



Text File

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Bill No: 2009-1348, **Version:** 1

Committee: Committee on Public Works

Status: Passed Finally

Presented by Mrs. Harris

Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into an Easement Agreement with the School District of Pittsburgh for a permanent Sidewalk, Bicycle, and Grading Easement on School District property along Penn Avenue in conjunction with the Bakery Square Project in East Liberty and/or to accept a Deed of Easement from the School District of Pittsburgh for such permanent easement.

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 Bakery Square Project will involve, *inter alia*, the widening of State Route 0400 (Penn Avenue) and the addition of sidewalk, bicycle, and grading public improvements on School District property by Bakery Square Holdings, L.P.; and

WHEREAS, in order to facilitate the public use and subsequent maintenance of the aforementioned public improvements, the School District has agreed to grant the City a permanent easement over the subject property; and

WHEREAS, the parties wish to execute the necessary instruments to document this transfer of rights.

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, on behalf of the City of Pittsburgh, are hereby authorized to execute an Easement Agreement with the School District of the City of Pittsburgh defining terms for acceptance of a permanent easement of approximately 0.4958 acres across School District of Pittsburgh property as is further described in the legal description, which is attached hereto as Exhibit A and is further depicted on the “Proposed Sidewalk, Bicycle, and Grading Easement Exhibit Plan” dated May 8, 2008, and attached hereto as Exhibit B and/or are authorized to accept a Deed of Easement for such permanent easement upon completion of construction thereof. Said Easement Agreement and/or Deed of Easement shall be in the form approved by the City Solicitor and shall contain such terms and conditions as the Solicitor may require.