



Allegheny County Council

County of Allegheny
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Legislation Text

File #: 9666-16, **Version:** 1

An Ordinance authorizing the County of Allegheny to convey a 25-foot wide easement a distance of approximately 6,650 feet to Duquesne Light Company, having its principal office at 411 Seventh Avenue, Pittsburgh, PA 15219, for the purposes of installing and maintaining two parallel underground electric power transmission lines in Boyce Park, tax parcel No. 975-L-380, on and along Centerview Drive and Deever Road between Center (Monroeville-Trestle) Road and New Texas Road, situate in Plum Borough, for a fair market value of \$60,000.00.

Whereas, Boyce Park, situate in Plum Borough, is a County owned park, designated by the Allegheny County Real Estate Department as tax parcel No. 975-L-380; and

Whereas, Duquesne Light Company (“**Duquesne Light**”) is desirous of improving and placing a portion of its electric transmission and distribution infrastructure within a 25-foot wide easement a distance of approximately 6,650 feet in and across Boyce Park (the “**Easement Area**”), with the center line of said easement generally located along the northerly pavement edge of Centerview Drive between Center (Monroeville-Trestle) Road (County No. 3220-00) and New Texas Road (SR 2075), as depicted on the drawing dated May 3, 2016 labeled “Proposed Utility Easement-Boyce Park”, attached and marked “**Exhibit A**”; and

Whereas, Allegheny County acquired the land for Boyce Park, through which the Easement Area is proposed to cross, by the following deeds of record in the Allegheny County Real Estate Department: (1) Deed dated December 16, 1958 from Commonwealth Real Estate Company to Allegheny County, recorded in Deed Book Volume 3725, Page 95, Parcel 20, and; (2) Deed dated October 5, 1959 from Commonwealth Real Estate Company to Allegheny County recorded in Deed Book Volume 3800, Page 269, Parcel 52;

Whereas, the County Manager, through the Department of Public Works and Department of Parks, had the Easement Area appraised by an independent general real estate appraiser who determined that the current fair market value of the Easement Area is \$60,000.00; and

Whereas, Duquesne Light has expressed its willingness to acquire the Easement Area for the fair market value determined, and has borne the entire costs associated with the appraisal and survey drawing as required by §5-701.03 of the Allegheny County Administrative Code; and

Whereas, the project contemplated by Duquesne Light constitutes a valid public purpose serving economic development and the interests of the residents of the County of Allegheny; and

Whereas, the County Council of Allegheny County now deems it advisable to convey the Easement Area to Duquesne Light at the appraised fair market value of \$60,000.00, along with other good and valuable consideration.

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. Authorization to Convey Easement Area.

That Council, in accordance with the provisions of the Home Rule Charter and Administrative Code, authorizes the County to convey an easement to Duquesne Light Company, as depicted in Exhibit A, for the fair market value of \$60,000.00, along with other good and valuable consideration, effective immediately upon enactment of this Ordinance, for the purpose of improving and placing a portion of its electric transmission and distribution infrastructure within the Easement Area a distance of approximately 6,650 feet. The appropriate County officers and officials are authorized to take such action as is necessary to carry out the purposes of the authorization granted herein.

SECTION 6. 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 7. 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.*