

NORTHAMPTON COUNTY COUNCIL - EASTON, PA

Ordinance No. _____ SESSION 2022 Bill No. 814

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

Enacted _____ Effective _____

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 day ____ of ____ 2022, and was adopted by the Northampton County Council on the ____ day of ____ 2022.

Attest:

Linda M. Zembo
Clerk to Council

Lori Vargo-Heffner
County Council President

Lamont G. McClure
County Executive

PLOTTED 08/11/2016 10:00

DISTRICT	COUNTY	ROAD	STATION	SHEET	
5	NORTHAMPTON	KRESSMAN	18+00.00		
MILLIAMS TOWNSHIP					
REV	NO	REVISIONS	DATE	BY	APPD

TEMPORARY CONSTRUCTION EASEMENT A

REBECCA & MATTHEW R DONOVAN
 500 WHELAN ROAD
 EASTON, PENNSYLVANIA 18042-8710
 PARCEL ID: 6 0000
 INSTRUMENT # 201000207
 DEED BOOK 20000, PAGE 200427
 TCE AREA: 2,540 S.F.

TEMPORARY CONSTRUCTION EASEMENT B

VICTOR BLUM LINDI
 613 KRESSMAN ROAD
 EASTON, PA 18042-8710
 PARCEL ID: 6 0000
 DEED BOOK 20000, PAGE 200425
 TCE AREA: 412 S.F.

TEMPORARY CONSTRUCTION EASEMENT C

ROSEMARY ANDALORA
 500 CORPUSCUM ROAD
 EASTON, PENNSYLVANIA 18042-8710
 PARCEL ID: 6 0000
 INSTRUMENT # 200900204
 DEED BOOK 20000, PAGE 200424
 TCE AREA: 303 S.F.

NOTES:

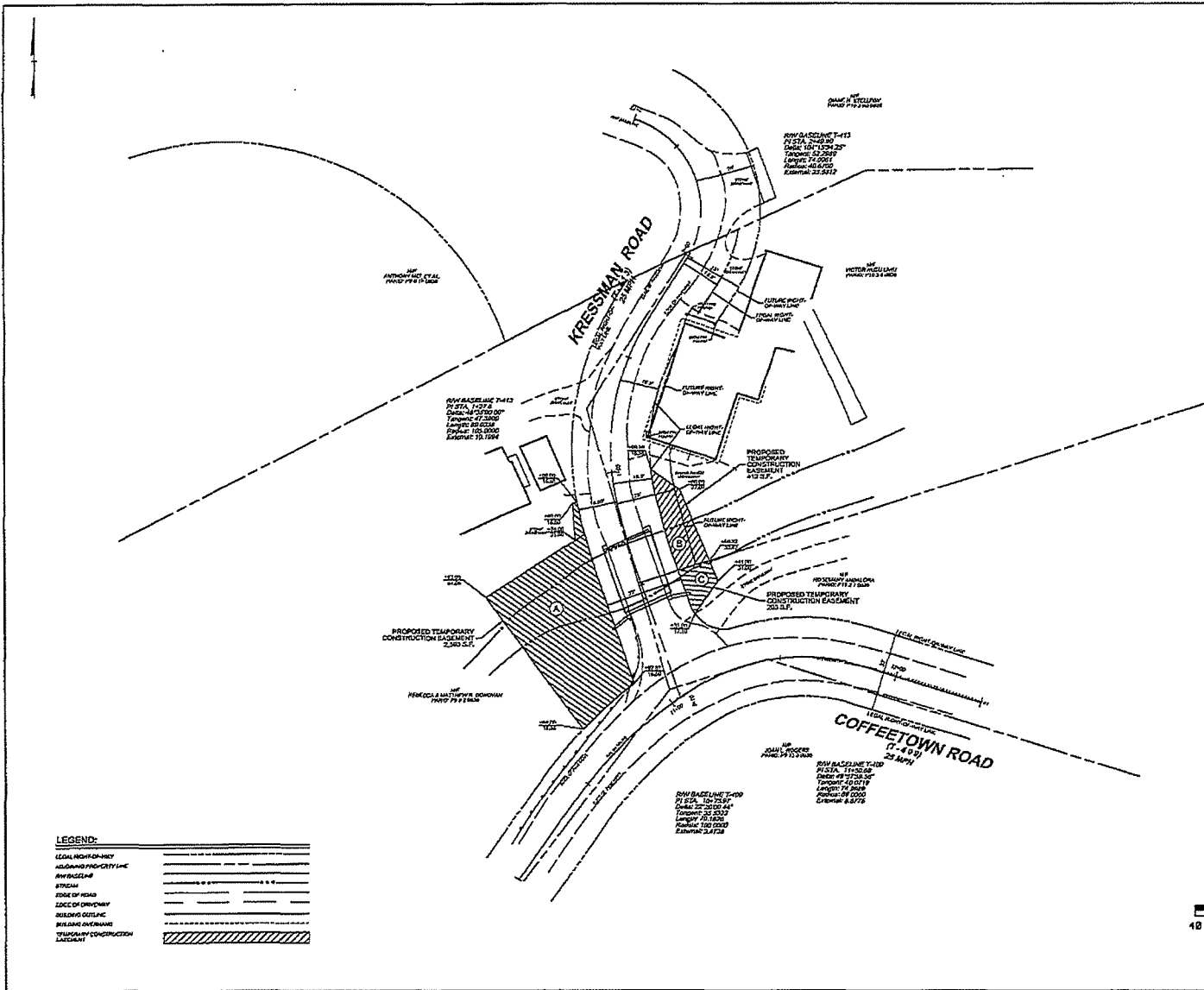
ALL PROPERTIES ARE PLOTTED FROM DEEDS OF RECORD. RECORDS OF SURVEY FOR THE PLANS, OR FROM FIELD SURVEY, PREPARED BY THE PROFESSIONAL LAND SURVEYOR, ARE USED FOR THE PROJECT. PROPERTY LINES ARE NOT ESTABLISHED BY FIELD SURVEY UNLESS PLOTTED BASED ON EXISTING TOPOGRAPHICAL FEATURES AND LIMITED FIELD DATA.
 THIS PROPERTY PLAN IS NOT TO BE SUBSTITUTED FOR A SURVEY SURVEY.

SUMMARY OF PROJECT COORDINATES

BASED ON 2011 NAD 83 UTM ZONE 18Q UTM COORDINATE SYSTEM

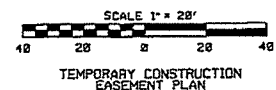
PTL	STATION	POINT	COORDINATE	TYPE	REMARKS
1	18+00.00	1	118745.12	118745.12	118745.12
2	18+00.00	2	118745.12	118745.12	118745.12
3	18+00.00	3	118745.12	118745.12	118745.12
4	18+00.00	4	118745.12	118745.12	118745.12
5	18+00.00	5	118745.12	118745.12	118745.12
6	18+00.00	6	118745.12	118745.12	118745.12
7	18+00.00	7	118745.12	118745.12	118745.12
8	18+00.00	8	118745.12	118745.12	118745.12
9	18+00.00	9	118745.12	118745.12	118745.12
10	18+00.00	10	118745.12	118745.12	118745.12

NOTE: FOR PLAC COORDINATES ARE FOR CONSTRUCTION PURPOSES ONLY. COORDINATES ESTABLISHED FROM CORNER COORDINATE.
 * COORDINATES ESTABLISHED FROM FIELD SURVEY.

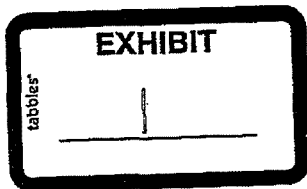


LEGEND:

LEGAL RIGHT-OF-WAY	—————
ADJOINING PROPERTY LINE	—————
AVENUE/ROAD	—————
STREAM	~~~~~
EDGE OF ROAD	—————
EDGE OF DRIVEWAY	—————
BOUNDARY OUTLINE	—————
BOUNDARY INTERIOR	—————
TEMPORARY CONSTRUCTION EASEMENT	//////



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°06'44" West, 51.03 feet to a point on said centerline, 2) crossing the eastern side of Kressman Road, North 72°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°06'44" West, 10.07 feet to an angle point, 2) North 15°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°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°36'49" East, 14.98 feet to an angle point (Station 0+86, Offset 27.00), 2) South 22°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°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.

