

OFFICIAL

**BOROUGH OF CRAFTON
ORDINANCE NO. 1679**

AN ORDINANCE OF THE BOROUGH OF CRAFTON,
ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING
THE CONDEMNATION, BY EMINENT DOMAIN, OF REAL
PROPERTY FOR MUNICIPAL PURPOSES.

WHEREAS, the Borough of Crafton ("Borough") is a Pennsylvania municipal corporation existing under and governed by the Borough Code, 8 Pa.C.S. § 101 *et seq.*, as amended; and

WHEREAS, the TRISDA Group, LLC is a Pennsylvania Limited Liability Company with a registered mailing address of 1234 Tennessee Avenue, Pittsburgh, PA 15216 ("TRISDA"); and

WHEREAS, TRISDA is the owner of certain real property currently designated as Allegheny County Block and Lot Number 69-R-220, being more particularly described in the Allegheny County Department of Real Estate Deed Book Volume 17724, Page 337, and otherwise known as Lot 92 in the Mrs. Mary B. Kearns Plan of Crafton Place, recorded in the Allegheny County Department of Real Estate Plan Book Volume 12, Page 8; and

WHEREAS, TRISDA is the owner of certain real property currently designated as Allegheny County Block and Lot Number. 69-R-222, being more particularly described in the Allegheny County Department of Real Estate Deed Book Volume 17724, Page 333, and otherwise known as Lot 91 in the Mrs. Mary B. Kearns Plan of Crafton Place, recorded in the Allegheny County Department of Real Estate Plan Book Volume 12, Page 8, (collectively with Block and Lot number 69-R-220 referred to as the Properties); and

WHEREAS, the Borough has determined that it requires a temporary construction easement and a perpetual and permanent stormwater, access, maintenance, and drainage easement on, in, over, across, under, and through the Properties to enable the Borough to install, construct, place, reconstruct, replace, use, operate, modify, maintain and repair pipes, conduits, drains and other related facilities for stormwater collection, conveyance, and drainage in connection with the Broadhead Separation GROW project involving the separation of associated stormwater and sanitary sewers; and

WHEREAS, in accordance with the Pennsylvania Eminent Domain Code, 26 Pa.C.S. § 101 *et seq.*, and the Borough Code, 8 Pa.C.S. § 1502.1, the Borough is authorized to acquire an easement to said property through eminent domain proceedings.

NOW, THEREFORE, be it ordained and enacted by the Borough Council of the Borough of Crafton, and it is hereby ordained and enacted by and with the authority of the same, incorporating the above recitals by reference:

SECTION 1. Borough Council, in accordance with the authority conferred by law, has identified,

for certain authorized municipal purposes, the property identified as Block and Lot Number 69-R-220, and hereby declares its intention to acquire a temporary construction easement and a permanent and perpetual stormwater, access, maintenance, and drainage easement on, in, over, across, under and through the Properties to enable the Borough to install, construct, place, reconstruct, replace, use, operate, modify, maintain and repair pipes, conduits, drains, and other related facilities for stormwater collection, conveyance, and drainage in accordance with the size and shape of the plan drawing dated August 12, 2021, and the legal description, both of which were prepared by Gateway Engineers and are attached hereto as Exhibit "A".

SECTION 2. Borough Council, in accordance with the authority conferred by law, has identified, for certain authorized municipal purposes, the property identified as Block and Lot Number 69-R-222, and hereby declares its intention to acquire a temporary construction easement and a permanent and perpetual stormwater, access, maintenance, and drainage easement on, in, over, across, under and through the Properties to enable the Borough to install, construct, place, reconstruct, replace, use, operate, modify, maintain and repair pipes, conduits, drains, and other related facilities for stormwater collection, conveyance, and drainage in accordance with the size and shape of the plan drawing dated August 12, 2021, and the legal description, both of which were prepared by Gateway Engineers and are attached hereto as Exhibit "B".

SECTION 3. The Borough Solicitor and all other appropriate Borough Officers are hereby authorized to take such actions as are necessary to implement this Ordinance, including, *inter alia*, condemning the properties identified as Block and Lot Numbers 69-R-220 and 69-R-222 as contemplated in the Pennsylvania Eminent Domain Code, 26 Pa. C.S. § 101 *et seq.*, and filing a Declaration of Taking, Notice of Condemnation and giving notice to the Condemnee accordingly.

SECTION 4. The institution of such proceedings and any damages which may be awarded to the owner of said premises are to be paid out of funds of the Borough.

SECTION 5. All ordinances or parts of ordinances pertaining to the subjects covered by this Ordinance shall remain in full force and effect, except to the extent which they are inconsistent herewith in which case this Ordinance shall control. The provisions of this Ordinance shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances.

SECTION 6. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Borough Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 7. This Ordinance shall become effective in accordance with applicable law.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

ORDAINED and **ENACTED** this 23rd day of May 2024, by the Council of the Borough of Crafton in lawful session duly assembled.

ATTEST:

By: 
Jim Price
Borough Manager

CRAFTON BOROUGH

By: 
John Oliverio
Council President

(SEAL)

EXAMINED and **APPROVED** this 11th day of July, 2024.


Coletta Perry
Mayor

EXHIBIT “A”

Plan Dated August 21, 2021 and Legal Description

Block and Lot Number 69-R-220



NOW OR FORMERLY
THE TRISDA GROUP, LLC

LOT 92
MRS. MARY B. KEARNS'
PLAN OF CRAFTON PLACE
P.B.VOL. 12, PAGE 8

NOW OR FORMERLY
THE TRISDA GROUP, LLC

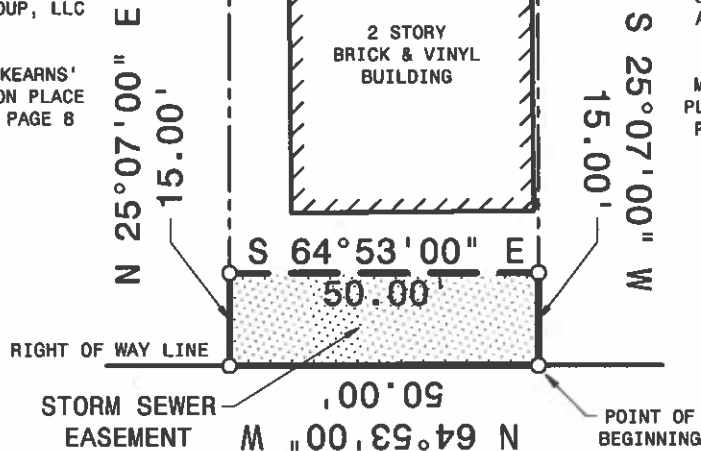
LOT 91
MRS. MARY B. KEARNS'
PLAN OF CRAFTON PLACE
P.B.VOL. 12, PAGE 8



2 STORY
BRICK & VINYL
BUILDING

NOW OR FORMERLY
SANDRA J. FREDERICK
AND JEREMY R. DAVIS

LOT 90
MRS. MARY B. KEARNS'
PLAN OF CRAFTON PLACE
P.B.VOL. 12, PAGE 8



BROADHEAD AVENUE 40'

RIGHT OF WAY LINE



PM: ACJ DB: AJB CB: -

	The Gateway Engineers, Inc.	
	Full-Service Civil Engineering & Surveying 100 McMorris Road, Pittsburgh, PA 15205 gatewayengineers.com 855-634-8284	

**EXHIBIT PLAN
FOR STORM SEWER EASEMENT**
SITUATE IN
CRAFTON BOROUGH
ALLEGHENY COUNTY, PA
MADE FOR
CRAFTON BOROUGH

C-5667-0022

DATE: AUGUST 12, 2021

SCALE: 1" = 30'

DWG. NO.:-

C-5667-0022
August 12, 2021

**STORM SEWER EASEMENT
THROUGH LANDS OF THE TRISDA GROUP, LLC**

All that certain storm sewer easement, through Lot 91 in the Mrs. Mary B. Kearns' Plan of Crafton Place as recorded in the Allegheny County Department of Real Estate in Plan Book Volume 12, Page 8, situate in Crafton Borough, Allegheny County, Pennsylvania, more particularly bound and described as follows:

Beginning at a point on the northeasterly right of way line of Broadhead Road, 40.00 feet wide, at the line dividing Lot 90 and Lot 91 in the Mrs. Mary B. Kearns' Plan of Crafton Place as recorded in the Allegheny County Department of Real Estate in Plan Book Volume 12, Page 8; thence from said point of beginning by the northeasterly right of way line of Broadhead Avenue N $64^{\circ} 53' 00''$ W a distance of 50.00 feet to a point on the line dividing Lot 91 and Lot 92 in said Mrs. Mary B. Kearns' Plan of Crafton Place; thence by the line dividing Lot 91 and Lot 92 in said Mrs. Mary B. Kearns' Plan of Crafton Place N $25^{\circ} 07' 00''$ E a distance of 15.00 feet to a point; thence by a line through Lot 91 in said Mrs. Mary B. Kearns' Plan of Crafton Place S $64^{\circ} 53' 00''$ E a distance of 50.00 feet to a point on the line dividing Lot 90 and Lot 91 in said Mrs. Mary B. Kearns' Plan of Crafton Place; thence by the line dividing Lot 90 and Lot 91 in said Mrs. Mary B. Kearns' Plan of Crafton Place S $25^{\circ} 07' 00''$ W a distance of 15.00 feet to a point on the northeasterly right of way line of said Broadhead Avenue, at the point of beginning.

g:\projects\5000\5667 crafton general\0022 broahead and busway grow grant\docs\survey\crafton - trisda 91 easement description.docx

EXHIBIT “B”

Plan Dated August 21, 2021 and Legal Description

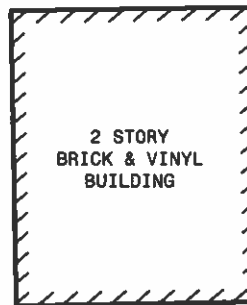
Block and Lot Number 69-R-222

NOW OR FORMERLY
AUGUST C. DAMIAN, TRUSTEE, AND
HIS SUCCESSORS IN TRUST
UNDER THE 2012 IRREVOCABLE
TRUST FOR FAMILY OF
AUGUST C. AND CLEMA M. DAMIAN
DATED JULY 19, 2012

LOT 93
MRS. MARY B. KEARNS'
PLAN OF CRAFTON PLACE
P.B.VOL. 12, PAGE 8

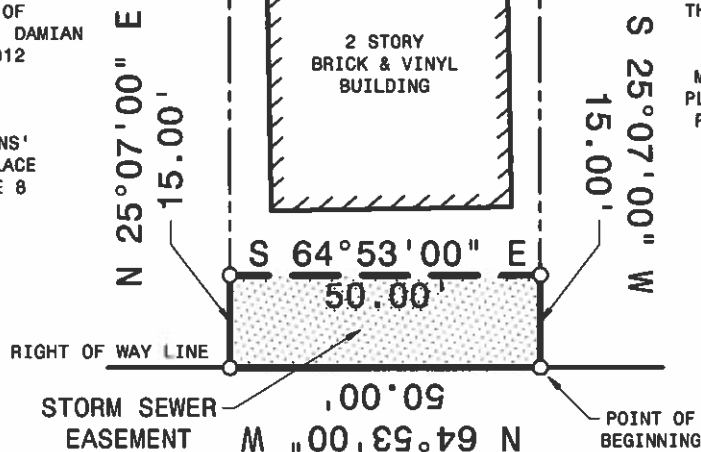
NOW OR FORMERLY
THE TRISDA GROUP, LLC

LOT 92
MRS. MARY B. KEARNS'
PLAN OF CRAFTON PLACE
P.B.VOL. 12, PAGE 8



NOW OR FORMERLY
THE TRISDA GROUP, LLC

LOT 91
MRS. MARY B. KEARNS'
PLAN OF CRAFTON PLACE
P.B.VOL. 12, PAGE 8



BROADHEAD AVENUE 40'

RIGHT OF WAY LINE



PM: ACJ DB: AJB CB: -



The Gateway Engineers, Inc.
Full-Service Civil Engineering & Surveying
100 McMorris Road, Pittsburgh, PA 15205
gatewayengineers.com 855-634-8284

**EXHIBIT PLAN
FOR STORM SEWER EASEMENT**

SITUATE IN
CRAFTON BOROUGH
ALLEGHENY COUNTY, PA
MADE FOR
CRAFTON BOROUGH

C-5667-0022

DATE: AUGUST 12, 2021

SCALE: 1" = 30'

DWG. NO.: -

**STORM SEWER EASEMENT
THROUGH LANDS OF THE TRISDA GROUP, LLC**

All that certain storm sewer easement, through Lot 92 in the Mrs. Mary B. Kearns' Plan of Crafton Place as recorded in the Allegheny County Department of Real Estate in Plan Book Volume 12, Page 8, situate in Crafton Borough, Allegheny County, Pennsylvania, more particularly bound and described as follows:

Beginning at a point on the northeasterly right of way line of Broadhead Road, 40.00 feet wide, at the line dividing Lot 91 and Lot 92 in the Mrs. Mary B. Kearns' Plan of Crafton Place as recorded in the Allegheny County Department of Real Estate in Plan Book Volume 12, Page 8; thence from said point of beginning by the northeasterly right of way line of Broadhead Avenue N $64^{\circ} 53' 00''$ W a distance of 50.00 feet to a point on the line dividing Lot 92 and Lot 93 in said Mrs. Mary B. Kearns' Plan of Crafton Place; thence by the line dividing Lot 92 and Lot 93 in said Mrs. Mary B. Kearns' Plan of Crafton Place N $25^{\circ} 07' 00''$ E a distance of 15.00 feet to a point; thence by a line through Lot 92 in said Mrs. Mary B. Kearns' Plan of Crafton Place S $64^{\circ} 53' 00''$ E a distance of 50.00 feet to a point on the line dividing Lot 91 and Lot 92 in said Mrs. Mary B. Kearns' Plan of Crafton Place; thence by the line dividing Lot 91 and Lot 92 in said Mrs. Mary B. Kearns' Plan of Crafton Place S $25^{\circ} 07' 00''$ W a distance of 15.00 feet to a point on the northeasterly right of way line of said Broadhead Avenue, at the point of beginning.

