

MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA
ORDINANCE NO. 2315

**AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE
AUTHORIZING THE CONDEMNATION OF UNDEVELOPED
PROPERTY LOCATED AT HAYMAKER ROAD, LOT & BLOCK
860-N-238 FOR PURPOSE OF INSTALLING A DETENTION
POND SYSTEM IN EFFORT TO ABATE THE ONGOING
STORM WATER RUN-OFF FROM HAYMAKER TO ROUTE
130.**

WHEREAS, Council for the Municipality of Monroeville has deemed it necessary for the public welfare to condemn certain property owned and abandoned by the owner, Sarah B. Clark;

WHEREAS, Council for the Municipality of Monroeville has desires to install a storm water detention pond system on the vacant parcel located at Haymaker Road, Lot and Block 860-N-238, which will abate the on-going storm water runoff from Haymaker to Route 130 and will serve all of the surrounding landowners that have been directing storm water run-off onto Route 130.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council for the Municipality of Monroeville as follows:

1. The property owned by Sarah B. Clark, located at Haymaker Road, Monroeville, PA 15146, Lot & Block 860-N-238, totaling approximately 9.75 acres, is hereby condemned for the purpose of public use.

2. The Municipality of Monroeville has been unsuccessful in trying to contact Sarah B. Clark a/k/a Sarah J. Clark and/or any legal property owner with respect to the aforementioned parcel.
3. The property owner has failed to pay local, school and county taxes for decades.
4. A description of the property to be condemned is set forth in the description and map attached hereto and marked as Exhibit "A" and "B", respectively, and incorporated herein.
5. A copy of the description and map of the property to be condemned are on display in the Municipal Building located at 2700 Monroeville Boulevard, Monroeville, PA 15146.
6. The proper officials of the Municipality of Monroeville are hereby authorized and directed to pay over to all natural persons, corporation, partnerships, associations or other entities, just compensation as determined by Agreement or by any competent tribunal for the condemnation of its respective premises, in accordance with the provisions of the Eminent Domain Code of 1964, as amended.
7. The Municipality of Monroeville Solicitor is hereby directed to file a Declaration of Taking, in the Office of the Prothonotary of Allegheny County and to file a Notice of Declaration of Taking in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania and to file all other appropriate documents required by law concerning said Condemnation.
8. The Municipality of Monroeville Solicitor is hereby authorized to initiate and

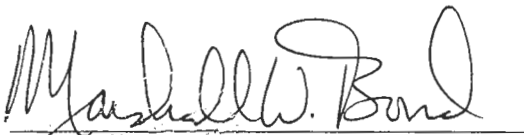
conclude all Viewer's Proceedings arising out of the condemnation aforesaid.

9. Any Ordinance or part of any Ordinance, which may be in conflict with the provisions of this Ordinance, be the same are hereby repealed insofar as the same may conflict with the provisions of this Resolution.
10. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Municipality that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ORDAINED and ENACTED this 9th day of November, 2004.

ATTEST:

MUNICIPALITY OF MONROEVILLE



Marshall W. Bend
Municipal Manager



James J. Lomeo
Mayor

ENTERED INTO LEGAL BOOK: November 19, 2004