

No. 37-18-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the Department of Public Works to donate certain rights-of-way, in fee simple, and easements to the Pennsylvania Department of Transportation, as required for two bridge projects.

Whereas, Allegheny County has acquired various parcels of real property for various purposes, including to develop roads and bridges that have since been transferred to the Pennsylvania Department of Transportation (PennDOT) for maintenance purposes; and

Whereas, uneconomic and unusable remnants of many such real property acquisitions are located outside of the rights-of-way of said roads transferred to PennDOT and remain owned by Allegheny County; and

Whereas, Allegheny County possesses a one third interest, with municipalities and school districts also each possessing a one third interest, in such parcels of realty that have been acquired to recover unpaid realty taxes and liens; and

Whereas, PennDOT requires rights-of way and easements to be acquired for its SR 0051, Section A99 project to reconstruct its Stoops Ferry Road bridge over Flaugherty Run in Moon Township, as depicted on the right-of-way drawing marked “Exhibit A” and attached hereto, and its SR 4017, Section A07 project on its Wetzel Road bridge over Little Pine Creek in Shaler Township as depicted on the right-of-way drawing marked “Exhibit B” and attached hereto; and

Whereas, Allegheny County Council deems the donation of required rights-of-way and easements for such projects to be in the public interest.

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 donate rights-of-way and easements required for two Pennsylvania Department of Transportation projects.

Council hereby authorizes the Department of Public Works to donate of

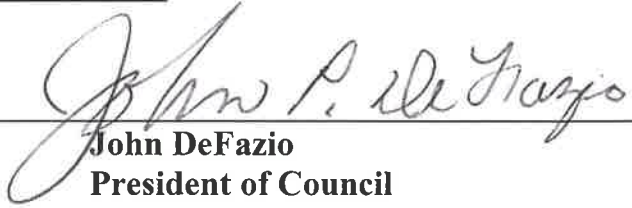
rights-of-way, in fee simple, and easements on County owned real property to Pennsylvania Department of Transportation, as required for its SR 0051, Section A99 project and its SR 4017, Section A07 project, as shown on Exhibits A & B, attached hereto.


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 23rd day of October, 2018

Council Agenda No. 10762-18


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office October 24, 2018

Approved: 
Rich Fitzgerald
Chief Executive

Attest: 
Sonya Dietz
Executive's Secretary

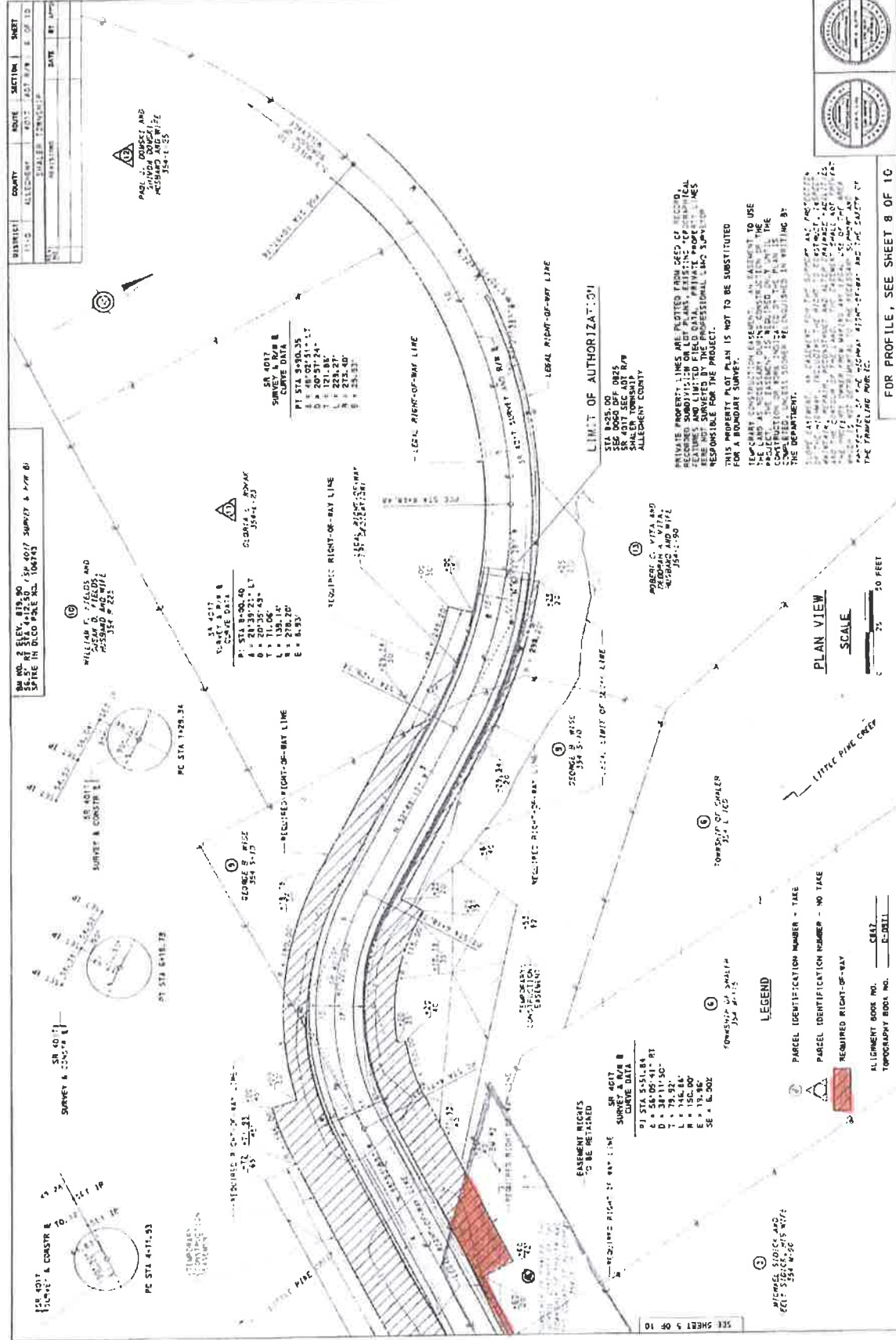
Ordinance Summary

September 12, 2018

Authorizing the Department of Public Works to donate rights-of-way, in fee, and easements to Pennsylvania Department of Transportation as required for two bridge projects.

Ordinance No. 33-17-OR authorizes the Department of Public Works to issue permits and to grant licenses, rights of entry, and easements for the use of County real property. However, PennDOT now requires rights-of-way, in fee, and easements to be acquired for two of its projects.

Authorization is requested to donate the rights-of-way and easements required for two PennDOT bridge projects.



DISTRICT	COUNTY	TOWNSHIP	RANGE	SECTION	SHEET
11-2	ALLEN	36-1	11-1	11-1	11-1

SR 4017
 SURVEY & CONSTR. E.
 WILLIAM F. FIELDS AND
 SUSAN D. FIELDS
 MESSIAH AND WIFE
 354-1-25

SR 4017
 SURVEY & CONSTR. E.
 GEORGE B. WITZ
 354-1-25

SR 4017
 SURVEY & CONSTR. E.
 MICHAEL SLOICK AND
 KATHY SLOICK
 354-1-25

SR 4017
 SURVEY & CONSTR. E.
 MICHAEL SLOICK AND
 KATHY SLOICK
 354-1-25

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SR 4017
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 MICHAEL SLOICK AND
 KATHY SLOICK
 354-1-25



FDR PROFILE, SEE SHEET 8 OF 10

PLAN VIEW
 SCALE
 1" = 20 FEET

LEGEND
 1 PARCEL IDENTIFICATION NUMBER - TAKE
 2 PARCEL IDENTIFICATION NUMBER - NO TAKE
 3 REQUIRED RIGHT-OF-WAY

ALIGNMENT BOOK NO. 3541
 TOPOGRAPHY BOOK NO. 3542

SEE SHEET 5 OF 10

EXHIBIT B

SR 4017 SURVEY & CONSTRUCTION

RIGHT-OF-WAY CLAIM INFORMATION

COMMONWEALTH OF PENNSYLVANIA - DEPARTMENT OF TRANSPORTATION

STATE RTE. 4017 SEC. NO. 407 P/W SHEET NO. 5 AND 6 CLAIM NO. _____
 PARCEL NO. 4 PROPERTY OWNER(S) TOWNSHIP OF SHALER
 GRANTOR(S) JOHN CHRISTOFF, WIDOWER
 PROPERTY OWNER(S) TOWNSHIP OF SHALER
 GRANTOR(S) OLIVE SOOSE, A WIDOW AND LARRY J. SOOSE, EXECUTOR OF THE ESTATE OF GEORGE SOOSE JR., DECEASED
 PROPERTY OWNER(S) TOWNSHIP OF SHALER, THE SCHOOL DISTRICT OF THE TOWNSHIP OF SHALER, AND THE COUNTY OF ALLEGHENY
 GRANTOR(S) WILLIAM H. DAVIS, SHERIFF, BY LEONARD H. McMILLEN, REAL ESTATE DEPUTY

PROPERTY (C)	PROPERTY (D)	AREAS	REQUIRED AREA	ACRES
DEED BOOK PAGE DATE OF DEED DATE OF RECORD TAX PARCEL NO.	DEED BOOK PAGE DATE OF DEED DATE OF RECORD TAX PARCEL NO.	DEED CALCULATED ADVERSES LEGAL R/W EFFECTIVE TOTAL REQ'D R/W RESIDUE LT RESIDUE RT	RIGHT OF WAY CHANNEL SLOPE TEMP. CONSTR.	0.034 6.391 - 0.088 6.333 0.034 6.299 - 6.299
CONSIDERATION TAX STAMPS	CONSIDERATION TAX STAMPS		VERIFICATION DATE DRAWN BY	11-9-17 G. A. C.

PRIVATE PROPERTY LINES ARE PLOTTED FROM THE DEED OF RECORD, RECORDED SUBDIVISION OR LOT PLANS, EXISTING TOPOGRAPHICAL FEATURES, AND LIMITED FIELD DATA. PRIVATE PROPERTY LINES WERE NOT SURVEYED BY THE PROFESSIONAL LAND SURVEYOR RESPONSIBLE FOR THE PROJECT.

THIS RIGHT-OF-WAY CLAIM INFORMATION IS NOT TO BE SUBSTITUTED FOR A BOUNDARY SURVEY.

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: October 4, 2018

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the Department of Public Works to donate certain rights-of-way, in fee simple, and easements to the Pennsylvania Department of Transportation, as required for two bridge projects.

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.

2018 OCT -4 AM 11:21
RECEIVED
ALLEGHENY COUNTY COUNCIL