

COUNCIL BILL NO. 1747**INTRODUCED BY JOHN D. MICKS****ORDINANCE NO. 1656****AN ORDINANCE**

AUTHORIZING CHESTER ENGINEERS, THE CONSULTING ENGINEERS HIRED BY THE CITY OF DUBOIS TO SELECT AND APPROPRIATE CERTAIN PLOTS OF GROUND WITH THE IMPROVEMENTS THEREON SITUATED FOR PURPOSES OF THE CONSTRUCTION OF FLOW EQUALIZATION FACILITIES TO ELIMINATE UNAUTHORIZED BYPASSES OF SEWAGE AT THE HEAD OF THE SEWAGE TREATMENT PLANT OPERATED BY THE CITY OF DUBOIS FOR THE HEALTH AND SAFETY OF ITS CITIZENS AND CUSTOMERS AND FOR FUTURE EXPANSION.

The Council of the City of DuBois hereby ordains:

Section 1. Chester Engineers, the consulting engineers hired by the City of DuBois, are hereby authorized to select and appropriate the following plots of ground for the purposes of the construction of flow equalization facilities to eliminate unauthorized bypasses of sewage at the head of the sewage treatment plant operated by the City of DuBois for the health and safety of its citizens and customers and for future expansion:

ALL that certain piece or tract of land situate, lying and being in the Township of Sandy, Clearfield County, Pennsylvania, and being bounded and described as follows, to wit:

Beginning at a point in the northerly line of lands now or formerly owned by William Reed and Donna J. Reed where said line is intersected by the westerly line of lands now or formerly owned by the City of DuBois; thence North 75° 44' West, a distance of 181.65 feet to a point on the easterly line of lands owned by the City of DuBois; thence North 19° 01' East a distance of 287 feet more or less to a point; thence South 55° 42' 20" East, a distance of 89 feet more or less to a point at the corner of lands now or formerly owned by the City of DuBois; thence by a curve to the left with a radius of 445.3 feet and along the western line of lands now or formerly owned by the City of DuBois, a distance of 270.53 feet to the place of beginning. CONTAINING 0.73 acres more or less.

BEING a portion of the same premises which were conveyed to Buffalo & Pittsburgh Railroad, Inc., a Delaware Corporation, by deed of CSX Transportation, Inc., a Virginia Corporation, and the Buffalo, Rochester and Pittsburgh Railway Company, dated October 7, 1991, and recorded in the Offices of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Vol. 1432, page 285.

Section 2. The Solicitor of the City of DuBois is authorized and directed to prepare and file with the Court of Common Pleas of Clearfield County, Pennsylvania, a declaration of taking which shall be executed by the Mayor of the City of DuBois and to take any action that may be necessary or desirable to carry out the intent and purposes of this Ordinance.

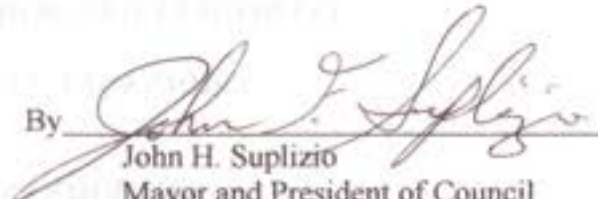
Section 3. The City shall acquire fee simple title.

Section 4. The amount of damages when determined shall be paid by the City of DuBois for purposes of the construction of flow equalization facilities to eliminate unauthorized bypasses of sewage at the head of the sewage treatment plant operated by the City of DuBois for the health and safety of its citizens and customers and for future expansion.

ATTEST:

CITY OF DUBOIS


City Manager

By 
John H. Suplizio
Mayor and President of Council

PASSED BY COUNCIL:

October 28, 2002