

in the Court of Common Pleas of Allegheny County, Pennsylvania Civil Division

No. GD 24-7496

In Rem Eminent Domain

In Re: Condemnation by the Allegheny County Sanitary Authority (hereinafter ALCOSAN) of Property Located in the Borough of McKees Rocks, Allegheny County, Pennsylvania, for the Clean Water Plan (Block and Lot No. 74-R-215) Condemnee(s) Estate of Anna Wityk, Andrew Wahal Jr., Deceased, Helen Best, Margaret Cifrulak, as tenants in common, and any other person found to have an interest in the following property condemned: All That Certain tract or parcel of land situated in Borough of McKees Rocks, Allegheny County, Commonwealth of Pennsylvania, being bound and described as follows: Beginning on the Southeast corner of Eber Alley which point is determined by the following courses and distances: starting at the northwest corner of the intersection of the northerly line of Campbell Street with Shingiss Street. In the Phoenix Park Plan of Lots, thence extending westwardly along the northerly line of Campbell Street, a distance of One hundred seventy and 02/100 (170.02) feet to a point, in the westerly line of property now or formerly of Michael Kacsur, conveyed to him in Deed Book Volume 2730, page 92, thence along the westerly line of the Kacsur property, aforesaid, North 31° 27' West, a distance of One hundred (100) feet to a point the southeast corner of Eber Alley being the point of beginning; thence North 31° 27' West along said easterly line of Eber Alley, a distance of Ten (10) feet to a point; thence North 58° 33' East, a distance of One hundred (100) feet to a point; thence South 31° 27' East, a distance of Ten (10) feet to a point; thence South 58° 33' West, a distance of One hundred (100) feet to a point in the southeast corner of Eber Alley at the place of beginning. Known as Parcel No. 74-R-215, and being the same premises that Nicholas Wahal, a single person, conveyed by Deed delivered to Andrew Wahal, Jr., Helen Best, and Margaret Cifrulak dated July 21, 1986, and recorded July 28, 1986 in the Allegheny County Department of Real Estate at Deed Book Volume 7354, Page 378. In accordance with Section 305 of the Pennsylvania Eminent Domain Code, codified at 26 Pa.C.S. § 305, ALCOSAN hereby gives notice that:

1. ALCOSAN filed a Declaration of Taking on July 12, 2024 in the Court of Common Pleas of Allegheny County, Pennsylvania at No. GD 24-7496. This was filed pursuant to the requirements of the Commonwealth of Pennsylvania Eminent Domain Code as amended by 2006, May 4, P.L. 112, No. 34, §1.

2. The Condemnor is ALCOSAN, a municipal authority formed under the laws of the Commonwealth of Pennsylvania, having an address of 3300 Preble Avenue, Pittsburgh, Pennsylvania.

3. ALCOSAN is authorized and empowered by the Pennsylvania Municipality Authorities Act to have all powers necessary and/or convenient for the carrying out of its statutorily proscribed purposes, including without limitation the power of eminent domain. See Pa.C.S. § 5607(15).

4. This Declaration of Taking was authorized by a Resolution adopted June 27, 2024 by ALCOSAN's Board of Directors. The record thereof may be examined at ALCOSAN's offices.

5. The purpose of the condemnation is to acquire property interests necessary to implement sewer infrastructure necessary to implement the Clean Water Plan.

6. The property condemned is situate in the Borough of McKees Rocks, Allegheny County and consists of 297 square feet. A plan of the property condemned sufficient for its identification has been filed with the Allegheny County Department of Court Records and recorded with the Allegheny County Department of Real Estate in accordance with Section 304 of the Eminent Domain Code of 2006.

7. The nature of the title hereby condemned is a temporary construction easement.

8. A plan showing the condemned property may be inspected at the law offices of Babst Calland, Two Gateway Center, Pittsburgh, PA 15222 during regular business hours.

9. The Condemnor filed with the Declaration of Taking its Open-End Bond without surety pursuant to Section 303(a) of the Eminent Domain Code of 2006. Just Compensation is made or secured by the filing of said Bond.

10. If you wish to challenge the power or right of the Condemnor, the Allegheny County Sanitary Authority, to appropriate the condemned property, the sufficiency of the security, the procedure followed by the Condemnor, or the Declaration of Taking, you are required to file preliminary objections with the Court of Common Pleas of Allegheny County, Pennsylvania, within thirty (30) days after publication of this Notice. Allegheny County Sanitary Authority By: Harlan Stone, Esquire, Babst Calland, Two Gateway Center, 6th Floor, Pittsburgh, PA 15222 (412) 394-5400; (412) 394-6576 (facsimile) hstone@babstcalland.com