

**IN THE COURT OF
COMMON PLEAS OF
ALLEGHENY COUNTY,
PENNSYLVANIA**

IN RE: CONDEMNATION BY
THE COMMONWEALTH OF
PENNSYLVANIA,
DEPARTMENT OF
TRANSPORTATION, OF THE
RIGHT-OF-WAY FOR STATE
ROUTE 2040, SECTION A23
IN THE BOROUGH OF WEST
MIFFLIN, THE BOROUGH OF
PLEASANT HILLS AND THE
BOROUGH OF BALDWIN
NO. GD-23-007113 TERM,
2023

EMINENT DOMAIN
PROCEEDING IN REM

**NOTICE OF
CONDEMNATION AND
DEPOSIT OF ESTIMATED
JUST COMPENSATION**

Notice is hereby given that the Commonwealth of Pennsylvania, by the Secretary of Transportation, whose address is the Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, Real Property Division, Commonwealth Keystone Building, Harrisburg, Pennsylvania 17120, pursuant to the provisions of Section 2003(e) of the Administrative Code of 19 29, P.L. 1 77, 71 P.S. 513(e), as amended, has filed on June 8, 2023 a Declaration of Taking to the above term and number, condemning the property shown on the plans of the parcels listed on the Schedule of Property Condemned which have been recorded in the Recorder's Office of the above county at the places indicated on the said schedule. The name(s) of the owner(s) of the property interest(s) condemned is (are) also shown on the aforesaid Schedule. The Acting Secretary of Transportation, on behalf of himself/herself and the Governor has approved the within condemnation by signing on February 7, 2023 a plan entitled "Drawings Authorizing Acquisition of Right-of-Way for State Route 2040 Section A23 R/W in Allegheny County", a copy of which plan was recorded in the Recorder's Office of the aforesaid county on March 1, 2023, in State Highway Book 193 Page 36.

The purpose of the condemnation is to acquire property for transportation purposes. Plans showing the property condemned from the parcels listed on the Schedule of Property Condemned have been recorded in the aforesaid Recorder's Office at the places indicated on the Schedule, where they are available for inspection. The Property Interest thereby condemned is designated on the Declaration of Taking heretofore filed. The Commonwealth of Pennsylvania is not required to post security, inasmuch as it has the power of taxation.

Because the identity or the whereabouts of the condemnee(s) listed below is (are) unknown or for other reasons he (they) cannot be served, this notice is hereby published in accordance with Section 305(b) of the Eminent Domain Code (26 Pa.C.S. §305(b)).

Claim No: 0202245000
Parcel No: 97
Name: Glenn G. Gezovich
Address:
5069 Azalea Drive
Pittsburgh, PA 15236-1649

The power or right of the Secretary of Transportation of the Commonwealth of Pennsylvania to appropriate the property condemned, the procedure followed by the Secretary of Transportation or the Declaration of Taking may be challenged by filing preliminary objections within thirty (30) days of the date of this notice.

FURTHERMORE, NOTICE IS GIVEN THAT the Commonwealth of Pennsylvania, Department of Transportation, pursuant to Section 522 of the Eminent Domain Code (26 Pa.C.S. §522), will, at the end of the above-referenced thirty (30) day time period within which to file preliminary objections to the Declaration of Taking, present a petition to the Court of Common Pleas of the above county to deposit into court the just compensation estimated by the Commonwealth to be due all parties in interest for damages sustained as the result of the condemnation of the property herein involved. The petition to deposit estimated just compensation may not be presented to the court if the owner(s) of the property herein involved inform the District Right-of-Way Administrator of the District noted below of their existence and/or whereabouts prior to the expiration of the noted period. After estimated just compensation has been deposited into court, the said monies may be withdrawn by the persons entitled thereto only upon petition to the court. If no petition is presented within a period of six years of the date of payment into court, the court shall order the fund or any balance remaining to be paid to the Commonwealth without escheat.