

NORTHAMPTON COUNTY COUNCIL - EASTON, PA

Ordinance No. 721 SESSION 2022 Bill No. 814

Introduced by Kerry L. Myers and John Cusick on March 17, 2022

Enacted April 8, 2022 Effective May 8, 2022

Title: AN ORDINANCE AUTHORIZING PREPARATION AND SUBMISSION OF A DECLARATION OF TAKING AND RELATED DOCUMENTATION FOR A PORTION OF THE LANDS OF LIVIU VICTOR RUSU

WHEREAS, Northampton County Council has determined that it is necessary and appropriate to acquire a Temporary Construction Easement for a project involving replacement, repair and or maintenance of Bridge No. 8 for the safety of the traveling public for the below stated property owner; and

WHEREAS, a description of the property condemned from owner Liviu Victor Rusu sufficient for its identification is set forth in Exhibit 1 being part of the same property more particularly described in the Office of the Recorder of Deeds in and for Northampton County Deed Book Volume 2020-1, Page 209853 located in the City of Easton, Northampton County, Pennsylvania also identified as Tax Parcel No. P10 3 6 0836 (Rusu property); and

WHEREAS, Condemnor, Northampton County condemns a Temporary Construction Easement of 412 square feet from the Rusu property (Hatched Area B on Exhibit 1). A copy of the plot plan showing the entire property and portion of land condemned and legal description of the condemned land is attached as Exhibits 1 and 2; and

WHEREAS, Northampton County is permitted to acquire land and interests in land by Eminent Domain pursuant to the Eminent Domain Code, 26 Pa. C.S.A. Section 302 et seq. as amended.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Northampton County Council as follows:

1. All "Whereas" clauses are hereby incorporated into this Resolution.

2. That the County Solicitor's office is hereby authorized and directed to prepare and the proper officers to execute a Declaration of Taking and Notice of Condemnation in accordance with the provisions of the Pennsylvania Eminent Domain Code of 2006, as amended.

3. That the Northampton County Solicitor is hereby authorized and directed to file the Declaration of Taking in the office of the Prothonotary of Northampton County.

4. That the Northampton County Solicitor is authorized and directed to record the Notice of Filing of Declaration of Taking.

5. That Northampton County, acting by and through Northampton County Council and the Northampton County Executive and/or the Northampton County Solicitor's office, is hereby authorized and directed to pay, or to offer to pay, within sixty days from filing of the herein above mentioned Declaration of Taking, just compensation to each Condemnee as provided for and pursuant to Section 307 of the Eminent Domain Code.

6. That the Northampton County Solicitor's office is hereby authorized and directed to send the Notice required by Section 305 of the Eminent Domain Code to the record owner of the property or interest in property to be condemned by certified mail per Section 305(b) of the Eminent Domain Code.

This ordinance was advertised on the 23rd day of March 2022, and was adopted by the Northampton County Council on the 7th day of April, 2022.

Attest:



Linda M. Zembo
Clerk to Council

Lori Vargo Heffner

Lori Vargo Heffner
County Council President



Lamont G. McClure
County Executive

DISTRICT	ROAD	STATION	SHEET
5	NORTHARPTON	KRESSMAN/19+00.00	
VILLIAMS TOWNSHIP			
REV	REVISIONS	DATE	BY

TEMPORARY CONSTRUCTION EASEMENT A
 KRISSELLA HAYDEN & SONS
 1803 N. STATE ST. CHICAGO, IL 60647
 1803 N. STATE ST. CHICAGO, IL 60647
 1803 N. STATE ST. CHICAGO, IL 60647

TEMPORARY CONSTRUCTION EASEMENT B
 VETOR BELLUM
 2111 N. STATE ST. CHICAGO, IL 60647
 2111 N. STATE ST. CHICAGO, IL 60647
 2111 N. STATE ST. CHICAGO, IL 60647

TEMPORARY CONSTRUCTION EASEMENT C
 HOOPER ADAMS CO.
 1803 N. STATE ST. CHICAGO, IL 60647
 1803 N. STATE ST. CHICAGO, IL 60647
 1803 N. STATE ST. CHICAGO, IL 60647

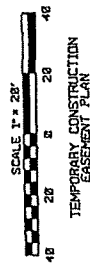
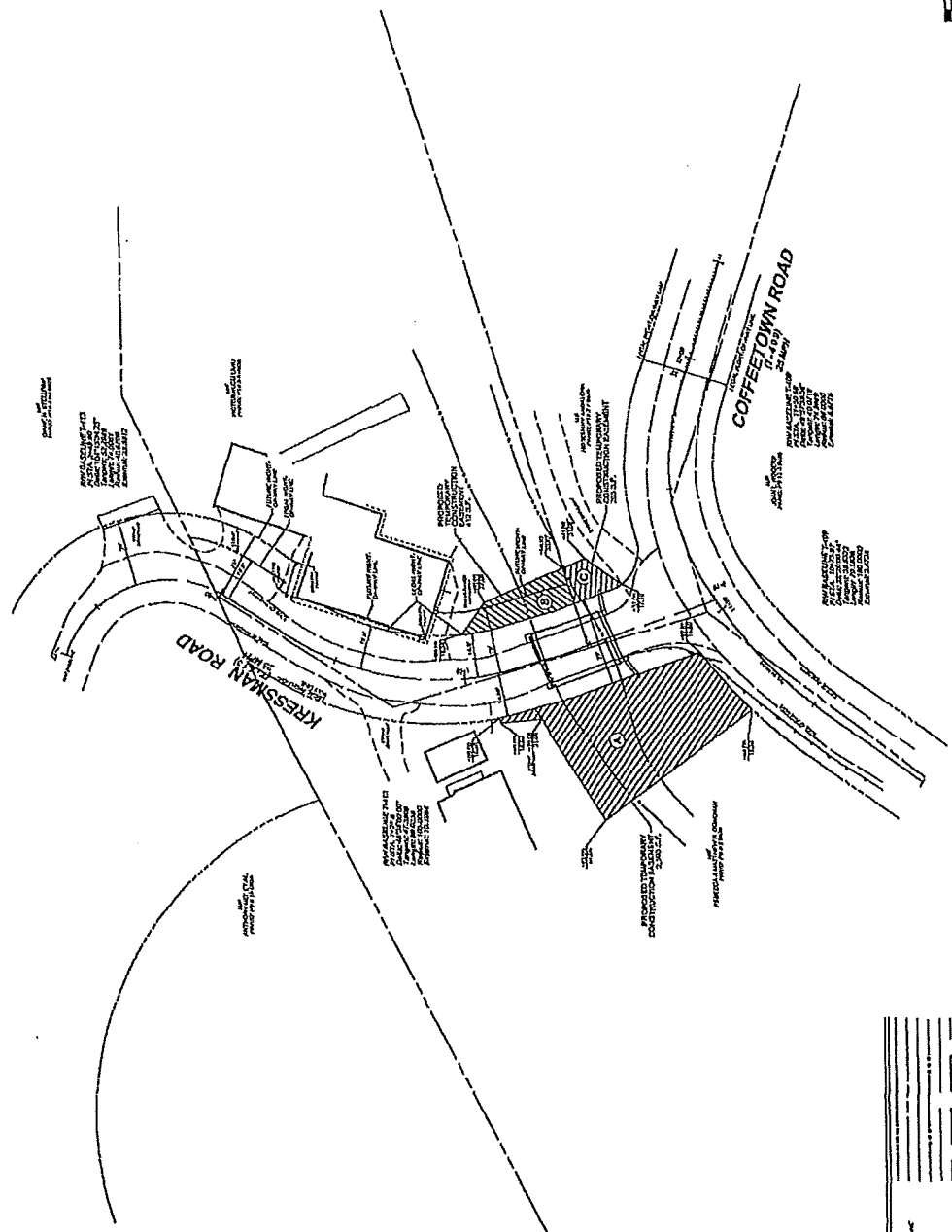
NOTES:
 ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ILLINOIS CONSTRUCTION EASEMENT ACT AND ALL APPLICABLE ORDINANCES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. ANY VIOLATION OF THESE TERMS SHALL BE SUBJECT TO IMMEDIATE REMEDIATION AND PENALTIES AS SET FORTH IN THE APPLICABLE ORDINANCES.

SUMMARY OF PROJECT COORDINATES

LINE	START	END	MARKING
1	1803 N. STATE ST.	1803 N. STATE ST.	CONSTRUCTION EASEMENT
2	2111 N. STATE ST.	2111 N. STATE ST.	CONSTRUCTION EASEMENT
3	1803 N. STATE ST.	1803 N. STATE ST.	CONSTRUCTION EASEMENT

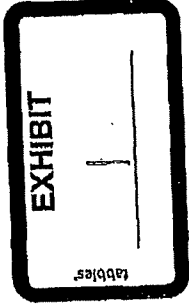
LEGEND:

[Symbol]	EXISTING CONSTRUCTION EASEMENT
[Symbol]	PROPOSED CONSTRUCTION EASEMENT
[Symbol]	PROPOSED TEMPORARY CONSTRUCTION EASEMENT
[Symbol]	PROPOSED CONSTRUCTION EASEMENT
[Symbol]	PROPOSED TEMPORARY CONSTRUCTION EASEMENT



TEMPORARY CONSTRUCTION EASEMENT PLAN

STAMP/SEAL



Northampton County Bridge No. 8

AIE-20-096

Description of

TEMPORARY CONSTRUCTION EASEMENT 'B'

ALL THAT CERTAIN EASEMENT or strip of land situate in Williams Township, Northampton County, Pennsylvania, being the being shown as Proposed Temporary Construction Easement B on lands of now or late Victor Rusu Liviu on a Temporary Construction Easement Plan being bounded and described as follows, to wit:

BEGINNING at a point on the easterly legal right-of-way line of Kressman Road (33 feet wide), in line of lands of now or late Victor Rusu Liviu and Rosemary Andalora, within the bed of Fry's Run, said point being located from the centerline intersection of Kressman Road and Coffeetown Road (33 feet wide) the following two (2) courses and distances: 1) along the centerline OF Kressman Road, North $19^{\circ}06'44''$ West, 51.03 feet to a point on said centerline, 2) crossing the eastern side of Kressman Road, North $72^{\circ}13'14''$ East, 16.50 feet to appoint on the easterly right-of-way line of Kressman Road and the POINT OF BEGINNING; Thence, from said point of beginning, along said easterly right-of-way line of Kressman Road the following three (3) courses and distances: 1) North $19^{\circ}06'44''$ West, 10.07 feet to an angle point, 2) North $15^{\circ}54'47''$ West, 18.84 feet to a point of curvature, 3) along the arc of a circle curving to the right in a northerly direction having a radius of 88.50 feet, an arc distance of 16.04 feet (Chord: North $10^{\circ}43'18''$ West, 16.02 feet) to a point (Station 0+99.5, Offset 16.50) on said easter right-of-way line of Kressman Road; Thence, extending on ands though lands of now or late Victor Rusu Liviu the following two (2) courses and distances: 1) South $53^{\circ}36'49''$ East, 14.98 feet to an angle point (Station 0+86, Offset 27.00), 2) South $22^{\circ}41'27''$ East, 32.77 feet to a point (Station 0+50.32, Offset 30.42) in line of lands of now or late Liviu and the aforementioned lands of now or late Andalora; Thence, extending line of lands of now or late Liviu and Andalora, South $72^{\circ}13'14''$ West, 13.92 feet to the POINT AND PLACE OF BEGINNING.

CONTAINING 472 square feet of land, be the same, more or less.

