

No. 09-20-OR

AN ORDINANCE

An Ordinance authorizing the County of Allegheny, in conjunction with the Department of Public Works and the Law Department, to convey by special warranty deed two parcels of County-owned vacant land, being more particularly described as (1) 5,955.04 square feet of land being part of Lot and Block 392-A-60 and (2) 12,002.08 square feet of land designated as roadway right-of-way, both parcels of land being situate in the Municipality of Bethel Park, Allegheny County, Commonwealth of Pennsylvania to FC Bethel, LLC, a Pennsylvania limited liability company, for the purpose of inclusion into the Bethel Pines Subdivision development.

Whereas, the County Council of Allegheny County deems it advisable to convey by special warranty deed two parcels of County-owned vacant land, being more particularly described as (1) 5,955.04 square feet of land being part of Lot and Block 392-A-60 and (2) 12,002.08 square feet of land designated as roadway right-of-way, both parcels of land being situate in the Municipality of Bethel Park, Allegheny County, Commonwealth of Pennsylvania (the “Property”) to FC Bethel, LLC, a Pennsylvania limited liability company (“FC Bethel”), for the purpose of inclusion into the Bethel Pines Subdivision development; and

Whereas, the Property is more particularly described in the legal descriptions for the parcels, marked as “Exhibit A”, attached hereto and made a part hereof; and

Whereas, the Property is depicted in a subdivision drawing of the Plan for Land Acquisition created by CEC Civil & Environmental Consultants, Inc., revised 01/13/2020 and marked as “Exhibit B”, attached hereto and made a part hereof; and

Whereas, a portion of the Property (Part of Lot and Block 392-A-60) is not currently needed, nor expected to be needed in the future for any public purpose and has been deemed to be surplus property; and

Whereas, the other portion of the Property designated as roadway right-of-way and currently being used as lateral support for Bethel Church Road, will be made unnecessary by the proposed filling for the Bethel Pines Subdivision development and will then also become surplus property; and

Whereas, the County Council of Allegheny County deems it advisable to convey the Property by special warranty deed to the FC Bethel at its appraised value; and

Whereas, FC Bethel has indicated its willingness to acquire the Property at its appraised value for inclusion in the Bethel Pines Subdivision development; and

Whereas, the County Department of Public Works received an appraisal of the Property issued by Newmark Knight Frank dated 06/14/2019 (the "Appraisal"), which determined the as-is value of the fee simple interest in the Property to be \$2,100.00, as more particularly set forth in the Executive Summary, 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 FC Bethel.

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 ownership the Property to FC Bethel with the consideration therefore to be the amount of TWO THOUSAND ONE HUNDRED AND NO/100TH DOLLARS (\$2,100.00).

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 25th day of February, 2020

Council Agenda No. 10402-20



Patrick Catena
President of Council

Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office February 27, 2020



Approved: _____
Rich Fitzgerald
Chief Executive

Attest: 

Sonya Dietz
Executive's Secretary

Summary

Authorization to convey certain surplus vacant land being more particularly described as (1) 5,955.04 square feet of land being part of Lot and Block 392-A-60 and (2) 12,002.08 square feet of land designated as roadway right-of-way, both parcels of land being situate in the Municipality of Bethel Park, Allegheny County, Commonwealth of Pennsylvania, to FC Bethel, LLC, a Pennsylvania limited liability company at the price of \$2,100 for the purpose of inclusion into the Bethel Pines Subdivision development.

EXHIBIT A

PARCEL DESCRIPTION
PART of LOT and BLOCK 392-A-60
of
Lands of The County of Allegheny, Pennsylvania
The Borough of Bethel Park,
Allegheny County, Pennsylvania.

All that certain parcel of land situate in the Borough of Bethel Park, County of Allegheny, Commonwealth of Pennsylvania being part of Lot and Block 362-A-60 more particularly bound and described as follows:

Beginning at a point common to lands of the County of Allegheny being Lot and Block 392-A-60 and lands now or formerly of Mary F. Demare being Lot and Block 392-A-65; thence South $47^{\circ} 17' 56''$ East 119.22 feet to a point; thence North $44^{\circ} 29' 53''$ East 95.70 feet to a point common to lands of Lot and Block 392-A-60, lands of Lot and Block 392-A-65 and lands of Bethel Church Road Right-of-Way as owned by the County of Allegheny; thence along the dividing line of Lot and Block 392-A-60 and Bethel Church Road Right-of-Way the following three (3) courses and distances:

South $80^{\circ} 40' 43''$ West 2.25 feet to a point;
thence South $83^{\circ} 33' 53''$ East 140.00 feet to a point;
thence South $78^{\circ} 25' 24''$ West 13.63 feet to the point at the Place of Beginning.

Containing a total area of 5,955.04 Square Feet or 0.136 Acres

RIGHT-OF-WAY DESCRIPTION
FOR BETHEL CHURCH ROAD
of
The County of Allegheny, Pennsylvania
The Borough of Bethel Park,
Allegheny County, Pennsylvania.

Beginning at a point on the Southerly side of Bethel Church Road, common to lands of Bethel Memorial Home Assn. of Post Number 760 being Lot and Block 392-A-70-1 and lands now or formerly of Mary F. Demare being Lot and Block 392-A-65;

Thence from said point, North $67^{\circ} 19' 10''$ East 28.55 feet to the True Place of Beginning.

Thence along the dividing line of Lot and Block 392-A-65, North $78^{\circ} 25' 24''$ East 91.35 feet;
thence along the dividing line of Lot and Block 392-A-60 the following three (3) courses and distances:

North $78^{\circ} 25' 24''$ East 13.63 feet to a point;
thence North $83^{\circ} 33' 53''$ West 140.00 feet to a point;
thence North $80^{\circ} 40' 43''$ East 2.25 feet to a point;

Thence along the dividing line of Lot and Block 392-A-65 and lands of Bethel Church Road Right-of-Way the following three (3) courses and distances;
North 80° 40' 43" East 50.00 feet to a point;
thence South 76° 07' 22" East 38.08 feet to a point;
thence North 80° 40' 43" East 114.80 feet to a point common to Port Authority of Allegheny County;

Thence along the dividing line of Bethel Church Road Right-of-Way and Port Authority of Allegheny County Right-of-Way North 09° 37' 07" West 39.94 feet to a point; thence along the Bethel Church Road Right-of-Way the following six (6) courses and distances South 80° 22' 53" West 96.76 feet to a point;
thence North 68° 13' 31" West 28.94 feet to a point;
thence North 87° 37' 14" West 15.64 feet to a point;
thence South 80° 59' 06" West 91.72 feet to a point;
thence South 81° 20' 48" West 88.43 feet to a point;
thence South 75° 54' 43" West 122.65 feet to a point at the True Place of Beginning.

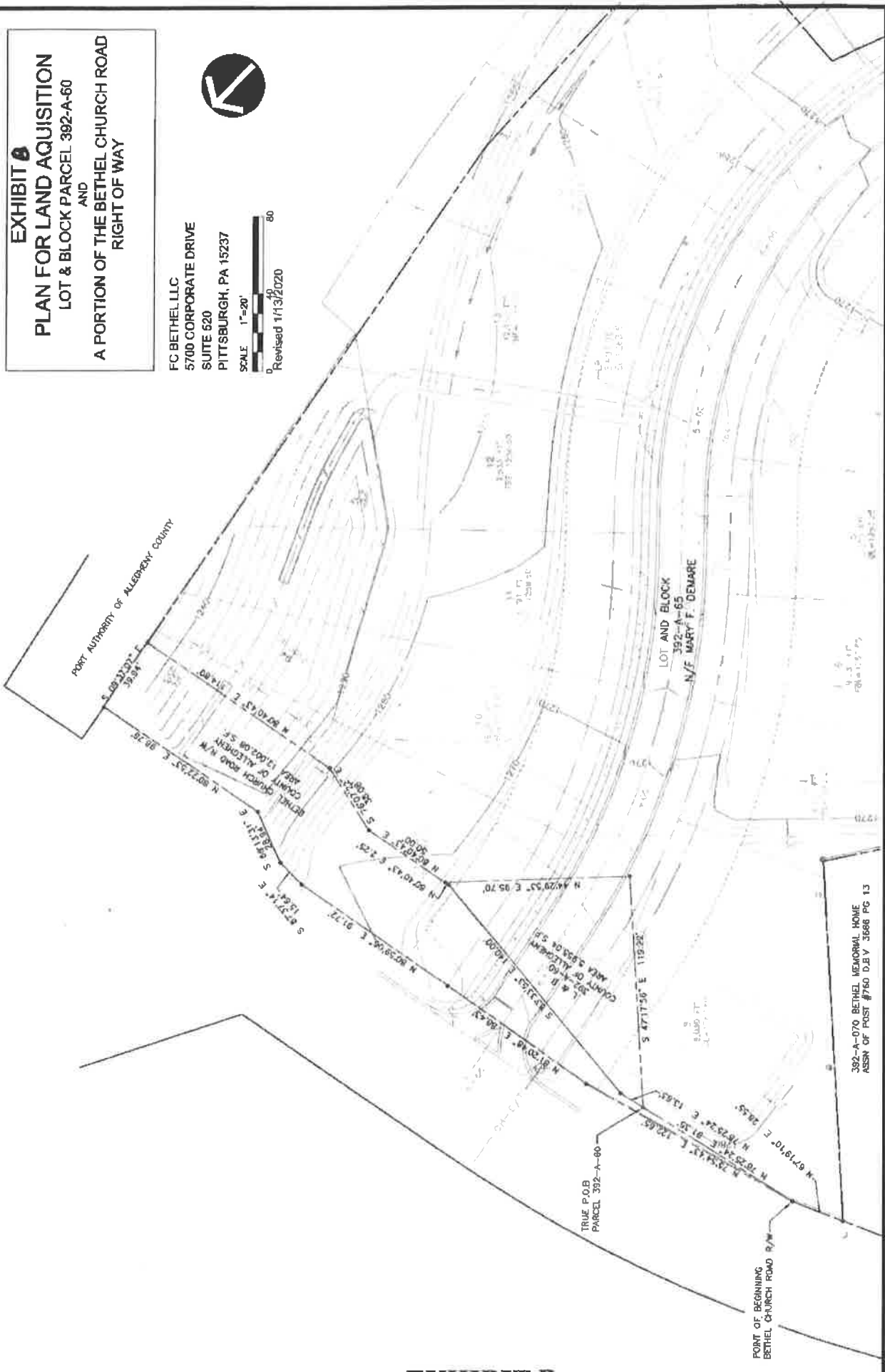
Containing a Total Area of 12,002.08 square feet or 0.275 Acre

EXHIBIT B
PLAN FOR LAND ACQUISITION
LOT & BLOCK PARCEL 392-A-60
AND
A PORTION OF THE BETHEL CHURCH ROAD
RIGHT OF WAY

FC BETHEL LLC
 5700 CORPORATE DRIVE
 SUITE 620
 PITTSBURGH, PA 15237



SCALE 1"=20'
 0 20 40 80
 Revised 11/13/2020



392-A-070 BETHEL MEMORIAL HOME
 ASSN. OF POST #760 D.B.V. 31666 PG 13

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: February 6, 2020

RE: Proposed Ordinance

Attached is an Ordinance authorizing the County of Allegheny, in conjunction with the Department of Public Works and the Law Department, to convey by special warranty deed two parcels of County-owned vacant land, being more particularly described as (1) 5,955.04 square feet of land being part of Lot and Block 362-A-60 and (2) 12,002.08 square feet of land designated as roadway right-of-way, both parcels of land being situate in the Municipality of Bethel Park, Allegheny County, Commonwealth of Pennsylvania to FC Bethel, LLC, a Pennsylvania limited liability company, for the purpose of inclusion into the Bethel Pines Subdivision development.

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.

ALCOO COUNCIL RECEIVED
20 FEB 6 AM 10:00:19