

**RESOLUTION NO. 851**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF PENN TOWNSHIP DECLARING A BIDDER IN  
DEFAULT, AUTHORIZIGN THE TAKING OF THE BID  
BOND, VACATING A PROPERTY BID AWARD,  
AUTHORIZING THE READVERTISEMENT FOR AND  
THE PUBLIC SALE OF REAL ESTATE SITUATE ALONG  
HEIGHTS AVENUE, PENN TOWNSHIP, YORK COUNTY,  
PENNSYLVANIA**

WHEREAS, by virtue of §1501(II) of the First Class Township Code, the Township is authorized to convey by sale real property where such sale is deemed to be in the best interest of the Township; and

WHEREAS, Section 1501(II) of the First Class Township Code provides that no real estate shall be sold for an amount in excess of \$1,000.00 except to the highest bidder after due notice by advertisement for bids or public auction, published one time, not less than ten (10) days prior to the date for the opening of the bids or the date of the public auction; and

WHEREAS, the Penn Township Board of Commissioners adopted Resolution No. 843 on January 19, 2015 authorizing the sale of parcel No. 44000020286A000000 Heights Avenue Property; and

WHEREAS, the Penn Township Board of Commissioners opened bids on February 3, 2015 for the sale of the Heights Avenue property; and

WHEREAS, the Penn Township Board of Commissioners awarded the Heights Avenue Property Bid on February 16, 2015 to Bon Ton Builders Inc., Hanover, PA; and

WHEREAS, Bon Ton Builders, Inc. failed to have settlement within sixty days of the award of the Height Avenue property bid as per the conditions and instructions to bidders.

NOW THEREFORE, BE IT RESOLVED, that the Penn Township Board of Commissioners declares that Bon Ton Builders, Inc. is in default of the conditions of the Heights Avenue Property bid.

BE IT FURTHER RESOLVED that the Penn Township Board of Commissioners authorizes the vacating of the Heights Avenue Property Bid award to Bon Ton Builders, Inc.

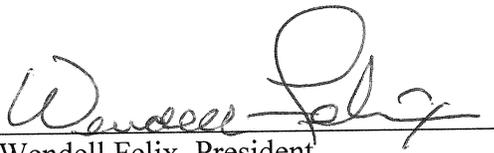
AND BE IT FURTHER RESOLVED, that the Penn Township Board of Commissioners authorizes the taking of Bon Ton Builders, Inc. bid bond as per the conditions and instructions to the bidders that the check shall become the property of Penn Township should the high bidder not fulfill the terms of the bid documents.

AND BE IT FURTHER RESOLVED, the Penn Township Board of Commissioners authorizes the rebidding of York County Parcel No. 44000020286A000000 by sealed bid in accordance with the provision of Section 1501 of the First Class Township Code, including but not limited to, the advertisement of such sealed bid.

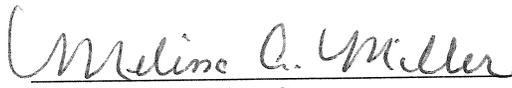
AND BE IT FURTHER RESOLVED, that the date of the bid opening shall be June 12, 2015.

RESOLVED AND ENACTED this 18<sup>th</sup> day of May 2015.

Board of Commissioners of Penn Township

By:   
Wendell Felix, President

Attest:

  
Melissa A. Miller, Secretary