

RESOLUTION 08-11-05-01

WHEREAS, it is required for the general welfare of the residents of the Township of Collier, and it being the duty and obligation of the Municipal Authority to provide and maintain sanitary sewage with the Township of Collier; and,

WHEREAS, the Collier Township Municipal Authority, in order to provide for the development of the Township and to prevent health hazard, has been required to provide sanitary sewage service to the Ewing Road area; and,

WHEREAS, the Collier Township Municipal Authority caused to be constructed a main interceptor in and along Ewing Road which has been serving the Ewing Road watershed for a number of years, certain plans and specifications for which are on file in the office of the Authority, and;

WHEREAS, the Collier Township Municipal determined that certain landslides occurred or were allowed to occur on the property of Thomas Shea causing a blockage of a natural stream and the diversion of the stream into and along an existing sewer right of way for the Ewing Road Trunk Sewer and causing severe damage to said line, and ;

WHEREAS, the slides and the stream diversion damaged, washed out and exposed the existing sewer and necessitate the realignment and relocation of a portion of the Ewing Road Trunk Sewer, and;

WHEREAS, the owner of the property refuses to correct the slides, the stream diversion and the continuing damage to the Ewing Road Trunk Sewer and further refused to grant a right of way for the line relocation and repair.

WHEREAS, it is the determination of the Authority that it is necessary to acquire right-of-ways for the repair, replacement, construction, installation, and maintenance of the Ewing Road Trunk Sewer.

NOW, THEREFORE, be it resolved:

1. That it is directed that a Notice of Taking which is required to obtain the necessary right-of-ways within the Township of Collier, be prepared, executed, filed, and served and processed as authorized by law and that such taking of the various right-of-ways are needed for the repair, replacement and installation of the interceptor lines are hereby authorized.

2. It is directed that all of the proper officers and employees of the Collier Township Municipal Authority do all things necessary to accomplish the said taking, including but not limited to the execution of all documents as required by the Eminent Domain Code of the Commonwealth of Pennsylvania, payment of all fees and costs, to and include the preparation and posting of an open end bond by the Authority to secure any damages which may be occasioned by the taking.

3. It is specifically resolved that the Authority acquire right-of-ways through the following property as identified in engineering drawings prepared by NIRA Consulting Engineers, said properties being generally identified as follows:

(a) Thomas Shea
3287 Sunnyside Road
Bethel Park, PA 15102

Block and Lot: 9905-X-1486, 9905-X-1618, 9905-X-1931,
9905-X-82057, 9905-X-82091, 9905-X-82104,
9905-X-82129

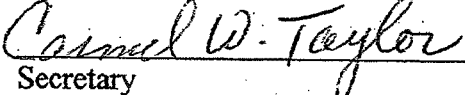
DBV: 11108 P 511-517

Adopted at a regular meeting of the Collier Township Municipal Authority held the 11th day of August, 2005.

COLLIER TOWNSHIP MUNICIPAL AUTHORITY


Chairman

ATTEST:


Secretary

(SEAL)

OWNERS OR POSSIBLE OWNERS IN INTEREST

1. Thomas Shea
3287 Sunnyside Road
Bethel Park, PA 15102

Block and Lot: 9905-X-1486, 9905-X-1618, 9905-X-1931,
9905-X-82057, 9905-X-82091, 9905-X-82104,
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