

ORDINANCE NO. 537

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 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 Laura Cashdollar Kunkle and Charles W. Kunkle, Sr., her husband, 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 now or formerly of Laura Cashdollar Kunkle and property now or formerly of Westinghouse Electric Corporation, said point being on the Southerly side of Old Forbes Road and said point being further North 8° 13' West, a distance of thirty-three (33) feet along said dividing line from the center of a stone on the fence line between the said properties and said stone further being on the westerly line of property now or formerly of C. W. Kunkle, Jr.; thence across said Old Forbes Road and through property of the said Laura Cashdollar Kunkle the following courses and distances: North 38° 4' East, eighty (80) feet to a point; thence North 43° 54' East, two hundred eighty-nine (289) feet to a point; thence North 38° 26' East, eighty (80) feet to a point; thence North 12° 22' East, two hundred seventeen (217) feet to a point; thence North 15° 57'

East, one hundred forty (140) feet to a point; thence North $54^{\circ} 7'$ East, two hundred thirty-three (233) feet to a point; thence North $6^{\circ} 8'$ West, two hundred forty-six (246) feet to a point; thence North $1^{\circ} 7'$ East, one hundred thirty-seven (137) feet to a point; thence North $12^{\circ} 41'$ West, three hundred sixty-five (365) feet to a point; thence North $12^{\circ} 36'$ West, one hundred twenty-one (121) feet to a point; thence North $5^{\circ} 14'$ East, two hundred fifty-six (256) feet to a point on the Southerly line of property now or formerly of Crestland Company.

- (b) Across property of Fayfeal C. Dobbins and Patricia J. Dobbins, his wife, 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 now or formerly of Crestland Company and property now or formerly of R. C. Dobbins, said point being North $85^{\circ} 4'$ West, a distance of one hundred twenty (120) feet along said dividing line from the Westerly line of property now or formerly of S. Sulecky; thence through property of the said Dobbins North $6^{\circ} 42'$ East, ninety-five (95) feet to a point; thence North $39^{\circ} 25'$ West, three hundred forty-nine (349) feet to a point; thence North $14^{\circ} 55'$ West, forty-five (45) feet to a point on the southerly line of property now or formerly of Emil Kaus.

- c. Across property of Emil Kaus and Bertha Kaus, his wife, 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 now or formerly of R. C. Dobbins and property now or formerly of Emil Kaus, said point being North $89^{\circ} 25'$ West, a distance of five hundred ninety (590) feet along said dividing line from the Westerly line of property now or formerly of S. Sulecky; thence through property of the said Kaus North $14^{\circ} 55'$ West, two hundred thirty-nine (239) feet to a point; thence North $36^{\circ} 43'$ West, two hundred fifteen (215) feet to a point; thence North $19^{\circ} 33'$ West, two hundred thirty-six (236) feet to a point on the Southerly line of property now or formerly of Ernest Schlechter et al.

- d. Across property of Ernest Schlechter and Erna Schlechter, his wife, and Pittsburgh National Bank, Executor of the Estate of Harold L. Rothman, Deceased, 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 now or formerly of Emil Kaus and property now or formerly of Ernest Schlechter et al., said point being South 82° 35' West, a distance of four hundred forty-five (445) feet from the Westerly line of the Greenhills Manor Plan of Lots No. 2, as recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Vol. 65, Pages 84 and 85; thence through property of the said Schlechter et al. North 19° 33' West, a distance of one hundred sixty-four (164) feet to a point; thence North 14° 15' West, a distance of two hundred six (206) feet to a point; thence North 61° 57' East, a distance of two hundred seventy-four (274) feet to a point on the Westerly line of Lot No. 51 in the Greenhills Manor Plan of Lots No. 2, said last mentioned point being distant nine (9) feet Northwardly along said Westerly line from the dividing line between Lots Nos. 51 and 53 in said Plan.

- (e) Across property of Edward Bailey, Jr. and E. Ruth Bailey, his wife, a right-of-way and easement ten (10) feet in width, the center line whereof being described as follows, to-wit:

BEGINNING at a point on the dividing line between Lots Nos. 100 and 101 in the Garden City Plan of Lots No. 1, as recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Vol. 55, Pages 70 through 73, said point being South 12° 3' 35" East, a distance of seventy-five (75) feet along said dividing line from the Southerly line of Lilac Drive; thence North 77° 56' 25" East, a distance of five (5) feet to a point; thence by a line parallel to the said dividing line and distant five (5) feet therefrom South 12° 3' 35" East, a distance of one hundred ten (110) feet to a point; thence South 82° East, a distance of one hundred forty-two (142) feet to a point common to property of the said Bailey, property now or formerly of J. Hochauser and property now or formerly of Lawrence DePalma.

Section 5. 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.

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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 9th day of August, 1966.

BOROUGH OF MONROEVILLE

By S/ Frank A. Witt
President of Council

ATTEST:

S/ Carrol F. Pickens,
Secretary

EXAMINED AND APPROVED this 9th day of August, 1966.

S/ John J. Duncan,
Mayor