

HAMILTONBAN TOWNSHIP ORDINANCE NO. 4 of 2023
LIBERTY TOWNSHIP ORDINANCE NO. 1 of 2023

**JOINT MUNICIPAL ORDINANCE OF HAMILTONBAN
TOWNSHIP AND LIBERTY TOWNSHIP MEMORIALIZING A
BOUNDARY LINE AGREEMENT BETWEEN THE TWO
TOWNSHIPS**

WHEREAS, property owned by Francis E. Strayer and Patricia A. Strayer, Adams County Deed Book 6853, Page 369 (hereinafter “Strayer Property”), was erroneously depicted as being located primarily in Hamiltonban Township on a subdivision plan attached as Exhibit III; and

WHEREAS, said Strayer Property is depicted on Exhibit “II” as Lot 3 and lands n/f of Francis E. Strayer & Patricia A. Strayer, Deed Ref. 5497-434; and

WHEREAS, a portion of property owned by Ronald E. Strayer depicted on Exhibit “III”, as Lot 2 (hereinafter “Lot 2”), was also erroneously depicted as being located in Hamiltonban Township; and

WHEREAS, a portion of Lot 1 depicted on Exhibit “III” (hereinafter “Lot 1”) was also erroneously depicted as being in Hamiltonban Township; and

WHEREAS, the “Strayer Property”, “Lot 2” and “Lot 1”, are highlighted in blue on Exhibit “I” and shall be collectively hereinafter referred to as “Strayer Tract”; and

WHEREAS, Hamiltonban and Liberty have entered into an Agreement providing that the “Strayer Property” shall be located in Liberty Township; and

WHEREAS, a copy of said Agreement is labeled Exhibit II; and

WHEREAS, the purpose of this Ordinance is to memorialize the terms set forth in the Agreement attached as Exhibit II; and

WHEREAS, the authority for Hamiltonban and Liberty to adjust the boundary line is set forth in Chapter 7 of Title 53 of the Pennsylvania Consolidated Statutes (53 PA. C.S. 711 et. seq.)

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Hamiltonban and Liberty Township as follows:

SECTION 1 – The agreement attached as Exhibit II is memorialized as a result of enactment of this Ordinance.

SECTION 2 – The Hamiltonban and Liberty Township boundary line for the property depicted as the “Strayer Tract” and highlighted in blue on “Exhibit I” shall be adjusted to locate all of the “Strayer Tract” in Liberty Township.

SECTION 3 – A description of the “Strayer Tract” to be located in Liberty Township is as follows:

BEGINNING at a point where the line identified as the approximate location of municipal boundary for HAMILTONBAN TOWNSHIP/LIBERTY TOWNSHIP intersects with the southern boundary line of property n/f Francis E. Strayer & Patricia A. Strayer, Deed Ref. 5497-434 and northern boundary line of property n/f of Carmel of Jesus Mary & Joseph, Deed Ref. 6123-58; thence with said Strayer/Carmel boundary line N 75° 34' 19" W 140.42 feet to a Rebar set with cap at lands n/f of Valley Quarries Inc. Deed Ref. 635-254; thence with said lands N 09° 34' 19" W 462.10 feet through a Rebar set with cap to a Rebar (fnd) in pipe; thence continuing with same N 08° 52' 43" W 502.84 feet to a Rebar set with cap at lands n/f Stephan W. Jacobs & Noma M. Jacobs, Deed Ref. 238-35; thence with said lands S 88° 37' 03" E 963.92 feet to a Rebar set with cap; thence continuing with same S 64° 44' 33" E 386.99 feet to a point at the approximate location of municipal boundary for Hamiltonban/Liberty Township; thence with said boundary line S 52° 00' 41" W 1298.26 feet to a point at the boundary line of the Strayer/Carmel property, the place of beginning. Being all of that property identified as the “STRAYER TRACT” and highlighted in blue on the attached “Exhibit I”.

SECTION 4 – The property described in SECTION 3 above had always been considered to be a part of Liberty Township but for some reason when the subdivision plan attached as Exhibit III to this Ordinance was approved by Liberty and Hamiltonban Township it depicted the “Strayer Tract” as being located in Hamiltonban Township.

SECTION 5 – The description for the property incorrectly depicted as being in Hamiltonban Township is described in SECTION 3.

SECTION 6 – It is the intent of both Hamiltonban and Liberty Township by the enactment of this Ordinance to make it clear that the “Strayer Tract” is part of Liberty Township.

SECTION 7 – The net effect of this Ordinance is that the line depicted as approximate location of municipal boundary Hamiltonban Township/Liberty Township is deleted and the new boundary line shall be as highlighted in yellow on Exhibit IV.

SECTION 8 – The Code Book of Hamiltonban and Liberty Township shall be amended by adding a new Chapter in each Code Book entitled “Boundary Lines” and this Ordinance shall be set forth in full in said Chapter.

SECTION 9 – Severability. If any article, section, or provision in this ordinance should be decided by the courts to be unconstitutional or invalid, such decision shall not affect

the validity of this ordinance as a whole or any part thereof other than the parts so decided to be unconstitutional or invalid.

SECTION 10 – Repealer. All other township ordinances or parts of other ordinances in conflict herewith, are hereby repealed.

SECTION 11 – Effective date. This ordinance shall become effective in accordance with the law.

ENACTED AND ORDAINED this 3RD day of October, 2023.

LIBERTY TOWNSHIP

By: [Signature]
Chairman, Liberty Township Board of Supervisors

[Signature]
[Signature]

HAMILTONBAN TOWNSHIP

By: [Signature]
Chairman, Hamiltonban Township Board of Supervisors

[Signature]
[Signature]

Attest: [Signature]
Secretary

Attest: [Signature]
Secretary

SITE DATA - PARENT PARCEL
 Owner: Ray F. Strayer Estate
 Parcel ID: 185-55
 Parcel ID: 25216-007-000
 Parcel Area: 25.82 Acres

SITE DATA LOT 1 (RESIDUE)
 Lot 1 (Residue)
 Area: 1.22 Acres

Existing Zoning: R-1
Existing Land Use: Residential
Proposed Land Use: Residential
Existing Water Supply: Private well
Existing Sewerage Disposal: Private septic

SITE DATA LOT 2 COMBINED

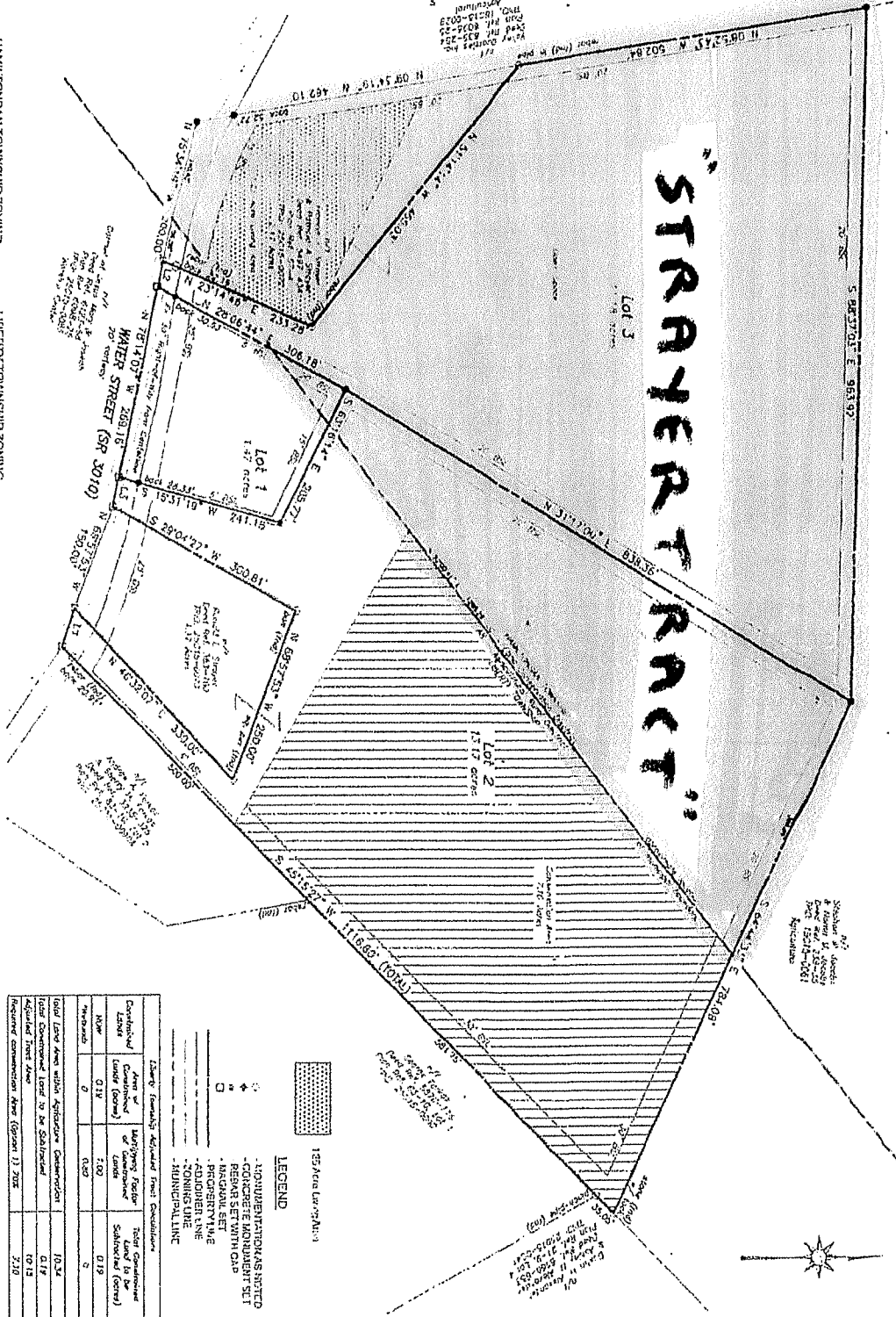
Existing Parcel: Road E Strayer
Property Address: 400 Strayer Road
Parcel ID: 25216-007-000
Parcel Area: 1.22 Acres
Existing Zoning: R-1
Existing Land Use: Residential
Proposed Land Use: Residential
Existing Water Supply: Private well
Existing Sewerage Disposal: Private septic

Existing Parcel: Road E Strayer
Property Address: 400 Strayer Road
Parcel ID: 25216-007-000
Parcel Area: 1.22 Acres
Existing Zoning: R-1
Existing Land Use: Residential
Proposed Land Use: Residential
Existing Water Supply: Private well
Existing Sewerage Disposal: Private septic

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Property Address: 400 Strayer Road
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Parcel Area: 1.22 Acres
Existing Zoning: R-1
Existing Land Use: Residential
Proposed Land Use: Residential
Existing Water Supply: Private well
Existing Sewerage Disposal: Private septic

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Parcel Area: 1.22 Acres
Existing Zoning: R-1
Existing Land Use: Residential
Proposed Land Use: Residential
Existing Water Supply: Private well
Existing Sewerage Disposal: Private septic



HAMILTON TOWNSHIP ZONING
 DIMENSIONAL REQUIREMENTS

LIBERTY TOWNSHIP ZONING
 DIMENSIONAL REQUIREMENTS

FILE	SECTION	DATE
1	1	1/1/2020
2	2	1/1/2020
3	3	1/1/2020

GRAPHIC SCALE
 0' 100' 200' 300'

DATE	BY	REVISION
1/1/2020	ADAMS COUNTY SURVEYORS	1
1/1/2020	ADAMS COUNTY SURVEYORS	2
1/1/2020	ADAMS COUNTY SURVEYORS	3

FINAL SUBDIVISION PLAN
 OF
RAY F. STRAYER ESTATE
 HAMILTON TOWNSHIP
 ADAMS COUNTY, PA
 DATE: 13 AUG 2020
 FILE: 2020-073
 DRAWN BY: JRD
 ADAMS COUNTY SURVEYORS - DOVER SURVEYS
 3190 BUCKLEUP BLVD
 SUITE A
 DOVER, PA 17207
 717-271-1212

Exhibit I

JOINT MUNICIPAL BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made this 1st day of August, 2023, by and between **Liberty Township**, a Pennsylvania Township of the second class, with an office at 39 Topper Road, Fairfield (Adams County), Pennsylvania, 17320, hereinafter "**LIBERTY**",

AND

Hamiltonban Township, a Pennsylvania Township of the second class, with an office at 23 Carrolls Tract Road (Adams County), Pennsylvania, 17320, hereinafter "**HAMILTONBAN**".

WHEREAS, property owned by Francis E. Strayer and Patricia A. Strayer, Adams County Deed Book 6853, Page 369 (hereinafter "Strayer Property"), was erroneously depicted as being located primarily in Hamiltonban Township on Exhibit "A"; and

WHEREAS, said Strayer Property is depicted on Exhibit "A" as Lot 3 and lands n/f of Francis E. Strayer & Patricia A. Strayer, Deed Ref. 5497-434; and

WHEREAS, a portion of property owned by Ronald E. Strayer depicted on Exhibit "A" as Lot 2 (hereinafter "Lot 2"), was also erroneously depicted as being located in Hamiltonban Township; and

WHEREAS, a portion of Lot 1 depicted on Exhibit "A" (hereinafter "Lot 1") was also erroneously depicted as being in Hamiltonban Township; and

WHEREAS, Exhibit "A" is a Final Subdivision Plan of Ray F. Strayer Estate, prepared by BEYOND ALL BOUNDARIES, INC. dated 13 AUG 2020; attached hereto, and incorporated herein by reference as if set forth in full hereunder; and

WHEREAS, Hamiltonban and Liberty desire to adjust the boundary line between their two (2) townships in such a manner that all of the Strayer Property, Lot 2 and Lot 1 are located in Liberty Township; and

WHEREAS, the authority for Hamiltonban and Liberty to adjust the boundary line is set forth in Chapter 7 of Title 53 of the Pennsylvania Consolidated Statutes (53 PA. C.S. 711 et. seq.)

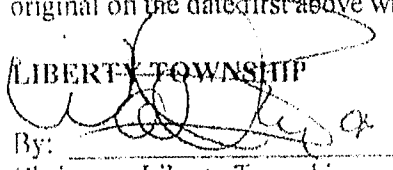
NOW, THEREFORE WITNESSETH, that pursuant to the authority set forth in 53 PA. C.S. 711 et. seq., Hamiltonban and Liberty with intent to be legally bound hereby agree as follows:

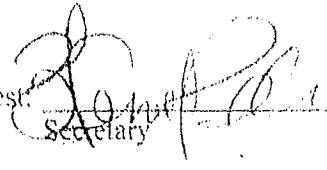
1. The WHEREAS paragraphs set forth above are incorporated herein by reference as if set forth in full hereunder.
2. The boundary line between Hamiltonban and Liberty shall be adjusted in such a manner that the Strayer Property, Lot 2 and Lot 1 shall be located in Liberty Township.

3. The existing boundary line between Hamiltonban and Liberty depicted on Exhibit "A" as "approximate location of municipal boundaries" and marked with an "X" shall be eliminated and the boundary line between Hamiltonban and Liberty shall be the property lines for the Strayer Property and Lot 2 in the center of the area highlighted in blue on Exhibit "A".
4. The parties agree to enact a joint ordinance memorializing this Agreement as required by 53 PA.C.S. 715.
5. The property impacted by this Agreement shall be designated as "Strayer Property."
6. Severability. The provisions of this Agreement shall be severable. Should any section, subsection, sentence, or other portion of this Agreement be declared by a final order of any court with jurisdiction to be illegal or otherwise invalid, such a declaration shall not affect the remainder of this Agreement.
7. Binding Effect. This Agreement shall be binding on the parties hereto, and their successors.
8. Modification. The terms of this Agreement may be modified, but only by a writing signed by the authorized representatives of the parties hereto.
9. This Agreement shall be dated as of the date the last party signs the Agreement.

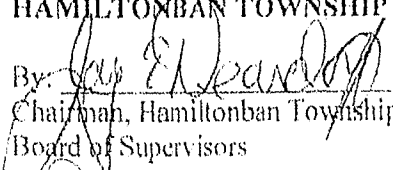
IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in duplicate, each of which shall be deemed an original on the date first above written.

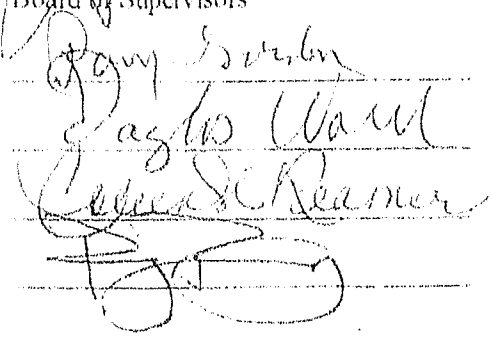
LIBERTY TOWNSHIP

By: 
Chairman, Liberty Township
Board of Supervisors

Attest: 
Secretary

HAMILTONBAN TOWNSHIP

By: 
Chairman, Hamiltonban Township
Board of Supervisors

Attest: 
Secretary

