

**TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 165

AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF WASHINGTON TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA, BY AUTHORITY OF AND PURSUANT TO THE PROVISIONS OF ARTICLES VI THROUGH X OF ACT NO. 247, AS AMENDED, OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, APPROVED JULY 31, 1968, KNOWN AS, AND CITED AS THE "PENNSYLVANIA MUNICIPALITIES PLANNING CODE"; AND ANY AMENDMENTS AND SUPPLEMENTS THERETO, AMENDING ORDINANCE NO. 153, ADOPTED BY THE BOARD OF SUPERVISORS OF WASHINGTON TOWNSHIP ON APRIL 2ND, 2001, AND KNOWN AS THE WASHINGTON TOWNSHIP ZONING ORDINANCE.

WHEREAS, the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, adopted on April 2, 2001, Washington Township Ordinance No. 153, known as the Washington Township Zoning Ordinance and thereafter as amended; and

WHEREAS, the Board of Supervisors of Washington Township deems it to be in the interest and welfare of the residents of the Township to amend the Washington Township Zoning Ordinance by altering the Washington Township Zoning Map and text as described below and as shown on the attached map.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, that the Zoning Map of the Township adopted pursuant to Ordinance No. 153, known as the Washington Township Zoning Ordinance, be revised and Ordinance No. 153 is hereby amended as follows:

ARTICLE 1. Knouse Fruitlands, property located at 11762 Old Forge Road, 12474 Old Forge Road, 12506 Old Forge Road, and 12545 Old Forge Road. The zoning shall be changed from Agricultural (A) to Medium Density Residential (R-2) for an approximately 186.7-acre area of land owned by Knouse Fruitlands, Inc. The property to be changed is described below:

Section 1 being TRACT NO. 3. All that certain tract of land, generally known as Blue Mountain Orchard or Farm, situate in Washington Township, Franklin County, Pennsylvania, bounded and described as follows: BEGINNING at an iron pin in

the public road leading from turnpike to the Mentzer Gap Road at a point opposite where private lane from the East enters said public road, said point being near the Southwest corner of this tract; thence by the West side of said public road South $34 \frac{1}{2}$ degrees West, 9.9 perches to a limestone; thence by lands formerly of Jacob J. Coons North $68 \frac{1}{4}$ degrees West, 48.6 perches to an iron pin; thence by same North 62 degrees 55 minutes 14 seconds West 397.59 feet to an iron pin; thence by lands of David Layman North 30 degrees 36 minutes 46 seconds East 640.73 feet to an iron pin; thence by same South 64 degrees 31 minutes 41 seconds East 427.65 feet to an iron pin; thence by same North 28 degrees 53 minutes 41 seconds East 1257.67 feet to an iron pin; thence by lands of D.F. Kipe South $63 \frac{1}{4}$ degrees East, 55.3 perches to an iron pin in public road before mentioned; thence with said public road and by lands now or formerly of D.F. Kipe North 48 degrees 55 minutes East, 39.6 perches to a point in the center of said public road; thence with the same by lands formerly of said D.F. Kipe North $41 \frac{1}{2}$ degrees East, 75.3 perches to an iron pin; thence by lands now or formerly of Theodore Weisner's heirs now or formerly owned by George H. West and wife, South $47 \frac{1}{4}$ degrees East, 20 perches to a limestone; thence by same lands North 59 degrees East, 36.8 perches to an iron pin the most northerly point of this tract; thence by same and lands now or formerly of Frank N. Miller South $75 \frac{1}{4}$ degrees East, 30 perches to an iron pin; thence by lands now or formerly of John R. Frantz, Simon P. Hess and Henry Hess South $17 \frac{1}{2}$ degrees West, 59.6 perches to an iron pin; thence by lands formerly of said Henry Hess, Hagerstown Lumber Company and Daniel Hess South 40 degrees 7 minutes West, 105.2 perches to a limestone; thence by lands now or formerly of Jacob Hess North $71 \frac{1}{2}$ degrees West, 18.3 perches to a limestone; thence by said lands due South, 0 degrees, 22.2 perches to a limestone; thence by same North 78 degrees West, 18.1 perches to a limestone; thence by same South 23 degrees West, 17.75 perches to a limestone; thence by same and lands now or formerly of Daniel Hess South 75 degrees East, 64.5 perches to a limestone; thence by said lands due South, 0 degrees, 23.2 perches to an oak stump; thence by lands now or formerly of John Rinehart North 75 degrees West, 71.2 perches to a point 2 feet North of a black oak stump; thence with a private lane and by lands now or formerly of said John Rinehart and by lands now or formerly of Benjamin Shockey North $74 \frac{1}{2}$ degrees West, 81 perches to the place of BEGINNING. CONTAINING 210 acres 138 perches as per survey made March 25, 1919, by John R. McElroy, C.S. Less a tract of land 48.356 acres conveyed to C. David and Barbara Layman on November 20, 1997.

Section 2 being TRACT NO. 4. All that certain tract of land situate in Washington Township, Franklin County, Pennsylvania, bounded and described as follows: BEGINNING at a limestone; thence North 44 degrees West, 19.5 perches to a point in road; thence in and with said road along land of Sprenkle North $55 \frac{1}{4}$ degrees East, 69.2 perches to a point in road; thence by lands formerly of Dr. Benj. Frenz South $40 \frac{3}{4}$ degrees East, 22.1 perches; thence South $1 \frac{1}{4}$ degrees East, 33.8 perches; thence North $72 \frac{1}{2}$ degrees West, 20 perches; thence South $61 \frac{3}{4}$ degrees West, 36.5 perches to the place of BEGINNING. CONTAINING 12 acres and 127 perches.

Section 3 being TRACT NO. 5. All that tract of land situate in Washington Township, Franklin County, Pennsylvania, bounded and described as follows: BEGINNING at stones corner of other lands of the grantors herein; said point being the southeast corner of this tract; thence North 75 $\frac{3}{4}$ degrees West, 24.76 perches to a stone; thence by said lands of Grantors North 21 $\frac{1}{4}$ degrees East, 17.32 perches to a stone; said point being the Northwest corner of this tract; thence by same South 70 degrees 5 minutes East, 18.72 perches to a stone; thence by lands now or formerly of Daniel Hess South 50 degrees 10 minutes West, 16 perches to the place of BEGINNING. CONTAINING 2 acres and 35 perches of land as per survey and draft of D.C. Weller, C.E., dated August 5, 1925.

Section 4 being TRACT NO. 6. All that certain tract of land situate in Washington Township, Franklin County, Pennsylvania, bounded and described as follows: BEGINNING at a corner opposite to the D. Maurice Wertz Estate lands, now the grantors herein, said point being the most westerly point of this tract; thence by other lands of the grantors North 23 degrees 10 minutes East, 17.68 perches to a corner; thence by same South 78 $\frac{1}{4}$ degrees East, 18.08 perches to a corner; thence by same North 0 degrees, 25 minutes East, 21.88 perches to a corner, the most northerly part of this tract; thence by lands now or formerly of Daniel Hess South 71 $\frac{1}{2}$ degrees East, 39.32 perches to a black oak; thence by lands now or formerly of said Daniel Hess South $\frac{1}{2}$ degree East, 22.52 perches to a corner; thence by lands now or formerly of Jacob B. Hess and wife North 70 degrees 05 minutes West, 18.72 perches; thence by same South 21 $\frac{1}{4}$ degrees West, 17.32 perches to a corner; thence by other lands of the grantors North 74 $\frac{3}{4}$ degrees West, 39.56 perches to the place of BEGINNING. CONTAINING 9 acres and 73 perches as per survey and plot of D.C. Weller, C.E., dated March 26, 1925.

ARTICLE 2. In all other respects, the provisions of Ordinance No. 153, as amended, and the Washington Township Zoning Map, as amended, shall remain in full force and effect.

ARTICLE 3. If any article, section or provision of 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 part so decided to be unconstitutional or invalid.

ARTICLE 4. This ordinance shall take effect five (5) days after its enactment.

DULY ENACTED AND ORDAINED this *22nd* day of *December* 2003, by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, in lawful session duly assembled.

**WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:

BY *Karen S. Hargrave*
Karen S. Hargrave, Secretary

BY *Paul G. Benchoff*
Paul G. Benchoff, Chairman

I, Karen S. Hargrave, Secretary of the Board of Supervisors, Washington township, Franklin County, Pennsylvania, do certify that the foregoing is true and correct copy of an ordinance adopted at a regular meeting of the Washington Township Supervisors held _____, 2003, in a regular session duly assembled.

