

## ORDINANCE NO. 358

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 308 OF SAID BOROUGH BY LIMITING THE CONDEMNATION THEREUNDER OVER THE PROPERTY OF EDWARD McCRADY, JR.

WHEREAS, the Borough of Monroeville by its Ordinance No. 308 duly enacted October 11, 1961 condemned a fifteen (15) foot right-of-way over certain property of Edward McCrady, Jr. lying along Moss Side Boulevard within the Borough of Monroeville for sanitary sewer purposes; and

WHEREAS, it appears that by virtue of the nature and quality of construction of said sewer line, the same having now been fully completed, the taking and condemnation under said Ordinance 308 may be limited without materially affecting the rights and abilities of the Borough of Monroeville in and about the further operation and use of said sewer line.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough of Monroeville, Allegheny County, Pennsylvania, in Council assembled, and it is hereby ordained and enacted by authority of the same:

SECTION 1. Ordinance No. 308 of the Borough of Monroeville enacted October 11, 1961 condemning a fifteen (15) foot easement for sanitary sewer line inter alia over property of Edward McCrady, Jr. is hereby amended by adding thereto under Section 2 thereof immediately after the FIRST described property, the following paragraph of limitation:

"The easement and right-of-way hereinabove described shall be used by the Borough of Monroeville, its successors and assigns, for the installation maintenance, operation, replacement, removal and renewal of one sanitary sewer line together with two manholes. This taking however is subject to the continued right of the fee titleholders of the premises above described to raise the present grade level at the surface of said right-of-way to any grade that said fee titleholders may desire provided that at least one of the manholes located thereon is raised and continued to such new grade level according to standard Borough of Monroeville construction. Said easement and right-of-way is subject further to the continued right of the fee titleholders of the said premises to erect one or more buildings or structures thereon provided the same will in no way injure or damage the then existing sewer lines on the premises."

SECTION 2. Any Ordinance or part of any Ordinance that shall conflict with this Ordinance is hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED this 12th date of July, 1962.

ATTEST:

BOROUGH OF MONROEVILLE

S/ Gladys Diller  
Asst. Secretary

By: S/ C. L. McClintock  
Vice President of Council

Examined and approved by me this 12th day of July, 1962.

S/ John J. Duncan  
Mayor