

Bill No. 0834-02

No. 45-02

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of one (1) right of way agreement to Duquesne Light Company over, under and across County owned property leased to the Allegheny County Airport Authority at Pittsburgh International Airport for the purpose of providing electrical service to Building No. 100 at Airside Business Park, Moon Township.

WHEREAS, the County of Allegheny (hereinafter referred to as "County") owns certain property in Findlay Township and Moon Township known as Pittsburgh International Airport (hereinafter referred to as "PIT"); and

WHEREAS, the County transferred its interest in PIT to the Allegheny County Airport Authority (hereinafter referred to as "Authority") pursuant to the "Airport Operation Management and Transfer Agreement and Lease" (hereinafter referred to as the "Transfer Agreement") dated September 16, 1999; and

WHEREAS, the Authority entered into a lease agreement with Airside Business Park L.P. to develop a parcel of property of the old GPIA terminal; and

WHEREAS, Airside Business park L.P. is constructing a building to be leased to Michael Baker Jr. Inc for its headquarters; and

WHEREAS, said building needs to have electrical power supplied to it by Duquesne Light Company; and

WHEREAS, Duquesne Light Company requires both the County and the Authority to execute the aforesaid license/right of way agreements before it will provide electrical service to said sites; and

WHEREAS, Article IV, Section 2.K of the Allegheny County Home Rule Charter vests the County's Council with the power and duty by ordinance to lease or permit the use of land owned by the County.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE
COUNTY COUNCIL OF THE COUNTY OF ALLEGHENY, IN LAWFUL
SESSION DULY ASSEMBLED, AND IT IS HEREBY ORDAINED AND
ENACTED AS FOLLOWS:

*The Council of the County of Allegheny hereby enacts as
follows:*

Section 1. Incorporation of Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by
reference in their entirety herein.

**Section 2. Authorization to enter into a Right of Way Agreement,
in conjunction with the Authority, with Duquesne
Light Company.**

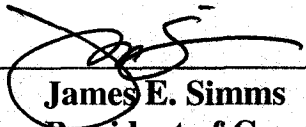
The County Council of Allegheny County does hereby grant authority to the
County Executive to take any and all actions, including but not limited to, the execution
of all documents and papers necessary to enter into a Right of Way Agreement over,
under and across County owned property at PIT as follows for the purpose of providing
electrical service to the Airside Business Park Building No.100 as more particularly
described on Duquesne Light Co. Drawing No. 148490 located in Moon Township at
PIT, subject to the approval of the County Manager and the County Solicitor.

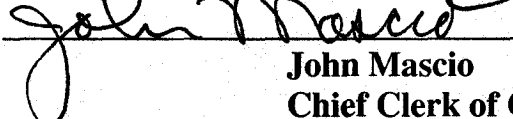
SECTION 3 If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

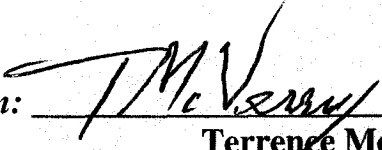
SECTION 4 Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

Enacted in Council, this 10th day of September, 2002,

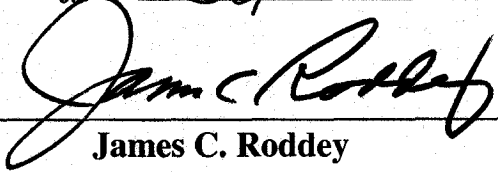
Council Agenda No. 0834-02.

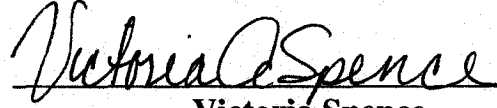

James E. Simms
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Approved as to form: 
Terrence McVerry
County Solicitor

Chief Executive Office September 16, 2002.


Approved: 
James C. Roddey
Chief Executive

Attest: 
Victoria Spence
Executive's Secretary

02 AUG 13 AM 10: 00

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: Robert B. Webb
County Manager 

DATE: August 12, 2002

RE: Requesting County Council Approval

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of one (1) right of way agreement to Duquesne Light Company over, under and across County owned property leased to the Allegheny County Airport Authority at Pittsburgh International Airport for the purpose of providing electrical service to Building No. 100 at Airside Business Park, Moon Township. This request is submitted by the Law Department.

Please put on the next agenda for County Council approval.

Thank you.