

Bill No. 4744-09

No. 21-09-08

AN ORDINANCE

An Ordinance authorizing the County of Allegheny to sell excess rights-of-way and easements to Pennsylvania Department of Transportation, for Mt. Nebo Road in Ohio Township and for Greensburg Pike in North Versailles Borough.

Whereas, by its deed dated August 20, 2007 and recorded in Deed Book Volume 13399, Page 456, Donald R. Sobon (Son) and Ellen (Ella) R. Sobon (Mother) conveyed a parcel of real estate (Block and Lot No. 514-E-25) to Allegheny County for construction of lateral slope support for Mt. Nebo Road in Ohio Township; and

Whereas, by its letter dated October 3, 2008, Pennsylvania Department of Transportation offered to acquire a portion of said parcel not needed for County roadway purposes, for consideration of \$6,800.00, in order to construct lateral slope support along SR 279, Section A48; and

Whereas, by its deed dated December 12, 1931, and recorded in Deed Book Volume 2465, Page 83, Arlington Land Company conveyed a parcel of real estate to Allegheny County for Greensburg Pike in North Versailles Borough; and

Whereas, by its letter dated March 4, 2009, Pennsylvania Department of Transportation offered to acquire a portion of said parcel not needed for County roadway purposes, for consideration of \$2,400.00, for reconstruction of the approach to its bridge carrying Greensburg Pike, SR 2087, Section A01, over Lincoln Highway, SR 30; and

Whereas, the Department of Public Works recommends acceptance of the offer made by the Pennsylvania Department of Transportation for the stated consideration set forth in the letters of October 3, 2008 and of March 4, 2009, and

Whereas, the County Council of Allegheny County deems it appropriate to transfer said property interests to the Pennsylvania Department of Transportation without the need to secure an appraisal.

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 Sell Excess Land.**

County Council deems it advisable and necessary to convey the 9,104 square feet of right-of-way and 16,390 square feet of slope easement, being excess land at Mt. Nebo Road, depicted as Parcel 2 in Exhibit No. 1, to the Pennsylvania Department of Transportation for consideration of \$6,800.00.

SECTION 3.**Authorization to Sell Excess Land.**

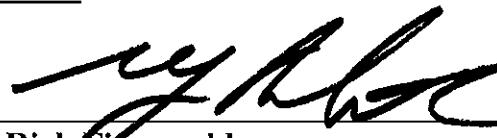
County Council deems it advisable and necessary to convey the 15,423 square feet of right-of-way, being excess land at Greensburg Pike, depicted as Parcel No. 10 in Exhibit No. 2, to Pennsylvania Department of Transportation for consideration of \$2,400.00.

Section 4. 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 5. 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.

Enacted in Council, this 21st day of April, 2009

Council Agenda No. 4744-09



Rich Fitzgerald
President of Council

Attest: John Mascio

John Mascio
Chief Clerk of Council

Chief Executive Office MAY 1, 2009



Approved: Dan Onorato

Dan Onorato
Chief Executive

Attest: Donna Beltz

Donna Beltz
Executive's Secretary

SUMMARY PAGE
DRAFT ORDINANCE TO SELL EXCESS LAND
TO PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
MT. NEBO ROAD IN OHIO TOWNSHIP AND
GREENSBURG PIKE IN NORTH VERSAILLES BOROUGH
March 12, 2009

Allegheny County recently acquired all of a parcel of land to construct lateral slope support of Mt. Nebo Road. The parcel was created as an uneconomic remnant when PennDOT acquired right-of-way for I-279. After constructing the lateral slope support, PennDOT offered to acquire another part of the parcel to extend the County's construction project between the County road and the state road.

PennDOT plans to reconstruct its bridge carrying Greensburg Pike (SR 2087) over Lincoln Highway (SR 30). A hillside parcel between the Greensburg Pike bridge eastbound approach ramp and SR 30 remains in County ownership after the County originally maintained Greensburg Pike. PennDOT now needs the parcel to reconstruct its bridge.

We request authorization to convey the excess real estate at the fair market values determined by certified general real estate appraisers.

MEMORANDUM

ALLEGHENY COUNTY

PUBLIC WORKS DEPARTMENT

TO: Michael H. Wojcik, Esq., County Solicitor
Law Department

FROM: Joseph A. Olczak
Director

DATE: March 12, 2009

SUBJECT: **MT NEBO ROAD AT SR 279, SECT. A48
GREENSBURG PIKE (SR 2087, SECT. A01 R/W) AT SR 30
REQUEST ORDINANCE TO SELL EXCESS LAND**

PennDOT has made offers to acquire, in fee, excess County land at the captioned two locations. We attach an ordinance for approval by County Council.

If acceptable, please have the Law Department forward the ordinance for approval by County Council. Please call David L. Wright, P.E., Right-of-Way Manager, at (412) 350-6645 if you have any questions.

cc: Howard Louik, Esq. w/attachments
Bernie Rossman, P.E.
Dave Wright, P.E.

EXHIBIT 1

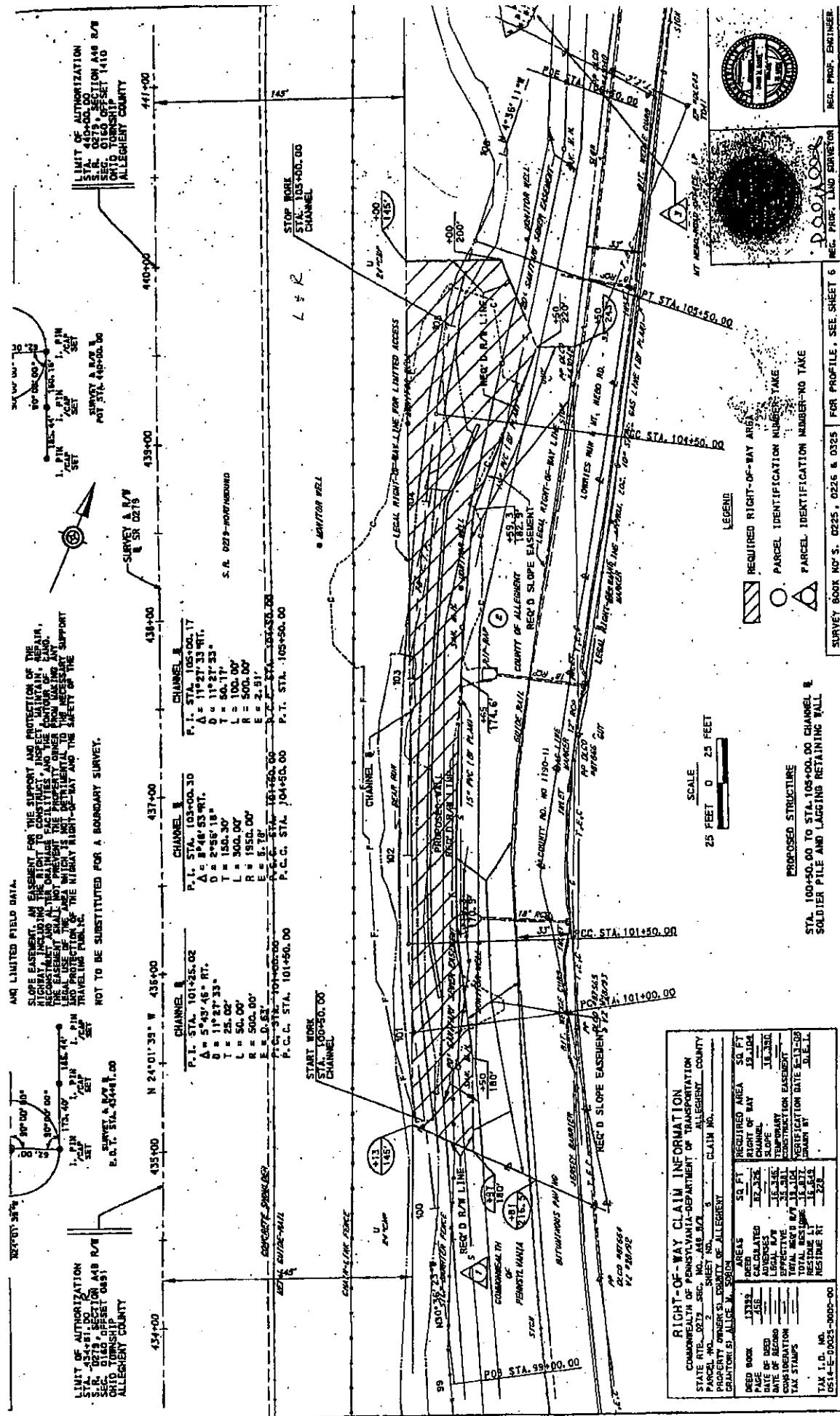
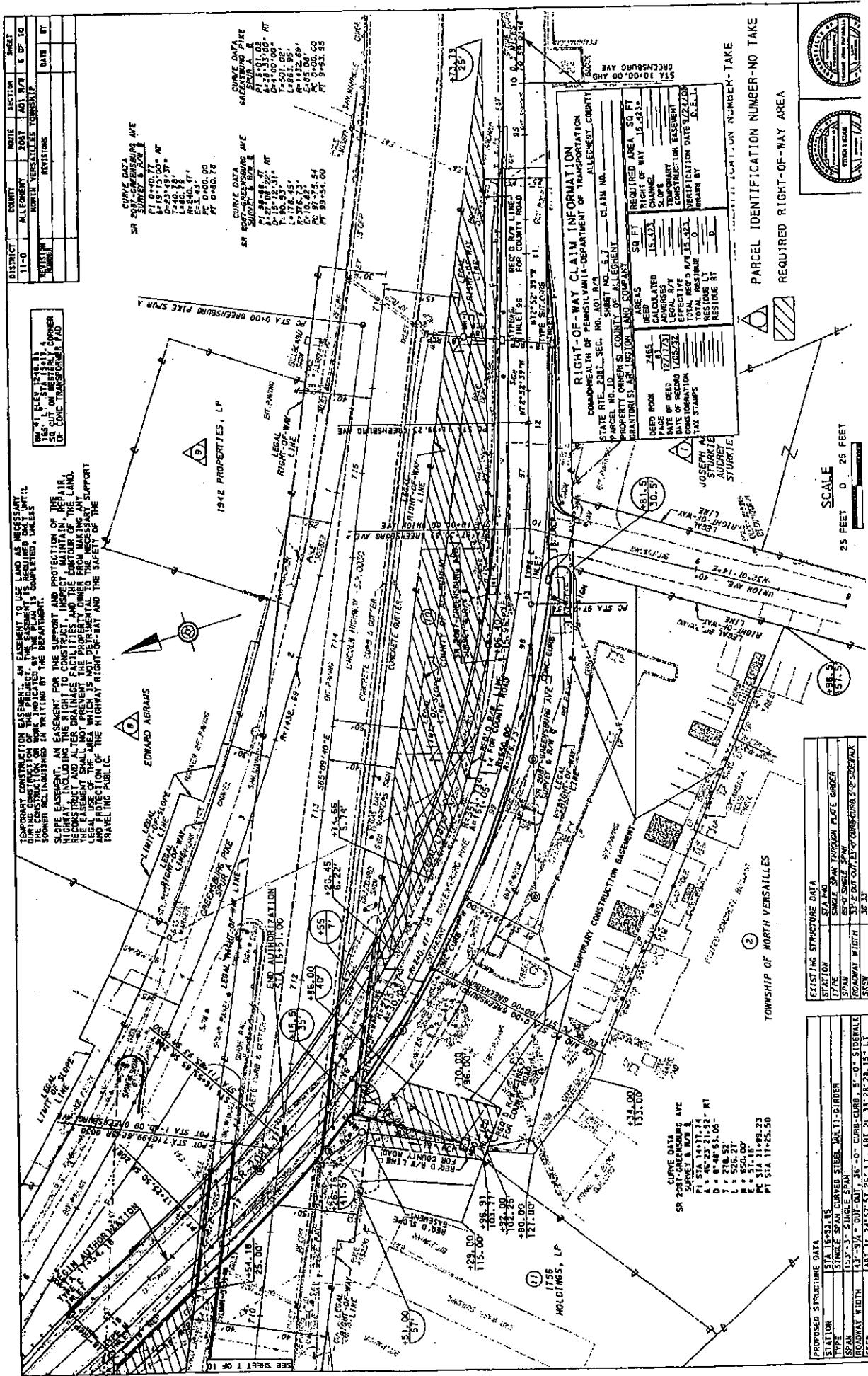


EXHIBIT 2



M E M O R A N D U M

OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

ALLEGHENY COUNTY COUNCIL

FROM: James M. Flynn, Jr.
County Manager

09 APR 2009 10:18

DATE: April 1, 2009

RE: Proposed Ordinance

Attached is an Ordinance authorizing the County of Allegheny to sell excess rights-of-way and easements to Pennsylvania Department of Transportation, for Mt. Nebo Road in Ohio Township and for Greensburg Pike in North Versailles Borough.

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.