

No. 07-25-OR

AN ORDINANCE

An Ordinance authorizing the County of Allegheny, in conjunction with the Department of Public Works and the Law Department, to donate and convey by special warranty deed one parcel of County-owned land, being more particularly described as having 5,983 square feet (effective area) of land, known for tax purposes as Block & Lot 213-G-51, located on Western Avenue, Borough of Emsworth, Allegheny County, Commonwealth of Pennsylvania.

Whereas, the County Council of Allegheny County deems it advisable to donate and convey by special warranty deed one parcel of County-owned land, being more particularly described as having 5,983 square feet (effective area) of land, known for tax purposes as Block and Lot 213-G-51, located on Western Avenue, Borough of Emsworth, Allegheny County, Commonwealth of Pennsylvania (the "Property"); and

Whereas, the Property is more particularly described in the legal description set forth in the vesting deed for the parcel, marked as "Exhibit A", attached hereto and made a part hereof; and

Whereas, the Property is depicted in a drawing marked as "Exhibit B", attached hereto and made a part hereof; and

Whereas, the Property is not currently needed, nor expected to be needed in the future for any County public purposes and has been deemed to be surplus property; and

Whereas, the Allegheny County Sanitary Authority, a Pennsylvania municipal authority ("ALCOSAN") has notified the Department of Public Works that it requires the Property for the construction of a Clean Water Plan Improvement and seeks to hold or acquire same by purchase or condemnation; and

Whereas, the County Department of Public Works received an appraisal of the Property dated October 27, 2024, issued by Philip "Andy" Doherty, Pennsylvania Certified General Real Estate Appraiser, Certification No. GA-001493-L and Michael V. Whorral, Pennsylvania Licensed Real Estate Appraiser Trainee, Certification No. LATOO 1384 (the "Appraisal"), which determined the as-is value of the fee simple interest in the Property to be \$4,800.00, as more particularly set forth in the Appraisal Report, marked as "Exhibit C", attached hereto and made a part hereof; and,

Whereas, the Department of Public Works believes that the Appraisal fairly and accurately reflects the fair market value of the Property sought to be conveyed to ALCOSAN, and

Whereas, given the public purpose of the Clean Water Plan contemplated by ALCOSAN, the County Council of Allegheny County deems it advisable to donate and convey the Property by special warranty deed to ALSOSAN in lieu of payment of the Property's fair market value; and

Whereas, ALCOSAN has indicated its willingness to acquire the Property by donation for inclusion in its Clean Water Plan Project.

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 Convey the Property at Fair Market Value.


That Counsel deems it advisable to convey by special warranty deed title to the Property to ALCOSAN with the consideration therefore to be the amount of ONE AND 00/100 DOLLARS (\$1.00). Counsel further authorizes the Director of the Department of Public Works, in conjunction with the Law Department, to execute any documents, including a special warrant deed, to convey the Property to ALCOSAN for the purposes herein intended.

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 11th day of March, 2025

Council Agenda No. 13411-25



Patrick Catena
President of Council

Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office March 17, 2025

Approved: 
Sara Innamorato
Chief Executive

Attest: 
Grant Gittlen
Chief of Staff

Summary

Authorization to donate and convey by special warranty deed to the Allegheny County Sanitary Authority, a Pennsylvania municipal authority ("ALCOSAN"), one (1) parcel of County-owned land, being more particularly described as having 5,983 square feet of land, known for tax purposes as Block and Lot 213-G-51, located on Western Avenue, Borough of Emsworth, Allegheny County, Commonwealth of Pennsylvania.

Legal Description

Beginning at a point on the South side of Williams Street, said point being approximately 39 feet Southeast of the intersection of Williams Street and Taylor Street; thence along Williams Street North 74 degrees 38 minutes West approximately 39.0 feet to Taylor Street; thence along the East side of Taylor Street South 15 degrees 22 minutes West approximately 35.0 feet to the Southwest side of the bottom of relocated run channel; thence along said line of run channel South 41 degrees 14 minutes East approximately 37 feet to a point of curve; thence Southeastwardly by a curve to the right having a radius of 175 feet a distance of approximately 105 feet to the West side of Lowries Run Road; thence along said line of Lowries Run Road North 15 degrees 22 minutes East approximately 30 feet to an angle; thence continuing by said line of Lowries Run Road North 1 degree 22 minutes East approximately 72 feet to the Northeast line of the bottom of run channel; thence by said line of run channel by a curve to the left having a radius 225 feet a distance of approximately 29 feet to a point of tangent; thence continuing by said line of run channel North 41 degrees 14 minutes West approximately 23 feet to Williams Street, the place of beginning, containing approximately 5,983 square feet.

**TOTAL FEE AREA
OF ACQUISITION:**
5,983 SQ. FT.
0.135 ACRES

Point #	Easting	Northing
1	1318232.81	436135.30
2	1318251.02	436108.68
3	1318250.05	436091.72
4	1318247.75	436051.58
5	1318231.83	436000.42
6	1318192.28	436105.91
7	1318168.84	436134.53
8	1318178.99	436167.16
9	1318216.23	436155.58

ABBREVIATIONS:

DAY DEED BOOK VOLUME
PG PAGE
POB POINT OF BEGINNING



SCALE: 1" = 30'

WOODEN STAKES

- NOTES:**
1. INFORMATION SHOWN IS BASED ON FIELD SURVEYS PERFORMED BY SCI-TEK CONSULTANTS, INC., COMPLETED BETWEEN MAY 2021 AND APRIL 2024.
 2. HORIZONTAL DATUM: PA STATE PLANE COORDINATES (SOUTH ZONE) (NAD83/2011). VERTICAL DATUM: NAVD83 (GEOID 18). GRID NORTH, BEARINGS AND ELEVATIONS WERE DERIVED FROM THE KEWNET GPS VRS NETWORK. THE STATE PLANE COORDINATES HAVE BEEN SCALED TO GROUND FROM A POINT AT N: 41081.85 AND E: 133522.01 USING A COMBINED FACTOR OF 1.0000698987.
 3. SURVEY MEASUREMENTS WERE MADE IN US SURVEY FEET (US FT).
 4. STREET RIGHT-OF-WAY WIDTHS OBTAINED FROM PBV 15 PG. 20 & PBV 16 PG. 4.
 5. THIS PLAN IS NOT VALID UNLESS IT CONTAINS THE SIGNATURE AND SEAL OF THE PROFESSIONAL LAND SURVEYOR.
 6. ALCOBAN REQUIRES THAT A 25' WIDE RIGHT OF WAY WILL BE MAINTAINED AT AN UNDEFINED LOCATION IN ORDER TO NOT RESTRICT THE USE OF THE LAND BY THE OWNERS. ALCOBAN SHALL HAVE THE FREE AND UNINTERRUPTED RIGHT OF INGRESS, EGRESS, AND REGRESS THROUGH, IN AND ALONG SAID RIGHT OF WAY IN THE EXERCISE OF SAID RIGHTS, WITHOUT LET OR HINDERANCE FROM THE GRANTORS.

REV. NO.	DATE	DESCRIPTION	APPROVED
1	5/13/24	ADD NOTES 6 AND 7	JRG
2	5/13/24	REMOVED PAGE 1	JRG
3	5/13/24	CHANGED TO FEE AREA	JRG

Surveyor in the Commonwealth of Pennsylvania
hereby certify to the best of my knowledge,
information and belief, that this plan is correct and
has been surveyed and prepared by me or under
my direct supervision.

Jeremy R. Gatten 5-13-24
Jeremy R. Gatten, PLS #5007445 Date



ALLEGHENY COUNTY SANITARY AUTHORITY
REGIONAL CONVEYANCE SYSTEM
PENNSYLVANIA

0-15 PERMANENT ACCESS EASEMENT EXHIBIT
COUNTY OF ALLEGHENY
MBL # 213-G-51

Contract: S-474
CAD File Name: 0-15 EASEMENT EXHIBIT V6.DWG
Date: 4/23/2024
Sheet: 1 of 1

APPRAISAL REPORT - TOTAL ACQUISITION

CLEAN WATER PLAN PROJECT	Total Area in Acres or Square Feet					
Program	Regionalization		Effective Area: 5,983 Square Feet			
Purpose	Total Acquisition					
Municipality	Emsworth Borough					
Parcel ID Number	213-G-51					
Property Owner(s) – County of Allegheny						
Mailing Address of Owner(s) – 542 Forbes Avenue, Room 347, Pittsburgh, PA 15219-2591						
Location of Subject Property – Western Avenue, Pittsburgh, PA 15202-1707						
PREVIOUS SALES DATA - List all transfers of Subject in past five (5) years. If none, list <i>last</i> transfer.						
Grantor	Grantee	Date	DBV	Page	Consideration	Verified With
Wilhelmine Johanne Hesperheide and Clara Marie Hesperheide, (both unmarried), Conradina Emielje Hesperheide and Henriette Ernestine Hesperheide, (both unmarried)	County of Allegheny	2/3/1931	2452	258	\$5,500	Deed
Tax Parcel Number – 213-G-51						
Note family sales, or other known factors which may have affected the consideration – Arm's Length Transaction. There are no known factors affecting the transfer of title. A full title search was not made available to the appraisers. The assignment assumes the Grantees can convey clear title to the property.						
<p>Purpose of Appraisal – This is a total take and therefore the after value will be \$-0-. The purpose of this appraisal is to estimate the fair market value of the entire property immediately before the taking and as unaffected thereby. Fair market value shall be the price which would be agreed to by a willing and informed seller and buyer, taking into consideration, but not limited to, the following factors: 1) the present use of the property and its value for such use; 2) the highest and best reasonably available use of the property and its value for such use; 3) the machinery, equipment and fixtures forming part of the real estate taken; and 4) other factors as to which evidence may be offered as provided by the Eminent Domain Code.</p> <p>This Appraisal is based on Property Owner's Title being: Fee Simple (Fee Simple, Surface, Leased Fee and Leasehold, Life and Remainder Interest, etc)</p>						
This appraisal is authorized by the federal Uniform Act, and is only intended for use by the Allegheny County Sanitary Authority for the acquisition of property or other related purposes. This appraisal conforms to the Pennsylvania Real Estate Appraisers Certification Act and applicable regulations including 49 Pa. Code §36.51 and is in compliance with USPAP (Uniform Standards of Professional Appraisal Practice).				<p>In my opinion the value of this property as of 10/27/2024 (Effective Date of Valuation)</p> <p>is: \$4,800 (Damages)</p>		

10/27/2024

Date of Signature

Signature of Principal Appraiser

10/27/2024

Date of Signature

Signature of Other Appraiser

Type/Print Name (Designation) Phillip "Andy" Doherty
 Pennsylvania Certified General Real Estate Appraiser
 Certification No. GA-001493-L

Type/Print Name (Designation) Michael V. Whorral
 Pennsylvania Licensed Real Estate Appraiser Trainee
 Certification No. LAT001384

MEMORANDUM

OFFICE OF THE COUNTY SOLICITOR

TO: John Fournier
County Manager

FROM: Rosalyn Guy-McCorkle
County Solicitor

DATE: February 10, 2025

RE: Alcosan Emsworth Donation Ordinance

Attached is the following Ordinance:

1. Alcosan Emsworth Donation Ordinance

The Allegheny County Law Department has reviewed the Ordinances prior to submitting it to the Council.

I am requesting that the item be placed on the agenda at the next Regular Council Meeting.