

No. 05-22-OR

AN ORDINANCE

An Ordinance authorizing the County of Allegheny in conjunction with the Department of Public Works and the Law Department to acquire by condemnation, a permanent right-of-way in fee and a temporary construction easement from one (1) parcel required for the Crawford Run Road Culvert Replacement, Crawford Run Road (County Road No. 3092-02) over Crawford Run, East Deer Township, 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 Council of Allegheny County (the “Council”) deems it advisable to acquire by condemnation a permanent right-of-way and temporary construction easement (the “Property”) from one (1) parcel described hereinbelow that is required for the Crawford Run Road Culvert Replacement located at Crawford Run Road (County Road No. 3092-02) over Crawford Run, East Deer Township, Allegheny County (the “Project”); and

Whereas, the Project, has been depicted in certain right-of-way plans identified as RW 26187-R/W entitled Drawings Authorizing Acquisition of Right-of-Way for Replacement of Crawford Run Road Culvert Replacement, Project No. CE03-0301, East Deer Township approved April 9, 2021, recorded April 9, 2021, in the Allegheny County Department of Real Estate, Plans-Miscellaneous, Book 186, Page 70, and marked as Exhibit A” attached hereto and made a part hereof; and

Whereas, due to the passage of time it is now necessary to authorize the acquisition of the Property through condemnation proceedings following exhaustion of reasonable, good faith efforts to identify and to amicably acquire said property; and

Whereas, the Project constitutes a valid public purpose serving the interests of the residents of the County.

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

Parcel 3 – Rose Olean, widow

Lot/Block #959-C-88 and 959-C-84

Property: Right of Way in fee simple 320 square feet and Temporary Construction Easement 377 square feet.

FMV: \$500.00

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. 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 same affects this Ordinance.

Enacted in Council, this 8th day of February, 2022

Council Agenda No. 12169-22


~~Patrick J. Catena~~ John Palmiere
Vice President of Council

Attest: 
Jared Barker
Chief Clerk of Council

County Executive Office February 10th, 2022

Approved: 
Rich Fitzgerald
County Executive

Attest: 
Jennifer M. Liptak
Chief of Staff

Summary


Authorization to commence one (1) condemnation actions (Parcel 3) in connection with the Crawford Run Road Culvert Replacement located at Crawford Run Road (County Road No. 3092-02) over Crawford Run located in East Deer Township, Allegheny County.

COUNTY	TOWNSHIP	SECTION	QUARTER	DATE	SCALE
ALLEGHENY	EAST DEER	3		4/24/20	1" = 20'

* CRAWFORD RUN ROAD

WMS NO. 11644E

COUNTY OF ALLEGHENY



DEPARTMENT OF PUBLIC WORKS

DRAWINGS AUTHORIZING ACQUISITION

OF
RIGHT-OF-WAY
FOR
CULVERT REPLACEMENT
IN ALLEGHENY COUNTY

FROM STA. 50+20.00 TO STA. 51+30.00 LENGTH 110.00 FT. 0.021 MI.

THIS PLAN PREPARED PURSUANT TO SECTION 202(a) OF THE ADMINISTRATIVE CODE (TOWNSHIP CODE 26 Pa.C.S. - SECTION 302(b)(1), AND PURSUANT TO SECOND CLASS COUNTY CODE, HOME RULE CHARTER 147 AND ALLEGHENY COUNTY ADMINISTRATIVE CODE.

DESIGNATION

- HIGHWAY CLASSIFICATION - RURAL MAJOR COLLECTOR
- ROADWAY TYPOLOGY - SUBURBAN NEIGHBORHOODS
- DESIGN SPEED - 25 MPH
- PAVEMENT WIDTH - 2 - 10'-0" LANES (MATCH EXISTING)
- SHOULDER WIDTH - NONE (MATCH EXISTING)

TRAFFIC DATA

CURRENT YEAR ADT - 3568 (2020)
DESIGN YEAR ADT - 3568 (2040)



HORIZONTAL

RECORDED IN THE OFFICE FOR THE DEPARTMENT OF REAL ESTATE IN

ALLEGHENY COUNTY, PA.

IN PLANS-MISC BOX 185 PAGE 73

WITNESS MY HAND AND SEAL OF OFFICE

[Signature]

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF ALLEGHENY
ON THIS DAY OF 2020, BEFORE ME A NOTARY PUBLIC, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED WILLIAM D. MCKAIN, KNOWN TO ME (OR SATISFACTORILY PROVEN) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THESE PLANS AND WHOSE SIGNATURE IS SHOWN HEREON DATED 04/20 AND ACKNOWLEDGED THAT HE IS FULLY AUTHORIZED TO ACT AS COUNTY MANAGER AND EXECUTED THE SAME FOR THE PURPOSES THEREIN CONSTAINED.
IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL.

[Signature]
MY COMMISSION EXPIRES

PREPARED BY

MONALOH BASIN ENGINEERS
CORPORATION OF PENNSYLVANIA
REGISTERED PROFESSIONAL ENGINEERS

[Signature]
DATE: 5/21/2020

RECEIVED BY

SAI CONSULTANTS
CORPORATION OF PENNSYLVANIA
REGISTERED PROFESSIONAL ENGINEERS

[Signature]
DATE: 04-14-2020

ADOPTED

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

WILLIAM D. MCKAIN, COUNTY MANAGER
ON 4/24/2020 REGULATIVE ACTION NO. 33-1505

RECOMMENDED -

COUNTY OF ALLEGHENY
DEPARTMENT OF PUBLIC WORKS

[Signature] PROJECT MANAGER
[Signature] CHIEF BRIDGE ENGINEER
[Signature] ASSISTANT DEPUTY DIRECTOR
[Signature] COUNTY DIRECTOR
DATE: 4/24/20
DATE: 4/24/20



Pittsburgh, Pennsylvania
Department of Public Works
DRAWINGS AUTHORIZING ACQUISITION
FOR REPLACEMENT OF
FOR REPLACEMENT OF

CRAWFORD RUN ROAD
CULVERT REPLACEMENT

PROJECT NO. CE03-0301
EAST DEER TOWNSHIP
DRAWN BY: ETB
DATE: 04/20/20
SCALE: AS SHOWN
SHEET 1 OF 3
26187-R/W



RIGHT-OF-WAY CLAIM INFORMATION
 COUNTY OF ALLEGHENY - DEPARTMENT OF PUBLIC WORKS
 COUNTY ROAD CRAWFORD RUN ROAD
 PARCEL NO. 1 SHEET NO. 1 CLAIM NO. ALLEGHENY COUNTY
 PROPERTY OWNER(S) JOHN P. BONGIOVANNI, AND UNMARRIED INDIVIDUAL
 GRANTOR(S) ELIZABETH L. FANOT, WIDOW

AREAS		ACRES	REQUIRED AREA	SF / AC
DEED BOOK	13112		RIGHT OF WAY	920/0.021
PAGE	12	67.701	TEMPORARY CONSTRUCTION EASEMENT	1445/0.034
DATE OF DEED	12/21/2006			
ADVERSES	0.319			
DATE OF RECORD	01/02/2007			
LEGAL R/W	0.472			
CONSIDERATION	\$1,500.00			
TAX STAMPS				
TOTAL REQ'D R/W	0.021			
TAX PARCEL NUMBER	959-D-25	67.361	VERIFICATION DATE	3/26/2020
		52.351	DRAIN BY	SAI
			RESIDUE LT	
			RESIDUE RT	

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 THIS PROJECT.

*JOHN P. BONGIOVANNI, TRUSTEE OF THE JOHN BONGIOVANNI 2006 REVOCABLE TRUST DATED NOVEMBER 1, 2006.

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

RIGHT-OF-WAY CLAIM INFORMATION
 COUNTY OF ALLEGHENY - DEPARTMENT OF PUBLIC WORKS
 COUNTY ROAD CRAWFORD RUN ROAD
 PARCEL NO. 2 SHEET NO. 1 CLAIM NO. ALLEGHENY COUNTY
 PROPERTY OWNER(S) GREGORY S. YAMORSKI AND LYNN M. YAMORSKI, HIS WIFE
 GRANTOR(S) ELIZABETH L. FANOT, WIDOW

AREAS		SF	REQUIRED AREA	SF
DEED BOOK	5631		RIGHT OF WAY	52
PAGE	321	21152	TEMPORARY CONSTRUCTION EASEMENT	374
DATE OF DEED	03/16/1975			
ADVERSES	1412			
DATE OF RECORD	08/17/1975	17470		
LEGAL R/W				
CONSIDERATION	\$18,000.00			
TAX STAMPS				
TOTAL REQ'D R/W		48	VERIFICATION DATE	3/26/2020
TAX PARCEL NUMBER	959-C-52	19682	DRAIN BY	SAI
			RESIDUE LT	
			RESIDUE RT	

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

RIGHT-OF-WAY CLAIM INFORMATION
 COUNTY OF ALLEGHENY - DEPARTMENT OF PUBLIC WORKS
 COUNTY ROAD CRAWFORD RUN ROAD
 PARCEL NO. 3 SHEET NO. 1 CLAIM NO. ALLEGHENY COUNTY
 PROPERTY OWNER(S) GEORGE OLEAK AND ROSE OLEAK, HIS WIFE
 GRANTOR(S) GEORGE OLEAK AND ROSE OLEAK, HIS WIFE
 111 JOHN SOCHARA, WIDOWER
 671 LOUIS LEHORSKY AND CHRISTINE LEHORSKY, HIS WIFE

AREAS		SF	REQUIRED AREA	SF
DEED BOOK	111		RIGHT OF WAY	320
PAGE	463	22477	TEMPORARY CONSTRUCTION EASEMENT	377
DATE OF DEED	07/14/1964			
ADVERSES	1571			
DATE OF RECORD	07/15/1964	20906		
LEGAL R/W				
CONSIDERATION	\$6,500.00			
TAX STAMPS	855.00			
TOTAL REQ'D R/W	320		VERIFICATION DATE	3/26/2020
TAX PARCEL NUMBER	959-C-88	20986	DRAIN BY	SAI
			RESIDUE LT	
			RESIDUE RT	

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County of Allegheny
 Department of Public Works

RIGHT-OF-WAY CLAIM BLOCKS

FOR RECONSTRUCTION OF
 CRAWFORD RUN ROAD
 CULVERT REPLACEMENT
 PROJECT NO. CED-0301
 EAST DEER TOWNSHIP

DATE 4-14-20 26187-RW



REVISIONS

M E M O R A N D U M
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: January 20, 2022

RE: Proposed Ordinance

Attached is an Ordinance authorizing the County of Allegheny in conjunction with the Department of Public Works and the Law Department to acquire by condemnation, a permanent right-of-way in fee and a temporary construction easement from one (1) parcel required for the Crawford Run Road Culvert Replacement, Crawford Run Road (County Road No. 3092-02) over Crawford Run, East Deer Township, Allegheny County and to take such further action as may be necessary under applicable law, including but not limited to the Eminent Domain Code.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.