



Text File

Introduced: 5/9/2006

Bill No: 2006-0386, **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 Lawrence Miedema, 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 \$76,000.

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-J, Lot No. 36 in the 20th Ward of the City of Pittsburgh, owned by Lawrence Miedema, 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 those certain lots or pieces of ground situate in the 20th Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being Lots Numbers 157, 158, 159 and 160 in a plan of lots laid out by Robert Robb (unrecorded) and together bounded and described as follows:

Beginning on the southerly side of Corfu Street, a 30 foot street, on the line of property formerly of the Marine Railway Company, now the Pittsburgh, Chicago, Cincinnati and St. Louis Railroad Company; thence extending Eastwardly along the Southerly side of said Corfu Street, a distance of 96 feet to the line of Lot No. 156 in said plan, now or late the property of W. F. Meyer; thence extending Southwardly by the dividing line between Lots Nos. 156 and 157 in said plan, a distance of 370 feet, more or less, to the Northerly line of Pinerue Street; thence Westwardly along the Northerly line of Pinerue Street, 96 feet more or less to the line of property of John A. Wood and son, and thence Northwardly along the line of same and the Railway Co., a distance of 370

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feet more or less to Corfu Street, at the place of beginning.

Having erected thereon a two-story frame dwelling known as 657 Corfu Street.

Being designated as Block and Lot 7-J-36 in the Deed Registry Office of Allegheny County, Pennsylvania.

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 Seventy Six Thousand Dollars (\$76,000.00), payable from Account 582200, Fund 1000, Organization 999200, Sub 170, Budget Year 2006.