



**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 18-24

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY,
PENNSYLVANIA, AUTHORIZING A DECLARATION OF TAKING
AND ACQUISITION OF ONE NORTH AVENUE BY AGREEMENT
OF SALE IN LIEU OF CONDEMNATION.**

WHEREAS, the Cheltenham Township Board of Commissioners (the “Board”), a First Class Township organized and existing under the laws of the Commonwealth of Pennsylvania (herein referred to as the “Township”), desires to acquire certain real property located at 1 North Avenue, Cheltenham Township, Montgomery County, owned by Carken, LLC, being Montgomery County Parcel ID 31-00-20743-00-7 (the “Property”); and

WHEREAS, the Board is duly authorized to exercise the power of eminent domain by Section 1901 of the First Class Township Code, 53 P.S. § 56901; and

WHEREAS, the Board wishes to the authorize the acquisition of the Property, including, without limitation, through the Board’s power of eminent domain and the filing of a declaration of taking; and

WHEREAS, the Board wishes to authorize the President of the Board and/or the Township Manager/Secretary to enter into an agreement for the purchase of the Property in lieu of condemnation, for a purchase price not to exceed \$340,000.00; and

WHEREAS, the Board further desires to authorize the President, the Township Manager/Secretary, and/or such other persons whom they may properly designate in writing (collectively, the “Authorized Officers”), to take all actions required or necessary to effect and consummate the aforementioned transactions, actions, and acquisitions.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, hereby:

RESOLVED, that the Board is authorized to acquire the Property, including, without limitation, through the Board’s power of eminent domain and the filing of a declaration of taking; and

RESOLVED, that Board’s President and/or the Township Manager/Secretary (the “Authorized Officers”) are authorized to enter into an agreement for the purchase of the Property in lieu of condemnation, for a purchase price not to exceed \$340,000.00; and

RESOLVED, that the Authorized Officers are authorized to engage and contract with consultants, engineers, appraisers, and inspectors, if necessary, in the opinion of the Authorized Officers, to investigate and inspect the Property; and

RESOLVED, that in accordance with the provisions hereof, the Board hereby acknowledges and approves the taking of all action and the execution, delivery, and filing in connection with the aforementioned transactions, actions, and acquisitions, and any and all agreements, documents, and instruments, that are

necessary, proper, or desirable, in connection therewith, including, without limitation, a Purchase Agreement in substantially the form attached as Exhibit "A", but which may include such amendments and revisions as are approved by the Authorized Officers (the "Documents"); and

FURTHER RESOLVED, that the Authorized Officers of the Board are each hereby authorized and directed in the name and on behalf of the Board, to negotiate the terms and conditions and to execute, deliver, and file, or cause the execution, delivery, or filing the Documents; and the execution and delivery by any of the Authorized Officers of the Board of the Documents is hereby authorized and approved and the execution and delivery thereof shall constitute conclusive evidence of such approval; and

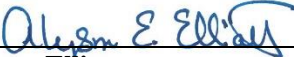
FURTHER RESOLVED, that each Authorized Officer is authorized and directed to proceed promptly with the undertakings herein contemplated; and such officers are authorized, empowered and directed to do any and all acts and things and to execute and deliver any and all documents, agreements, instruments or certificates as may be necessary, proper or desirable to effect and consummate the transactions contemplated by these resolutions, including but not limited to, the execution and delivery of such documents, instruments, certificates, agreements, financing statements, letters, etc., as may be reasonable and/or requested by the Township Solicitor in connection with the aforementioned transactions, actions, and acquisitions and the exercise of the power of eminent domain contemplated by these resolutions; and

FURTHER RESOLVED, that these resolutions shall become effective immediately, and in the event any provision, section, sentence, clause or part of these resolutions shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of these resolutions, it being the intent of the Board that such remainder shall be and shall remain in full force and effect; and

FURTHER RESOLVED, that the proper officers of the Board are hereby authorized and directed to take all such actions and to execute and deliver all instruments and documents as they shall deem necessary or appropriate in order to implement the foregoing resolutions.

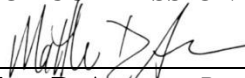
I HEREBY CERTIFY that the foregoing Resolution of the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, was adopted at its meeting held at Curtis Hall, 1250 West Church Road, Wyncote, Pennsylvania 19095 on this 26th day of June, A.D. 2024.

ATTEST:



Alyson Elliott
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By: 

Matthew D. Areman, President

EXHIBIT "A"
Purchase Agreement