



Text File

**Introduced:** 3/23/2018

**Bill No:** 2018-0318, **Version:** 1

**Committee:** Committee on Public Works

**Status:** Passed Finally

Resolution taking, appropriating and condemning by the City of Pittsburgh, for public highway purposes certain property in the 20th Ward of the City of Pittsburgh, owned by Richard T. Ozanick and Diane E. Ozanick, his wife, authorizing the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

**WHEREAS**, The City of Pittsburgh, pursuant to Pittsburgh City Council Resolution 658 of 2017, was authorized to take certain actions including taking, appropriating, and condemning to secure a temporary construction easement in connection with the construction of the Wenzell Avenue / Carnahan Road Intersection.

**WHEREAS**, The City of Pittsburgh deems it proper and expedient to exercise the power of eminent domain invested in it for the acquisition of particular real estate hereinafter to be used for the public purposes as further elaborated in Pittsburgh City Council Resolution 658 of 2017.

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

**Section 1.**

Block 36-M, Lot No. 228 (36-M-228), Block 36-M Lot No. 227 (36-M-227) and Block 36-M Lot No. 234 (36-M-234), in the 20th Ward of the City Pittsburgh owned by Richard T. Ozanick and Diane E. Ozanick, his wife shall be and the same is hereby taken for public highway purposes, said property being more fully described as follows:

ALL that certain lot or piece of ground situate in the 20th Ward of the City of Pittsburgh, County of Allegheny, and Commonwealth of Pennsylvania, beginning at a point, said point being 37.00 feet right of and opposite Wenzell Avenue survey and right-of-way baseline, station 26+55; thence through property of said grantors

N 28° 18' 38" W, 11.54 feet to a point, thence through the same

N 33° 40' 44" W, 11.60 feet to a point, thence

N 63° 23' 16" E, 1.86 feet to a point, thence

N 30° 02' 33" W, 76.39 feet to a point, thence

N 10° 39' 32" W, 16.13 feet to a point on the legal right-of-way for Fore Street (unimproved), thence along said right-of-way

N 55° 58' 08" E, 4.00 feet to a point, thence through the property of the herein grantor  
S 07° 38' 14" E, 16.65 feet to a point, thence along the same  
S 34° 55' 57" E, 84.02 feet to a point, thence  
N 57° 03' 59" E, 49.73 feet to a point, thence  
S 34° 27' 46" E, 20.12 feet to a point on the legal right-of-way for Denlin Street, thence along said right-of-way  
S 55° 58' 08" W, 55.14 feet to a point, thence through the property of the herein grantor  
A curve to the right, a radius of 25.00 feet, an arc length of 6.57 feet, a chord direction of S 63° 30' 06" W and a chord length of 6.55 feet to a point, thence through the property of the herein grantor  
A curve to the left, a radius of 819.00 feet, an arc length of 5.07 feet, a chord direction of N 24° 49' 08" W and a chord length of 5.07 feet to a point, thence along the same  
S 65° 00' 14" W, 1.76 feet to a point, the point of beginning.  
Containing 0.0434 acres, more or less.

BEING designated as:

Block 36-M, Lot No. 228 & 230 (36-M-228 & 230), in the Deed Registry Office of Allegheny County and also described in a Deed recorded July 2, 1990 in the Office of the Recorder of Deeds in Deed Book Volume 8282 Page 475;

Block 36-M Lot No. 227 (36-M-227), in the Deed Registry Office of Allegheny County and also described in a Deed recorded July 2, 1990 in the Office of the Recorder of Deeds in Deed Book Volume 8282 Page 471; and

Block 36-M Lot No. 234 (36-M-234), in the Deed Registry Office of Allegheny County and also described in a Deed recorded April 11, 1986 in the Office of the Recorder of Deeds in Deed Book Volume 7279 Page 122.

The City of Pittsburgh does hereby elect and resolve to take, use, appropriate and condemn in said real estate for public highway purposes.

**Section 2.** The Director of the Department of Mobility and Infrastructure is hereby authorized to use, occupy, and control the property required.

**Section 3.** The cost and expense of this condemnation, including but not limited to payment of estimated just compensation, appraisal fees, and expert witness fees are hereby authorized and shall be chargeable and payable from the following accounts:

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<b>Res. No.</b>	<b>JDE Fund</b>	<b>JDE Job No.</b>	<b>Budget Year</b>	<b>Amount</b>	<b>Source</b>	<b>Account No.</b>	<b>Item No.</b>
658-17	40114	4026719715	2015	\$2,400.00	FHWA	57101	22222-46
658-17	40114	4026719715	2015	\$ 600.00	BOND	57101	22222-46

**Section 4.** Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.