

RESOLUTION NO. 2005-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF TULPEHOCKEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA AUTHORIZING THE TOWNSHIP TO OBTAIN CERTAIN PROPERTIES LOCATED IN THE TOWNSHIP BY DEED IN LIEU OF CONDEMNATION OF CERTAIN PROPERTIES FOR THE TULPEHOCKEN TOWNSHIP WASTEWATER COLLECTION SYSTEM AND TREATMENT PLANTS

WHEREAS, Tulpehocken Township, Berks County, Pennsylvania ("Township") has undertaken to construct, install, and operate a public wastewater collection system and wastewater treatment plants to service the Mt. Aetna and Rehrersburg areas of the Township ("Project"). In order to construct and install the wastewater treatment plants and complete the Project, the Township must hold title in and to the real property where the wastewater treatment plants will be constructed and installed; and

WHEREAS, under Section 2501 of the Second Class Township Code ("Code"), 53 P.S. § 67501, the Township is authorized to locate the Project on private property and may acquire such property by gift, purchase or eminent domain; and

WHEREAS, the Board of Supervisors of the Township ("Board") has negotiated with the owners of the certain real property within the Township to subdivide and acquire certain parcels of land by deed in lieu of condemnation for the location and construction of the Rehrersburg and Mt. Aetna wastewater treatment plants, as authorized by Section 2501 of the Code.

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

1. The Township is authorized to acquire by deed in lieu of condemnation from St. John's Church of Mt. Aetna that certain 1.437 acre parcel of land, described in Exhibit A, attached hereto and made a part hereof, for the purposes of constructing and installing the Mt. Aetna wastewater collection system and wastewater treatment plant.
2. The Township is authorized to acquire by deed in lieu of condemnation from Leon Z. Sadler and Arlene M. Sadler that certain 0.203 acre parcel of land, described in Exhibit B, attached hereto and made a part hereof, for the purposes of constructing and installing the Rehrersburg wastewater collection system and wastewater treatment plant.
3. The Township is authorized to acquire by deed in lieu of condemnation from Robert J. Conner, Janice R. Conner, and Michele G. Bennethum that certain 1.756 acre parcel of land, described in Exhibit C, attached hereto and made a part hereof, for the purposes of constructing and installing the Mt. Aetna wastewater collection system and wastewater treatment plant.

4. The Chairman of the Board is hereby authorized to execute any and all documents, instruments, and agreements necessary to effectuate the acquisition of and title in and to the above-referenced parcels of land by deed in lieu of condemnation.
5. 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 25th day of July, 2005.

BOARD OF SUPERVISORS OF
TULPEHOCKEN TOWNSHIP, BERKS
COUNTY, PENNSYLVANIA

By: Russell S. W. H. H. H.
Chairman

ATTEST:

Judy A. Bashore
Secretary