

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AUTHORIZING THE TAKING, USING, APPROPRIATING AND CONDEMNING OF A PORTION OF PROPERTY OF BERNARD M. HALPERN AND IRVING J. HALPERN INDIVIDUALLY AND AS TRUSTEES, AND LILLIAN L. HALPERN, INDIVIDUALLY, FOR MUNICIPAL RECREATIONAL PURPOSES.

BE IT ORDAINED AND ENACTED by the Borough of Monroeville, in Council assembled, as follows:

Section 1. The Borough of Monroeville deems it necessary and proper to exercise its power of eminent domain for the acquisition by it of a portion of the property of Bernard M. Halpern and Irving J. Halpern, individually and as Trustees, and Lillian L. Halpern, hereinafter described, for municipal recreational purposes.

Section 2. The Borough of Monroeville hereby appropriates, takes and condemns title, in fee simple, in and to the following described parcel of land situate in the Borough of Monroeville, Allegheny County, Pennsylvania, to-wit:

ALL that certain lot or piece of ground situate in the Borough of Monroeville (formerly Patton Township), County of Allegheny and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the Saunders Station Road where land herein described and land now or late of Tomis Development Company, formerly of George B. Gray, et ux, corner on the Northerly right-of-way line of the Pennsylvania Railroad; thence from said point of beginning and extending along said Tomis Development land, and in part through or along said Saunders Station Road, the following two (2) courses and distances: North $15^{\circ} 09' 10''$ West 140.82 feet to a point in or along said road, North $31^{\circ} 29' 30''$ West 330.00 feet to a point at or near the intersection of said Saunders Station Road with Abers Creek Road; thence extending along said Tomis Development Co., formerly George B. Gray, et ux., and in part in and along said Abers Creek Road, North $35^{\circ} 06' 10''$ East 373.72 feet to a point; thence continuing by said Tomis Development Co.,

formerly George G. Gray, et ux., South $37^{\circ} 38' 10''$ East 113.73 feet to a point; thence by same, South $63^{\circ} 50' 10''$ East 279.4 feet to a point at or near the right-of-way of the Pennsylvania Turnpike; thence by said Turnpike the following three (3) courses and distances: - South $53^{\circ} 37' 30''$ East 365.83 feet to a point; South $64^{\circ} 52' 40''$ East 253.18 feet to a point and South $55^{\circ} 47' 10''$ East 172.34 feet to a point on the right-of-way of the Pennsylvania Railroad; thence following the Railroad right-of-way the following courses and distances: - Westwardly by a curve to the right with a radius of 377.4 feet an arc distance of 328.04 feet to a point; thence North $87^{\circ} 11' 20''$ West 613.00 feet to a point; and Southwestwardly by a curve to the left with a radius of 1147.7 feet, an arc distance of 85.5 feet to the point at the place of beginning, together therewith, any and all buildings and improvements including, but not limited to, swimming pool, tennis courts, clubhouse and related facilities.

Section 3. The condemnation hereunder is made pursuant to the authority granted to the Borough of Monroeville under Section 1501 et seq. of the Borough Code of 1966 and the Eminent Domain Code of 1964, as amended.

Section 4. The Condemnees as reasonably known to the Borough of Monroeville are Bernard M. Halpern and Irving J. Halpern individually and as Trustees, and Lillian L. Halpern individually, owners of the above-described tract. However, this condemnation shall be against such owners being the reputed owners, or whoever may be owner.

Section 5. The Mayor, President of Council, Borough Secretary and Solicitor are hereby authorized and directed to file a Declaration of Taking of the property hereinabove described with the Prothonotary of 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 property, the use thereof, and the compensation therefor if there be any due, all pursuant to the terms and requirements of said Eminent Domain Code of the Commonwealth of Pennsylvania.

Ordinance No. 875

-3-

Section 6. Any ordinance, resolution or part thereof in conflict with any of the provisions of this Ordinance, is hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED this 9th day of April, 1974.

BOROUGH OF MONROEVILLE

By: S/ George C. Dale
President of Council

ATTEST:

S/ Marshall W. Bond
Secretary

EXAMINED AND APPROVED this 16th day of April, 1974

S/ R.E. Droske
Mayor

Entered in Legal Book, April 25, 1974