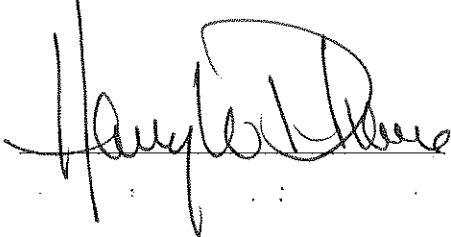
Lydia O. Crigler
LYDIA O. CRIGLER

right, title, interest, use, trust, property, possession, claim and demand whatsoever in law, equity, or otherwise, howsoever, of, in, to or out of the same:

TO HAVE AND TO HOLD the said hereditaments and premises hereby granted and released, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, it's heirs and assigns, to and for the only proper use and behoof of the said Grantee, it's heirs or assigns forever.

And the said Grantor does covenant, promise and agree, to and with the said Grantee, it's heirs and assigns, by these presents, that he the said Grantor has not done, committed, or knowingly, or willingly suffered to be done or committed, any act, matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged or incumbered, in title, charge, estate or otherwise howsoever.

NOTICE THE UNDERSIGNED, AS EVIDENCED BY THE SIGNATURE(S) TO THIS NOTICE AND THE ACCEPTANCE AND RECORDING OF THIS DEED, (IS, ARE) FULLY COGNIZANT OF THE FACT THAT THE UNDERSIGNED MAY NOT BE OBTAINING THE RIGHT OF PROTECTION AGAINST SUBSIDENCE, AS TO THE PROPERTY HEREIN CONVEYED, RESULTING FROM COAL MINING OPERATIONS AND THAT THE PURCHASED PROPERTY, HEREIN CONVEYED, MAY BE PROTECTED FROM DAMAGE DUE TO MINE SUBSIDENCE BY A PRIVATE CONTRACT WITH THE OWNERS OF THE ECONOMIC INTEREST IN THE COAL. THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1966, as amended 1980. Oct. 10. P.L. 874, No. 156 §1.



BY:

BOROUGH OF AVALON

NOTICE: THIS DOCUMENT MAY NOT (DOES NOT) SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE (HAVE) THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE OR RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. [This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L. 984, as amended].

STATE OF TEXAS

COUNTY OF Bell

)
) SS:
)

On this the 24th day of May 2005,
before me A NOTARY PUBLIC, the undersigned officer,
personally appeared LYDIA O. CRIGLER known to me (or
satisfactorily proven) to be the person whose name is subscribed
to the within instrument and acknowledged that she executed the
same for the purposes therein contained.

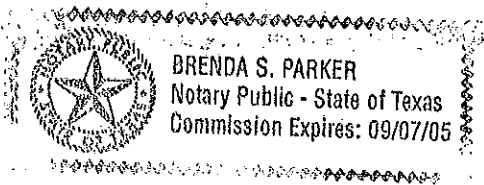
IN WITNESS WHEREOF I hereunto set my hand and official
seal.

Brenda S Parker

Notary Public

(Title of Officer)

My Commission expires: 09/07/05



STATE OF PENNSYLVANIA)

)

) SS:

COUNTY OF ALLEGHENY)

)

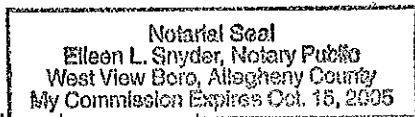
On this the *3rd* day of *June* 2005, before me A NOTARY PUBLIC, the undersigned officer, personally appeared **FRANK C. TAYLOR, JACQUELINE TAYLOR, DONNA E. PRYOR AND JAMES C. PRYOR** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledge that they executed the same for the purposes therein contained.

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

Eileen L. Snyder

Notary Public

(Title of Officer)



My Comm. Expires ~~10/15/05~~ *10/15/05*

CERTIFICATE OF RESIDENCE

I, *Joe Vogrin* do hereby certify that GRANTEE, precise residence is *640 CALIFORNIA AVENUE, Pgh PA 15202*

Witness my hand this *21st* day of *JUNE*, 2005.

Joe Vogrin

(AGENT)

**DEED
FROM**

FRANK C. TAYLOR, ADMINISTRATOR OF THE ESTATE OF ALICE E. TAYLOR, deceased, FRANK C. TAYLOR and JACQUELINE TAYLOR, husband and wife, DONNA E. PRYOR and JAMES C. TAYLOR, husband and wife, and LYDIA O. CRIGLER, a single individual, TO THE BOROUGH OF AVALON, a Pennsylvania Municipality,

MAIL TO: JOSEPH E. VOGGIN, III
4850 USX TOWER
600 GRANT STREET
PITTSBURGH, PA 15219