

AMITY TOWNSHIP, BERKS COUNTY

ORDINANCE NO. # 95-148

AN ORDINANCE AUTHORIZING A DECLARATION OF TAKING FOR THE ACQUISITION OF LAND FOR A SANITARY SEWER COLLECTION, TRANSPORTATION AND DISPOSAL LINE INSTALLATION BY THE TOWNSHIP OF AMITY.

WHEREAS, the Township of Amity is a Second Class Township duly authorized, existing and operating pursuant to the Second Class Township Code enacted by the General Assembly of the Commonwealth of Pennsylvania, as amended and supplemented; and

WHEREAS, in order to carry out the terms and mandates of erecting, installing, operating, and maintaining a sanitary sewage treatment and disposal system, lines, and related facilities and after proper study, it is necessary that the Township acquire easements over certain tracts of land for the installation of sewage collection, transportation, transmission, and disposal lines and acquires certain properties for pump station locations; and

WHEREAS, the Township, by and through its Board of Supervisors, has been unable to agree with the owners of the properties to be acquired on the price per damage to be paid for such acquisition; and

WHEREAS, in accordance with the terms and conditions of the Second Class Township Code, as amended and supplemented, 53 P.S. 65101, et seq., the Township is authorized and empowered to acquire title to said properties through Eminent Domain proceedings.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Amity Township Board of Supervisors, in accordance with the authority conferred by law, for the public purposes aforesaid, selects and appropriates for the purposes of construction and installation of sewage collection, transportation, transmission, and disposal lines, easements over property of the following individuals with exact legal descriptions of the areas to be acquired, attached hereto as an Exhibit as set forth in the following list:

<u>Name and Address Of Property Owner</u>	<u>Legal Description</u>
David F. & Mary Ellen Prout	“A”
David F. & Mary Ellen Prout	“B”
M. Edwin & Evelyn Lichtenstein	“C”
Melvin A. & Janet L. Skiles	“D”
Louis M. & Cindy L. Query	“E”
Gregory A. Kulp & Peggy A. Reinert	“F”
Harvey H., Jr. & Phyllis L. Plowfield	“G”
Harold D. & Donna L. Haas	“M”

2. That the title to be acquired shall be a permanent thirty foot (30') wide easement for installing, repairing, and maintaining sewer collection, transportation, transmission, and disposal lines and driveways as to all properties and additionally a fee simple taking of 4,300 square feet of the property of Harvey H. Plowfield, Jr. and Phyllis L. Plowfield for the purposes of a pump station erection and maintenance, and a permanent thirty foot (30') wide easement for installing, repairing, and maintaining sewer lines and

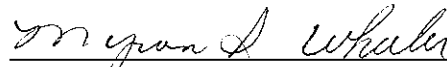
driveways of across a portion of the property of Harold D. & Donna L. Haas.

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

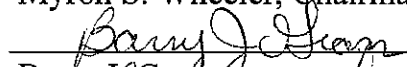
4. That the institution of such proceedings and any damages which may be awarded to the owner or owners of said premises, after deduction of benefits specifically benefitting their remaining property, be paid out of the funds of the Township.

ENACTED AND ORDAINED, the <sup>5</sup> ~~1st~~ day of <sup>June</sup> ~~May~~, 1995, by the Amity Township Board of Supervisors in multiple session duly assembled.

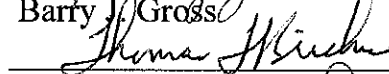
AMITY TOWNSHIP  
BOARD OF SUPERVISORS



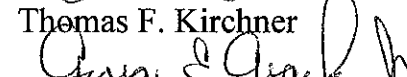
Myron S. Wheeler, Chairman



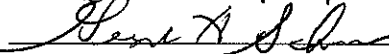
Barry J. Gross



Thomas F. Kirchner



George E. Graefe, Jr.



George H. Schreier