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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 temporary construction easements over two (2) parcels of land identified by the Allegheny County Department of Real Estate as Block & Lot #0374-M-00292-0000-00 and the second not bearing any Block & Lot number, both parcels being required for the Greensburg Pike (Penn Avenue Extension) (County Road No. 3139-01) Lateral Support Project (the "Project") located in Turtle Creek Borough, Allegheny County, 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 a project to provide additional lateral support for the Greenburg Pike Road (Penn Avenue Extension) located in Turtle Creek Borough, Allegheny County, Allegheny County (the "Project"); and

Whereas, the Project, has been depicted in the right-of-way plan numbered 2818-RW entitled "Right-of-Way Drawings Greensburg Pike Lateral Support at Station 4+70", County Project No. 3139-0103, approved March 13, 2024, and recorded March 22, 2024 in the Allegheny County Department of Real Estate, Plans-HWY, Book 195, Page 51, attached hereto as "Exhibit A" 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 #0374-M-00292-0000-00 (Parcel 2) and a temporary construction easement over land not bearing any block and lot number (Parcel 3) (collectively the "Property"); and

Whereas, the Property is identified as being portions of Parcels 2 and 3 in Exhibit A; and

Whereas, Parcel 2 is owned by Andrew Griffin, evidenced by indenture deed dated March 11, 1987 and recorded in the Allegheny County Department of Real Estate at Deed Book Volume 7525, Page 163; and Parcel 3 is owned by Thomas C. Robinson by indenture deed dated September 1, 1890 and recorded in the Allegheny County Department of Real Estate at Deed Book Volume 701, Page 505; and

Whereas, the Department of Public Works has conducted a diligent search and has been unable to identify any heirs of Andrew Griffin or Thomas C. Robinson; and

Whereas, Parcel 2 has tax liens in excess of \$22,000 encumbering the property; and

Whereas, due to the exhaustion of reasonable, good faith efforts to identify and locate the owners and heirs-at-law of Parcel 2 and Parcel 3, it is now necessary to authorize the acquisition of the Property through condemnation proceedings; and

Whereas, the County Council of Allegheny County 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. <u>Incorporation of the Preamble.</u>

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, under the power of eminent domain, certain property necessary for the Project described more particularly as follows:

Parcel 2 on Exhibit A owned by: Andrew Griffin, as per Deed Book Volume 7525,

Page 163

Lot & Block Number: 0374-M-00292-0000-00

Property: Required Right of Way in fee simple 345 square

feet; and Temporary Easement 1,064 square feet

Estimated Just Compensation: \$150.00

Parcel 3 on Exhibit A owned by: Thomas C. Robsinson, as per Deed Book Volume

701, Page 505

Lot & Block Number: None/Not assigned.

Property: Temporary Construction Easement 200 square

feet

Estimated Just Compensation: \$10.00

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. <u>Application to Court.</u>

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. Severability.

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.

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.

2024

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

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This Ordinance shall enter effect immediately upon its approval.

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| Council Agenda No | | |
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| | Patrick Catena | |
| | President of Council | |
| Attest: | | |
| Jared Barker | | |
| Chief Clerk of Counc | cil | |
| Chief Executive Office | , 2024 | |
| | | |

| 1pprovea: | Sara Innamorato |
|-----------|------------------------|
| | Chief Executive |
| | |
| | |
| lttest: | |
| Attest: | Stephen E. Pilarski |

Summary

Authorization to commence two (2) condemnation actions (Parcel 2 and Parcel 3) in connection with the Lateral Support at Station 4+70 located on Greensburg Pike (Penn Avenue Extension) County Road No. 3139-01 located in Turtle Creek Borough, Allegheny County.

INC. COUNTY PROJECT MANAGER KENNETH URBANEC P.E. DESIGNER D.STALKER, TRI-STATE DESIGN AND DEVELOPMENT **PREPARATION** PL AN

TOTAL SHEETS SECT I ON ROUTE * BOROUGH TURTLE CREEK TOWNSHIP WILKINS COUNTY ALLEGHENY DISTRICT

EXTENSION)

GREENBURG PIKE (PENN AVE

3139-01

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* COUNTY RD



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ACQUISITION DRAWINGS AUTHORIZING

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FOR

COUNTY ALLEGHENY

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THIS PLAN PREPARED PURSUANT TO SECTION 2003(e) OF THE ADMINISTRATIVE CODE, AS AMENDED, 71 P.S. SECTION 513(e), AND SECTION 302(b)(3) OF THE EMINENT DOMAIN CODE, 26 PG.C.S., SECTION 302(b)(3) AND SECTION 412 OF THE STATE HIGHWAY LAW, AS AMENDED, 36 P.S. 670-412 AND PURSUANT TO THE SECOND CLASS COUNTY CODE, ACT OF JULY 28, 1953, P.L. 723, AS AMENDED, AND PURSUANT TO THE ALLEGHENY COUNTY HOME RULE CHARTER LAW AND ALLEGHENY COUNTY HOME RULE CHARTER LAW AND ALLEGHENY COUNTY HOME RULE CHARTER LAW AND ALLEGHENY COUNTY ADMINISTRATIVE CODE.

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DESIGN SPEED
PAVEMENT WIDTH
SHOULDER WIDTH

Tri~State DESIGN & DEVELOPMENT
9 EAST MAIN STREET
CARNEGIE, PA 15106 PREPARED BY: ON THIS 13th DAY OF MCVCh, 2024 BEFORE ME, A NOTARY PUBLIC, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JENNIFER M. LIPTAK, KNOWN TO ME (OR SATISFACTORILY PROVEN)
TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAN COMPRISED OF 5 SEPARATE SHEETS, DATED AND ACKNOWLEDGED THAT SHE IS ONLY AUTHORIZED TO ACT AS COUNTY MANAGER AND EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. M M Allegheny County
My commission expires February 3, 2026
Commission number 1178120
HEREFREE HOSPINAMINING HOSPINAMI SS COMMONWEALTH OF PENNSYLVANIA COUNTY OF ALLEGHENY -IN WITNESS WHEREOF, OFFICIAL SEAL.

REGISTERED PROFESSIONAL SURVEYOR 3 phol 2/20/24 Ramen DATE

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2/20/24

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REGISTERED PROFESSIONAL ENGINEER REGISTERED PROFESSIONAL ENGINEER

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ASSISTANT DEPUTY DIRECTOR ROADS MANAGER PROJECT MANAGER Inly

8 2024 DATE

3/8/2024 DATE 3/8/2024 3/8/2624 DATE 3/8/2024 DATE

BOROUGH OF TURTLE CREEK, PENNSYLVANIA COUNTY PROJECT NO. 3139-0103 DATE: 2/20/24 | SCALE: AS NOTED | SHEET: 1 OF 5 CH. BY: RKH DES. BY: DES DR. BY: DES

4+70

GREENSBURG PIKE LATERAL SUPPORT AT STATION 4+70

2818-RW

RIGHT-OF-WAY

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DEPARTMENT OF PUBLIC WORKS

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701 RODI ROAD PITTSBURGH, PENNSYLVANIA

Tri~State Design & Development 9 East Main Street Carnegie, Pa 15106

PREPARED BY:

PREPARED BY:

RECOMMENDED

FOR

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13-13-2 LIPTAK, ALLEGHENY COUNTY MANAGER DA

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BY THE COUNTY EXECUTIVE, THROUGH THE MANAGER OF

ADOPTED

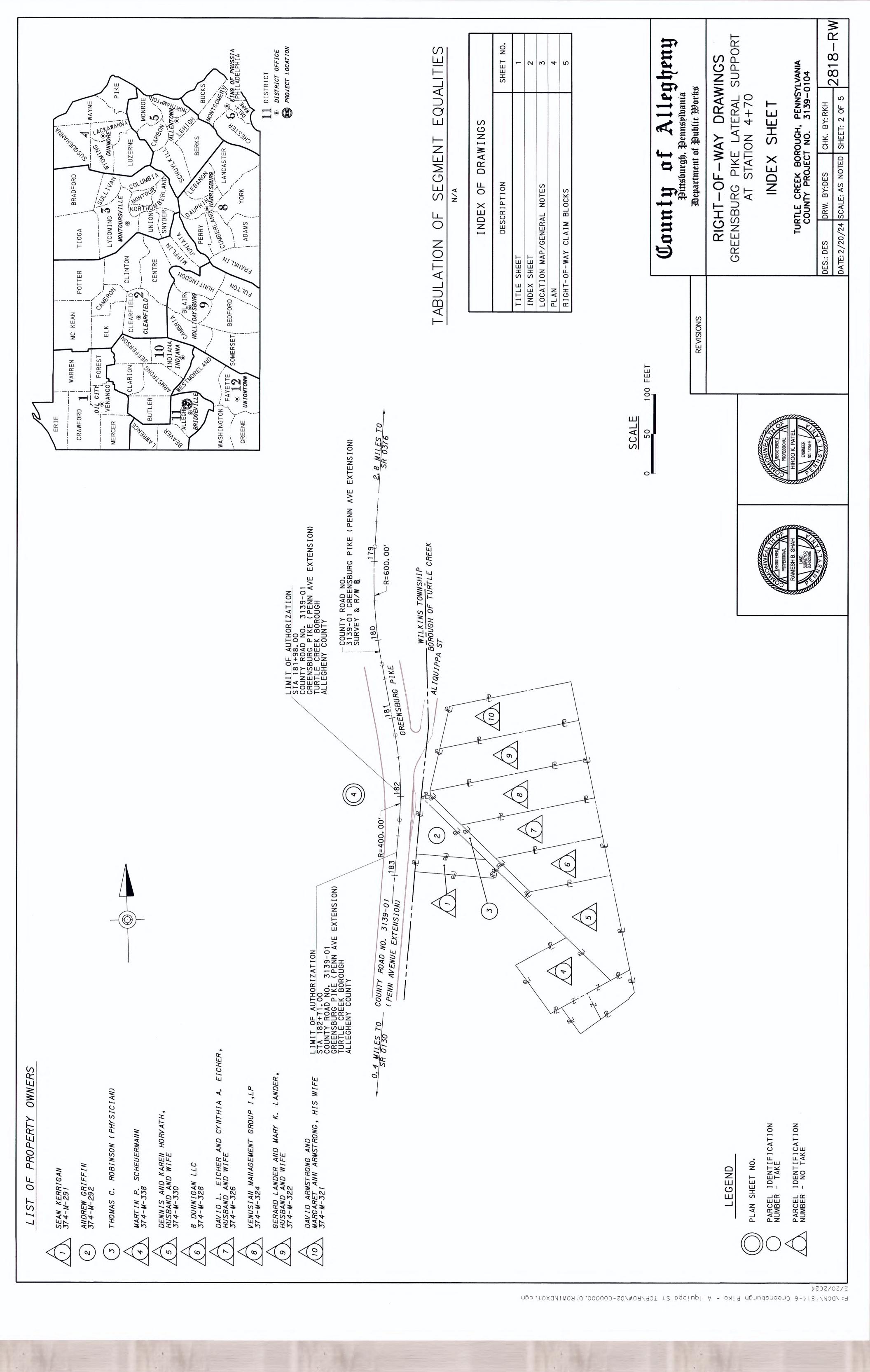
ALLEGHENY COUNTY, THIS PROJECT WAS AUTHORIZED

FOR PROPERTY ACQUISITION BY THE ALLEGHENY

COUNTY MANAGER.

MANAGER danglaro DATE: 2/20/2024 FILE: F:/DGN/1814-6 Greensburgh Pike - Aliquippa St TCP/ROW/01-C100000ROWTTLSH01.dgn

NOTARY PUBLIC



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|-----------|---|--|--|---|---|--|
| | (412)350-5927 | 1(800)746-0111 | 1 (800)837-4966 | (412) 393-6411 | (412)824-6650 EXT. 18 | (412)243-6200 |
| UTILITIES | ATTN: JEAN STATLER Jean. Statler@alleghenycounty.us | ATTN: MICHAEL DENNY MICHAEL. DENNY@PEOPLES-GAS. COM | ATTN: DEBORAH BARUM deborah. d. delia@verizon.com | ATTN: JIM RUNATZ JRUNATZ@DUQLIGHT, COM | ATTN: SCOTT MATTHEWS smatthews@wilkinstownship.com | ATTN: BRIAN BIANCHI bbiqnchi@wpiwq.com |
| PUBL I C | ALLEGHENY COUNTY DEPT.OF PUBLIC WORKS 542 FORBES AVENUE, PITTSBURGH, PA 15219 | PEOPLE'S GAS COMPANY, LLC 375 NORTH SHORE DRIVE PITTSBURGH, PA 15212 | VERIZON PENNSYLVANIA, LLC 1026 HAY ST PITTSBURGH, PA 15221 | DUQUESNE LIGHT COMPANY 2645 NEW BEAVER AVE PITTSBURGH, PA 15233 | WILKINS TOWNSHIP 110 PEFFER ROAD TURTLE CREEK, PA 15145 | WILKINSBURG PENN JOINT WATER AUTHORITY 2200 ROBINSON ROAD PITTSBURGH, PA 15221 |
| SYMBOL | STORM SEWER | 9 | CTV | — E — | STORM SEWER S | |

-1776 EK BOROUGH NO 1-800-242-- TURTLE CREE CALL SYSTEM, INC PHONE SERIAL NO: 20212652911 PA ONE DESIGN

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AVENUE

LIMIT OF AUTHORIZATION STA 181+98.00 COUNTY RD NO. 3139-01 GREENSBURG PIKE (PENN AV TURTLE CREEK BOROUGH ALLEGHENY COUNTY

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8 THE LEGAL RIGHT-OF-WAY ON GREENSBURG PIKE, COUNTY ROAD 3193-01 (PENN AVENUE EXTENSION) FROM STATION 181+98.00 TO STATION 182+71.00 VARIES BASED ON THE COURT OF QUARTER SESSIONS OF ALLEGHENY COUNTY, SEPTEMBER SESSIONS 1939, CONFIRMED ON JULY 31, 1939 AND RECORDED IN ROAD DOCKET VOLUME 10, PAGE 134.

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FOUR (4) PLACE COORDINATES ARE PURPOSES ONLY AND DO NOT IMPLY BEYOND TWO (2) PLACES.

NOTE:

THE LEGAL RIGHT-OF-WAY FOR ALIQUIPPA STREET IS 20 FEET BASED ON THE DR. T.C. ROBINSON'S ALBYN PLAN OF LOTS RECORDED ON NOV. 30, 1897, AND FILED IN THE OFFICE OF THE DEPARTMENT OF REAL ESTATE IN ALLEGHENY COUNTY IN PLAN BOOK VOLUME 16, PAGE 130.

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. ALL REQUIRED RIGHT-OF-WAY FOR THIS PROJECT SHALL BE ACQUIRED IN FEE SIMPLE UNLESS OTHERWISE NOTED. AREAS, IF ANY, NOT TO BE ACQUIRED IN FEE SIMPLE SHALL BE ACQUIRED IN THE LESSER ESTATE OF INTEREST NOTED ON THE PLAN SHEET.

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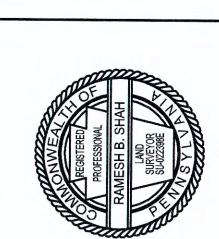
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THE FILING OF THIS PLAN IS NOT A CONDEMNATION OF THE PROPERTIES DESIGNATED THEREIN AND DOES NOT IN ANY MANNER WHATSOEVER RESTRICT THE USE OR DISPOSAL THEREOF; AUTHORIZATION TO CONDEMN UNDER THIS PLAN MAY BE OBTAINED BY THE PASSAGE OF AN ALLEGHENY COUNTY ORDANINCE, ENACTED BY THE ALLEGHENY COUNTY COUNTY ORDANINCE, FINDING IT ADVISABLE AND NECESSARY FOR ALLEGHENY COUNTY TO ACQUIRE CERTAIN PROPERTY NECESSARY FOR THE PROJECT DESCRIBED IN THIS PLAN UNDER THE POWER OF EMINENT DOMAIN.

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





RIGHT-OF-WAY DRAWING Department of Public Borks LATERAL ON 4+70 Pittsburgh, Pennsylvania NOTES STATION GREENSBURG PIKE GENERAL AT

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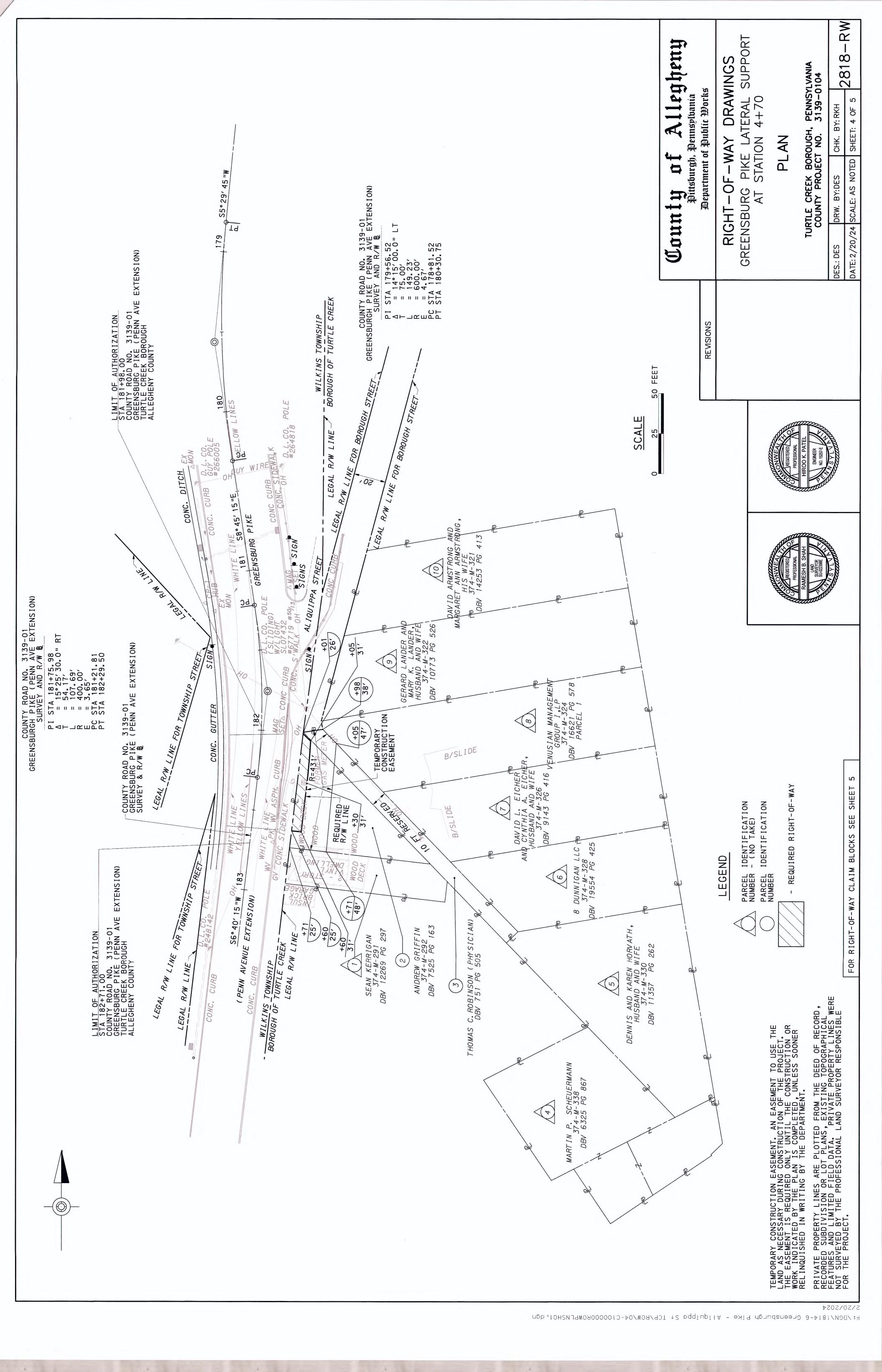
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ACRES

REQUIRED AREA CLAIM INFORMATION - DEPARTMENT OF PUBLIC WORKS VERIFICATION DATE DRAWN BY TEMP CONSTR ESMT REQ'D R/W 3189 345 2844 2844 AREAS
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RESIDUE RT OF-WAY ALLEGHENY STREET NAME GREENSBURG PIKE (PENN AVENUE E. PARCEL NO. 2 SHEET NO. 4 ANNE E. HUTCHINSON, EXECUTRIX ANDREW GRIFFIN T-01 RIGHT. 7525 163 3/11/1987 4/06/1987 \$1.00 \$123.41 374-M-292 PROPERTY OWNER(S) DEED BOOK PAGE DATE OF DEED DATE OF RECORD CONSIDERATION TAX STAMPS BLOCK AND LOT GRANTOR(S)

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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ACRES/SF STREET NAME GREENSBURG PIKE (PENN AVENUE EXTENSION) TURTLE CREEK BOROUGH ALLEGHENY COUNTY PARCEL NO. 3 RIGHT-OF-WAY CLAIM INFORMATION COUNTY OF ALLEGHENY - DEPARTMENT OF PUBLIC WORKS REQUIRED AREA THOMAS C. ROBINSON (PHYSICIAN) PROPERTY OWNER(S) GRANTOR(S)

2/15/24 TSDD 0.01/200 DATE TEMP CONSTR ESMT VERIFICATION DRAWN BY SCALE 0.041**
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0.041 ACRES#\$ 24.03 DEED BOOK PAGE DATE OF DEED DATE OF RECORD CONSIDERATION TAX STAMPS BLOCK AND LOT

*UNFEASIBLE TO CALCULATE DUE TO DEVELOPMENT OF ROADWAYS AND PROPERTIES INSIDE DEED BOUNDARY

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AS NOTED 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.

THIS PROPERTY PLOT PLAN IS NOT TO BE SUBSTITUTED FOR A BOUNDARY SURVEY.

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DATE: 2/20/24 SCALE: AS NOTED SHEET: 5 OF 5

Allegheny DRAWINGS TURTLE CREEK BOROUGH, PENNSYLVANIA COUNTY PROJECT NO. 3139-0104 County or ...
Pittsburgh, Pennsylbania Department of Public Borks GREENSBURG PIKE LATERAL AT STATION 4+70 CLAIM BLOCKS CHK. BY: RKH RIGHT-OF-WAY DRW. BY:DES DES.: DES REVISIONS

SUPPORT