



Text File

Introduced: 4/28/2009

Bill No: 2009-1351, **Version:** 1

Committee: Committee on Public Works

Status: Passed Finally

Presented by Mrs. Harris

Resolution declaring that certain City property in Mellon Park shall be dedicated to public right of way use.

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 along Fifth and Penn Avenues that comprises Mellon Park; and

WHEREAS, a small sliver of 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 sliver of property as public right of way adjacent to Mellon Park; and

WHEREAS, the City's deed for the Mellon Park property dedicates the property to be used for park and recreation purpose; however, the deed language also specifically clarifies that such use remains subject to the right of 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, therefore, the City has agreed to dedicate a small sliver of existing Mellon Park property to be used as public right of way for the benefit of the public.

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

Section 1. It is hereby declared that City property further described in Exhibits A (legal description) and B (“Proposed Right of Way Easement Plan,” dated June 19, 2008), which are attached hereto and incorporated herein, shall hereafter officially be dedicated for public right of way purposes. The City's deed allowing such use is attached hereto Exhibit C.