

Ordinance 60-5

Taking Eminent Domain

10/19/1960

ORDINANCE NO. 60-5

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA CONDEMNING AND TAKING BY EMINENT DOMAIN FOR PUBLIC STREET PURPOSES A CERTAIN 40 FOOT STRIP, TRACT OR PARCEL OF LAND IN THE TOWNSHIP OF HOPEWELL OWNED BY RAYMOND BILINSKI AND CATHERINE BILINSKI, HIS WIFE AND ABUTTING PROPERTY OF EMIL HANZEVACK AND THERESA MARIE HANZEVACK, HIS WIFE, THEIR HEIRS, PERSONAL REPRESENTATIVES, SUCCESSORS, GRANTEEES OR ASSIGNS.

WHEREAS, the Board of Commissioners of Hopewell Township, Beaver County, Pennsylvania after notice and hearing pursuant to the First Class Township Law, has determined that the real estate hereinafter described is necessary for the public convenience for use in laying out and opening of a public street; and

WHEREAS, the said Board of Commissioners deems the acquisition of the real estate hereinafter described to be in the best interest of the Township; and

WHEREAS, Raymond Bilinski and Catherine Bilinski, his wife are the owners of record of said real estate and Emil Hanzevack and Theresa Marie Hanzevack, his wife, are owners abutting said real estate; and

WHEREAS, the said Board of Commissioners cannot agree with the owners on the terms of purchase and acquisition of said real estate, which has been selected for Township public street purposes aforesaid.

NOW THEREFORE BE IT ENACTED AND ORDAINED by the Board of Commissioners of Hopewell Township, Beaver County, Pennsylvania and it is hereby enacted and ordained by authority of the same:

Section 1. Pursuant to authority conferred upon the Township of Hopewell by the First Class Township Law, the acquisition of the following described real estate is deemed to be necessary and desirable for the public convenience for use in laying out and opening of a public street and is deemed to be in the best interest of the Township:

ALL that certain 40 foot strip, tract or parcel of land situate in Hopewell Township, Beaver County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point said point being North $6^{\circ} 17'$ West, a distance of 235.89 feet from the centerline of old Pennsylvania State Highway No. 151 and being on the westerly line of Bell Avenue in the Buchanan Heights Plan of Lots as recorded in Beaver County Plan Book Vol. 4, pages 66 and 67, and on the easterly line of said proposed street; thence by the easterly line of said proposed street and the westerly property line of Lot A and Lot B as laid out for Raymond and Catherine Bilinski, South $38^{\circ} 46'$ West, a distance of 213.73 feet to a point; thence by the same easterly line of said proposed street and the westerly property line of Lot C, South $30^{\circ} 48'$ West, a distance of 140.95 feet to a point; thence by the same easterly line of said proposed street and the westerly property line of Lot D and Lot E, South $27^{\circ} 00'$ West, a distance of 200.86

feet to a point; thence continuing along the easterly line of said proposed street by the arc of a circle curving to the left and having a radius of 20 feet, an arc distance of 28.76 feet to a point; thence by the north line of said proposed street and the south property line of Lot E, South 55° 24' East, a distance of 104.82 feet to a point, said point being on the center line of old Pennsylvania State Highway No. 151 and the southeast corner of Lot E; thence along the centerline of said old Pennsylvania State Highway No. 151 southwardly a distance of 45 feet more or less to a point on said centerline; thence in a westerly direction along the southerly line of said proposed street, a distance of 115 feet more or less to a point; thence continuing along the southwesterly line of said proposed street by the arc of a circle curving to the right and having a radius of 60 feet, an arc distance of 86.29 feet to a point on the westerly line of said proposed street; thence continuing along the westerly line of said proposed street the following three courses and distances: North 27° 00' East, a distance of 202.19 feet to a point; thence North 30° 48' East, a distance of 145.07 feet to a point; thence North 38° 46' East, a distance of 256.45 feet to a point on the westerly line of Bell Avenue; thence along the westerly line of Bell Avenue, South 6° 17' East, a distance of 56.62 feet to a point, the place of beginning, according to survey drawing No. FR-108 prepared by Michael Baker, Jr., Inc., incorporated by reference hereto and made part hereof, which drawing is on file at the Hopewell Township Municipal Building.

Section 2. The Township of Hopewell hereby appropriates and takes the above described real estate for Township public street purposes as aforesaid under the right of eminent domain.

Section 3. The proper officers of the Township are hereby authorized and directed to execute a bond on behalf of the Township and tender the same to the said Raymond Bilinski and Catherine Bilinski, his wife and Emil Hanzevack and Theresa Marie Hanzevack, his wife, conditioned for the payment of such amount of damages as the said owners and/or abutting owners shall be entitled to receive by reason of the taking of the said real estate as aforesaid. If the acceptance of said bond is refused, the Township Solicitor is hereby authorized and directed to present the same to the Court in accordance with the law and give to the said Raymond Bilinski and Catherine Bilinski, his wife and Emil Hanzevack and Theresa Marie Hanzevack, his wife, written notice of the time when the said bond is to be presented, and the proper Township officers are hereby authorized and directed to execute a bond in such amount as the Court shall direct and deliver the same to said owners and/or abutting owners, and upon the acceptance of the said bond, or if the same be not accepted, upon approval of a bond by the Court, the proper Township officers accompanied by the Solicitor are hereby authorized to enter and take possession of the said property in accordance with the law.

ORDAINED AND ENACTED into an Ordinance this 19TH day of October, 1960.

BOARD OF COMMISSIONERS
HOPEWELL TOWNSHIP

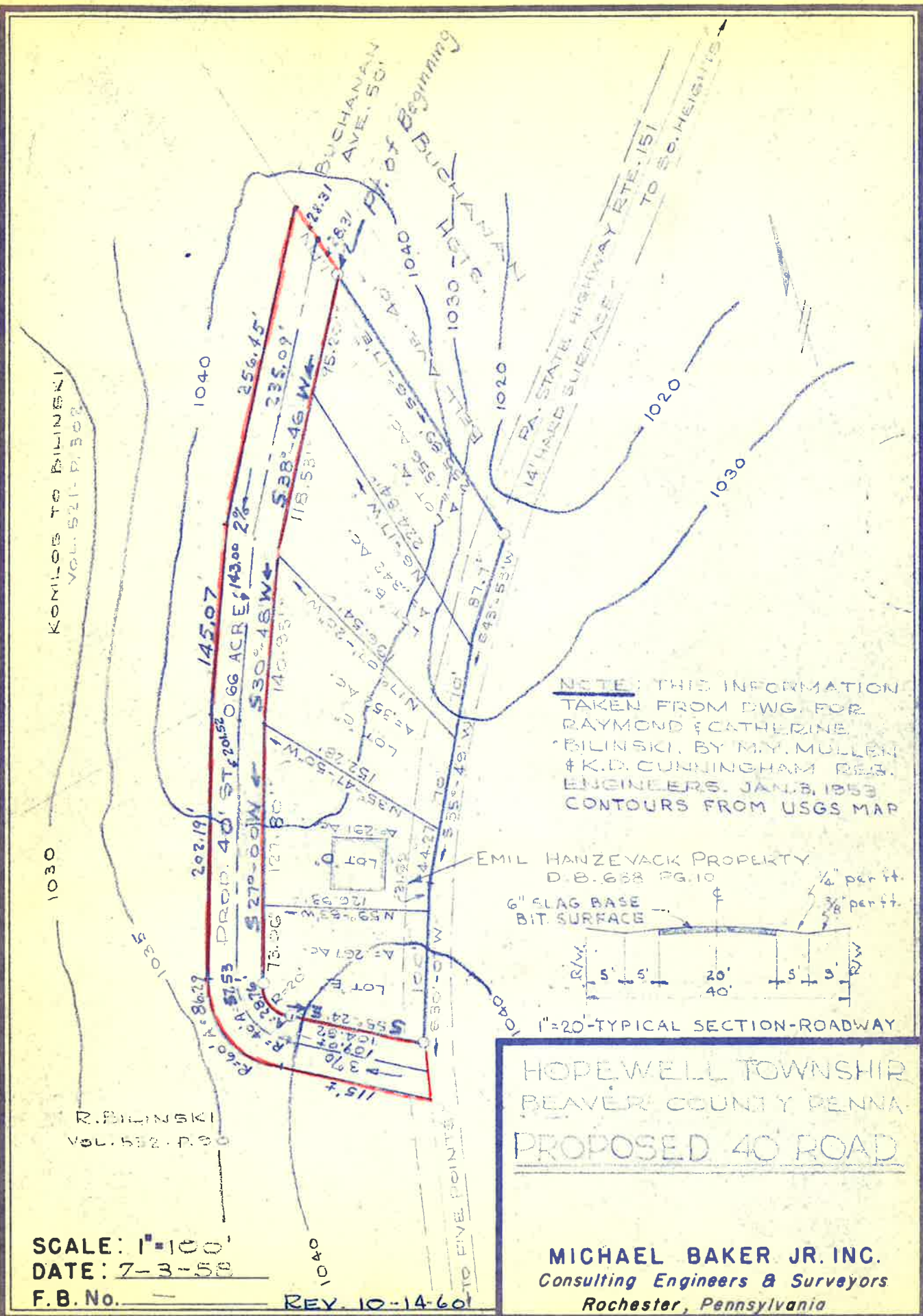
By

Paul Doughty President.

ATTEST:

Charlotte M. Buffington
Secretary.

(SEAL)



KOMLOS TO BILINSKI
VOL. 521 - P. 302

1030

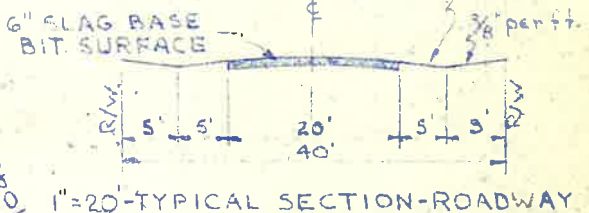
R. BILINSKI
VOL. 532 - P. 30

SCALE: 1"=100'
DATE: 7-3-58
F.B. No. _____

REV. 10-14-60

NOTE: THIS INFORMATION
TAKEN FROM DWG. FOR
RAYMOND & CATHERINE
BILINSKI, BY M.Y. MULLEN
& K.D. CUNNINGHAM REG.
ENGINEERS, JAN. 8, 1953
CONTOURS FROM USGS MAP

EMIL HANZEVACK PROPERTY
D.B. 638 PG. 10



HOPEWELL TOWNSHIP
BEAVER COUNTY PENNA.
PROPOSED 40 ROAD

MICHAEL BAKER JR. INC.
Consulting Engineers & Surveyors
Rochester, Pennsylvania

F.R. 108

BEAVER COUNTY TIMES

Successor to The Daily Times
Established April 2, 1874

OFFICES

Beaver — Rochester
Ambridge — Aliquippa

Proof of Publication

The Beaver County Times a daily newspaper of general circulation, published by BEAVER NEWSPAPERS, Inc., a Pennsylvania corporation, 570 Third Street, Beaver, Beaver County, Pennsylvania, was established in 1946, and has been issued regularly, except legal holidays, since said date.

The attached advertisement, which is exactly as printed and published, was published in the regular issue of said newspaper, on November 2, 1960.

The cost of advertising and proof, \$ 58.30, has been paid. November 23, 1960

LEGAL ADVERTISING**ORDINANCE NO. 60-5**

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA CONDEMNING AND TAKING BY EMINENT DOMAIN FOR PUBLIC STREET PURPOSES A CERTAIN 40 FOOT STRIP, TRACT OR PARCEL OF LAND IN THE TOWNSHIP OF HOPEWELL OWNED BY RAYMOND BILINSKI AND CATHERINE BILINSKI, HIS WIFE AND, ABUTTING PROPERTY OF EMIL HANZEVACK AND THERESA MARIE HANZEVACK, HIS WIFE, THEIR HEIRS, PERSONAL REPRESENTATIVES, SUCCESSORS, GRANTEES OR ASSIGNS.

WHEREAS, the Board of Commissioners of Hopewell Township, Beaver County, Pennsylvania after notice and hearing pursuant to the First Class Township Law, has determined that the real estate hereinafter described is necessary for the public convenience for use in laying out and opening of a public street; and

WHEREAS, the said Board of Commissioners deems the acquisition of the real estate hereinafter described to be in the best interest of the Township; and

WHEREAS, Raymond Bilinski and Catherine Bilinski, his wife, are the owners of a circle having a radius of 60 feet, an arc distance of 86.29 feet to a point on the westerly line of said proposed street; thence continuing along the westerly line of said proposed street; the following three courses and distances: North 27° 03' East, a distance of 302.19 feet to a point; thence North 30° 48' East, a distance of 145.07 feet to a point; thence North 38° 46' East, a distance of 256.45 feet to a point on the westerly line of Bell Avenue; thence along the westerly line of Bell Avenue, South 6° 17' East, a distance of 56.62 feet to a point, the place of beginning, according to survey drawing No. FR-108 prepared by Michael Baker, Jr., Inc., incorporated by reference hereto and made part hereof, which drawing is on file at the Hopewell Township Municipal Building.

Section 2. The Township of Hopewell hereby appropriates and takes the above described real estate for Township public street purposes as aforesaid under

BEAVER NEWSPAPERS, Inc.

By James R. Miller

STATE OF PENNSYLVANIA, }
COUNTY OF BEAVER, } SS:

Before me, a Notary Public in and for said county and state, personally appeared James R. Miller, who being duly sworn

according to law says that he is Treasurer of BEAVER NEWSPAPERS, Inc.; that neither affiant nor said corporation is interested in the subject matter of the attached advertisement; and that all of the allegations of the foregoing statement including those as to the time, place and character of publication are true.

James R. Miller
Treasurer

Sworn to and subscribed before me

this 2nd day of November, 1960

Maudie F. McBrier

MAUDE F. MCBRIER, NOTARY PUBLIC
My Commission Expires March 5, 1961
Beaver, Pa. Beaver County

Proof of Publication

The **Beaver County Times** a daily newspaper of general circulation, published by BEAVER NEWSPAPERS, Inc., a Pennsylvania corporation, 570 Third Street, Beaver, Beaver County, Pennsylvania, was established in 1946, and has been issued regularly, except legal holidays, since said date.

The attached advertisement, which is exactly as printed and published, was published in the regular issue of said newspaper, on October 21, 1960.

The cost of advertising and proof, \$ 58.30, has been paid.

BEAVER NEWSPAPERS, Inc.

By _____

STATE OF PENNSYLVANIA, }
COUNTY OF BEAVER, } SS:

Before me, a Notary Public in and for said county and state, personally appeared James R. Miller, who being duly sworn

according to law says that he is Treasurer of BEAVER NEWSPAPERS, Inc.; that neither affiant nor said corporation is interested in the subject matter of the attached advertisement; and that all of the allegations of the foregoing statement including those as to the time, place and character of publication are true.

James R. Miller
Treasurer

Sworn to and subscribed before me

this 21st day of October, 19 60

Maude F. McBrier

MAUDE F. MCBRIER, NOTARY PUBLIC
My Commission Expires March 5, 1961
Beaver, Pa. Beaver County

