

Bill No. 1473-04

No. 08-04-OR

AN ORDINANCE

Ordinance of the County of Allegheny, at the request of the Allegheny County Airport Authority for purposes of development, authorizing the acquisition by condemnation of certain coal, oil, gas, limestone, and mineral properties, with appurtenant mining rights, and certain private roads, pipelines, reversionary interests, gaps and gores situate in the Townships of Findlay and Moon, County of Allegheny, Commonwealth of Pennsylvania, located contiguous to real property owned by Allegheny County in the area of the Pittsburgh International Airport and designated as the Mineral Estates Plan of Acquisition – Phase VI (“ME VI”)

Whereas, the Allegheny County Airport Authority (“Authority”) was created by the County of Allegheny (“County”) to operate County’s airports and encourage the development of the area surrounding the Pittsburgh International Airport; and

Whereas, the Authority has requested that the County of Allegheny to acquire by condemnation, for the purpose of developing land surrounding the Pittsburgh International Airport, certain coal, oil, gas, limestone, and mineral properties with appurtenant mining rights and certain private roads, pipelines, reversionary interests, gaps and gores situate in the Townships of Findlay and Moon, Allegheny County, Pennsylvania, located contiguous to real property owned by Allegheny County in the area of the Pittsburgh International Airport and designated as the Mineral Estates Plan of Acquisition – Phase VI (“ME VI”); and

Whereas, the County of Allegheny deems it advisable to acquire by condemnation, certain coal, oil, gas, limestone, and mineral properties with appurtenant mining rights and certain private roads, pipelines, reversionary interests, gaps and gores situate in the Townships of Findlay and Moon, Allegheny County, Pennsylvania, located in the area of the Pittsburgh International Airport and designated as the Mineral Estates Plan of Acquisition – Phase VI (“ME VI”); and

Whereas, there are now outstanding of record certain mineral and leasehold estates which constitute encumbrances of title and the County is desirous and intends to acquire all of said outstanding mineral estates and leasehold estates by deeds of conveyance or quitclaim or by condemnation, and thus to extinguish all of said outstanding mineral and leasehold estates; and

Whereas, the County now deems it advisable to acquire by condemnation the mineral estates and leasehold interests in the Townships of Findlay and Moon, Allegheny County, Pennsylvania, hereinafter described, in order that title to the same shall be vested in the County, freed and discharged of all encumbrances.

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 in their entirety herein.

SECTION 2. AUTHORIZATION TO CLEAR RIGHT-OF-WAY.

Council deems it advisable and necessary to authorize, and hereby does authorize, the Allegheny County Law Department to obtain appraisals and title reports, to negotiate and acquire the required rights-of-way and easements, to prepare the necessary petitions, resolutions and all other documents, including, but not limited to Declarations of Taking, Petitions to Deposit Estimated Just Compensation into Court and Petitions for Appointment of Viewers, all or some of which may be required to condemn, certain coal, oil, gas, limestone, and mineral properties with appurtenant mining rights and certain private roads, pipelines, reversionary interests, gaps and gores situate in the Townships of Findlay and Moon, Allegheny County, Pennsylvania, located in the area of the Pittsburgh International Airport and designated as the Mineral Estates Plan of Acquisition – Phase VI (“ME VI”)

SECTION 3. AUTHORIZATION TO ACQUIRE PROPERTY BY CONDEMNATION.

Council deems it advisable and necessary to take under the right of eminent domain the property of the following persons or corporations and to acquire title thereto in fee simple:

A statement of the property and mineral interests being condemned and hereby taken (which are located in Moon and Findlay Townships, Allegheny County, Pennsylvania, is more particularly set forth in Exhibit “A” hereto attached. Also a plan of the property hereby taken and condemned is hereto attached and marked Exhibit “B”. The plan of the property being taken and condemned has been designated the “Mineral Estate Plan of Acquisition – Phase VI” and has also been filed with the Planning Department in the Office of the Recorder of Deeds of Allegheny County, and is attached hereto as Exhibit “C”.

Council hereby authorizes the County to take under the right of eminent domain, the property described above.

SECTION 4. NOTICE TO INTERESTED PARTIES.

That immediate notice of this Ordinance shall be given to parties interested therein.

SECTION 5. APPLICATION TO COURT.

The Allegheny County Law Department is hereby directed to make application immediately to the Court of Common Pleas of Allegheny County for the purpose of having the value of said property legally ascertained.

SECTION 6. 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 continue in full force and effect.*

SECTION 7. REPEALER. *Any ordinance or any part of an Ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extend of such conflict.*

Enacted in Council, this 6th day of April, 2004.

Council Agenda No. 1473-04.



Rich Fitzgerald
President of Council

Attest: John Mascio
John Mascio
Chief Clerk of Council

Chief Executive Office April 15, 2004.

Approved: Dan Onorato
Dan Onorato
Chief Executive

Attest: Donna Beltz
Donna Beltz
Executive's Secretary

DESCRIPTION OF PROPERTY AND INTERESTS BEING CONDEMNED

ALL MINERAL ESTATES IN COAL, OIL, GAS, LIMESTONE AND ALL LEASEHOLD OR OTHER ESTATES AND INTERESTS IN LAND, GORES, GAPS, EASEMENTS, RIGHTS-OF WAY, REVERSIONS, LICENSES, PIPELINES, POWER LINES, TELEPHONE LINES, CABLE LINES (EXCEPT AS HEREINAFTER PROVIDED); AND PRIVATE ROADS WITHIN THE TOWNSHIPS OF FINDLAY AND MOON, ALLEGHENY COUNTY, PENNSYLVANIA, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: (A) AS TO COAL, LIMESTONE, AND OTHER MINERALS: All coal of the several seams and mining rights with all rights of drainage, ventilation and haulage, surface operating and strip mining rights and waivers and releases of damages and of surface and lateral support; and all limestone and other minerals of whatsoever kind or nature and wheresoever any of the same are located within the Townships aforesaid; (B) AS TO OIL AND GAS: All oil and gas with drilling, exploratory, operating and storage rights, waivers, releases and rights of transportation by pipeline or vehicle; and (C) AS TO MISCELLANEOUS INTERESTS: All Easements, rights of way, air space rights, private roads,

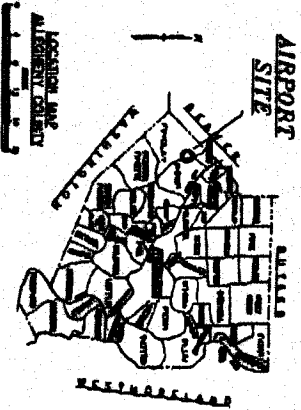
reversionary interests, and any unrecorded interests; -- all within the area shown outlined by dotted line on map designated Mineral Estates Plan of Acquisition--Phase VI hereto attached as Exhibit "B"; PROVIDED, HOWEVER, that the easements and rights-of-way covering the operating and operable pipelines, power and cable lines, telephone lines, water lines, sewer lines, and all appurtenant facilities and appurtenances owned by the following named utilities, public corporations and authorities within said condemnation area are SPECIFICALLY EXCLUDED AND HEREBY EXCEPTED AND RESERVED from this condemnation, viz:

BELL TELEPHONE OF PENNSYLVANIA
COLUMBIA GAS OF PENNSYLVANIA
COLUMBIA GAS TRANSMISSION
DOMINION PEOPLES
DUQUESNE LIGHT
FINDLAY TOWNSHIP WATER AUTHORITY
MOBIL OIL
MOON TOWNSHIP MUNICIPAL AUTHORITY
NATIONAL TRANSIT

PITTSBURGH INTERNATIONAL AIRPORT

Mineral Estates Phase VI

PLAN OF ACQUISITION



Place of delivery
 COUNTY OF ALLEGHENY

FILE NO. _____

DATE OF DEPOSIT _____

DATE OF SALE _____

DATE OF RECORDING _____

PREPARED BY

JOHN T. BOYD COMPANY
 ATTORNEYS AT LAW
 PITTSBURGH, PENNSYLVANIA

John T. Boyd
John T. Boyd

The undersigned hereby certifies that by resolution dated _____ the Allegheny County Airport Authority (the "Authority") adopted this as the official plan of the Authority for the acquisition of the authority in connection with the construction of the terminal building at the Common Pleas of Allegheny County, Pennsylvania, at _____ for the purpose of acquiring title to of the land, gas, oil, limestone, other minerals and all mining and operating rights, appurtenant benefits and within surface easements and rights in certain lands in town and field, together with the equipment of buildings, machinery and operating or configuration and technical facilities.

ALLEGHENY COUNTY AIRPORT AUTHORITY

John T. Boyd
 Attorney

Kent G. George, EXECUTIVE DIRECTOR

PITTSBURGH INTERNATIONAL AIRPORT
 BOARD AND STAFF MEMBERS

ALLEGHENY COUNTY AIRPORT AUTHORITY

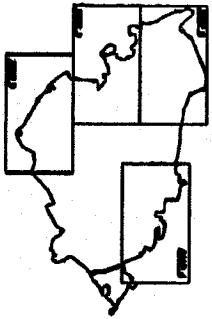
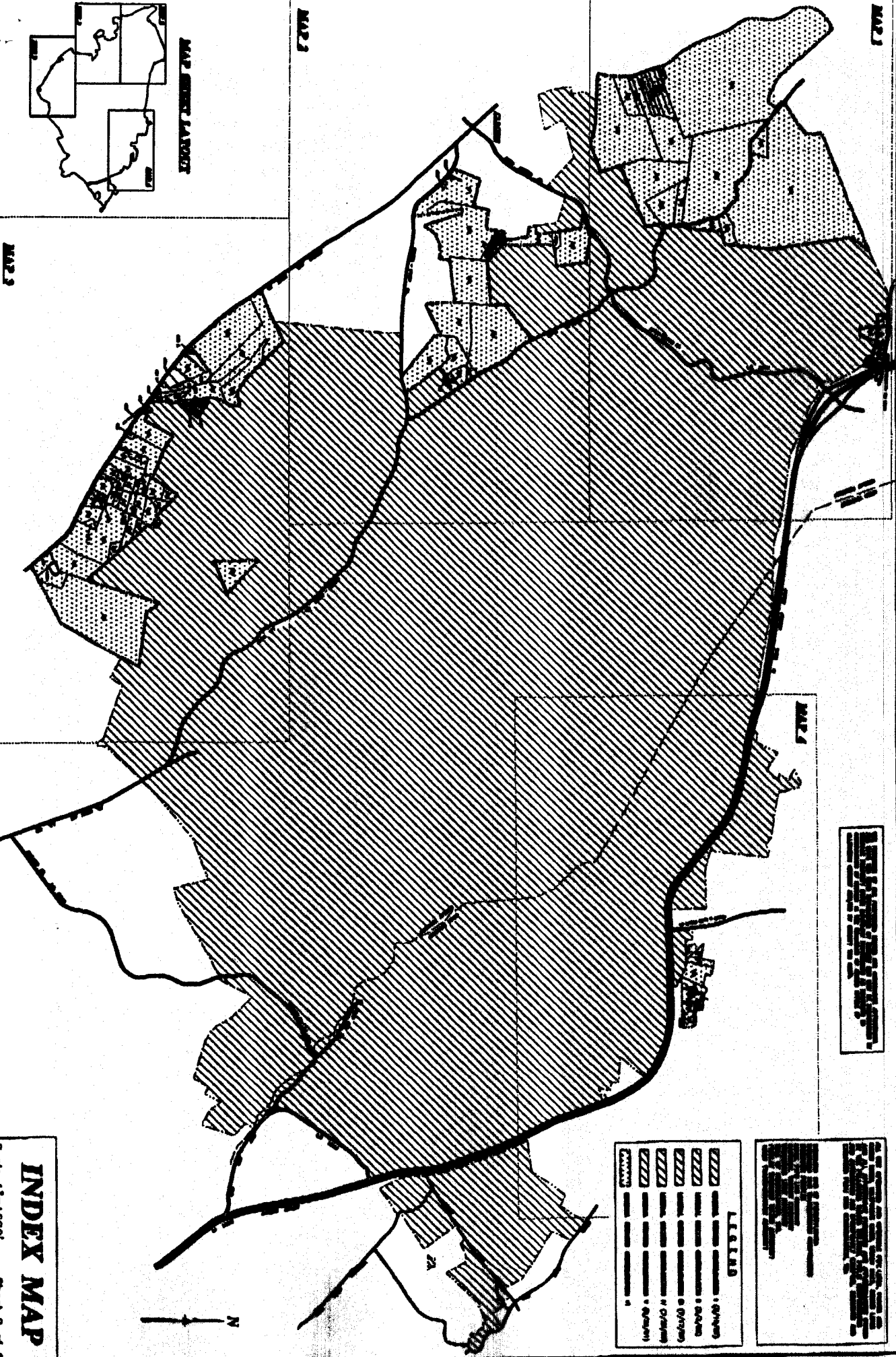
Sheet 1 of 6

EXHIBIT "B"

MAP 3

MAP 3

MAP 4



MAP SERIES LAYOUT

MAP 3

LEGEND

[Diagonal Hatching] OPEN SPACE (UNIMPROVED)
 [Horizontal Hatching] OPEN SPACE (IMPROVED)
 [Vertical Hatching] OPEN SPACE (IMPROVED)
 [Stippling] OPEN SPACE (IMPROVED)
 [Dotted] OPEN SPACE (IMPROVED)
 [Diagonal Hatching] OPEN SPACE (IMPROVED)
 [Horizontal Hatching] OPEN SPACE (IMPROVED)
 [Vertical Hatching] OPEN SPACE (IMPROVED)
 [Stippling] OPEN SPACE (IMPROVED)
 [Dotted] OPEN SPACE (IMPROVED)

LEGEND

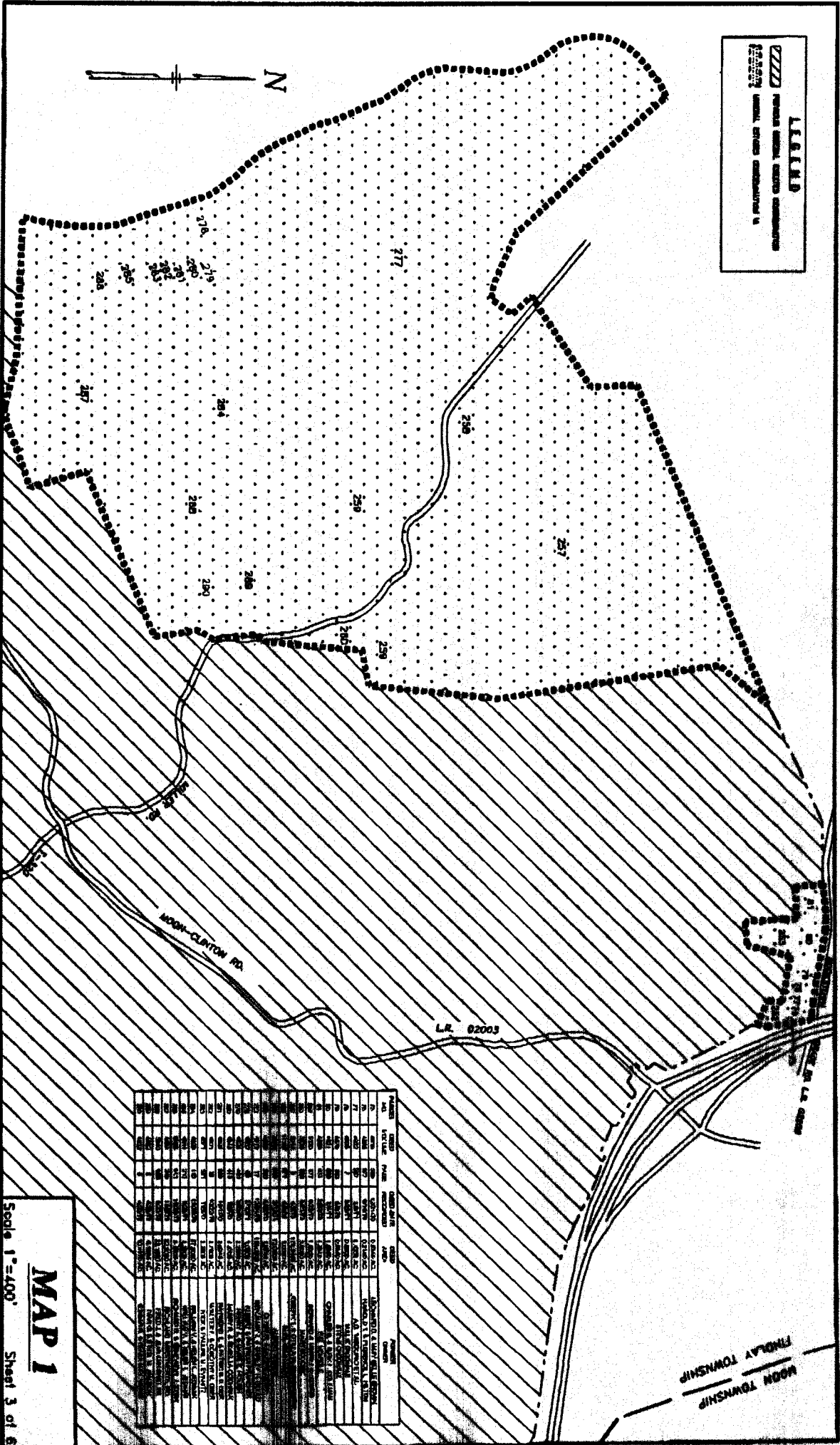
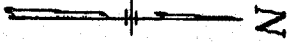
[Diagonal Hatching] OPEN SPACE (UNIMPROVED)
 [Horizontal Hatching] OPEN SPACE (IMPROVED)
 [Vertical Hatching] OPEN SPACE (IMPROVED)
 [Stippling] OPEN SPACE (IMPROVED)
 [Dotted] OPEN SPACE (IMPROVED)
 [Diagonal Hatching] OPEN SPACE (IMPROVED)
 [Horizontal Hatching] OPEN SPACE (IMPROVED)
 [Vertical Hatching] OPEN SPACE (IMPROVED)
 [Stippling] OPEN SPACE (IMPROVED)
 [Dotted] OPEN SPACE (IMPROVED)

INDEX MAP

Scale 1"=1000' Sheet 2 of 6

DBV 11343PG161

LEGEND
 [Symbol: Dotted pattern] PERMANENT FOREST, FOREST CONSERVATION
 [Symbol: Diagonal lines] WOODLAND, OPEN SPACE, UNDEVELOPED LAND



PARCEL	OWNER	ACRES	STATUS	REMARKS
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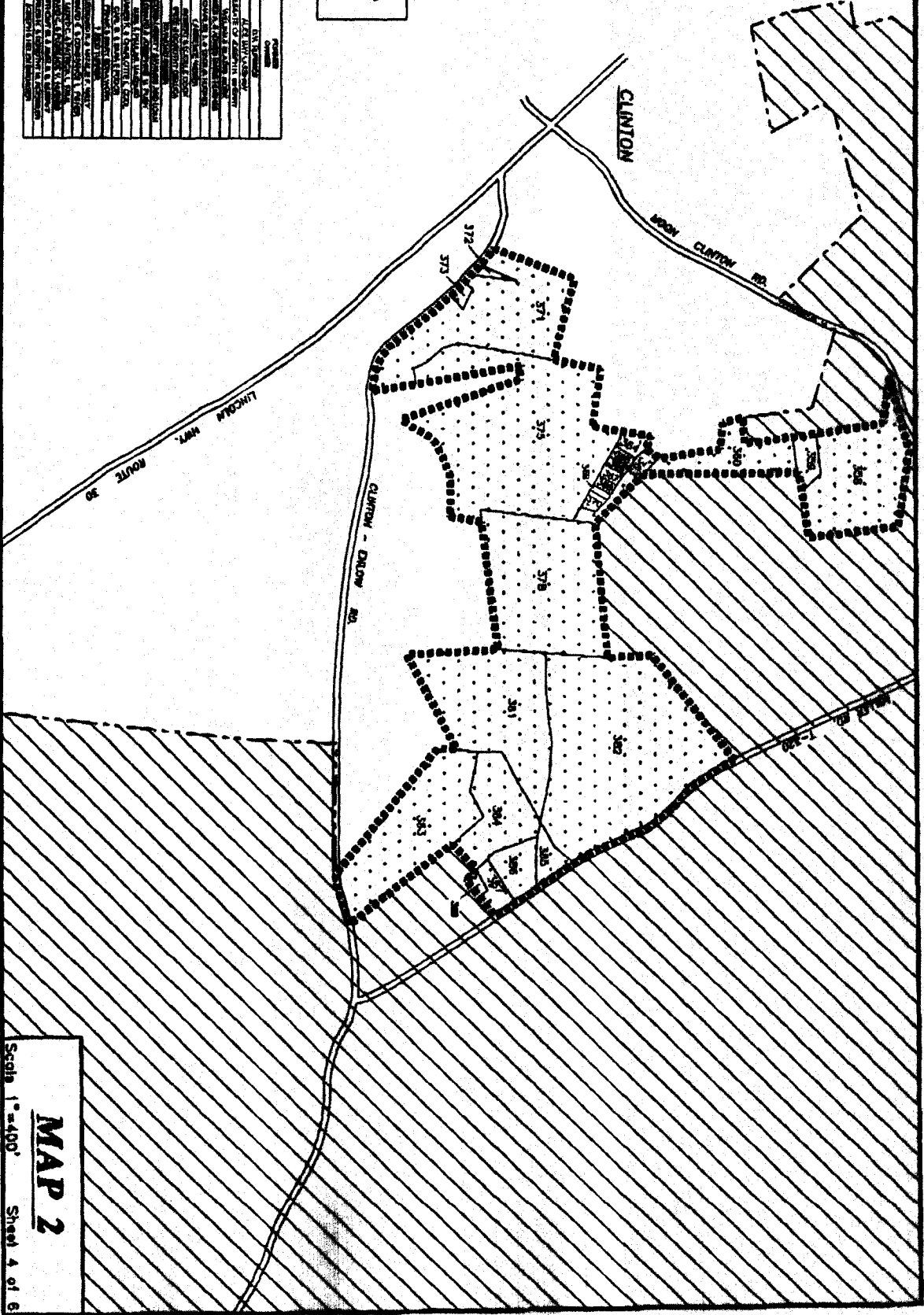
MAP 1
 Scale 1"=400' Sheet 3 of 6

LEGEND

- ////// FEDERAL SERVICE CONTRIBUTION
- ORIGINAL SERVICE CONTRIBUTION



PARCEL NO.	OWNER	ACRES	DATE	CONTRIBUTOR	DESCRIPTION	DATE	AMOUNT	STATUS
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MAP 2
 Scale 1" = 400'
 Sheet 4 of 6

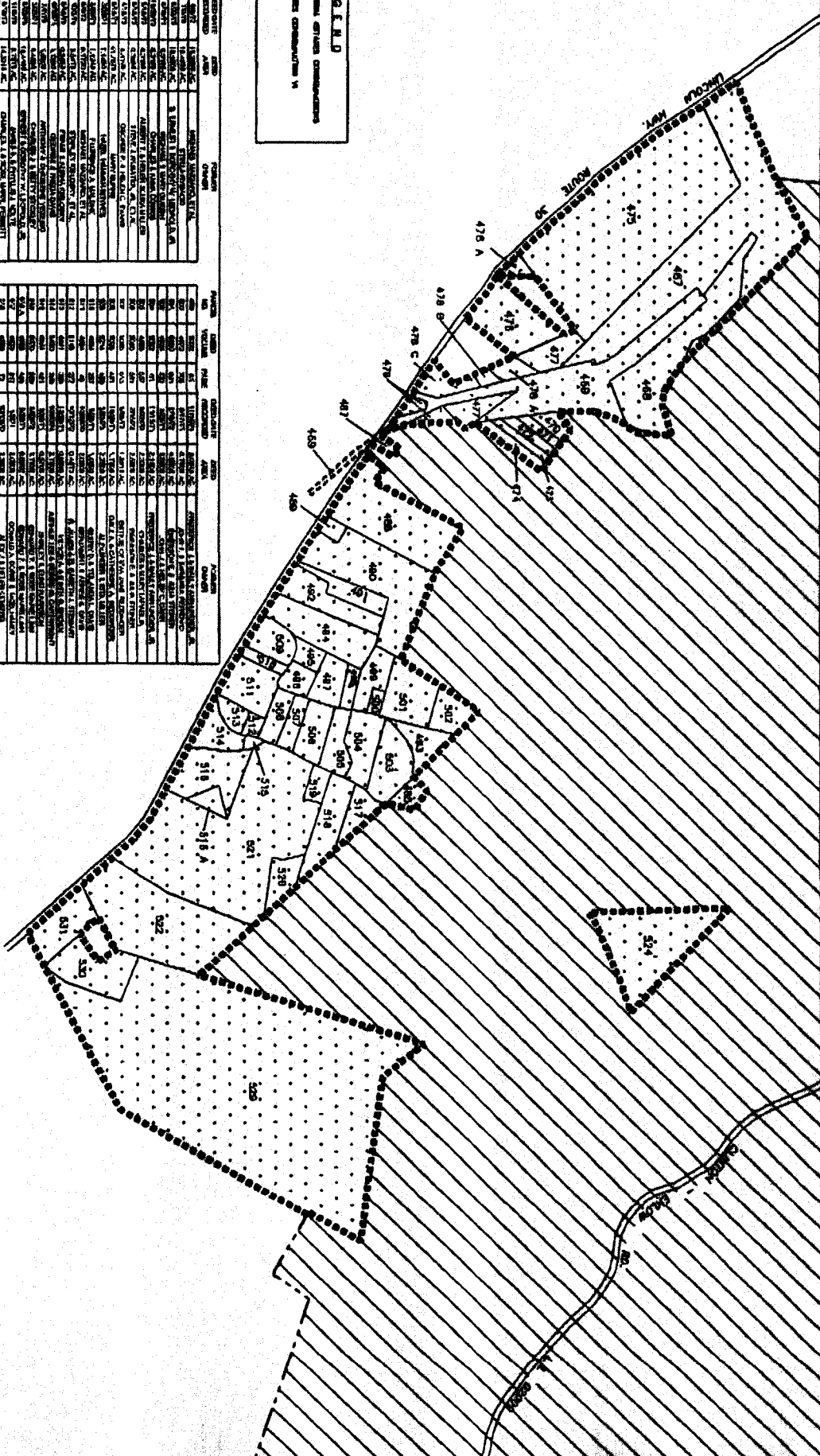


LEGEND

RESERVE GENERAL OFFICERS COMPANIES
 (COMPANIES 1-10)
 GENERAL OFFICERS COMPANIES 11

PLATE NO.	UNIT NO.	NAME	COMPANY	STATUS	REMARKS
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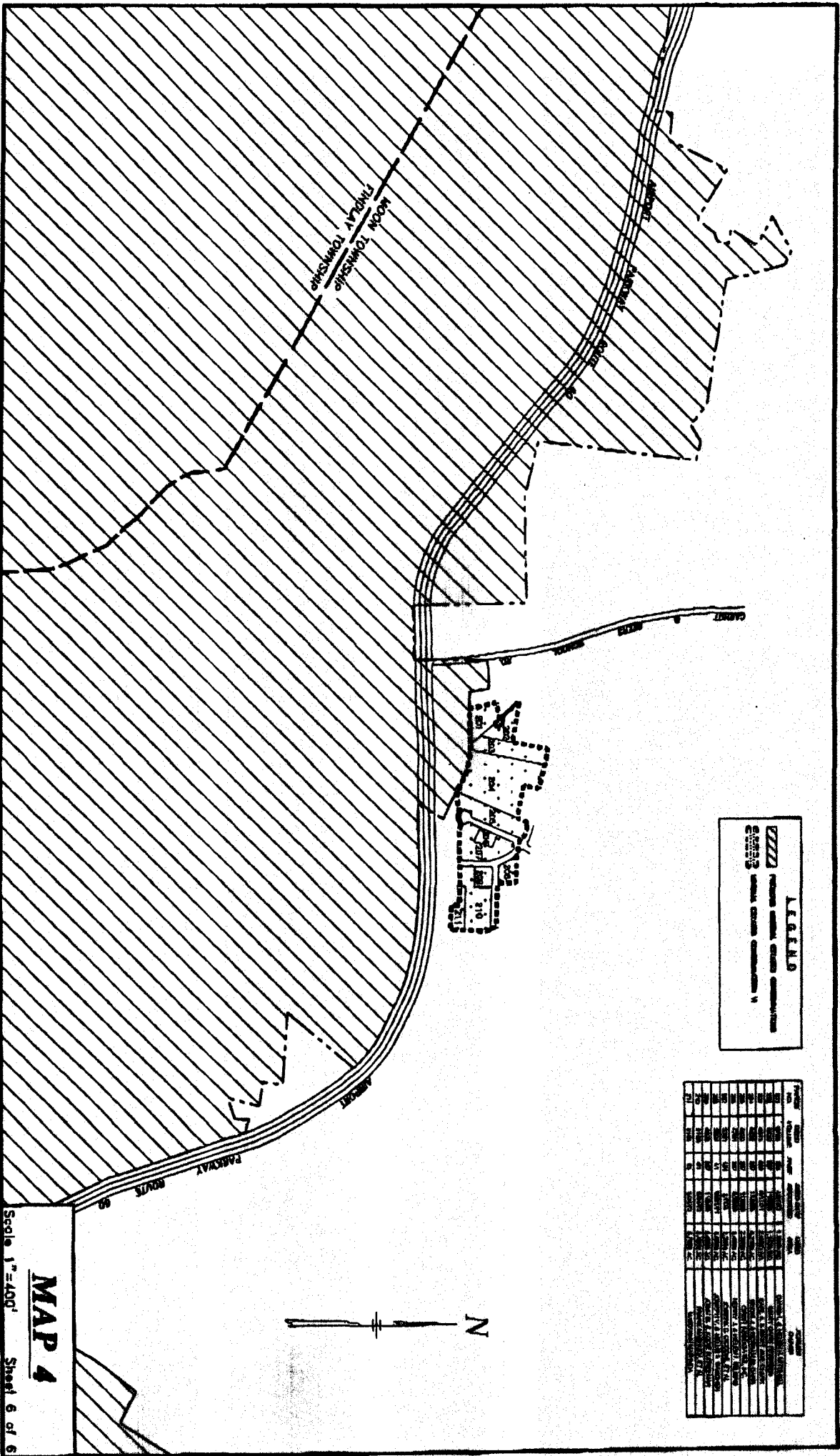
PLATE NO.	UNIT NO.	NAME	COMPANY	STATUS	REMARKS
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MAP 3

Scale 1"=400' Sheet 5 of 6

DBV 1343PG164



MAP 4
 Scale 1"=400'
 Sheet 6 of 6

DBV 1 3 4 3 PG 1 6 5

MEC VI Interests Condemned and Parties in Interest

NOTE: All recordings herein listed will be found in the Recorder of Deeds Office of Allegheny County, Pennsylvania.

I. COAL, LIMESTONE AND OTHER MINERAL INTERESTS

1. Coal interest and interest in reservation of oil and gas, if any, of Carol Mazzaro Nicoletti, her heirs and assigns, acquired under deed from Kirk Industries, Inc. to Mike Mazzaro dated September 20, 1965, and of record in Deed Book Vol. 4310, page 104.
2. Coal interest, if any, of Carol Mazzaro Nicoletti, her heirs and assigns, as conveyed by the Colonial Trust Company to Frank Mazzaro, Patsy Mazzaro and Mike Mazzaro, dated March 31, 1945 and recorded in Deed Book Vol. 2838, page 212; the interests of Frank Mazzaro and Patsy Mazzaro became vested in Mike Mazzaro by various deeds of record.
3. Coal interest, if any, of August Schlegel, William Schlegel, Clara Ryan a.k.a Clara Rhein, Richard Schlegel, Ella Gage, Catherine Larson, Anna Klein Ayers, Stephen Schlegel, Charles J. Ketterer, Jr., Ursula Krzewinski, John Krzewinski, Patricia L. Scardina, Diane L. Stritzinger, Kara O. Brophy Riehl, John A. Krzewinski, Camilla Giel, Rosalyn Knitzer, Frank J. DeLuca, Conrad G. DeLuca, Frank J. Ziegler, Mathilda Fuchs, and Rita C. Lux, their heirs and assigns, as conveyed from Sherman M. Cool to William J. Lutz, Edward G. Lutz and August Schlegel, partners doing business as Aspinwall Coal Company, by deed dated October 29, 1926 and recorded in Deed Book Vol. 2290, page 397; and by deed from Lydia Lutz, widow of Edward G. Lutz, et al., dated May 26, 1928 and recorded in Deed Book Vol. 2374, page 74; and by deed from Dollar Savings & Trust Co., Executor and Trustee of the Estate of William J. Lutz, et al., dated May 24, 1928 and recorded in Deed Book Vol. 2375, page 585.
4. Leasehold interest, if any, of W. C. Kelly a.k.a. W. C. Kelley a.k.a. William C. Kelly, Henry Cooper, J. V. Kelly a.k.a. J. V. Kelley a.k.a. Jacob V. Kelly, Forest Oil Company, Garrard E. Kelly, Roy C. Cooper, Edward H. Lawrence, Jean C. Lawrence, Mary Sarah Ellen McKenzie, their heirs, successors and assigns, under original lease "for purposes of mining and excavating for petroleum, coal, rock or carbon oil or other valuable mineral or volatile substances" from James Purdy to J. J. McGee and J. P. McGee, dated August 17, 1888 and recorded in Oil and Gas Book 5, page 515; assigned to W.C. Kelley on January 8, 1889 and recorded in Oil and Gas Book 5, page 517; assigned 7/48 interest to Henry Cooper on January 14, 1889 and recorded in Oil and Gas Book 6, page 52; assigned 7/48 interest to J.V. Kelly on January 14, 1889 and recorded in Oil and Gas Book 4, page 155; assigned 9/16 interest to Jas. Amm & Co. on January 14, 1889 and recorded in Oil and Gas Book 6, page 53; the 9/16 interest of Jas. Amm & Co. was assigned to Forest Oil Co. on October 17, 1890 and recorded in Oil and Gas Book 9, page 453.

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5. Leasehold interest, if any, of W. C. Kelly a.k.a. W. C. Kelley a.k.a. William C. Kelly, Henry Cooper, J. V. Kelly a.k.a. J. V. Kelley a.k.a. Jacob V. Kelly, Forest Oil Company, Garrard E. Kelly, Roy C. Cooper, Edward H. Lawrence, Jean C. Lawrence, Mary Sarah Ellen McKenzie, their heirs, successors and assigns, under original lease "for purposes of mining and excavating for petroleum, coal, rock or carbon oil or other valuable mineral or volatile substances" from George C. Purdy to J. J. McGee and J. P. McGee, dated August 17, 1888 and recorded in Oil and Gas Book 5, page 518; assigned to W.C. Kelley on January 8, 1889 and recorded in Oil and Gas Book 5, page 519; assigned 7/48 interest to Henry Cooper on January 14, 1889 and recorded in Oil and Gas Book 6, page 52; assigned 7/48 interest to J.V. Kelly on January 14, 1889 and recorded in Oil and Gas Book 4, page 155; assigned 9/16 interest to Jas. Amm & Co. on January 14, 1889 and recorded in Oil and Gas Book 6, page 53; the 9/16 interest of Jas. Amm & Co. was assigned to Forest Oil Co. on October 17, 1890 and recorded in Oil and Gas Book 9, page 453.
6. Leasehold interest, if any, of W. C. Kelly a.k.a. W. C. Kelley a.k.a. William C. Kelly, Henry Cooper, J. V. Kelly a.k.a. J. V. Kelley a.k.a. Jacob V. Kelly, Forest Oil Company, Garrard E. Kelly, Roy C. Cooper, Edward H. Lawrence, Jean C. Lawrence, Mary Sarah Ellen McKenzie, their heirs, successors and assigns, under original lease "for purposes of mining and excavating for petroleum, coal, rock or carbon oil or other valuable mineral or volatile substances" from John Purdy to J. J. McGee and J. P. McGee, dated August 17, 1888 and recorded in Oil and Gas Book 5, page 508; assigned to W.C. Kelley on January 8, 1889 and recorded in Oil and Gas Book 5, page 510; assigned 7/48 interest to Henry Cooper on January 14, 1889 and recorded in Oil and Gas Book 6, page 52; assigned 7/48 interest to J.V. Kelly on January 14, 1889 and recorded in Oil and Gas Book 4, page 155; assigned 9/16 interest to Jas. Amm & Co. on January 14, 1889 and recorded in Oil and Gas Book 6, page 53; the 9/16 interest of Jas. Amm & Co. was assigned to Forest Oil Co. on October 17, 1890 and recorded in Oil and Gas Book 9, page 453.
7. Coal interest, if any, of Ida V. Byers, Mary Byers Gillis, George H. Gillis, Thomas Brand, Jr., Sarah Brand a.k.a. Sara Brand, John R. B. Byers, Marjorie Byers, John Byers Brand, Mary Nelle Brand Neison, Jacob J. Neison and Ellen Elizabeth Brand Lewis, their heirs and assigns, as excepted and reserved in the deed from Ida V. Byers, et al., to John Cummings, et ux., dated June 12, 1943 and recorded in Deed Book Vol. 2765, page 565.
8. Coal interest, if any, of Ida V. Byers, Mary Byers Gillis, George H. Gillis, Thomas Brand, Jr., Sarah Brand a.k.a. Sara Brand, John R. B. Byers, Marjorie Byers, John Byers Brand, Mary Nelle Brand Neison, Jacob J. Neison and Ellen Elizabeth Brand Lewis, their heirs and assigns, as acquired by reversion of the coal conveyed by Ida V. Byers, et al., to Frank Mazzaro, dated December 13, 1943 and recorded in Deed Book Vol. 2813, page 262.

9. Coal interest, if any, of William Aloe, Arthur Aloe, and Aloe Coal Company, their heirs, successors and assigns, including but not limited to John P. Aloe, Lisa A. Dodson, Francis Aloe and Imperial Land, as conveyed by Consolidation Coal Company to Arthur Aloe and William Aloe dated August 25, 1969, recorded in Deed Book Vol. 4772, page 501; and by lease agreement from William Aloe and Arthur Aloe to Aloe Coal Company dated June 17, 1974 and recorded in Deed Book Vol. 5350, page 406.
10. Coal interest, if any, of North Star Coal Company, its successors and assigns, as conveyed by Pittsburgh Consolidation Coal Company to North Star Coal Company under deed dated March 31, 1946 and recorded in Deed Book Vol. 3115, page 391.

II. OIL & GAS INTERESTS

1. Oil and gas leasehold interest, if any, of W. J. Ruan and Ellen Ruan, his wife, their heirs and assigns, under an original lease from M. R. Stewart to W. J. Ruan, dated November 16, 1893 and recorded in Oil & Gas Book 13, page 128.
2. Oil and gas leasehold interest, if any, of Montour Gas Co., its successors and assigns, under an original lease from Margaret Barton, et al., to George Logan, dated December 12, 1904 and recorded in Oil & Gas Book 21, page 39; assigned to Montour Gas Co. November 26, 1906 and recorded in Oil & Gas Book 20, page 189.
3. Oil and gas interest, if any, of Robert L. McCarrell, Jr., his heirs and assigns, dated December 31, 1941, not found of record but recited in deed from Clinton Block Coal Company to The Colonial Trust Company dated December 31, 1941 and recorded in Deed Book Vol. 2723, page 2.
4. Oil and gas leasehold interest, if any, of M. V. Taylor and Kanawha Oil Company, their heirs, successors and assigns, under an original lease from Frank Twyford to M. V. Taylor dated February 25, 1891 and recorded in Oil & Gas Book 8, page 414; one half interest assigned to Kanawha Oil Company dated March 2, 1891 and recorded in Oil & Gas Book 8, page 415.
5. Oil and gas leasehold interest, if any, of McCullough Oil and Gas Company, its successors and assigns, under an original lease from Margaret Barton, et al., to McCullough Oil and Gas Company dated June 20, 1917 and recorded in Deed Book Vol. 1922, page 106.
6. Oil and gas leasehold interest, if any, of McCullough Oil and Gas Company, its successors and assigns, under an original lease from Margaret Barton, et al., to Kercher & Armour, dated July 31, 1916 and recorded in Deed Book Vol. 1870, page 252; assigned to McCullough Oil and Gas Company January 12, 1917 and recorded in Deed Book Vol. 1878, page 322.
7. Oil and gas leasehold interest, if any, of McCullough Oil and Gas Company, its successors and assigns, under an original lease from Samuel McCaslin, et ux., to Kerchner and Armour

- dated June 2, 1916, recorded in Deed Book Vol. 1870, page 255; assigned to McCullough Oil and Gas Company January 12, 1917 and recorded in Deed Book Vol. 1878, page 322.
8. Oil and gas leasehold interest, if any, of McCullough Oil and Gas Company, its successors and assigns, under an original lease from Elizabeth McCaslin to Kerchner and Armour dated June 2, 1916, recorded in Deed Book Vol. 1870, page 258; assigned to McCullough Oil and Gas Company January 12, 1917 and recorded in Deed Book Vol. 1878, page 322.
 9. Oil and gas leasehold interest, if any, of Thomas C. Conaway, Charles Conaway, Lelia Cooley, Louise Carey, John Conaway, Howard W. Conaway, Robert Conaway, Orrin B. Conaway, Maude K. Conaway, Orrin B. Conaway, Jr., Felix G. Conaway, Charles Conaway, James N. Conaway, Archie Rue Conaway, Lulu Conaway, Enid Davis, Vivian Rinehard, Genevieve Currey, Edward Conaway, Eugene Conaway, Thomas Conaway, Maude Morris, Russell C. Morris, Mary E. Evans, Geraldine E. Louer, Morris J. Evans, their heirs and assigns, under an original lease from Joseph Z. Dickson, et ux., to T. C. Conaway dated January 2, 1917 and recorded in Deed Book Vol. 1914, page 143.
 10. Oil and gas interest, if any, of Harvey McLaughlin, Scott McLaughlin, Alphonso McLaughlin, Dewey Perry McLaughlin, Frank McLaughlin, Robert McLaughlin, Alex McLaughlin, Gerald McLaughlin, Joseph McLaughlin, Raymond McLaughlin, Gary McLaughlin, Kelli McLaughlin, Marie M. McLaughlin, James F. McLaughlin, Ruth McLaughlin, Robert A. McLaughlin, Betty McLaughlin, John W. McLaughlin, Bernice McLaughlin, Frank C. McLaughlin, Jr., Shirley M. McLaughlin, Paul D. McLaughlin, Betty McLaughlin, Paul McLaughlin, Tim McLaughlin, Rob McLaughlin, Dennis McLaughlin, Suzanne McLaughlin, Helen Curry, Kaiser McLaughlin, Elizabeth McLaughlin, William Curry, William Curry, Jr., Margaret Ciccone, Wanda Campbell, Mary Kiser, Lucille Green, Rose Miles, Bonnie Miles, Carl Amato, Bob Miles, Robert McLaughlin, Jr., Roberta McLaughlin, Joan Snyder, Elizabeth Blinebury, Walter Blinebury, Georgann Kerwin, Betty Lou Balestrieri, John McLaughlin and Marie Erickson, their heirs and assigns, as excepted and reserved in the deed from Harvey McLaughlin to C. C. Coal Company dated October 15, 1952 and recorded in Deed Book Vol. 3241, page 660.
 11. Oil and gas leasehold interest, if any, of J.M. Guffey, Elsie M. Guffey, Elizabeth Guffey Keene, Patricia Haxall and Nancy Scott Pendleton, their heirs and assigns, under an original lease from William A. Rouzer to J. M. Guffey dated October 25, 1890 and recorded in Mortgage Book Vol. 590, page 71.
 12. Oil and gas leasehold interest, if any, of Montour Gas Company, Inc., its successors and assigns, under an original lease from William A. Rouzer to S. D. Karns dated June 22, 1895 and recorded in Oil & Gas Book 12, page 578; assigned to Montour Gas Company on February 3, 1896, recorded in Oil and Gas Book 13, page 378.
 13. Oil and gas leasehold interest, if any, of Montour Gas Company, Inc., its successors and assigns, under an original lease from William A. Rouzer to W. M. McGee dated June 1, 1898

- and recorded in Oil & Gas Book 15, page 604; assigned to Montour Gas Company on October 5, 1898, recorded in Oil and Gas Book 15, page 605.
14. Oil and gas leasehold interest, if any, of Bobby L. Newhouse and E. Earl Autenreith, their heirs and assigns, under an original lease from Charles D. Rouzer, et al., to South Penn Oil Company dated November 23, 1933 and recorded in Deed Book Vol. 2491, page 513; assigned to Bobby L. Newhouse, et al. dated June 1, 1989 and recorded in Deed Book Vol. 8770, page 83.
 15. Oil and gas leasehold interest, if any, of J. J. Painter, Henry Painter, O. D. Levis, Sarah Levis, Mary Painter, Harriet Painter Hamilton, Nathaniel Hamilton, their heirs and assigns, under an original lease from George C. Purdy to J. J. Painter, Henry Painter and O. D. Levis dated January 16, 1889 and recorded in Oil & Gas Book 4, page 152.
 16. Oil and gas leasehold interest, if any, of Clover Oil & Gas Company, its successors and assigns, under an original lease from J. L. Purdy to Elmer E. Holsinger dated July 15, 1925 and recorded in Deed Book Vol. 2282, page 76; assigned to Clover Oil & Gas Co. dated November 23, 1925 and recorded in Deed Book Vol. 2282, page 77.
 17. Oil and gas leasehold interest, if any, of J. E. Schell, his heirs and assigns, under an original lease from J. D. Byers to J. E. Schell dated April 15, 1896 and recorded in Oil & Gas Book 19, page 28.
 18. Oil and gas leasehold interest, if any, of U. S. Rhodabarger, his heirs and assigns, under an original lease from Henry Leech to James Bowser dated May 20, 1895 and recorded in Oil & Gas Book 12, page 491; assigned to U. S. Rhodabarger on June 16, 1898 and recorded in Oil & Gas Book 16, page 160.
 19. Oil and gas leasehold interest, if any, of A. E. Fretts, Mary E. Fretts and Catherine Reamer, their heirs and assigns, under an original lease from Henry Leech to A. E. Fretts dated June 10, 1895 and recorded in Oil & Gas Book 12, page 499.
 20. Oil and gas leasehold interest, if any, of E. A. Culbertson, Mae Culbertson and J. E. Schell, their heirs and assigns, under an original lease from Henry Leech to Culbertson and Schell dated December 29, 1896 and recorded in Oil & Gas Book 15, page 84.
 21. Oil and gas leasehold interest, if any, of Forest Oil Company, George Logan, Hannah Logan, William H. Logan, Grace E. Morrison, Robert C. Logan, Minnie B. Madden, Alice M. Metcalf, Hazel L. Hawke, Ida Bell Logan, Raymond R. Logan, Ethel Maude Wilson, Glenn G. Logan, Blanche G. Bartley, Lorena B. Logan, Lucy Reese Nichaus, Thomas Ray Logan, Ruth Logan Griffith, George William Logan, Delores M. Logan, Rena Ann Logan Poole, Patricia J. Logan, Susan Louise Logan, Lori Dee Logan, Laverne Swoager, Alice Bray, John Wilson, Glenn Wilson, James Wilson, Emma Logan, William F. Bartley, John W. Bartley, Helen Bartley, Hannah Fay Morrison, Eugene Madden, Cora M. Madden, Marie Harkins, Helen M. Harkins, Mary Ann Harkins, Hazel Beeckel, Judy Beeckel, Clarence Madden,

- Herbit Metcalf, George E. Metcalf, Delores Metcalf, Robert Metcalf, Diane Metcalf, Fay Smith, Thomas E. Madden, their heirs, successors and assigns, under an original lease from J. W. Byers, et al., to George Logan dated April 6, 1898, unrecorded; one half interest assigned to Forest Oil Company on June 14, 1898 and recorded in Oil & Gas Book 15, page 551.
22. Oil and gas leasehold interest, if any, of Forest Oil Company, George Logan, Hannah Logan, William H. Logan, Grace E. Morrison, Robert C. Logan, Minnie B. Madden, Alice M. Metcalf, Hazel L. Hawke, Ida Bell Logan, Raymond R. Logan, Ethel Maude Wilson, Glenn G. Logan, Blanche G. Bartley, Lorena B. Logan, Lucy Reese Niehaus, Thomas Ray Logan, Ruth Logan Griffith, George William Logan, Delores M. Logan, Rena Ann Logan Poole, Patricia J. Logan, Susan Louise Logan, Lori Dee Logan, Laverne Swoager, Alice Bray, John Wilson, Glenn Wilson, James Wilson, Emma Logan, William F. Bartley, John W. Bartley, Helen Bartley, Hannah Fay Morrison, Eugene Madden, Cora M. Madden, Marie Harkins, Helen M. Harkins, Mary Ann Harkins, Hazel Beeckel, Judy Beeckel, Clarence Madden, Herbit Metcalf, George E. Metcalf, Delores Metcalf, Robert Metcalf, Diane Metcalf, Fay Smith, Thomas E. Madden, their heirs, successors and assigns, under an original lease from J. D. Byers to George Logan dated January 7, 1898, unrecorded; one half interest assigned to Forest Oil Company on June 14, 1898 and recorded in Oil & Gas Book 15, page 551.
23. Oil and gas leasehold interests, if any, of James S. Pates, his heirs and assigns, not found of record but recited in the deed from Union Realty Co. of Washington to Michael Marzaro, et al., dated January 18, 1952 and recorded in Deed Book Vol. 3157, page 713.
24. Oil and gas leasehold interest, if any, of Clover Oil & Gas Company, a Delaware corporation, its successors and assigns, under an original lease from F. A. Dohrman to Elmer E. Holsinger dated September 18, 1925 and recorded in Deed Book Vol. 2284, page 335; assigned to Clover Oil & Gas Co., a Delaware corporation, on April 1, 1926 and recorded in Deed Book Vol. 2291, page 297.
25. Oil and gas leasehold interest, if any, of Clover Oil & Gas Company, a Delaware corporation, its successors and assigns, under an original lease from Emma Lowery and Ralph P. Lowery to Elmer Holsinger dated July 31, 1925 and recorded in Deed Book Vol. 2199, page 598; assigned to Clover Oil and Gas Company, a Delaware corporation, on April 1, 1926 and recorded in Deed Book Vol. 2291, page 297.
26. Oil and gas leasehold interest, if any, of William E. Stier, Nola Mae West, Joseph M. Hartman and Corrine Hartman, their heirs and assigns, in an original lease from Della J. Neugebauer and Louis Neugebauer to William E. Stier dated July 26, 1945 and recorded in Deed Book Vol. 3032, page 654.
27. Oil and gas leasehold interest, if any, of C. L. Ruch, his heirs and assigns, under an original lease from Caroline Britton to C. L. Ruch dated April 24, 1902, unrecorded but referenced in Deed Book Vol. 1198, page 346.

28. Oil and gas leasehold interest, if any, of W. D. Matheney, his heirs and assigns, under an original lease from Hamilton Wilson and Margaret Wilson to W. D. Matheney dated February 23, 1886 and recorded in Oil & Gas Book 1, page 487.
29. Oil and gas leasehold interest, if any, of W. G. Crawford, Nanette Crawford, Virginia Cowles, Marjorie Weith Capen George S. Martin & Co., and George S. Martin, their heirs, successors and assigns, under an original lease from Margaret Wilson and Mary McGinnes to W. G. Crawford dated January 24, 1889 and recorded in Oil & Gas Book 5, page 443; $\frac{1}{4}$ interest assigned to George S. Martin & Co. on August 29, 1889 and recorded in Oil and Gas Book 7, page 93.
30. Oil and gas leasehold interest, if any, of Clover Oil & Gas Company, a Delaware corporation, its successors and assigns, under an original lease from Anna B. Owen and Andy Owen to Elmer E. Holsinger dated July 16, 1925 and recorded in Deed Book Vol. 2265, page 345; assigned to Clover Oil and Gas Co., a Delaware corporation, on April 1, 1926 and recorded in Deed Book Vol. 2291, page 297.
31. Oil and gas interest, if any, of J. M. Guffey, Elsie M. Guffey, Elizabeth Guffey Keene, Patricia Haxall and Nancy Scott Pendleton, their heirs and assigns, conveyed by deed of Thomas Burns to J. M. Guffey dated April 4, 1891 and recorded in Mortgage Book Vol. 590, page 69.
32. Oil and gas leasehold interest, if any, of George Gilmore a.k.a. George Gillmore, his heirs and assigns, dated on or before 1891, unrecorded but referenced in the deed from Thomas Burns to J. M. Guffey dated April 4, 1891 and recorded in Mortgage Book Vol. 590, page 69.
33. Oil and gas leasehold interest, if any, of S. A. Cosgrave and Maria D. Cosgrave, their heirs and assigns, under an original lease from G. W. Glasure to W. D. Matheney dated February 23, 1886 and recorded in Oil & Gas Book 1, page 270; assigned to S. A. Cosgrave on April 1, 1886 and recorded in Oil & Gas Book 1, page 272.

III. MISCELLANEOUS INTERESTS

1. Miscellaneous interest, if any, of property owners in the McAlister Acres Plan of Lots in Findlay Township, including but not limited to Kenneth B. Cejer, Christopher W. Cejer, Ronald Cejer, Rose J. Cejer, Passavant Memorial Homes, Inc., Joseph F. Derglin, Mary Derglin, Wilbert L. Pluechel, Adeline L. Pluechel, Bartley E. Morrow, Walter B. Robinson, Geraldine F. Robinson, Thomas R. Petrosky, William L. Connors, Norma Connors, Ray E. Patterson, Esther Nell Patterson, Paul W. Fuller, Charles Selinsky, Trustee, George E. Unger, Ellen S. Unger, Brian L. McAlister, Kevin J. McAlister, Edward R. Twigg, Richard W. Patton, Louis M. Ruggiano, Alex Berezansky, Barbara Ann Berezansky, David L. Mihelarakis, and Margaret M. Mihelarakis, their heirs, successors and assigns, as to building restrictions set forth in the McAlister Acres Plan of Lots recorded September 4, 1942 in Plan Book Vol. 39, pages 76 and 77, and in building restrictions set forth in the following deeds from Margaret J. McCabe and A.D. McCabe: Deed to Harold T. Hilton dated April 10, 1948

and recorded in Deed Book Vol. 2986, page 567; Deed to Konstantine Teleschak and Tillie Teleschak dated September 2, 1952 and recorded in Deed Book Vol. 3232, page 730; Deed to Charles B. Coleman and Ruth F. Coleman dated January 28, 1946 and recorded in Deed Book Vol. 2882, page 29.

2. Miscellaneous interest, if any, of Faw Oil and Gas Company, Edgar J. Griffiths and Emma Griffiths Smith, their heirs, successors and assigns, in a right of way to maintain a 2-inch pipeline with ingress and egress as conveyed by deed from Frank Skvarg and Katie Skvarg, his wife, to Faw Oil and Gas Company, a registered partnership, dated October 17, 1949 and recorded October 20, 1949 in Deed Book Vol. 3049, page 606.
3. Miscellaneous interest, if any, of property owners in the Rouser Farm Plan of Lots in Moon Township, including but not limited to Airport Office Center Associates, Roy F. Johns, Jr., Joseph Francis Krulac, Mildred P. Krulac, Earle W. Kazis, and Atlas Resources, Inc., their heirs, successors and assigns, in a right of way for utilities and in building restrictions as shown on the Rouser Farm Plan, recorded December 16, 1948 in Plan Book Vol. 44, page 1.

Summary of Legislation

The attached proposed Ordinance would permit the County to take, by eminent domain, certain mineral rights that are beneath real estate that the County owns adjacent to the Pittsburgh International Airport. The condemnation of these mineral rights is necessary to continue the development of the land around the Pittsburgh International Airport.

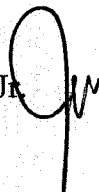
MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr.
County Manager

DATE: March 11, 2004

RE: Proposed Ordinance



Attached is a Proposed Ordinance authorizing the acquisition by condemnation of certain coal, oil, gas, limestone, and mineral properties, with appurtenant mining rights, and certain private roads, pipelines, reversionary interests, gaps and gores situate in the Townships of Findlay and Moon.

This action has been requested by the Allegheny County Airport Authority for purposes of development.

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

Please place this on the next agenda for County Council approval.

Thank you.