

BOROUGH OF MONROEVILLE
ORDINANCE NO. 283

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AUTHORIZING THE PROPER OFFICERS, OF THE BOROUGH OF MONROEVILLE, TO EXECUTE AN AGREEMENT BETWEEN THE BOROUGH OF MONROEVILLE AND SAMPSON BROS. INC., PROVIDING FOR THE EXTINGUISHMENT, CONFINEMENT AND CONTROL OF A MINE FIRE IN THE BOROUGH OF MONROEVILLE.

BE IT ORDAINED AND ENACTED by the proper officers of the Borough of Monroeville and it is hereby ordained and enacted by the authority of the same.

SECTION 1. The proper officers of the Borough of Monroeville are hereby authorized and directed to enter into and to execute the following agreement with Sampson Bros. Inc.

THIS AGREEMENT

MADE and entered into this _____ day of February, 1961, between the BOROUGH OF MONROEVILLE, a municipal corporation, organized, and existing under the laws of the Commonwealth of Pennsylvania, of Allegheny County, Pennsylvania, party of the first part,

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SAMPSON BROS. INC., a Pennsylvania corporation, having its principal office in the Borough of Monroeville, Allegheny County, Pennsylvania, party of the second part.

WITNESSETH THAT:

WHEREAS, the coal of the Pittsburgh seam underlying lands in Monroeville Borough, Allegheny County, Pennsylvania, appears to be on fire at various places; and

WHEREAS, if such fire is not extinguished, confined or controlled, a hazard to property of Sampson Bros. Inc., and others in Monroeville Borough will be created; and

WHEREAS, Sampson Bros. Inc., is the owner of land in the vicinity of a district known as Garden City which may be affected by such fire and is willing to assist the Borough of Monroeville in extinguishing, confining or controlling such fire as hereinafter set forth; and

WHEREAS, the parties hereto have been advised that such fire may be extinguished, confined or controlled by sealing openings into said coal seam so as to exclude and control the circulation of air.

NOW THEREFORE, in consideration of the promises hereinafter made the parties agree as follows:

1. Sampson Bros. Inc., shall, at its sole cost and expense, supply (e.g. bulldozers, highlifts, tools and such other equipment as may be necessary) and the operators thereof to be used at the direction of the Borough of Monroeville for sealing openings into the said Pittsburgh seam of coal in the vicinity of Garden City, provided, however, that sealing operations which

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can be performed by hand or hand operated tools shall be the responsibility of the Borough of Monroeville.

2. Sampson Bros. Inc., shall supply soil, potash, shale or any other substances necessary to be used in affecting such sealing operation. The kind of materials used shall be determined by the Bureau of Mines.

3. The Borough of Monroeville, at its sole cost and expense, shall supply personnel for the purpose of making inspections of the area to determine where sealing operations are necessary.

4. This Agreement shall continue in effect until December 31, 1964.

WITNESS the due execution hereof the day and year first above written.

ATTEST:

BOROUGH OF MONROEVILLE

S/

BY S/

ATTEST:

SAMPSON BROS. INC.

S/Samuel G. Scuillo
Ass't. Secty.

S/Harold Sampson

SECTION 2. Any ordinance or part of an ordinance conflicting with the terms of this ordinance is hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED into law in Council this 9th day of May, 1961.

S/
President of Council

ATTEST:

S/
Secretary

EXAMINED AND APPROVED by me this _____ day of _____, 1961.

S/
Burgess