

## RESOLUTION 52-00

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A RESOLUTION OF THE WEST MIFFLIN SANITARY SEWER MUNICIPAL AUTHORITY AUTHORIZING THE CONDEMNATION THROUGH THE USE OF EMINENT DOMAIN AS A RIGHT-OF-WAY OR EASEMENT OVER, UPON, ACROSS, IN AND THROUGH PRIVATE PROPERTY SITUATE IN THE BOROUGH OF MUNHALL, NOW OR FORMERLY OF KENNETH M. FISCUS AND CYTHIA A. FISCUS AND PRIVATE PROPERTY OWNED BY OTHERS, IF NECESSARY, FOR THE PURPOSE OF INSTALLING AND CONSTRUCTING A SANITARY SEWER AND NECESSARY MANHOLES; AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE BOROUGH AND THE BOROUGH SOLICITOR TO TAKE WHATEVER ACTION IS NECESSARY AND PROPER TO EFFECT SAID CONDEMNATION, INCLUDING BUT NOT LIMITED TO THE PREPARATION OF PLANS SHOWING THE PROPERTIES CONDEMNED, THE PAYMENT OF ESTIMATED JUST COMPENSATION TO CONDEMNNEES AND THE PREPARATION OF FILING OF A DECLARATION OF TAKING.

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NOW, THEREFORE, IT SHALL BE RESOLVED AS FOLLOWS:

1. The West Mifflin Sanitary Sewer Municipal Authority does hereby authorize the condemnation through the use of the power of eminent domain of a right-of-way or easement over, upon, across, in and through private property situate in the Borough of Munhall now or formerly of Kenneth M. Fiscus and Cythia A. Fiscus and private properties owned by others, if necessary, for the purpose of having Chester Engineers in accordance with an agreement with the Authority which is attached hereto and incorporated herein as Exhibit A, constructed therein a sanitary sewer and necessary manholes.

2. The proper officers of the Authority and the Authority Solicitor be and they are hereby authorized, empowered and directed to take whatever action is necessary and proper to effect said condemnation, including, but not limited to, the preparation of plans showing the properties condemned, the payment of estimated just compensation to condemnees, and the preparation and filing of Declarations of Taking.

3. Any resolution or part of any resolution conflicting with the provisions of this Resolution be and the same are hereby repealed to the extent of such conflict.

RESOLVED, this 7th day of June 2000.

WEST MIFFLIN SANITARY SEWER MUNICIPAL AUTHORITY

ATTEST:

Michael Price, Chairman

Roberta Chonko, Secretary

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