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MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2376

**AN ORDINANCE OF THE MUNICIPALITY OF
MONROEVILLE, ALLEGHENY COUNTY PENNSYLVANIA,
A HOME RULE CHARTER COMMUNITY, VACATING A
PORTION OF OLD ABERS CREEK ROAD.**

WHEREAS, the Municipality of Monroeville has received requests from the Port Authority of Allegheny County, the owner of certain property which abuts a portion of Old Abers Creek Road in the Municipality of Monroeville; and

WHEREAS, the Municipality of Monroeville deems it in the health, safety and general welfare of the Municipality to vacate said portion of Old Abers Creek Road.

NOW THEREFORE, BE IT ENACTED AND ORDAINED this 12th day of September, 2006 as follows:

SECTION 1. That portion of Old Abers Creek Road as more particularly described in the drawing that is attached hereto and incorporated herein as Exhibit "A" shall be vacated. The appropriate officers of the Municipality of Monroeville are hereby authorized to execute any documents which are necessary to effectuate the vacation of that portion of Old Abers Creek Road shown in Exhibit "A". A specific metes and bounds description of the 25 foot portion of Old Abers Creek Road that will pass to the Port Authority of Allegheny County and become their property upon vacation of a portion of Old Abers Creek Road is more specifically described in the metes and

bounds description that is attached hereto and incorporated herein as Exhibit "B" of this Ordinance.

SECTION 2. The Municipality of Monroeville for the benefit of itself and its agents assigns reserves an 50' utility easement over the entire area of Old Abers Creek Road being vacated for ingress, egress and access to construct and maintain municipal improvements including but not limited to a sanitary sewer line that is located within the easement area.

SECTION 3. The Solicitor is directed to prepare any legal documents necessary to effectuate the vacation of that portion of Old Abers Creek Road and record the same at the Recorder of Deeds Office in Allegheny County, Pennsylvania.

SECTION 4. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 5. 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 Board of Commissioners 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 12th day of September, 2006.

ATTEST:

MUNICIPALITY OF MONROEVILLE



Marshall Bond, Manager
Municipality of Monroeville



James Lomeo, Mayor
Municipality of Monroeville

ENTERED INTO LEGAL BOOK ON: September 22, 2006

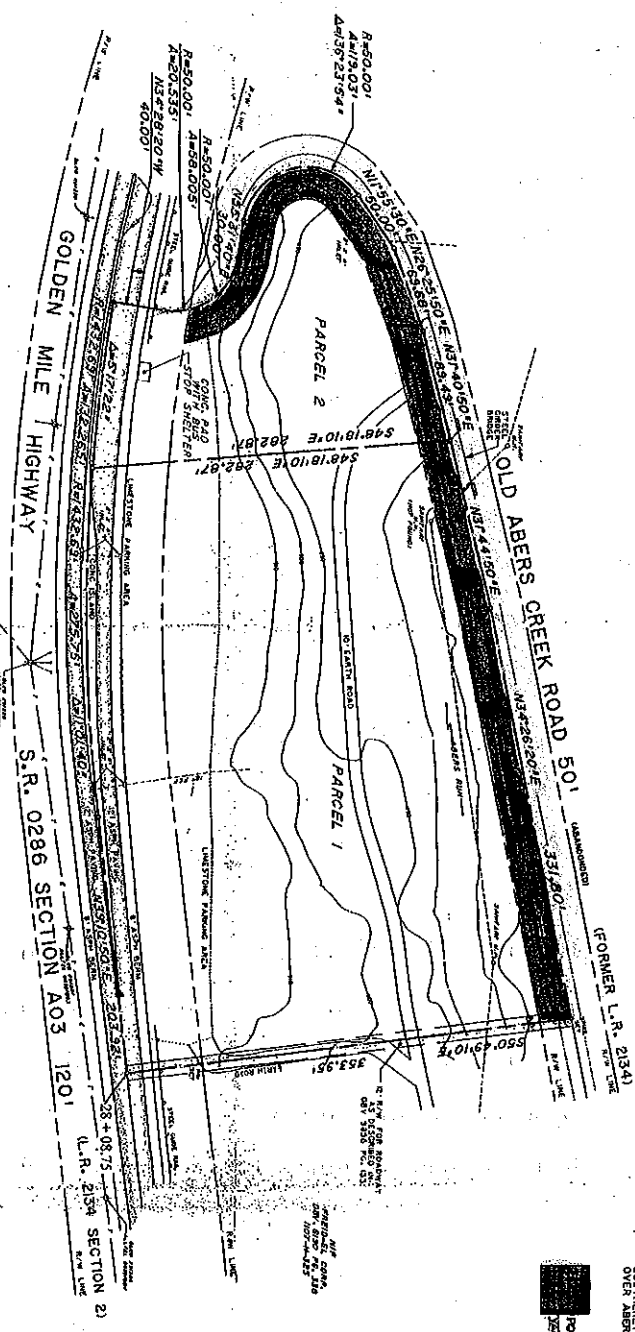
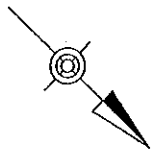


EXHIBIT 'A'

NOTES

SOURCE OF TITLE: PROPERTY ASSIGNED AS BLOCK 107-P, LOT 94 IN THE TAX ASSASSIN'S OFFICE OF ALLEGHENY COUNTY PENNSYLVANIA. PARCEL RECORDED IN OGV 9966 PG. 125 IN THE RECORDS OF DEEDS OFFICE OF ALLEGHENY COUNTY PENNSYLVANIA.

AREA: PARCEL 1 = 3.5755 AC. OR 153749 SQ. FT.

PARCEL 2 = 0.9794 AC. OR 42684 SQ. FT.

TOTAL PARCEL = 4.5549 AC. OR 196433 SQ. FT.

ELEVATIONS: CONTOURS SHOWN ARE BASED ON A PENNSYLVANIA SET IN THE TOP CORNER AT BENCHMARK A BRASS DISC SOUTHERLY PARAPET WALL OF A BRIDGE FOR S.R. 0022 OVER ABERS RUN. DISC ELEVATION = 697.231'

PORTION OF OLD ABERS CREEK RD TO BE ACQUIRED BY THE MUNICIPALITY OF MONROEVILLE.



SE Technologies, Inc.
30 Versant Road
Bryn Mawr, PA 19001
(610) 526-1000
an Enterprise

NO.	DATE	DESCRIPTION	REVISIONS
1	12-09-97	UTILITY POLES ADDED	

THE PREPARATION OF THIS DRAWING HAS BEEN CONFIRMED BY PLANT THROUGH A QUALITY REVIEW PERFORMED BY THE SURVEYING DEPARTMENT OF SE TECHNOLOGIES, INC.



APPROVED: _____
DATE: _____

ISSUED	D.S. NO.
PRINTED	LEG.
ORDERED	B.C.S.
DRAWN	D.S.M.C.
DATE	12/02/97
SCALE	1" = 50'

PORT AUTHORITY OF ALLEGHENY COUNTY
MUNICIPALITY OF MONROEVILLE
COUNTY OF ALLEGHENY
PENNSYLVANIA
FACT NO. 970340
SHT. 1 OF 1

Beginning at a point, which point is on the centerline of S.R. 0286 (commonly known as Golden Mile Highway, also known as L.R. 2134, 120 feet in width) at or about Sta. 28+08.75; said point is also the southeast corner of Parcel 1 in Deed in Lieu of Condemnation between Paul H. Titus, Administrator C.T.A. of the Estate of James V. Donatelli, Deceased, to Port Authority of Allegheny County, dated February 25, 1998 as recorded in the Office of the Recorder of Deeds for Allegheny County in Deed Book Volume 10140, Page 367; thence from the centerline of S.R. 0286 (commonly known as Golden Mile Highway and L.R. 2134) in a northwesterly direction along property now or formerly of Freid-EL Corp., North $50^{\circ} 49' 10''$ West, 60 feet to a pin set on the westerly legal Right-of-Way line of S.R. 0286 (commonly known as Golden Mile Highway, also known as L.R. 2134) thence continuing along the property now or formerly of Freid-El Corp., North $50^{\circ} 49' 10''$ West, 293.95 feet to a spike set which is the **True Point of Beginning**. Said spike set is in the centerline of former Legislative Route 2134 (also called Old Abers Creek Road, 50 feet in width.); thence along the centerline of said former Legislative Route 2134 (Old Abers Creek Road) the following eight (8) courses and distances:

- 1) South $34^{\circ} 26' 20''$ West, 331.80 feet to a point;
- 2) South $31^{\circ} 44' 50''$ West, 135.85 feet to a point;
- 3) South $31^{\circ} 40' 50''$ West, 89.49 feet, to a point;
- 4) South $26^{\circ} 25' 50''$ West, 69.68 feet, to a point;
- 5) South $11^{\circ} 55' 30''$ West, 50 feet to a point;
- 6) By a curve to the left having a radius of 50 feet and an arc length of 119.03 feet to a nail set;
- 7) North $55^{\circ} 31' 40''$ East, 30 feet to a nail set;
- 8) By a curve to the right having a radius of 50 feet and an arc length of 58.005 feet to a point on the westerly legal right-of-way line of SR 0286 (commonly known as (Golden Mile Highway and L.R. 2134, 120

feet in width); thence along the said westerly legal right-of-way line of S.R. 0286 in an easterly direction by a curve to the left having a radius of 1432.69 feet and an arc length of 25 feet to the easterly legal right-of-way line of former Legislative Route 2134 (Old Abers Creek Road,); thence along said easterly right-of-way line of former Legislative Route 2134 (Old Abers Creek Road) at a distance of 25 feet from the centerline, the following eight (8) courses and distances:

- 1) By a curve to the left having a radius of 80 feet and an arc length of 91.15 feet to a point;
- 2) South 55° 31' 40" West, 30 feet to a point;
- 3) By a curve to the right having a radius of 25 feet and an arc length 67 feet to a point;
- 4) North 11° 55' 30" East, 45 feet to a point;
- 5) North 26° 25' 50" East, 64 feet to a point;
- 6) North 31° 40' 50" East, 89 feet to a point;
- 7) North 31° 44' 50" East, 135 feet to a point;
- 8) North 34° 26' 20" East, 330 feet to a point; on the line dividing property of Port Authority of Allegheny County and land now or formerly of Freid-El Corp.; thence North 50° 40' 10" West, 25 feet along the line dividing property of Port Authority of Allegheny County and land now or formerly of Freid-El Corp. to the spike set at the **True Point of Beginning**.

The above portion of former LR 2134 (Old Abers Creek Road 50 feet in width) within the land titled to Port Authority of Allegheny County contains 21,335 square feet, more or less.