

Bill No. 2989-07

No. 07-07-OR

## AN ORDINANCE

Authorizing the County of Allegheny to convey a 0.361 acre area of excess right-of-way on Bethel Church Road (County No. 5028-01) at its intersection with Library Road (SR 88) in the Municipality of Bethel Park to Paradise Development Group, Inc., a private developer of property.

**Whereas**, the County Council of Allegheny County deems it advisable to convey a certain 0.361 acre area of excess right-of-way of Bethel Church Road (County Road No. 5028-01) on the northwest corner of its intersection with Library Road (SR 88), being part of the same right-of-way acquired from the Borough of Bethel Park by Agreement No. 25903 dated May 18, 1990, not recorded, and from R.F.M. Properties, Inc. by deed dated November 25, 1986 and recorded in Allegheny County Recorder of Deeds Office in Deed Book Volume 8187, Page 125 in the Municipality of Bethel Park, County of Allegheny and Commonwealth of Pennsylvania, which is depicted on the drawing that is attached hereto as Exhibit "A" and incorporated herein by reference (the "Property"); and

**Whereas**, PARADISE DEVELOPMENT GROUP, INC., a private land developer (the "Developer"), has indicated an interest in acquiring the Property for consideration in the amount of \$30,000.00, in order to develop a retail store which will result in the addition of jobs and the increase in taxable land value; and

**Whereas**, such consideration amount is based on an appraisal prepared by a certified general real estate appraiser under contract with the County of Allegheny; and

**Whereas**, the County shall reserve slope easements over the Property necessary to support Bethel Church Road and reserve sufficient unused right-of-way to add a lane on Bethel Church Road approaching its intersection with Library Road (SR 88); and

**Whereas**, this conveyance will return the Property to the taxable real estate tax rolls; and

**Whereas**, in accordance with Section 701.03 F of the County Administrative Code, the County Executive has authorized vacation of the Property by Executive Action No. 1401-06 dated December 22, 2006.

***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 Vacate Excess Bethel Church Road Right-of-Way To Developer.***

Council deems it advisable and necessary to vacate a certain 0.36 acre parcel of land designated herein as the Property to PARADISE DEVELOPMENT GROUP, INC. for consideration in the amount of THIRTY THOUSAND AND 00/100 (\$30,000.00) DOLLARS. The County shall reserve in such Property a slope easement necessary for lateral support of Bethel Church Road. The County shall convey the responsibility to maintain any County storm water facilities within the Property but shall retain the right to enter the Property and repair existing County storm sewer facilities if necessary. The Director of Public Works or his designee is authorized to execute in the name of the County such instruments of conveyance and other documents that may be necessary to accomplish the conveyance and transfer of the Property to the Developer.

***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.***

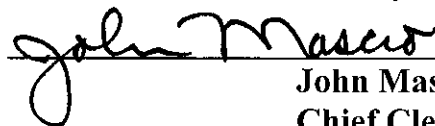
***Section 4.     Repealer. Any resolution or ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.***

Enacted in Council, this 20<sup>th</sup> day of February, 2007,

Council Agenda No. 2989-07.



Rich Fitzgerald  
President of Council

Attest: 

John Mascio  
Chief Clerk of Council

Chief Executive Officer

 February 26, 2007

Approved:

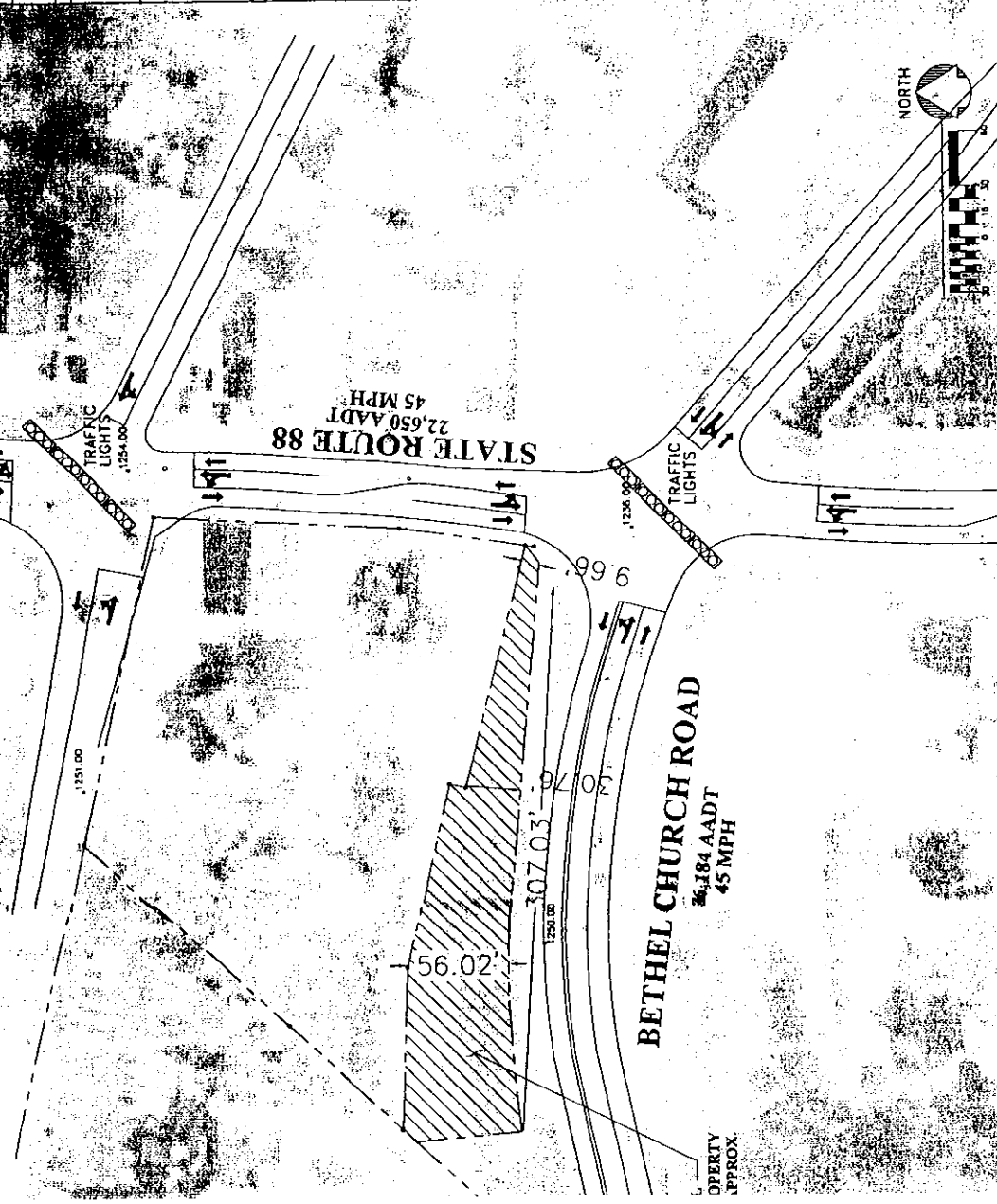
Dan Onorato  
Chief Executive

Attest:

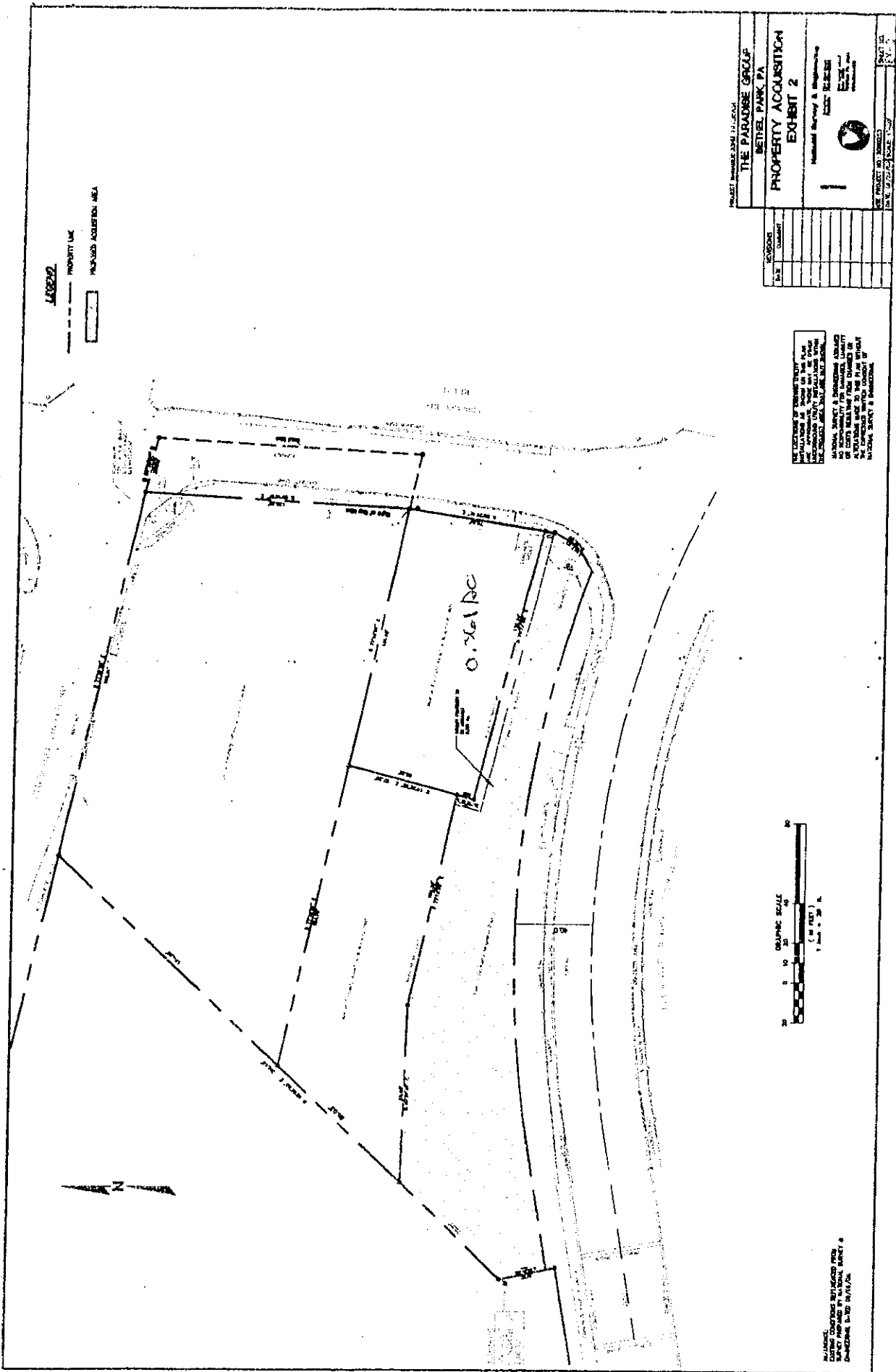


Donna Beltz  
Executive's Secretary

CONTRACTOR'S CONSULTANT ALL CONTRACTOR'S CONSULTANTS MUST BE LICENSED IN THE STATE OF MARYLAND LICENSE NO. _____ EXPIRATION DATE _____	
PROJECT NO. _____ SHEET NO. _____ OF _____ DATE _____	
PROJECT NAME <b>BETHEL RETAIL CENTER</b> 10000 STATE ROUTE 88, BETHEL, MARYLAND 20814	
PRELIMINARY SITE PLAN SCALE: AS SHOWN DATE: 7-11-88	
PROJECT NO. _____ SHEET NO. <b>P1</b> OF _____	



1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
 2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.  
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### **SUMMARY OF LEGISLATION**

The attached legislation would authorize the County to convey a 0.361 acre area of excess right-of-way on Bethel Church Road (County No. 5028-01) at its intersection with Library Road (SR 88) in the Municipality of Bethel Park to Paradise Development Group, Inc., a private developer of property.

**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

'07 JAN 18 AM 10:24



DATE: January 18, 2006

RE: Proposed Ordinance

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Attached is an Ordinance Authorizing the County of Allegheny to convey a 0.361 acre area of excess right-of-way on Bethel Church Road (County No. 5028-01) at its intersection with Library Road (SR 88) in the Municipality of Bethel Park to Paradise Development Group, Inc., a private developer of property.

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.