

**EDDYSTONE BOROUGH
DELAWARE COUNTY, PENNSYLVANIA**

Ordinance 2026-____

**AN ORDINANCE OF THE EDDYSTONE BOROUGH COUNCIL AUTHORIZING
RATIFYING AND PERFECTING THE ACQUISITION OF PROPERTY LOCATED AT
1001 INDUSTRIAL HIGHWAY, EDDYSTONE BOROUGH, THROUGH THE
EXERCISE OF EMINENT DOMAIN**

WHEREAS, Eddystone Borough (“Borough”) Delaware County, is a Borough, organized and operating in accordance with the laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to the Borough Code, 8 Pa.C.S. §§101, *et. seq.*, and the Eminent Domain Code, 26 Pa.C.S. §§101, *et seq.*, the Borough is authorized to acquire lands; and

WHEREAS, through the exercise of these lawful powers, the Borough Council adopted a resolution at a Special Meeting on April 20, 2026, intending to acquire certain real property located at 1001 Industrial Highway, Delaware County, Pennsylvania, further identified as Delaware County Tax Map Parcel Number 18-00-00499-04 (“Real Property”) for general municipal purposes and the construction of a road, a true and correct copy of which is attached hereto as Exhibit 1 and incorporated by reference as if fully stated herein;

WHEREAS, on or about April 22, 2026, the Borough, by and through counsel, filed a Declaration of taking in the Court of Common Pleas in Delaware County at Docket No. CV-2026-004057, a true and correct copy of which is attached hereto as Exhibit 2 and incorporated by reference as if fully stated herein, and, thereafter, a copy of the Declaration of Taking was filed with the Delaware County Recorder of Deeds;

WHEREAS, notice was served upon the Condemnee, Industrial Highway, LLC (“Condemnee”) at 1621 Wood Street, Philadelphia, PA 19103;

WHEREAS, on or about May 29, 2026 Condemnee filed certain Preliminary Objections, *inter alia*, disputing the process by which the Borough pursued the Taking;

WHEREAS, while the Borough does not concede error or omission in the condemnation process, the Borough recognizes arguments made by the Condemnee and attempts to address concerns raised in these arguments;

WHEREAS, in furtherance of the Borough’s commitment to enhance the service it provides to Borough residents and those who visit the Borough, the Borough Council of Eddystone Borough hereby reauthorizes and ratifies condemnation of the Property for the aforesaid purposes.

NOW, THEREFORE, BE IT ORDAINED, that the Borough hereby **SELECTS, APPROPRIATES, AND CONDEMNNS** the Real Property for general municipal purposes, as set forth below:

1. The Eddystone Borough Council hereby ratifies the previous preparation and filing of a Declaration of Taking and associated notices and plans for certain Real Property located at 1001 Industrial Highway, Eddystone, Delaware County, Pennsylvania, further identified as Delaware County Tax Parcel Number 18-00-00499-04. The Real Property that is the subject of the taking is described and depicted in the legal description attached hereto as Exhibit 3 and incorporated herein.

2. Furthermore, the Eddystone Borough Council hereby authorizes, if necessary, the preparation and filing of a new Declaration of Taking and associated notices and plans for certain Real Property located at 1001 Industrial Highway, Eddystone, Delaware County, Pennsylvania, further identified as Delaware County Tax Parcel Number 18-00-00499-04. See Exhibit 3.

3. The condemnation of the above-described Real Property shall be for general municipal purposes and the construction of a public road.

BE IT FURTHER ORDAINED, that the proper officers of the Borough, along with the Solicitor of the Borough, are authorized and directed to take all steps necessary to carry out the purposes of this Ordinance including, but not limited to, the preparation, filing, and service of any and all required documents, forms and communications and the satisfaction of any and all requirements of the Pennsylvania Eminent Domain Code, 26 Pa.C.S.A §101, *et seq.*; and

FURTHER, that all costs of these proceedings and the damages to be paid to the condemnee(s), shall be paid from the revenues of the Borough.

ORDAINED AND ENACTED this _____ day of _____, 2026.

EDDYSTONE BOROUGH
COUNCIL

By; _____
William Stewart, President
Eddystone Borough Council

I, Marlene Richmond, Borough Manager of Eddystone Borough, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted at a regular meeting of the Council of Eddystone Borough, held the _____ day of _____, 2026.

Date: _____

Marlene Richmond,
Borough Manager

Date: _____

Ronald Hughes, Mayor
Eddystone Borough

Exhibit 1
(Resolution)



**EDDYSTONE BOROUGH
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION 2026-14

**A RESOLUTION OF THE EDDYSTONE BOROUGH COUNCIL AUTHORIZING THE
ACQUISITION OF PROPERTY LOCATED AT 1001 INDUSTRIAL HIGHWAY,
EDDYSTONE BOROUGH, THROUGH THE EXERCISE OF EMINENT DOMAIN**

WHEREAS, Eddystone Borough (“Borough”) Delaware County, is a Borough, organized and operating in accordance with the laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to the Borough Code, 8 Pa.C.S. §§101, *et seq.*, and the Eminent Domain Code, 26 Pa.C.S. §§1101, *et seq.*, the Borough is authorized to acquire lands; and

WHEREAS, through the exercise of these lawful powers, the Borough Council intend to acquire certain real property located at 1001 Industrial Highway, Delaware County, Pennsylvania, further identified as Delaware County Tax May Parcel Number 18-00-00499-04 (“Real Property”) for general municipal purposes; and

WHEREAS, in furtherance of the Borough’s commitment to enhance the service it provides to Borough residents and those who visit the Borough, the Borough Council of Eddystone Borough hereby authorizes condemnation of the Property for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Borough hereby **SELECTS, APPROPRIATES AND CONDEMNS** the Real Property for general municipal purposes, as set forth below:

1. The Eddystone Borough Council hereby authorizes the preparation and filing of a Declaration of Taking and associated notices and plans for certain Real Property located at 1001 Industrial Highway, Eddystone, Delaware County, Pennsylvania, further identified as Delaware County Tax Parcel Number 18-00-00499-04. The Real Property that is the subject of the taking is described and depicted in the legal description attached hereto as Exhibit A and incorporated herein.
2. The condemnation of the above-described Real Property shall be for general municipal purposes.

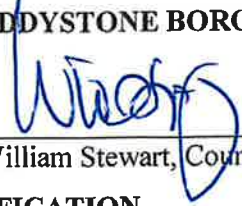
BE IT FURTHER RESOLVED, that the proper officers of the Borough, along with the Solicitor of the Borough, are authorized and directed to take all steps necessary to carry out the purposes of this Resolution including, but not limited to, the preparation, filing, and service of any and all required documents, forms and communications and the satisfaction of any and all requirements of the Pennsylvania Eminent Domain Code, 26 Pa.C.S.A §1101, *et seq.*; and

FURTHER, that all costs of these proceedings and the damages to be paid to the condemnee(s), shall be paid from the revenues of the Borough.

Eddystone Borough
Resolution 2026-14
April 20, 2026
Page 2 of 2

RESOLVED AND ENACTED this 20th day of April, 2026.

EDDYSTONE BOROUGH COUNCIL



William Stewart, Council President

CERTIFICATION

I, Marlene Richmond, Manager of Eddystone Borough, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a public meeting of the Council of Eddystone Borough, held the 20th day of April, 2026.



Marlene Richmond, Borough Manager



EXHIBIT A



Kelly Engineers and Surveyors

30 LaCrue Ave, Suite 201

Glen Mills, PA 19342

www.kellyengineers.com

Legal Description

50' wide Right-of-Way for dedication of 2nd Street Extension, south of Industrial Highway (SR0291), including portions of the CONRAIL Right-of-Way and APN 18-00-00499-04.

Eddystone Borough, Delaware County, Pennsylvania

August 25, 2025

ALL THAT CERTAIN tract or piece of land, situate in the Borough of Eddystone, County of Delaware, Commonwealth of Pennsylvania, described in accordance with the 2nd Street Extension Plan, as prepared by Kelly Engineers and Surveyors, dated May 28, 2025, bounded and described as follows:

BEGINNING at a point, a common corner of APN 18-00-00499-02 and APN 18-00-00499-04, said point being the northern most corner of APN 18-00-00499-02 and an interior corner of APN 18-00-00499-04 near its easternmost side, thence from the said Point and Place of Beginning, the following courses and distances:

1. Along the line of parcel 18-00499-02, South 34° 07' 30" West, a distance of 75.06 feet to a point,
2. Leaving said property line and continuing through APN 18-00-00499-04, North 12° 13' 48" East, a distance of 126.88 feet to a point,
3. North 17° 36' 43" East, a distance of 14.90 feet to a point,
4. North 24° 17' 04" East, a distance of 11.51 feet to a point,
5. North 35° 12' 11" East, a distance of 57.89 feet to a point,
6. North 37° 29' 18" East, a distance of 187.57 feet to a point of curvature,
7. Along a curve to the right with the radius of 175.00 feet, an arc distance of 103.34 feet, a chord bearing of North 54° 24' 16" East, and a chord distance of 101.84 feet to a point of tangency,
8. North 71° 19' 15" East, a distance of 65.87 feet to a point,
9. Along a curve to the left with the radius of 707.78 feet, an arc distance of 66.81 feet, a chord bearing of North 66° 54' 56" East, and a chord distance of 66.79 feet to a point of concentric curve,
10. Along a curve to the left with the radius of 125.00 feet, an arc distance of 88.22 feet, a chord bearing of North 43° 59' 37" East, and a chord distance of 86.40 feet to a point,
11. Along a curve to the left, crossing the CONRAIL Right-of-Way, with the radius of 125.00 feet, an arc distance of 67.50 feet, a chord bearing of North 12° 02' 59" West, and a chord distance of 66.68 feet to a point of tangency,
12. Continuing through the CONRAIL Right-of-Way North 27° 31' 12" West, a distance of 40.14 feet to a point on the Southern Right-of-Way of Industrial Highway (SR 0291 variable width),
13. Thence, following the Right-of-Way of aforesaid Industrial Highway North 62° 28' 48" East, a distance

of 50.00 feet to a point,

14. Thence leaving the Right- of Way of Industrial Highway and crossing the CONRAIL Right-of-Way South 27° 31' 12" East, a distance of 40.14 feet to a point of curvature,
15. Along a curve to the right, crossing from the CONRAIL Right-of-Way onto APN 18-00-00499-04, with the radius of 175.00 feet, an arc distance of 103.44 feet, a chord bearing of South 10° 35' 11" East, and a chord distance of 101.94 feet to a point,
16. Along a curve to the right with the radius of 175.00 feet, an arc distance of 132.44 feet, a chord bearing of South 42° 31' 49" West, and a chord distance of 129.30 feet to a point of concentric curve,
17. Along a curve to the right with the radius of 757.78 feet, an arc distance of 72.29 feet, a chord bearing of South 66° 56' 39" West, and a chord distance of 72.26 feet to a point,
18. South 71° 19' 15" West, a distance of 66.60 feet to a point of curvature,
19. Along a curve to the left with the radius of 125.00 feet, an arc distance of 73.81 feet, a chord bearing of South 54° 24' 16" West, and a chord distance of 72.74 feet to a point,
20. South 37° 29' 18" West, a distance of 186.57 feet to a point,
21. South 35° 12' 11" West, a distance of 52.11 feet to a point,
22. South 24° 17' 04" West, a distance of 3.82 feet to a point,
23. South 17° 36' 43" West, a distance of 9.63 feet to a point,
24. South 12° 13' 48" West, a distance of 63.82 feet to a point on the property line of APN 18-00-00499-02,
25. Thence North 55° 39' 38" West, a distance of 23.76 feet to the first mentioned point and place of beginning.

CONTAINING: 39,991 Sq. Ft. or 0.918 Acres



A handwritten signature in black ink, appearing to read "RJSnyder".

Exhibit 2
(Declaration of Taking)

Clarke Gallagher Barbiero Amuso & Glassman Law

By: Ronald A. Kolla, Esquire

Attorney I.D. #: 325819

E-mail Address: RKolla@cgbaglaw.com

By: Peter C. Amuso, Esquire

Attorney I.D. : 80182

E-mail Address: PAmuso@cgbaglaw.com

1300 Virginia Drive, Suite 405

Fort Washington, PA 19034

(215) 633-1890

**ATTORNEY FOR CONDEMNOR,
EDDYSTONE BOROUGH**

IN RE:	:	COURT OF COMMON PLEAS
	:	DELAWARE COUNTY, PA
CONDEMNATION OF THE PROPERTY	:	
LOCATED AT	:	
1001 INDUSTRIAL HIGHWAY	:	NO.
	:	
Tax Map Parcel No. 18-00-00499-04 (Part Of)	:	EMINENT DOMAIN

DECLARATION OF TAKING

Eddystone Borough by and through its undersigned counsel, hereby declares that:

1. The condemnor is Eddystone Borough, (the “Borough”), a municipal corporation organized and operating in accordance with the laws of the Commonwealth of Pennsylvania, having its principal office at 1300 East 12th Street, Eddystone, PA 19022.

2. The power of eminent domain is granted to the Borough pursuant to the Board Code, 8 Pa.C.S. § 101, *et seq.*, and the Eminent Domain Code, 26 Pa.C.S. § 101 *et seq.*, the Borough is authorized to acquire lands.

3. The taking was authorized by Resolution of the Borough, duly adopted at a regularly scheduled meeting on April 20, 2026. A true and correct copy of the Resolution is attached hereto as Exhibit “1” and incorporated, by reference, as if set forth fully herein. The

record of this action may be examined in the Borough's principal office located at 1300 East 12th Street, Eddystone, PA 19022.

4. The purpose of this condemnation is to acquire real property described herein as provided for in the Resolution of the Borough attached as Exhibit "1" for general municipal purposes for the Borough.

5. The certain real property being acquired is identified as Delaware County Tax Map Parcel No. 18-00-00499-04 (Part Of), is located within Eddystone Borough, Delaware County, and is more particularly described in Exhibit "2."

6. On the same date this Declaration is being submitted to and filed with the Prothonotary of Delaware County, notice and plans showing the property are being filed in the Office of the Recorder of Deeds of Delaware County in accordance with Eminent Domain Code, 26 Pa.C.S. §301 *et seq.* A true and correct copy of said Notice, excluding exhibits is attached hereto and made a part hereof as Exhibit "3."

7. The title acquired is the acquisition go real property located at 1001 Industrial Highway, Eddystone, Delaware County, Pennsylvania, further identified as Delaware County Tax Map Parcel No. 18-00-00499-04 (Part Of), consisting of Thirty-Nine Thousand Nine Hundred Ninety-One (39,991) Square Fee or Nine Hundred Eighteen Thousandths (0.918) acres, more or less, all as more particularly described in Exhibit "1," and as more fully described and depicted in Exhibit "2," attached hereto and incorporated herein by reference.

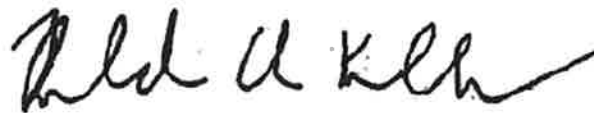
8. A plan showing the condemned property may be inspected at the Borough's principal office.

9. Just compensation for the property condemned is secured by the Borough's lawful power to set rates, pursuant to the Eminent Domain Code, 26 Pa.C.S. §303(b), whereupon the

funds raised, or to be lawfully raised, are deemed, pledged and made security for the payment of the damages as determined by law.

CLARKE GALLAGHER BARBIERO
AMUSO & GLASSMAN LAW

BY: __

A handwritten signature in black ink, appearing to read "Ronald A. Kolla", written in a cursive style.

RONALD A. KOLLA, ESQUIRE
Attorney for Condemnor

Date: 4/21/2026

EXHIBIT “1”
(Resolution)



**EDDYSTONE BOROUGH
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION 2026-14

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WHEREAS, through the exercise of these lawful powers, the Borough Council intend to acquire certain real property located at 1001 Industrial Highway, Delaware County, Pennsylvania, further identified as Delaware County Tax May Parcel Number 18-00-00499-04 (“Real Property”) for general municipal purposes; and

WHEREAS, in furtherance of the Borough’s commitment to enhance the service it provides to Borough residents and those who visit the Borough, the Borough Council of Eddystone Borough hereby authorizes condemnation of the Property for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Borough hereby **SELECTS, APPROPRIATES AND CONDEMNS** the Real Property for general municipal purposes, as set forth below:


1. The Eddystone Borough Council hereby authorizes the preparation and filing of a Declaration of Taking and associated notices and plans for certain Real Property located at 1001 Industrial Highway, Eddystone, Delaware County, Pennsylvania, further identified as Delaware County Tax Parcel Number 18-00-00499-04. The Real Property that is the subject of the taking is described and depicted in the legal description attached hereto as Exhibit A and incorporated herein.
2. The condemnation of the above-described Real Property shall be for general municipal purposes.

BE IT FURTHER RESOLVED, that the proper officers of the Borough, along with the Solicitor of the Borough, are authorized and directed to take all steps necessary to carry out the purposes of this Resolution including, but not limited to, the preparation, filing, and service of any and all required documents, forms and communications and the satisfaction of any and all requirements of the Pennsylvania Eminent Domain Code, 26 Pa.C.S.A §1101, *et seq.*; and

FURTHER, that all costs of these proceedings and the damages to be paid to the condemnee(s), shall be paid from the revenues of the Borough.

RESOLVED AND ENACTED this 20th day of April, 2026.

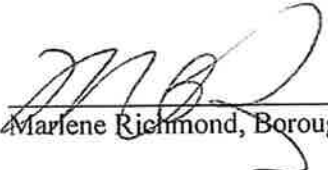
EDDYSTONE BOROUGH COUNCIL



William Stewart, Council President

CERTIFICATION

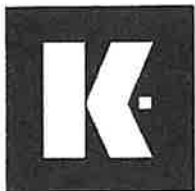
I, Marlene Richmond, Manager of Eddystone Borough, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a public meeting of the Council of Eddystone Borough, held the 20th day of April, 2026.



Marlene Richmond, Borough Manager



EXHIBIT A



Kelly Engineers and Surveyors

30 LaCruce Ave, Suite 201

Glen Mills, PA 19342

www.kellyengineers.com

Legal Description

50' wide Right-of-Way for dedication of 2nd Street Extension, south of Industrial Highway (SR0291), including portions of the CONRAIL Right-of-Way and APN 18-00-00499-04.

Eddystone Borough, Delaware County, Pennsylvania

August 25, 2025

ALL THAT CERTAIN tract or piece of land, situate in the Borough of Eddystone, County of Delaware, Commonwealth of Pennsylvania, described in accordance with the 2nd Street Extension Plan, as prepared by Kelly Engineers and Surveyors, dated May 28, 2025, bounded and described as follows:

BEGINNING at a point, a common corner of APN 18-00-00499-02 and APN 18-00-00499-04, said point being the northern most corner of APN 18-00-00499-02 and an interior corner of APN 18-00-00499-04 near its easternmost side, thence from the said Point and Place of Beginning, the following courses and distances:

1. Along the line of parcel 18-00499-02, South 34° 07' 30" West, a distance of 75.06 feet to a point,
2. Leaving said property line and continuing through APN 18-00-00499-04, North 12° 13' 48" East, a distance of 126.88 feet to a point,
3. North 17° 36' 43" East, a distance of 14.90 feet to a point,
4. North 24° 17' 04" East, a distance of 11.51 feet to a point,
5. North 35° 12' 11" East, a distance of 57.89 feet to a point,
6. North 37° 29' 18" East, a distance of 187.57 feet to a point of curvature,
7. Along a curve to the right with the radius of 175.00 feet, an arc distance of 103.34 feet, a chord bearing of North 54° 24' 16" East, and a chord distance of 101.84 feet to a point of tangency,
8. North 71° 19' 15" East, a distance of 65.87 feet to a point,
9. Along a curve to the left with the radius of 707.78 feet, an arc distance of 66.81 feet, a chord bearing of North 66° 54' 56" East, and a chord distance of 66.79 feet to a point of concentric curve,
10. Along a curve to the left with the radius of 125.00 feet, an arc distance of 88.22 feet, a chord bearing of North 43° 59' 37" East, and a chord distance of 86.40 feet to a point,
11. Along a curve to the left, crossing the CONRAIL Right-of-Way, with the radius of 125.00 feet, an arc distance of 67.50 feet, a chord bearing of North 12° 02' 59" West, and a chord distance of 66.68 feet to a point of tangency,
12. Continuing through the CONRAIL Right-of-Way North 27° 31' 12" West, a distance of 40.14 feet to a point on the Southern Right-of-Way of Industrial Highway (SR 0291 variable width),
13. Thence, following the Right-of-Way of aforesaid Industrial Highway North 62° 28' 48" East, a distance

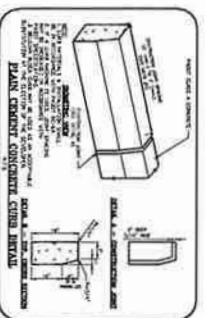
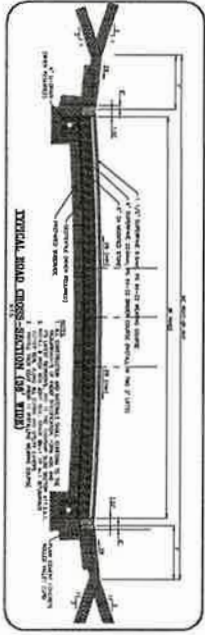
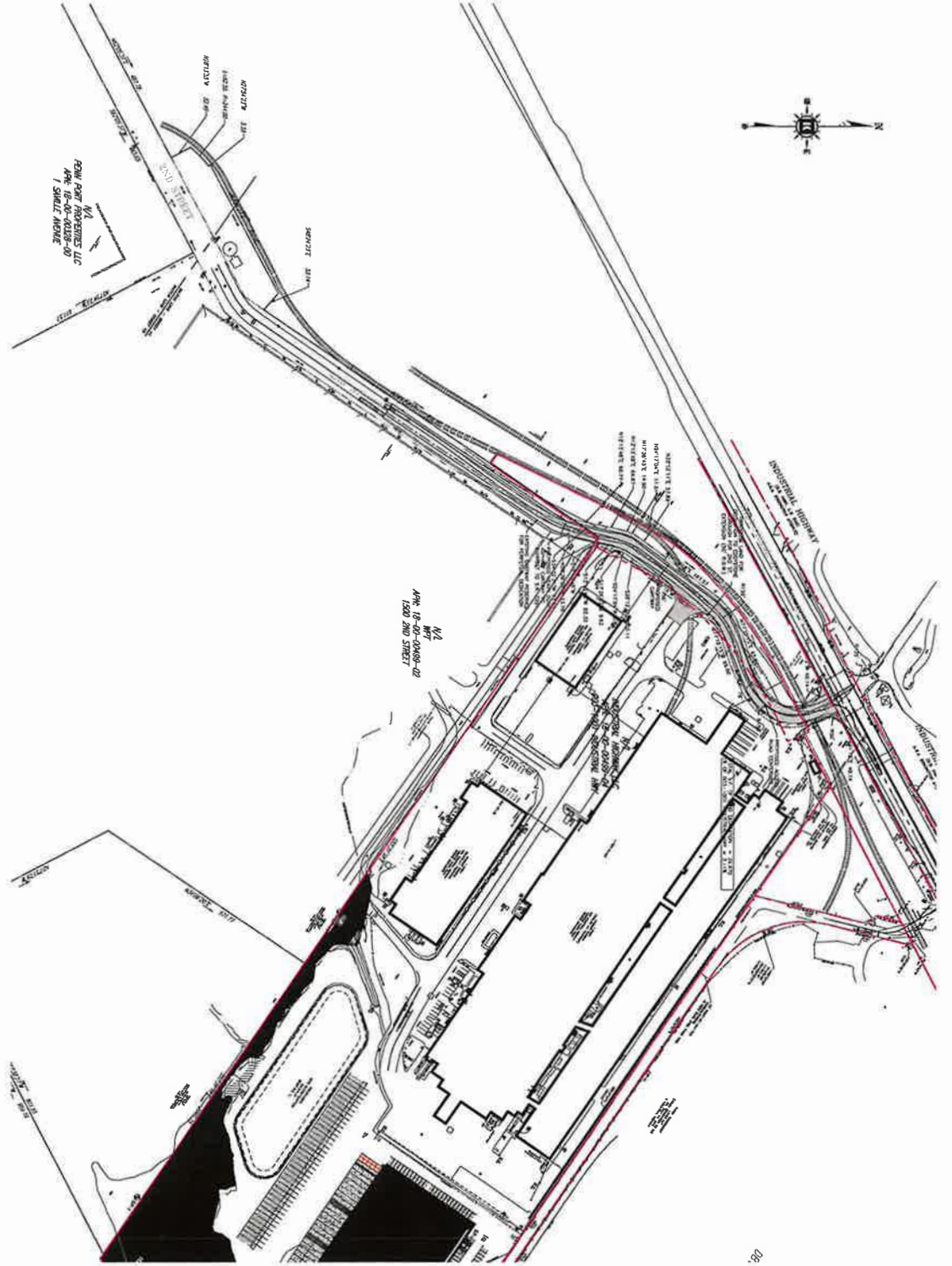
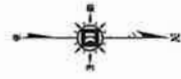
of 50.00 feet to a point,

14. Thence leaving the Right- of Way of Industrial Highway and crossing the CONRAIL Right-of-Way South 27° 31' 12" East, a distance of 40.14 feet to a point of curvature,
15. Along a curve to the right, crossing from the CONRAIL Right-of-Way onto APN 18-00-00499-04, with the radius of 175.00 feet, an arc distance of 103.44 feet, a chord bearing of South 10° 35' 11" East, and a chord distance of 101.94 feet to a point,
16. Along a curve to the right with the radius of 175.00 feet, an arc distance of 132.44 feet, a chord bearing of South 42° 31' 49" West, and a chord distance of 129.30 feet to a point of concentric curve,
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CONTAINING: 39,991 Sq. Ft. or 0.918 Acres



A handwritten signature in black ink, appearing to read "RJS", located below the professional seal.



20



- GENERAL NOTES**
- 1. THE PROJECT IS SUBJECT TO THE REGULATORY REVIEW AND PERMITS FOR THE PROJECT.
 - 2. THE PROJECT IS SUBJECT TO THE REGULATORY REVIEW AND PERMITS FOR THE PROJECT.
 - 3. THE PROJECT IS SUBJECT TO THE REGULATORY REVIEW AND PERMITS FOR THE PROJECT.
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 - 9. THE PROJECT IS SUBJECT TO THE REGULATORY REVIEW AND PERMITS FOR THE PROJECT.
 - 10. THE PROJECT IS SUBJECT TO THE REGULATORY REVIEW AND PERMITS FOR THE PROJECT.



EXHIBIT “2”

(Legal Description)



Kelly Engineers and Surveyors

30 LaCruce Ave, Suite 201

Glen Mills, PA 19342

www.kellyengineers.com

Legal Description

50' wide Right-of-Way for dedication of 2nd Street Extension, south of Industrial Highway (SR0291), including portions of the CONRAIL Right-of-Way and APN 18-00-00499-04.

Eddystone Borough, Delaware County, Pennsylvania

August 25, 2025

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14. Thence leaving the Right- of Way of Industrial Highway and crossing the CONRAIL Right-of-Way South 27° 31' 12" East, a distance of 40.14 feet to a point of curvature,
15. Along a curve to the right, crossing from the CONRAIL Right-of-Way onto APN 18-00-00499-04, with the radius of 175.00 feet, an arc distance of 103.44 feet, a chord bearing of South 10° 35' 11" East, and a chord distance of 101.94 feet to a point,
16. Along a curve to the right with the radius of 175.00 feet, an arc distance of 132.44 feet, a chord bearing of South 42° 31' 49" West, and a chord distance of 129.30 feet to a point of concentric curve,
17. Along a curve to the right with the radius of 757.78 feet, an arc distance of 72.29 feet, a chord bearing of South 66° 56' 39" West, and a chord distance of 72.26 feet to a point,
18. South 71° 19' 15" West, a distance of 66.60 feet to a point of curvature,
19. Along a curve to the left with the radius of 125.00 feet, an arc distance of 73.81 feet, a chord bearing of South 54° 24' 16" West, and a chord distance of 72.74 feet to a point,
20. South 37° 29' 18" West, a distance of 186.57 feet to a point,
21. South 35° 12' 11" West, a distance of 52.11 feet to a point,
22. South 24° 17' 04" West, a distance of 3.82 feet to a point,
23. South 17° 36' 43" West, a distance of 9.63 feet to a point,
24. South 12° 13' 48" West, a distance of 63.82 feet to a point on the property line of APN 18-00-00499-02,
25. Thence North 55° 39' 38" West, a distance of 23.76 feet to the first mentioned point and place of beginning.

CONTAINING: 39,991 Sq. Ft. or 0.918 Acres



A handwritten signature in black ink, appearing to read "R. J. Snyder", is written below the professional seal.

EXHIBIT “3”
(Notice)

Clarke Gallagher Barbiero Amuso & Glassman Law

By: Ronald A. Kolla, Esquire

Attorney I.D. : 325819

E-mail Address: RKolla@cgbaglaw.com

By: Peter C. Amuso, Esquire

Attorney I.D.: 80182

E-mail Address: PAmuso@cgbaglaw.com

1300 Virginia Drive, Suite 405

Fort Washington, PA 19034

(215) 633-1890

**ATTORNEYS FOR: CONDEMNOR,
EDDYSTONE BOROUGH**

IN RE:	:	COURT OF COMMON PLEAS
	:	DELAWARE COUNTY, PA
CONDEMNATION OF THE PROPERTY	:	
LOCATED AT	:	
1001 Industrial Highway	:	NO.
	:	
Tax Map Parcel No. 18-00-00499-04 (Part Of)	:	EMINENT DOMAIN

NOTICE OF CONDEMNATION

Notice is hereby given pursuant to Pennsylvania Eminent Domain Code, 26 Pa.C.S. *et seq.*, 26 Pa.C.S. §304: that

1. A Declaration of Taking has been filed by Eddystone Borough (“Condemnor”) on April 21, 2026, in the Office of the Prothonotary of Delaware County, as Instrument No...
2. The property interests condemned are being described in Exhibit “A” and depicted in Exhibit “B” attached hereto.
3. The name of the owner of the property interest, to the reasonable knowledge of the Condemnor, is Industrial Highway LLC.

CLARKE GALLAGHER BARBIERO
AMUSO & GLASSMAN LAW

BY: _____
RONALD A. KOLLA, ESQUIRE
Attorney for Condemnor,
Eddystone Borough

Date: 4/21/26

Exhibit A



Kelly Engineers and Surveyors

30 LaCruce Ave, Suite 201

Glen Mills, PA 19342

www.kellyengineers.com

Legal Description

50' wide Right-of-Way for dedication of 2nd Street Extension, south of Industrial Highway (SR0291), including portions of the CONRAIL Right-of-Way and APN 18-00-00499-04.

Eddystone Borough, Delaware County, Pennsylvania

August 25, 2025

ALL THAT CERTAIN tract or piece of land, situate in the Borough of Eddystone, County of Delaware, Commonwealth of Pennsylvania, described in accordance with the 2nd Street Extension Plan, as prepared by Kelly Engineers and Surveyors, dated May 28, 2025, bounded and described as follows:

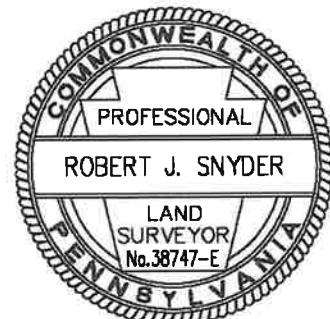
BEGINNING at a point, a common corner of APN 18-00-00499-02 and APN 18-00-00499-04, said point being the northern most corner of APN 18-00-00499-02 and an interior corner of APN 18-00-00499-04 near its easternmost side, thence from the said Point and Place of Beginning, the following courses and distances:

1. Along the line of parcel 18-00499-02, South 34° 07' 30" West, a distance of 75.06 feet to a point,
2. Leaving said property line and continuing through APN 18-00-00499-04, North 12° 13' 48" East, a distance of 126.88 feet to a point,
3. North 17° 36' 43" East, a distance of 14.90 feet to a point,
4. North 24° 17' 04" East, a distance of 11.51 feet to a point,
5. North 35° 12' 11" East, a distance of 57.89 feet to a point,
6. North 37° 29' 18" East, a distance of 187.57 feet to a point of curvature,
7. Along a curve to the right with the radius of 175.00 feet, an arc distance of 103.34 feet, a chord bearing of North 54° 24' 16" East, and a chord distance of 101.84 feet to a point of tangency,
8. North 71° 19' 15" East, a distance of 65.87 feet to a point,
9. Along a curve to the left with the radius of 707.78 feet, an arc distance of 66.81 feet, a chord bearing of North 66° 54' 56" East, and a chord distance of 66.79 feet to a point of concentric curve,
10. Along a curve to the left with the radius of 125.00 feet, an arc distance of 88.22 feet, a chord bearing of North 43° 59' 37" East, and a chord distance of 86.40 feet to a point,
11. Along a curve to the left, crossing the CONRAIL Right-of-Way, with the radius of 125.00 feet, an arc distance of 67.50 feet, a chord bearing of North 12° 02' 59" West, and a chord distance of 66.68 feet to a point of tangency,
12. Continuing through the CONRAIL Right-of-Way North 27° 31' 12" West, a distance of 40.14 feet to a point on the Southern Right-of-Way of Industrial Highway (SR 0291 variable width),
13. Thence, following the Right-of-Way of aforesaid Industrial Highway North 62° 28' 48" East, a distance

of 50.00 feet to a point,

14. Thence leaving the Right- of Way of Industrial Highway and crossing the CONRAIL Right-of-Way South 27° 31' 12" East, a distance of 40.14 feet to a point of curvature,
15. Along a curve to the right, crossing from the CONRAIL Right-of-Way onto APN 18-00-00499-04, with the radius of 175.00 feet, an arc distance of 103.44 feet, a chord bearing of South 10° 35' 11" East, and a chord distance of 101.94 feet to a point,
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23. South 17° 36' 43" West, a distance of 9.63 feet to a point,
24. South 12° 13' 48" West, a distance of 63.82 feet to a point on the property line of APN 18-00-00499-02,
25. Thence North 55° 39' 38" West, a distance of 23.76 feet to the first mentioned point and place of beginning.

CONTAINING: 39,991 Sq. Ft. or 0.918 Acres



A handwritten signature in black ink, appearing to read "RJS", is written below the professional seal.

Exhibit B

Exhibit 3
(Legal Description)



Kelly Engineers and Surveyors

30 LaCruce Ave, Suite 201

Glen Mills, PA 19342

www.kellyengineers.com

Legal Description

50' wide Right-of-Way for dedication of 2nd Street Extension, south of Industrial Highway (SR0291), including portions of the CONRAIL Right-of-Way and APN 18-00-00499-04.

Eddystone Borough, Delaware County, Pennsylvania

August 25, 2025

ALL THAT CERTAIN tract or piece of land, situate in the Borough of Eddystone, County of Delaware, Commonwealth of Pennsylvania, described in accordance with the 2nd Street Extension Plan, as prepared by Kelly Engineers and Surveyors, dated May 28, 2025, bounded and described as follows:

BEGINNING at a point, a common corner of APN 18-00-00499-02 and APN 18-00-00499-04, said point being the northern most corner of APN 18-00-00499-02 and an interior corner of APN 18-00-00499-04 near its easternmost side, thence from the said Point and Place of Beginning, the following courses and distances:

1. Along the line of parcel 18-00499-02, South 34° 07' 30" West, a distance of 75.06 feet to a point,
2. Leaving said property line and continuing through APN 18-00-00499-04, North 12° 13' 48" East, a distance of 126.88 feet to a point,
3. North 17° 36' 43" East, a distance of 14.90 feet to a point,
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13. Thence, following the Right-of-Way of aforesaid Industrial Highway North 62° 28' 48" East, a distance

of 50.00 feet to a point,

14. Thence leaving the Right- of Way of Industrial Highway and crossing the CONRAIL Right-of-Way South $27^{\circ} 31' 12''$ East, a distance of 40.14 feet to a point of curvature,
15. Along a curve to the right, crossing from the CONRAIL Right-of-Way onto APN 18-00-00499-04, with the radius of 175.00 feet, an arc distance of 103.44 feet, a chord bearing of South $10^{\circ} 35' 11''$ East, and a chord distance of 101.94 feet to a point,
16. Along a curve to the right with the radius of 175.00 feet, an arc distance of 132.44 feet, a chord bearing of South $42^{\circ} 31' 49''$ West, and a chord distance of 129.30 feet to a point of concentric curve,
17. Along a curve to the right with the radius of 757.78 feet, an arc distance of 72.29 feet, a chord bearing of South $66^{\circ} 56' 39''$ West, and a chord distance of 72.26 feet to a point,
18. South $71^{\circ} 19' 15''$ West, a distance of 66.60 feet to a point of curvature,
19. Along a curve to the left with the radius of 125.00 feet, an arc distance of 73.81 feet, a chord bearing of South $54^{\circ} 24' 16''$ West, and a chord distance of 72.74 feet to a point,
20. South $37^{\circ} 29' 18''$ West, a distance of 186.57 feet to a point,
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CONTAINING: 39,991 Sq. Ft. or 0.918 Acres

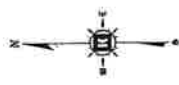
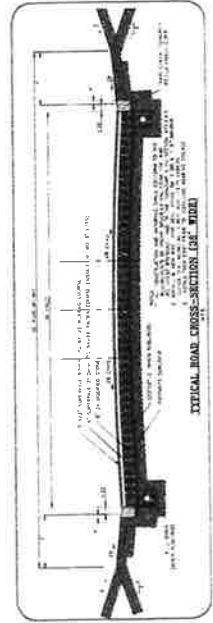
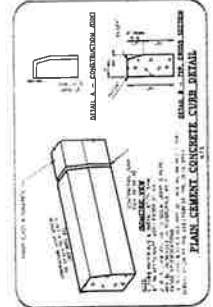
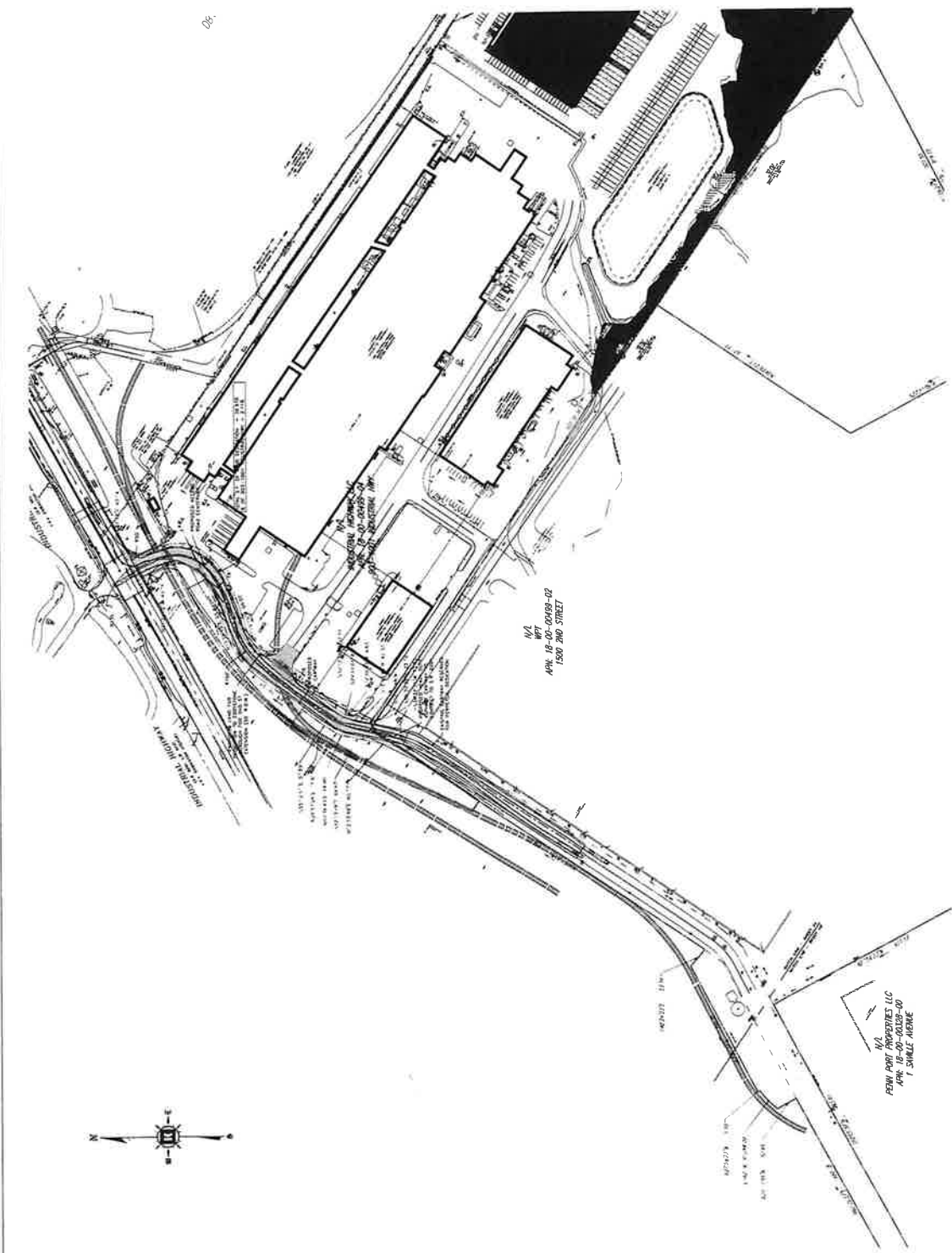


A handwritten signature in black ink, appearing to read "RJS", located below the surveyor's seal.

NO.	DATE	DESCRIPTION
1	10/15/13	ISSUED FOR PERMITTING
2	01/15/14	ISSUED FOR PERMITTING
3	03/15/14	ISSUED FOR PERMITTING
4	05/15/14	ISSUED FOR PERMITTING
5	07/15/14	ISSUED FOR PERMITTING
6	09/15/14	ISSUED FOR PERMITTING
7	11/15/14	ISSUED FOR PERMITTING
8	01/15/15	ISSUED FOR PERMITTING
9	03/15/15	ISSUED FOR PERMITTING
10	05/15/15	ISSUED FOR PERMITTING
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96	09/15/29	ISSUED FOR PERMITTING
97	11/15/29	ISSUED FOR PERMITTING
98	01/15/30	ISSUED FOR PERMITTING
99	03/15/30	ISSUED FOR PERMITTING
100	05/15/30	ISSUED FOR PERMITTING



- GENERAL NOTES**
1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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