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Title: Resolution granting to the University of Pittsburgh an easement and the privilege and license to install, use, operate, maintain, repair, renew and finally remove two underground chilled water lines across Mazeroski Field, which is City of Pittsburgh property designated as Block and Lot 28-D-50.

Sponsors:

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Date	Ver.	Action By	Action	Result
4/11/2003	1	Mayor	Signed by the Mayor	
4/1/2003	1	City Council	Passed Finally	Pass
3/26/2003	1	Committee on Public Works & Environmental Services	AFFIRMATIVELY RECOMMENDED	Pass
3/18/2003	1	City Council	Read and referred	

Presented by Mr. Bodack

Resolution granting to the University of Pittsburgh an easement and the privilege and license to install, use, operate, maintain, repair, renew and finally remove two underground chilled water lines across Mazeroski Field, which is City of Pittsburgh property designated as Block and Lot 28-D-50.

Whereas: The City of Pittsburgh owns certain property in Schenley Park that is currently known as Mazeroski Field and used as a ballfield; and

Whereas: The University of Pittsburgh desires to install two new underground chilled water lines through the ballfield area to permit an upgrade to the Frick Fine Arts Building air conditioning system.

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1. The Mayor and the Directors of the Department of Parks and Recreation and Public Works, on behalf of the City of Pittsburgh, are hereby authorized to execute an agreement granting to the University of Pittsburgh an easement across City of Pittsburgh property Block and Lot 28-D-50. Said agreement shall be in the form approved by the City Solicitor and shall contain such terms and conditions for the protection of the City of Pittsburgh and Schenley Park as the Solicitor may require.

The easement granted to the University of Pittsburgh for the two chilled water lines is further described on the legal description and easement plan attached respectively hereto as Exhibit "A-1" and "A-2".

Section 2.

The privileges and easements hereby granted shall be subject to the following terms and conditions as shall be more specifically set forth in the agreement authorized by this Resolution:

- a) The University of Pittsburgh shall bear the full cost and expense of the installation, construction, use and maintenance of said easement.
- b) The University of Pittsburgh shall indemnify, save harmless, and defend the City of Pittsburgh from any and all damages or claims for damages, whether to property or to person, arising by reason of the construction, installation, maintenance, use or removal of the water lines.
- c) The University of Pittsburgh shall cause minimum disruption to the natural environment of the park when installing the water lines. No City monuments shall be removed or destroyed during construction.
- d) The University of Pittsburgh shall restore the easement areas in cooperation with and in accordance with the requirements of the approved plans for this area and to the satisfaction of the Director of the Department of Public Works.
- e) The University of Pittsburgh shall be required to remove and replace sidewalk surfaces and make repairs to any streets or sidewalks affected by the construction.
- f) The University of Pittsburgh shall pay the City the sum of Two Thousand Dollars (\$2,000.00), due on the date of the signing of the agreement authorized by this Resolution.