

BOROUGH OF AVALON

ORDINANCE No. 1275

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF AVALON, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE CONDEMNATION, THROUGH THE USE OF EMINENT DOMAIN, OF CERTAIN PROPERTY IN FEE SIMPLE, SITUATE IN THE BOROUGH OF AVALON, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, NOW OR FORMERLY OWNED BY GEORGE M. CINCALA, JR. AND MARVIN T. DELA CUESTA FOR THE PURPOSE OF DEVELOPING AND ERECTING A PUBLIC BUILDING / COMMUNITY CENTER; AUTHORIZING, EMPOWERING, AND DIRECTING THE PROPER OFFICERS OF THE BOROUGH OF AVALON AND LEGAL COUNSEL AND SPECIAL LEGAL COUNSEL FOR THE BOROUGH OF AVALON TO TAKE WHATEVER ACTION IS NECESSARY AND PROPER TO EFFECT SAID CONDEMNATION, INCLUDING BUT NOT LIMITED TO, THE PREPARATION OF PLANS SHOWING THE PROPERTIES CONDEMNED, THE PAYMENT OF ESTIMATED JUST COMPENSATION TO CONDEMNNEES, AND THE PREPARATION AND FILING OF APPROPRIATE DECLARATIONS OF TAKING.

NOW THEREFORE BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of Avalon, County of Allegheny, Pennsylvania and enacted by the Borough of Avalon, Allegheny County, Pennsylvania, as follows:

1. The Borough of Avalon does hereby authorize the condemnation, through the use of the power of eminent domain, of certain property in fee simple, situate in the Borough of Avalon, County of Allegheny, Commonwealth of Pennsylvania, now or formerly owned by George M. Cincala, Jr. and Marvin T. Dela Cuesta, consisting of Block and Lots 159-D-55 and 159-D-54, vacant land, known as 700 California Avenue, Avalon Borough, County of Allegheny, Commonwealth of Pennsylvania 15202.

2. The proper officers of the Borough of Avalon and legal counsel and special legal counsel for the Borough are hereby authorized, empowered, and directed to take whatever action is necessary and proper to effect said condemnation, including, but not limited to, the preparation of plans showing the properties condemned, the payment of estimated just compensation to condemnees, and the preparation and filing of a declaration of taking and any other filings incident thereto. These actions are taken pursuant to the Borough Code, 53 P.S. § 46501, *et seq.*, and 53 P.S. § 47703, *et seq.*

3. The property condemned herein is for the purpose of developing and erecting a public building / community center.

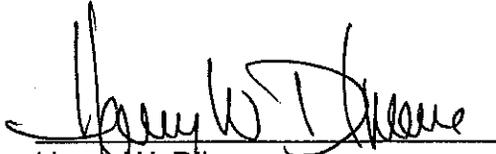
4. Any ordinance or part of any ordinance conflicting with the provisions of this ordinance is hereby repealed to the extent of such conflict.

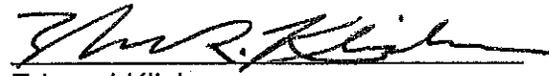
Ordained and enacted into law this 17th day of September,

2002.

ATTEST:

BOROUGH OF AVALON


Harry W. Dilmore
Borough Secretary


Edward Klicker
President of Council

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EXAMINED and APPROVED by me

this 17 day of September, 2002.


Daniel K. Bricmont, Esquire, Mayor