

BOROUGH OF TARENTUM

ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 17-01

AN ORDINANCE OF THE BOROUGH OF TARENTUM AUTHORIZING THE USE OF EMINENT DOMAIN FOR THE TAKING OF PROPERTY IDENTIFIED AS LOT AND PARCEL NUMBER 1223-P-153 WITH A STREET ADDRESS OF 136 W. 7TH AVENUE TARENTUM, ALLEGHENY COUNTY, PENNSYLVANIA

WHEREAS, it is the intention of the Council of the Borough of Tarentum to select and appropriate in the Borough of Tarentum a certain property with the Parcel Identification Lot and Block of 1223-P-153 and with a street address of 136 W. 7th Avenue, Tarentum, is currently deeded to John Pracko and Pauline Pracko, husband and wife for taking through the use and power of Eminent Domain; and

WHEREAS, the property taxes on the said parcel are delinquent and have not been paid in over 40 years and there are currently numerous Municipal Liens filed against the property in the Department of Court Records in and for Allegheny County; and

WHEREAS, a structure was once located on the property was demolished previously by the Borough of Tarentum after a proper and lawful condemnation and the vacant ground has become a place for the accumulation of trash and debris; and

WHEREAS, it is believed that the owners of the said property are deceased; and

WHEREAS, the Borough of Tarentum believes that this property has been abandoned in that the total of the Municipal Liens on the said parcel for tax or other claims of the municipality is in excess of 150% of the fair market value of the property as established by Allegheny County Assessment Office; and

WHEREAS, the said parcel currently has a Municipal Lien filed against the parcel for the cost of demolition of the structure previously located on the property which remain unpaid for a period in excess of six months. Said Municipal Lien is filed in the Department of Court Records of and for Allegheny County at GD-12-2129 filed on January 31, 2012; and

WHEREAS, the property has been declared abandoned by the Estate of John Pracko; and

WHEREAS, the Allegheny County Real Estate Assessment Office has fixed the Fair Market Value of the real estate of the said parcel to be the sum of \$11,800.00. The total amount

of the Municipal Liens on the said parcel for tax and or other claims are in excess of \$17,700.00;
and

WHEREAS, the said parcel has a defective our unusual conditions of title and there are
an undetermined unknown heirs of the late John Pracko, thus rendering the title unmarketable;
and

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Council
of the Borough of Tarentum, Allegheny County, Pennsylvania, as follows:

SECTION 1: The Borough Manager of the Borough of Tarentum is hereby to select and
appropriate the following plot of ground for its purposes:

**Property located at Lot and Block Number 1223-P-
153 with a street address of 136 W. 7th Avenue,
Tarentum, Allegheny County, Pennsylvania.**

SECTION 2. The Borough Solicitor is authorized and directed to prepare and file with the
appropriate court a declaration of taking which shall be executed by the Borough Manager and to
take any action that may be necessary or desirable to carry out the intent and purpose of this
ordinance..

This Ordinance is not intended, nor shall its effect be, to limit any other enforcement remedies
which may be available to the Borough.

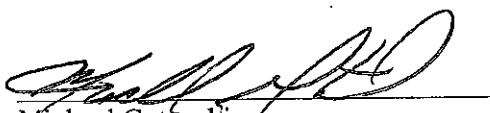
SECTION 3. The Borough shall acquire fee simple title.


SECTION 4. The amount of damages when determined shall be charged against any
present or future appropriations to the general fund.

ORDAINED and ENACTED this 7th day of February, 2017.

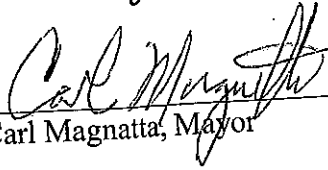
ATTEST:

BOROUGH OF TARENTUM:


Michael Gutónski
Borough Manager

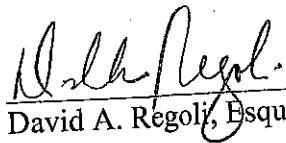

Eric Carter,
President of Council

EXAMINED AND APPROVED by me this 7th day of February, 2017.



Carl Magnatta, Mayor

APPROVED AS TO FORM:



David A. Regoli, Esquire
Solicitor