

TOWNSHIP OF PENN
COUNTY OF YORK, PENNSYLVANIA

RESOLUTION NO. 2017-902

WHEREAS, the Township of Penn, York County, Pennsylvania (hereinafter "Township") desires to purchase property located at 204 Clover Lane, Penn Township, York County, Pennsylvania 17331 (the "Property") for the purpose of facilitating ongoing fire and emergency services 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 the property in order to ensure the continued use and occupancy of the property for fire and emergency services; and

WHEREAS, the Authority has been unable to agree with the owner of the Property as to the price or damages to be paid and the terms of its continued occupancy; 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 fire and emergency services that certain land 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 fee simple; 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.

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.

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 be paid out of the funds of Township.

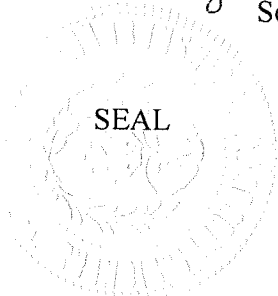
ADOPTED this 18th day of December, 2017.

Attest:

TOWNSHIP OF PENN

Angela M. Hallitt
Secretary

BY: Phillip W. Heubran
President



Dated: December 18, 2017

EXHIBIT A

ALL that certain piece, parcel, or tract of land, situate, lying and being in Penn Township, York County, Pennsylvania, more particularly bounded, limited and described as follows, to wit:

BEGINNING at a point on the existing right-of-way of Clover Lane, a 45 feet wide street, at other lands of Stonewicke LP of which this was formerly a part; thence along the existing right-of-way of Clover Lane, North 85 degrees 43 minutes 11 seconds East, 360.79 feet to a point at lands now or formerly of John Lunsford; thence along said Lunsford's lands, and through a corner set 8.00 feet from the beginning of this course, South 04 degrees 31 minutes 22 seconds East, 299.78 feet to an iron pipe found; thence continuing along said Lunsford's lands, North 85 degrees 22 minutes 26 seconds East, 220.08 feet to a point at lands now or formerly of BSA Enterprises; thence along said last mentioned lands, South 04 degrees 32 minutes 16 seconds East, 258.31 feet to a point at other lands of Stonewicke, LP, aforesaid; thence along lands of Stonewicke, the following eight (8) courses and distances: [1] 89 degrees 14 minutes 53 seconds West, 273.78 feet to a point; [2] North 26 degrees 15 minutes 55 seconds West, 12.41 feet to a point; [3] by a curve to the left having a radius of 425.00 feet, an arc distance of 200.57 feet, and a long chord bearing and distance of North 39 degrees 47 minutes 07 seconds West, 198.72) feet to a point; [4] North 53 degrees 18 minutes 19 seconds West, 150.36 feet to a point; [5] by a curve to the right having a radius of 275.00 feet, an arc distance of 245.95 feet, and a long chord bearing and distance of North twenty-seven (27) degrees 41 minutes 02 seconds West, 237.83 feet to a point; [6] North 02 degrees 03 minutes 45 seconds West, 26.01 feet to a point; [7] North 42 degrees 51 minutes 53 seconds East, 23.20 feet to a point; and [8] North 04 degrees 16 minutes 49 seconds West, 8.00 feet to a point on the existing right-of-way line of Clover Lane, the point and place of BEGINNING. (CONTAINING 4.3836 acres (gross), 4.3172 acres (net), and designated as Lot No. 190 on that certain Final Subdivision Plan of Stonewicke prepared by Hanover Land Services, Inc., t/a Worley Surveying, dated August 16, 2006, last revised October 30, 2006, File No. E-5306, which said subdivision plan has been recorded in the Office of the Recorder of Deeds of York County, Pennsylvania, in Record Book 1860, page 2909.)

UNDER AND SUBJECT, NEVERTHELESS, to any easements, building setback lines, restrictions, notes, covenants and conditions as may be shown on the aforesaid subdivision plan recorded in Record Book 1860, page 2909, including, but not limited to, the dedicated right-of-way area for Clover Lane and a 20 feet wide temporary grading easement.

IT BEING the same premises which Stonewicke LP, a Pennsylvania limited partnership, by deed dated January 26, 2007 and recorded January 30, 2007 in the Office of the Recorder of Deeds of York County, Pennsylvania, in Record Book 1871, page 7307, granted and conveyed to Penn Township Volunteer Emergency Services, Inc., a Pennsylvania non-profit corporation.