

RESOLUTION NO. 970
PENN TOWNSHIP

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF PENN TOWNSHIP
AUTHORIZING THE CONDEMNATION OF A CERTAIN PARCEL OF REAL
ESTATE LOCATED WITHIN PENN TOWNSHIP FOR THE PURPOSE OF
OBTAINING FEE SIMPLE OWNERSHIP FOR THE CONSTRUCTION OF A PUMP
STATION.**

RECITALS

A. 53 P.S. § 56901(3) of the First Class Township Code authorizes Penn Township (“Township”) to exercise eminent domain powers for the taking of property for sanitary sewer projects.

B. 53 P.S. § 57402 of the First Class Township Code authorizes the taking of property for sanitary sewer projects and facilities.

C. 26 Pa. C.S. § 101, *et seq.* commonly known as the Eminent Domain Code, details the procedures for the Township to take property.

D. 26 Pa. C.S. § 302 of the Eminent Domain Code requires a specific reference in the declaration of taking to the action, whether by ordinance, resolution or otherwise, by which the taking was authorized.

E. The Township desires to condemn and take the property situated in Penn Township, York County, PA, being identified as 841 Hershey Heights Road and being Tax Parcel No. 44-000-ED-0093.00-00000 (the “Property”). Such taking is further detailed on the legal description attached hereto and made a part hereof as Exhibits “A”.

F. The Board of Assessment information indicates the following ownership of the Property:

44-000-ED-0093.00-00000
Carl S. Sidenstricker, Jr.
841 Hershey Heights Road
Hanover, PA 17331

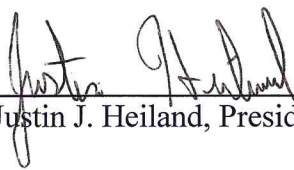
G. The Township desires to acquire fee simple ownership of the Property for the purpose of the construction of a pump station associated with the extension of sanitary sewer main project being performed by the Township (the “Project”).

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Board of the Township as follows:


1. The Recitals are incorporated herein as if set forth in full.
2. The Township hereby authorizes the condemnation and taking of the Property as detailed in Exhibits "A".
3. The Township hereby authorizes the preparation by its staff, engineer, and/ or other consultants of such documentation as is necessary to provide the complete description of the Property for the condemnation paperwork, to conduct any surveys related thereto, or to take such other actions as are necessary to effectuate the condemnation of the Property.
4. The Township hereby authorizes its solicitor to file all necessary documents, including, but not limited to, a Declaration of Taking, and to take those actions which are necessary to acquire the Property for the aforesaid purpose.
5. The Township authorizes the necessary Commissioners to execute those documents which are necessary to give effect to this Resolution and the actions contemplated by it.

RESOLVED AND ADOPTED, this 15th day of March, 2021.

Board of Commissioners of Penn Township

By: 
Justin J. Heiland, President

Attest:


Donna M. Sweeney, Township Secretary

