



**TOWNSHIP OF NORTH FAYETTE  
RESOLUTION NO. 67-24**

**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 STORM SEWER EASEMENT LOCATED ON THE PROPERTY AT 118 DUPONT DRIVE**

**WHEREAS**, Brandon and Samantha Seidling (“Property Owners”) are the current Property Owners of Lot 912, as shown on Plan of Lots entitled Pointe West Plan of Lots No. 9 (“Plan”), located within the Township of North Fayette (“Township”), at 118 Dupont Drive, McDonald, PA 15057, also referred to as Allegheny County Tax Parcel I.D. No. 584-C-25 (“Property”);

**WHEREAS**, as reflected in the above referenced Plan (recorded with Allegheny County in Plan Book 245, pages 149), the Township currently holds a Storm 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 Owners wish to construct accessory structures (“Structures”), specifically a fence, over, upon and across portions of the Easement; and

**WHEREAS**, the Property Owners 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 Owners 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-2024-5) 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 25<sup>th</sup> day of June 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