

**BOROUGH OF MOUNT POCONO
ORDINANCE NO. 5 OF 2016**

AN ORDINANCE AUTHORIZING THE DECLARATION OF TAKING

WHEREAS, The Borough of Mount Pocono is a duly constituted Borough and Political Subdivision of the Commonwealth of Pennsylvania; and

WHEREAS, the Borough Code authorizes Borough to condemn real property in accordance with the Pennsylvania Eminent Domain Code for public projects that benefit the public safety, health and welfare of the community; and

WHEREAS, it the goal of the Borough to promote and effectuate safe and efficient travel along roadways of the Borough, especially Pennsylvania Route 611 which travels through the Borough; and

WHEREAS, the Borough has obtained the necessary funding to signalize the intersection of Pine Hill Road and Route 611 in the Borough of Mount Pocono; and

WHEREAS, it is the considered judgment of the Borough Council of the Borough of Mount Pocono that signalizing in the intersection will greatly improve the efficient and safe travel of vehicles through and entering the intersection; and

WHEREAS, in order for the project to be completed, private property adjacent to the intersection must be condemned for the reconfiguration of the intersection and for the installation of traffic control devices.

NOW, THEREFORE, be ENACTED and ORDAINED as follows:

1. The Borough Solicitor is directed to prepare and file Declarations of Taking in accordance with the Pennsylvania Eminent Domain Code to acquire fee simple title in the Borough of Mount Pocono of any real property adjacent to the Pine Hill Pennsylvania Route 611 intersection necessary for the completion of the signalization project.
2. Lands to be condemned shall be any and all real property necessary for the project as is depicted on certain plans prepared by Traffic Planning and Design, Inc. dated February 4, 2016 attached hereto and made part hereof by this reference as Exhibit "A", including properties titled in the name of Pocono Snowmobile, Inc. and John J. Latzanich, II, et al. as shown on said plans.
3. The President of Borough Council, or Vice President in his stead, along with the Borough Secretary shall have full authority to execute the Declaration of Taking and any and all other documents necessary for the filing.

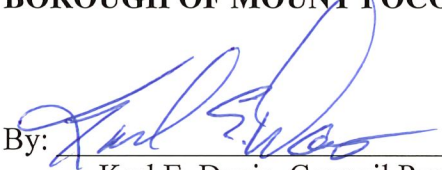
4. The amount of damages when determined shall be charged against any present or future appropriations to the Borough for the purpose of such condemnation.

ENACTED this 12th day of December, 2016.

BOROUGH OF MOUNT POCONO

ATTEST:


Lori Noonan, Secretary

By: 
Karl E. Davis, Council President

APPROVED this 12th day of December, 2016.

ATTEST:


Lori Noonan, Secretary

By: 
Frederick T. Courtright, Mayor