

ORDINANCE NO. 527

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 easement 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. 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, the said Borough of Monroeville hereby appropriates, takes and condemns a sanitary sewer right-of-way and easement fifteen (15) feet in width over, under and across private property within the Borough of Monroeville as hereinafter described, 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 condemnee, as reasonably known to the Borough of Monroeville, and the description of the right-of-way and easement to be acquired hereunder, are as follows. However, this condemnation shall be against the owner as hereinafter named being the reputed owner, or whoever may be owner.

- (a) Across property now or formerly of Harry D. Maxwell a right-of-way and easement fifteen (15) feet in width, the center line whereof being described as follows, to-wit:

BEGINNING at a point on the dividing line between property of the said Maxwell and property now or formerly of Shields, said point being North $89^{\circ} 45'$ West, a distance of eleven hundred eighty-one (1181) feet along said dividing line from the westerly line of the Pennsylvania Turnpike, and a distance of twelve (12) feet along said dividing line from an existing concrete monument; thence through property of the said Maxwell South $11^{\circ} 35' 19''$ East, a distance of eighty-two (82) feet to a point; thence South $38^{\circ} 15' 19''$ East, a distance of three hundred ninety-eight (398) feet to a point; thence South $50^{\circ} 37' 19''$ East, a distance of three hundred seventy-two (372) feet; thence South $52^{\circ} 48' 19''$ East, a distance of one hundred forty-eight (148) feet to a point on line of property now or formerly of John C. McLay.

Section 4. This description set forth above is 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 5. The Mayor, President of Council, Borough Secretary and Solicitor are hereby authorized and directed to file a Declaration of Taking of the right-of-way and easement 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 easement, 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 6. 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 10th of May, 1966.

BOROUGH OF MONROEVILLE

By S/ Frank A. Witt,
President of Council

ATTEST:

S/ Carrol F. Pickens,
@ Secretary

EXAMINED AND APPROVED this 16th day of May, 1966.

S/ John J. Duncan,
Mayor