

DUNCAN TOWNSHIP MUNICIPAL WATER AUTHORITY
TIOGA COUNTY, PENNSYLVANIA

RESOLUTION NO. 022023

A RESOLUTION OF THE DUNCAN TOWNSHIP MUNICIPAL WATER AUTHORITY, TIOGA COUNTY, PENNSYLVANIA, AUTHORIZING THE SELECTION, APPROPRIATION, AND ACQUISITION OF PROPERTY BY CONDEMNATION FOR LOCATING, INSTALLING, CONSTRUCTING, RECONSTRUCTING, EXTENDING, REPAIRING, MAINTAINING, REPLACING, AND/OR ADDING ALL NECESSARY FIXTURES, EQUIPMENT, PIPES, BUILDINGS, AND APPURTENANCES THERETO; AND AUTHORIZING THE FILING OF A DECLARATION OF TAKING AND ALL NECESSARY ACTION FOR THE ACQUISITION THEREOF.

WHEREAS, the Board of Duncan Township Municipal Water Authority, Tioga County, Pennsylvania, has negotiated with a property owner to try to acquire the necessary property interests, but has been unable to reach an agreement; and

WHEREAS, in order to carry out the purpose to locate, install, construct, reconstruct, extend, repair, maintain, replace, and/or add any and all necessary fixtures, equipment, pipes, buildings and appurtenances thereto, it is necessary that the Authority acquire title in fee simple to property described herein.

NOW, THEREFORE, BE IT RESOLVED and ENACTED, by the Duncan Township Municipal Water Authority, Tioga County, Pennsylvania, in lawful fashion duly assembled, as follows:

1. The foregoing recitals are incorporated herein by reference.
2. It is hereby determined that the property herein described, existing within Duncan

Township, is necessary to locate, install, construct, reconstruct, extend, repair, maintain,

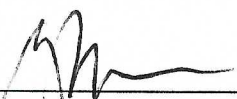
replace, and/or add any and all necessary fixtures, equipment, pipes, buildings and appurtenances thereto, and that the property should be acquired by the Authority for the fair market value or such value as may be determined by the Board of Supervisors by Resolution.

3. The property and owner are identified in the map attached hereto as Exhibit "A".
4. The Chairman of the Board and the Secretary are hereby authorized, empowered, and directed to negotiate for and on behalf of the Authority with the owner of the property for the purchase of the necessary rights for the property.
5. In the event that the officers of the Authority are unable to agree with the owner of the property as to the purchase price, then title to and possession of the property shall be acquired by the Authority through condemnation, and Cox, Stokes & Lantz, P.C., are hereby authorized, empowered and directed to institute proceedings in the Court of Common Pleas of Tioga County to acquire title to and possession of the necessary property in accordance with the Eminent Domain Code of the Commonwealth of Pennsylvania.
6. All resolutions or parts of resolutions inconsistent herewith shall be and are hereby repealed.
7. The provisions of this Resolution are severable. If any provision, sentence, clause, phrase, section or part thereof shall be for any reason found unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections or parts thereof, but the same shall remain in effect. It is hereby declared to be the intent of the Authority that this Resolution shall stand notwithstanding the invalidity of any part included herein.

DULY ADOPTED, this 20th day of February, 2023, by the Board of Directors of the Duncan Township Municipal Water Authority, Tioga County Pennsylvania, in lawful session duly assembled.


**DUNCAN TOWNSHIP
MUNICIPAL WATER AUTHORITY**
Tioga County, Pennsylvania

ATTEST

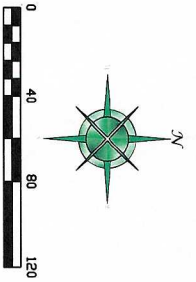


Secretary
(SEAL)

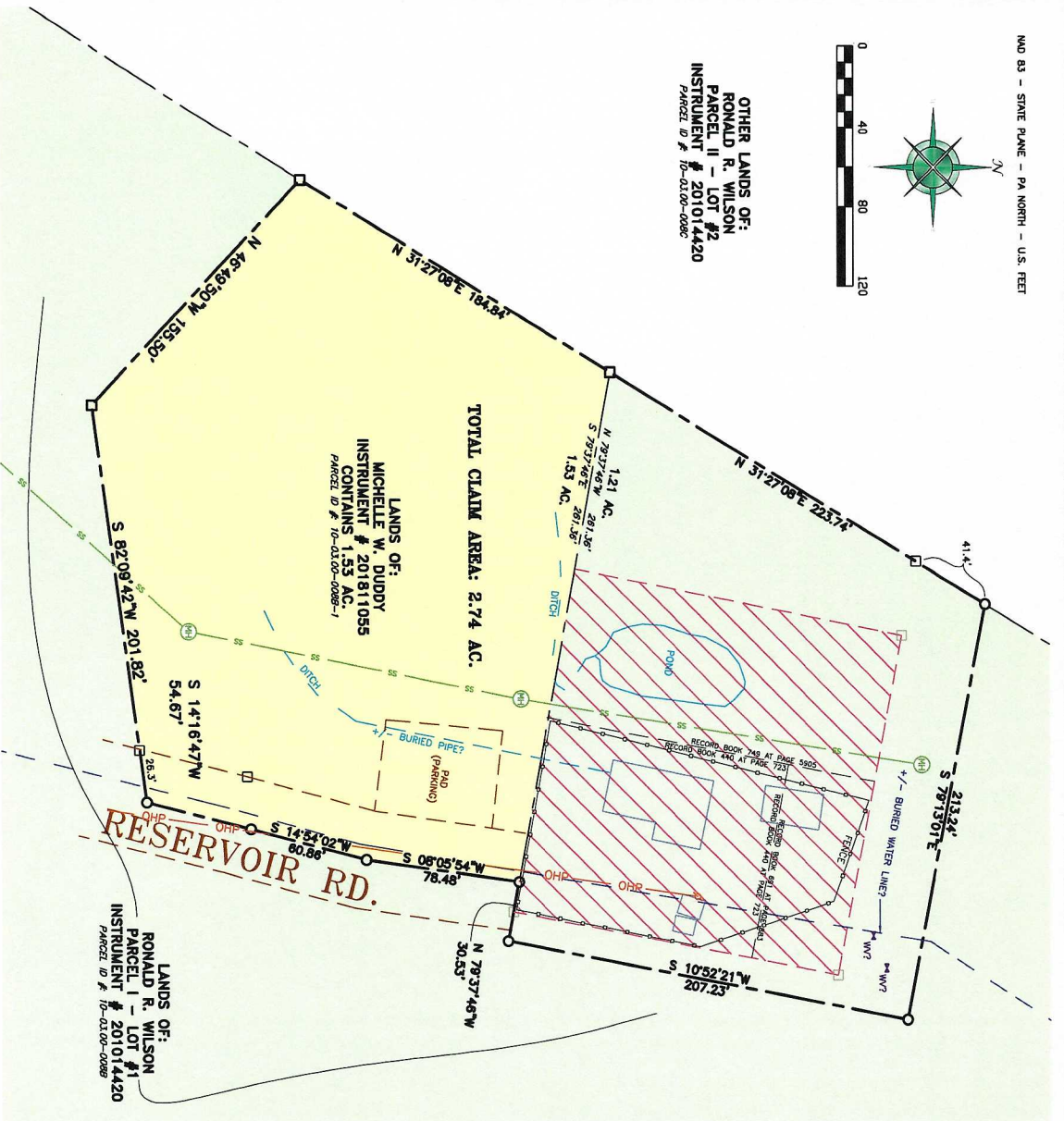
By: 

By: 

By: 



OTHER LANDS OF:
RONALD R. WILSON
PARCEL II, LOT #2
INSTRUMENT # 201014420
PARCEL ID # 10-0100-0085



CLAIM SUMMARY:
AREA BEING CLAIMED FROM LANDS OF DUDDY: 1.53 AC. (ENTIRE PARCEL)
AREA BEING CLAIMED FROM LANDS OF WILSON: ±1.21 AC. (INCLUDES EXISTING EASEMENT AREA)
TOTAL EMINENT DOMAIN CLAIM AREA: 2.74 AC.

MAP REFERENCES:
A MAP TITLED: "SUBDIVISION OF LANDS BELONGING TO DANCER FORESTLAND, INC.", SURVEYED BY K. ROBERT CUNNINGHAM, P.L.S., DATED APRIL 7, 2010, AND RECORDED IN THE TIOGA COUNTY COURTHOUSE AS INSTRUMENT NUMBER 201011816, (NOW WILSON)
A MAP TITLED: "SUBDIVISION OF LANDS BELONGING TO RONALD R. WILSON", SURVEYED BY K. ROBERT CUNNINGHAM, P.L.S., DATED OCTOBER 29, 2018, AND RECORDED IN THE TIOGA COUNTY COURTHOUSE AS INSTRUMENT NUMBER 201810432, (NOW DUDDY)

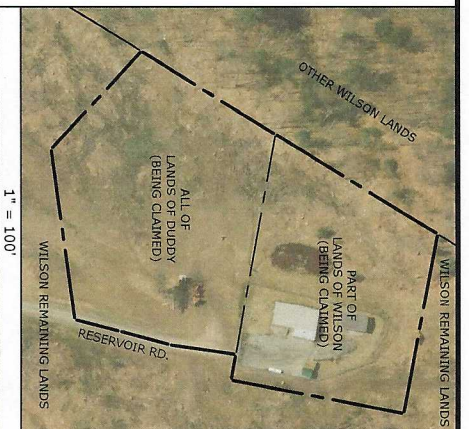
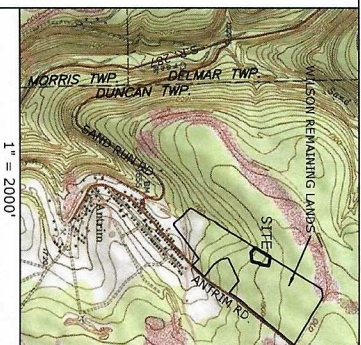


LEGEND

- Commonly Used Symbols
- △ No. 5 Iron Rod Set
 - ⊕ Nail Set
 - ⊙ Railroad Spike
 - ⊙ Angle Point
 - ⊙ Iron Rod Set 30.0' On Line (when needed)
 - ⊙ Iron Rod Found
 - ⊙ Iron Rod Previously Set
 - ⊙ Centerline
 - CL Now or Formerly
 - ⊙ Soil Test Location
 - ⊙ Failed Soil Test Location
 - ⊙ Dead
 - ⊙ Power Pole
 - ⊙ Power Line
 - ⊙ Electric Line
 - ⊙ Overhead Power Line
 - ⊙ Existing Wilson Lands
 - ⊙ Existing Duddy Lands
 - ⊙ Existing Duncan Twp. Perpetual
 - ⊙ Basement Area

LOTS IN THIS AREA ARE SERVED BY MUNICIPAL WATER AND SEWER.

THE ADJACENT LANDOWNER INFORMATION SHOWN HEREON WAS CURRENT WITH THE ASSESSMENT INFORMATION PROVIDED BY THE COUNTY ONLINE ASSESSMENT DATABASE DURING THE RESEARCH PHASE OF THIS SURVEY. THE INFORMATION ON THIS SITE MAY NOT BE CURRENT IN ALL CASES AND MAY HAVE CHANGED SINCE THE TIME OF OUR RESEARCH.



REVISIONS

DATE	DESCRIPTION
5/16/22	ENLARGED CLAIM AREA FROM DUDDY TO INCLUDE ENTIRE LOT

LAND SERVICES GROUP
CUNNINGHAM SURVEYORS
WILKESBORO, PA (610) 724-3395 LANDSG.COM

SKETCH PLAN SHOWING EMINENT DOMAIN
CLAIM AREA FOR:
DUNCAN TOWNSHIP

Surveyed by: Jeffrey J. Bailey
Professional Land Surveyor
No. 50075587
Wilkesboro, PA

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