

**MUNICIPALITY OF  
BETHEL PARK  
ALLEGHENY COUNTY,  
PENNSYLVANIA**

**PUBLIC NOTICE**

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA CONDEMNATION OF PROPERTY TO: OBTAIN FEE SIMPLE TITLE FOR THE PURPOSE OF CREATING AND MAINTAINING GREEN SPACE FOR PUBLIC USE AND RECREATION RE: LAND LOCATED AT 1st STREET, LOT AND BLOCK NO. 317-F-147 OWNED BY MARC SCORATOW; LOT AND BLOCK NO. 317-F-204 OWNED BY HERBERT EMBRY; AND LOT AND BLOCK NO. 317-F-208 OWNED BY LOUIS BARNETTE

**NOTICE OF**

**CONDEMNATION AND  
DEPOSIT OF ESTIMATED  
JUST COMPENSATION**

THE MUNICIPALITY OF BETHEL PARK, Allegheny County, Pennsylvania, does hereby give notice that: 1. On October 11, 2023 a Declaration of Taking was filed at Civil Action No. GD 23-011835 in the Department of Court Records of Allegheny County Pennsylvania. 2. The Condemnor is the Municipality of Bethel Park (Municipality), Allegheny County, Pennsylvania, with its business address at 5100 West Library Avenue, Pittsburgh, Pennsylvania 15102. 4. The condemned property is three parcels property located at 1st Street in the Municipality of Bethel Park, Allegheny County, Pennsylvania, further identified as Lot and Block Nos. 317-F-147, 317-F-204, and 317-F-208 (the Property). 5. The condemnation of the Property by the Municipality is authorized by the power of eminent domain pursuant to the Eminent Domain Code (26 Pa.C.S. §§ 101 et seq.), the Home Rule Charter Law (53 Pa. C.S. § 2962) and the Borough Code (8 Pa. C.S. §§ 101 et seq.), including but not limited to 8 Pa C.S. § 1501. 6. This Declaration of Taking is further authorized by Ordinance No. 6-12-23A (Ordinance) which was adopted the 12th day of June, 2023, by the Council of the Municipality of Bethel Park. The Ordinance may be examined in the Municipality's offices located at 5100 West Library Avenue, Pittsburgh, Pennsylvania 15102, during normal business hours. 7. The purpose of the condemnation is to obtain fee simple title to create and maintain green space for public use and recreation in an area located near 1st Street in the Municipality of Bethel Park. 8. The nature of the title acquired in and to the Property is as follows: a. Fee simple title to the Property as more fully described in the Ordinance. 9. Upon information and belief, the owners of the parcels composing the Property are as follows: a. Marc Scoratow via deed recorded with the Allegheny County Department of Real Estate at DBV 11604, Page 001 (Lot and Block No. 317-F-147) b. Herbert Embry via deed recorded with the Allegheny County Department of Real Estate at DBV 6404, Page 667 (Lot and Block No. 317-F-204) c. Louis Barnette via deed recorded with the Allegheny County Department of Real Estate at DBV 3073, Page 692 (Lot and Block No. 317-F-208) 10. In the event that there are recoverable minerals (including gas and oil) within the Property, the mineral rights (including rights to gas and oil) in those areas are hereby excepted and reserved from the condemnation, provided, however, that the right of support in the Property is included within the scope of this condemnation, and no access from the surface of the Property will be allowed without permission from the Condemnor. 11. In the event that there are any recorded encumbrances within Property that are not referenced in this Declaration of Taking, the real property rights, if any, of said encumbrances are hereby excepted and reserved from this condemnation. 12. A plan of the condemned Property may be inspected in the Municipal offices at 5100 West Library Avenue, Pittsburgh, Pennsylvania 15102 during normal business hours. 13. Pursuant to Section 303(b) of the Eminent Domain Code, 26 Pa.C.S. § 303(b), as a taxing authority, the Condemnor is not required to post a bond in this Declaration of Taking. Just compensation for the condemnation of said property is secured by the power of taxation of the Municipality of Bethel Park. 14. The Condemnee is further notified that if they wish to challenge the power or the right of the Condemnor, the Municipality of Bethel Park, to appropriate the condemned property, the sufficiency of the security, the procedure followed by the Condemnor or the Declaration of Taking, the Condemnee, must file preliminary objections within thirty (30) days after being served with notice of condemnation. FURTHERMORE, NOTICE IS GIVEN THAT the Municipality of Bethel Park, 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 Allegheny County to deposit into court the just compensation estimated by the Municipality of Bethel Park 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 Municipality of their existence and whereabouts, agree to accept payment of estimated just compensation for the condemnation of the Property and make arrangements to receive such payment 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.

Kristen Denne, Manager