



Legislation Details (With Text)

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**Type:** Resolution      **Status:** Passed Finally

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**Effective date:** 5/14/2009

**Title:** Resolution authorizing the Mayor and the Director of the Department of Finance to grant a temporary construction easement to Bakery Square Holdings, L.P. to facilitate necessary street widening.

**Sponsors:**

**Indexes:** ENCROACHMENTS & EASEMENTS

**Code sections:**

**Attachments:** 1. 2009-1349.doc

| Date      | Ver. | Action By                 | Action                    | Result |
|-----------|------|---------------------------|---------------------------|--------|
| 5/14/2009 | 1    | Mayor                     | Signed by the Mayor       |        |
| 5/12/2009 | 1    | City Council              | Passed Finally            | Pass   |
| 5/6/2009  | 1    | Committee on Public Works | AFFIRMATIVELY RECOMMENDED | Pass   |
| 4/28/2009 | 1    | City Council              | Read and referred         |        |

Presented by Mrs. Harris

Resolution authorizing the Mayor and the Director of the Department of Finance to grant a temporary construction easement to Bakery Square Holdings, L.P. to facilitate necessary street widening.

**WHEREAS**, Bakery Square Holdings, L.P. has proposed a development project (“the Bakery Square Project”) in the East Liberty section of the City; and

**WHEREAS**, the approved traffic plan for the Bakery Square Project requires the widening of Fifth and Penn Avenues to accommodate a right turn lane from Penn Avenue eastbound; and

**WHEREAS**, Bakery Square Holdings, L.P. desires a temporary easement at a location more particularly shown on Exhibit A, attached hereto and incorporated herein (hereinafter the “Temporary Easement Area”) for the purpose of widening Penn Avenue; and

**WHEREAS**, the City is willing to grant to Bakery Square Holdings, L.P. a non-exclusive temporary right and privilege to enter upon the Temporary Easement Area for the purpose of conducting construction work necessary to widen Penn Avenue.

**WHEREAS**, the parties now wish to execute a Temporary Construction Easement to document party responsibilities associated with the widening of Penn Avenue.

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

**Section 1.** The Mayor and the Director of the Department of Finance, on behalf of the City of Pittsburgh, are hereby authorized to execute a Temporary Construction Easement Agreement granting a temporary construction easement to Bakery Square Holdings, L.P. as is further depicted on the “Proposed Construction Easement Exhibit Plan” dated June 19, 2008, and attached hereto as Exhibit A and as described in the legal description attached hereto as Exhibit B. Said Temporary Construction Easement Agreement shall be in the form approved by the City Solicitor and shall contain such terms and conditions as the Solicitor may require.