Township of Haverford

Ordinance No. 3049 - 2026

An Ordinance of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, Authorizing the Condemnation of a Portion of Real Property Located at 701 N. Manoa Road, Parcel 22-02-0074-20-0, for a Temporary Construction Easement and Permanent Traffic Signal Easement.

Whereas, the Home Rule Charter of the Township of Haverford ("Township") and the Pennsylvania First Class Township Code authorizes the Haverford Township Board of Commissioners ("Board") to make and adopt ordinances consistent with the constitution and laws of this Commonwealth and with the Haverford Township Charter when necessary for the proper management, care and control of the Township and the maintenance of peace, good government, health and welfare of the Township and its citizens;

Whereas, Section 301.F of the Home Rule Charter of the Township of Haverford authorizes the Board to exercise the power of eminent domain through an ordinance;

Whereas, Article I, Section 10 of the Pennsylvania Constitution and the Pennsylvania Eminent Domain Code, 26 Pa.C.S. §101 et seq., authorize the taking of property through eminent domain for public purposes;

Whereas, the real property with a street address 701 North Manoa Road, Haverford Township, Delaware County, Pennsylvania, being Delaware County Tax Parcel 22-02-0074-20-0, (the "Subject Property") is a corner property with a public sidewalk and curbing at the corner of North Manoa Road and Woodland Drive;

Whereas, the Township desires to install pedestrian crosswalks across Woodland Drive and North Manoa Road at the corner of the Subject Property;

Whereas, to effectuate pedestrian access/crosswalk improvements at the at the corner of North Manoa Road and Woodland Drive for the benefit and safety of public travel across North Manoa Road, the Township desires to condemn a limited portion near the corner of the Subject Property along the public sidewalk to erect and maintain a pedestrian activated Rectangular Rapid Flashing Beacon and related infrastructure ("RRFB System") pursuant to a permanent traffic signal easement (being 131.19 square feet) and a temporary construction easement to install the RRFB System (being 243.59 square feet);

Whereas, the limited portion of such proposed areas of condemnation for such easements is set forth on the Easement Plan attached hereto as Exhibit "A" and incorporated herein;

Whereas, an example of the RRFB System to be installed is attached hereto as Exhibit "B";

Whereas, RRFB System signals can increase motorist yielding rates up to 98%, leading to improved safety for children, families, and anyone else who desires to cross North Manoa Road;

Whereas, in addition to the RRFB System, new handicapped accessible curbs replacements will occur and several sidewalk blocks will be replaced in the public right-of-way, resulting in a safer, easier

travel path for the public;

Whereas, the RRFB will help pedestrians safely cross North Manoa Road to access key community destinations such as the Pennsy Trail, the Township Administration Building, Veterans Field, the Skatium, and other community destinations;

Whereas, the need to ensure pedestrian safety and handicapped accessibility for the proposed North Manoa Road crossing is for the public's benefit;

Whereas, to date, the owners of the Subject Property have refused to voluntarily provide such easements to the Township for the benefit of the public;

Whereas, the easements are necessary to complete the pedestrian improvement project in compliance with PennDOT requirements;

Whereas, the Board, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of Haverford Township will be served by authorizing and exercising the power of eminent domain through this ordinance for the strict and limited purpose set forth above.

Now, Therefore, be it Ordained and Enacted by the Haverford Township Board of Commissioners, as follows:

1. The Haverford Township Board of Commissioners hereby authorizes the condemnation and taking of the small portions of the Subject Property, as depicted in Exhibit "A," to obtain a permanent traffic signal easement and a temporary construction easement to install the RRFB System for the public purposes of safe and orderly pedestrian access, as set forth above.

2. The Board hereby authorizes the preparation by the Township staff, engineer, and/or other consultants, as/if necessary, to document the complete description of the Subject Property for the condemnation paperwork, to conduct any surveys related thereto, or to take such other actions as are necessary to effectuate the condemnation of the applicable portion of the Subject Property.

3. The Board hereby authorizes the Township Solicitor to record, file, and/or provide all necessary documents including, but not limited to, a Declaration of Taking, notice to the condemnee, and notice of filing of the Declaration of Taking, and to take those actions which are necessary to commence and complete the condemnation proceeding to acquire the portion of the Subject Property for the aforesaid purpose.

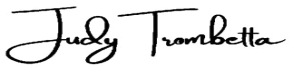
4. The Board authorizes the Township Manager to execute those documents that are necessary to give effect to this Ordinance, and to tender just compensation to the condemnee based upon the Township's appraised value of the applicable portion of the Subject Property.

5. The Township shall restore the area of the Subject Property that is temporarily utilized for the temporary construction easement to its prior condition, reasonable wear and tear excepted.

6. This ordinance shall become effective upon the legal date of its adoption.

Enacted and adopted this 9th day of November, 2026.

Township of Haverford



By: Judy Trombetta, President



Attest: David R. Burman, Township Manager/Secretary