

ORDINANCE NO. 677

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AUTHORIZING THE TAKING, USING, APPROPRIATING AND CONDEMNING OF 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 certain sanitary sewer rights-of-way and easements, in varying widths as hereinafter set forth, over, under and across the private properties 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 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 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 Catherine Jacqueline Henkel a right-of-way and easement ten (10) feet in width, the easterly line whereof being described as follows, to-wit:

BEGINNING at a point on the westerly line of Center Road (33 feet wide), said point being on the dividing line between property of Gregowich and property of Henkel; thence along the Westerly line of Center Road, a distance of eighty-six (86) feet, more or less, to a point on the dividing line between property of Henkel and property now or formerly of Jackson.

Also a right-of-way and easement five (5) feet in width, the northerly line whereof being described as follows, to-wit:

BEGINNING at a point on the westerly line of Center Road, said point being at the dividing line between property of Henkel and property now or formerly of Jackson; thence along said dividing line North 82° 12' West, a distance of one hundred ten (110) feet to a point.

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- (b) Across property of Aleck Wozniak and Agnes Wozniak, 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 property now or formerly of Metz and property now or formerly of Wozniak, said point being North $67^{\circ} 46'$ West, a distance of one hundred ninety-eight (198) feet along said dividing line from the center line of Center Road; thence through property of Wozniak North $4^{\circ} 5'$ East, a distance of ninety-four and $5/10$ (94.5) feet to a point on the southerly line of property now or formerly of Mitchell.

- (c) Across property of Byron N. Mitchell and Fenton M. Mitchell, both unmarried, 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 property now or formerly of Wozniak and property now or formerly of Mitchell, said point being South $67^{\circ} 46'$ East, a distance of nine (9) feet along said dividing line from the easterly line of Lot No. 18 in the Franklin Heights Plan of Lots, as recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Vol. 75, Pages 74 and 75; thence through property of Mitchell North $4^{\circ} 5'$ East, a distance of thirteen and $5/10$ (13.5) feet to a point; thence North $10^{\circ} 35'$ East, a distance of seventy-eight and $5/10$ (78.5) feet to a point on the southerly line of property now or formerly of Potochnik.

- (d) Across property of William H. Lewis and Agnes R. Lewis, 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 property of Lewis and property now or formerly of Urbanik, both properties fronting on James Street, said point being South $28^{\circ} 45'$ East, a distance of fifty-six (56) feet along said dividing line from the northerly line of the said lots; thence through property of Lewis South $55^{\circ} 48'$ West, a distance of seventy-six (76) feet to a point on the easterly line of property now or formerly of Mazik.

- (e) Across property of T. A. Smith and Margaret E. Smith, 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 property of Smith and property now or formerly of Stranger, both properties fronting on James Street, said point being South $28^{\circ} 45'$ East, a distance of fifty-three (53) feet along said dividing line from the northerly line of property of the said Smith; thence through property of Smith South $62^{\circ} 35'$ West, seventy and $5/10$ (70.5) feet to a point on the easterly line of property now or formerly of Mattern.

- (f) Across property of Mary E. Bunt and William Elmer Bunt 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 property of Bunt and property of Stanger (both properties fronting on James Street), said point being South $28^{\circ} 44' 30''$ East, a distance of one hundred five (105) feet along said dividing line from the northerly line of said lots; thence through property of the said Bunt North $62^{\circ} 35'$ East, one hundred twenty-eight (128) feet, more or less, to a point on line of property now or formerly of Hanley.

- (g) Across property of Sisto Rossetti and Helen Rossetti, 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 westerly line of property of Sisto Rossetti et ux, said point being North $28^{\circ} 45'$ West, a distance of one hundred eighty-one (181) feet along said westerly line from the northerly line of property now or formerly of Frank J. Pugliano; thence through property of Sisto Rossetti North 61° East, a distance of seventy-five (75) feet, more or less, to a point on the westerly line of property now or formerly of Edmond Rossetti.

- (h) Across property of Edmond Rossetti and Josephine C. Rossetti, 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 property of Edmond Rossetti et ux and property of Albert Pugliano et ux, said point being North $28^{\circ} 45'$ West, a distance of one hundred fifty-four (154) feet along said dividing line from the northerly line of property of Louis Karish, said northerly line being approximately in the center of John Street; thence through property of the said Edmond Rossetti South $83^{\circ} 52'$ West, a distance of ninety-six (96) feet to a point; thence South 61° West, a distance of twelve (12) feet, more or less, to a point on the easterly line of property now or formerly of Sisto Rossetti.

- (i) Across property of Albert Pugliano and Dorothy Pugliano, 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 property of Albert Pugliano et ux and property of Edmond Rossetti et ux, said point being North $28^{\circ} 45'$ West, a distance of one hundred fifty-four (154) feet along said dividing line from the northerly property line of Louis Karish, said northerly line being approximately in the center of John Street; thence through property of the said Pugliano North $83^{\circ} 52'$ East, a distance of fifty-five (55) feet, more or less, to a point on the westerly line of property of DiTommaso.

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- (j) Across property of John DiTommaso and Sarah DiTommaso, 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 property of John DiTommaso et ux and property now or formerly of Assunta Rossetti, said point being North 28° 45' West, a distance of one hundred twenty-two (122) feet along said dividing line from the northerly property line of Mignogna, said northerly line being approximately in the center of John Street; thence through property of DiTommaso South 83° 52' West, a distance of fifty-five (55) feet, more or less, to a point on the easterly line of property now or formerly of Albert Pugliano.

Section 5. 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 30th day of December, 1969.

BOROUGH OF MONROEVILLE

By S/ Frank A. Witt
President of Council

ATTEST:

S/ Carrol F. Pickens
Secretary

EXAMINED AND APPROVED this 31st day of December, 1969.

S/ John J. Duncan
Mayor

Entered in Legal Book January 13, 1970.