

Bill No. 3589-07

No. 59-07-DR

AN ORDINANCE

Authorizing the County of Allegheny (the "County") to acquire an aerial easement for and accept ownership of, the bridge structure and abutments of the Duquesne Flyover Ramp which is to be constructed between Route 837 and North Linden Avenue in the City of Duquesne (the "City").

Whereas, the County deems it advisable and necessary for the County to acquire an aerial easement for and accept ownership of, the bridge structure and the abutments of the Duquesne Flyover Ramp which is to be designed and constructed between Route 837 and North Linden Avenue in the City of Duquesne and is shown on the drawing attached hereto as Exhibit "A"; and

Whereas, the County and the City are desirous and willing to cooperate in the design and construction of the Duquesne Flyover Ramp; and

Whereas, the project funding shall be provided by the Federal Highway Administration, the Commonwealth of Pennsylvania and the City and/or its agents, and these entities shall pay all costs incurred in connection with the design, construction and related items for the Duquesne Flyover Ramp; and

Whereas, the City shall take ownership of the ramps, end walls and roadway leading to the bridge structure from Route 837, and the ramps, end walls and roadway leading from the bridge structure to North Linden Avenue; and

Whereas, the City shall provide and be responsible for snow and ice removal for all of the road surfaces including the road surfaces on the bridge structure; all routine maintenance and paving for all roadway surfaces including the road surfaces on the bridge structure; and further, the City shall be responsible for maintenance and utilities for all lighting, signage and signalization related to the project; and

Whereas, in accordance with Section 701.02 E of the County Administrative Code, the County Executive has authorized the County to acquire an aerial easement for and accept ownership of, the bridge structure and the abutments of the Duquesne Flyover Ramp by Executive Action No. 5924-07 dated July 16, 2007; and

Whereas, in accordance with Section 701.02 C of the County Administrative Code, the approval of County Council is required for the County to acquire an aerial easement for and accept ownership of, the bridge structure and the abutments of the Duquesne Flyover Ramp.

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

Section 1. Incorporation of the Preamble.

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

Section 2. Authorization to Accept Ownership of Bridge Structure and Abutments of the Duquesne Flyover Ramp.

Council hereby authorizes the County to acquire an aerial easement for and accept ownership of, the bridge structure and the abutments of the Duquesne Flyover Ramp which is to be designed and constructed between Route 837 and North Linden Avenue in the City of Duquesne as described above and as shown on the drawing attached hereto as Exhibit "A". The appropriate County officers and officials are authorized to execute any documents required to carry out the purpose of the authorization granted herein.

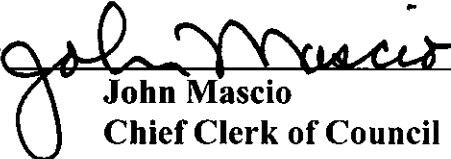
Section 3. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

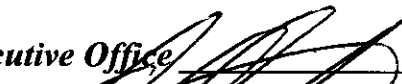
Section 4. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

Enacted in Council, this 18th day of December, 2007,

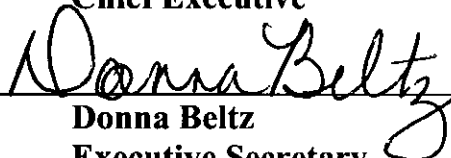
Council Agenda No. 3589-07


Rich Fitzgerald
President of Council

Attest: 
John Mascio
Chief Clerk of Council

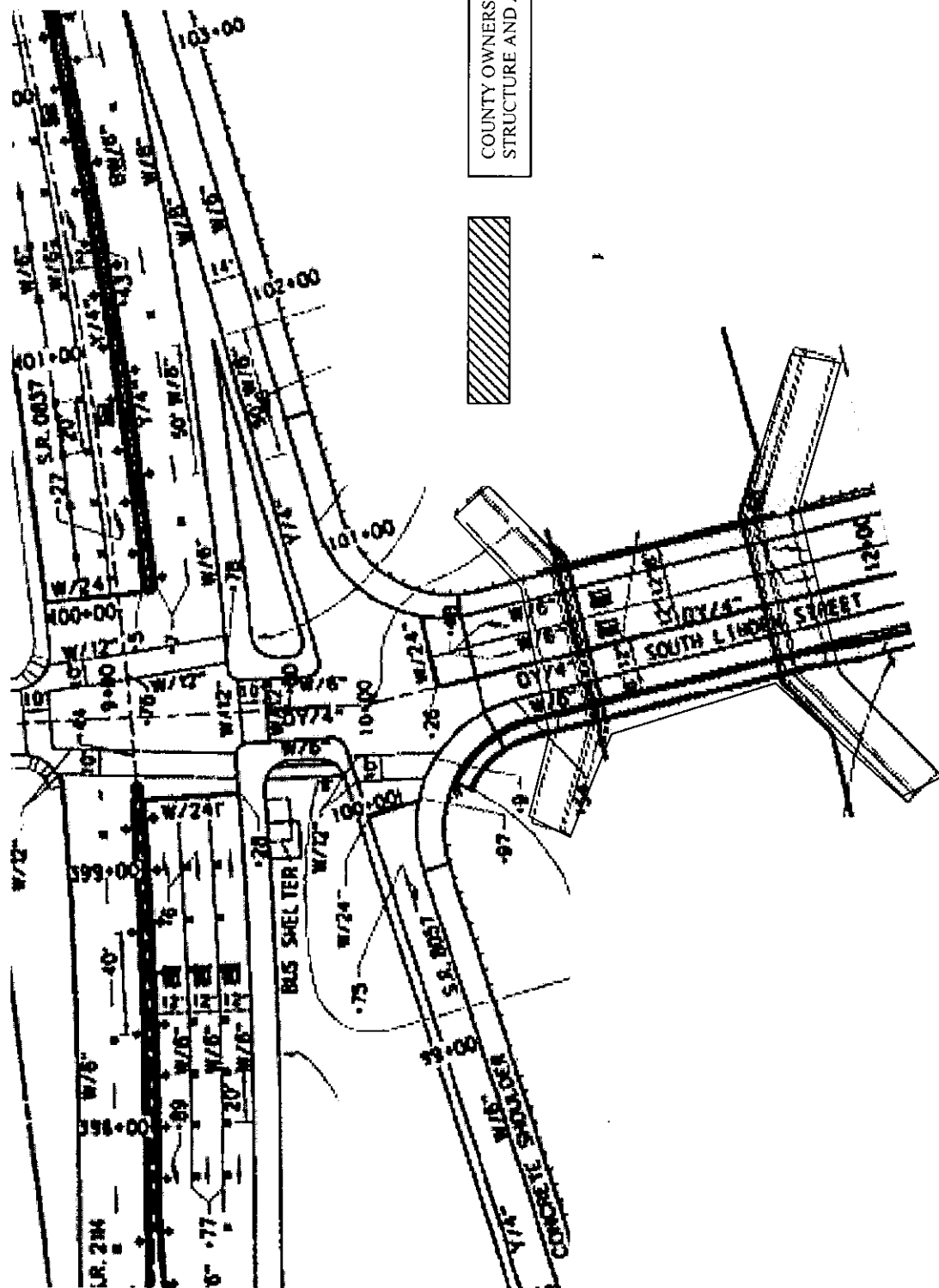
Chief Executive Office,  December 20, 2007

Approved: 
Dan Onorato
Chief Executive

Attest: 
Donna Beltz
Executive Secretary

Summary

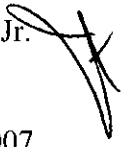
Request for Council to authorize the County to acquire an aerial easement for, and accept ownership of, the bridge structure and abutments of the Duquesne Flyover Ramp which is to be designed and constructed between Route 837 and North Linden Avenue in the City of Duquesne.



DUQUESNE FLYOVER RAMP
EXHIBIT "A"

M E M O R A N D U M
OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr. 
County Manager

DATE: November 29, 2007

RE: Proposed Ordinance

Attached is an Ordinance Authorizing the County of Allegheny (the "County") to acquire an aerial easement for and accept ownership of, the bridge structure and abutments of the Duquesne Flyover Ramp which is to be constructed between Route 837 and North Linden Avenue in the City of Duquesne (the "City").

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.

ALLEGHENY COUNTY COUNCIL

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