

R.D. 1-1982 /

ORDINANCE NO. 145

AN ORDINANCE OF RICHLAND TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE ACQUISITION, BY EMINENT DOMAIN, OF A PARCEL OF LAND ON THE EASTERLY SIDE OF ELTON ROAD, PENNSYLVANIA LEGISLATIVE ROUTE NO. 11009, FROM ROBERT L. HAGERICH AND DAVID D. BOCK FOR THE PURPOSE OF ELIMINATING A TRAFFIC HAZARD BY WIDENING SAID ROAD AND CONSTRUCTING A TURNING LANE FROM ELTON ROAD ONTO LUTHER ROAD.

WHEREAS, the Board of Supervisors of Richland Township, Cambria County, Pennsylvania, a municipal corporation, organized as a Second Class Township, deems it necessary to eliminate a traffic hazard at the intersection of Luther Road and Elton Road by constructing a turning lane; and,

WHEREAS, the Township has obtained the consent of the Secretary of Highways of the Commonwealth of Pennsylvania to widen Elton Road, Legislative Route No. 11009, for the purpose of constructing said turning lane; and,

WHEREAS, pursuant to the Second Class Township Code, 53 Pa. C.S. Section 66101, et. seq., a public hearing was held after ten (10) days written notice to all property owners affected by said widening; and,

WHEREAS, the Township Officials have been unable to agree with the owners of the property to be acquired as to the price of damages to be paid because of disagreement as to the value of said parcel.

NOW, THEREFORE, pursuant to the authority of the Second Class Township Code, 53 Pa. C.S. Section 66101, et. seq., and the Eminent Domain Code, 26 Pa. C.S. 1-101 et. seq., it is hereby ordained and enacted as follows:

1. Richland Township, Cambria County, Pennsylvania in accordance with the authority conferred by law, selects and appropriates, for the purpose of constructing a turning lane in order to eliminate a traffic hazard, the following

described parcel of land located at Richland Township, Cambria County,  
Pennsylvania

Beginning at a point on the Easterly Side of L.R. 11009, said point being the South Westerly corner of property of the within named grantors, thence along the Easterly Side of L.R. 11009 N16<sup>0</sup>-31'W a distance of 153.84' to a point at corner of land of Myrtle Hunt, now or late, thence along land of Myrtle Hunt, now or late, N82<sup>0</sup>-27'E a distance of 9.25' to a point, thence through land of which this is a part S16<sup>0</sup>-31'E a distance of 154.26' to a point, said point being the property corner of the Peoples Natural Gas Co., thence by line of the within named grantors S84<sup>0</sup>-59'W a distance of 9.32' to a point at the South Westerly corner of land of the within named grantors and on the Easterly Side of L.R. 11009, the place of beginning. Containing 1406 square feet and being part of a larger tract of land conveyed to Robert L. Hagerich, et. al. in deed book Vol. 818 Page 700.

Area colored in red on the plan prepared by T. L. Locher, P.E. Jan. 12, 1981, and revised November 2, 1981, and attached hereto and made a part thereof.

2.. The title to be acquired shall be absolute or fee simple, including all easements, rights-of-way, and real property interests of whatever nature.

3. Patrick T. Kiniry, Solicitor for Richland Township, and the proper Township Officials are hereby authorized to file a declaration of taking, and such other proceedings, as may be necessary or desirable to carry out the purpose of this Ordinance.

4. The Township Solicitor and the proper Township Officials are hereby empowered and directed to agree upon a purchase price for said parcel of land on behalf of the Township in lieu of completing condemnation, if such can be done; and if no such settlement can be reached, to pay or arrange for payment on behalf of the Township of the purchase price fixed in said condemnation proceedings.

5. The institution of said condemnation proceedings and all damages which may be awarded to the owners of said parcel of land are to be paid out of the general fund of Richland Township.

ORDAINED AND ENACTED this 16 day of April, 1982.

ATTEST

RICHLAND TOWNSHIP

Ralph E. McCallan  
Secretary

James E. Dyer  
Vice - Chairman

Township Seal



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CAMBRIA CO. PA.

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