

10/01/2008

Redevelopment authority pushes for access to properties

By Amy Revak , Herald-Standard

The Fayette County Redevelopment Authority is asking Fayette County Court to compel the owner of 22 properties listed as part of an ambitious plan to address blight in downtown Brownsville to grant the authority access to the properties.

The request, filed last month by authority solicitor Herb Margolis, targets Ernest and Marilyn Liggett of Monroeville, who own all of the 22 properties in question.

In the action filed with the court, Margolis is asking the court to enter a "mandamus order" requiring the Liggetts to allow the authority to enter all properties to make the studies, etc., which it has a right to do under eminent domain laws, and "permitting the authority to break into all of the defendants properties if defendants fail to make arrangement allowing the authority to enter those properties," the action states.

Andrew French, the authority's executive director, said the authority has been doing its due diligence since the county commissioners passed a redevelopment proposal in March to address the blighted area of downtown.

The plan also has the backing of the authority and Brownsville Borough Council.

The project calls for the public acquisition of 30 downtown properties and calls for selective demolition on nine parcels; site improvements, such as sidewalk and lighting improvements; and the relocation of two businesses and the occupants of one residence.

French previously said the \$2.1 million plan, which already has received a \$2 million state grant, includes \$566,000 for acquisition; \$505,100 for demolition and site improvements; \$150,000 for relocation; \$700,000 for property protection, maintenance and improvements; and \$255,000 for professional services and administrative costs.

French said the work the authority has been undertaking has including researching titles on properties to prepare the declaration of taking to acquire priorities targeted for acquisition in the proposal.

French said work also has included conducting inspections of properties to see the physical conditions of the sites and to obtain appraisals. He said of the 30 identified for acquisition, authority employees have completed inspection on eight of the properties, which are all of the properties not owned by the Liggetts.

French sent letters on April 21 for the 30 properties in question and received responses from owners of eight, but weren't able to speak with the Liggetts. He then sent another notice on Sept. 2 and still has not heard a response.

French said legally the authority is permitted to enter the properties in line with eminent domain laws, but Margolis opted to file a request with the court to compel the Liggetts to comply with the request for the authority to inspect the properties. Authority employees have been unable to access the Liggett properties because many have been locked.

French said a few of the properties are targeted for demolition already, but until the authority acquires them and completes the inspections, it won't know which are structurally sound or which aren't.

At a public hearing on the redevelopment proposal before it was passed, Ernest Liggett was the only one who spoke against it, alleging incompliance with the law.

Numerous court actions have been initiated against the Liggetts over the years for the allegations of code violations regarding many of the properties that they own.

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