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AN ORDINANCE

An Ordinance authorizing the County of Allegheny (the "County") through its Department of Public Works and Law Department to acquire by condemnation a permanent right-of-way in fee simple and a temporary construction easement over one (1) parcel of land identified by the Allegheny County Department of Real Estate as Block & Lot #9911-X-00957-0000-00 (the "Property") being required for the Replacement of Fallen Timber Run Bridge No. 6 Over Fallen Timber Run located at the intersection of Roberts Hollow Road (County Road No. 4112-00) and Warren Hill Road (County Road No. 4215-00) in Forward Township, Allegheny County, Pennsylvania, and to take such further action as may be necessary under applicable law, including but not limited to the Eminent Domain Code.

Whereas, the County's Department of Public Works is presently engaged in the process of replacing Fallen Timber Run Bridge No. 6 Over Fallen Timber Run located at the intersection of Roberts Hollow Road (County Road No. 4112-00) and Warren Hill Road (County Road No. 4215-00) in Forward Township, Allegheny County, Pennsylvania (the "Project"); and

Whereas, the Project has been depicted in the right-of-way plan numbered 26211-RW entitled "Right-of-Way Plan for Replacement of Fallen Timber Run Bridge No. 6 (FT06) over UNT-Fallen Timber Run", County Project No. AA00-2024, approved on February 20, 2024, and recorded March 22, 2024 in the Allegheny County Department of Real Estate, Plans-HWY, Book 195, Page 56, attached hereto as "Exhibit A" (the "ROW Plan") and made a part hereof;

Whereas, the Project contemplates the acquisition of a permanent right-of-way in fee simple and a temporary construction easement over land identified by the Allegheny County Department of Real Estate as Block & Lot #9911-X-00957-0000-00 (the "Property"); and

Whereas, the Property is identified as being Parcel 9 in the ROW Plan; and

Whereas, the Property is owned by Abram J. Coheneur, evidenced by the Allegheny County Office of Property Assessments. There is no source deed for Parcel 9; and

Whereas, the Department of Public Works has conducted a diligent search and has been unable to identify any heirs of Abram J. Coheneur; and

Whereas, Parcel 9 has encumbering tax liens in excess of \$6,400; and

Whereas, due to the exhaustion of reasonable, good faith efforts to identify and locate the owners and heirs-at-law of Parcel 9, it is now necessary to authorize the acquisition of the Property through condemnation proceedings; and

Whereas, the Council recognizes that the Project constitutes a valid public purpose serving the interests of the residents of the County, and therefore deems it advisable to acquire the needed Property by condemnation.

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference as set forth in their entirety herein.

SECTION 2. Authorization to Acquire Property by Condemnation.

That Council deems it advisable and necessary to acquire by condemnation and does hereby authorize the County to acquire under the power of eminent domain certain property necessary for the Project described more particularly as follows:

Parcel 9 on Exhibit A owned by Abram J. Coheneur

Lot & Block Number: 9911-X-00957-0000-00

Property: Right of Way in fee simple 432 square feet; and

Temporary Easement 497 square feet

Estimated Just Compensation: \$700.00

SECTION 3. Notice to Interested Parties.

That Council directs the Department of Public Works in conjunction with the Law Department to notify interested parties as required by law of the adoption of this Ordinance with respect to property taken under the power of eminent domain.

SECTION 4. Application to Court.

That Council directs the Law Department to make immediate application to the Court of Common Pleas of Allegheny County for the purpose of having the value of said property legally ascertained.

SECTION 5. <u>Severability.</u>

If any provision of this Ordinance shall be determined to be unlawful, invalid, void, or unenforceable, then that provision shall be considered severable from the remaining provisions

of this Ordinance, which shall be in full force and effect.

SECTION 6.	Repealer.
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Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the some affects this Ordinance.

SECTION 7. <u>Effective Date.</u>

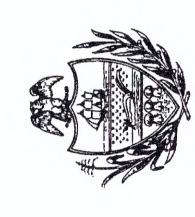
This Ordinance shall enter effect immediately upon its approval.

Enacted in Council, th	is day of		, 2024
Council Agenda No			
		Patrick Catena President of Council	
Attest:			
Jared B	arker lerk of Council		
Chief Executive Office			
Approved:			
	Sara Innamorato Chief Executive		
Attest:			
	Stephen E. Pilarski Acting County Manager		

Summary

Authorization to commence one (1) condemnation action (Parcel 9) in connection with the Replacement of Fallen Timber Run Bridge No. 6 Over Fallen Timber Run located at the intersection of Roberts Hollow Road (County Road No. 4112-00) in Forward Township and Warren Hill Road (County Road No. 4215-00) in Forward Township, Allegheny County, Pennsylvania.

MONONGAHELA & ELIZABETH ROAD #2 (4215-00) ELIZABETH ROAD (4112-00) TOWNSHIP FORWARD COUNTY -EGHENY



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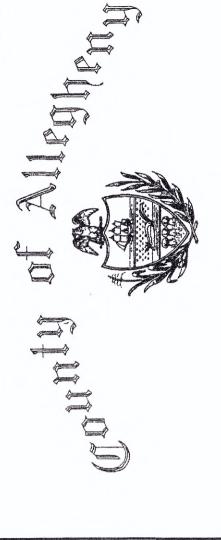
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BY THE COUNTY, EXECUTIVE, THROUGH THE MANAGER OF ALLEGHENY COUNTY. THIS PROJECT WAS AUTHORIZED FOR PROPERTY ACOUISITION BY THE ALLEGHENY COUNTY MANAGER.

APPROVED

pittsburgh, pennsylvania

DATE

COUNTY MANAGER

3-20-24

御orks 4 Department.

RIGHT-OF-WAY PLAN FOR REPLACEMENT

3/11/2024 DATE

PROJECT MANAGER

ALLEGHENY COUNTY DEPARTMENT OF PUBLIC WORKS

RECOMMENDED

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ECENCINEERS, I. 1370 WASHINGTON PIKE BRIDGEVILLE, PA. 15017 COMMONWEALTH OF PENNSYLVANIA REGISTERED PROFESSIONAL ENGINEER

PENNSYLVANIA VAL LAND SURVEYOR

COMMONWEALTH OF PEREGISTERED PROFESSIONAL

KAG ENGINEERING, INC. 2704 BROWNSVILLE ROAD PITTSBURGH, PA. 15227

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA COUNTY OF ALLEGHENY

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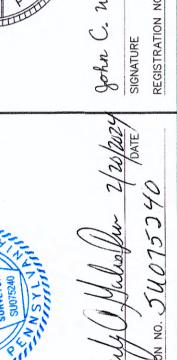
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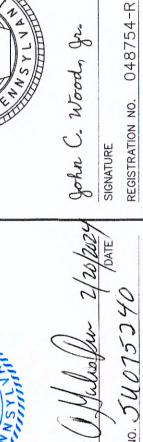












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- THE LEGAL RIGHT-OF WAY ON ELIZABETH ROAD (ROBERTS HOLLOW ROAD) FROM STA.59+00.00 TO STA.64+00.00 IS 33 FEET BASED ON THE ACT OF MAY 1, 1933, P.L. 103, SECTION 1105, AS AMENDED. IT HAS BEEN OPENED AND MAINTAINED FOR TWENTY-ONE (21) YEARS OR MORE BY ALLEGHENY COUNTY. THERE IS NO PUBLIC RECORD OF ANY OTHER WIDTH.
 - THE LEGAL RIGHT-OF WAY ON MONONGAHELA & ELIZABETH ROAD #2 (WARREN HILL ROAD) FROM STA.100+00.00 TO STA.102+31.67 IS 33 FEET BASED ON THE ACT OF MAY 1, 1933, P.L. 103, SECTION 1105, AS AMENDED. IT HAS BEEN OPENED AND MAINTAINED FOR TWENTY-ONE (21) YEARS OR MORE BY ALLEGHENY COUNTY. THERE IS NO PUBLIC RECORD OF ANY OTHER WIDTH.
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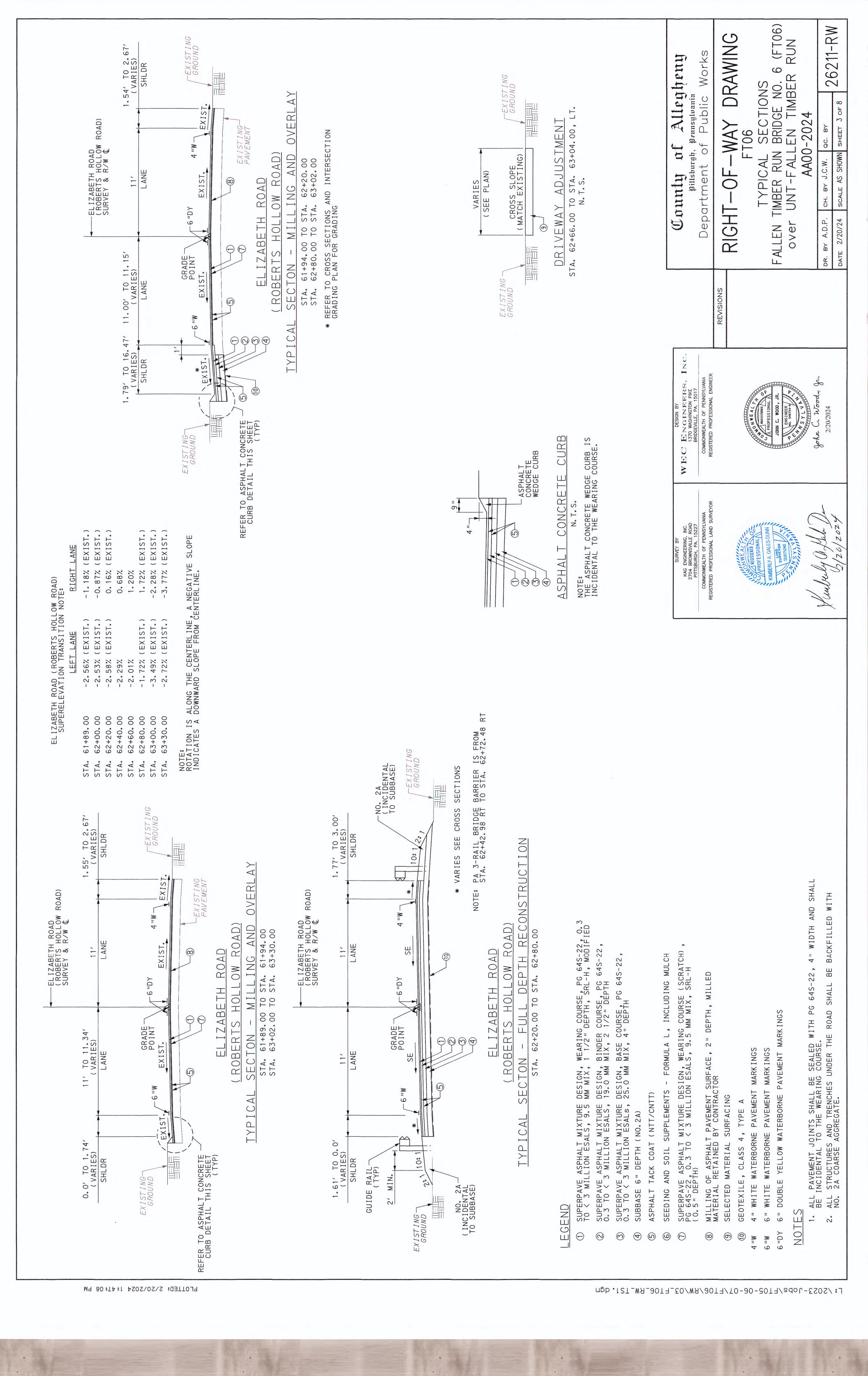
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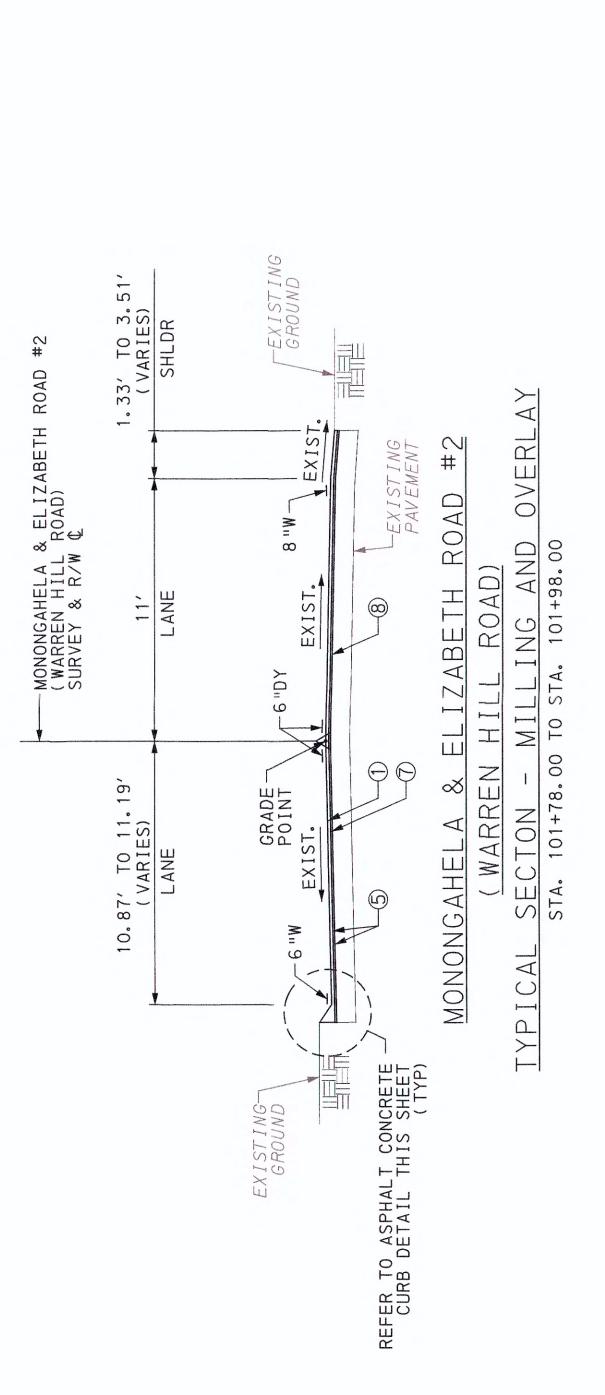
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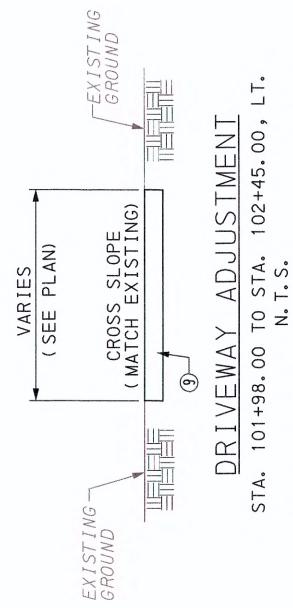
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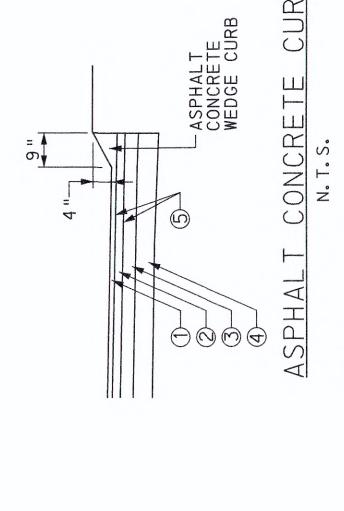
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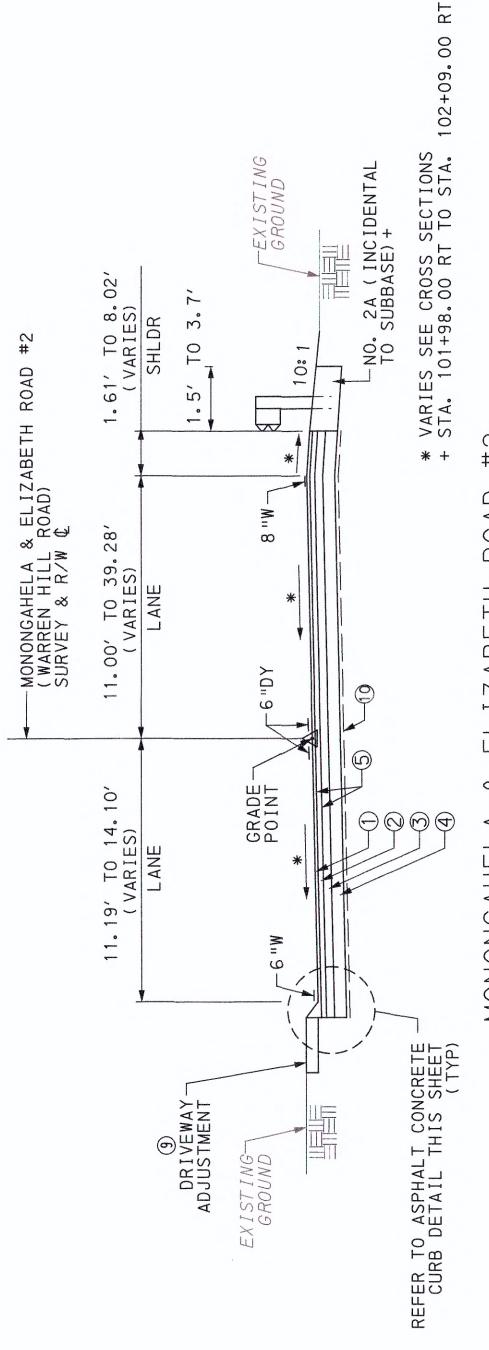








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- BINDER COURSE, PG 64S-22, MIX, 2 1/2" DEPTH DESIGN, 19.0 MM SUPERPAVE ASPHALT MIXTURE 0.3 TO < 3 MILLION ESALS, 0
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- MILLING OF ASPHALT PAVEMENT SURFACE, 2" DEPTH, MILLED MATERIAL RETAINED BY CONTRACTOR <u>@</u>
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1370 WASHINGTON PIKE
BRIDGEVILLE, PA. 15017
COMMONWEALTH OF PENNSYLVANIA
REGISTERED PROFESSIONAL ENGINEER 30 John C. Wood, 2/20/2024 KAG ENGINEERING, INC.
2704 BROWNSVILLE ROAD
PITTSBURGH, PA. 15227
COMMONWEALTH OF PENNSYLVANIA
REGISTERED PROFESSIONAL LAND SURVEYOR 4202/02/8

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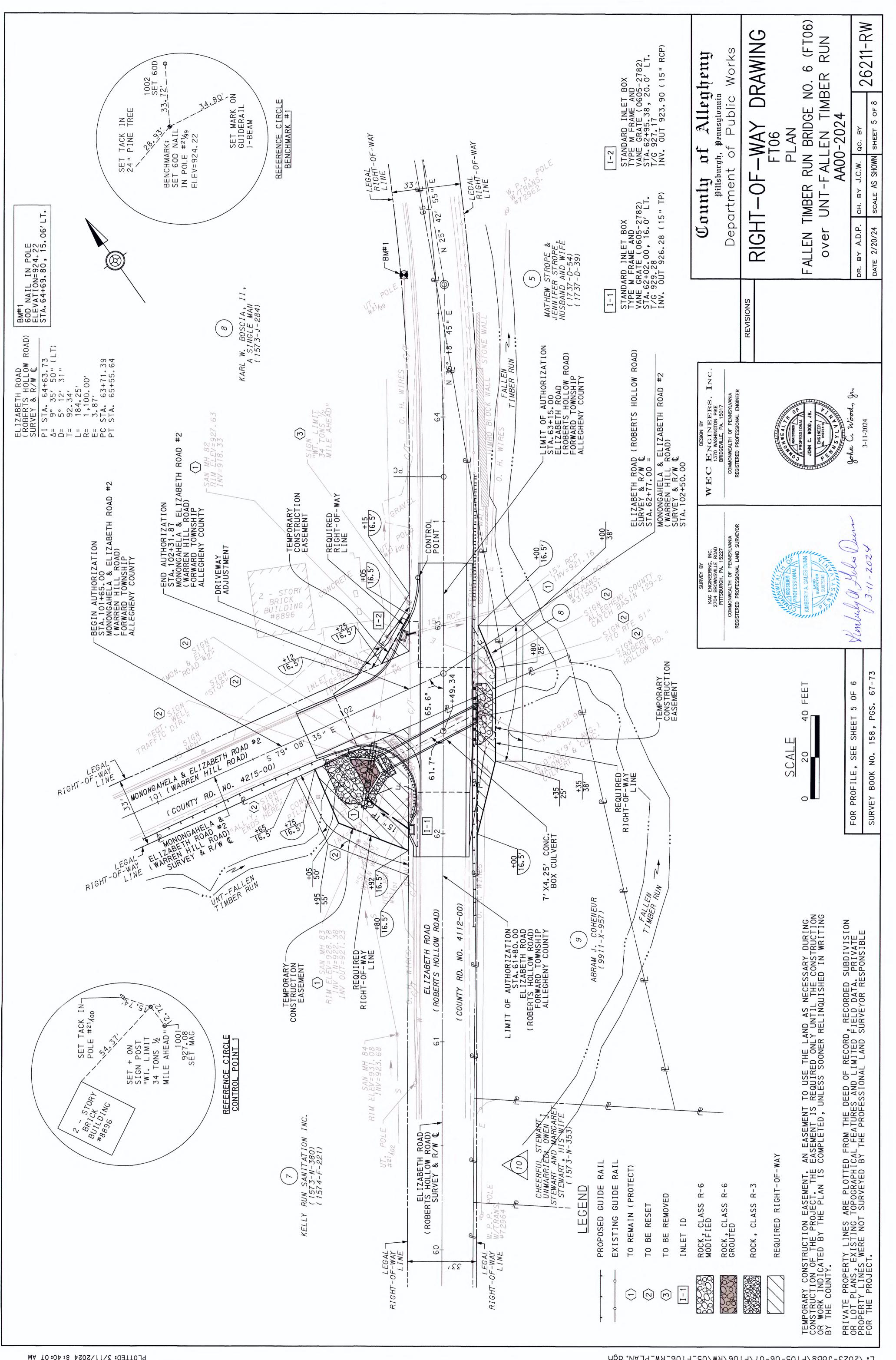
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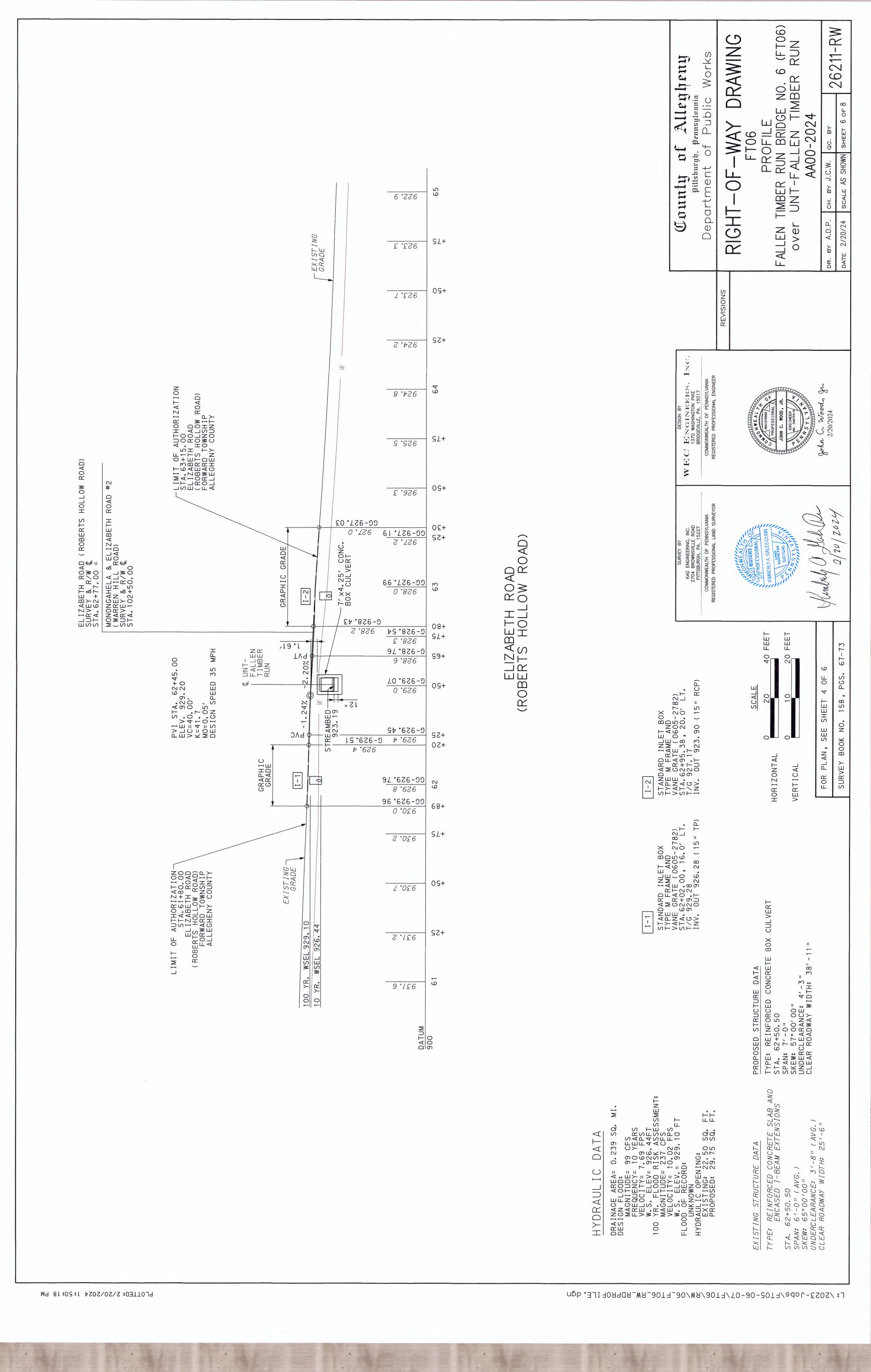
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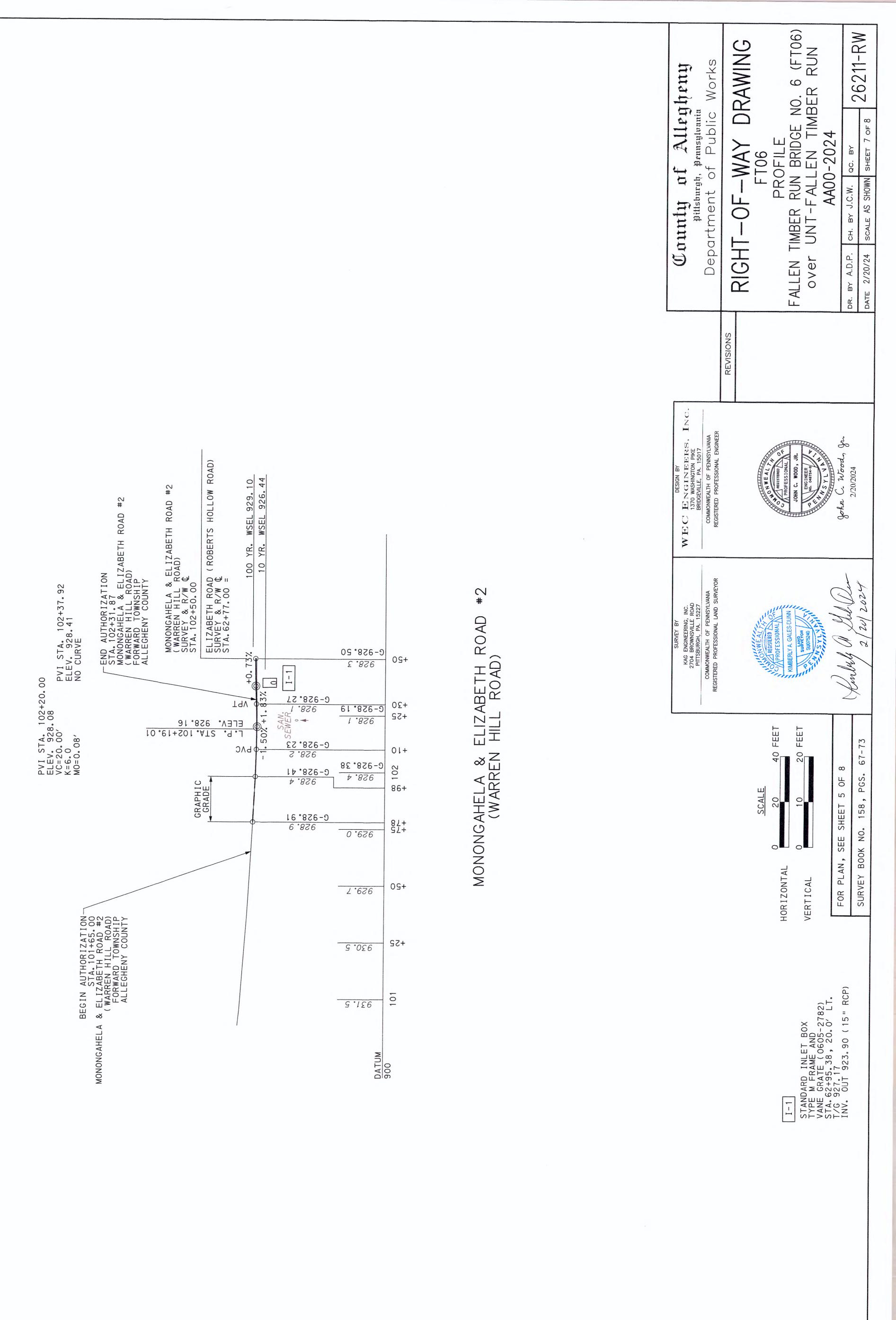
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2/20/24 ADP 0.0099 **ACRE** \forall ARE, WAY S REQUIRED ARE RIGHT OF WAY DRAINAGE TEMPORARY CONSTRUCTION EASEMENT ICATION BY -L V M ROPE VERIFI(DRAWN O.R S AIM INF(JENNIFER 0.2114 48, 1997 ACRES 48,4111 48, 1997 UNMARRI AND WIF 닝뇽 AREAS DEED CALCULATED ADVERSES LEGAL R/W EFFECTIVE TOTAL REQ'D R/W TOTAL RESIDUE RESIDUE LT RESIDUE RT R/W STROPE BELEJCHAK HUSBAND AND COUNTY V S MATHEW O ANNE 18961 389 05/10/2022 07/01/2022 54 1737-D 18961 389 05/10/2022 07/01/2022 39 1737-D S E E PLAN SHT. 5 PARCEL NO. 5 PROPERTY OWNER(S BETH 5 -DEED RECORD DEED RECORD a S BOOK BOOK GRANTOR(9 9F P P DEED PAGE DATE (DATE (LOT BLOCK LOT BLOCK DEED PAGE DATE DATE

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RIGHT-OF-WAY CLAIM INFORMATION COUNTY OF ALLEGHENY	ABRAN		DEED
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2/20/24 ADP ACRE 0.038 0.01 DATE 3 V REQUIRED ARE RIGHT OF WAY DRAINAGE TEMPORARY CONSTRUCTION EASEMENT S ARE Ξ VERIFICATION DRAWN BY WARREN INC. 1.5444*
2.6227
118.1020
0.0389
118.0631 ACRES 122, 2691 ΕV ATION SHIRL SANITA AND AREAS
DEED
CALCULATED
ADVERSES
LEGAL R/W
EFFECTIVE
TOTAL REQ'D R/W
TOTAL RESIDUE
RESIDUE LT
RESIDUE RT R/W WARREN RUN >-Å 8871 114 1/7/1992 12/17/1992 380 1573-N 114 1/7/1992 12/17/1992 221 1574-F \leq AM 8871 WILLI OWNER(10 DEED RECORD DEED RECORD PLAN SHT.__ PARCEL NO._ PROPERTY O S DEED BOOK PAGE DATE OF DEE BOOK GRANTOR(9 9 LOT BLOCK LOT BLOCK DEED PAGE DATE (DATE (

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PRIVATE PROPERTY LINES ARE PLOTTED FROM THE DEED OF RECORD, RECORDED SUBDIVISION OR LOT PLANS, EXISTING TOPOGRAPHICAL FEATURES AND LIMITED FIELD DATA. PRIVATE PROPERTY LINES WERE NOT SURVEYED BY THE PROFESSIONAL LAND SURVEYOR RESPONSIBLE FOR THE PROJECT.

TEMPORARY CONSTRUCTION EASEMENT. AN EASEMENT TO USE THE LAND AS NECESSARY DURING CONSTRUCTION OF THE PROJECT. THE EASEMENT IS REQUIRED ONLY UNTIL THE CONSTRUCTION OR WORK INDICATED BY THE PLAN IS COMPLETED, UNLESS SOONER RELINQUISHED IN WRITING BY THE DEPARTMENT.

INFORMATION IS NOT BOUNDARY SURVEY. CLAIM FOR A RIGHT-OF-WAY SUBSTITUTED THIS F TO BE

11-X-957		
RIGHT-C	RIGHT-OF-WAY CLAIM IN COUNTY OF ALLEGHENY	NFORMATION
ARCEL NO. 9 ROPERTY OWNER(S) ABRAM J. COHENEUR	RAM J. COHENEUR	
RANTOR(S)		
NO SOURCE DEED AVAILABLE ACE ATE OF DEED ATE OF RECORD OT OCK 9957 907	AREAS SF DEED CALCULATED 14,602 ADVERSES - 1756 LEGAL R/W 136 EFFECTIVE 14,466 TOTAL RESIDUE LT - 14,034 RESIDUE RT 14,034	REQUIRED AREA SF RIGHT OF WAY 432 DRAINAGE - 497 CONSTRUCTION EASEMENT VERIFICATION DATE 2/20/24 DRAWN BY ADP

CENGINEERS,
1370 WASHINGTON PIKE
BRIDGEVILLE, PA. 15017
COMMONWEALTH OF PENNSYLVANIA
REGISTERED PROFESSIONAL ENGINEER 2/20/2024 No EC KAG ENGINEERING, INC.
2704 BROWNSVILLE ROAD
PITTSBURGH, PA. 15227
COMMONWEALTH OF PENNSYLVANIA
REGISTERED PROFESSIONAL LAND SURVEYOR 24 50

PLAN SHT. 5 PARCEL NO. 8 PROPERTY OWNER(S) KARL W. BOSCIA, II, A SINGLE MAN GRANTOR(S) KATHLEEN M. WEGNER, EXECUTRIX OF THE ESTATE OF EUGENE	AREAS ACRES REQUIRED AREA ACRES
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PRIVATE PROPERTY LINES ARE PLOTTED FROM THE DEED OF RECORD, RECORDED SUBDIVISION OR LOT PLANS, EXISTING TOPOGRAPHICAL FEATURES AND LIMITED FIELD DATA. PRIVATE PROPERTY LINES WERE NOT SURVEYED BY THE PROFESSIONAL LAND SURVEYOR RESPONSIBLE FOR THE PROJECT.

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INFORMATION IS NOT BOUNDARY SURVEY. CLAIM FOR A GHT-OF-WAY UBSTITUTED RIS Ш TH IS Allegheny pennsylvania 4 pittsburgh, nunth

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ACRES

1.5444

TOTAL

ACRE

2003

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JENNIFER AND WIFE

STROPE & HUSBAND

MATHEW STROPE,

54

NO. 1737-D-PG 389

ACRE:

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115

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CHEERFUL STEWART, UNMARRIE OWEN J. STEWART AND MARGAR STEWART, HIS WIFE

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1573-

NO.

PORTION OF TAX PARCEL NO DBV 4910 PG

ACRE

 ∞ 22

o

RONALD HARDING AND MAUREEN HARDING, HUSBAND AND WIFE

9

35

NO. 1573-N-PG 462

ACRE

1.0000

SORICK

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JEFFREY

52

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ADVERSE EXCEPTIONS

1574-32

TAX PARCEL NO. DBV 17185 PG

DRAWIN Works Public WAY of Department RIGHT

REVISIONS

(90L ٤ 9 9 BLOCKS BRIDGE N S A 2 TWBEN ALLEN LL

FT06

ER RUN	WG-11090	20211 IVW	
FALLEN TIMB AA00-2024	QC. BY	SHEET 8 OF 8	
over UNT-FALLEN TIMBER RUN AA00-2024	DR. ВҮ А.Д.Р. СН. ВҮ J.С.W. QC. ВҮ	SCALE NONE	
over	DR. BY A.D.P.	DATE 2/20/24 SCALE NONE	

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