

TOWNSHIP OF PENN
COUNTY OF YORK, PENNSYLVANIA

RESOLUTION NO. 2022-988

WHEREAS, the Township of Penn, York County, Pennsylvania (hereinafter “Township”) desires to acquire permanent and temporary construction easements on property located at 2 Daugherty Drive, Penn Township, York County, Pennsylvania 17331 (the “Property”) for the purpose of constructing and providing roadway and stormwater improvements within the Township (the “Project”); and

WHEREAS, in order to carry out the purposes of this Project, it is necessary for the Township to acquire Rights-of -Way to the property in order to ensure the use of the property for the purpose of constructing and providing roadway and stormwater improvements; and

WHEREAS, the Authority has been unable to agree with the owner of the Property as to the final terms and conditions of the purchase of the property; and

WHEREAS, in accordance with the First Class Township Code, 53 P.S. §55101, et. seq., as amended, the Township is entitled to acquire those interests in property necessary to its projects through eminent domain proceedings.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Penn, in accordance with the authority conferred by law, selects and appropriates for the purposes of constructing and providing roadway and stormwater improvements designated in Exhibit “A” attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that title to be acquired in the above land shall be a permanent easement and a temporary construction easement; and

BE IT FURTHER RESOLVED, that counsel for the Township and its proper officers are

hereby authorized to prepare and file a Declaration of Taking and such other proceeding, including the entry of such bond, as may be necessary or desirable to carry out the purposes of this Resolution.

BE IT FURTHER RESOLVED, that the Township is hereby authorized to engage the professional services of an appraiser to determine the fair and reasonable damages to be imposed as a result of said condemnation and the work completed thereunder; and

BE IT FURTHER RESOLVED, that counsel and the proper officers are also hereby authorized to offer to pay or to pay the condemnees in order to obtain immediate possession of the premises, the fair and reasonable amounts of damages as estimated by Township's appraisers; and

BE IT FURTHER RESOLVED, that the costs of institution of such proceedings and any damages which may be awarded to the owner or owners of said premises or any other parties in interest whether paid as a result of the Township posting its open-end bond or otherwise shall be paid out of the funds of the Township.

ADOPTED this 19th day of September, 2022.

Attest:

TOWNSHIP OF PENN


Donna M. Sweeney, Secretary

BY: 
Michael G. Brown, President



Dated: 9/19/2022