

## ORDINANCE NO. 476

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AUTHORIZING THE TAKING, USING, APPROPRIATING, AND CONDEMNING OF CERTAIN 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 a sanitary sewer right-of-way and easement of widths as hereinafter specified over, under, and across private properties, all within the Borough of Monroeville as hereinafter set forth, 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 1401 et seq. of the Borough Code of 1927, as amended, and the Eminent Domain Code of 1964.

Section 4. The condemnees, as reasonably known to the Borough of Monroeville, and the center line 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 Nick Setz and Jean Setz, his wife, a right-of-way and easement ten (10) feet in width..

BEGINNING at a point on the dividing line between property of Franklin Brokers, Inc. and property of Nick Setz, et ux said point being South  $0^{\circ} 57' 30''$  West a distance of seventy-five (75) feet along said dividing line from the Southerly line of property now or formerly of Lamantia; thence through property of the said Setz, South  $80^{\circ} 3'$  West a distance of ninety-three (93) feet to a point; thence continuing through property of Setz North  $79^{\circ} 15'$  West, one hundred eight and  $5/10$  (108.5) feet to a point on the Easterly line of property now or formerly of Christine Samröck.

- (b) Across property of Morris Scoratow and Betty Scoratow, his wife, a right-of-way and easement ten (10) feet in width.

BEGINNING at a point on the dividing line between Lots Nos. 4 and 10 in the Medici Plan of Lots, as recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Volume 55, pages 54 and 55, said point being South 22° 31' 40" East along said dividing line, a distance of three and 75/100 (3.75) feet from the Southerly line of Lot No. 9 in said plan; thence across said Lot No. 4 South 82° 30' East, a distance of ninety (90) feet more or less to a point on the Southerly line of Lot No. 5 in said Plan.

- (c) Across property of Charles E. Black and Marjorie G. Black, his wife, a right-of-way and easement seven and one-half (7 1/2) feet in width.

BEGINNING at a point on the Easterly line of Haymaker Road at the dividing line between Lots Nos. 9 and 10 in the Medici Plan of Lots, as recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Volume 55, pages 54 and 55; thence along said dividing line North 83° 33' East, a distance of one hundred thirty and 71/100 (130.71) feet to a point on the Westerly line of Lot No. 4 in said Plan.

- (d) Across property of Carl Lubetsky a right-of-way and easement ten (10) feet in width.

BEGINNING at a point on the Westerly line of Saunders Station Road, said point being North 43° 37' West a distance of sixteen (16) feet along said line from the dividing line between Lots Nos. 4 and 5 in the Medici Plan of Lots, as recorded in the Recorder's Office of Allegheny County, Pennsylvania in Plan Book Volume 55, Pages 54 and 55; thence through said Lot No. 5 North 82° 30' West, a distance of sixty-seven (67) feet to a point on the Northerly line of Lot No. 4 in said plan.

Section 5. All descriptions set forth above are as established and shown on drawings prepared for the Borough of Monroeville by Thomas E. McMahon, Registered Engineer and Borough Engineer for the Borough of Monroeville.

Section 6. The Mayor, President of Council, Borough Secretary, and Solicitor are hereby authorized and directed to file a Declaration

of Taking of the rights-of-way and easements hereinabove described with the Prothonotary for the Court of Common Pleas of Allegheny County, Pennsylvania, and to prepare, execute, file, and record, as the case may be, such other papers and documents as may be deemed necessary by the Borough Solicitor to complete all actions for the taking of said easements, the use thereof, and the compensation therefor, all pursuant to the terms and requirements of the said Eminent Domain Code of the Commonwealth of Pennsylvania.

Section 7. 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 22nd day of April, 1965.

ATTEST:

BOROUGH OF MONROEVILLE

S/ Carrol F. Pickens,  
Secretary

By S/ Frank A. Witt  
President of Council

EXAMINED AND APPROVED this 23rd day of April, 1965.

S/ John J. Duncan,  
Mayor