

No. 27-05-OR

Bill No. 1958-05

## AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the extension of a Lease with Oliver Miller Homestead Associates to continue the establishment and operation of historical property in South Park known as The Oliver Miller Homestead.

**Whereas**, Oliver Miller Homestead Associates, since on or about September 23, 1976, has established and developed the historical and architectural significance of the original Oliver Miller Homestead stone farmhouse; and

**Whereas**, the County deems it in the public interest to preserve, protect and improve the Oliver Miller Homestead; and

**Whereas**, the previous agreement was on a year-to-year basis, and

**Whereas**, Oliver Miller Homestead Associates and the County wish to continue their arrangement through December 31, 2008; and

**Whereas**, Article IV, Section 2(k) of the Allegheny County Home Rule Charter vests County Council with the power and duty by ordinance to lease or permit the use of County real estate property.

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

**SECTION 1.      Incorporation of Preamble**

The provisions set forth in the Preamble to this Ordinance are incorporated by reference in their entirety herein as findings of fact made by Council.

**Section 2.      Authorization of a Lease for the Use of County Real Property**

A. Allegheny County Council hereby approves the continuation of a lease with the Oliver Miller Homestead Associates for the continued preservation, improvement and developing of the Oliver Miller Homestead located in South Park.

B. Council hereby acknowledges the agreement entered in or about September 1976 and extends said agreement lease agreement through December 31, 2008. Terms and conditions more fully outlined in the Contract.

C. The proper officers of the County are hereby authorized to execute any and all documents necessary to effectuate the lease of the property.

**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 continue in full force and effect.

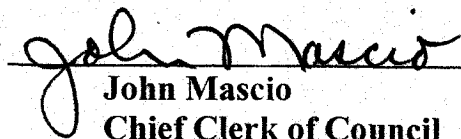
**SECTION 4. REPEALER.** Any Resolution and Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

Enacted in Council, this 18<sup>th</sup> day of May, 20 05,

Council Agenda No. 1958-05.

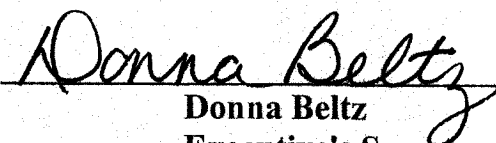
  
Rich Fitzgerald

President of Council

Attest:   
John Mascio  
Chief Clerk of Council

Chief Executive Office  **MAY 27**, 2005.

Approved:   
Dan Onorato  
Chief Executive

Attest:   
Donna Beltz  
Executive's Secretary


## **Summary**

The Oliver Miller Homestead has been serving the public for nearly thirty years (30) in South Park. The Oliver Miller Homestead grants an opportunity for thousands of park patrons of all ages to see first hand life on the homestead 100 years ago. For many, it is the first for them to 'step back into history'.

Oliver Miller Homestead Associates carries out interpretive services and programs, and conducts other activities for the purpose of preservation, improving, developing and insuring the authenticity of the Oliver Miller Homestead. The County deems it to be in the public's interest to grant continued use of this site, to enhance the program, to promote a love for history, and to introduce thousand of patrons to the world of 'yesteryear' who may otherwise have no opportunity to enjoy such.

**MEMORANDUM**  
**OFFICE OF THE COUNTY MANAGER**

TO: John Mascio  
Chief Clerk

FROM: James M. Flynn, Jr.   
County Manager

DATE: April 28, 2005

RE: Proposed Ordinance

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Attached is a Proposed Ordinance authorizing the extension of a Lease with Oliver Miller Homestead Associates to continue the establishment and operation of historical property in South Park known as The Oliver Miller Homestead.

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.