

RESOLUTION R-5-1-2013

AUTHORIZING THE COUNTY OF WESTMORELAND TO ACQUIRE BY CONDEMNATION, UNDER THE EMINENT DOMAIN CODE, OWNERSHIP OF A CERTAIN PARCEL OF LAND NOW OR FORMERLY OWNED BY MARY ANN HIBBS FOR THE REPLACEMENT OF THE BEATTY COUNTY ROAD BRIDGE.

WHEREAS, the County Commissioners of Westmoreland County deem it advisable to acquire by condemnation, certain land hereinafter described, for the replacement of the Beatty County Road Bridge in the township of Unity, County of Westmoreland, Commonwealth of Pennsylvania.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Westmoreland County, Pennsylvania as follows:

SECTION 1. That the said commissioners deem it advisable and necessary to acquire by condemnation, under the eminent domain code, the land necessary for the replacement of the Beatty County Road Bridge in the township of Unity, County of Westmoreland, Commonwealth of Pennsylvania.

SECTION 2. The owners and parties, together with their interest, if any, in said property are shown on the attached plan of the property herein condemned, which is made a part hereof and marked Exhibits 1 (description of property) and 2 (plot plan showing the portion of that parcel hereby condemned), respectively.

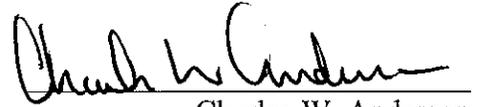
SECTION 3. That pursuant to the provisions of 16 P.S. §§ 2401, 2603, the property described in the aforementioned exhibits attached hereto, is hereby taken and condemned, and the entry upon, appropriation and the taking thereof is hereby authorized and directed for the purpose of replacing the Beatty County Road Bridge in the township of Unity.

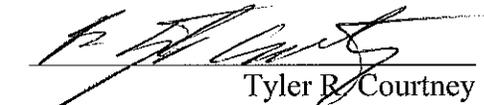
SECTION 4. That immediate notice of this Resolution be given to parties interested therein.

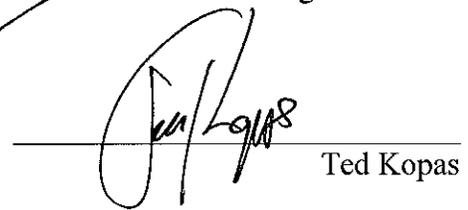
SECTION 5. That pursuant to the provisions of the Third Class County Code, application be made immediately to the Court of Common Pleas of Westmoreland County for the purpose of filing a Declaration of Taking.

RESOLVED and ENACTED at a duly advertised meeting of the Board of Commissioners of the County of Westmoreland held this 28<sup>th</sup> day of February, 2013, a quorum being present.

COUNTY OF WESTMORELAND  
BOARD OF COMMISSIONERS

  
Charles W. Anderson

  
Tyler R. Courtney

  
Ted Kopas

ATTEST:

  
Chief Clerk

# EXHIBIT 1

## DESCRIPTION OF PROPERTY

ALL THAT CERTAIN TRACT OF LAND situate in the Township of Unity in the County of Westmoreland and the Commonwealth of Pennsylvania bounded and described as follows, to wit:

### REQUIRED RIGHT-OF-WAY AREA

BEGINNING at a point on the northerly side of the Beatty County Road (C6409), said point being at the intersection of the northerly legal right-of-way line of the Beatty County Road and the James L. Pevarnik/Mary Ann Hibbs property line, distant 16.5 feet, northerly and measured perpendicular from the survey and right-of-way centerline of the Beatty County Road at station 15+04 thereof; thence along the Pevarnik/Hibbs property line in a northerly direction 23.58 feet to a point at station 15+06, distant 40.0 feet, northerly and measured perpendicular from the survey and right-of-way centerline; thence in an easterly direction 119.0 feet to a point at station 16+25, distant 40.0 feet, northerly and measured perpendicular from the survey and right-of-way centerline; thence in a southerly direction 23.50 feet to a point on the legal right-of-way line at station 16+25, distant 16.5 feet northerly and measured perpendicular from the survey and right-of-way centerline; thence in a westerly direction along the legal right-of-way line 121.0 feet to a point and place of beginning.

CONTAINING 0.065 acres.

### TEMPORARY CONSTRUCTION EASEMENT (1)

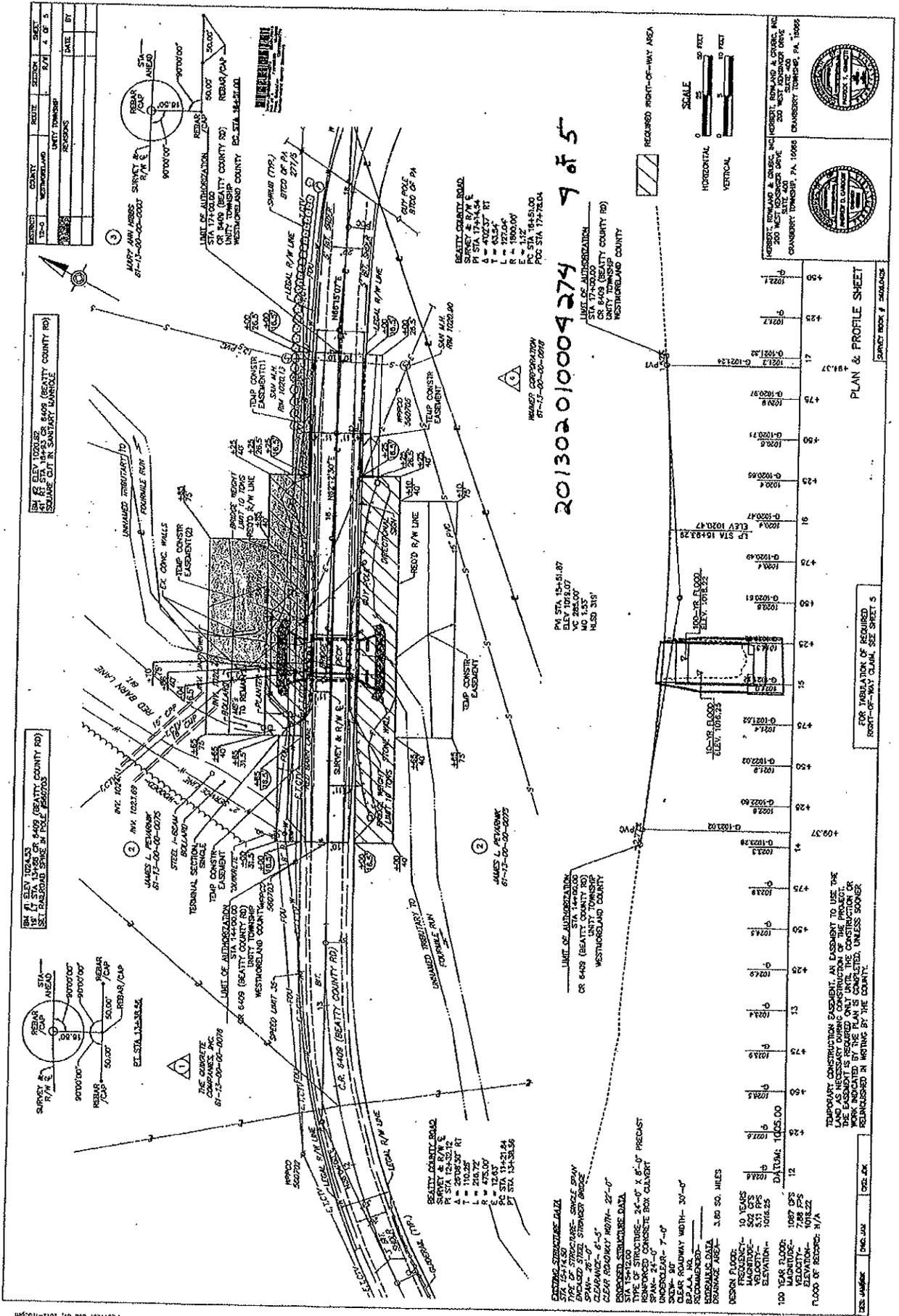
BEGINNING at a point on the northerly right-of-way line of the Beatty County Road, distant 16.5 feet, northerly and measured perpendicular from the survey and right-of-way centerline at station 16+25 thereof; thence in a northerly direction 10.0 feet to a point at station 16+25, distant 26.5 feet, northerly and measured perpendicular from the survey and right-of-way centerline; thence in an easterly direction 75.0 feet to a point at station 17+00, distant 26.5 feet northerly and measured perpendicular from the survey and right-of-way centerline; thence in a southerly direction 10.0 feet to a point at station 17+00, on the legal right-of-way line, distant 16.5, northerly and measured perpendicular from the survey and right-of-way centerline; thence along the legal right-of-way line in a westerly direction 75.0 feet to a point and place of beginning.

CONTAINING 0.017 acres.

### TEMPORARY CONSTRUCTION EASEMENT (2)

BEGINNING at a point on the northerly side of the Beatty County Road, distant 40.0 feet, northerly and measured perpendicular from the survey and right-of-way centerline at station 15+06 thereof, on the Pevarnik/Hibbs property line; thence in a northerly direction along the Pevarnik/Hibbs property line 35.23 feet to a point at station 15+10, distant 75.0 feet, northerly and measured perpendicular from the survey and right-

# EXHIBIT 2



ROUTE	SECTION	SHEET
WESTMORELAND	17-5	4 OF 5
COUNTY	UNITY TOWNSHIP	DATE BY
REGIONS		

BM 11 ELEV 1024.53  
 15' 11" STA 13+80.00 OR 6+09 (BEAUTY COUNTY RD)  
 SEE PARALLEL STRIKE IN TIE # 560703

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 SEE PARALLEL STRIKE IN TIE # 560703

BEAUTY COUNTY ROAD  
 SURVEY & R/W E  
 PI STA 17+14.44  
 T = 110.24' RT  
 L = 210.72'  
 R = 475.00'  
 S = 12.63'  
 PC STA 16+51.00  
 PT STA 17+14.44

MARY ANN HESSE SURVEY  
 87-13-00-00-0007

JAMES L. PEVARNY SURVEY  
 87-13-00-00-0007

DEMANDED INFRASTRUCTURE TO COMPLETION  
 FEASIBLE RUN

TEMPORARY CONSTRUCTION EASEMENT: AN EASEMENT TO USE THE PROPERTY FOR THE CONSTRUCTION OF THE PROJECT. THE EASEMENT IS REQUIRED FOR THE PROJECT OR WORK INDICATED BY THE PLAN IS COMPLETED, UNLESS OTHERWISE INDICATED IN WRITING BY THE COUNTY.

FOR REGULATION OF REQUIRED RIGHT-OF-WAY, SEE SHEET 5

PLAN & PROFILE SHEET

SURVEY BOOK # 24424



STATION	ELEVATION	REMARKS
10+00	1021.00	10'-0" R.F. FLOOD ELEV. 1021.00
10+10	1021.50	
10+20	1022.00	
10+30	1022.50	
10+40	1023.00	
10+50	1023.50	
10+60	1024.00	
10+70	1024.50	
10+80	1025.00	
10+90	1025.50	
11+00	1026.00	
11+10	1026.50	
11+20	1027.00	
11+30	1027.50	
11+40	1028.00	
11+50	1028.50	
11+60	1029.00	
11+70	1029.50	
11+80	1030.00	
11+90	1030.50	
12+00	1031.00	
12+10	1031.50	
12+20	1032.00	
12+30	1032.50	
12+40	1033.00	
12+50	1033.50	
12+60	1034.00	
12+70	1034.50	
12+80	1035.00	
12+90	1035.50	
13+00	1036.00	
13+10	1036.50	
13+20	1037.00	
13+30	1037.50	
13+40	1038.00	
13+50	1038.50	
13+60	1039.00	
13+70	1039.50	
13+80	1040.00	
13+90	1040.50	
14+00	1041.00	
14+10	1041.50	
14+20	1042.00	
14+30	1042.50	
14+40	1043.00	
14+50	1043.50	
14+60	1044.00	
14+70	1044.50	
14+80	1045.00	
14+90	1045.50	
15+00	1046.00	
15+10	1046.50	
15+20	1047.00	
15+30	1047.50	
15+40	1048.00	
15+50	1048.50	
15+60	1049.00	
15+70	1049.50	
15+80	1050.00	
15+90	1050.50	
16+00	1051.00	
16+10	1051.50	
16+20	1052.00	
16+30	1052.50	
16+40	1053.00	
16+50	1053.50	
16+60	1054.00	
16+70	1054.50	
16+80	1055.00	
16+90	1055.50	
17+00	1056.00	
17+10	1056.50	
17+20	1057.00	
17+30	1057.50	
17+40	1058.00	
17+50	1058.50	
17+60	1059.00	
17+70	1059.50	
17+80	1060.00	
17+90	1060.50	
18+00	1061.00	
18+10	1061.50	
18+20	1062.00	
18+30	1062.50	
18+40	1063.00	
18+50	1063.50	
18+60	1064.00	
18+70	1064.50	
18+80	1065.00	
18+90	1065.50	
19+00	1066.00	
19+10	1066.50	
19+20	1067.00	
19+30	1067.50	
19+40	1068.00	
19+50	1068.50	
19+60	1069.00	
19+70	1069.50	
19+80	1070.00	
19+90	1070.50	
20+00	1071.00	
20+10	1071.50	
20+20	1072.00	
20+30	1072.50	
20+40	1073.00	
20+50	1073.50	
20+60	1074.00	
20+70	1074.50	
20+80	1075.00	
20+90	1075.50	
21+00	1076.00	
21+10	1076.50	
21+20	1077.00	
21+30	1077.50	
21+40	1078.00	
21+50	1078.50	
21+60	1079.00	
21+70	1079.50	
21+80	1080.00	
21+90	1080.50	
22+00	1081.00	
22+10	1081.50	
22+20	1082.00	
22+30	1082.50	
22+40	1083.00	
22+50	1083.50	
22+60	1084.00	
22+70	1084.50	
22+80	1085.00	
22+90	1085.50	
23+00	1086.00	
23+10	1086.50	
23+20	1087.00	
23+30	1087.50	
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23+70	1089.50	
23+80	1090.00	
23+90	1090.50	
24+00	1091.00	
24+10	1091.50	
24+20	1092.00	
24+30	1092.50	
24+40	1093.00	
24+50	1093.50	
24+60	1094.00	
24+70	1094.50	
24+80	1095.00	
24+90	1095.50	
25+00	1096.00	
25+10	1096.50	
25+20	1097.00	
25+30	1097.50	
25+40	1098.00	
25+50	1098.50	
25+60	1099.00	
25+70	1099.50	
25+80	1100.00	
25+90	1100.50	
26+00	1101.00	
26+10	1101.50	
26+20	1102.00	
26+30	1102.50	
26+40	1103.00	
26+50	1103.50	
26+60	1104.00	
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26+80	1105.00	
26+90	1105.50	
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27+30	1107.50	
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28+50	1113.50	
28+60	1114.00	
28+70	1114.50	
28+80	1115.00	
28+90	1115.50	
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30+30	1122.50	
30+40	1123.00	
30+50	1123.50	
30+60	1124.00	
30+70	1124.50	
30+80	1125.00	
30+90	1125.50	
31+00	1126.00	
31+10	1126.50	
31+20	112	