

**BOROUGH OF MT. OLIVER  
ALLEGHENY COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 769-18**

A RESOLUTION OF THE BOROUGH OF MT. OLIVER, ALLEGHENY COUNTY, PENNSYLVANIA, ACCEPTING THE DONATION OF THE PROPERTIES IDENTIFIED AS BLOCK AND LOT 33-G-311 AND BLOCK AND LOT 32-A-220 IN LIEU OF PAYMENT OF TAXES AND MUNICIPAL CLAIMS AND SUBJECT TO THOSE CONDITIONS SET FORTH BELOW

WHEREAS, Samuel Garvey and Marilyn R. Garvey, deceased, are the record owners of a parcel of vacant real estate located within the Borough of Mt. Oliver, identified by the Allegheny County Department of Real Estate as Lot and Block 33-G-311 and commonly known as 434 Hays Avenue, Pittsburgh, PA 15210 ("434 Hays Avenue"); and

WHEREAS, Glenda A. Weaver, Eric S. Rector and Kala J. May are the record owners of a parcel of vacant real estate located within the Borough of Mt. Oliver, identified by the Allegheny County Department of Real Estate as Lot and Block 32-A-220 and commonly known as 199 Ormsby Avenue, Pittsburgh PA 15210 ("199 Ormsby Avenue"); and

WHEREAS, delinquent real estate taxes are due and owing for 434 Hays Avenue and 199 Ormsby Avenue to the Borough of Mt. Oliver, Pittsburgh Public Schools and the County of Allegheny; and

WHEREAS, by correspondence to the Borough dated October 12, 2018, Samuel Garvey stated his desire to donate 434 Hays Avenue to the Borough in lieu of payment of the delinquent real estate taxes and municipal claims; and

WHEREAS, by undated correspondence to the Borough, Glenda A. Weaver, Eric S. Rector and Kayla J. May stated their desire to donate 199 Ormsby Avenue to the Borough in lieu of payment of the delinquent real estate taxes and municipal claims; and

WHEREAS, pursuant to the Pennsylvania Property Donation Law, 53 P.S. § 7108.1 *et seq.*, the Borough may accept donation of a property that is subject to a claim for taxes.

NOW, THEREFORE, be it resolved by the authority of the Council of the Borough of Mt. Oliver, Allegheny County, Pennsylvania:

The Borough of Mt. Oliver agrees to accept the donation of the 434 Hays Avenue and 199 Ormsby Avenue and to exonerate all delinquent real estate taxes due and owing on the Property, subject to the following conditions:

- i. The exoneration of delinquent real estate taxes and municipal claims owed to all taxing bodies shall be confirmed by Order of the Court of Common Pleas of Allegheny County upon presentation of a Petition to Exonerate Tax Liens by the Borough Solicitor.
- ii. The donations are contingent upon the consent of the County of Allegheny and Pittsburgh Public Schools to exonerate the delinquent real estate taxes owed to each taxing body. The County and School District will be provided with proper notice of the Borough's Petition to Exonerate Tax Liens.
- iii. The donation of 434 Hays Avenue is contingent upon the Borough's procurement of a title search which must show that no mortgage, judgment or encumbrances, other than delinquent real estate taxes and municipal claims, are due and owing for 434 Hays Avenue.
- iv. The donation of 199 Ormsby Avenue is contingent upon the release of the judgment filed by Capital One Bank against Eric S. Rector and Kala May filed in the Allegheny County Court of Common Pleas at case number G.D. 16-023638, to the extent such judgment is attached to 199 Ormsby Avenue.
- v. The donations will be complete upon the recording of deeds transferring title from the respective records owners of the properties to the Borough of Mt. Oliver.

- vi. The Borough shall agree to pay all fees associated with the title search and recording the deed to the Property.

THIS RESOLUTION adopted at a duly assembled public meeting by the Council of the Borough of Mt. Oliver this 19<sup>th</sup> day of November, 2018.

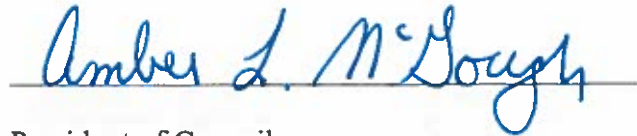
ATTEST:

COUNCIL OF THE BOROUGH OF MT. OLIVER



Borough Manager

By:



President of Council

