



George W. Broseman, Esquire  
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May 24, 2023

**VIA HAND DELIVERY**

William M. White, MBA, Township Manager  
Township of Radnor  
301 Iven Avenue  
Wayne, PA 19087

**RE: 204 & 228 Strafford Avenue, 18 Forrest Lane – Wayne, Radnor Township  
Conditional Use Application  
Our Reference No. 15709-1**

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Dear Mr. White:

I represent the Trustees of the Dorrance Hamilton 3/15/1996 Revocable Agreement of Trust (“**Applicant**”), the owner of the properties at 204 & 228 Strafford Avenue and 18 Forrest Lane in Radnor Township (collectively “**Property**”) located in the R-4 Residence District. The Applicant is proposing to construct thirty-eight (38) townhomes and related improvements on the Property as generally shown on the plans included with this application (“**Project**”).

On behalf of the Applicant, I am filing the following:

1. Ten (10) copies of the Conditional Use Application seeking a conditional use under Radnor Township Code (“**Code**”) Section 280-29.B.(1) for Density Modification Development in the R-4 Residence District;
2. Ten (10) copies of the plan set entitled “204 & 228 Strafford Avenue Conditional Use Plan Set” containing Fourteen Sheets dated May 18, 2023 (sheets 1-9 prepared by SITE Engineering Concepts, LLC, sheets 10-14 prepared by Glackin Thomas Panzak);
3. Ten (10) copies of a stormwater management report titled “Post Construction Stormwater Management Analysis,” prepared by SITE Engineering Concepts, LLC, dated May 15, 2023;

4. Ten (10) copies of a letter from Aqua Pennsylvania to SITE Engineering Concepts, LLC regarding the availability of public water for the Project, dated March 25, 2020;
5. Ten (10) copies of the narrative for the planning module for land development dated May 24, 2023, prepared by HILBEC Engineering & Geosciences, LLC;
6. Ten (10) copies of a Traffic Engineering Investigation prepared by F. Tavani & Associates, dated May 15, 2023;
7. Ten (10) copies of a Fiscal Impact Analysis prepared by Erik W. Hetzel, AICP/PP, dated May 17, 2023;
8. Ten (10) copies of a development impact study compiled by Kaplin Stewart Meloff Reiter & Stein, dated May 24, 2023;
9. Ten (10) copies of a draft Planned Community Declaration;
10. Ten (10) copies of the Conceptual Architectural Elevations;
11. A \$1,500.00 check made payable to the Township of Radnor, the applicable Conditional Use application fee; and
12. An electronic copy of all submitted materials;

Please submit the applications and plans to the appropriate Township staff, consultants and bodies for review, public meetings, and a public hearing for the Conditional Use application. Please provide us with copies of all reviews, communications, notices and other documentation relating to these applications, or related to the Property as soon as they are generated and/or received.

If you have any questions or require any further information, please contact me. Thank you for your attention to this matter.

Sincerely,



George W. Broseman

GWB:jrw  
Enclosures

William M. White  
May 24, 2023  
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cc via email: Haverford Properties, Inc.  
SITE Engineering Concepts, LLC  
Glackin Thomas Panzak

# ZONING HEARING BOARD APPLICATION

## TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

<b>TOWNSHIP USE ONLY</b>
APPEAL # _____
FEE: _____
DATE RECEIVED: _____

**GENERAL INFORMATION:** Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an **electronic submittal in pdf format (CD or thumb drive)** must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. *Incomplete applications will not be accepted for processing.*

**REQUIRED FEE DUE AT FILING:** Please refer to the Consolidated Fee Schedule, as amended on our website at [www.radnor.com](http://www.radnor.com) for a copy of our current fees.

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*TYPE OR PRINT*

Property Address: 204 & 228 Strafford Avenue; 18 Forrest Lane Wayne, PA 19087

Name and address of Applicant: Trustees of the Dorrance Hamilton 3/15/1996 Revocable Agreement of Trust  
c/o Mr. D. Charles Houder - 40 Morris Avenue, Suite 150, Bryn Mawr, PA 19010

Telephone Number: \_\_\_\_\_ Email: dch@haverford properties.com

Property Owner (if different than above): Same as Above

Owner address: Same as Above

Telephone number: \_\_\_\_\_ Email: Same as Above

Attorney's name: George W. Broseman, Esquire

Address: 910 Harvest Drive, P.O. Box 3037, Blue Bell, PA 19422

Telephone number: (610) 941-2459 Email: gbroseman@kaplaw.com

**Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)***

Applicant requests Conditional Use approval under Code Section 280-29.B.(1) for Density Modification Development in the R-4 Residence District to redevelop the subject property with thirty-eight townhomes, common open space, stormwater management facilities and related improvements, all as depicted on the enclosed plans.

**Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)***

Decision of the Radnor Township Board of Commissioners dated 4/16/21 to deny Applicant's previous Conditional Use Application filed 9/24/2020.

**Brief narrative of improvements:** *(attach additional pages if necessary)*

Please see the Conditional Use Application Narrative attached hereto.

**ATTACHMENTS:** Ten (10) copies of each and **one (1) electronic copy in pdf format (CD or thumb drive)** of the following must be provided:

1. **Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:**
  - a) **lot lines and lot dimensions described in metes and bounds (in feet);**
  - b) **total lot area;**
  - c) **location of easements and rights of way, including ultimate rights of way;**
  - d) **location of all setback lines for existing and proposed structures;**
  - e) **location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;**
  - f) **location of existing and proposed improvements;**
  - g) **table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and**
  - h) **all other features or matters pertinent to the application.**

**PLANS SHALL NOT EXCEED 24" X 36", AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 ½" X 11" AT FILING**

2. **List of witnesses and summary of their testimony attached.**  
Witnesses and testimony will be determined at a later date.
3. **Photographs of the property at issue and all adjoining properties.**  
To be supplied at the hearing.
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*). Please see enclosed Stormwater Management Report, Traffic Engineering Investigation, Fiscal Impact Analysis and Development

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a by a letter from the owner clearly authorizing tenant or buyer to file the appeal*). Please see enclosed Deeds.

#### ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting* To be determined.
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*). To be determined.
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)

Applicant's authorized representative will be present at the hearing.



SIGNATURE OF APPLICANT

By: George W. Broseman, Esquire

**AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.**

George W. Broseman, Esquire  
Identification No.: 62649  
Union Meeting Corporate Center  
910 Harvest Drive  
Post Office Box 3037  
Blue Bell, PA 19422  
(610) 941-2459  
[gbroseman@kaplaw.com](mailto:gbroseman@kaplaw.com)  
[www.kaplaw.com](http://www.kaplaw.com)

Attorney for Applicant

**BEFORE THE BOARD OF COMMISSIONERS  
OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA**

*In the Matter of:*

*Premises:*

Trustees of the Dorrance Hamilton  
3/15/1996 Revocable Agreement of Trust,  
Applicant

204 & 228 Strafford Avenue  
18 Forrest Lane  
Wayne, PA 19087

**CONDITIONAL USE APPLICATION**

The Trustees of the Dorrance Hamilton 3/15/1996 Revocable Agreement of Trust, through counsel, George W. Broseman, Esquire, hereby files this Conditional Use application seeking approval to redevelop the properties at 204 Strafford Avenue, 228 Strafford Avenue, and 18 Forrest Lane<sup>1</sup> in Wayne under the Density Modification Development provisions of the Township Zoning Ordinance and in support thereof states as follows:

1. **NAME/ADDRESS OF APPLICANT.**

The Applicant is the Trustees of the Dorrance Hamilton 3/15/1996 Revocable Agreement of Trust (“Applicant”), c/o Mr. D. Charles Houder, Haverford Properties, Inc., 40 Morris Avenue, Suite 150, Bryn Mawr, PA 19010. Applicant is the owner of the parcels currently known as 204 Strafford Avenue, 228 Strafford Avenue, and 18 Forrest Lane (collectively the “Tract”). The Tract consists of Delaware County Folio Numbers: 36-01-00538-00; 36-01-

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<sup>1</sup> 18 Forrest is being shown for informational purposes only. It is not included in the zoning calculations. The property owner is providing easements for utilities.



00539-00; 36-01-00540-00; 36-01-00236-02. Copies of the deeds to the parcels that comprise the Tract are attached as **Exhibit A-1** and **Exhibit A-2**. **Exhibit A-1** is a copy of the deed that includes the parcels known as 204 Strafford Avenue and 228 Strafford Avenue, also known as Delaware County Folio Numbers: 36-01-00538-00; 36-01-00539-00; 36-01-00540-00. **Exhibit A-2** is a copy of the deed for the parcel known as 18 Forrest Lane, also known as Delaware County Folio Number 36-01-00236-02. It is noted that both deeds also include other lands owned by the Applicant that are not part of this Application.

## 2. **DESCRIPTION OF PROPERTY.**

The Tract presently consists of several parcels with a combined lot area of approximately 7.5 acres (+/-) that contain a total of six dwelling units and related improvements. The Tract has frontage on Eagle Road and Strafford Avenue, and has an extensive boundary along the rear of the Eagle Village Shops, a large, multi-use shopping center that fronts on Lancaster Avenue and Eagle Road<sup>2</sup>. The Tract is served by four driveways, three of which are interconnected. Three driveways connect to Strafford Avenue, and one connects to Eagle Road<sup>3</sup>. There are no sidewalks along the frontages of the Tract. The Tract and the general area around the Tract are developed suburban areas and are served by both public water and sanitary sewer service. Like many of the other properties in the area, including those in close proximity to the Tract that were developed before today's strict stormwater management requirements, the parcels within the Tract have no stormwater management facilities.

The existing conditions of the Tract are shown on the plan sheet entitled "Existing Conditions Plan," sheet 2 of 14 of the plan set entitled "204 & 228 Strafford Avenue Conditional

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<sup>2</sup> One parcel, 18 Forrest Lane also abuts the Eagle Village Shops and presently contains a single-family detached dwelling that fronts on Forrest Lane.

<sup>3</sup> The parcel at 18 Forrest Lane presently has its own driveway to Forrest Lane.

Use Plan Set” containing fourteen (14) sheets dated May 18, 2023 (sheets 1-9 prepared by SITE Engineering Concepts, LLC, sheets 10-14 prepared by Glackin Thomas Panzak) (collectively referred to as “**Plans**”). The Plans are attached as **Exhibit “B.”**

Pursuant to the Radnor Township Code (“**Code**”), the Tract is located in the R-4 Residence District (“**R-4 District**”), and is one property removed from the Township’s primary commercial artery, Lancaster Avenue/Route 30. The Tract serves as a transitional area from the commercial area along Lancaster Avenue to the residential areas to the north and northeast. The Tract either borders or is in close proximity to a number of commercial zoning districts, including: the C-2 General Commercial District, the C-3 Service Commercial District, the CO Commercial-Office District, and the PB Planned Business District. Some of the commercial uses that border or are in close proximity to the Tract include the Eagle Village Shops (described above), the Strafford Shopping Center with frontage on Lancaster Avenue and Eagle Road, and the Executive Commons of the Main Line office park with extensive frontage on both Eagle Road and Strafford Avenue. Only one property line, and the side lot lines of the 18 Forrest Lane parcel abut residentially zoned lots.

3. **CONDITIONAL USE FOR DENSITY MODIFICATION DEVELOPMENT**

A. **Density Modification Development – Townhomes  
a Permitted Use & Minimum Tract Size**

The Applicant requests conditional use approval from the Township Board of Commissioners under Code § 280-29.B.(1) for Density Modification Development in the R-4 District to redevelop the Tract with thirty-eight townhomes, common open space, significant stormwater management facilities, and related improvements (collectively “**Project**”). (*See, Code § 280-93 permitting townhomes in the R-4 District*). Density Modification Development is

permitted in many of the Township's residential zoning districts (*i.e.* AC, R-1, R-1A, R-2, R-3 and R-4). Code § 280-92.A. In the R-4 District, Density Modification Development is permitted on tracts of at least five acres in size. Code § 280-92.A.(4). The Tract, with over 7.5 acres exceeds this requirement. The Project will include common open space along the existing road frontages, in a centralized green to be created, and in other areas.

The Project is shown on the plan sheet entitled "Record Plan," sheet 4 of 14 of the Plans. As described below, the Plans comply with applicable provisions of the Zoning Ordinance for Density Modification Development in the R-4 District.

**B. Density Modification Development Requirements.**

**1. Townhome regulations.**

Article XIX of Chapter 280 of the Code contains the requirements for Density Modification Development. Code § 280-93 sets forth the specific regulations applicable to townhomes in Density Modification Developments. As required, the townhomes will be owned and operated under the applicable provisions of the Pennsylvania Uniform Condominium Act. *See, Code § 280-93.A.* The proposed townhomes are arranged in groups of three, four and five units respectively, in compliance with Code § 280-93.B, which allows up to eight townhomes to be attached in any one group. Each townhouse group is separated by at least 20 feet. *Code § 280-93.B.* The townhomes also meet the requirements for wall plane design. *Id.*

**2. Permitted Density, Dimensional Standards etc.**

The Project also complies with the other applicable standards for Density Modification Development. As noted above, the area of the Tract is over 7.5 acres, which exceeds the minimum requirement of five acres in the R-4 District under Code §280-92.A(4). The proposed 38 townhome units on the Tract are in accordance with the density requirements of 5.5 units per acre. *Id.* No buildings are within 40 feet of an existing street right-of-way line or within 25 feet

from any adjacent property line. *Code § 280-92.A(4)*. The Plans also comply with the height, building coverage, and impervious surface requirements of Code 280-94, as shown in the Zoning Table on sheet 4 of 14 of the Plans.

Code § 280-97.D provides for yard setback requirements for townhomes developed under the Pennsylvania Uniform Condominium Act in lieu of the yard requirements of Code § 280-97.B. In the R-4 District, Code § 280-97.D requires a distance of at least 20 feet between the sides of groups of townhomes. The Plans satisfy these requirements. No accessory buildings or structures are proposed at this time, so Code § 280-97.E is not at issue. The Plans provide for ample parking in the proposed garages, the driveways, and in designated areas along the internal roadways that exceed Code parking requirements. *Code §§ 280-98.C; 280-103.B(1)*. Pedestrian connectivity will be enhanced by the addition of sidewalks along the Tract frontage on Strafford Avenue and Eagle Road, and along the internal roadways. *Id.* As noted above, the Tract and general area are presently served by public sanitary sewer and public water, and the new dwelling units will likewise be served by these public facilities. *Code §280-96*.

### **3. Common Open Space & Buffers.**

Code § 280-91 provides standards for common open space and for buffers where the Tract adjoins residentially zoned districts. As required, the Plans designate at least 25% of the Tract area as common open space that will be available for use by or enjoyment of the residents of the new homes. *Code §§ 280-91.A & F*. The proposed common open space is appropriate and suitable for recreation and open space purposes. *Code § 280-91.B*. The proposed common open space is part of the development and is not separated from the Tract by existing roads. *Code § 280-91.C*. The proposed common open space includes a centralized green area that will be easily accessible to the proposed dwellings and help to, along with other portions of the

common open space, preserve the character of the streetscape along Strafford Avenue and Eagle Road. *Code § 280-91.D.* No structures, parking areas, streets, or public facilities are proposed within the common open space. *Code §§ 280-91. D & F.* The common open space will be restricted as required by the Code. *Code § 280-91.E.* Along the Tract's property lines that border other lots that are residentially zoned, the required 25 feet wide buffer area will be provided. *Code § 280-91.G.*

The ownership and maintenance of the proposed common open space will be provided by a homeowner's association that will be formed in compliance with the requirements of Code § 280-99, and the applicable provisions of the Uniform Condominium Act.

#### **4. Application Requirements for a Density Modification Development**

Code § 280-100.B sets forth specific information to be provided as part of the Conditional Use application. This information has been provided and is summarized as follows:

**(1) The nature of the landowners' interest in the land to be developed.**

*As noted above, Applicant is the owner of the Tract.*

**(2) The density of land use to be allocated to the site to be developed.**

*In accordance with Code § 280-92.A(4), the permitted density is 5.5 units/per acre. The proposed density of thirty-eight units on 7.523 acres (+/-) satisfies that requirement.*

**(3) Location and size of common open space and the form of the organization proposed to own and maintain the common open space.**

*The common open space is shown on the Plans. The Tract will be subjected to the Pennsylvania Uniform Planned Community Act through a Declaration of Planned Community, which will be executed and recorded at the appropriate time. The homeowners' association will own and maintain the common open space on behalf of the unit owners within the planned community. A draft of the Planned Community Declaration has been submitted to the Township and may be refined at a later stage.*

- (4) **The use and the approximate height, bulk and location of dwellings and other structures.**

*The Plans depict the bulk and location of the proposed townhomes. Compliance with these provisions is described above and on the Plans. The height of the buildings will not exceed 35 feet per applicable Code requirements for Density Modification Development. It is noted that the permissible height of 35 feet is the same as allowed for conventional development in the R-4 District, and in many of the Township's other residential zoning districts.*

- (5) **The feasibility of proposals for the disposition of sanitary waste and stormwater and provision of public water supply.**

*Public water and sanitary sewer are proposed. The Tract and the surrounding area are already served by public water and sanitary sewer.*

- (6) **The substance of covenants, grants of easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities.**

*As noted above, the Tract will be subject to the Pennsylvania Uniform Planned Community Act. A draft of the Planned Community Declaration has been submitted to the Township as part of the filing of the Conditional Use Application. The Planned Community Declaration will be finalized at a later stage.*

- (7) **A provision for parking of vehicles and the location and width of proposed streets and public ways.**

*The Plans depict the parking areas and internal drives. No public streets or ways are proposed. The Plans show four parking spaces for each dwelling unit, consisting of two garage parking spaces and two driveway parking spaces. There are also fourteen additional parking spaces located on the internal drives. The proposed level of parking exceeds the two parking spaces per dwelling unit required by Code §280-103.B(1) and the one additional parking space per four dwelling units required by Code §255-29.A(20).*

- (8) **A statement which will show the ecological and economic impact of the development on the Township and especially as to the surrounding areas.**

*The Tract and the surrounding area is within a fully developed suburban area. The Tract will be redeveloped and will include common open space and stormwater management facilities, neither of which presently exist at the Tract. The Project will comply with applicable stormwater management requirements, and the requirements associated with the required outside agency permits, including a National Pollutant Discharge Elimination System ("NPDES") permit*

*which includes a further review of during-construction and post-construction stormwater management. The substantial investment in the redevelopment of the Tract will generate revenue for both the Township and the Radnor Township School District through increased property values and through the realty transfer taxes on the sale of each townhouse unit. A Fiscal Impact Study and a Development Impact Study further addressing these issues are included with this Conditional Use application.*

**(9) The results of traffic studies taken on the surrounding and nearby roads.**

*The Conditional Use Application submission includes a Traffic Impact Study dated May 15, 2023 prepared by F. Tavani and Associates, Inc.*

**4. NATURE OF A CONDITIONAL USE.**

A conditional use is not an exception to a zoning ordinance, but rather, is a use to which an applicant is entitled unless objectors demonstrate, according to standards set forth in the zoning ordinance and the law, that the proposed use would adversely affect the community. *Blancett Maddock v. City of Pittsburgh Zoning Board of Adjustment*, 640 A.2d 498 (Pa. Cmwlth. 1994). A conditional use is nothing more than a special exception which falls within the jurisdiction of the municipal governing body as opposed to the zoning hearing board. *In re Thompson*, 896 A.2d 659, 670 (Pa. Cmwlth. 2006). The existence of a conditional use provision in a zoning ordinance indicates a legislative determination that the use is consistent with the municipality's zoning plan, and is a use which is presumptively consistent with the public health, safety and welfare. *Borough of Perkasié v. Moulton Builders*, 850 A.2d 778 (Pa. Cmwlth. 2004); *Ruddy v. Lower Southampton Township Zoning Hearing Board*, 669 A.2d 1051 (Pa. Cmwlth. 1995).

An applicant for conditional use approval has the burden of proving that the proposed use complies with the specific objective requirements of the zoning ordinance that are applicable to the conditional use. *Appeal of Neill*, 634 A.2d 749 (Pa. Cmwlth. 1993). Once an applicant for conditional use approval proves that the proposed use complies with the specific objective

requirements for conditional use set forth in the zoning ordinance, the burden shifts to the objectors to demonstrate through substantial evidence that the proposed use would detrimentally affect the public health, safety and welfare, to a greater degree than the typical use in question. *Mann v. Lower Makefield Township*, 634 A.2d 768 (Pa. Cmwlth. 1993); *Dotterer v. Zoning Hearing Board of Upper Pottsgrove Township*, 588 A.2d 1023 (Pa. Cmwlth. 1991).

The Commonwealth Court enunciated the general rule governing special exceptions and conditional uses in *Appeal of Brickstone Realty Corp.*, 789 A.2d 333 (2001):

A special exception [or conditional use] is a conditionally permitted use, allowed by the Legislature if specifically listed standards are met. A special exception [or conditional use] is thus not an "exception" to the zoning ordinance, but a use permitted conditionally, the application for which is to be granted or denied by the zoning hearing board pursuant to express standards and criteria. Where a particular use is permitted in a zone by special exception [or conditional use], it is presumed that the local legislature has already considered that such use satisfies local concerns for the general health, safety, and welfare and that such use comports with the intent of the zoning ordinance. Thus, once the applicant for a special exception [or conditional use] shows compliance with the specific requirements of the ordinance, it is presumed that the use is consistent with the promotion of health, safety, and general welfare. The burden then shifts to objectors to prove that the proposed use is not, in fact, consistent with the promotion of health, safety and general welfare. (citations omitted)

The objectors' burden of demonstrating that a proposed use does not comply with the general health, safety and welfare criteria imposed upon conditional uses is not satisfied by showing that a proposed use will have effects that are no different than those which normally result from the construction of the permitted use. *Moyer's Landfill, Inc. v. Zoning Hearing Board of Lower Providence Township*, 450 A.2d 273 (Pa. Cmwlth. 1982). Rather, a conditional use may only be denied if opponents demonstrate that the impact of the proposed use on the public welfare is greater than that which might be expected from such a use in normal circumstances. *Ruddy v. Lower Southampton Township Zoning Hearing Board, supra.*; *New*



*Bethlehem Borough Council v. McVay*, 467 A.2d 395 (Pa. Cmwlth. 1983). Moreover, those who object to an application for a conditional use cannot meet their burden of showing that the proposed use would violate the health, safety and welfare of the community by merely speculating as to possible harm; rather, objectors must show a high degree of probability that the proposed use will substantially affect the health and safety of the community. *Manor Healthcare Corp. v. Lower Moreland Township Zoning Hearing Board*, 590 A.2d 65 (Pa. Cmwlth. 1991).

5. **CONCLUSION.**

As noted above, the Plans comply with the applicable provisions of the Township Zoning Ordinance for Density Modification Development in the R-4 District. The Plans will also provide for common open space, limited new curb cuts to the adjoining roadways, enhanced pedestrian connectivity, and provide for significant stormwater management where none exists. Accordingly, the Conditional Use should be granted.

Respectfully Submitted,

**KAPLIN, STEWART MELOFF, REITER & STEIN, P.C.**



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**GEORGE W. BROSEMAN, ESQUIRE**  
Attorneys for Applicant

Date: May 24, 2023

**EXHIBIT A-1**

**REDACTED DEED FOR 204 & 228 STRAFFORD AVENUE**

PREPARED BY AND RETURN TO:  
Chicago Title Insurance Company  
Suite 1325  
1515 Market Street  
Philadelphia, PA 19102  
8109-25110(9)

RD BK04569-0060  
2009038189 06/23/2009 01:57:53 PM:1  
RCD FEE: \$100.00

DT-DEED



DELAWARE  
COUNTY

**This Indenture** Made this 24th day of April, 2009

Between DORRANCE H. HAMILTON, a/k/a DORRANCE HILL HAMILTON,  
of Boca Grande, Florida  
(hereinafter called the Grantor)

AND

DORRANCE H. HAMILTON, MARGARET H. DUPREY, NATHANIEL PETER  
HAMILTON, JR., S. MATTHEWS V. HAMILTON, JR., and BARBARA R. COBB,  
TRUSTEES of the DORRANCE H. HAMILTON MARCH 15, 1996 REVOCABLE  
AGREEMENT OF TRUST  
(hereinafter called the Grantees)

**Witnesseth** that the said Grantor for and in consideration of the sum of  
[REDACTED] lawful money of the United States of America, unto her well and  
truly paid by the said Grantees at or before the sealing and delivery hereof, the receipt  
whereof is hereby acknowledged, has granted, bargained and sold, aliened, enfeoffed  
released and confirmed, and by these presents does grant, bargain and sell, alien,  
enfeoff, release and confirm unto the said Grantees, their successors and assigns;

**PREMISES "A"**

**ALL THAT CERTAIN** lot or tract of land with the buildings and improvements thereon  
erected, Situate in the Township of Radnor, County of Delaware, Commonwealth of  
Pennsylvania, described according to a survey thereof, made by John F. Kauffman,  
Civil Engineer on September 22, 1886, as follows, to wit:

**BEGINNING** at a point in the center line of a public road leading from the Philadelphia and Lancaster Turnpike to the Gulf Road and known as the Eagle Road, where the center line of a new Avenue leaving to Eagle Station meets the said center line of the said Eagle Road; thence along the center line of the said new Avenue North twenty five degrees, two minutes East three hundred twenty and twelve one-hundredths feet; thence by a line parallel with the said Eagle Road and along the line of land conveyed by Henry D. Hughes and wife to Richard T. McCarter, Jr., South sixty four degrees, fifty eight minutes West two hundred seventy two and fifteen one-hundredths feet to a point in line of land conveyed by William Robb to the said Clara T. Shaw; thence along the said last mentioned land by a line parallel with the aforesaid avenue South twenty five degrees, two minutes East three hundred twenty and twelve one-hundredths feet to the aforesaid center line of said Eagle Road; thence along the center line of said Eagle Road North sixty four degrees, fifty eight minutes East two hundred seventy two and fifteen one-hundredths feet to the first mentioned point and place of beginning.

**ALSO ALL THAT CERTAIN** tract of land, situate in the Township and County aforesaid,

**BEGINNING** at a stone in the center line of a public road called the Eagle Road the distance of two hundred thirty eight feet and one tenths of a foot measured along the center line of the said road Northeastwardly from the corner of land now or late of John B. Thayer; thence along the said center line of the said Road North sixty four degrees, fifty eight minutes East two hundred five and seven tenths feet to a stone set for a corner in the center line of an Avenue thirty three feet wide (lately vacated); thence along the center line of the said vacated Avenue being also a line of land conveyed by Harry C. Banks and wife to the said Clara T. Shaw North twenty five degrees, two minutes West three hundred twenty and twelve one-hundredths feet to a corner of land conveyed by William Robb to Richard T. McCarter Jr.; thence along the said land of the said Richard T. McCarter Jr., South sixty four degrees, fifty eight minutes West two hundred five and seven tenths feet to a point in the middle of land of Ellwood Wilson; thence along the said land South twenty five degrees, two minutes East three hundred twenty and twelve one-hundredths feet to the first mentioned point and place of beginning.

**BEING** known as 204 Strafford Avenue.

**BEING** designated as Uniform Parcel Identifier No. 36-01-00538-00.

**PREMISES "B"**

**ALL THAT CERTAIN** lot or piece of ground with the buildings and improvements thereon erected, situate in the Township of Radnor, County of Delaware, State of Pennsylvania, described according to a survey thereof made by Wilson R. and John B. Yerkes, Civil Engineers and Surveyors of Bym Mawr, Pennsylvania, dated June 6, 1962, as follows:

**BEGINNING** at a point in the middle of Strafford Avenue (50 feet wide) said point is at the distance of three Hundred twenty and forty-five one hundredths feet (320.45') measured North twenty-five degrees two minutes West (N 25°02' W.) along the middle of Strafford Avenue from its intersection with the middle of Eagle Road; thence leaving Strafford Avenue by land of L. Weinrich South sixty-four degrees fifty-eight minutes West (S. 64°58' W.) four hundred seventy-seven and eighty-five one hundredths feet (477.85') to an iron pin in line of land of Lecian Von Bermuth; thence partly by the same and partly by land of various owners North twenty-five degrees two minutes West (N. 25°02' W.) four hundred twenty-one and fifty one hundredths feet (481.50') to a stone; thence by land of Elisabeth J. Grant North sixty-five degrees five minutes East (N. 65°05' E.) four hundred seventy-seven and eighty-five one hundredths feet (477.85') to a point in the middle of Strafford Avenue aforesaid; thence along the middle of same South twenty-five degrees two minutes East (S. 25°02' E.) four hundred twenty and forty-five one hundredths feet (420.45') to the place of beginning.

**BEING** known as 228 Strafford Avenue.

**BEING** designated as Uniform Parcel Identifier No. 36-01-00539-00 and 36-01-00540-00.

**PREMISES "C"**

**ALL THAT CERTAIN** lot or piece of ground with the buildings and improvements thereon erected, situate in the Township of Radnor, County of Delaware and Commonwealth of Pennsylvania, bounded and described according to a Map of Property of Wallace and Warner Corporation, made by M.R. and J.B. Yerkes, Civil Engineers, Bryn Mawr, Pennsylvania, dated October 24, 1946 and revised November 8, 1946, (new lot numbers) September 25, 1947, as follows, to wit:

**BEGINNING** at a spike marking the intersection of the middle lines of Fairfield Lane and Forrest Lane (both forty feet wide); thence along the middle of Forrest Lane, the two following courses and distances: (1) South thirty four degrees, thirty seven minutes East, nine and eighty four one-hundredths feet to a point; and (2) South twenty three degrees, forty seven minutes East, one hundred three feet to a point; thence leaving Forrest Lane, South sixty five degrees, seven minutes West, one hundred thirty four and eighty four one-hundredths feet to a stone; thence by other land of Wallace and Warner of which this is a part, North twenty four degrees West, one hundred seventeen and twenty nine one-hundredths feet to a point in the middle of Fairfield Lane; thence along the middle of same, North sixty seven degrees, two minutes East, one hundred thirty three and forty two one-hundredths feet to the place of beginning.

**BEING** Lot No. 12 on the above mentioned Plan.

**BEING** known as 142 Fairfield Lane.

**BEING** designated as Uniform Parcel Identifier No. 36-01-00200-00.

N/A

**PREMISES "D"**

**ALL THAT CERTAIN** lot or piece of ground with the buildings and improvements thereon to be erected, situate in the Township of Radnor, County of Delaware and Commonwealth of Pennsylvania and described according to a Map of Property of Edwin T. Myskowski, et ux made by Yerkee Engineering Co., Surveyors, Bryn Mawr, Pennsylvania dated January 3, 1969 and last revised February 3, 1969 as follows:

**BEGINNING** at a point in the middle line of Forrest Lane (proposed to be opened to the width of 30 feet), which said point is measured, the two following courses and distances along said middle line from its intersection with the extended middle line of Fairfield Lane (forty feet wide): (1) from said point of intersection South thirty four degrees, thirty seven minutes East, nine and eighty four one hundredths feet and (2) South twenty three degrees, forty seven minutes East, forty three and forty six one-hundredths feet to the point and place of beginning; thence extending from said beginning point leaving Forest Lane by other land of Edwin T. Myskowski of which this was a part, North sixty five degrees seven minutes East, one hundred twenty three feet to a point in line of land now or late of J.B. Parker; thence extending along said land South twenty three degrees, forty seven minutes East, fifty nine and fifty four one-hundredths feet to a point a corner of land now or late of Lecian Von Bermuth; thence extending along said land South sixty five degrees, seven minutes West, one hundred twenty three feet to a point in the middle line of Forest Lane aforesaid; thence extending along the middle line of same North twenty three degrees, forty seven minutes West, fifty nine and fifty four one-hundredths feet to the place of beginning.

**BEING** Lot No. 2 as shown on said Plan.

**BEING** known as 22 Forrest Lane.

**BEING** designated as Uniform Parcel Identifier No. 36-01-00236-03.

**BEING AS TO PREMISES "A"** the same premises which H. Everett Shore, III, Straw Party by deed dated 6/3/1977 and recorded 6/10/1977 in the Office of the Recorder of Deeds in and for the County of Delaware in Deed Book 2609 page 716, granted and conveyed unto Dorrance H. Hamilton, in fee.

**BEING AS TO PREMISES "B"** the same premises which Thomas Hart and S. Leonard Kent, Jr., Executors under the Will of J. Brooks B. Parker, deceased by Deed dated 6/27/1952 and recorded 7/2/1952 in the Office of the Recorder of Deeds in and for the County of Delaware in Deed Book 1532 page 347, granted and conveyed unto Dorrance Hill Hamilton, in fee.

**BEING AS TO PREMISES "C"** the same premises which Gerard V. Cavanaugh and Danielle Cavanaugh, his wife by Deed dated 7/1/1985 and recorded 7/15/1985 in the Office of the Recorder of Deeds in and for the County of Delaware in Volume 251 page 1525, granted and conveyed unto Dorrance H. Hamilton, in fee.

**BEING AS TO PREMISES "D"** the same premises which H. Everett Shore, III, Straw Party by Deed dated 1/19/1984 and recorded 2/23/1984 in the Office of the Recorder of Deeds in and for the County of Delaware in Volume 139 page 983, granted and conveyed unto Dorrance H. Hamilton, in fee.

**Together with** all and singular the buildings, improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor, as well at law as in equity, of, in, and to the same.

**UNDER AND SUBJECT**, nevertheless to matters of record, to the extent valid and enforceable, subsisting and in fact affect title to the property or any part thereof.

**To have and to hold** the said lot or piece of ground above described with the buildings and improvements thereon erected; with the hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantees, their successors and assigns to and for the only proper use and behoof of the said Grantees, their successors and assigns, forever. Under and subject, as aforesaid.

**And** the said Grantor, for herself, her heirs, executors and administrators does by these presents, grant, covenant, promise and agree, to and with the said Grantees, their successors and assigns, that she the said Grantor, her heirs, all and singular the hereditaments and premises herein above described and granted, or mentioned and intended so to be with the appurtenances unto the said Grantees, their successors and assigns, against her the said Grantor, her heirs and against all and every person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from, or under him, her, them or any of them shall and will, **UNDER AND SUBJECT** as aforesaid, **WARRANT** and forever **DEFEND**.



In Witness Whereof, the said Grantor has caused these presents to be duly executed and dated the day and year first above written.

Sealed and Delivered  
IN THE PRESENCE OF US

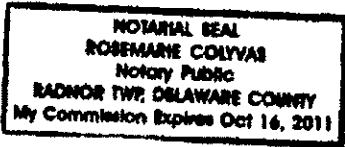
*Dorance H. Hamilton* (SEAL)  
Dorance H. Hamilton

*Dorance H. Hamilton* (SEAL)  
Dorance Hill Hamilton

COMMONWEALTH OF PENNSYLVANIA    )  
  )SS  
COUNTY OF *Delaware*                            )

On this, the *24<sup>th</sup>* day of *April*, 2009, before me, a Notary Public and the undersigned officer, personally appeared **Dorrance H. Hamilton, a/k/a Dorrance Hill Hamilton**, known to me (~~or satisfactorily proven~~) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

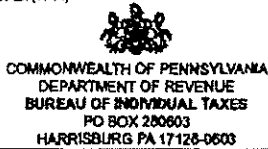
In Witness Whereof, I hereunto set my hand and official seal.



*Rosemary Colyas*  
\_\_\_\_\_ Notary Public

My Commission Expires: 10/16/2011

REV183 EX (1-04)



# REALTY TRANSFER TAX STATEMENT OF VALUE

See Reverse for Instructions

RECORDER'S USE ONLY

State Tax Paid	0
Book Number	4569
Page Number	60
Date Recorded	6/23/09

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

**A. CORRESPONDENT - All inquiries may be directed to the following person:**

Name Anthony T. Fratianne, Esquire, Morgan, Lewis & Bockius, LLP		Telephone Number:	
Street Address 1701 Market Street	City Philadelphia	State PA	Zip Code 19103

**B. TRANSFER DATA**

**Date of Acceptance of Document**

Grantor(s)/Lessor(s) Dorance H. Hamilton, a/k/a Dorance Hill Hamilton		Grantee(s)/Lessee(s) Trustees of the Dorance H. Hamilton 3/15/96 Rev. Agr. of Tr	
Street Address		Street Address Suite 316, 200 Eagle Road	
City Boca Grande	State FL	Zip Code	City Wayne
			State PA
			Zip Code 19087

**C. PROPERTY LOCATION**

Street Address See Exhibit "A"		City, Township, Borough Radnor Township	
County Delaware	School District	Tax Parcel Number See Exhibit "A"	

**D. VALUATION DATA**

1. Actual Cash Consideration [REDACTED]	2. Other Consideration [REDACTED]	3. Total Consideration = [REDACTED]
4. County Assessed Value [REDACTED]	5. Common Level Ratio Factor [REDACTED]	6. Fair Market Value = See Exhibit "A"

**E. EXEMPTION DATA**

1a. Amount of Exemption Claimed [REDACTED]	1b. Percentage of Interest Conveyed [REDACTED]
---	---

**2. Check Appropriate Box Below for Exemption Claimed**

- Will or intestate succession \_\_\_\_\_ (Name of Decedent) \_\_\_\_\_ (Estate File Number)
- Transfer to Industrial Development Agency.
- Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- Transfer between principal and agent. (Attach complete copy of agency/straw party agreement.)
- Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number \_\_\_\_\_, Page Number \_\_\_\_\_.
- Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
- Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- Other (Please explain exemption claimed, if other than listed above.) 72 P.S. 8102 C.3 (8.1) A transfer for no or nominal actual consideration to a trustee of a living trust from the settlor of the living trust.

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party 	Date 4/14/09
---	-----------------

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH APPLICABLE DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.

EXHIBIT "A"

Section C: Street Address

204 Strafford Avenue (Premises "A")  
228 Strafford Avenue (Premises "B")  
142 Fairfield Lane (Premises "C")  
22 Forrest Lane (Premises "B")

Section C: Tax Parcel Number

Uniform Parcel Identifier No. 36-01-00538-00 (Premises "A")  
Uniform Parcel Identifier No. 36-01-00539-00 and  
No. 36-01-00540-00 (Premises "B")  
Uniform Parcel Identifier No. 36-01-00200-00 (Premises "C")  
Uniform Parcel Identifier No. 36-01-00236-03 (Premises "D")

Section D-4: County Assessed Value

██████████	(Premises "A")	
██████████	(Premises "B")	
██████████	(Premises "B")	
██████████	(Premises "C")	
██████████	(Premises "D")	
	TOTAL	██████████

Section D-6: Fair Market Value

██████████	(Premises "A")	
██████████	(Premises "B")	
██████████	(Premises "B")	
██████████	(Premises "C")	
██████████	(Premises "D")	
	TOTAL	██████████

CTIC File #08-PHI-1046

## DEED

**Grantor:** DORRANCE H. HAMILTON, a/k/a DORRANCE HILL HAMILTON

## TO

**Grantees:** DORRANCE H. HAMILTON, MARGARET H. DUPREY,  
NATHANIEL PETER HAMILTON, JR.,  
S. MATTHEWS V. HAMILTON, JR., and  
BARBARA R. COBB, TRUSTEES of the DORRANCE H. HAMILTON  
MARCH 15, 1996 REVOCABLE AGREEMENT OF TRUST

**Premises:** 204 Strafford Avenue (Premises "A")  
228 Strafford Avenue (Premises "B")  
142 Fairfield Lane (Premises "C")  
22 Forrest Lane (Premises "D")  
Township of Radnor  
County of Delaware  
Commonwealth of Pennsylvania

Uniform Parcel Identifier No. 36-01-00538-00 (Premises "A")  
Uniform Parcel Identifier No. 36-01-00539-00 and  
36-01-00540-00 (Premises "B")  
Uniform Parcel Identifier No. 36-01-00200-00 (Premises "C")  
Uniform Parcel Identifier No. 36-01-00236-03 (Premises "D")

The address of the above named Grantees is:

218 Enterprises  
Suite 316  
200 Eagle Road  
Wayne, PA 19087

Certified by: \_\_\_\_\_  


**EXHIBIT A-2**

**REDACTED DEED FOR 18 FORREST LANE**

6  
RETURN TO:  
Chicago Title Insurance Co  
1601 Market Street, Ste. #2550  
Philadelphia, PA 19103  
8103-00452 (36)

**This Indenture** Made this 17<sup>th</sup> day of October, 2003

**Between** James W. Lament and Elizabeth A. Ashdale-Lament  
(hereinafter called the Grantors)

AND

Trustees Under Agreement of Trust dated March 15, 1996 as Amended,  
Dorrance H. Hamilton, Settlor  
(hereinafter called the Grantees)

**Witnesseth** That the said Grantor for and in consideration of the sum of [REDACTED] lawful money of the United States of America, unto them well and truly paid by the said Grantees at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed and by these presents does grant, bargain and sell, release and confirm unto the said Grantees, their successors and assigns.

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, Situate in the Township of Radnor, County of Delaware, Commonwealth of Pennsylvania and described according to a Map or Property of Edwin I. Myskowski, et ux, made by Yerkes Engineering Co., Surveyors, Bryn Mawr, PA, dated 1/3/1969 as follows, to wit:

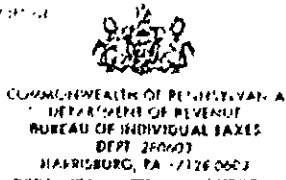
BEGINNING at a point on the middle line of Forrest Lane of variable widths at the distance of 674.37 feet measured Southeastwardly along said middle line of Forrest Lane from the center line of Old Eagle School Road; thence extending from said point of beginning North 65 degrees 07 minutes 00 seconds East, along the Strafford Realty Company Subdivision Plan 129.79 feet to a point; thence extending South 23 degrees 47 minutes 00 seconds East along land now or late of J. S. Parker, 79.06 feet to a point; thence extending South 65 degrees 07 minutes 00 seconds West along Lot No. 2 on said plan 123 feet to a point on the middle line of Forrest Lane, aforesaid; thence extending along the same, the two following courses and distances: (1) North 23 degrees 47 minutes 00 seconds West 43.46 feet to a point; and (2) North 34 degrees 37 minutes 00 seconds West 36.11 feet to the first mentioned point and place of beginning.

BEING Lot No. 1 on said Plan.

BEING Folio Number 36-01-00236-02

RD BK02991-1480  
2003144115 10/20/2003 10:42:44 AM  
RC11 FILE 154.00 P&A 15.50 TAX 34.50C 00.50 TAX 13.200.00  
DELAWARE COUNTY  
THOMAS J. JUDGE SR. RD

Power of Attorney



# REALTY TRANSFER TAX STATEMENT OF VALUE

See Reverse for Instructions

State Tax No.	\$ 3,300.00
Book Number	2891
Page No.	1A7C
Date Recorded	10/28/03

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s)

### A - CORRESPONDENT - All inquiries may be directed to the following person:

Name	Chicago Title Insurance Company	Telephone Number	Area Code 215 568-4800
Street Address	1601 Market Street	City	Philadelphia PA 19103

### B - TRANSFER DATA

Grantor(s)/Lessor(s)	James W. Lament & Elizabeth Lament	Date of Acceptance of Document	
Street Address	18 Forrest Road	Grantee(s)/Lessee(s) Trustee under Agreement of Trust dated 3/15/96 as amended	
City	Wayne PA 19087	Street Address	18 Forrest Road
State	PA	City	Wayne PA 19087
Zip Code	19087	State	PA
		Zip Code	19087

### C - PROPERTY LOCATION

Street Address	18 Forrest Road	City, Township, Borough	Radnor
County	Delaware	School District	Radnor
		Tax Parcel Number	36-01-00236-02

### D - VALUATION DATA

1. Actual Cash Consideration	7. Other Consideration	3. Total Consideration
[Redacted]	+ [Redacted]	= [Redacted]
4. County Assessed Value	5. Common Level Ratio Factor	6. Fair Market Value
[Redacted]	x [Redacted]	= [Redacted]

### E - EXEMPTION DATA

1a. Amount of Exemption Claimed	1b. Percentage of Interest Conveyed
[Redacted]	[Redacted]

- 7 Check Appropriate Box Below for Exemption Claimed
- Will or intestate succession (Name of Decedent) \_\_\_\_\_ (Estate File Number) \_\_\_\_\_
  - Transfer to Industrial Development Agency
  - Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
  - Transfer between principal and agent. (Attach complete copy of agency/straw party agreement.)
  - Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
  - Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number \_\_\_\_\_, Page Number \_\_\_\_\_
  - Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
  - Statutory corporate consolidation, merger or division. (Attach copy of articles.)
  - Other (Please explain exemption claimed, if other than listed above.) \_\_\_\_\_

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party	Date
[Signature]	10/27/03

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH APPLICABLE DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.



BEING the same premises which Madeline L. Fisher, by Indenture bearing date April 29, 2003 and recorded MAY 5, 2003 in the Office of the Recorder of Deeds, in and for the County of Delaware in Volume 2761 page 2189 etc., granted and conveyed unto James W. Lament and Elizabeth A. Ashdale-Lament, Husband and Wife, in fee

(Remainder of page intentionally left blank)

Together with all and singular the improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate right, title, interest, property, claim and demand whatsoever of the said Grantors, as well at law as in equity, of, in, and to the same.

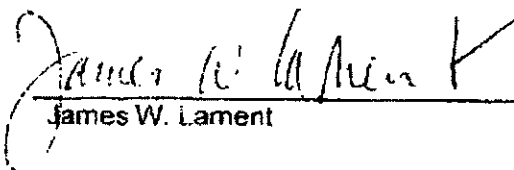
To have and to hold the said lot or piece of ground above described with the buildings and improvements thereon erected; with the hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantees, their successors and assigns to and for the only proper use and behoof of the said Grantees, their successors and assigns, forever


And the said Grantors, for themselves, their heirs, executors, administrators do by these presents, covenant, grant and agree, to and with the said Grantees, their successors, and assigns, that they the said Grantors, their heirs, all and singular the Hereditaments and premises herein above described and granted, or mentioned and intended so to be with the Appurtenances unto the said Grantees, their successors and assigns, against them the said Grantors, their heirs and against all and every Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by from, or under him, her, them or any of them shall and will WARRANT and forever DEFEND.

In Witness Whereof, the said Grantors have caused these presents to be duly executed dated the day and year first above written.

**Sealed and Delivered**

IN THE PRESENCE OF US

  
James W. Lament (SEAL)

  
Elizabeth A. Ashdale-Lament (SEAL)



# DEED

Grantor: James W. Lament and Elizabeth A. Ashdale-Lament

TO

Grantee: Trustees Under Agreement of Trust dated March 15,  
1996, as Amended, Dorrance H. Hamilton, Settlor

PREMISES: 18 Forrest Lane  
Folio Number 36-01-00236-02  
Radnor Township  
Delaware County

The address of the above named Grantees is.

Suite 316  
200 Eagle Road  
Wayne, PA 19087

Certified by: G. L. Hamilton

**EXHIBIT "B"**

**CONDITIONAL USE PLANS**