

## ORDINANCE NO. 683

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 George R. Warren and Jennie Mae Warren 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 the property now or formerly of Wendel and Warren, said point being South  $88^{\circ} 13'$  East, a distance of five (5) feet from the Southwest corner of Warren as it joins Wendel and Lilly; thence through property of Warren parallel to the lines of Lilly and five (5) feet therefrom North  $1^{\circ} 47'$  East, a distance of one hundred ten and  $\frac{5}{10}$  (110.5) feet to a point on the southern line of property now or formerly of Biddle; being in Lot 4 of the Margaret Fox Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book 30, Pages 14 and 15.

- (b) Across property of Kenyon McCoy and Ruth C. McCoy 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 the property now or formerly of Grimes and McCoy, said point being South  $2^{\circ} 47'$  West, a distance of five (5) feet from the Northwest corner of McCoy where it meets Grimes and McKowan, thence five (5) feet from and parallel to the lines of McKowan North  $87^{\circ} 15'$  East one hundred forty-three (143) feet to a point; thence continuing through the lines of McCoy South  $15^{\circ} 15'$  East forty-five (45) feet to a point in the existing sanitary sewer right-of-way

line, this being through a portion of Lot No. 10, C. P. Whitehead Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book Vol. 29, Page 117.

- (c) Across the property of Clyde J. and Stephanie H. Lilly 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 and property now or formerly of Busch and the property of Lilly said point being South  $3^{\circ} 35'$  West a distance of four hundred thirty-five (435) feet from the Northwest corner of the Lilly property as it joins Busch and the Ivanhoe Apartments; thence through the property of Lilly South  $64^{\circ} 18'$  East a distance of eighty-two (82) feet to a point on the western property line now or formerly of Wendel.

- (d) Across the property of Samuel R. and Clara Langham 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 of the property now or formerly of Rush and Langham said point being South  $88^{\circ} 13'$  East five (5) feet from the southwest corner of the Rush lot and Langham lot where they join Ivanhoe Apartments; thence North  $1^{\circ} 47'$  East a distance of one hundred sixty (160) feet to a point on the lands of Lendo being through Lot 8 of the Margaret Fox Plan of Lots as recorded in the Recorder's Office in Plan Book Vol. 75, Pages 14 and 15.

- (e) Across the property of James M. and Margaret M. Irwin 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 the property now or formerly of McCann and Irwin said point being North  $88^{\circ} 13'$  West a distance of five (5) feet from the Southeast corner of Irwin where it joins Corl and Johnstone to a point on the dividing line between McCann and Irwin; thence through the property of Irwin five (5) feet from and parallel to the East property line North  $2^{\circ} 47'$  East a distance of sixty-six and  $32/100$  (66.32) feet to a point on the southerly boundary line of Puckett which is also the southerly line of Lot 12 of the Margaret Fox Plan of Lots as recorded in the Recorder's Office in Plan Book Vol. 30, Pages 14 and 15.

- (f) Across the property of Agnes C. Puckett 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 the property of Irwin and Puckett said point being North  $88^{\circ} 13'$  West a distance of five (5) feet from the Southeast corner of Puckett where it joins Irwin; thence to a point on the dividing lines between Lots 13 and 12 and the property of Irwin and Puckett in the Margaret Fox Plan of Lots as recorded in the

Recorder's Office in Plan Book Vol. 30, Pages 14 and 15; thence through the property of Puckett five (5) feet from and parallel to the east property line North 2° 47' East a distance of one hundred forty-eight and 79/100 (148.79) feet to a point on the southerly boundary line of Grimes.

- (g) Across the property of Meade L. and Margaret Bowers a right-of-way and easement five (5) feet in width, the northern line whereof being described as follows, to-wit:

BEGINNING at a point at the Northwest corner of Lot 3 and the Southwest corner of Lot 2 of the Sarah S. Boyd Plan of Lots as recorded in the Allegheny County Recorder's Office in Plan Book Vol. 18, Page 91; thence along the dividing line between Lots 2 and 3 and the property of Janik and Bowers South 87° 15' East a distance of eighty-four and 23/100 (84.23) feet to the Northeast corner of Lot 3 as it joins Shaw Avenue.

- (h) Across the property of Andrew M. Brown a right-of-way and easement five (5) feet in width, the southern line whereof being described as follows, to-wit:

BEGINNING at a point on the eastern right-of-way line of the Township Road and at the Northwest corner of Lot 9 and the Southwest corner of Lot 8 in the Sarah S. Boyd Plan of Lots as recorded in the Recorder's Office in Plan Book Vol. 18, Page 91; thence along the dividing line between Brown and Johnston South 87° 15' East a distance of one hundred twenty-eight (128) feet.

Also a right-of-way continuing from the above point ten (10) feet in width the center line whereof being described as follows, to-wit:

North 8° 15' East a distance of fifty (50) feet to the dividing lines between Lots 10 and 11.

- (i) Across the property of Elmo Johnson Jr. and Viola Johnson a right-of-way and easement five (5) feet in width, the northerly line whereof being described as follows, to-wit:

BEGINNING at the Northwest corner of Lot 9 in the Sarah S. Boyd Plan of Lots as recorded in the Recorder's Office in Plan Book Vol. 18, Page 91; thence along the lands of Johnson and Brown South 87° 15' East one hundred fourteen and 8/10 (114.8) feet to the Northeast corner of Lot 9.

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 10th day of March, 1970.

BOROUGH OF MONROEVILLE

ATTEST:

By S/ George C. Dale
President of Council

S/ Carrol F. Pickens
Secretary

(SEAL)

EXAMINED AND APPROVED this 13th day of March, 1970.

Entered In Legal Book March 26, 1970. S/ John J. Duncan
Mayor