

APPLICATION FOR REZONING
FERGUSON TOWNSHIP

CENTRE COUNTY, PENNSYLVANIA

RECEIVED NOV 7 2003

The undersigned hereby applies to the Ferguson Township Board of Supervisors for rezoning of a tract of land described as follows:

Applicant Pennsylvania State University, ATTN: Gary Schultz, Sr. V.P. Finance & Business

Address 208 Old Main, University Park, PA 16802

Telephone (814) 865-6574

FAX (814) 863-7188

Owner of Record Pennsylvania State University

Address 208 Old Main, University Park, PA 16802

Telephone (814) 865-6574

FAX (814) 863-7188

Applicant's interest in property (attach supporting documentation, deed or sales agreement)

Legal ☒ Equitable ☐

Please answer and complete all of the following information before returning to the Township Office.

1. Location of the tract of land On the south side of Whitehall Road across from the Blue Course Drive/Whitehall Road intersection
2. Centre County Tax Map # 24-04 Parcel Number 76A
3. Present zoning district R-A
4. Requested zoning district change to R-4
5. Total acreage to be rezoned 26.3 Acres
6. Present use of tract of land Agricultural

7. Proposed use of tract of land Multi-Family Attached or other use

allowed under R-4

8. Applicant shall submit a plan showing the following information:

- a. Key map showing the generalized location of the tract.
- b. North point, graphic scale and date.
- c. Name of record owner (and applicant).
- d. Name and address of registered engineer, surveyor or land planner responsible for the plan.
- e. Name of all abutting property owners.
- f. Total tract boundaries of the property requesting rezoning showing bearings and distances and statement of total acreage of the tract.
- g. Zoning data including present zoning district and requested zoning district.
- h. All existing sewer lines, water lines, fire hydrants, utility lines, culverts, bridges, railroad, watercourses and easements.
- i. All existing buildings or other structures and approximate location of all tree masses.
- j. All existing streets including streets of record (recorded but not constructed), on or abutting the tract including names, right-of-way widths and cartway widths.
- k. Legal description of the tract requesting rezoning.

In addition to five (5) full-size copies of the plan, the applicant shall submit one (1) 11 X 17 copy of the plan and one (1) 8 1/2 x 11 copy of the plan.

Signature of owner

Gay Schultz

Date

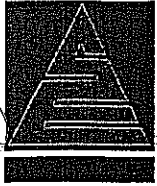
11/7/03

Date received by Township

11/7/03

Fee paid

\$150⁰⁰



**SWEETLAND
ENGINEERING
& ASSOCIATES, INC.**

www.sweetland-eng.com

CORPORATE OFFICE:

600 Science Park Road
State College, PA 16803
(814) 237-6518
Fax: (814) 237-1488

BRANCH OFFICE:

105 Cole Street
State College, PA 16801
(570) 882-9773
7 November 2008
Fax: (570) 882-8299

**Surveyor's Description
of the Area to be Rezoned R4
U.P.I. No. 24-04-76A**

All that certain parcel of land situated in Ferguson Township, Centre County, Pennsylvania shown as "Area to be Rezoned R4 (Currently RA) 26.3 Acres" on a plan prepared by Sweetland Engineering and Associates, Inc. dated 11/07/03, drawing number E-2595, being more fully bounded and described as follows:

BEGINNING at a corner of the municipal boundary line between Ferguson Township and State College Borough in the centerline of West Whitehall Road (SR3018), a variable width right-of-way, at the common northern corner of lands now or formerly of the Pennsylvania State University identified as U.P.I. No. 24-23-028S and the western corner of the herein described parcel;

THENCE along said municipal boundary and the centerline of West Whitehall Road N54°01'51"E, 1076.01 feet to a point at the northern corner of the herein described parcel;

THENCE through a southeastern portion of the right-of-way of West Whitehall Road, 70 feet wide at this point, and concluding along other lands now or formerly of The Pennsylvania State University identified as U.P.I. No. 36-28-11F, S35°36'37"E, 201.00 feet to an existing 1/2" rebar at the common southern corner of the parcel identified as U.P.I. No. 36-28-11F and the western corner of other lands now or formerly of The Pennsylvania State University identified as U.P.I. No. 24-04-76;

THENCE along land of The Pennsylvania State University identified as U.P.I. No. 24-04-76, S39°41'43"E, 592.79 feet to an existing 2-3/4" iron pipe at the southern corner of land of The Pennsylvania State University identified as U.P.I. No. 24-04-76 and the western corner of lands now or formerly of Ronald A. Witmer and Louise A. Witmer;

THENCE along said lands of Witmer S38°33'59"E, 268.72 feet to a point at the eastern corner of the herein described parcel;

THENCE along a new line and through lands of The Pennsylvania State University identified as U.P.I. No. 24-04-76A, S54°01'51"W, 1091.17 to a point in the northeastern line of other lands now or formerly of The Pennsylvania State University identified as U.P.I. No. 24-04-94 and the southern corner of the herein described parcel;

THENCE along land of The Pennsylvania State University identified as U.P.I. No. 24-04-94, N37°49'46"W, 745.20 feet to an existing 3/4" rebar at the northern corner of land of The Pennsylvania State University identified as U.P.I. No. 24-04-94 and the eastern corner of the above mentioned land of The Pennsylvania State University identified as U.P.I. No. 24-23-28S;

THENCE along land of The Pennsylvania State University identified as U.P.I. No. 24-23-28S, N37°47'50"W, 316.33 feet to the point of **BEGINNING**.

CONTAINING 1,145,662 square feet or 26.30 acres of land, gross area more or less.

UNDER AND SUBJECT to all easements, conditions, restrictions and covenants of record.

THIS DEED

002139

MADE the 25th day of August, in the year nineteen hundred and ninety-nine (1999) between

MARK BOOKMAN and MARSHA BOOKMAN, husband and wife, of Pittsburgh, Pennsylvania, and THE RICHARD KING MELLON FOUNDATION, a Pennsylvania non-profit corporation, with a mailing address of P. O. Box RKM, Ligonier, Pennsylvania, parties of the first part, Grantors,


AND

THE PENNSYLVANIA STATE UNIVERSITY, a non-profit corporation and an instrumentality of the Commonwealth of Pennsylvania, having its principal place of business at University Park, Centre County, Pennsylvania, party of the second part, Grantee,

WITNESSETH, that the said Grantor, for and in consideration of the sum of One and 00/100 (\$1.00) Dollar, lawful money of the United States of America, paid by the said Grantee to the Grantors, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed, released, and confirmed and by these presents do hereby grant, bargain, sell, convey, release, and confirm to the said Grantee, its successors and assigns, a fifty (50%) percent undivided interest:

ALL that certain tract of land situated in Ferguson Township, Centre County, Pennsylvania; being Tax Parcel 24-4-76A as shown on the Perimeter Survey of Tax Parcel 24-4-76A for the Winston Corporation, dated April 23, 1990, by Uni-Tec, Inc., State College, Pennsylvania, being bounded and described as follows:

BEGINNING at an iron pin, being a northerly corner of lands owned now or formerly by Stephen J. and Paula V. P. White (Miscellaneous

	C.C.B.O.A.	PD 5.00 CAS
	Registry	8-30-99
	24-4/76A	
Uniform Parcel Identifier		

Book 207, Page 615) and lying in an easterly right of way line of State Route 3018, Whitehall Road (33-foot right of way); thence along the Whitehall Road right of way, North 53 degrees 39 minutes 00 seconds East, 68.43 feet to an iron pin lying in said right of way; thence continuing along said right of way, North 54 degrees 15 minutes 20 seconds East, 405.48 feet to an iron pin lying in said right of way; thence continuing along said right of way, North 54 degrees 31 minutes 55 seconds East, 433.02 feet to an iron pin lying in said right of way; thence continuing along said right of way, North 53 degrees 53 minutes 10 seconds East, 168.04 feet to an iron pin lying in said right of way; thence continuing along said right of way and other lands owned now or formerly by Winston Corporation (Deed Book 354, Page 120), South 35 degrees 37 minutes 21 seconds East, 177.86 feet to an iron pin, being a southerly corner of the Winston Corporation lands and being a westerly corner of lands owned now or formerly by Whitehall Associates (Deed Book 437, Page 487); thence along the Whitehall Associates' lands, South 39 degrees 45 minutes 44 seconds East, 592.67 feet to an iron pin, being a southerly corner of said lands and being a westerly corner of lands owned now or formerly by Mildred I. Witmer (Deed Book 272, Page 180); thence along the Witmer lands, South 38 degrees 40 minutes 33 seconds East, 820.55 feet to an iron pin lying in a southerly line of the Witmer lands and being a northerly corner of other lands owned now or formerly by Winston Corporation (Deed Book 279, Page 876); thence along the other lands of Winston Corporation, South 53 degrees 35 minutes 33 seconds West, 1,099.36 feet to an iron pin, being a westerly corner of said lands and lying in a northerly line of other lands owned now or formerly by Winston Corporation (Deed Book 283, page 727); thence along the Winston Corporation lands North 37 degrees 51 minutes 41 seconds West, 1,303.36 feet to an iron pin, being a northerly corner of said lands and being an easterly corner of lands owned now or formerly by Stephen J. and Paula V. P. White (Miscellaneous Book 207, Page 615); thence along the White lands, North 37 degrees 46 minutes 50 seconds West, 299.27 feet to an iron pin, being the place of beginning; containing 39.757 acres.

BEING a fifty (50%) percent undivided interest in a portion of the same premises which were granted and conveyed unto Mark Bookman, one of the Grantors herein, by deed of Winston Corporation, a Pennsylvania business corporation, dated October 9, 1990, and recorded in Centre County Record Book 545, Page 1094.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances to the same belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and ALSO all the estate, right, title, interest, property, claim, and demand whatsoever, both in law and

equity, of the said Grantor, of, in, to, or out of the said premises, and every part and parcel thereof.

TO HAVE AND TO HOLD the same premises, with all and singular the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of said Grantee, its successors and assigns forever.

Grantors certify that no hazardous waste, within the meaning of the Solid Waste Management Act of 1980, is presently being disposed of or has ever been disposed of by the Grantors or to the Grantors' actual knowledge in or upon the above-described premises.

UNDER AND SUBJECT, NEVERTHELESS, to all existing easements, covenants, conditions, and restrictions of record.

The Richard Mellon Foundation joins in this deed to grant and convey unto the Grantee herein any and all of its right, title, and interest in and to the subject premises which it may have acquired by virtue of an unrecorded document between it and Mark Bookman.

AND the said Grantors will specially WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, said Grantors have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered
in the presence of:

Clara E. Mayhew
Clara E. Mayhew

Mark Bookman
Mark Bookman
Marsha Bookman
Marsha Bookman

ATTEST:

Scott L. Jr.

THE RICHARD KING MELLON
FOUNDATION:

By: Mam Wahler

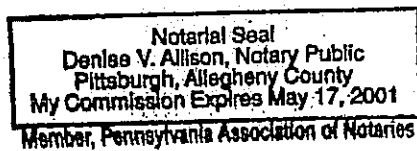
COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF Allegheny : SS.

On this the 25th day of August, 1999, before me, a notary public, the undersigned officer, personally appeared Mark Bookman and Marsha Bookman, husband and wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Denise V. Allison

Notary Public
My Commission Expires:



COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF WESTMORELAND : SS.

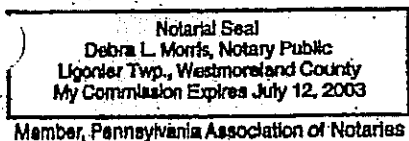
On this the 26th day of August, 1999, before me, a notary public, the undersigned officer, personally appeared Mason Walsh, Jr., who acknowledged himself to be the Vice Chairman of the foregoing corporation, and that as such, he, being authorized by such corporation to do so, executed the foregoing deed for the purpose therein contained by signing his name thereon as such.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Debra L. Morris

Notary Public

My Commission Expires: 7-12-03



CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the Grantee herein is as follows:

Facilities Resources and Planning
168-D Physical Plant Building
University Park, PA 16802-1118

Thomas R. Knepp
Attorney for Grantee

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF Centre : SS:

RECORDED in the office for Recording of Deeds, etc., in and for said
County, in Record Book No. 1111, Page 1058.

WITNESS my hand and official seal this 31st day of

August, 1999.

Hazel M. Peters
Recorder of Deeds

THOMAS R. KNEPP, ESQUIRE
110 REGENT COURT, SUITE 202
STATE COLLEGE, PA 16801

ENTERED FOR RECORD
HAZEL M. PETERS
RECORDER OF DEEDS
CENTRE COUNTY
'99 AUG 31 PM 12 07

BK 1111 PG 1063

24-4-76A

RB 1111 PG 1063

X
5-11
993.07
993.07
24.00

002140

THIS DEED

MADE the 25th day of August, in the year nineteen hundred and ninety-nine (1999) between

MARK BOOKMAN and MARSHA BOOKMAN, husband and wife, of Pittsburgh, Pennsylvania, and MASON WALSH, JR. AS AGENT FOR THE PARTICIPANTS IN THE REAL ESTATE ACCOUNT NO. 1 CREATED BY MEMORANDUM OF AGREEMENT DATED AS OF JUNE 1, 1988, parties of the first part, Grantors,


AND

THE PENNSYLVANIA STATE UNIVERSITY, a non-profit corporation and an instrumentality of the Commonwealth of Pennsylvania, having its principal place of business at University Park, Centre County, Pennsylvania, party of the second part, Grantee,

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ninety-Nine Thousand Three Hundred Seven and 00/100 (\$99,307.00) Dollars, lawful money of the United States of America, paid by the said Grantee to the Grantors, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed, released, and confirmed and by these presents do hereby grant, bargain, sell, convey, release, and confirm to the said Grantee, its successors and assigns, a fifty (50%) percent undivided interest:

ALL that certain tract of land situated in Ferguson Township, Centre County, Pennsylvania; being Tax Parcel 24-4-76A as shown on the Perimeter Survey of Tax Parcel 24-4-76A for the Winston Corporation, dated April 23, 1990, by Uni-Tec, Inc., State College, Pennsylvania, being bounded and described as follows:

1

	G.C.B.O.A.	Pd 500 cas
	Registry	8-30-99
	24-4/76A	
Uniform Parcel Identifier		

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TOGETHER with all and singular the tenements, hereditaments, and appurtenances to the same belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents,

issues, and profits thereof, and ALSO all the estate, right, title, interest, property, claim, and demand whatsoever, both in law and equity, of the said Grantor, of, in, to, or out of the said premises, and every part and parcel thereof.

TO HAVE AND TO HOLD the same premises, with all and singular the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of said Grantee, its successors and assigns forever.

Grantors certify that no hazardous waste, within the meaning of the Solid Waste Management Act of 1980, is presently being disposed of or has ever been disposed of by the Grantors or to the Grantors' actual knowledge in or upon the above-described premises.

UNDER AND SUBJECT, NEVERTHELESS, to all existing easements, covenants, conditions, and restrictions of record.

Mason Walsh, Jr., Agent, joins in this Deed to grant and convey unto the Grantee herein any and all of his right, title, and interest in and to the subject premises which he may have acquired by virtue of an unrecorded document between him as agent and Mark Bookman.

AND the said Grantors will specially WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, said Grantors have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered
in the presence of:

Clara E. Gaspari
Clara E. Gaspari
Diane A. Davis

Mark Bookman
Mark Bookman
Marsha Bookman
Marsha Bookman
Mason Walsh
Mason Walsh, Jr., Agent

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF Allegheny : SS.

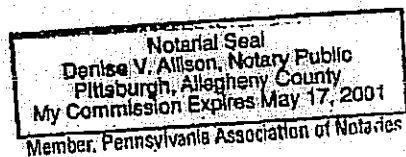
On this the 25th day of August, 1999, before me, a notary public, the undersigned officer, personally appeared Mark Bookman and Marsha Bookman, husband and wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Denise V. Allison

Notary Public

My Commission Expires:



COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF WESTMORELAND : SS.

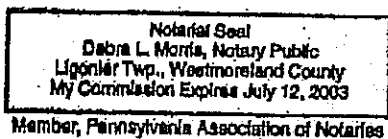
On this the 26th day of August, 1999, before me, a notary public, the undersigned officer, personally appeared Mason Walsh, Jr., Agent for the participants in the Real Estate Account No. 1 created by Memorandum of Agreement dated as of June 1, 1998 to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Debra L. Morris

Notary Public

My Commission Expires: 7-13-03



CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the Grantee herein is as follows:

Facilities Resources and Planning
168-D Physical Plant Building
University Park, PA 16802-1118

Thomas R. Knepp
Attorney for Grantee

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF Centre : SS:

RECORDED in the office for Recording of Deeds, etc., in and for said County, in Record Book No. 1111, Page 1063.

WITNESS my hand and official seal this 31st day of

August, 1999.

Hazel M. Peters
Recorder of Deeds

THOMAS R. KNEPP, ESQUIRE
110 REGENT COURT, SUITE 202
STATE COLLEGE, PA 16801

ENTERED FOR RECORD
HAZEL M. PETERS
RECORDER OF DEEDS
CENTRE COUNTY
99 AUG 31 PM 12 07