

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

IN RE: CONDEMNATION BY
THE : NO. 24-1580 TERM, 2024
COMMONWEALTH OF :
PENNSYLVANIA,
DEPARTMENT OF :
TRANSPORTATION, OF THE :
RIGHT-OF-WAY FOR STATE :
ROUTE 0978, SECTION A17
EMINENT DOMAIN
PROCEEDING
IN THE TOWNSHIP OF SOUTH
FAYETTE
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 1929, P.L. 177, 71 P.S. 513(e), as amended, has filed on February 8, 2024 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 Secretary of Transportation, on behalf of himself/herself and the Governor has approved the within condemnation by signing on September 19, 2023 a plan entitled Drawings Authorizing Acquisition of Right-of-Way for State Route 0978 Section A17 R/W in Allegheny County, and State Route 3026 Section A07 R/W in Allegheny County, a copy of which plan was recorded in the Recorder's Office of the aforesaid county on September 28, 2023, in Plan Book 319 Page 38. 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. Parcel No. Name

Address
0202273000
11

McClane Mining Company
Address unknown following
diligent search

0202274000
12

Arthur J. Nicholson, deceased
Heirs known but unlocatable
following a diligent search

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.

Jacqueline A. Evans, P.E.
District Right-of-Way
Administrator
Engineering District 11-0
Pennsylvania Department of
Transportation