

No. _____

AN ORDINANCE

An Ordinance authorizing the County of Allegheny in conjunction with the Department of Public Works and the Law Department to acquire by condemnation, a permanent right-of-way in fee and a temporary construction easement from one (1) parcel required for the Crawford Run Road Culvert Replacement, Crawford Run Road (County Road No. 3092-02) over Crawford Run, East Deer Township, Allegheny County and to take such further action as may be necessary under applicable law, including but not limited to the Eminent Domain Code.

Whereas, the County Council of Allegheny County (the “Council”) deems it advisable to acquire by condemnation a permanent right-of-way and temporary construction easement (the “Property”) from one (1) parcel described hereinbelow that is required for the Crawford Run Road Culvert Replacement located at Crawford Run Road (County Road No. 3092-02) over Crawford Run, East Deer Township, Allegheny County (the “Project”); and

Whereas, the Project, has been depicted in certain right-of-way plans identified as RW 26187-R/W entitled Drawings Authorizing Acquisition of Right-of-Way for Replacement of Crawford Run Road Culvert Replacement, Project No. CE03-0301, East Deer Township approved April 9, 2021, recorded April 9, 2021, in the Allegheny County Department of Real Estate, Plans-Miscellaneous, Book 186, Page 70, and marked as Exhibit A” attached hereto and made a part hereof; and

Whereas, due to the passage of time it is now necessary to authorize the acquisition of the Property through condemnation proceedings following exhaustion of reasonable, good faith efforts to identify and to amicably acquire said property; and

Whereas, the Project constitutes a valid public purpose serving the interests of the residents of the County.

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 Acquire Property by Condemnation.

That Council deems it advisable and necessary to acquire by condemnation, under the power of eminent domain, certain property necessary for the Project described more particularly as follows:

Parcel 3 – Rose Olean, widow

Lot/Block #959-C-88 and 959-C-84

Property: Right of Way in fee simple 320 square feet and Temporary Construction Easement 377 square feet.

FMV: \$500.00

SECTION 3. Notice to Interested Parties.

That Council directs the Department of Public Works in conjunction with the Law Department to notify interested parties as required by law of the adoption of this Ordinance with respect to property taken under the power of eminent domain.

SECTION 4. Application to Court.

That Council directs the Law Department to make immediate application to the Court of Common Pleas of Allegheny County for the purpose of having the value of said property legally ascertained.

SECTION 5. 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 6. 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 _____ day of _____, 2022

Council Agenda No. _____

Patrick J. Catena
President of Council

Attest: _____

Jared Barker
Chief Clerk of Council

County Executive Office _____, 2022

Approved: _____

Rich Fitzgerald
County Executive

Attest: _____

Jennifer M. Liptak
Chief of Staff

Summary

Authorization to commence one (1) condemnation actions (Parcel 3) in connection with the Crawford Run Road Culvert Replacement located at Crawford Run Road (County Road No. 3092-02) over Crawford Run located in East Deer Township, Allegheny County.

RIGHT-OF-WAY CLAIM INFORMATION
 COUNTY OF ALLEGHENY - DEPARTMENT OF PUBLIC WORKS
 COUNTY ROAD CRAWFORD RUN ROAD ALLEGHENY COUNTY
 PARCEL NO. 1 SHEET NO. 1 CLAIM NO. 1
 PROPERTY OWNER(S) JOHN P. BONGIOVANNI, AND UNMARRIED INDIVIDUAL
 GRANTOR(S) JOHN P. BONGIOVANNI, AND UNMARRIED INDIVIDUAL

DEED BOOK	13112	ACRES	REQUIRED AREA	SF/AC
PAGE	12	CALCULATED	RIGHT OF WAY	920/0.021
DATE OF DEED	12/21/2006	ADVERTISEMENTS	TEMPORARY CONSTRUCTION EASEMENT	
DATE OF RECORD	01/20/2007	EFFECTIVE		
CONSIDERATION	\$1,000.00	LEGAL R/W		
TAX STAMPS		TOTAL REQ'D R/W		
TAX PARCEL NUMBER	933-C-25	TOTAL RESIDUE	VERIFICATION DATE	3/26/2020
		RESIDUE LT	DRAIN BY	581
		RESIDUE RT		

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

JOHN P. BONGIOVANNI, TRUSTEE OF THE JOHN BONGIOVANNI 2006 REVOCABLE TRUST DATED NOVEMBER 1, 2006.

THIS PLAN IS NOT TO BE SUBSTITUTED FOR A BOUNDARY SURVEY.

RIGHT-OF-WAY CLAIM INFORMATION
 COUNTY OF ALLEGHENY - DEPARTMENT OF PUBLIC WORKS
 COUNTY ROAD CRAWFORD RUN ROAD ALLEGHENY COUNTY
 PARCEL NO. 2 SHEET NO. 1 CLAIM NO. 1
 PROPERTY OWNER(S) GREGORY S. YAWORSKI AND LYNN M. YAWORSKI, HIS WIFE
 GRANTOR(S) ELIZABETH L. EHMDT, WTRW

DEED BOOK	5531	ACRES	REQUIRED AREA	SF
PAGE	271	CALCULATED	RIGHT OF WAY	58
DATE OF DEED	07/16/1975	ADVERTISEMENTS	TEMPORARY CONSTRUCTION EASEMENT	
DATE OF RECORD	08/21/1975	EFFECTIVE		
CONSIDERATION	\$18,000.00	LEGAL R/W		
TAX STAMPS		TOTAL REQ'D R/W		
TAX PARCEL NUMBER	959-C-34	TOTAL RESIDUE	VERIFICATION DATE	3/26/2020
		RESIDUE LT	DRAIN BY	581
		RESIDUE RT		

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RIGHT-OF-WAY CLAIM INFORMATION
 COUNTY OF ALLEGHENY - DEPARTMENT OF PUBLIC WORKS
 COUNTY ROAD CRAWFORD RUN ROAD ALLEGHENY COUNTY
 PARCEL NO. 3 SHEET NO. 1 CLAIM NO. 1
 PROPERTY OWNER(S) GEORGE DEAN AND ROSE M. DEAN
 GRANTOR(S) LILLIAN JOHNSON, EDWARD L. LOUIS, LEROY AND CHRISTINE LECHERT, HIS WIFE

DEED BOOK	111	ACRES	REQUIRED AREA	SF
PAGE	4156	CALCULATED	RIGHT OF WAY	320
DATE OF DEED	07/14/1964	ADVERTISEMENTS	TEMPORARY CONSTRUCTION EASEMENT	
DATE OF RECORD	07/15/1964	EFFECTIVE		
CONSIDERATION	\$5,500.00	LEGAL R/W		
TAX STAMPS	\$65.00	TOTAL REQ'D R/W		
TAX PARCEL NUMBER	959-C-84	TOTAL RESIDUE	VERIFICATION DATE	3/26/2020
		RESIDUE LT	DRAIN BY	581
		RESIDUE RT		

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RIGHT-OF-WAY CLAIM INFORMATION
 COUNTY OF ALLEGHENY - DEPARTMENT OF PUBLIC WORKS
 COUNTY ROAD CRAWFORD RUN ROAD ALLEGHENY COUNTY
 PARCEL NO. 4 SHEET NO. 1 CLAIM NO. 1
 PROPERTY OWNER(S) GEORGE DEAN AND ROSE M. DEAN
 GRANTOR(S) LILLIAN JOHNSON, EDWARD L. LOUIS, LEROY AND CHRISTINE LECHERT, HIS WIFE

DEED BOOK	121	ACRES	REQUIRED AREA	SF
PAGE	4652	CALCULATED	RIGHT OF WAY	320
DATE OF DEED	08/21/1972	ADVERTISEMENTS	TEMPORARY CONSTRUCTION EASEMENT	
DATE OF RECORD	09/10/1972	EFFECTIVE		
CONSIDERATION	\$1,500.00	LEGAL R/W		
TAX STAMPS		TOTAL REQ'D R/W		
TAX PARCEL NUMBER	959-C-88	TOTAL RESIDUE	VERIFICATION DATE	3/26/2020
		RESIDUE LT	DRAIN BY	581
		RESIDUE RT		

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County of Allegheny
 Pittsburgh, Pennsylvania
 DEPARTMENT OF PUBLIC WORKS

RIGHT-OF-WAY CLAIM BLOCKS

FOR RECONSTRUCTION OF
 CRAWFORD RUN ROAD
 CULVERT REPLACEMENT
 PROJECT NO. CEDF-030
 EAST DEER TOWNSHIP

DRAWN BY: ETD JH, DTI
 DATE: 4-14-20
 SCALE: AS SHOWN SHEET 3 OF 3
 26187-RW

REVISIONS




MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: January 20, 2022

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 acquire by condemnation, a permanent right-of-way in fee and a temporary construction easement from one (1) parcel required for the Crawford Run Road Culvert Replacement, Crawford Run Road (County Road No. 3092-02) over Crawford Run, East Deer Township, Allegheny County and to take such further action as may be necessary under applicable law, including but not limited to the Eminent Domain Code.

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.