MUNICIPALITY OF MONROEVILLE

ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 1602

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE CONDEMNATION OF CERTAIN PROPERTY OWNED BY JOHN E. AND JANICE D. BERTA AND WILLIAM A. AND ESTHER CLINE FOR THE PURPOSE OF THE INSTALLATION OF A SANITARY SEWER LOCATED ON CERTAIN PROPERTIES ABUTTING LYNN AVENUE IN THE MUNICIPALITY OF MONROEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA.

WHEREAS, the Borough Code, Section 1501, 53 P.S. §46501, authorizes the Municipality of Monroeville to appropriate private property for the purpose of constructing and reconstructing sanitary sewers and to declare such appropriation as a taking of private property for public use.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Municipality of Monroeville, in Council assembled, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1: That the proper Municipal Officials are hereby authorized to execute and file a Declaration of Taking pursuant to the Borough Code 53 P.S. §46501 for the purpose of appropriating a 15' sanitary sewer easement across properties

owned by John E. and Janice D. Berta and William A. and Esther Cline as reputed owners, or whomever may be the owners, and abutting Lynn Avenue in Monroeville, Pennsylvania, and more particularly described in the accompanying legal descriptions. Copies of said descriptions are attached hereto and collectively marked as Exhibit "A".

SECTION 2: That the Municipality may assess the cost and expenses thereof, in whole or in part, upon land or properties particularly benefitted, if appropriate, pursuant to 53 P.S. 47001.

SECTION 3: That any Ordinance, or part thereof, that may conflict herewith be and the same is hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED into law this 8th day of December, 1987.

ATTEST:

W. C. Alston
Washington C. Alston
Municipal Manager

MUNICIPALITY OF MONROEVILLE

By George C. Dale
~~Michael P. Lynch~~
Deputy Mayor

Entered into the Legal Book on _____.

EXHIBIT "A"

JOHN E. AND JANICE D. BERDA

Suggested description for the centerline of a 15 foot sanitary sewer easement through property of John E. and Janice D. Berda, situate in the Municipality of Monroeville, County of Allegheny, and Commonwealth of Pennsylvania, being described as follows:

Commencing at a point on the easterly sideline of Lynn Avenue, also known as Lower Monroeville Road and Monroeville Boulevard, said point being on the line dividing property of John E. and Janice D. Berda and property of William A. and Esther Cline; thence along the said dividing line, S 64°47' 00" E, for a distance of 35.00 feet to a point in the centerline of the 15 foot sanitary sewer easement, at the TRUE PLACE OF BEGINNING; thence from said TRUE PLACE OF BEGINNING, and along the centerline of the 15 foot sanitary sewer easement, through property of John E. and Janice D. Bertha, the 2 following courses and distances: S 27°28' 00" W, 65.00 feet; S 51°02' 26" W, 33.17 feet to a point on the said easterly sideline of Lynn Avenue, also known as Lower Monroeville Road and Monroeville Boulevard, said point being distant, N 14°28' 00" E, 3.50 feet from the line dividing Purpart "D" and Purpart "E" in the estate of Rebecca S. McKinney as shown in Partition Docket 29, Page 367, said point also being the end of the centerline of the 15 foot sanitary sewer easement.

WILLIAM A. AND ESTHER CLINE

Suggested description for a sanitary sewer easement through property of William A. and Esther Cline, situate in the Municipality of Monroeville, County of Allegheny, and Commonwealth of Pennsylvania, being described as follows:

Commencing at a point on the easterly sideline of Lynn Avenue, also known as Lower Monroeville Road and Monroeville Boulevard, said point being on the line dividing property of William A. and Esther Cline and property of John E. and Janice D. Berda; thence along the said dividing line, S 64°47' 00" E, for a distance of 27.495 feet to a point on the said dividing line, said point also being on the westerly sideline of the 15 foot sanitary sewer easement, at the TRUE PLACE OF BEGINNING; thence from said TRUE PLACE OF BEGINNING, and continuing along said dividing line, S 64°47' 00" E, for a distance of 15.01 feet to a point on the easterly sideline of said 15 foot sanitary sewer easement; thence through property of William A. and Esther Cline the following three following courses and distances: N 27° 28' 00" E, 9.705 feet; N 62°32' 00" W, 15.01 feet; S 27°28' 00" W, 10.295 feet to a point at the TRUE PLACE OF BEGINNING.