

Bill No. 1874-05

No. 17-05-OR

## AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the Chief Executive to execute a deed conveying the County of Allegheny's interest in a parcel to Ted Babich.

**Whereas**, the County of Allegheny acquired title to a certain parcel known as Block 506-E, Lot 314 ("the Parcel") pursuant to a conveyance from Charles and Annie Schmoky on January 2, 1936; and

**Whereas**, the parcel is a vacant lot, primarily hillside with no access by road, and

**Whereas**, it has been determined that the parcel is no longer required by the County, and

**Whereas**, the County Manager previously approved the sale; and

**Whereas**, Ted Babich, the adjacent property owner, offered to pay \$900 for the parcel;

and

**Whereas**, Article IV Section 2(l) of the Allegheny County Home Rule Charter vests County's Council with the power and duty by ordinance to convey real property owned by the County.

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

### **SECTION 1.**

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

**SECTION 2.**

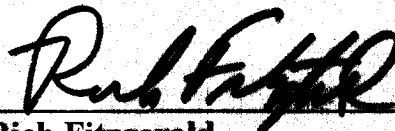
- A. The County Council of Allegheny County hereby does approve the transfer of the interest held therein by the County of Allegheny in a certain parcel known as Block 506-E Lot #314 to Ted Babich for and in consideration of the sum of NINE HUNDRED DOLLARS (\$900.00). Such approval is contingent upon a showing that back taxes owed to the County by Mr. Babich have been paid.
- B. The proper officers of the County are hereby authorized to execute any and all documents, including a deed, necessary to effectuate the conveyance of the County's interest in the Parcel.

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 *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Resolution.***

Enacted in Council, this 15<sup>th</sup> day of MARCH, 2005,

Council Agenda No. 1874-05



**Rich Fitzgerald**  
President of Council

Attest: John Mascio  
**John Mascio**  
Chief Clerk of Council

Chief Executive Office MARCH 21, 2005

Approved: Dan Onorato  
**Dan Onorato**  
Chief Executive

Attest: Donna Beltz  
**Donna Beltz**  
Executive Secretary

**MEMORANDUM**  
**OFFICE OF THE COUNTY MANAGER**

**TO:** John Mascio  
Chief Clerk

**FROM:** James M. Flynn, Jr. *JA*  
County Manager

**DATE:** February 24, 2005

**RE:** Proposed Ordinance

---

Attached is a Proposed Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the Chief Executive to execute a deed conveying the County of Allegheny's interest in a parcel to Ted Babich.

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.

**RECEIVED**

**FEB 24 2005**

Office of the Chief Clerk  
Allegheny County Council

## **SUMMARY**

Allegheny County has determined that this piece of property is no longer required for any County functions. This ordinance will allow the County to convey a tax exempt parcel to a private entity, thus making the property taxable.