

INTENT TO ENTER INTO AN AGREEMENT

THIS Agreement is made, this _____ day of June, 2024, by and between the **WELLSBORO AREA SCHOOL DISTRICT**, with administrative offices at 227 Nichols Street, Wellsboro, Pennsylvania 16901 (hereinafter referred to as “School District”)

A N D

BURTON HOMES LLC, with an address of 44 Corky Road, Wellsboro, Pennsylvania 16901 (hereinafter referred to as “Burton Homes”) as follows:

W I T N E S S E T H :

WHEREAS, Tony Cooper, on behalf of Burton Homes, approached the School District and asked if he could acquire a right-of-way over the former Borough Road known as Taynton Road; and

WHEREAS, Mr. Cooper provided a revised draft of the survey map prepared by the Land Services Group dated May 15, 2024, depicting the proposed 50’ joint use private right-of-way, a copy of which is attached hereto marked Exhibit “A” and incorporated herein by reference; and

WHEREAS, Burton Homes wants to use the road so that they can develop the property more fully described in Tioga County Instrument Number 202310949 containing 5.95 acres, more or less. The lot in question is bounded on the East by a creek known as Sanders Creek; and

WHEREAS, the School District’s softball field has a water drainage issue, and the School District intends to fix the drainage issue that may require a right of way from property owned by Burton Homes; and

WHEREAS, the parties desire to enter into this Agreement allowing Burton Homes to use portions of Taynton Road and the School District to acquire a right of way to fix its softball field and acquire any necessary utilities.

NOW, THEREFORE, it is understood between the parties that they will work to finalize an agreement in accordance herewith:

1. The foregoing recitals are incorporated herein by reference.
2. The School District intends to grant a right of way to allow Burton Homes to use portions of Taynton Road so long as Burton Homes grants a right-of-way, to the School District that allows utilities and allows the District to fix the softball field

3. Burton Homes will prepare a right of way map for Tayton Road that is acceptable to the Board of School Directors. The use of this right of way shall be in compliance with all laws, ordinances, rules, and regulation.

3. The District will prepare a Right of Way Map, if necessary, for the improvement to the softball field that is acceptable to Burton Homes. This Right of Way will be in compliance with all laws, ordinances, rules, and regulations.

4. This Agreement shall be governed and interpreted in accordance with the laws of the Commonwealth of Pennsylvania.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and date first above written.

BURTON HOMES

Witness

By: Anthony Cooper, Member

Board of School Directors
WELLSBORO AREA SCHOOL DISTRICT

By: _____
(Vice) President

Secretary

(SEAL)

EXHIBIT A

LANDS OF:
ZEBULON K.
ESHLEMAN, ET AL
INST. # 202107714
(PARCEL 09-04.00-006A)

LANDS OF:
CODY A. PERRY, ET UX
INST. # 201403353
(PARCEL 09-04.00-006C)

ASSUMED LEGAL
TERMINUS OF
TAYNTON RD.

LANDS OF:
WELLSBORO AREA
SCHOOL DISTRICT
DEED BOOK 356 AT
PAGE 58
(PARCEL 39-01.00-014A)

OLD EXISTING BOROUGH ROAD
GRADES (ASSUMED ABANDONED)

LANDS OF:
WELLSBORO AREA
SCHOOL DISTRICT
DEED BOOK 356 AT
PAGE 58
(PARCEL 39-01.00-014)

+/- DELMAR TOWNSHIP
+/- WELLSBORO BOROUGH

PROPOSED 50' JOINT-USE PRIVATE RIGHT-OF-WAY
(EAST EDGE ALONG PROPERTY BOUNDARY)
(MAINTENANCE OF THIS PROPOSED RIGHT-OF-WAY
WILL BE THE RESPONSIBILITY OF BURTON HOMES,
LLC, ITS SUCCESSORS AND ASSIGNS)

LANDS OF:
BURTON HOMES, LLC
INST. # 202310949
(PARCEL 39-01.00-110)

RIGHT-OF-WAY TO
TERMINATE AT THIS POINT

ROD FOUND

NAD 83 - STATE PLANE PA
NORTH - U.S. FEET



Surveyed by: Jeffrey J. Bailey
Prof. Land Surveyor
No. SU075567
Wellsboro PA



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REVISED 5/15/2024 - SHORTENED R.O.W.



LAND SERVICES GROUP

WELLSBORO, PA (570) 724-3395 LANDSG.COM

EXHIBIT SHOWING PROPOSED
JOINT-USE RIGHT-OF-WAY BETWEEN
WELLSBORO AREA SCHOOL DISTRICT
AND BURTON HOMES, LLC

LOCATION: WELLSBORO BOROUGH - TIOGA COUNTY - PA	REV. #:
DRAWN BY: AMC	JOB #: 2023221
FIELD BOOK: PAGES: 560	DATE: 03-19-2024
SCALE: 1" = 100'	ROW