



Legislation Details (With Text)

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

**File created:** 1/22/2008      **In control:** Committee on Facilities, Technology and the Arts

**On agenda:**      **Final action:** 2/5/2008

**Enactment date:** 2/5/2008      **Enactment #:** 47

**Effective date:** 2/11/2008

**Title:** Resolution amending Resolution No. 545, effective August 14, 2002, entitled "Resolution Providing for a Lease Agreement with Peter N. & Maria DePasquale, owners and/or other assignees or transferees, for warehouse and office space together with the right to utilize right of way surrounding said property known as 88 Swineburne Road, Pittsburgh, PA 15213 for a term of (5) five years with an option to extend for (5) five years by amending the annual lease rental payable by the lessee during the option term.

**Sponsors:**

**Indexes:** LEASE/LICENSE AGREEMENT

**Code sections:**

**Attachments:** 1. 2008-0043.doc

Date	Ver.	Action By	Action	Result
2/12/2008	1	Mayor	Signed by the Mayor	
2/5/2008	1	City Council	Passed Finally	Pass
1/30/2008	1	Committee on Facilities, Technology and the Arts	AFFIRMATIVELY RECOMMENDED	Pass
1/22/2008	1	City Council	Read and referred	

Presented by Ms. Payne

Resolution amending Resolution No. 545, effective August 14, 2002, entitled "Resolution Providing for a Lease Agreement with Peter N. & Maria DePasquale, owners and/or other assignees or transferees, for warehouse and office space together with the right to utilize right of way surrounding said property known as 88 Swineburne Road, Pittsburgh, PA 15213 for a term of (5) five years with an option to extend for (5) five years by amending the annual lease rental payable by the lessee during the option term.

Whereas, Resolution 545 authorized the City of Pittsburgh ("City") to lease property at 88 Swineburne Road for a term of five (5) years, commencing February 6, 2003 and ending on February 7, 2008; and

Whereas, CITY was granted an Option to extend the Lease for an additional term of five (5) years, which Option is requested to be exercised by CITY, and the City and Peter N. & Maria DePasquale agreed upon the following annual rentals for five (5) years;

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

**Section 1.** The Mayor, the Directors of the Department of Public Works and the Department of Finance , on behalf of the City of Pittsburgh, are hereby authorized to enter into an amended Lease Agreement with Peter N.

& Maria DePasquale, in a form approved by the City Solicitor, providing for exercising the extension term of five (5) years and adjust annual Lease rentals during the 6<sup>th</sup> through 10<sup>th</sup> years of the Option term based on the utilization of the CPI Index as currently defined in said lease on page 2, paragraph 2B during each of said extension years, plus all applicable Real Estate Taxes on said property which amounts are to be chargeable and payable subject to and contingent upon the annual appropriation of funds for said agreement of lease from the following:

Department of Public Works, Rent Building, in the amount of \$78,821.04 PLUS the current 2007 CPI index as defined in said agreement plus all applicable real estate taxes on said leased property from Organization 420000, Subclass 140, Fund 1000, Account 560100, Budget Year 2008 and subsequent years thereafter; With all other terms and conditions of the Lease to remain in full force and effect.