

TOWNSHIP OF PENN
York County, Pennsylvania

RESOLUTION NO. 678

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF PENN TOWNSHIP, YORK COUNTY, PENNSYLVANIA, CONDEMNING A TRACT OF LAND SITUATE IN PENN TOWNSHIP, YORK COUNTY OWNED BY WILLIAM L. HESTON AND DANA M. HESTON

WHEREAS, Penn Township, York County, Pennsylvania (the "Township") is a political subdivision existing under and governed by The First Class Township Code, approved May 27, 1949, P.L. 1955, as amended; and

WHEREAS, the Township has identified the need to acquire additional land for purposes of making certain improvements to and expansion of the intersection of Center Street and York Street for the installation of turning lanes and traffic signals;

WHEREAS, William L. Heston and Dana M. Heston (the "Owners") are the owners of a tract of land situate at 823 York Street, Penn Township, Hanover, York County, Pennsylvania, containing approximately .121 acres and identified by Tax Parcel Number 440000101550000000 (the "Property"), which Property is adjacent to the intersection of Center Street and York Street;

WHEREAS, the Township has attempted to negotiate for the purchase of the Property but has been unable to reach acceptable terms with the Owners

WHEREAS, in accordance with the First Class Township Code, 53 P.S. § 55101, et. seq., as amended, the Township is entitled to acquire fee simple title or such lesser interest in properties through eminent domain proceedings;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, as follows:

1. Penn Township, in accordance with the authority conferred by law, selects and appropriates the Property for the purpose of expanding and improving the intersection of Center Street and York Street by installing turning lanes and traffic signals, which Property is further described as 823 York Street, Penn Township, York County, Pennsylvania, and having Tax Parcel Number 440000101550000000.
2. Title to be acquired in the Property shall be fee simple.

3. Solicitor for the Township and its proper officers are hereby authorized to file a Declaration of Taking and such other proceedings, including the entry of such bond, as may be necessary or desirable to carry out the purposes of this Resolution.

4. Solicitor for the Township shall continue to attempt to negotiate an Agreement of Sale, pursuant to terms acceptable to the Township, in lieu of such condemnation prior to filing any documents under the Eminent Domain Code and Solicitor is authorized to offer to pay to the condemnees to obtain immediate ownership of the Property the fair and reasonable amount of damages as estimated by the Township.

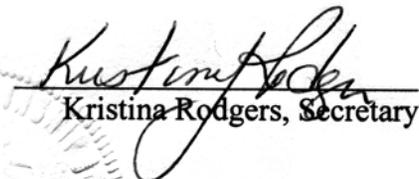
5. The costs of institution of such proceedings and any damages that may be awarded to the Owners or the costs to acquire the fee simple title to the Property shall be paid out of the funds of the Township.

ADOPTED this 17th day of March, 2008, by the Board of Commissioners of Penn Township, York County, Pennsylvania, in lawful session duly assembled.

PENN TOWNSHIP BOARD OF COMMISSIONERS

By: 
Michael L. Johnson, Jr., President

ATTEST:


Kristina Rodgers, Secretary

(SEAL)

