

2020-12



**pennsylvania**  
OFFICE OF OPEN RECORDS

RECEIVED

FEB 27 2020

CALN TWP  
RTKO

**STANDARD RIGHT-TO-KNOW REQUEST FORM**

02/27/2020

DATE REQUESTED: \_\_\_\_\_

REQUEST SUBMITTED BY:       E-MAIL       U.S. MAIL       FAX       IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): \_\_\_\_\_  
Caln Township

NAME OF REQUESTER : \_\_\_\_\_  
Lynn Rijken

STREET ADDRESS: \_\_\_\_\_  
2916 Honeymead Rd

CITY/STATE/COUNTY/ZIP(Required): \_\_\_\_\_  
Downingtown, PA 19335

TELEPHONE (Optional): \_\_\_\_\_ EMAIL (optional): \_\_\_\_\_

RECORDS REQUESTED: *\*Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

Item 29 of the order on page 3 of The Reserves of Bailey Station Land Development Plan indicates that a comprehensive pedestrian circulation plan was submitted to the Township for review and approval with the land development plan. I would like to obtain a copy of the comprehensive pedestrian circulation plan.

DO YOU WANT COPIES?  YES  NO

DO YOU WANT TO INSPECT THE RECORDS?  YES  NO

DO YOU WANT CERTIFIED COPIES OF RECORDS?  YES  NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100?  YES  NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

**FOR AGENCY USE ONLY**

OPEN-RECORDS OFFICER: *A. Swan*

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY: *2/27/20*

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE: *3/5/20*

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

THE RESERVE AT BAILEY STATION HOMEOWNER'S ASSOCIATION  
 C/O THE WENTWORTH GROUP  
 901 S. TROOPER ROAD  
 P.O. BOX 80690  
 VALLEY FORGE, PA 19484

SCANNED

NOV 10 2010

ELECTRONICALLY FILED

October 28, 2010

CALN TOWNSHIP BOARD OF COMMISSIONERS  
 253 MUNICIPAL DRIVE  
 THORNDALE, PA. 19372

Dear Board of Commissioners,

With respect to Caln Township and the dedication of certain areas of the community of The Reserve at Bailey Station the Reserve at Bailey Station Homeowner's Association would like to request the Caln Township Board consider the following prior to releasing any escrow funds to Caln Nether.

## 1) Sidewalk completion

- a. Stockley Lane sidewalk is not complete in front of three (3) lots; 5, 6, 7,
- b. Westerham Road sidewalk is not complete in front of five (5) lots; 67, 68, 82, 83, and 102,
- c. Lots 83 and 102 are corner lots which front both Westerham Road and Avebury Stone Circle,
- d. Avebury Stone Circle sidewalk is not complete in front of six(6) lots; 84, 86, 87, 88, 94 and 97,
- e. Honeymead Road sidewalk is not complete in front of two (2) lots; 77 and 79.
- f. This represents 14.5% of the Units in the community.
- g. The HOA has reason to believe certain sidewalks were not completed to code. It appears that certain areas, specifically in front of Lot 96, have not been compacted sufficiently causing a drop in the sidewalk of several inches.

## 2) Driveways not conforming to Township ordinances

- a. The Unit Owner of Lot 15 cannot enter his driveway without scraping the bottom of his car and lower cars have actually been stuck on the sidewalk due to the incline to get into this driveway. The Unit owner brought this to the attention of the builder and the Township and was told by the Township that the issue would go away once the final paving was completed. The resident patiently waited for the final paving as suggested by the Township representative. However, the issue was not with the paving but with the angle of the sidewalk and entrance to the driveway. The final paving is now complete and the issue still exists.
- b. The Township ordinance states that driveways cannot be within five (5) feet of the property boundary. There are driveways within this limitation.
- c. The Township ordinance also states that a driveway must provide for two (2) parking spaces ten (10) feet by twenty (20) feet each within the driveway. There are driveways that do not meet this requirement.

It is unclear, at this time, to determine if the Declarant was given a waiver or provided a variance to the ordinance to complete the development for ¶¶ b and c of § 2.

## 3) Walking trail not completed

- a. The HOA has reason to believe the walking trail is in part outside the property boundaries of the HOA,

Continued...

- b. The HOA has reason to believe the walking trail is not completed per the approved land development plans,  
The HOA was advised that Caln Nether would complete a final survey with placement of survey pins prior to dedication and is awaiting this final survey from Caln Nether to confirm ¶ a of § 3, and to confirm if there were any changes to the approved development plan provided to the HOA.
- 4) The HOA has reason to believe that the land development plan was not completed as proposed and approved.
  - a. Required seepage beds were not completed as per plans,
  - b. Walking trail incomplete,
  - c. Slopes and driveways may not be consistent with approved plans.
- 5) Erosion along retaining walls
  - a. Retaining Wall 16
  - b. Runoff running down Avebury Stone Circle is eroding along the base of Retaining Wall 14.

These are some of the items that the HOA will be addressing with the Declarant Caln Nether with the completion of an engineering report that the HOA has recently contracted to be completed. This is not a complete or exhaustive list and the HOA reserves the right to add or modify this list as other issues are identified or addressed.

The HOA requests the Township Commission take into consideration the above mentioned deficiencies when agreeing to release any Escrow funds to Caln Nether. The HOA requests the Commissioners provide the HOA sufficient time to complete the engineering report and review said report with Caln Nether and where necessary Caln Township.

Respectfully,

The Reserve at Bailey Station Homeowner's Association

Prepared by:  
Jonathan A. Jordan, Esquire  
Riley Riper Hollin & Colagreco  
312 W. State Street, 2<sup>nd</sup> Floor  
Kennett Square, PA 19348  
610-444-8800

SCANNED

NOV 03 2007

ELECTRONICALLY FILED

RECORDER OF DEEDS  
CHESTER COUNTY, PA

2004 JUN 10 AM 10:11

BEING PART OF CHESTER COUNTY UPI NOS.  
39-4-125, 39-4-127 & 39-4-133

**DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS,  
EASEMENTS AND LIENS  
FOR  
THE RESERVE AT BAILEY STATION,  
A PLANNED COMMUNITY**

Declarant:  
Cain-Nether Company, L.P.  
1380 Wilmington Pike  
West Chester, Pennsylvania 19382

*Administration Office*

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Last printed 6/9/2004 12:45 PM

purpose and intent of such easements, rights and options. In case of inconsistencies in the governing documents of the Community, then the articles of incorporation of the Association shall have precedence over this Declaration; this Declaration in turn has precedence over the Bylaws of the Association; and the Bylaws have precedence over any Rules and Regulations adopted by the Association.

10.10 Severability.

In the event that a court determines that any provisions of this Declaration are invalid or unenforceable, then those invalid or unenforceable provisions of this Declaration shall be deemed stricken from this Declaration and shall not affect the validity or enforceability of any other provisions of this Declaration. In the event that any provisions of this Declaration are unenforceable or invalid as written, but may be reformed so as to make them valid and enforceable in accordance with the reasonable intent of the Declarant as specified herein, it is the Declarant's intent that any court interpreting such provisions shall to the extent permitted by law reform the same so as to make the provisions valid and enforceable in accordance with the reasonable intent of the Declarant expressed herein.

10.11 Governing Law.

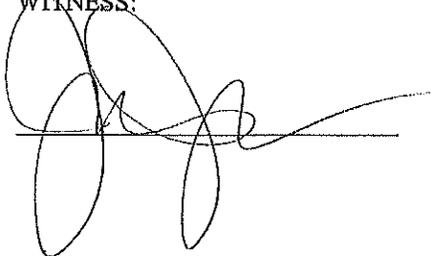
This Declaration shall be governed and construed in accordance with all applicable laws of the Commonwealth of Pennsylvania.

10.12 Covenants and Easement Running with the Land.

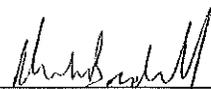
All of the covenants, easements and restrictions set forth herein, shall constitute covenants, easements and restrictions running with the Property, the Common Elements, and all of the Units and Dwellings, in perpetuity, and all such covenants, easements and restrictions shall be binding upon and inure to the benefit of the Declarant, the Association and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the date first written above.

WITNESS:



CALN-NETHER COMPANY, L.P.

By:   
MARK BEDWELL, General Partner

COMMONWEALTH OF PENNSYLVANIA :  
 COUNTY OF CHESTER : SS

On this 9<sup>th</sup> day of June, 2004, before me, the undersigned officer, personally appeared Mark Bedwell, who acknowledged himself to be General Partner of CALN-NETHER COMPANY, L.P. and, being authorized to do so, acknowledged that he executed the foregoing instrument on behalf of the company for the purposes therein contained.

*Lori Hands*  
 \_\_\_\_\_  
 Notary Public

\* \* \* \* \*

COMMONWEALTH OF PENNSYLVANIA  
 NOTARIAL SEAL  
 LORI HANDS, Notary Public  
 Kennett Square Boro., Chester County  
 My Commission Expires March 26, 2008



## Easements/ Lot Characteristics

Plan Sheet	Lot #	Easement Description	EasementWidth (FT)
C3	1W	Sight Triangle	0
C3	7W	Sight Triangle	0
C2	18W	Retaining Wall #13	0
C2	18W	Sight Triangle	0
C2	19W	Retaining Wall #13	0
C4	20W	Retaining Wall #13	0
C4	21W	Retaining Wall #13	0
C4	22W	Retaining Wall #13	0
C2	32W	10' Walking Trail	10
C2	33W	10' Walking Trail	10
C2	34W	10' Walking Trail	10
C2	35W	10' Walking Trail	10
C2	36W	10' Walking Trail	10
C2	37W	10' Walking Trail	10
C2	37W	10' Utility (PaAmerican)	10
C2	38W	10' Utility (PaAmerican)	10
C2	38W	10' Walking Trail	10
C2	49W	Sight Triangle	0
C2	62W	Sight Triangle	0
C2	71W	Sight Triangle	0
C2	80W	Sight Triangle	0
C2	81W	Sight Triangle	0
C2	82W	Retaining Wall #14	0
C2	83W	Retaining Wall #14	0
C2	83W	Sight Triangle	0
C2	84W	Retaining Wall #14	0
C2	85W	Retaining Wall #14	0
C2	86W	Retaining Wall #14	0
C2	87W	Retaining Wall #14	0
C2	88W	Retaining Wall #14	0
C2	89W	Retaining Wall #14	0
C2	90W	Retaining Wall #14	0
C2	91W	Retaining Wall #14	0
C1	94W	10' Walking Trail	10
C1	95W	10' Walking Trail	10
C1	95W	10' Utility	10
C1	96W	20' Utility	20
C1	93W	Retaining Wall #17	0
C1	94W	Retaining Wall #17	0
C1	95W	Retaining Wall #17	0
C1	98W	Retaining Wall #16	0
C1	99W	Retaining Wall #16	0
C1	100W	Retaining Wall #16	0
C1	101W	Retaining Wall #15	0
C2	102W	Sight Triangle	0

## EXHIBIT D

subtenants, family members, guests, invitees, permittees, agents, servants, employees and any other persons occupying or using any Unit or Dwelling shall be bound by all of the terms and conditions of this Declaration, the Bylaws and any Rules and Regulations as may be adopted by the Executive Board. Upon the addition to the Property of any portion(s) of the Additional Real Estate, such portion(s) added shall become part of the Community and shall be subject to this Declaration, the Act, the Bylaws and the Rules and Regulations of the Association. In the event of any conflict between this Declaration and the Bylaws, the terms and provisions of the Declaration shall govern.

### ARTICLE 3 - DESCRIPTION OF COMMUNITY

#### 3.1 The Community.

The name of the Community shall be The Reserve at Bailey Station. The Community shall consist of the Dwellings constructed on the Units within the Property as described on Exhibit "A-1" attached hereto and made a part hereof, the Improvements, the Common Elements, and all easements, rights and appurtenances belonging thereto. The Community will contain a maximum of 110 Units, if all Additional Real Estate is added to the Community. Additional Real Estate may be added in individual Units or groups of Units from time to time as provided herein. The Mews at Bailey Station (the portion of Bailey Station with lots containing townhomes) and The Crossing at Bailey Station (the portion of Bailey Station with lots containing single-family detached dwellings on the East side of South Bailey Road) are subject to and governed by separate declarations of covenants, conditions, restrictions and liens and separate homeowners associations, and are not in any manner subject to this Declaration.

#### 3.2 Unit Boundaries.

Each Unit will consist of the subdivided residential lot as designated on the Plan with a constructed Dwelling for which the Township has issued an occupancy permit. The boundaries of each Unit, including the Unit's identifying number, are shown on the Plan.

#### 3.3 Common Facilities.

Common Facilities shall be owned and maintained by the Association and shall consist generally of all real estate not included within the title lines of any Unit, and any Improvements on such real estate to be owned by the Association, and shall include the following (to the extent not dedicated to the Township or a Utility Service Provider) as shown on the Plan:

- (a) **Open Space.** The areas of Open Space as shown on the Plan shall be Common Facilities, and shall be owned and maintained by the Association. The Open Space includes retaining walls, walking trails and Stormwater Management Facilities, as shown on the Plan. Except as shown on the Plan or as otherwise provided in Section 5318 of the Act and in the immediately preceding sentence, the Association shall be prohibited from developing, subdividing, selling or conveying the Open Space, other than grants to the Township or a Utility Service Provider in connection with Utility Improvements or Utility Easements. Notwithstanding the immediately preceding sentence, the Association shall not

convey the Open Space to a third party without the written approval of the Township.

- (b) **Stormwater Management Facilities.** Except as may be otherwise provided herein, the Stormwater Management Facilities located in the Open Space shall be Common Facilities. Such Stormwater Management Facilities shall be owned, maintained, improved, repaired, replaced, regulated, managed and controlled by the Association. The Association shall maintain the grass in and around the Stormwater Management Facilities located in the Open Space and shall keep the inlet structures and outlet structures free from all debris. The Association shall be responsible for repairing any Stormwater Management Facilities that are not functioning in accordance with its design and purpose. Absent the express approval of the Township (and the Declarant, for so long as Declarant owns at least one Unit in the Community), the Association and all Unit Owners (excepting Declarant) are expressly prohibited from erecting or causing or permitting the erection of any structure, or the installation of any invasive or obstructive plant material, or the change of the grade of the land within the Stormwater Management Facilities, or conducting any activity therein or thereon, which may interfere with the proper, safe and efficient functioning of the Stormwater Management Facilities. All such Stormwater Management Facilities **MUST BE BUILT.**
- (c) **Street Lights.** All street lights located in Open Space or in any interior street right-of-way shall be Common Facilities. Either the Association or a Utility Service Provider will own the street lights. The cost of maintaining, operating, repairing and replacing the street lights (including paying for the electricity to operate them) shall be considered a Common Expense to be borne by the Association. All such street lights **MUST BE BUILT.**
- (d) **Entrance Signage/Landscaping/Lighting.** The Declarant may erect entrance monuments including identification signs and landscaping in Open Space located at any entrance to the Community and such other locations as the Declarant may determine. Any such signs shall comply with applicable Township ordinances and shall have received any requisite Township approvals. The Association will maintain, repair and replace such monuments and signage, and the cost of same shall be a Common Expense. All such entrance monuments **NEED NOT BE BUILT.**
- (e) **Walking Trails.** All walking trails located on the Property shall be Common Facilities and shall be maintained, replaced and repaired by the Association. The Association shall maintain the walking trails in a manner consistent with the specifications noted on the Plan, in order to permit such trails to be used for safe pedestrian passage. All such walking trails **MUST BE BUILT.**
- (f) **Sidewalks and Curbs.** All sidewalks and curbs located on the Property shall be Common Facilities. Sidewalks and curbs located within road rights-of-way may

1447-DLH-Esements Reserve &amp; Crossing

LEGAL DESCRIPTION  
OF  
10 FEET WIDE WALKING TRAIL EASEMENT  
OVER LOT 32W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain 10 feet wide walking trail easement over Lot 32W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

Beginning at a point the southwesterly corner of Lot 32W and the southeasterly corner of Lot 33W in line of lands now or late of James A. Hayes; thence from said point of beginning along Lot 33W North 17 degrees 00 minutes 24 seconds West, 10.14 feet to a point; thence through Lot 32W North 82 degrees 22 minutes 36 seconds East, 63.95 feet to a point in line of Open Space "M" as shown on said plan; thence along said Open Space "M" South 42 degrees 51 minutes 50 seconds West, 15.72 feet to a point in line of lands now or late of said Hayes; thence along said lands South 82 degrees 22 minutes 36 seconds West, 50.18 feet to the Point and Place of Beginning.

**Containing:** 571 square feet of land be the same more or less.

**Being:** 10 Feet Wide Walking Trail Easement over Lot 32W at Bailey Station as shown on said plan.

LEGAL DESCRIPTION  
OF  
10 FEET WIDE WALKING TRAIL EASEMENT  
OVER LOT 33W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain 10 feet wide walking trail easement over Lot 33W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

Beginning at a concrete monument, the southwesterly corner of Lot 33W and the southeasterly corner of Lot 34W, a corner of lands now or late of James A. Hayes and a corner of lands now or late of Brinton Station Incorporated; thence from said point of beginning along said Lot 34W North 06 degrees 16 minutes 53 seconds West, 10.00 feet to a point; thence through

EXHIBIT C  
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Lot 33W North 82 degrees 22 minutes 36 seconds East, 94.17 feet to a point in line of Lot 32W; thence along said Lot South 17 degrees 00 minutes 24 seconds East, 10.14 feet to a point in line of lands now or late of said Hayes; thence along said lands South 82 degrees 22 minutes 36 seconds West, 96.06 feet to the Point and Place of Beginning.

**Containing:** 951 square feet of land be the same more or less.

**Being:** 10 Feet Wide Walking Trail Easement over Lot 33W at Bailey Station as shown on said plan.

LEGAL DESCRIPTION  
OF  
10 FEET WIDE WALKING TRAIL EASEMENT  
OVER LOT 34W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain 10 feet wide walking trail easement over Lot 34W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

Beginning at a point, the southwesterly corner of Lot 34W and the southeasterly corner of Lot 35W in line of lands now or late of Brinton Station Incorporated; thence from said point of beginning along said Lot 35W, North 06 degrees 16 minutes 53 seconds West, 10.00 feet to a point; thence through Lot 34W the following two (2) courses and distances: 1) North 83 degrees 43 minutes 07 seconds East, 80.46 feet to a point; and 2) North 82 degrees 22 minutes 36 seconds East, 0.12 feet to a point in line of Lot 33W as shown on said plan; thence along said Lot South 06 degrees 16 minutes 53 seconds East, 10.00 feet to a point in line of lands now or late of said Brinton Station Incorporated; thence along said lands South 83 degrees 43 minutes 07 seconds West, 80.58 feet to the Point and Place of Beginning.

**Containing:** 806 square feet of land be the same more or less.

**Being:** 10 Feet Wide Walking Trail Easement over Lot 34W at Bailey Station as shown on said plan.

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LEGAL DESCRIPTION  
OF  
10 FEET WIDE WALKING TRAIL EASEMENT  
OVER LOT 35W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain 10 feet wide walking trail easement over Lot 35W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

Beginning at a point, the southwesterly corner of Lot 35W and the southeasterly corner of Lot 36W in line of lands now or late of Brinton Station Incorporated; thence from said point of beginning along said Lot 36W, North 06 degrees 16 minutes 53 seconds West, 10.00 feet to a point; thence through Lot 35W, North 83 degrees 43 minutes 07 seconds East, 80.00 feet to a point in line of Lot 34W as shown on said plan; thence along said Lot South 06 degrees 16 minutes 53 seconds East, 10.00 feet to a point in line of lands now or late of said Brinton Station Incorporated; thence along said lands South 83 degrees 43 minutes 07 seconds West, 80.00 feet to the Point and Place of Beginning.

**Containing:** 800 square feet of land be the same more or less.

**Being:** 10 Feet Wide Walking Trail Easement over Lot 35W at Bailey Station as shown on said plan.

LEGAL DESCRIPTION  
OF  
10 FEET WIDE WALKING TRAIL EASEMENT  
OVER LOT 36W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain 10 feet wide walking trail easement over Lot 36W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

Beginning at a point, the southwesterly corner of Lot 36W and the southeasterly corner of Lot 37W in line of lands now or late of Brinton Station Incorporated; thence from said point of beginning along said Lot 37W, North 03 degrees 06 minutes 00 seconds West, 10.02 feet to a point; thence through Lot 36W, North 83 degrees 43 minutes 07 seconds East, 83.78 feet to a

EXHIBIT C  
Page 3

point in line of Lot 35W as shown on said plan; thence along said Lot South 06 degrees 16 minutes 53 seconds East, 10.00 feet to a point in line of lands now or late of said Brinton Station Incorporated; thence along said lands South 83 degrees 43 minutes 07 seconds West, 84.34 feet to the Point and Place of Beginning.

**Containing:** 841 square feet of land be the same more or less.

**Being:** 10 Feet Wide Walking Trail Easement over Lot 36W at Bailey Station as shown on said plan.

LEGAL DESCRIPTION  
OF  
10 FEET WIDE WALKING TRAIL EASEMENT  
OVER LOT 37W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain 10 feet wide walking trail easement over Lot 37W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

Beginning at a point, the southwesterly corner of Lot 37W and the southeasterly corner of Lot 38W, at a point on the center line at the southerly terminus of a 20 feet wide utility easement and in line of lands now or late of Brinton Station Incorporated; thence from said point of beginning along said Lot 38W along the centerline of said utility easement, North 17 degrees 16 minutes 28 seconds East, 10.91 feet to a point; thence through Lot 37W, North 83 degrees 43 minutes 07 seconds East, crossing the easterly side of said utility easement, 111.41 feet to a point in line of Lot 36W as shown on said plan; thence along said Lot, South 03 degrees 06 minutes 00 seconds East, 10.02 feet to a point in line of lands now or late of said Brinton Station Incorporated; thence along said lands, South 83 degrees 43 minutes 07 seconds West, re-crossing the easterly side of said utility easement, 115.21 feet to the Point and Place of Beginning.

**Containing:** 1133 square feet of land be the same more or less.

**Being:** 10 Feet Wide Walking Trail Easement over Lot 37W at Bailey Station as shown on said plan.

EXHIBIT C

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LEGAL DESCRIPTION  
OF  
10 FEET WIDE WALKING TRAIL EASEMENT  
OVER LOT 38W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain 10 feet wide walking trail easement over Lot 38W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

Beginning at a point, the southeasterly corner of Lot 38W and the southwesterly corner of Lot 37W, at a point on the center line at the southerly terminus of a 20 feet wide utility easement and in line of lands now or late of Brinton Station Incorporated; thence from said point of beginning along said lands, South 83 degrees 43 minutes 07 seconds West, crossing the westerly side of said utility easement, 14.26 feet to a point a corner of Open Space "L" as shown on said plan; thence along said Open Space "L", North 52 degrees 27 minutes 35 seconds West, 14.44 feet to a point; thence through Lot 38W, North 83 degrees 43 minutes 07 seconds East, re-crossing the westerly side of said utility easement 29.04 feet to a point in line of Lot 37W; thence along said Lot and the centerline of said utility easement, South 17 degrees 16 minutes 28 seconds West, 10.91 feet to the Point and Place of Beginning.

**Containing:** 217 square feet of land be the same more or less.

**Being:** 10 Feet Wide Walking Trail Easement over Lot 38W at Bailey Station as shown on said plan.

LEGAL DESCRIPTION  
OF  
EASTERLY HALF OF A 20 FEET WIDE UTILITY EASEMENT  
OVER LOT 37W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain easterly half of a 20 feet wide utility easement over Lot 37W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

**EXHIBIT C**  
Page 5

LEGAL DESCRIPTION  
OF  
10 FEET WIDE WALKING TRAIL EASEMENT  
OVER LOT 94W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain 10 feet wide walking trail easement over Lot 94W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

Beginning at a point, the northeast corner of Lot 94W, the northwesterly corner of Lot 94W, in line of lands now or late of South Down Properties Incorporated; thence from said point of beginning along said Lot 94W, South 19 degrees 54 minutes 32 seconds East, 10.11 feet to a point; thence through Lot 94W, South 78 degrees 31 minutes 21 seconds West, 70.99 feet to a point, a corner of Open Space "L" as shown on said plan; thence along said Open Space "L" North 21 degrees 30 minutes 33 seconds East, 1.92 feet to a point in line of lands of said South Down Properties; thence along said lands North 78 degrees 31 minutes 21 seconds East, 63.02 feet to the Point and Place of Beginning.

**Containing:** 670 square feet of land be the same more or less.

**Being:** 10 Feet Wide Walking Trail Easement over Lot 94W at Bailey Station as shown on said plan.

LEGAL DESCRIPTION  
OF  
10 FEET WIDE WALKING TRAIL EASEMENT  
OVER LOT 95W  
AT BAILEY STATION  
FOR  
CALN NETHER COMPANY, L.P.

All that certain 10 feet wide walking trail easement over Lot 95W, situate in the Township of Caln, County of Chester, Pennsylvania, as shown on "Preliminary/Final Land Development Plan of Bailey Station", dated August 21, 2002 (last revised May 25, 2004), prepared by D.L. Howell & Associates, Inc., Civil Engineers, West Chester, PA, being more particularly described as follows:

Beginning at a point, the northwest corner of Lot 95W, the northeasterly corner of Lot 94W, in line of lands now or late of South Down Properties Incorporated; thence from said point

EXHIBIT C  
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