

**TOWNSHIP OF SOUTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA**

R E S O L U T I O N

No. 8 of 2016

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA AUTHORIZING THE FILING OF A DECLARATION OF TAKING FOR PROPERTY LOCATED AT 116-118 MORGAN HILL ROAD BLOCK AND LOTS 325-H-10, 325-H-11 AND 325-H-12 SOUTH FAYETTE TOWNSHIP, ALLEGHENY COUNTY, PENNSYLVANIA, FOR A PUBLIC WORKS BUILDING AS AUTHORIZED BY SECTION 1901 OF THE FIRST CLASS TOWNSHIP CODE ,53 P.S.§56901.

WHEREAS, the Township of South Fayette is a First Class Township located in Allegheny County, Pennsylvania; and

WHEREAS, the Township requires additional property to properly administer its governmental function of providing public services to the residents of South Fayette in an efficient and proper manner; and

WHEREAS, , the Township of South Fayette has identified property that is satisfactory as to size and location to establish a public works building to meet the public services needs of the Township's residents; and

WHEREAS, the Board of Commissioners of South Fayette have examined the property and find that the property meets the criteria specified in the Commonwealth of Pennsylvania Eminent Domain Code specifically set in 26 P.S.C.S.A. §§ 201 et seq., as private property for public use; and

WHEREAS, THE Township is authorized to acquire private property for public works pursuant to Section 1901 of the First Class Township Code, 53 P.S.§56901.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SOUTH FAYETTE AS FOLLOWS:

Section 1. The Board of Commissioners of South Fayette Township pursuant to the power authorized by the Pennsylvania Eminent Domain Code, 26 P.S.C.S.A. §§ 201 et seq. and Section 1901 of the First Class Township Code, 53 P.S. § 56901, does hereby elect and resolve to take use and appropriate, and it does hereby take use and appropriate for the public purpose of a public works garage, the real estate, including improvements and fixtures situate within the Township of South Fayette, Allegheny County, Pennsylvania specifically described in Exhibit "A" attached hereto and made part hereof and Map attached hereto and made part hereof as Exhibit "B". .

Section 2. The Board of Commissioners of South Fayette Township intends to acquire the aforesaid described real estate including improvements and fixtures by a fee simple title therein including all the interests or interest,, whether the same be of fee simple or lesser estate of the record owner or owners therein, the price thereof not having been agreed upon between the aforesaid parties and the Township of South Fayette, which parcels of land are situate in the Township of South Fayette County of Allegheny and Commonwealth of Pennsylvania and described in "Exhibit A" attached hereto and made a part hereof and Map attached hereto and made part hereof as Exhibit "B".

Section 3. The Township Manager Ryan T. Eggleston of the Township of South Fayette is hereby authorized to proceed in the name of and on behalf of the Township of South Fayette to prosecute condemnation proceedings in the proper Court or Courts of Allegheny County Pennsylvania.

Section 4. The said Township Manager is hereby authorized in the name and on behalf of the Township of South Fayette to:

a. To file with the Court of Common Pleas Declaration of Taking as provided by law and to execute and deliver from time to time on behalf of the Township of south Fayette as principal obligor, bonds or other appropriate forms of security to the owner and tenants, if any, of the property in the above referenced parcels of land, payment to them for such amounts of damages as the parties shall be entitled to receive as the result of the aforesaid taking and appropriation, the signature the Township Manager and the seal of the Township of South Fayette to be attested by the Secretary of the Township of South Fayette;

the

b. To tender security to the owner or owners thereof as provided by law, including Payment of the Township's estimate of damages;

c. To make application to the Court of Common Pleas of Allegheny County to have the value of the Property and the damages suffered by the condemnation legally ascertained in the manner provided by law;

d. To give the owners, tenants and occupants thereby notice to remove in the manner Provided by law;


acquire

e. To take all other necessary steps to enable the Township of South Fayette to title to and to enter into immediate possession of the parcels of land herein above described; and

f. To continue to negotiate with the Property owner or owners a fair and reasonable Price for the fee simple purchase of the aforesaid described land in lieu of the above authorized condemnation proceedings until aforesaid action is confirmed by the Court of Common Pleas of Allegheny County, Pennsylvania.

RESOLVED AND ENACTED this 11th day of May, 2016, by the Board of Commissioners of the Township of South Fayette, in this lawful session regularly assembled.

ATTEST:



Ryan T. Eggeston, Secretary
CHAIRMAN,

TOWNSHIP OF SOUTH FAYETTE

By: 

JOSEPH D. HOROWITZ
BOARD OF COMMISSIONERS

ALL that certain lot or piece of ground situate in the Township of South Fayette, Allegheny County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the westerly line of a certain township road, said point being a corner common to line of land now or formerly of Zulma Brontin and line of tract herein described; thence along line of lands now or formerly of Zulma Brontin, north 83 degrees 38 minutes west 27.61 feet to a point; thence along line of same, south 21 degrees 58 minutes west 45.80 feet to a point; thence by a line through the original tract of which the herein described tract is a part, north 61 degrees 30 minutes west 236.73 feet to a point on line of lands now or formerly of James M. Clark; thence along said Clark line north 36 degrees 29 minutes east 131 feet to a point; thence along line of same, north 6 degrees 14 minutes east 116.49 feet to a point; thence by a line through the original tract of which the herein described tract is a part, south 75 degrees 35 minutes east 282.61 feet to a point on the westerly line of the township road aforesaid; thence along the westerly line of said township road, south 27 degrees 40 minutes west 209.97 feet to a point; thence along line of same, south 20 degrees 0 minutes west 40.94 feet to a point at the place of beginning.

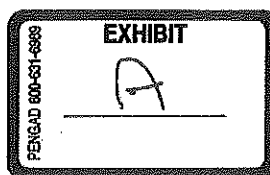
BLOCK AND LOTS 325-H-11 and 325-H-12

EXCEPTING AND RESERVING out of the above described premises that certain lot or piece of ground conveyed by Steve Beri and Rosa Beri, his wife, to Joseph Beri and Anna Mae Beri, his wife, by deed dated November 26, 1956, recorded in the office of the Recorder of Deeds of Allegheny County in Deed Book Vol. 3612, page 147.

AND

BEGINNING at a point in the Morgan Hill Road on line intersecting the northerly line of the lot here described and land now or late of Svidunovich; thence in said Morgan Hill Road southwardly, One Hundred Fifty-Two and 47/100 (152.47) feet, more or less, to line of land now or late of Beri; thence by said Beri land westwardly Three Hundred Sixteen and 51/100 (316.51) feet, more or less, to a point; thence northwardly, One Hundred Fifty (150) feet to a point on line of land now or late of Svidunovich aforesaid; and thence by said land of Svidunovich eastwardly Three Hundred Sixty (360) feet, more or less to the point in the Morgan Hill Road at the place of beginning.

BLOCK AND LOT 325-H-10





FENGAD 800-631-6888
EXHIBIT
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