

DRAFT

RESOLUTION NO. 2026-09

RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS OF UPPER MAKEFIELD TOWNSHIP TO SELECT AND APPROPRIATE EITHER AMICABLY OR BY EMINENT DOMAIN CERTAIN REAL ESTATE IN UPPER MAKEFIELD TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, IN FEE SIMPLE, FOR PROTECTING EXISTING SCENIC AND AESTHETIC VALUES OF PROPERTY TO BE USED FOR PUBLIC, RECREATION, STREAM BANK PROTECTION, FLOOD MITIGATION, OPEN SPACE, AND/OR OTHER AUTHORIZED PUBLIC AND/OR MUNICIPAL USES; AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION THEREOF; PROVIDING FOR THE FURNISHING OF SECURITY FOR THE PAYMENT OF DAMAGES IN ACCORDANCE WITH THE LAW; AND AUTHORIZING CERTAIN OFFICERS OF UPPER MAKEFIELD TOWNSHIP TO ACT FOR IT IN ALL PROCEDURES AND ACTIONS REQUIRED BY THE EMINENT DOMAIN CODE.

WHEREAS, the Upper Makefield Township Board of Supervisors desires to provide for authorized public lands for the benefit of its citizens; and

WHEREAS, the Upper Makefield Township Board of Supervisors desires to control the use of land in proximity to existing Township preserved property in order to protect the scenic, aesthetic and/or watershed values of the land and to provide for additional public and municipal use, improvements and benefit; and

WHEREAS, the Second Class Township Code permits the Township to acquire land or buildings for park and recreational purposes, stormwater management, and other authorized public and municipal uses 53 P.S. §§67201, 67702; and

WHEREAS, in order to carry out the foregoing-described purposes, it is necessary that the Township acquire title in fee simple to land suitably located within the Township.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the Township authorizes the condemnation of and hereby selects and appropriates for the condemnation of the property located along Jericho Creek, near Taylorsville Road, identified as Bucks County Tax Map Parcel Nos. 47-009-022-003; 47-009-022-004; and 47-009-025-002.
2. That the nature of the title acquired by the authorized condemnation shall be absolute or fee simple title, including all easements, rights-of-way and real property interests of whatever nature.

3. That the Township Solicitor and the proper officers of the Township are hereby authorized to attempt to acquire said property by amicable agreement, however, if said property cannot be amicably acquired, the Township Solicitor and Township officers are hereby authorized to file a Declaration of Taking and such other action to carry out the purpose of this Resolution.
4. That the institution of such proceedings, and any other damages, which may be agreed upon or awarded to any party in interest, including the owner or owners of said property, shall be paid out of the Riparian Grant Fund, Township's Open Space Fund and/or other Township fund as deemed appropriate.

SO RESOLVED by the Board of Supervisors of Upper Makefield Township this 16th day of the June, 2026.

**UPPER MAKEFIELD TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:

Gregg Schuster, Township Manager

BY: _____
Ben Weldon, Chair

BY: _____
J. Braun Taylor, Vice Chair

BY _____
Elizabeth Thompson, Treasurer

BY: _____
Thomas Cino, Member

BY: _____
Yvette E. Taylor, Member