

BOROUGH OF MONROEVILLE  
ORDINANCE NO. 267

AN ORDINANCE PROVIDING FOR ACQUISITION BY EMINENT DOMAIN FOR BOROUGH PURPOSES OF A CERTAIN EASEMENT LOCATED WITHIN PRIVATE PROPERTY IN THE BOROUGH OF MONROEVILLE FOR SANITARY SEWER RIGHTS-OF-WAY FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A SANITARY SEWER TO SERVICE PART OF THE BOROUGH OF MONROEVILLE.

WHEREAS, The Borough Council has heretofore authorized the construction of a sanitary sewer with necessary manholes and appliances in various streets and alleys in the Borough and over, in and through various private properties in the Borough of Monroeville, as shown by plans prepared by the Borough Engineer which, by reference thereto, are made part hereof; and

WHEREAS, the Borough Council of the Borough of Monroeville has determined that a certain easement over private property situated in the Borough of Monroeville included in the hereinafter described alinement is necessary for use as a right-of-way for the location of sanitary sewer installation and further deems the acquisition of the easement for sanitary sewer rights-of-way to be in the best interests of the Borough.

NOW THEREFORE, be it ordained and enacted by the Council of the Borough of Monroeville and it is hereby ordained and enacted by the authority of the same:

SECTION 1. Pursuant to the authority conferred upon the Borough of Monroeville by the Borough Code, as amended, the Borough Council of the Borough deems it necessary to acquire a right-of-way for sanitary sewer purposes together with the right to construct and maintain a sanitary sewer with the necessary manholes and appliances over the following described property located in the Borough of Monroeville for the best interests of the Borough of Monroeville, and said Borough of Monroeville hereby appropriates and takes the hereinafter described easement through private property in the Borough of Monroeville for public purposes under the right of eminent domain:

Property of Edward S. Krivacsy and Ruth Krivacsy, his wife:

A twenty (20) foot right-of-way in and through that certain lot or piece of ground situate in the Borough of Monroeville, County of Allegheny and Commonwealth of Pennsylvania, the center line of which twenty (20) foot right-of-way is as follows, to-wit:

BEGINNING at a point in the dividing line between land of Edward S. Krivacsy and Ruth Krivacsy and the land of Penn Glenn Oil Company, in or near Abers Creek; thence through said Krivacsy land South  $25^{\circ} 03'$  West, 265.29 feet.

SECTION 2. The proper officers of the Borough of Monroeville are hereby authorized to execute the necessary petitions for the appointment of a Board of Viewers and to execute on behalf of the Borough of Monroeville the necessary bonds and to tender the same to the owners of

## ORDINANCE NO. 267 - 2

land affected by the acquisition of the rights-of-way through private property in the Borough of Monroeville, conditioned for the payment of such amount of damages as the said owners may be entitled to receive by reason of the taking of the rights-of-way aforesaid. Upon delivery of the bond, the proper Borough officers, their employees, contractors or assigns are authorized to enter upon and take possession of said property in accordance with law.

SECTION 3. All ordinances or part of ordinances conflicting with the provisions of this ordinance are hereby repealed inasmuch as they may conflict with this ordinance.

ORDAINED AND ENACTED into law in Council this 25th day of February, 1961.

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President

ATTEST:

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Secretary

EXAMINED AND APPROVED by me this 25th day of February, 1961.

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Burgess