

ORDINANCE NO. 1029

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE  
AUTHORIZING OFFICIALS TO ENTER A RELEASE AGREEMENT  
WITH HENRY G. IHRIG AND MARY KATHRYN IHRIG, HIS WIFE

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

SECTION I. The Municipal Officials of Monroeville are hereby authorized to enter a release agreement with Henry G. Ihrig and Mary Kathryn Ihrig, his wife and are hereby authorized to pay a value of Five Hundred (\$500.00) Dollars in consideration of receiving a completed release from any and all damages with respect to the Ihrig property located at 415 Beatty Road, Monroeville, Pennsylvania.

SECTION II. A copy of the release agreement is attached hereto and made a part hereof and marked Exhibit "A".

ORDAINED AND ENACTED this 13th day of July, 1976.

(SEAL)

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond  
Municipal Manager

S/ R. E. Droske  
Mayor

Entered in Legal Book July 26, 1976

EXHIBIT "A"

A G R E E M E N T

THIS AGREEMENT made by and between the MUNICIPALITY OF MONROEVILLE, having its principal place of business at 2700 Monroeville Boulevard, Monroeville, Allegheny County, Pennsylvania, formerly Borough of Monroeville, (hereinafter referred to as Municipality),

A  
N  
D

HENRY G. IHRIG and MARY KATHRYN IHRIG, his wife of 415 Beatty Road, Monroeville, Allegheny County, Pennsylvania, (hereinafter referred to as Owners).

W I T N E S S E T H:

WHEREAS, disputes and differences have arisen between the parties with respect to the sewer construction and maintenance of sewer lines adjacent to and across the Ihrig property known as 415 Beatty Road, Monroeville, Allegheny County, Pennsylvania.

WHEREAS, the Municipality has denied and continues to deny responsibility for any damages or cause of action claimed by the Owners and more specifically set forth in the Complaint by Owners at No. 3463 July Term, 1974 in the Court of Common Pleas of Allegheny County, Pennsylvania.

WHEREAS, the Owners have caused the aforesaid action to be filed alleging certain damages and making certain claims for relief.

WHEREAS, the parties hereto have determined to forever resolve their differences with respect to said action.

NOW THEREFORE, in consideration of the above and in consideration of the covenants herein contained and intending to be legally bound hereby, the parties hereto agree as follows:

1. The Owners hereby forever release the Municipality of Monroeville, formerly the Borough of Monroeville, from any and all claims, demands or cause of action of any nature with respect to any damages now or hereafter claimed concerning the construction or any storm sewer adjacent to or across the property of the Owners known as 415 Beatty Road, Monroeville, Pennsylvania.

2. The Municipality of Monroeville hereby agrees to pay to the Owners the sum of Five Hundred (\$500.00) Dollars and both parties acknowledge that the Municipality has constructed a storm sewer adjacent to, across and beneath the Ihrig property known as 415 Beatty Road, Monroeville, Pennsylvania, and that said construction caused to be performed by the Municipality is a part of the consideration of this release.

3. The Owners acknowledge that the County of Allegheny, a party to the above referenced suit, has agreed to pay a sum certain to the Plaintiff and has agreed to pay and be responsible for a portion of the expense related to the aforementioned storm sewer construction, specifically in the amount of Two Thousand Seven Hundred Fifty (\$2,750.00) Dollars which sum the Owners agree to pay over and remit to the Municipality of Monroeville upon receipt of the same by them for their Attorney John H. McDaniel or from the County of Allegheny.

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond  
Municipal Manager

S/ R. E. Droske  
Mayor

WITNESS:

S/ John H. McDaniel  
as to both

S/ Henry G. Ihrig  
S/ Mary Kathryn Ihrig