



# Allegheny County Council

County of Allegheny  
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## Legislation Text

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**File #:** 12443-22, **Version:** 1

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An Ordinance authorizing the County of Allegheny (“County”), in conjunction with the Department of Public Works and the Law Department, to donate a portion of Block & Lot 375-C-191 and a portion of Block & Lot 375-C-185 located in the Borough of North Braddock, Allegheny County, Commonwealth of Pennsylvania, to the Pennsylvania Department of Transportation (“PennDOT”).

**Whereas**, the County is the owner of two parcels of vacant land comprised of 9,735 square feet and identified as Required Right-of-Way, being more particularly described as a portion of Block & Lot 375-C-191 and a portion of Block & Lot 375-C-185, located in the Borough of North Braddock, Allegheny County, Commonwealth of Pennsylvania (the “Property”); and

**Whereas**, the Property is further identified as a portion of **Parcel 5** on the “Drawings Authorizing Acquisition of Right-of-Way for State Route 0030 Section A36 R/W in Allegheny County” re-recorded in the Department of Real Estate for Allegheny County on September 5, 2021 in S/H/P 409, Book 188 at Page 1, a copy of which is attached and marked as **Exhibit “A”**; and

**Whereas**, the Property neither is currently used by the County for any governmental purpose nor expected to be needed in the future for any governmental purpose by the County; and

**Whereas**, while the Property has not been formally appraised, it is nonetheless believed that the market value of the Property is minimal; and

**Whereas**, PennDOT is asked the County to donate the Property to allow PennDOT to remediate a major slide causing damage to Rt. 30 and to allow for improved maintenance and to prevent future slides; and

**Whereas**, PennDOT has agreed upon acceptance of the donation of the Property, to be solely responsible for the maintenance of the Property and for the repair of any drainage infrastructure that may be situated thereon or therein; thus relieving the County from any all future responsibility, cost and expense in that respect; and

**Whereas**, the County and PennDOT have historically cooperated and aided each other in furtherance of each other’s transportation projects; and

**Whereas**, the County believes that it is in the best interest of both the County and PennDOT and the public generally to donate the Property to PennDOT; and PennDOT has agreed to accept such donation; and

**Whereas**, Article IV, Section 2(k) of the Allegheny County Home Rule Charter vests County Council with the power to authorize the conveyance of County of real property by ordinance; and

**Whereas**, the County Council of Allegheny County (“Council”) deems it to be in the public interest to authorize the donation of the Property to PennDOT by the execution of a special warranty deed.

***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 though set forth in their entirety herein.

**SECTION 2.**        *Authorization to Donate the Property to PennDOT.*

Allegheny County Council hereby authorizes and approves of the donation and conveyance of the Property to PennDot for no monetary consideration by a special warranty deed. The proper officers of the County are hereby authorized to execute all documents necessary to effectuate the authorization granted by this ordinance.

**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 to 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 enter effect immediately upon its approval.*