

**WEST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 21-1668

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AUTHORIZING THE ACQUISITION BY DEEDS IN LIEU OF CONDEMNATION OF PORTIONS OF CERTAIN PARCELS OF LAND FOR THE NECESSARY WHITEHALL AND MARSHALL INTERSECTION IMPROVEMENTS; REPEALING INCONSISTENT RESOLUTIONS; CONTAINING A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE.

WHEREAS, the Township received a grant through PENNDOT to improve the intersection at Whitehall Road and West Marshall Street; and

WHEREAS, in order to complete the necessary improvements, the Township must acquire small portions of each of the four privately owned property adjacent to the intersection; and

WHEREAS, the Township has obtained appraisals of every Property Interest required to be obtained using PennDOT-approved appraisers, as required by PennDOT, and received signed deeds in lieu of condemnation for each of the four affected property owners, tendering just compensation in amounts determined by the appraisals; and

WHEREAS, the Township must pass a resolution in order to receive the tax exemption in accordance with Title 61 Section 91.193 of the Pennsylvania Code, and to allow for the preparation of all applicable documents required to be filed and recorded to perfect any required takings; and

WHEREAS, the Board of Commissioners may, "...purchase, exchange, acquire by gift or otherwise, hold, lease, let and convey, by sale or lease, real and personal property deemed to be to the best interest of the township subject to the restrictions, limitations or exceptions as set forth in this act" 53 P.S. Section 56501(3); and

WHEREAS, the Board of Commissioners has determined that the acquisition by deed in lieu of condemnation is in the best interests of the residents of the Township and the traveling public, because it will allow the Township to perform road and intersection improvements that will make traveling on the affected roads safer.

NOW, THEREFORE, be it, and it is hereby **RESOLVED** by the Board of Commissioners of West Norriton Township, and it is hereby **ADOPTED** and **RESOLVED** by authority of same as follows:

Section 1. Acquisition of Property Interests. The President of the Board of Commissioners, the Manager of West Norriton Township, the West Norriton Township

Engineer, and the West Norriton Township Solicitor are hereby authorized to take all action necessary to acquire, by use of the Deeds in Lieu of Condemnation, the Property Interests described and set forth in Exhibits A through D, attached hereto and incorporated herein by reference, as if set forth herein at length.

- A. Parcel #: 63-00-04960-00-8
Owner: Peter Hall (the plans incorrectly identify Rebecca E. Napper as the owner)
Interest: 1,674 square foot right-of-way, as more particularly described in the legal description and plan, attached hereto as Exhibit A, and incorporated herein by reference.
- B. Parcel #: 63-00-04957-00-2
Owner: Susan K. Angelucci
Interest: 1,041 square foot right-of-way, as more particularly described in the legal description and plan, attached hereto as Exhibit B, and incorporated herein by reference.
- C. Parcel #: 63-00-09352-00-8
Owners: H & A Auto Inc.
Interest: 696 square foot right-of-way, as more particularly described in the legal description and plan, attached hereto as Exhibit C, and incorporated herein by reference.
- D. Parcel #: 63-00-09199-00-8
Owner: Anthony J. Rosetti & Denis R. Douglas
Interest: 402 square foot right-of-way, as more particularly described in the legal description and plan, attached hereto as Exhibit D, and incorporated herein by reference.

Section 2. Repealer. All resolutions or parts thereof, inconsistent with this Resolution, are hereby repealed, to the extent of the inconsistency.

Section 3. Severability. It is hereby declared to be the legislative intent of West Norriton Township, that if a court of competent jurisdiction declares any provision of this Resolution to be invalid, or unconstitutional, in whole, or in part, the effect of such a decision shall be limited to those provisions which are expressly stated in the decision, to be invalid or unconstitutional, and all other provisions of this Resolution shall continue to be separately, and fully effective.

Section 4. Effective Date. This Resolution shall become effective on the date of its adoption, by the West Norriton Township Board of Commissioners.

ADOPTED and RESOLVED this 9th day of March 2021, by the Board of Commissioners of West Norriton Township.

ATTEST:

**WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS**

Jason M. Bobst
Secretary

Martin Miller
President