

**NEWLIN TOWNSHIP**  
**CHESTER COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2021-01**

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**RESOLUTION AUTHORIZING THE ACQUISITION OF THREE  
PARCELS OF REAL PROPERTY LOCATED ALONG LAUREL  
ROAD BY CONDEMNATION OR AGREEMENT OF SALE IN  
LIEU OF CONDEMNATION.**

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**WHEREAS**, Laurel Road (T-376) is a public road located in Newlin Township south of Strasburg Road and east of the West Branch of the Brandywine Creek (the "Creek"); and

**WHEREAS**, on April 30-May 1, 2014, a rainstorm caused flooding of the Creek in the Township which caused approximately 820 linear feet of the road surface and guardrails on Laurel Road generally south of Mortonville Road and east of Brandywine Creek Road to deteriorate and erode into the Creek making it unpassable and dangerous for vehicular travel (the "Damaged Road"); and

**WHEREAS**, pursuant to Section 2308 of the Second Class Township Code, the Board of Supervisors of Newlin Township (the "Board") temporarily closed the Damaged Road as it was unfit and unsafe for travel; and

**WHEREAS**, the Township engineer evaluated the condition of approximately 600 linear feet of Laurel Road located to the north of the Damaged Road and opined that this portion of Laurel Road was also damaged by the 2014 rainstorm and flooding of the Creek and susceptible to collapse due to its unstable condition; and

**WHEREAS**, since the Damaged Road has been closed, the Board has been exploring options to repair the Damaged Road and the other portion of the road that is susceptible to further collapse or damage; and

**WHEREAS**, in lieu of repairing the Damaged Road and other portion of Laurel Road that is susceptible to collapse, the Board has offered to purchase three parcels of property that would require the road for access to their respective lots; and

**WHEREAS**, the Board desires to acquire the following three parcels of property: (i) Chester County Tax Parcel No. 49-1-14.1A located at 619 Laurel Road; (ii) Chester County Tax Parcel No. 49-1-14.1B located at 625 Laurel Road; and (iii) Chester County Tax Parcel No. 49-1-14.1C located at 623 Laurel Road (collectively the "Properties"), which after acquisition by the Township shall thereafter be open to the public for passive recreation; and

**WHEREAS**, the Board believes it to be in the public interest to acquire the Properties in fee simple by condemnation, or, if the owners of the Properties agree, by agreement of sale in lieu of condemnation;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Newlin Township, and it is hereby resolved by authority of the Second Class Township Code, 53 P.S. § 67201 and the Pennsylvania Eminent Domain Code, 26 Pa.C.S.A. § 101 *et seq.*, that the acquisition of the Properties by condemnation or agreement of sale in lieu of condemnation is authorized.

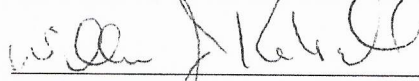
**BE IT FURTHER RESOLVED**, that the agents, employees, representatives and Solicitor of the Township are hereby directed to take all actions as may be required to acquire the Properties by condemnation under the provisions of the Second Class Township Code and the Pennsylvania Eminent Domain Code, or to negotiate with the owners of the Properties to enter an agreement of sale in lieu of condemnation to purchase the Properties.

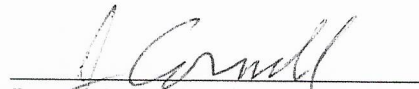
**RESOVLED** by the Board of Supervisors of Newlin Township the 8<sup>th</sup> day of February, 2021.

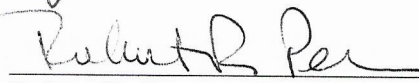
**ATTEST:**

  
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Gail A. Abel, Secretary

**NEWLIN TOWNSHIP  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
William J. Kelsall, Chair

  
\_\_\_\_\_  
James Cornell, Vice-Chair

  
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Robert R. Pearson, Member