



Legislation Details (With Text)

**File #:** 2005-1963    **Version:** 1  
**Type:** Resolution    **Status:** Passed Finally  
**File created:** 12/6/2005    **In control:** Committee on Finance & Budget  
**On agenda:**    **Final action:** 12/19/2005  
**Enactment date:** 12/19/2005    **Enactment #:** 811  
**Effective date:** 12/23/2005

**Title:** Resolution providing for the vacation of Waterfront Place and portions of 12th Street and 13th Street, in the Second Ward of the City of Pittsburgh, and providing further for approval of a Memorandum of Understanding and an Agreement or Agreements between the Buncher Company and the City of Pittsburgh pursuant to which Buncher will convey to the City easements for trail purposes and will make certain trail improvements, and further authorizing creation of a trust fund with the Pittsburgh Foundation for the benefit of City trails maintenance, development and construction.

**Sponsors:**

**Indexes:** VACATING A STREET

**Code sections:**

**Attachments:** 1. 2005-1963.doc

Date	Ver.	Action By	Action	Result
12/23/2005	1	Mayor	Signed by the Mayor	
12/19/2005	1	City Council	Passed Finally	Pass
12/14/2005	1	Committee on Finance & Budget	AFFIRMATIVELY RECOMMENDED	Pass
12/6/2005	1	City Council	Read and referred	

Presented by Mr. Shields

Resolution providing for the vacation of Waterfront Place and portions of 12th Street and 13th Street, in the Second Ward of the City of Pittsburgh, and providing further for approval of a Memorandum of Understanding and an Agreement or Agreements between the Buncher Company and the City of Pittsburgh pursuant to which Buncher will convey to the City easements for trail purposes and will make certain trail improvements, and further authorizing creation of a trust fund with the Pittsburgh Foundation for the benefit of City trails maintenance, development and construction.

WHEREAS, the City of Pittsburgh ("City") is the owner of Waterfront Place, 12th Street and 13th Street in the City, which the City is willing to vacate in consideration of the within transactions; and

WHEREAS, the Buncher Company ("Buncher") is the owner of certain parcels of land between 11th Street and 13th Street, from the Allegheny River to Smallman Street, in the Second Ward of the City which parcels abut Waterfront Place and portions of 12th Street and 13th Street, and Buncher desires to consolidate its property for development purposes; and

WHEREAS, the City desires to conclude construction of an Allegheny River riverfront recreational trail between 11th Street and 21st Street, and Buncher is willing to

convey to the City certain easements and related land and make certain trail improvements to effectuate such trail construction, and provide certain points of public access from Smallman Street to the trail; and

WHEREAS, the City and Buncher have entered into a non-binding Memorandum of Understanding ("MOU"), a copy of which is attached hereto, evidencing the City's intent to seek approval from City Council for consummation of the transactions herein described; and

WHEREAS, the City desires to enter into an agreement with the Pittsburgh Foundation pursuant to which a trust fund shall be created for the benefit of maintenance, repair and upkeep of the City's trails, which trust fund shall be funded initially by Buncher in the amount of \$150,000.00.

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

Section 1. The Mayor and the Director of the Department of Public Works and the Director of the Department of City Planning, on behalf of the City, are hereby authorized to enter into the attached MOU in substantially the attached form with Buncher, as same may be revised and approved in form and substance by the City Solicitor, and to enter into an Agreement or Agreements, including without limitation, Easement Agreements and Deeds, in form and substance approved by the City Solicitor, and the appropriate City officials are further authorized and directed to take such further actions and enter into such further documentation as may be deemed necessary by the City Solicitor to effectuate the purposes of this Resolution.

Section 2. The Mayor, the Director of the Department of Finance and the Director of the Department of Public Works, on behalf of the City, are hereby authorized to enter into an Agreement with the Pittsburgh Foundation, in form and substance approved by the City Solicitor, for the benefit of repair, maintenance, upkeep, development and construction of the City's system of recreational trails.

Section 3. Any Ordinance or Resolution or part thereof conflicting with the provisions of this Resolution, is hereby repealed so far as the same affects this Resolution.