

BOROUGH OF ELIZABETHTOWN

Lancaster County, Pennsylvania

RESOLUTION NO. 2018-1

A RESOLUTION OF THE BOROUGH OF ELIZABETHTOWN, LANCASTER COUNTY, PENNSYLVANIA, AUTHORIZING THE ACQUISITION OF A CERTAIN TRACT OF LAND BY CONDEMNATION OR DEED IN LIEU OF CONDEMNATION.

WHEREAS, this Borough desires to acquire property for the development of needed office facilities for certain Borough departments; and

WHEREAS, this Borough has determined that an existing historic building at 56 North Market Street owned of record by PRRG, LLC, is suitable for such purposes; and

WHEREAS, Borough Council desires to authorize the acquisition of such property by eminent domain or by the acceptance of a deed in lieu of condemnation.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by Borough Council of the Borough of Elizabethtown, Lancaster County, Pennsylvania, as follows:

Section 1. This Borough, acting through its President or Vice President of Borough Council, is authorized to acquire the property identified as 56 North Market Street, Lancaster County Tax Account No. 250-91059-0-0000 (the "Property"), held of record by PRRG, LLC pursuant to a deed recorded at Document No. 6152284 by eminent domain or by deed in lieu of condemnation. This Borough shall acquire fee title to the Property, subject to terms and conditions acceptable to Borough Council.

Section 2. The President or Vice President of Borough Council and the Borough Secretary are authorized to take all actions required to implement and complete the acquisition of the Property including, but not limited to, the execution and attestation of an agreement or agreements, HUD-1 Settlement Statement (if the Property is acquired by deed in lieu of condemnation) and all other related agreements, documents, and instruments. All such documents shall be in a form acceptable to the Borough Solicitor.

Section 3. The acquisition of the Property, being by condemnation or by deed in lieu of condemnation, shall be claimed as exempt from Pennsylvania and local realty transfer tax, and

the Borough Solicitor is authorized to execute the realty transfer tax statement of value to obtain such exemption.

Section 4. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Resolution, it being the intent of Borough Council that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 5. This Resolution shall take effect and be in force immediately.

DULY ADOPTED this 1st day of February, 2018, by Borough Council of the Borough of Elizabethtown, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF ELIZABETHTOWN
Lancaster County, Pennsylvania

Attest: R. Ryan
~~(Assistant)~~ Secretary

By: [Signature]
(Vice) President
Borough Council

[BOROUGH SEAL]