

No. 38-23-OR

AN ORDINANCE

An Ordinance approving the sale of the County's interest in a three-taxing bodies parcel of property located at Glenn Avenue, Wilkesburg, PA 15137 and identified as Block and Lot 0232-J-00155, for the sale price of \$400.00 to Mr. Neil Straub.

Whereas, the County is the co-owner in fee simple, along with the Borough of Wilkesburg ("Borough") and the Wilkesburg School District ("School District"), of a vacant piece of real property located at Glenn Avenue, Wilkesburg, PA and identified as Block and Lot 0232-J-00155 (the "Property"); and

Whereas, Mr. Neil Straub, an adjoining landowner (the "Buyer"), wishes to acquire title to the Property and use it as a yard; and

Whereas, the County has obtained an appraisal indicating that the Property has a fair market value of \$400.00; and

Whereas, the Borough and School District have approved the sale of their respective interests in the Property to the Buyer for a total consideration of \$400.00 with the understanding that all three taxing bodies will share the sale proceeds based on their pro rata shares of the current millage rates; and

Whereas, Article IV, Section 2 (k) of the Allegheny County Home Rule Charter and Article 5-701.03 of the Administrative Code of Allegheny County vests the County's Council with the power and duty by ordinance to authorize the sale and conveyance of County-owned land, buildings, or other real or personal property owned by the County; and

Whereas, the County Manager has determined that Allegheny County has no interest or use in the Property and has recommended that the County join with the other taxing bodies in relinquishing the County's 1/3 interest in the Property to the Buyer for \$400.00; and

Whereas the Council of Allegheny County is of belief that the sale of the Property to the Buyer under the terms and conditions set forth above will inure to the benefit of the citizens of the County by placing a formerly tax delinquent parcel of land back on the tax rolls for productive use.

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 in their entirety herein.

SECTION 2. Approval of Transfer of County Interest in Block 232-J-155.

- A. The County Council of Allegheny County does hereby approve the transfer of the County's one-third interest in the Property located at Glenn Avenue in the Borough of Wilkinsburg known and identified as Block 232-J-155 to Mr. Neil Straub for a price of \$400.00 to be divided between the County, the Borough and the School District based on their pro rata shares of the current millage rates.
- B. The appropriate County officers and officials are authorized to execute the Deed and related agreements and documents as required to effectuate the sale and take such other action as is necessary 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.*

SECTION 5. Effective Date. *This Ordinance shall go into effect immediately.*

Enacted in Council, this 19th day of December, 2023.

Council Agenda No. 12868-23



Patrick Catena
President of Council

Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office December 21st, 2023

Approved: 
Rich Fitzgerald
County Executive

Attest: 
Jennifer M. Liptak
County Manager/Chief of Staff

SUMMARY OF LEGISLATION

Under Article IV, Section 2 (k) of the Allegheny County Home Rule Charter and Article 5-701.03 of the Administrative Code of Allegheny County, County Council is vested with the power and duty by ordinance to authorize the sale and conveyance of County-owned land, buildings, or other real or personal property owned by the County.

The County, the Borough of Wilkinsburg, and the Wilkinsburg School District (collectively the "Three Taxing Bodies") are the owners of a piece of real property identified as Lot 0232-J-00155 (the "Property") at Glenn Avenue, Wilkinsburg PA. Mr. Neil Straub has offered to purchase the Property and intends to improve it as a yard thereupon.

The attached Ordinance would authorize the County to join the Borough and School District in selling the Property to Mr. Neil Straub for \$400.00, an amount equal to the appraised fair market value of the Property. The Ordinance further authorizes that the Three Taxing Bodies would share the \$400.00 purchase price in accordance with each Taxing Bodies' percentage of tax millage to the total tax millage on the Property.

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

TO: Jared E. Barker
Allegheny County Council

FROM: Jennifer M. Liptak
County Manager

DATE: November 22, 2023

RE: Proposed Ordinance

Attached is an Ordinance authorizing the County to join the Borough and School District in selling the Property to Mr. Neil Straub for \$400.00, an amount equal to the appraised fair market value of the Property. The Ordinance further authorizes that the Three Taxing Bodies would share the \$400.00 purchase price in accordance with each Taxing Bodies' percentage of tax millage to the total tax millage on the Property.

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.