

*No. 24-16-OR*

**AN ORDINANCE**

An Ordinance authorizing the County of Allegheny to grant a permanent license to Columbia Gas of Pennsylvania, Inc. ("Columbia Gas"), in order to provide Columbia Gas with a right of ingress and egress to County-owned property in the County's North Park for purposes of renewing, replacing, maintaining and servicing approximately 3,000 feet of an old and deteriorated gas transmission line in North Park, at tax parcel No. 946-A-187, crossing North Ridge Road at three locations, for the amount of \$15,000.00, as well as for the County to be reimbursed for the cost of replacing trees which will need to be removed in connection with the replacement of the gas transmission line, which is estimated to be \$13,266.28.

**Whereas**, Allegheny County acquired three parcels of land for North Park by the following deeds dated and recorded in Allegheny County Real Estate Department: 10/21/1977 at Deed Book Volume 5859, Page 262; 5/10/1931 at Deed Book Volume 2459, Page 221 and 10/17/1928 at Deed Book Volume 2381, Page 1 (Tract 1), designated by the Allegheny County Assessment Department as tax parcel No. 946-A-187, located in Pine Township and the Town of McCandless; and

**Whereas**, Columbia Gas has expressed an interest in renewing, replacing, maintaining and servicing approximately 3,000 feet of an existing old and deteriorated gas transmission line located within an unrecorded easement acquired from prior property owners, as depicted on a License Area Exhibit by Liadis Engineering and Surveying, Inc. dated November 24, 2015, attached and marked Exhibit "A," which is specifically incorporated by reference herein; and

**Whereas**, Columbia Gas has expressed its willingness to acquire the License Area for the \$15,000.00 amount, and has borne the entire costs associated with the acquisition; and

**Whereas**, said project constitutes a valid public purpose serving the interests of the residents of the County of Allegheny, and

**Whereas**, the County Council of Allegheny County now deems it advisable to grant a permanent license to the License Area, enabling Columbia Gas the right of ingress and egress to the aforementioned County property for purposes of the renewal, replacement, maintenance and servicing of the old and deteriorated gas transmission line, at the price of \$15,000.00, and for reimbursement to the County of the cost of trees removed in connection with replacement of the gas transmission line estimated to be \$13,266.28; and

**Whereas**, Article IV, Section 2(k) of the Allegheny County Home rule Charter vests County Council with the power and duty by ordinance to lease or permit the use of County property.

***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 as set forth in their entirety herein.

***SECTION 2. Authorization to Grant a Permanent License Area.***

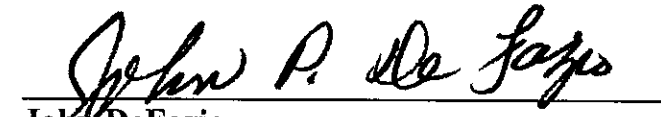
That Council, in accordance with the provisions of the Home Rule Charter and Administrative Code, authorizes the County to grant a permanent license to the License Area, as depicted in Exhibit "A", to Columbia Gas, effective immediately upon enactment of this Ordinance, for the purpose of Columbia Gas renewing, replacing, maintaining and servicing approximately 3,000 feet of an old and deteriorated gas transmission line, and for the amount of \$15,000.00, in addition to \$13,266.28 in reimbursement to the County for the replacement of trees to be removed in connection with the replacement of the gas transmission line. The appropriate County officers and officials are authorized to take such action as is necessary to carry out the purposes of the authorization granted herein.

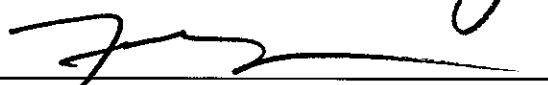
***SECTION 6. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance, which shall be in full force and effect.***

***SECTION 7. 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 7<sup>th</sup> day of June, 2016

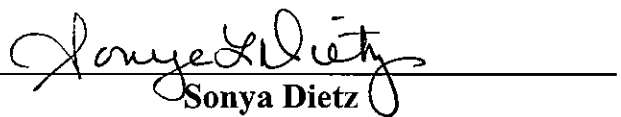
Council Agenda No. 9547-16

  
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John DeFazio  
President of Council

Attest:   
\_\_\_\_\_  
Jared Barker  
Chief Clerk of Council

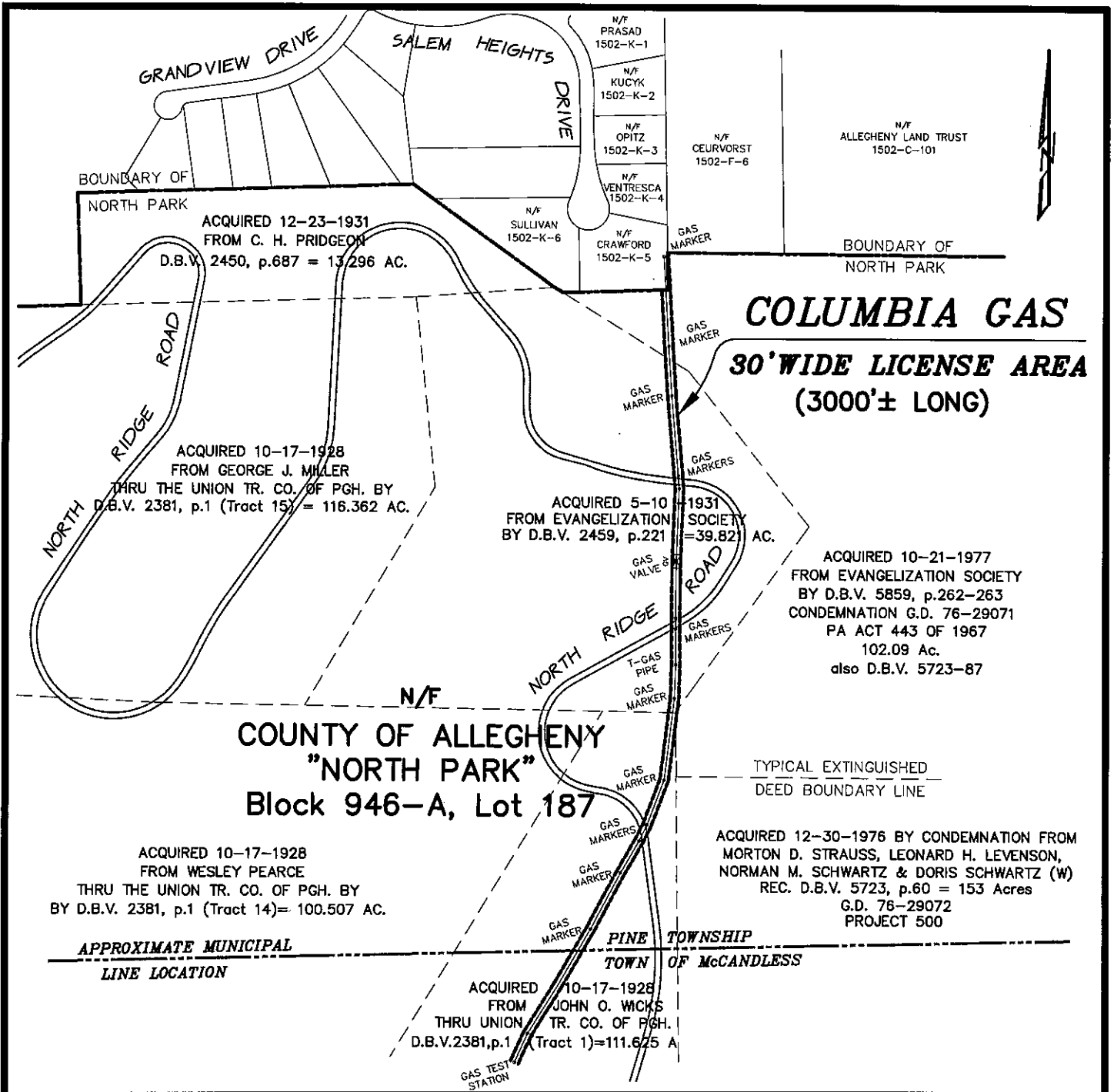
Chief Executive Office June 17, 2016

Approved:   
\_\_\_\_\_  
Rich Fitzgerald  
Chief Executive

Attest:   
\_\_\_\_\_  
Sonya Dietz  
Executive's Secretary

## SUMMARY OF LEGISLATION

The attached legislation would permit the County to grant a permanent license to Columbia Gas of Pennsylvania, Inc. ("Columbia Gas") of certain Allegheny County-owned real property in the County's North Park in order for Columbia Gas the right of ingress and egress to the said property for purposes of renewing, replacing, maintaining and servicing approximately 3,000 feet of an old and deteriorated gas transmission line, in exchange for a payment of Columbia Gas to the County for the amount of \$15,000.00, and reimbursement to the County by Columbia Gas in the amount of \$13,266.28, the estimated cost of replacing trees to be removed by Columbia Gas in connection with replacement of the gas transmission line. The appropriate County officers and officials would be authorized to take such action as would be necessary to carry out the purposes of the authorization granted in the legislation.



<b>PLAN MADE FOR</b>	<b>LICENSE AREA EXHIBIT COLUMBIA GAS OF PA., INC.</b>	
<b>SITUATE IN</b>	<b>PINE TWP. &amp; TOWN OF McCANDLESS ALLEGHENY COUNTY, PA</b>	
<b>LIADIS ENGINEERING &amp; SURVEYING, INC. 3100 BANKSVILLE ROAD - PITTSBURGH, PA 15216</b>		
<b>SCALE: 1" = 500' NOVEMBER 24, 2015; "EXHIBIT A"</b>		<b>DRAWING No. 15-189A</b>

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

TO: Jared E. Barker  
Allegheny County Council

FROM: William D. McKain CPA  
County Manager

DATE: March 31, 2016

RE: Proposed Ordinance

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Attached is an Ordinance authorizing the County of Allegheny to grant a permanent license to Columbia Gas of Pennsylvania, Inc. ("Columbia Gas"), in order to provide Columbia Gas with a right of ingress and egress to County-owned property in the County's North Park for purposes of renewing, replacing, maintaining and servicing approximately 3,000 feet of an old and deteriorated gas transmission line in North Park.

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.

RECEIVED  
ALLEGHENY COUNTY COUNCIL  
2016 MAR 31 AM 10:59