

ORDINANCE NO. 482

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AUTHORIZING THE TAKING, USING, APPROPRIATING, AND CONDEMNING OF CERTAIN SANITARY SEWER EASEMENTS THROUGH PRIVATE PROPERTIES.

BE IT ORDAINED AND ENACTED by the Borough of Monroeville, in Council assembled, as follows:

Section 1. The Borough of Monroeville deems it necessary, proper, and expedient to exercise its power of eminent domain for the acquisition by it of the easements hereinafter mentioned and described, to be used for public purposes, to-wit, for the installation, maintenance, operation, replacement, removal, and renewal of a sanitary sewer line, together with the necessary and attendant manholes and appliances.

Section 2. The Borough of Monroeville hereby appropriates, takes, and condemns a sanitary sewer right-of-way and easement of widths as hereinafter specified over, under, and across private properties, all within the Borough of Monroeville as hereinafter set forth, to be used for the installation, maintenance, operation, replacement, removal, and renewal of a sanitary sewer line, together with the necessary and attendant manholes and appliances.

Section 3. The condemnation hereunder is made pursuant to the authority granted to the Borough of Monroeville under Section 1401 et seq of the Borough Code of 1927, as amended, and the Eminent Domain Code of 1964.

Section 4. The condemnees, as reasonably known to the Borough of Monroeville, and the center line description of the rights-of-way and easements to be acquired hereunder are as follows. However, this condemnation shall be against the owners as hereinafter named being the reputed owners, or whoever may be owners.

- (a) Across property of John Vercelli a right-of-way and easement fifteen (15) feet in width.

BEGINNING at a point on the center line of an existing sanitary sewer line of the Borough of Monroeville between manholes Nos. 18 and 19 of the Turnpike Trunk Sanitary Sewer Project Contract No. 6406-S, said point being South 30° 55' East, a distance of sixty-three (63) feet along the center line of the said sanitary sewer from the center of the said Manhole No. 19; thence through property of John Vercelli North 59° 5' East, thirty-five (35) feet to a point on line of property now or formerly of Albert B. Starr et al.

- (b) Across property of Albert B. Starr and Andrew J. Starr rights-of-way and easements fifteen (15) feet in width.

1.) BEGINNING at a point on the dividing line between property of the said Starr and property now or formerly of John Vercelli, said point of beginning being located as follows:

Beginning at a point on the center line of an existing sanitary sewer line of the Borough of Monroeville between manholes Nos. 18 and 19 of the Turnpike Trunk Sanitary Sewer Project Contract No. 6406-S, said point being South 30° 55' East, a distance of sixty-three (63) feet along the center line of the said sanitary sewer from the center of the said Manhole No. 19; thence through property of John Vercelli North 59° 5' East, thirty-five (35) feet to a point on line of property now or formerly of Albert B. Starr et al.;

thence through property of the said Starr the following courses and distances: North 59° 5' East, one hundred fifty-nine (159) feet to a point at the center of proposed manhole No. T-2, as located in construction drawings of the Turnpike Gardens "C" Sanitary Sewer Project of the Borough of Monroeville Contract No. 6505-S; thence North 46° 55' East, three hundred thirty-nine (339) feet to a point at the center of proposed manhole No. T-3; thence North 18° 4' East, two hundred forty-nine (249) feet to a point at the center of proposed manhole No. T-4; thence North 23° 50' East, one hundred forty-three (143) feet to a point at the center of proposed manhole No. T-5; thence North 23° 56' East, three (3) feet more or less to a point on line of property of Turnpike Gardens--Penn View Civic Association, Inc.

2. BEGINNING at a point at the center of proposed manhole No. T-3, as described in and located in description 1 above; thence through property of the said Albert Starr et al. North 31° 15' West, one hundred thirty-four (134) feet to a point at the center of proposed manhole No. T-9; thence North 45° 26' West, nineteen (19) feet to a point on line of property of Turnpike Gardens--Penn View Civic Association, Inc.

(c) Across property of Turnpike Gardens--Penn View Civic Association, Inc. rights-of-way and easements fifteen (15) feet in width.

1. BEGINNING at a point at the dividing line between Lots Nos. 40 and 41 in the Turnpike

Gardens Plan of Lots, as recorded in the Recorder's office of Allegheny County, Pennsylvania in Plan Book Vol. 55, Pages 104 to 108, inclusive, said point being at the Southerly boundary line of said lots; thence through property of the Turnpike Gardens--Penn View Civic Association, Inc. South $28^{\circ} 52'$ East, eighty-five (85) feet to a point at the center of proposed manhole No. T-10 of the Turnpike Gardens "C" Sanitary Sewer Project of the Borough of Monroeville Contract No. 6505-S; thence South $45^{\circ} 26'$ East, one hundred thirty (130) feet more or less to a point on line of property now or formerly of Albert B. Starr et al.

2. BEGINNING at a point at the center of proposed manhole No. 1 of the Turnpike Gardens "C" Sanitary Sewer Project of the Borough of Monroeville Contract No. 6505-S, said point being within the right-of-way lines of Lolly Drive opposite and to the Southwest of Lot No. 167 in the Turnpike Gardens Addition No. 1 Plan of Lots, as the same is recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Vol. 69, pages 119 through 121; thence South $60^{\circ} 23'$ West, forty-seven (47) feet to a point at the center of proposed manhole No. T-8; thence South $56^{\circ} 57'$ West, eighty-one (81) feet to a point at the center of proposed manhole No. T-7; thence South $41^{\circ} 8'$ West, three hundred sixty (360) feet to a point at the center of proposed manhole No. T-6; thence South $23^{\circ} 56'$ West, three hundred eighteen (318) feet to a point on line of property now or formerly of Albert B. Starr et al.

3. BEGINNING at a point at the center of proposed manhole No. T-14 of the Turnpike Gardens "C" Sanitary Sewer Project of the Borough of Monroeville Contract No. 6505-S, said point being located twelve (12) feet West of the Southwesterly corner of Lot No. 45 of the Turnpike Gardens Plan of Lots, as recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Vol. 55, Pages 104 to 108, inclusive; thence South $71^{\circ} 3' 22''$ West, one hundred fifty-five (155) feet more or less to a point on line of property now or formerly of Maurice E. Miller et al.

4. BEGINNING at a point on the Westerly line of Lolly Drive, said point being North $26^{\circ} 46' 50''$ West along said line of Lolly Drive from the Northeasterly corner of Lot No. 161 in the Turnpike Gardens Addition No. 1 Plan of Lots, as recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Vol. 69, pages 119 through 121; thence South $63^{\circ} 13' 10''$ West, a distance of one hundred (100) feet to a point.

- (d) Across property of Maurice E. Miller, Sylvia Slomoff, and Lillian M. Welford a right-of-way and easement fifteen (15) feet in width.

BEGINNING at a point at the center of an existing sanitary sewer manhole No. 22 of the Turnpike Trunk Sanitary Sewer Project of the Borough of Monroeville Contract No. 6406-S; thence through property of the said Miller et al. North $60^{\circ} 21' 22''$ East, seventy-seven (77) feet to a point at the center of proposed manhole No. T-12 of the Turnpike Gardens "C" Sanitary Sewer

Project of the Borough of Monroeville Contract No. 6505-S; thence South $72^{\circ} 21' 38''$ East, one hundred six (106) feet to a point at the center of proposed manhole No. T-13 of the said Contract No. 6505-S; thence North $71^{\circ} 3' 22''$ East, nine (9) feet to a point on line of property now or formerly of the Turnpike Gardens--Penn View Civic Association, Inc.

- (e) Across property of Albert J. Krasman a right-of-way and easement ten (10) feet in width.

BEGINNING at a point on the dividing line between Lots Nos. 58 and 59 in the Turnpike Gardens Plan of Lots, as the same is recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Vol. 55, Pages 104 to 108, inclusive, said point being South $76^{\circ} 18' 30''$ East, twenty-six (26) feet along said dividing line from the Westerly line of said lots; thence through said Lot No. 58 South $15^{\circ} 25' 30''$ West, a distance of five (5) feet to a point; thence South $76^{\circ} 18' 30''$ East, one hundred (100) feet more or less to a point on the Westerly line of West Patty Lane.

Section 5. All descriptions set forth above are as established and shown on drawings prepared for the Borough of Monroeville by Thomas E. McMahon, Registered Engineer and Borough Engineer for the Borough of Monroeville.

Section 6. The Mayor, President of Council, Borough Secretary, and Solicitor are hereby authorized and directed to file a Declaration of Taking of the rights-of-way and easements hereinabove described with the Prothonotary for the Court of Common Pleas of Allegheny County, Pennsylvania, and to prepare, execute, file, and record, as the case may be, such other papers and documents as may be deemed necessary by the Borough Solicitor to complete all actions for the taking of said easements, the use thereof, and the compensation therefor, all pursuant to the terms and requirements of the said Eminent Domain Code of the Commonwealth of Pennsylvania.

Section 7. Any ordinance or part of ordinance in conflict with any of the provisions of this ordinance is hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED this 24th day of June, 1965.

BOROUGH OF MONROEVILLE

By S/ Frank A. Witt
President of Council

ATTEST:

S/ Carrol F. Pickens
Secretary

EXAMINED AND APPROVED this 26th day of June, 1965.

S/ John J. Duncan
Mayor