

TOWNSHIP OF OHIO
ORDINANCE NO. 84

AN ORDINANCE CONDEMNING RIGHTS OF WAY IN AND OVER CERTAIN PRIVATE PROPERTIES SITUATED IN THE TOWNSHIP OF OHIO, ALLEGHENY COUNTY, PENNSYLVANIA FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING A PUBLIC SANITARY SEWER TO BE LOCATED IN THE BEAR RUN DRAINAGE AREA OF SAID TOWNSHIP.

WHEREAS, the said Township did by Resolution No. 19-68 dated November 13, 1968, give notice as required by law of the construction of a sanitary sewer line to be located in the Bear Run Drainage Area of said Township, and

WHEREAS, the said Township entered into an Agreement dated March 6, 1968, with the Avonworth School District to construct a sanitary sewer in the Bear Run Drainage Area as more particularly set forth therein, and

WHEREAS, the Board of Supervisors deems it to be necessary and expedient to construct said sanitary sewer in and under certain private properties located in the Bear Run Drainage Area,

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 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, twenty 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 rights of ingress, egress and regress to and from the same and the right to use the land necessary in, above, around or on said rights of way for the proper installation of a sanitary sewer 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 sewer. Said sanitary sewer to be constructed on the rights of way hereby condemned is shown on Plans dated June, 1969 of Green Engineering Company, Sewickley, Pennsylvania entitled, "PROPOSED 20' SEWER EASEMENT FOR BEAR RUN INTERCEPTOR, DRAWING NO. 6607X9-S-1," which plans are on file in the Municipal Building of Ohio Township, 1719 Roosevelt Road, Ohio Township, Pennsylvania, where the same may be examined.

Section 2. 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). The land of Ralph C. Martin and Margaret K. Martin, his wife, of the Township of Ohio, County of Allegheny, Commonwealth of Pennsylvania as more particularly described in the Deed dated October 27, 1937 from

Luther A. Hare, Secretary of Banking of the Commonwealth of Pennsylvania, Receiver of the Real Estate Savings & Trust Company of Allegheny, a corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania, by J. C. Brennan, Deputy Receiver, Grantor, recorded in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania in Deed Book Volume 2576, Page 663.

(b). The land of Raymond E. Riddle, unmarried, of the Township of Ohio, County of Allegheny, Commonwealth of Pennsylvania as more particularly described in the Deed dated September 5, 1956 from Margaret Cecelia Arigliano of the Township of Ohio, County of Allegheny, Commonwealth of Pennsylvania, grantor, recorded in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania in Deed Book Volume 3527, Page 79.

(c). The land of Matt L. Zimmer and Anne Zimmer, his wife, of Allegheny County, Pennsylvania as more particularly described in the Deed dated January 11, 1955, from Ann Salzer and Fred K. Salzer, her husband, of Ohio Township, Allegheny County, Commonwealth of Pennsylvania, grantors, recorded in the Office of the Recorder of Deeds of Allegheny County, in Deed Book Volume 3385, Page 480.

(d). The land of Anthony P. Schawalder and Amanda C. Schawalder, his wife, of Allegheny County, Commonwealth of Pennsylvania as more particularly described in the Deed dated December 5, 1960, from J. Paul

Birsic and Mary M. Birsic, his wife, of the Township of Ohio, County of Allegheny, Commonwealth of Pennsylvania, recorded in the Office of the Recorder of Deeds of Allegheny County, in Deed Book Volume 3883, Page 177.

(e). The land of Robert J. Kaufman and Harold M. Sedar, both of the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania as more particularly described in the Deed dated October 27, 1961, from Ralph C. Martin and Margaret K. Martin, his wife, of the Township of Ohio, County of Allegheny, Commonwealth of Pennsylvania, recorded in the Office of the Recorder of Deeds of Allegheny County in Deed Book Volume 3957, Page 273.


Section 3. Upon the enactment of this Ordinance, the Township Solicitor is authorized and directed to prepare and file in the Court of Common Pleas of Allegheny County, Pennsylvania, a Declaration of Taking, and to proceed in accordance with the provisions of the Act of June 22, 1964 P.L. 84 known as the Eminent Domain Code.

ORDAINED AND ENACTED this 15TH day of October, 1969.

ATTEST:


Secretary

TOWNSHIP OF OHIO

By 
Chairman,
Board of Supervisors