

**LEGAL NOTICE**

IN THE MATTER OF PROCEEDINGS BY GREENE TOWNSHIP, ERIE COUNTY FOR THE CONDEMNATION OF PROPERTY FOR PUBLIC SEWER EASEMENTS ALONG LAKE PLEASANT ROAD, MARK ROAD, AND WATTSBURG ROAD IN THE FOURTH PHASE OF CONSTRUCTION OF THE GREENE TOWNSHIP PUBLIC SEWER SYSTEM

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA; DOCKET NO.: 12399 – 2018

**EMINENT DOMAIN**

**NOTICE OF CONDEMNATION**

In accordance with Section 305 of the Eminent Domain Code of 1964, as amended, 26 Pa.C.S. § 305, Greene Township, Erie County (the “Township”) hereby notifies the owner(s) or reputed owner(s) (hereinafter “Condemnee(s)”), and any mortgage holder and/or lienholder of record that:

1. The property referenced below has been condemned by the Township to secure permanent easement(s) and/or temporary easement(s) over the subject properties described below (the “Condemned Properties”) for the public purposes of the construction, installation, maintenance, repair, replacement, and removal of a public sanitary sewer system and related appurtenances, and/or the ingress and egress on, over, through, and/or under the Condemned Property, which public sanitary sewer system is to be owned and/or operated by the Township.
2. A Declaration of Taking was filed on September 19, 2018 in the Court of Common Pleas of Erie County, Pennsylvania at Docket No. 12399 – 2018.
3. The filing of the Declaration of Taking and this Notice of Condemnation were authorized by a Resolution of the Township, adopted at a public meetings held on August 14, 2018 and September 19, 2018, and the Resolutions may be examined at the office of the Township set forth in Paragraph 5 below.
4. The Condemnee(s); Mortgagee(s)/Lienholder(s); and the Properties being condemned are as follows:

Condemnee(s); Mortgagee(s)/Lienholder(s)	Address of Condemned Property	Tax ID No. of Condemned Property
John F. Noonan, Kathleen M. Noonan	9870 Lake Pleasant Rd, Erie, PA 16509	25-014-0560-00800
Louis A. D’Albora, Anne K. D’Albora; Mid-Island Equities Corp., Erie County Tax Claim Bureau	9830 Lake Pleasant Rd, Erie, PA 16509	25-014-0560-00700
Timothy L. Hartman, Tara L. Hartman; Mortgage Electronic Registration Systems, Inc., Vanderbilt Mortgage and Finance, Inc., First Franklin a Division of Nat. City Bank of IN, County of Erie, Erie County Tax Claim Bureau	9710 Lake Pleasant Rd, Erie, PA 16509	25-014-0560-00300
Theresa Lynn Letkiewicz	9675 Lake Pleasant Rd, Erie, PA 16509	25-016-0420-06200
David G. Kearney	9380 Lake Pleasant Rd, Erie, PA 16509	25-013-0580-01200
Michael D. Kuzma, Kathleen L. Kuzma	10011 Lake Pleasant Rd, Erie, PA 16510	25-015-0430-04700
Michael D. Kuzma, Kathleen L. Kuzma	Vacant Lot on Lake Pleasant Rd, Erie, PA 16510	25-015-0430-04701
Fred C. Swasing, Jr., Bonnie L. Swasing; Northwest Savings Bank	10035 Lake Pleasant Rd, Waterford, PA 16441	25-015-0430-04600
Cynthia L. Walters; Midfirst Bank, Secretary of Housing and Urban Development	9871 Mark Rd, Erie, PA 16510	25-015-0430-06300
Ruby M. Thomas	10025 Wattsburg Rd, Erie, PA 16510	25-015-0430-06300
Joseph R. Bardo, Jr.; Northwest Savings Bank	10010 Wattsburg Rd, Erie, PA 16510	25-017-0450-00100

5. The Condemnor is Greene Township, Erie County whose offices are located at 9333 Tate Road, Erie, PA 16509.
6. The nature of the title acquired in and to the condemned property is a permanent easement and/or a temporary easement.
7. The plan showing the Condemned Property and the permanent easement(s) and/or the temporary easement(s) may be inspected during regular business hours at the address of the Condemnor noted above.
8. The Township Condemnor, being a Pennsylvania Second Class Township with the power of taxation pursuant to Section 3205 of the Second Class Township Code, 53 P.S. § 68205, such power of taxation for the payment of damages is deemed pledged pursuant to Section 303(b)(2) of the Eminent Domain Code, 26 Pa.C.S. § 303(b)(2), and the Condemnor is therefore not required to file a bond with the Declaration of Taking pursuant to Section 303(b)(1) of the Eminent Domain Code, 26 Pa.C.S. § 303(b)(1).

**IF THE CONDEMNEE(S) WISH TO CHALLENGE THE POWER OR THE RIGHT OF GREENE TOWNSHIP AS CONDEMNOR TO APPROPRIATE THE CONDEMNED PROPERTY, THE SUFFICIENCY OF THE SECURITY, THE PROCEDURE FOLLOWED BY THE CONDEMNOR, OR THE DECLARATION OF TAKING, THE CONDEMNEE(S) ARE REQUIRED TO FILE PRELIMINARY OBJECTIONS TO THE DECLARATION OF TAKING WITHIN THIRTY (30) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE.**

GREENE TOWNSHIP, ERIE COUNTY

John J. Shimek, III, Esq., Sterrett Mott Breski & Shimek, 345 West 6th Street Erie, PA 16507-1244 (814) 616-4166

Sept. 21