



**TOWNSHIP OF NORTH FAYETTE
RESOLUTION NO. 41-24**

A RESOLUTION OF THE TOWNSHIP OF NORTH FAYETTE, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE EXECUTION OF AN EASEMENT ENCROACHMENT AGREEMENT TO ALLOW FOR CONSTRUCTION OF ACCESSORY STRUCTURES WITHIN THE SANITARY SEWER EASEMENT LOCATED ON THE PROPERTY AT 104 TIMBER TRAIL.

WHEREAS, Andrew E. Buydasz (“Property Owner”) is the current Property Owners of Lot 241, as shown on Plan of Lots entitled The Walden Woods Phase 2A Plan of Lots (“Plan”), located within the Township of North Fayette (“Township”), at 104 Timber Trail, Imperial, PA 15126, also referred to as Allegheny County Tax Parcel I.D. No. 691-R-83 (“Property”);

WHEREAS, as reflected in the above referenced Plan (recorded with Allegheny County in Plan Book 113, pages 35, 36, and 37), the Township currently holds a Sanitary Sewer Easement (“Easement”) which traverses over, upon, and across the Property and in which the Township has previously constructed and maintains installed utilities currently servicing the property and other properties in the Plan;

WHEREAS, the Property Owner wishes to construct accessory structures (“Structures”), specifically a fence, over, upon and across portions of the Easement; and

WHEREAS, the Property Owner understand and agree that the Township has and shall for all times hereafter reserve and retain the unfettered right to exclude any/all structures or other encroachments from within its Easement, in its sole discretion and without recourse; and

WHEREAS, to accommodate the wishes of the Property Owner to place said Structures within the Easement at their own risk and without recourse, the Township is willing to enter into an Easement Encroachment Agreement (“Agreement”) with the Property Owners to allow the construction of the Structures over, upon and across specified portions of its Easements, as outlined in the Agreement (Attachment ‘A’).

NOW THEREFORE, BE IT RESOLVED, it is hereby resolved by the Board of Supervisors of the Township of North Fayette, and it is hereby resolved by the authority of the same, as follows:

Section 1. The AGREEMENT (No. EEA-2024-1) is hereby approved, and the appropriate Township Officials are hereby directed to execute said AGREEMENT; and

Section 2. The Township Solicitor is hereby directed to record this RESOLUTION and said AGREEMENT with the Allegheny County Department of Real Estate; and

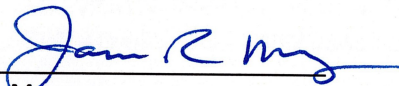
Section 3. All prior resolutions are hereby repealed in whole or in part to the extent inconsistent herewith; and

Section 4. This RESOLUTION shall take effect in accordance with applicable law.

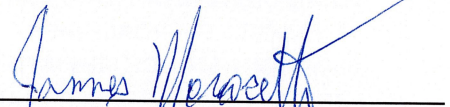
AND NOW, this 23rd day of April 2024, upon motion duly made and seconded, the foregoing **RESOLUTION** is hereby adopted.

ATTEST:

**TOWNSHIP OF NORTH FAYETTE
BOARD OF SUPERVISORS**



James Mangan
Township Manager



James Morosetti, Chairman

APPROVED AS TO FORM:



Michele Cromer, Esquire
Township Solicitor

ATTACHMENT 'A'
EASEMENT ENCROACHMENT AGREEMENT

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