

In the Court of Common Pleas of Allegheny County, Pennsylvania

Civil Division

No. GD 24-013919

In Rem Eminent Domain

In Re: Condemnation by the Allegheny County Sanitary Authority (hereinafter ALCOSAN) of a Portion of an Unassessed Parcel of Property Located in the City of Pittsburgh, 21st Ward, Allegheny County, Pennsylvania, for the Clean Water Plan. Condemne(e)s consist of any person found to have an interest in the property concerned.

A portion of all that certain tract or parcel of land situated in the City of Pittsburgh, 21st Ward, Allegheny County, Commonwealth of Pennsylvania, being bound and described as follows:

Permanent Subterranean Easement No. 1 – ORT Tunnel All that piece or parcel of land situate in the 21st Ward of the City of Pittsburgh, Allegheny County, Pennsylvania, having boundaries comprised of two subterranean horizontal planes and three vertical planes so as to be a closed three-dimensional shape, being more particularly described as follows: The two horizontal planes, the first of which is at an elevation of 604 feet, and the second of which is at an elevation of 568 feet, both elevations as established by the North American Vertical Datum of 1988, each of which is bounded as follows: Beginning at a point at the intersection of the Low Water Line of the Ohio River (Pool Elevation 710.00') and the northerly property line of an Unknown Owner. Thence from said point of beginning along the northerly property line of an Unknown Owner North 77°28'15" East a distance of 10.63' to a point at the intersection of the northerly property line of an Unknown Owner and the easterly line of the Permanent Subterranean Easement; Thence through the lands of an Unknown Owner along the easterly line of the Permanent Subterranean Easement South 40°35'40" East a distance of 70.89' to a point at the intersection of the easterly line of the Permanent Subterranean Easement and the Low Water Line of the Ohio River; Thence in a northerly direction along the Low Water Line of the Ohio River by its various courses 79± to a point, at the place of beginning. Each said horizontal plane containing within its said bounds 549 Square Feet, or 0.013 Acre of area, more or less. The three vertical planes and lateral surfaces that connect the boundaries of the two horizontal planes described above as to fully enclose the three dimensional shape. Being part of an unassessed parcel of property that is an Unknown Owner.

Permanent Subterranean Easement No. 2 – ORT Tunnel All that piece or parcel of land situate in the 21st Ward of the City of Pittsburgh, Allegheny County, Pennsylvania, having boundaries comprised of two subterranean horizontal planes and two vertical planes so as to be a closed three dimensional shape, being more particularly described as follows: The two horizontal planes, the first of which is at an elevation of 604 feet, and the second of which is at an elevation of 568 feet, both elevations as established by the North American Vertical Datum of 1988, each of which is bounded as follows: Beginning at a point at the intersection of the Low Water Line of the Ohio River (Pool Elevation 710.00') and the easterly line of the Permanent Subterranean Easement. Thence from said point of beginning through the lands of an Unknown Owner along the easterly line of the Permanent Subterranean Easement South 40°35'40" East a distance of 13.80' to a point at the intersection of the easterly line of the Permanent Subterranean Easement and the Low Water Line of the Ohio River; Thence in a northerly direction along the Low Water Line of the Ohio River by its various courses 14± to a point, at the place of beginning. Each said horizontal plane containing within its said bounds 14 Square Feet, or 0.000 Acre of area, more or less.

The two vertical planes and lateral surfaces that connect the boundaries of the two horizontal planes described above as to fully enclose the three dimensional shape. Being part of an unassessed parcel of property that is an Unknown Owner.

Permanent Subterranean Easement No. 3 – ORT Tunnel All that piece or parcel of land situate in the 21st Ward of the City of Pittsburgh, Allegheny County, Pennsylvania, having boundaries comprised of two subterranean horizontal planes and nine vertical planes so as to be a closed three dimensional shape, being more particularly described as follows:

The two horizontal planes, the first of which is at an elevation of 604 feet, and the second of which is at an elevation of 568 feet, both elevations as established by the North American Vertical Datum of 1988, each of which is bounded as follows: Beginning at a point at the intersection of the southerly property line of an Unknown Owner and the Low Water Line of the Ohio River (Pool Elevation 710.00'). Thence from said point of beginning in a northerly direction along the Low Water Line of the Ohio River by its various courses 132± to a point at the intersection of the Low Water Line of the Ohio River and the westerly line of the Permanent Subterranean Easement; Thence through the lands of an Unknown Owner along the westerly line of the Permanent Subterranean Easement North 40°35'40" West a distance of 68.83' to a point at the intersection of the westerly line of the Permanent Subterranean Easement and the Low Water Line of the Ohio River; Thence in a northerly direction along the Low Water Line of the Ohio River by its various courses 70± to a point at the intersection of the Low Water Line of the Ohio River and the westerly line of the Permanent Subterranean Easement; Thence through the lands of an Unknown Owner along the westerly line of the Permanent Subterranean Easement North 40°35'40" West a distance of 171.30' to a point at the intersection of the westerly line of the Permanent Subterranean Easement and the Low Water Line of the Ohio River; Thence in a northerly direction along the Low Water Line of the Ohio River by its various courses 142± to a point at the intersection of the Low Water Line of the Ohio River and the easterly line of the Permanent Subterranean Easement; Thence through the lands of an Unknown Owner along the easterly line of the Permanent Subterranean Easement South 40°35'40" East a distance of 407.25' to a point at the intersection of the easterly line of the Permanent Subterranean Easement and the southerly property line of an Unknown Owner; Thence along the southerly property line of an Unknown Owner South 77°29'07" West a distance of 6.28' to a point; Thence along the easterly property line of an Unknown Owner South 40°36'03" East a distance of 153.28' to a point; Thence along the southerly property line of an Unknown Owner South 77°28'15" West a distance of 2.22' to a point, at the place of beginning. Each said horizontal plane containing within its said bounds 14,666 Square Feet, or 0.337 Acre of area, more or less. The nine vertical planes and latera surfaces that connect the boundaries of the two horizontal planes described above as to fully enclose the three dimensional shape. Being part of an unassessed parcel of property that is an Unknown Owner.

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 November 26, 2024 in the Court of Common Pleas of Allegheny County, Pennsylvania at No. GD 24-013919. 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 26 Pa.C.S. § 5607(15).

4. This Declaration of Taking was authorized by Resolution 2024-09-02 adopted September 26, 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 City of Pittsburgh, 21st Ward, Allegheny County and consists of 15,229 total 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 permanent taking of a portion of the subject property in the form of three (3) subterranean easements.

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: Anna R. Hosack, Esquire, Babst Calland, Two Gateway Center, 6th Floor, Pittsburgh, PA 15222 (412) 394-5400; (412) 394-6576 (facsimile)

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