

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 MILLER AVENUE SANITARY SEWER 6205-S; 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 Miller Avenue Sanitary Sewer 6205-S; 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 Assembled, and it is hereby ordained and enacted by the Authority of the same.

SECTION 11. 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. Property of John and Mary Daykon.

1. Beginning at a point on the eastern line of the Miller Highlands Plan of Lots, as recorded in plat book 35, Page 48 and 49. Said point being North $29^{\circ} 39'$ East, a distance of 95.0' from the southeast corner of the plan. Thence South $31^{\circ} 21'$ East a distance of 80' to the existing manhole #21 beyond Turtle Creek Monroeville through the property of John and Mary Daykon.

B. Property of Steven Egnatz, Jr. and Anna S. Egnatz, fronting on Center Street and Miller Avenue.

Beginning at a point on Center Street on the eastern side of the property. Said point being North $10^{\circ} 22'$ West, a distance of 69 feet from the lands of M. McDonnaugh. Thence South $69^{\circ} 00'$ West, a distance of 80 feet to the land of W.S. and A.V. Cavanaugh. Said point being South $33^{\circ} 07'$ East, a distance of 139 feet from the right of way line of Miller Avenue.

C. Property of William S. and Alene V. Cavanaugh, fronting on Miller Avenue.

Beginning at a point on the eastern side of the property of the said Cavanaugh and Egnatz. Thence South $69^{\circ} 00'$ West, a distance of 102 feet to the property of J.R. and M.M. Ross, said point being South $33^{\circ} 07'$ East, a distance of 119 feet from the right of way line of Miller Avenue.

D. Property of James R. and Margaret M. Ross.

Beginning at a point on the property line between J.R. Ross and W.S. Cavanaugh, said point being South $33^{\circ} 07'$ East, a distance of 119 feet to the right of way line of Miller Avenue. Thence South $69^{\circ} 00'$ West, a distance of 102 feet to the lands of William J. Thornton. Said point being South $33^{\circ} 07'$ East, a distance of 99 feet from the right of way line of Miller Avenue.

E. Property of William J. Thornton and Mary Thornton.

Beginning at a point on the property lines between the lands of W.J. Thornton and J.R. Ross, said point being South $33^{\circ} 07'$ East, a distance of 99 feet from the right of way line of Miller Avenue. Thence South $69^{\circ} 00'$ West, a distance of 9 feet. Thence South $55^{\circ} 58'$ West, a distance of 92 feet to the lands of J.L. Ford. Said point being South $33^{\circ} 07'$ East, a distance of 99 feet from the right of way line of Miller Avenue.

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 12th day of November, 1962.

S/ John J. Duncan
Mayor