

**BOROUGH OF AVALON**

**RESOLUTION NO. 1020 of 2005**

**A RESOLUTION OF THE BOROUGH OF AVALON, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA AUTHORIZING THE PROPER OFFICERS OF THE BOROUGH TO TAKE ANY AND ALL ACTIONS NECESSARY TO REFUND THE BID BOND OF CAROLINE SUE CURTIN IN AN AMOUNT NOT TO EXCEED \$3,150 BECAUSE THE BIDDER, AS A RESULT OF ILL HEALTH, HAS BEEN RENDERED INCAPABLE OF PURCHASING THAT BOROUGH REAL ESTATE KNOWN AS 203 SOUTH BIRMINGHAM AVENUE, AUTHORIZING THE RESALE OF 203 SOUTH BIRMINGHAM AVENUE TO OTHER BIDDERS; AND REPEALING RESOLUTION NO. 1011 OF 2004 AND ALL OTHER INCONSISTENT RESOLUTIONS.**

**WHEREAS**, on October 27, 2004, the Borough of Avalon advertised the sale of certain Borough real estate located at 203 South Birmingham Avenue, Avalon, Pennsylvania 15202, with a minimum bid of \$25,000.00 and requiring a ten (10%) bid bond at opening, with keys for inspection being available at the Avalon Manager's Office and with a bid opening to occur on November 16, 2004; and

**WHEREAS**, on November 16, 2004, Caroline Sue Curtin submitted to the Borough of Avalon a bid in the amount of \$31,500 to purchase said Borough real estate, known as 203 South Birmingham Avenue, Avalon, Pennsylvania 15202, and designated as Lot and Block 159-C-67, together with a bid bond in the amount of \$3,160 in the form of two

checks, one check being in the amount of \$650.00 and the second check being in the amount of \$2,510.00; and

**WHEREAS**, on November 16, 2004, the Borough of Avalon accepted the bid and bid bond of Caroline Sue Curtin to purchase said Borough real estate; and

**WHEREAS**, on December 21, 2004, the Borough of Avalon adopted Borough of Avalon Resolution No. 1011 of 2004, and formally authorized the sale of said Borough real estate to Caroline Sue Curtin, the best and highest responsible bidder for the sum of \$31,500; and

**WHEREAS**, the Borough of Avalon has been alerted that Caroline Curtin's health has deteriorated, thereby making it an undue burden for her to complete the purchase of 203 South Birmingham Avenue, Avalon, Pennsylvania 15202; and

**WHEREAS**, the proper Borough officials, as a result of Caroline Curtin's inability to complete the purchase of the subject real estate, herein desire to refund to Ms. Curtin the full amount of her bid bond of \$3,160; and

**WHEREAS**, the proper Borough officials, as a result of Caroline Curtin's inability to complete the purchase of the subject property do hereby desire to authorize the resale of 203 South Birmingham Avenue, Avalon, Pennsylvania 15202 to other bidders.

**NOW THEREFORE**, be it resolved by Council of the Borough of Avalon and it is hereby resolved with the authority of same:

**SECTION 1:** The proper officers of the Borough are hereby authorized to take any and all steps necessary to refund the bid bond of Caroline Sue Curtin in an amount not to exceed \$3,160 because the bidder, as a result of ill health, has been rendered incapable


of completing the purchase of 203 South Birmingham Avenue, Avalon, Pennsylvania 15202, for the amount of \$31,500, time being of the essence.

**SECTION 2:** The proper officers of the Borough are hereby authorized to re-advertise the sale of the Borough real estate located at 203 South Birmingham Avenue, Avalon, Pennsylvania 15202, and designated as Lot and Block 159-C-67, with a minimum bid of \$25,000.00 and requiring a ten (10%) bid bond at opening, with keys for inspection being available at the Avalon Manager's Office, and with a bid opening to occur on or about July 19, 2005.


**SECTION 3:** Resolution No. 1011 of 2004 is hereby repealed and any other resolution or parts of resolutions conflicting herewith are repealed insofar as they conflict herewith.

**RESOLVED this 21<sup>st</sup> day of June, 2005.**

ATTEST:

  
\_\_\_\_\_  
Harry W. Dilmore  
Secretary

BOROUGH OF AVALON

  
\_\_\_\_\_  
Edward Klicker  
President  
Borough Council

SEAL

THIS RESOLUTION examined and approved by me  
this 21<sup>st</sup> day of June, 2005.

  
\_\_\_\_\_  
Mayor Daniel K. Brickmont, Esquire