

ORDINANCE NO. 648

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AUTHORIZING THE TAKING, USING, APPROPRIATING AND CONDEMNING OF A SANITARY SEWER EASEMENT THROUGH PRIVATE PROPERTY.

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. The 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 the private property of Dominic F. Vivio and Helga Vivio, his wife, situate on the easterly side of Elmwood Street, as hereinafter specifically 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 condemnation hereunder is made pursuant to the authority granted to the Borough of Monroeville under Section 1501 et seq. of the Borough Code of 1966, as amended, and the Eminent Domain Code of 1964, as amended.

Section 4. The condemnees as reasonably known to the Borough of Monroeville are Dominic F. Vivio and Helga Vivio, his wife, being the owners or reputed owners, or whoever may be the owners.

Section 5. The center line of the said fifteen (15) foot right-of-way and easement shall be located and described as follows, to-wit:

BEGINNING at a point on the dividing line between property of Dominic F. Vivio et ux and property now or formerly of Wineland, both properties fronting on the easterly line of Elmwood Street, said point being North 64° 17' West, a distance of sixteen and 5/10 (16.5) feet along said dividing line from the easterly line of said lots; thence through property of the said Vivio South 25° 43' West, and parallel with the easterly line of said lots, a distance of fifty-six and 18/100 (56.18) feet to a point on the northerly line of property now or formerly of James T. Queen et ux.

Section 6. 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

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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 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 8th day of April, 1969.

BOROUGH OF MONROEVILLE

ATTEST:

By S/ Frank A. Witt  
President of Council

S/ Carrol F. Pickens  
Secretary

EXAMINED AND APPROVED this 10th day of April, 1969.

S/ John J. Duncan  
Mayor