

RESOLUTION NO. 2007-9

A RESOLUTION OF THE BOARD OF SUPERVISORS OF TULPEHOCKEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA AUTHORIZING THE CONDEMNATION OF CERTAIN PROPERTIES LOCATED IN TULPEHOCKEN TOWNSHIP FOR EASEMENTS FOR THE TULPEHOCKEN TOWNSHIP WASTE WATER COLLECTION SYSTEM

BE IT RESOLVED by the Board of Supervisors of Tulpehocken Township, Berks County, Pennsylvania and it hereby is RESOLVED as follows:

1. Tulpehocken Township, Berks County, Pennsylvania (“Township”), a Pennsylvania Township of the second class, hereby appropriates and condemns certain real estate located in Township pursuant to the Pennsylvania Eminent Domain Code 26 P.S. §1-101, et seq., as amended.

2. The Condemnees and properties being condemned are as follows:

A. Linda Manegold, 28 Church Street, Rehrersburg, PA 19550, Tax Parcel I.D. No. 86441116831526.

(i) The property being condemned is part of the premises of the Condemnee(s) which premises were acquired by Deed dated September 23, 1987 and recorded with the office of the Recorder of Deeds of Berks County, Pennsylvania at Record Book 1966, Page 1249.

(ii) A temporary easement is condemned over the property of the Condemnee(s) for the following purposes:

a. In that portion of the land of Condemnee(s) to be encumbered by a temporary easement, the Township and its servants, agents, employees, contractors and subcontractors shall have the right to enter upon and occupy such premises

during the construction and installation phase of the waste water collection system. The temporary easement granted herein is for the sole purpose of facilitating temporary occupation and entry upon the designated portion of Condemnee's land as is reasonably necessary to erect, construct, install and lay the waste water collection system over, across and through that portion of land containing approximately _____ square feet, as more fully described in Exhibit "____" and shown in Exhibit "____." The temporary easement shall terminate upon the completion of all such erection, construction, installation and other activities and shall not entitle the Township to permanently occupy or use any portion of the Condemnee's land encumbered only by the temporary easement.

B. Pamela Hirschhorn, 3 West Market Street, Mount Aetna, PA 19544, Tax Parcel I.D. No. 86430906484843.

(i) The property being condemned is part of the premises of the Condemnee(s) which premises were acquired by Deed dated February 1, 2005 and recorded with the office of the Recorder of Deeds of Berks County, Pennsylvania at Record Book 4525, Page 2362.

(ii) A temporary easement is condemned over the property of the Condemnee(s) for the following purposes:

a. In that portion of the land of Condemnee(s) to be encumbered by a temporary easement, the Township and its servants, agents, employees, contractors and subcontractors shall have the right to enter upon and occupy such premises during the construction and installation phase of the waste water collection system. The temporary easement granted herein is for the sole purpose of facilitating temporary occupation

and entry upon the designated portion of Condemnee's land as is reasonably necessary to erect, construct, install and lay the waste water collection system over, across and through that portion of land containing approximately _____ square feet, as more fully described in Exhibit "____" and shown in Exhibit "____." The temporary easement shall terminate upon the completion of all such erection, construction, installation and other activities and shall not entitle the Township to permanently occupy or use any portion of the Condemnee's land encumbered only by the temporary easement.

3. The Township Solicitor and the Project Engineer for the Township's waste water collection system are hereby authorized and instructed to prepare such documents and plans as may be required to effect the condemnation.

4. Any resolutions or parts thereof which are inconsistent with this Resolution are hereby repealed.

ADOPTED AS A RESOLUTION of the Board of Supervisors of Tulpehocken Township, Berks County, Pennsylvania this 13th day of AUGUST, 2007.

Board of Supervisors of Tulpehocken Township,
Berks County, Pennsylvania

By: 
Chairman

ATTEST:

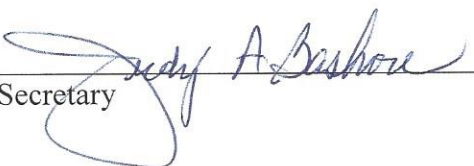

Secretary

EXHIBIT "A"

**TEMPORARY SEWER EASEMENT OVER THE LANDS OF LINDA MANEGOLD,
TULPEHOCKEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA**

EXHIBIT "B"

**TEMPORARY SEWER EASEMENT OVER LANDS OF PAMELA HIRSCHHORN,
TULPEHOCKEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA**