



Text File

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Bill No: 2006-0385, **Version:** 1

Committee: Committee on Finance, Law and Purchasing

Status: Passed Finally

Presented by Mr. Shields

Resolution taking, appropriating and condemning by the City of Pittsburgh, for the purpose of abating landslides, certain property in the 20th Ward of the City of Pittsburgh, owned by Douglas T. Blair, authorizing the payment of just compensation and necessary and incidental acquisition costs related thereto, and designating the Urban Redevelopment Authority of Pittsburgh as the City's acquisition agent, and providing for the payment of the cost thereof. (Council District No. 2). Cost not to exceed \$240,000.

Whereas, the United States District Court for the Western District of Pennsylvania in the case of Norfolk Southern Railway Company v. City of Pittsburgh, Civil Action No. 04-1808, issued an order dated August 31, 2005 directing the City of Pittsburgh to undertake necessary and appropriate measures to abate, correct and remedy the continuing landslides at Corfu Street; and

Whereas, 53 P.S. §1081 authorizes all municipal corporations in the Commonwealth of Pennsylvania to condemn, when deemed necessary, private lands for the construction of slopes and embankments; and

Whereas, the City of Pittsburgh deems it necessary to exercise the power of eminent domain invested in it for the acquisition of the real estate hereinafter described to abate, correct and remedy the landslides;

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

Section 1. Block 7-N, Lot No. 238 in the 20th Ward of the City of Pittsburgh, owned by Douglas Blair, shall be and the same is hereby taken for the public purpose of abating, correcting and remedying continuing landslides at Corfu Street, said property being more fully described as follows:

All that certain lot or piece of ground situate in the 20th Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being part of Lots Nos. 146, 147 and 148 in the Robert Robb Plan of Lots of the John Elliott Track, as of record in the Recorder's Office of Allegheny County, PA in Plan Book Volume 6, page 61 (erroneously shown as Plan Book Volume 4, page 236 in previous deed), bounded and described as follows, to-wit:

Beginning at a point on the southerly side of Corfu Street, 30 feet wide, the line dividing Lot No. 145 from Lot No. 146 in the aforementioned plan; thence along last mentioned dividing line, South 52° 16' 40" West, a distance of 165 feet to a point on the line dividing property herein described from property, now or formerly, of

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the City of Pittsburgh; thence along said last mentioned dividing line, North 37° 43' 28" West, a distance of 72 feet to a point on the line dividing Lot No. 148 from Lot No. 149; thence along said last mentioned dividing line, North 52° 16' 40" East, a distance of 165 feet to a point on the southerly side of Corfu Street; thence along said southerly side of Corfu Street, South 37° 43' 20" East, a distance of 72 feet to a point on the line dividing Lot No. 145 from Lot No. 146 in the aforementioned plan, said point being the place of beginning.

Being designated as Block and Lot 7-N-238 in the Deed Registry Office of Allegheny County, Pennsylvania.

Having erected thereon a dwelling known as 627 Corfu Street, Pittsburgh, PA 15220.

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

Section 2. Urban Redevelopment Authority of Pittsburgh ("URA") is hereby designated as acquisition agent for the City of Pittsburgh and is authorized to file a Declaration of Taking in the name of the City, to make payment of just compensation and all necessary and incidental acquisition and relocation expenses, to acquire the property in the name of the City, and to execute sales agreements and other necessary and appropriate documents on behalf of the City.

Section 3. The costs incurred by the City or URA in connection with the acquisition of the real estate, including title reports, title insurance, appraisals, surveys, recording fees, and similar expenses, shall not exceed Two Hundred Forty Thousand Dollars (\$240,000.00), payable from account 582200, Fund 1000, Organization 999200, Sub 170, Budget Year 2006.