



Allegheny County Council

County of Allegheny
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Legislation Details (With Text)

File #: 11807-21 **Version:** 1 **Name:**

Type: Ordinance **Status:** Enacted

File created: 3/19/2021 **In control:** Chief Clerk

On agenda: 3/23/2021 **Final action:** 4/13/2021

Title: An Ordinance authorizing the County of Allegheny in conjunction with the Department of Public Works and the Law Department to acquire by condemnation, certain permanent rights-of-way and easements, including but not limited to, property in fee for permanent rights-of-way, slope easements, channel easements, utility easements, drainage easements and temporary construction easements from thirty-three (33) parcels required to reconstruct and widen Campbell's Run Road (Route 6072) between McMichael Road and Keiner's Lane in Colliers Township and Robinson Township and to take such further action as may be necessary under applicable law, including but not limited to, the Eminent Domain Code.

Sponsors: Chief Executive

Indexes:

Code sections:

Attachments: 1. 11807-21 ExA p1-10 Campbells Run Rd Ordinance.pdf, 2. 11807-21 ExA p11-20 Campbells Run Rd Ordinance.pdf, 3. 11807-21 ExA p21-30 Campbells Run Rd Ordinance.pdf, 4. 11807-21 ExA p31-40 Campbells Run Rd Ordiancne.pdf, 5. 11807-21 ExA p41-49 Campbells Run Rd.pdf, 6. 02-21-OR 11807-21.pdf

Date	Ver.	Action By	Action	Result
4/15/2021	1	Chief Executive	Signed by Chief Executive	
4/13/2021	1	County Council	Passed for Chief Executive Signature	Pass
4/6/2021	1	Committee on Public Works	Affirmatively Recommended	Pass
3/30/2021	1	County Council	Referred by Chair	

An Ordinance authorizing the County of Allegheny in conjunction with the Department of Public Works and the Law Department to acquire by condemnation, certain permanent rights-of-way and easements, including but not limited to, property in fee for permanent rights-of-way, slope easements, channel easements, utility easements, drainage easements and temporary construction easements from **thirty-three (33)** parcels required to reconstruct and widen Campbell's Run Road (Route 6072) between McMichael Road and Keiner's Lane in Colliers Township and Robinson Township 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 deems it advisable to acquire certain rights-of-way and easements, including but not limited to, property in fee for permanent right-of-way, slope easements, channel easements, utility easements, drainage easements and temporary construction easements (the "Property") from **thirty-three (33)** parcels described hereinbelow for the purpose of reconstructing and widening Campbell's Run Road (Route 6072) between McMichael Road and Keiner's Lane in Colliers Township and Robinson Township (the "Project"); and

Whereas, the Project has been depicted in certain Right-of-Way Drawings, which were recorded on August 7, 2020 in the Allegheny County Department of Real Estate in Plans - Miscellaneous Volume 185, Page 1, and marked as "Exhibit A", attached hereto and made a part hereof; and

Whereas, the Department of Public Works has unsuccessfully attempted to amicably acquire the Property for the Project because the owners thereof have either made excessive counter-offers not supported by accepted appraisal practices or have indicated a desire to obtain private appraisals to make counter-offers for the Department's consideration, but have failed to do so despite the reasonable passage of time; and

Whereas, due to the construction schedule of the Project, it is now necessary to authorize the acquisition of the Property through eminent domain following exhaustion of reasonable, good faith efforts to amicably acquire said properties; and

Whereas, the Project constitutes a valid public purpose related to safety and transportation purposes serving the interests of the all residents of Allegheny 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 below together with tender of the County's estimate of just compensation (EJC) as *pro tanto* payment to the owner(s) of the properties so acquired:

Parcel 3 - The Catholic Cemeteries Association of the Diocese of Pittsburgh

Lot/Block #265-P-27

Property: Permanent right-of-way 0.618 acre; and
Temporary Construction Easement 0.003 acre
EJC: \$126,200

Parcel 5 - Price Property, LLC

Lot/Block #265-P-171 and 265-P-183

Property: Permanent right of way 0.026 acre
Temporary Construction Easement 0.030 acre
EJC: \$51,000

Parcel 6 - Russell M. Keith

Lot/Block # 265-P-167

Property: Permanent right-of-way 3,868 square feet; and
Temporary Construction Easement 8,438 square feet
EJC: \$175,800

Parcel 7 - PRR Family Partnership, Eugene D. Zambrano; Dorothy Jean Ridilla Owens; Stella Ridilla Green; John M. Ridilla and Stella S. Ridilla; and P. Richard Ridilla and Charles P. Case, Co-Executors of the Estate of John B. Ridilla a/k/a John Bruno Ridilla

Lot/Block #265-P-154

Property: Permanent right-of-way 1014 square feet*

Temporary Construction Easement 11,956 square feet
*Includes 17 square feet of Existing Legal Drainage Easement
EJC: \$36,500

Parcel 10 - CRBC 200 Limited Partnership

Lot/Block #264-C-65

Property: Permanent right-of-way 5,907* square feet; and
Temporary Construction Easement 1,084 square feet
*Includes 224 square feet reserved by Peoples Gas Company
EJC: \$29,500

Parcel 11 - Russell M. Keith and Sandra L. Keith, husband and wife

Lot/Block #264-C-202, 265-P-130, 265-P-123, 265-R-5, 264-C-180, 264-C-159, 264-C-151, 264-C-143

Property: Permanent right-of-way 0.509 acre; and
Temporary Construction Easement 0.170 acre
EJC: \$119,000

Parcel 12 - Massaro Limited Partnership (CRBC)

Lot/Block #264-C-80; 265-R-25; 265-R-30; and 265-R-35

Property: Permanent right-of-way 0.455 * square feet; and
Temporary Construction Easement 0.026
* Includes 0.007 acre of general utility easement and
0.018 acre reserved for Peoples Gas Company
EJC: \$115,000

Parcel 13 - Jon N. Stone and Clementine Stone

Lot/Block #264-C-91

Property: Permanent right-of-way 5,785 square feet
EJC: \$155,000

Parcel 14 - Jon N. Stone

Lot/Block #264-C-94

Property: Permanent right-of-way 23,724 square feet
EJC: \$170,000

Parcel 15 - Jon N. Stone

Lot/Block #264-C-109

Property: Permanent Right-of-Way 29,529 square feet
EJC: \$200,000

Parcel 16 - Michael D. Zilner

Lot/Block #264-C-126

Property: Permanent Right-of-Way 3,583 square feet
EJC: \$18,400

Parcel 17 - Vista Industrial Park Associates, LP and 1920 Lincoln Associates, LP

Lot/Block #264-D-42, 264-D-82, 264-D-92, 264-D-125, 264-D-150, 265-S-162, 265-S-170, 265-S-175, 265-S-180, 265-S-192

Property: Permanent Right-of-Way 0.056 acre
Temporary Construction Easement 0.934 acre
EJC: \$25,400

Parcel 18 - Nancy Bishop

Lot/Block #264-D-19 and 264-D-23

Property: Permanent Right-of-Way 6,322 square feet
Temporary Construction Easement 1,021 square feet
EJC: \$32,100

Parcel 19 - Nancy Bishop

Lot/Block #264-H-121

Property: Permanent right-of-way 8,449 square feet *
Temporary construction easement 818 square feet
*Includes 1,222 square feet of Legal Slope Easement and 217 square feet
Of Legal Channel Easement
EJC: \$51,200

Parcel 21 - Champion Pittsburgh Realty, LLC

Lot/Block #264-D-62, 264-D-72, 264-D-83, 264-H-8, and 264-H-8-1

Property: Permanent Right-of-Way 0.400 acre
Temporary Construction Easement 0.173 acre
EJC: \$116,200

Parcel 22 - Samdoz, Inc.

Lot/Block #264-D-205 and 264-D-215, 203-A-39, 203-A-47, 203-B-283, 204-P-25, 204-P-30 and 203-A-268, 264-H-34, 264-D-202, 264-D-205, 264-D-210, 264-D-215, 265-S-25

Property: Permanent Right-of-Way 0.180 acre
Temporary Construction Easement 1.425 acre
Substitute Right-of-Way 0.018 acre
EJC: \$41,900

Parcel 23 - Donald Snyder LLC

Lot/Block #264-H-126

Property: Permanent Right-of-Way 10,283 square feet*
*Includes 2,949 square feet of Legal Slope Easement and 1,499 square feet
of Legal Channel Easement
EJC: \$168,000

Parcel 24 - Vedanta Development LLC

Lot/Block #264-H-10

Property: Permanent Right-of-Way 3,456 square feet
Temporary Construction Easement 1,098 square feet
EJC: \$48,400

Parcel 25 - Landmark Real Estate Management, LLC

Lot/Block #264-H-42

Property: Permanent Right-of-Way 5,145 square feet
Temporary Construction Easement 3,454 square feet
EJC: \$42,800

Parcel 26 - Hunter Family Realty, L.P.

Lot/Block #203-E-3

Property: Permanent Right-of-Way 0.279 * acres
Temporary Construction Easement 0.185** acres
*Includes 0.061 acres legal slope easement and 0.001 acres legal channel
easement
** Includes 0.021 acres legal slope easement and 0.003 acres legal channel
EJC: \$187,500

easement

Parcel 27 - Henco Holdings, LLC

Lot/Block #203-E-30

Property: Permanent Right-of-Way 3,800 square feet
Temporary Construction Easement 726 square feet
EJC: \$26,900

Parcel 28 - Vesuvius USA Corporation of Naperville, Illinois

Lot/Block #203-E-46

Property: Permanent Right-of-Way 0.276 acres
Temporary Construction Easement 0.073 acres
EJC: \$105,500

Parcel 29 - Edward P. Condon and Margaret R. Condon, husband and wife

Lot/Block #203-E-002 and 3203-E-001

Property: Permanent Right-of-Way 0.078 acres
Temporary Construction Easement 0.026 acres
EJC: \$18,000

Parcel 30 - Samuel P. Kamin Spousal Trust and Joan G. Kamin Spousal Trust

Lot/Block #203-E-5 and 203-K-6

Property: Permanent Right-of-Way 1.056 acre
Temporary Construction Easement 0.486 acre
EJC: \$421,000

Parcel 31 - 4590 Group, LP

Lot/Block #203-E-215

Property: Permanent Right-of-Way 0.483 acre
Temporary Construction Easement 0.311 acre
EJC: \$103,200

Parcel 32 - Violet Soffer Trust by its Trustee, Violet Soffer

Lot/Block #203-K-100

Property: Permanent Right-of-Way 0.343 acres
Temporary Construction Easement 0.024 acres
EJC: \$74,700

Parcel 34 - Chief Commercial Construction LP

Lot/Block #203-K-4

Property: Permanent Right-of-Way 2,788 square feet
Temporary Construction Easement 939 square feet
EJC: \$24,400

Parcel 35 - Teodori Properties Limited Partnership

Lot/Block #203-K-1 and 203-K-5

Property: Permanent Right-of-Way 0.511 acre
Temporary Construction Easement 0.117 acre
EJC: \$168,800

Parcel 36 - PCW1 Holdings, LLC

Lot/Block #203-L-175 and #203-L-180

Property: Permanent Right-of-Way 0.825* acres
Temporary Construction Easement 0.010 acres
*Includes 0.066 acres Legal Slope Easement
EJC: \$178,000

Parcel 37 - Via Associates, L.P.

Lot/Block #203-A-298

Property: Temporary Construction Easement 0.263 acre
EJC: \$9,500

Parcel 38 - Carol R. Cupples, Katherine Louise Tarullo and Mary Ann Jacobs. as Individuals and Co-Partners, d/b/a Parkway Leasing Company d/b/a Parkway Leasing Company

Lot/Block #203-L-1 and 203-R-2

Property: Permanent Right-of-Way 0.809 acre*
Temporary Construction Easement 0.070 acre
*Includes 0.205 acre of Legal Slope Easement and 0.229 acre of Legal Channel Easement
EJC: \$177,300

Parcel 39 - Haudenshield Realty Company

Lot/Block #203-R-1

Property: Permanent Right-of-Way 3,053* square feet
*Includes 2,952 square feet Legal Slope Easement and 103 square feet
Legal Channel Easement
EJC: \$4,100

Parcel 40 - Campbell's Run Condominium Associates

Lot/Block #203-R-30-1

Property: Permanent Right-of-Way 0.123 acre*
Temporary Construction Easement 0.105 acre
Occasional Flowage Easement 0.198 acre
*Includes 0.082 acre of Legal Slope Easement
EJC: \$53,800

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 the Property authorized to be taken under the power of eminent domain.

SECTION 4. Application to Court.

That Council directs the Law Department to commence condemnation actions in the Court of Common Pleas of Allegheny County for the purpose of acquiring the Property for the Project.

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 some affects this Ordinance.