

RESOLUTION NO.: 3 of 2024
FOSTER TOWNSHIP, LUZERNE COUNTY, PA

**A RESOLUTION AUTHORIZING THE TAKING OF PRIVATE PROPERTY
LOCATED AT 104-106 CENTRE STREET, FOSTER TOWNSHIP, PA 18224 UNDER
THE EMINENT DOMAIN CODE**

WHEREAS, the Foster Township Board of Supervisors (the "Board of Supervisors") intend to file a Declaration of Taking condemning property located in Foster Township, Luzerne County, Pennsylvania, commonly known as 104-106 Center Street, Freeland, PA, 18225, and more specifically described in a deed appearing of record in Luzerne County Deed Book 03022 at Page 037525 and having a Parcel Identification Number of 23-R9NE3-010-007-00 (the "Property") and currently owned by Martha Gagnay, of 91 53 116 Street, Richmond Hills, NY 11418 ("Property Owner"); and

WHEREAS, the Board of Supervisors intend to pay the Property Owner the sum of Eight Thousand Five Hundred (\$8,500.00) U.S. Dollars for the Property, which is the amount determined by an appraiser hired by the township to be the fair market value of the Property; and

WHEREAS, the Property Owner failed to respond to the township's offer to purchase the Property at the established fair market value as determined by the appraiser; and

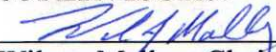
WHEREAS, the Board of Supervisors plans on acquiring the Property for the public purpose of abating a public nuisance; redeveloping a blight area; and/or for future public use; and

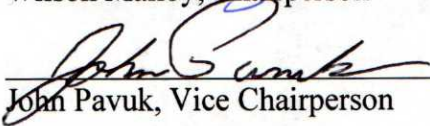
WHEREAS, this Condemnation is authorized by the Eminent Domain Code, 26 Pa. C.S.A. § 101 et seq., Eminent Domain Code, 26 Pa. C.S.A. § 502, and § 302; and


NOW THEREFORE, BE IT RESOLVED, this 14th day of February, 2024, that the Board of Supervisors do hereby authorize the Township Solicitor to file an eminent domain action under the Pennsylvania Eminent Domain Code, 26 Pa. C.S.A. § 101 et seq., against the Property Owner to acquire ownership of her Property.

ATTEST:


Brittany Majewski, Manager

**FOSTER TOWNSHIP BOARD OF
SUPERVISORS:**


Wilson Malloy, Chairperson


John Pavuk, Vice Chairperson


Todd Titus, Supervisor

