

ORDINANCE NO. 377

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA, APPROPRIATING BY EXERCISE OF THE RIGHT OF EMINENT DOMAIN AN EASEMENT FIFTEEN FEET WIDE FOR THE INSTALLATION AND MAINTENANCE OF A PUBLIC SANITARY SEWER SYSTEM IN A PORTION OF THE BOROUGH AND BEING KNOWN AS NORTHERN PIKE SANITARY SEWER EXTENSION NO. 1; PROVIDING FOR THE EXECUTION AND TENDERING OF BONDS OF THE BOROUGH AND PROVIDING FOR THE EXECUTION OF A PETITION FOR THE APPOINTMENT OF THE BOARD OF VIEWERS TO ASCERTAIN THE DAMAGES INCURRED BY SAID APPROPRIATION.

WHEREAS, the Council of the Borough of Monroeville has deemed that a sanitary sewer system should be constructed in the area known as the Northern Pike Sanitary Sewer Extension No. 1; and

WHEREAS, the Borough of Monroeville deems it necessary to appropriate the rights of way required in private property by the exercise of the right of eminent domain.

NOW, THEREFORE, be it ordained and enacted by the Borough of Monroeville, Allegheny County, Pennsylvania, in Council Asssembled, and it is hereby ordained and enacted by the Authority of the same.

SECTION 1. There is hereby appropriated by the exercise of the right of eminent domain an easement 15 feet wide in the following private property situated in the Borough of Monroeville, the center line of which is as follows:

A. Through property of Beaver Valley Land Company

Beginning at a point on lands of Greenberg and Beaver Valley Land Company, said point being South $5^{\circ}30'$ East, a distance of 10 feet from the right of way line of Northern Pike. Thence, through the lands of Beaver Valley Land Company North $81^{\circ}15'$ East, a distance of 90 feet to a point; thence South $38^{\circ}15'$ East, a distance of 286 feet to a point; thence South $6^{\circ}45'$ West, a distance of 16 feet to the lands of G. R. and C. McIndoe, said point being North $89^{\circ}45'$ West, a distance of 19 feet from the right of way line of Mossie Boulevard.

E. Through the lands of G. R. and Catherine McIndoe.

Beginning at a point of Beaver Valley Land Company and G. R. McIndoe, said point being North $89^{\circ}45'$ West, a distance of 19 feet from the right of way line of Mossie Boulevard. Thence South $6^{\circ}45'$ West, a distance of 14 feet to a point in the center of a private right of way. Thence continuing in the center line of this private right of way North $89^{\circ}45'$ West, a distance of 64 feet to the lands of G. R. McIndoe, Jr. said point being South $0^{\circ}15'$ West, a distance of 12 feet from lands of Beaver Valley Land Company.

C. Through property of G. R. McIndoe, Jr. and Audrey McIndoe,

Beginning at the line between G. R. McIndoe, Sr. and G. R. McIndoe, Jr., said point being South $0^{\circ}15'$ West, a distance of 12 feet from the lands of the Beaver Valley Land Company, thence North $88^{\circ}45'$ West, a distance of 131 feet to the other property line of G. R. McIndoe, Jr., said point being South $0^{\circ}15'$ West, a distance of 10 feet from the land of the Beaver Valley Land Company.

D. Through the property of the Atlantic Refining Company.

Beginning at a point on the right of way line of Mosside Boulevard; thence North $81^{\circ} 40'$ East, a distance of 41 feet to the lands of Mosside Plaza, Inc. Said point being North $16^{\circ} 15'$ West, a distance of 29 feet from the center line of Northern Pike.

E. Through the property of Mosside Plaza, Inc.

Beginning at a point on the line dividing the Atlantic Refining Company and Mosside Plaza, said point being North $16^{\circ} 15'$ West, a distance of 29 feet from the center line of Northern Pike. Thence, North $81^{\circ} 40'$ East, a distance of 150 feet more or less to the right of way line of Old Haymaker Road. Said point being North $22^{\circ} 15'$ West, a distance of 28 feet from the center line of Northern Pike.

F. Through the property of Vera M. and C. Leroy Fox.

Beginning at a point on the right of way line of Old Haymaker Road, said point being North $22^{\circ} 15'$ West, a distance of 26 feet from the center line of Northern Pike. Thence, North $81^{\circ} 41'$ East, a distance of 130 feet more or less to the lands of Anna Martin, said point being North $22^{\circ} 15'$ West, a distance of 28 feet from the center line of Northern Pike.

G. Through the property of Anna Martin

Beginning at a point on the lands of Vera M. Fox and Anna Martin, said point being North $22^{\circ} 15'$ West, a distance of 28 feet from the center line of Northern Pike. Thence North $81^{\circ} 40'$ East, a distance of 130 feet more or less to the property of Ralph Martin, said point being a distance of 28 feet from the center line of Northern Pike.

H. Through the property of F. J. Peckman, Jr. and Caroline Peckman.

Beginning at a point on the right of way line of Daugherty Drive, said point being South $0^{\circ} 30'$ West, a distance of 8 feet from the lands of J.A. Donaldson, thence along an existing right of way South $88^{\circ} 00'$ east, a distance of 175 feet to lands of W. G. Frey, said point being South $0^{\circ} 30'$ West, a distance of 13 feet from lands of J.A. Donaldson.

I. Through property of Warren G. Frey and Katherine P. Frey.

Beginning at a point on lands of Peckman and Frey, said point being South $0^{\circ} 30'$ West, a distance of 13 feet from the lands of J. A. Donaldson, thence South $88^{\circ} 00'$ East, a distance of 28 feet to a point; thence North $6^{\circ} 30'$ West, a distance of 159 feet to the property line of W.G. Frey and the Pennsylvania Turnpike Commission, said point being 9 feet from the Southwest corner of property of W. G. Frey and the Pennsylvania Turnpike Commission.

SECTION 2. The President of Council and the Secretary of the

Borough of Monroeville are hereby authorized to execute bonds on behalf of the Borough of Monroeville to assure damages to the owners whose property has been appropriated.

SECTION 3. In the event that it is found necessary, the President of Council is hereby authorized to petition the Court of Common Pleas of Allegheny County, for the appointment of Viewers to determine the damages that may accrue to the owners of the aforesaid property by virtue of the exercise of the right of eminent domain.

SECTION 4. That any Ordinance or part of an Ordinance conflicting with the terms of this Ordinance be and the same is hereby repealed.

ORDAINED AND ENACTED into law in Council this 8th day of November, 1962.

BOROUGH OF MONROEVILLE

By S/ A. O. Strathern
President of Council

Attest:

S/ Gladys Diller
Asst. Secretary

Examined and approved by me this 19th day of November, 1962.

S/ John J. Duncan
Mayor