OHIO TOWNSHIP

ORDINANCE NO. 62

AN ORDINANCE CONDEMNING RIGHTS OF WAY IN AND OVER CERTAIN PRIVATE PROPERTIES IN SEWER DISTRICT NO. 1 FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF PUBLIC SANITARY SEWERS IN SAID SEWER DISTRICT AND PROVIDING FOR THE ASSESSMENT OF THE COSTS, DAMAGES AND EXPENSES THEREOF.

WHEREAS Ohio Township Ordinance No. 61, ordained and enacted September 18, 1963, created Ohio Township Sewer District No. 1 and authorized the construction of sanitary sewers therein to serve the properties situated within said sewer district in accordance with certain plans and specifications of L. Robert Kimball, Consulting Engineers, and

WHEREAS the Board of Supervisors deems it to be necessary and expedient to construct said parts of said sanitary sewers in and under certain private properties in said sewer district,

NOW THEREFORE BE IT ORDAINED AND ENACTED by the Board of Supervisors of Ohio Township, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same that:

Section 1. The Township of Ohio, acting in accordance with its powers of eminent domain under the laws of the Commonwealth of Pennsylvania, does hereby take, appropriate and condemn for public use the following rights of way, 20 feet wide, over and under the following described properties of the hereinafter named owners thereof, their heirs, personal representatives, successors, grantees or assigns, together with the right of ingress, egress and regress to and from the same and the right to use the land necessary in, above and around or on said rights of way for the proper installation of sanitary sewers with the right of ingress, egress and regress

to and from the same for the purpose of constructing, maintaining, laying, reconstructing or removing said sanitary sewers. Said sanitary sewers to be constructed on the rights of way hereby condemned are shown on plans dated August, 1963 of L. Robert Kimball, Consulting Engineers, marked Sanitary Sewer Plans for Ohio Township, which plans are incorporated herein by reference thereto and are on file in the office of Ohio Township, 1719 Roosevelt Road, Ohio Township, Pennsylvania, where the same may be examined. The owners of property together with the description of the property owned by them, over which rights of way hereby condemned are situated, are as follows:

a. Edward Kohler and Bertha C. Kohler, his wife, Lot No. 30, Thompson Terrace Plan of Lots, No. 2, as recorded in Plan Book Vol. 55, page 30.

b. Charles M. Rhoades and Mary Grace Rhoades, his wife, Lot No. 1, Thompson Terrace Plan of Lots No. 1, as recorded in Plan Book Vol. 48, page 1.

c. Luella N. Krah and Edward W. Krah, her husband, Lot No. 2, Thompson Terrace Plan of Lots No. 1, as recorded in Plan Book Vol. 48, page 1.

d. James A. Emmert and Grace A. Emmert, his wife, Lot No. 3, Thompson Terrace Plan of Lots No. 1, as recorded in Plan Book Vol. 48, page 1.

e. Elmer C. Thompson and Alice O. Thompson, Lot No. 4, Thompson Terrace Plan of Lots No. 1, as recorded in Plan Book Vol. 48, page 1.

f. Mt. Nebo United Presbyterian Church, lot approx. 371.25 x 176.55 on northerly side of Old Mt. Nebo Road immediately adjoining Thompson Terrace Plan of Lots Nos.1 and 2.

g. Charles W. Thompson and Pearl D. Thompson, his wife, Lots Nos. 38, 39, 40, 46 and 47, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

h. Edward J. Thieret, Lot No. 41, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

i. Harry M. Foster and Ethel E. Foster, his wife, Lot No. 42 Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

j. Loyd R. Freyermuth and Nancy A. Freyermuth, his wife, Lot No. 43, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

k. Harold B. Foster and Joan M. Foster, his wife, Lot No. 44, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

l. Robert J. Heil and Elizabeth Heil, his wife, Lot No. 45, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

m. Charles E. Haefner, Lot No. 48 in the Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

n. Jerome H. Butzynski and Dolores Ann Butzynski, his wife, Lot No. 49, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

o. Harold M. Weston, Lots Nos. 73, 72, 71, 70, 69, 68, 67, 66 and an adjoining unnumbered plot of ground, Thompson Terrace Plan of Lots No. 4, as recorded in Plan Book Vol. 59, page 88.

p. Jack Pfitzenmeier and Clara Pfitzenmeier, his wife, Lot No. 26, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

q. Nicholas G. Flevaris and Hazel M. Flevaris, his wife, Lot No. 37 Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

r. Ralph I. Carettie and Constance Carettie, his wife, Lot No. 36, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

s. Edward D. Andrews and Nancy J. Andrews, his wife, Lot No. 35, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

t. Thomas J. Conley and Catherine Ruth Leya Conley, his wife, Lot No. 34, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

u. Calvin C. Langhurst and Nancy D. Langhurst, his wife, Lot No. 14, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

v. Joseph H. Blum and Mabel E. Blum, his wife, Lot No. 15, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

w. David Nixon, Jr. and Marjorie Nixon, his wife, Lot No. 16, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

x. Herman M. Faust and Catherine M. Faust, his wife, Lot No. 17, Thompson Terrace Plan of Lots No. 2, as recorded in Plan Book Vol. 55, page 30.

Section 2. Upon the enactment of this Ordinance the Township Solicitor is authorized and directed to prepare the bond of the Township as security for the payment of the damages for the appropriating, taking and condemning of said rights of way and to tender the same to the owners of property hereinbefore enumerated. If said persons or any of them refuse to accept the same the Township Solicitor is then authorized and directed to file the same in the proper court of Allegheny County as provided by law in order to permit the Township to have the right of immediate possession of the rights of way herein taken. The costs and expenses for the construction of said sanitary sewers shall be collected from the properties specified benefited and abutting upon said sewers in the manner as now prescribed by law for the assessment of benefits and damages.

ORDAINED AND ENACTED this 1 day of November, 1963.

OHIO TOWNSHIP BOARD OF SUPERVISORS

By Robert C Rossman
Chairman

ATTEST:

E J Stephenson
Secretary