

No. 22-22-OR

AN ORDINANCE

An Ordinance approving the sale of the County's interest in a parcel of property identified as Potomac Street, Oakmont, PA 15139 Block and Lot 0362-F-00087, for the sale price of \$1,000.00 to Mrs. Donna Deturck and the sharing of the sale price with Oakmont and the Riverview School District.

Whereas, the County of Allegheny ("the County"), the Borough of Oakmont ("Borough") and the Riverview School District ("School District") (collectively the "Three Taxing Bodies") are the owners of a longstanding vacant piece of real property acquired through a tax sale that is identified as Potomac Street, Oakmont, PA, Block and Lot 0362-F-00087 (the "Property"); and

Whereas, Mrs. Donna Deturck ("Buyer") has offered to purchase the Property from the Three Taxing Bodies in order to improve the Property by expanding the side yard of her adjacent personal residence; and

Whereas, the Buyer obtained a professional appraisal of the Property; and

Whereas, the said appraisal indicated that the Property has a fair market value of \$1,000.00; and

Whereas, the Borough and the School District enacted resolutions agreeing to sell their respective one-third interests in the Property for a total consideration of \$1,000 ("the Purchase Price") with the understanding that the Purchase Price would be shared by the Three Taxing Bodies based upon their respective percentages of each Taxing Bodies' tax millage to the current total tax millage on the Property; and

Whereas, Article IV, Section 2 (k) of the Allegheny County Home Rule Charter and Article 5-701.03 of the Administrative Code of Allegheny County vests the County's Council with the power and duty by ordinance to authorize the sale and conveyance of County-owned land, buildings, or other real or personal property owned by the County; and

Whereas, the County Manager has determined that the Property is of no use to the County and that there is no reason for the County to continue to own a one-third interest in the Property; and

Whereas the Council of Allegheny County is of belief that the sale of the Property to the Buyer under the terms and conditions set forth above will inure to the benefit of the citizens of the County by placing another former tax delinquent parcel of land back on the tax rolls for productive use.

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. Approval of Transfer of County Interest in Block 362-F-87.

- A. The County Council of Allegheny County does hereby approve the transfer of the County's one-third interest in the Property located on Potomac Street in the Borough of Oakmont, known as Block 362-F-87, to Mrs. Donna Deturck with the understanding that the Purchase Price will be divided among the Three Taxing Bodies in accordance with the respective percentage that each Three Taxing Bodies' taxes bear to the entire amount of tax millage levied on the Property.

- B. The appropriate County officers and officials are authorized to execute the Deed and related agreements and documents as required to effectuate the sale and take such other action as is necessary to carry out the purpose of the authorization granted herein.

SECTION 3. 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 4. 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.*

SECTION 5. Effective Date. *This Ordinance will enter into effect immediately upon its approval.*

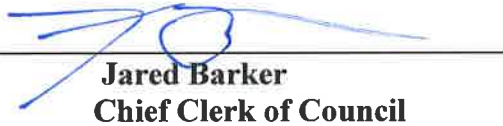
Enacted in Council, this 13th day of September, 2022

Council Agenda No. 12397-22



Patrick Catena
President of Council

Attest:



Jared Barker
Chief Clerk of Council

Chief Executive Office September 18th, 2022

Approved:



Rich Fitzgerald
County Executive

Attest:



Jennifer M. Liptak
Chief of Staff

SUMMARY OF LEGISLATION
CONVEYANCE OF PROPERTY LOCATED IN BOROUGH OF OAKMONT
SUBMITTED FOR COUNCIL MEETING AUGUST 23, 2022

Under Article IV, Section 2 (k) of the Allegheny County Home Rule Charter and Article 5-701.03 of the Administrative Code of Allegheny County, County Council is vested with the power and duty by ordinance to authorize the sale and conveyance of County-owned land, buildings, or other real or personal property owned by the County.

The County, Oakmont Borough and the Riverview School District (collectively the “Three Taxing Bodies”) are the owners of a vacant piece of real property identified as on Potomac Street, Oakmont, PA, Block and Lot 0362-F-00087 (the “Property”). Mrs. Donna Deturck has offered to purchase the Property and intends to expand her personal residence onto the Property.

The attached Ordinance would authorize the County to join the Borough and School District in selling the Property to Mrs. Deturck for \$1,000, an amount equal to the appraised fair market value of the Property. The Ordinance further authorizes that the Three Taxing Bodies would share the \$1,000 purchase price in accordance with each Taxing Bodies’ percentage of tax millage to the total tax millage on the Property.

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: August 18, 2022

RE: Proposed Ordinance

Attached is An Ordinance approving the sale of the County's interest in a parcel of property identified as Potomac Street, Oakmont, PA 15139 Block and Lot 0362-F-00087, for the sale price of \$1,000.00 to Mrs. Donna Deturck and the sharing of the sale price with Oakmont and the Riverview School District.

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.