

ORDINANCE NO. 73

AMENDING ORDINANCE NO. ONE KNOWN AS THE OFFICIAL ZONING ORDINANCE OF THE BOROUGH OF MONROEVILLE, BY TEMPORARILY AMENDING FOR A PERIOD OF SIX (6) CALENDAR MONTHS ARTICLE III, SECTION 2, SUBSECTION 44 THEREOF SO AS TO PERMIT THE REMOVAL OF COAL FROM A PORTION OF THE CARR COAL COMPANY TRACT SO AS TO MAKE SAID GROUND USABLE AS A RESIDENTIAL SITE: PROVIDING CONDITIONS UNDER WHICH SAID COAL CAN BE REMOVED.

Section 1. Be it ordained and enacted by the Burgess and the Council of the Borough of Monroeville in Council assembled and it is hereby ordained and enacted by the authority of the same that Article III, Section 2, Subsection 44 of Ordinance Number One, commonly known as the Official Zoning Ordinance of the Borough of Monroeville, be amended temporarily for a period of six (6) months as affecting the following described property:

ASL that certain tract or piece of ground situate in the Borough of Monroeville presently owned by the Carr Coal Company, bounded and described as follows, to-wit:

BEGINNING at a point on the Northerly line of Pitcairn Road at the Southwest Corner of this tract; thence by a line through Chestnut Avenue in the Patton Heights Plan of Lots as recorded in Allegheny County Recorder's Office in Plan Book Vol. 36, pages 92 and 93, bearing No. 25° 30' E. a distance of 705.39 feet to a stone on the corner common to this tract and property now or formerly of Patton Dev. Co.; thence by said line of Patton Dev. Co. S. 68° 43' E. a distance of 1164.34 feet to a point on the line of property now or formerly of John Hoodinoff; thence by said line of John Hoodinoff S. 21° 17' W. a distance of 735 feet more or less of a point on the line of other property of the Carr Mining Co.; thence by the line of said Carr Mining Co. N. 68° 43' W. a distance of 105 feet more or less to a point; thence by the same S. 25° 31' -- 30' W. a distance of 55 feet more or less to a point common to this tract, property of now or formerly Carr Mining Co. and property of now or formerly R. R. Jobe; thence by the line of property now or formerly of R. R. Jobe N. 68° 43' W. a distance of 558.56 feet to a point; thence by the same N. 59° 24' W. a distance of 530.11 feet to the place of beginning.

Containing an area of 19.6 acres.

Section 2. The operation of Article III, Section 2, Subsection 44 of the Official Zoning Ordinance is hereby suspended as to the above described tract of property for a period of six (6) months beginning September 15, 1956, and ending March 15, 1957, for the purpose of permitting Carr Coal Company, the owners of said tract, to remove the coal underlying said tract by the open-pit method of mining so as to convert the tract in question from presently unusable land to proper residential sites.

Section 3. The temporary amendment of Article III, Section 2, Subsection 44 of the Official Zoning Ordinance and the temporary effectiveness of it as to the tract described above is hereby made under the following conditions:

1. That the mining operation be started on or before the fifteenth day of September, 1956, and will be fully completed on or before March 15, 1957.

2. The soil removed in order to recover said coal will be preserved and when the mining has been finished, the excavations resulting therefrom will be filled with said soil and such additional soil as shall be required to prevent any depressions in said property and to provide a reasonable even contour on said ground.

3. The ground as refilled will be replanted in such a manner as is now required by the Commonwealth of Pennsylvania under similar conditions.

4. Before the mining operations shall start, the Carr Coal Company shall file with the Secretary of the Borough evidence of full compliance with the requirements of the Commonwealth of Pennsylvania relating to strip mining.

5. Before the mining operations shall start, the Carr Coal Company shall file with the Secretary of the Borough, its performance bond with corporate surety, running to Borough of Monroeville and providing for a penalty of \$300.00 per acre payable to the Borough, if the said Carr Coal Company shall not have fully completed the mining operations, refilled the excavations and planted the contours on said ground in the manner required by the Commonwealth of Pennsylvania. No extension of time will be granted and the default under said bond shall be effective on March 16, 1957.

Section 4. Because the amendment of the Ordinance in the respects set forth above is of a temporary nature and the original terms thereof will return to full force and effect on the fifteenth day of March, 1957, no change will be made in the Official Zoning Map of the Borough of Monroeville.

Section 5. That in all other respects, the Official Zoning Ordinance

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of the Borough of Monroeville that was adopted December 22, 1951, as supplemented and amended, shall continue in full force and effect.

Section 6. That any ordinance or part of an ordinance conflicting with the provisions of this Ordinance, be and the same are hereby repealed.

Ordained and enacted into law in Council this 21st day of September, 1956.

ATTEST:

BOROUGH OF MONROEVILLE

(Signed) Gladys Diller
Secretary

(Signed) Edgar Giles
President

Examined and approved this 2nd day of October, 1956.

(Signed) Samuel Jenkins
Burgess