



City of Pittsburgh

510 City-County Building
414 Grant Street
Pittsburgh, PA 15219

Text File

Introduced: 4/28/2009

Bill No: 2009-1350, **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 Parks and Recreation to enter into an Agreement of Release with the Commonwealth of Pennsylvania, Department of Transportation in connection with the widening of Fifth and Penn Avenues as part of the Bakery Square Project in East Liberty.

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, the City owns certain property in Mellon Park that is located along Fifth and Penn Avenues; and

WHEREAS, such property is needed to accommodate the shifting public right of way in light of the street widening; and

WHEREAS, the public will retain the ability to use the affected property as part of the public right of way; and

WHEREAS, the City's deed for the Mellon Park property includes a provision allowing the City to “appropriate and use so much of the aforesaid tract of land as may be necessary for the future widening of streets and intersections of streets adjacent thereto;” and

WHEREAS, the City supports this widening in the interest of facilitating the flow of traffic to and from East Liberty; and

WHEREAS, the Commonwealth requires affected property owners to enter into an Agreement of Release before it will grant Bakery Square Holding, L.P. permission to widen the affected streets; and

WHEREAS, therefore, the City has agreed to enter into an Agreement of Release with the Commonwealth for the benefit of the public in order to facilitate the Bakery Square Project.

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 an Agreement of Release with the Commonwealth of Pennsylvania, Department of Transportation relating to the following described segment of Penn Avenue: 0400/0096/0059 to 0400/0096/0159. The Agreement of

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Release shall be approved as to form and substance by the City Solicitor.