

## CONDITIONS OF SALE

The Conditions for the present sale of real estate, being premises of the City of Lebanon Authority, situate at 305 Old Forge Road, in the Township of Pine Grove, the County of Schuylkill and Commonwealth of Pennsylvania, and more particularly described within the attached legal description and depicted on the attached Approved Subdivision Plan, are as follows:

1. The premises are being sold **AS IS**, no exceptions. With this purchase, there is **NO GUARANTEE** that additional adjacent lands may be hereafter acquired by the Purchaser.
2. The premises being conveyed is subject to the rights-of-way described within the attached legal description (Exhibit "A") and further depicted on the attached Approved Subdivision Plan (Exhibit "B"), including but not limited to a 33-foot wide access easement, which is being retained by the City of Lebanon Authority, which does reserve the right to fully use the easement to access, operate and maintain their water supply facilities.
3. The highest bidder shall be declared the Purchaser.
4. The Purchaser shall pay immediately after the sale to Seller a deposit of twenty thousand (\$20,000.00) dollars and shall promptly sign an agreement for the payment of the remainder of the purchase price.
5. The date and place of settlement shall be held within forty-five (45) days after the date of sale, at the offices of Long Brightbill, Esqs., 315 South Eighth Street, Lebanon, Pennsylvania, or before said date and time if the Seller and Purchaser agree; **TIME IS OF THE ESSENCE**.
6. The Purchaser shall pay the cost of the preparation of the deed, including the acknowledgment, Pennsylvania Realty Transfer Tax Stamps and all Local Realty Transfer Tax Stamps.

7. At the time of settlement, the Seller, upon the receipt of the full purchase price and upon the compliance with the conditions of this agreement by the Purchaser, will convey to the purchaser title to said property, free and clear of all liens and encumbrances, but subject to all visible easements, rights-of-way and building or use restrictions, and zoning regulations, and any or all of the same which are a matter of record.
8. Upon payment of the entire purchase price and the compliance with the conditions of sale, the purchaser shall have the right of possession to said premises and shall be entitled to the rents and profits thereof.
9. Taxes for all years prior to 2019 shall be paid by the Seller. The 2019 Municipal and County taxes shall be prorated between the Seller and Purchaser on a calendar basis as of the date of final settlement; and 2018-2019 School Tax shall be prorated between the Seller and Purchaser on a fiscal year basis, that is July 1, 2018 to June 30, 2019.
10. The right is reserved to withdraw this property from sale for want of a sufficient bid.
11. Any survey required by Purchaser shall be at the expense of Purchaser.
12. Included in the price to be paid for the real estate are the heating, lighting and other permanent fixtures.

**LASTLY**, upon failure to comply with the above conditions, the money paid as a down payment shall become forfeited to the Seller, who then at their option, shall have the full liberty, with or without notice, to resell the said premises either at public or private sale, and if on such resale there shall be any deficiency, the purchaser at this sale shall make good such deficiency, but the purchaser at this sale shall not have any advantage from an enhanced price obtained at such resale.

\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_, 2019

**AGREEMENT OF SALE**

**IT IS HEREBY AGREED THAT** \_\_\_\_\_  
(has) (have) become the Purchaser(s) of the premises mentioned in the above Conditions of Sale for \$ \_\_\_\_\_, that \_\_\_\_\_ (has) (have) paid twenty thousand (\$20,000.00) dollars on account of the purchase price, the receipt of which is hereby acknowledged by the Seller; and that this sale and purchase of said property is made **UNDER AND SUBJECT** to the foregoing Conditions of Sale.

**TIME IS OF THE ESSENCE FOR THIS AGREEMENT**

**WITNESS** our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

City of Lebanon Authority  
\_\_\_\_\_  
\_\_\_\_\_  
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Purchaser

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Purchaser

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Purchaser(s) Address

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Purchaser(s) Telephone Number

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Purchaser(s) Attorney

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**EXHIBIT "A"**

**ALL THAT CERTAIN** message, tenement house and lot of ground situate in the Township of Pine Grove, County of Schuylkill and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

**Lot No. 1**

BEGINNING at an iron pin found on the northerly right-of-way of Township Route No. 392 also known as Old Forge Road leading from Pennsylvania State Route No. 0443 to Township Route No. 886, said iron pin found being at a southwesterly corner of lands of Karen L. Zerbe as recorded in record book 2511, page 2027 and being identified as parcel number 3 of "The Forge" as more fully shown on an approved subdivision plan recorded in map book 35, page 59, said pin found also being a southeasterly corner of the herein described parcel of land; thence from the place of beginning and running along the northerly right-of-way of said Township Route No. 392 also known as Old Forge Road the following three bearings and distances, (1) running along a curve to the left in a northwesterly direction having a central angle of 04 degrees 20 minutes 57 seconds a radius of 1803.50 feet with a tangent of 68.48 feet for an arc length of 136.90 feet and being further described with a chord bearing and distance of North 88 degrees 33 minutes 30 seconds West 136.87 feet to a point of curvature, (2) thence along a curve to the left in a southwesterly direction having a central angle of 75 degrees 20 minutes 11 seconds a radius of 69.00 feet with a tangent of 53.27 feet for an arc length of 90.73 feet and being further

described with a chord bearing and distance of South 51 degrees 20 minutes 00 seconds West 84.33 feet to a point and (3) thence South 13 degrees 24 minutes 00 seconds West 22.07 feet to a point in the centerline of Mill Creek; thence along the centerline of Mill Creek and along the northerly lines of lands of the Pennsylvania Game Commission the following three bearings and distances, (1) North 82 degrees 07 minutes 00 seconds West 70.83 feet to a point, (2) thence South 84 degrees 38 minutes 00 seconds West 195.60 feet to a point and (3) thence North 75 degrees 09 minutes 00 seconds West 117.22 feet to a point in Mill Creek; thence crossing and leaving said Mill Creek, passing through an iron pin set on line 45.66 feet distant and running along a easterly line of the residue parcel of lands of the City of Lebanon Authority, grantor herein North 03 degrees 15 minutes 52 seconds East 368.17 feet to an iron pin set at a corner of the residue parcel of lands of the City of Lebanon Authority, grantor herein; thence along a southerly line of the residue parcel of lands of the City of Lebanon Authority, grantor herein North 84 degrees 21 minutes 28 seconds East 531.00 feet to an iron pin set on a westerly line of lands of said Karen L. Zerbe; thence along a westerly line of lands of said Karen L. Zerbe South 05 degrees 38 minutes 32 seconds East 372.33 feet to the place of BEGINNING.

Containing: 5.00 acres of land in all.

Being Lot No. 1 as more fully shown on a Minor Subdivision Final Plan prepared for City of Lebanon Authority dated August 12, 2018 and last revised September 26, 2018 by Brinkash & Associates, Inc. as filed on November 9, 2018, in the recorder of deeds office of Schuylkill County in map book 58, page 921.

Subject to all conditions, covenants, easements, exceptions, restrictions and reservations as set forth on the aforementioned Minor Subdivision Final Plan prepared for City of Lebanon Authority dated August 12, 2018 and last revised September 26, 2018.

Subject to a 33 foot wide access easement, as more fully shown on the above mentioned Minor Subdivision Final Plan prepared for City of Lebanon Authority, a copy of which is attached hereto.

Subject to a proposed right-of-way widening for Township Route No. 392 also known as Old Forge Road for offer of dedication to Pine Grove Township as more fully shown on the above mentioned subdivision plan and said right-of-way is more fully described as follows:

BEGINNING at a point in the centerline of Mill Creek on the westerly right-of-way of Township Route No. 392 also known as Old Forge Road, said point being a southeasterly corner of the above described Lot No. 1 of lands now or formerly of the City of Lebanon Authority said point also being a southeasterly corner of the herein proposed right-of-way widening of Township Route No. 392 also known as Old Forge Road; thence from the place of beginning and running along the centerline of Mill Creek and a northerly line of the Pennsylvania Game Commission North 82 degrees 07 minutes 00 seconds West 17.28 feet to a point; thence running through the above described Lot No. 1 of lands now or formerly of the City of Lebanon Authority the

following two bearings and distances, (1) North 13 degrees 24 minutes 00 seconds East 40.52 feet to a point and (2) thence North 87 degrees 41 minutes 00 seconds East 21.99 feet to a point on the westerly right-of-way of said Township Route No. 392 also known as Old Forge Road; thence along the westerly right-of-way of said Township Route No. 392 also known as Old Forge Road the following two bearings and distances, (1) on a curve to the left in a southwesterly direction having a radius of 69.00 feet for an arc length of 23.20 feet and being further described with a chord bearing and distance of South 23 degrees 17 minutes 55 seconds West 23.09 feet to a point and (2) South 13 degrees 24 minutes 00 seconds West 22.07 feet to the place of BEGINNING.

Excepting and reserving from the above described Lot No. 1 any and all reservations made in prior deeds and also subject to any and all easements and right-of-ways for which a complete title search would disclose which may or may not be shown on the survey map relied upon for this description.

Being a portion of lands of the City of Lebanon Authority as described in record book 2609, page 2124 and being a portion of UPI No. 21-08-0001.005.