# Legislation Details (With Text)

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| **File #:** | 2019-2181 **Version:** 4 | | |
| **Type:** | Resolution | **Status:** | Passed Finally |
| **File created:** | 10/15/2019 | **In control:** | Committee on Public Works |
| **On agenda:** | 10/23/2019 | **Final action:** | 10/29/2019 |
| **Enactment date:** | 10/29/2019 | **Enactment #:** | 697 |
| **Effective date:** | 10/29/2019 | | |

**Title:** Resolution authorizing an agreement, between the City of Pittsburgh and Pennley Park South, Inc. (PPS), for certain easements in the 8th Ward, 9th Council District of the City of Pittsburgh, in accordance with Resolution 584 of 2019 that vacated a portion of Right of Way at Eva Street. (Public Hearing held 10/28/19)

**Sponsors:** Reverend Ricky V. Burgess

**Indexes:**

**Code sections:**

**Attachments:** 1. 2019-2181 Exhibit A Legal Description, 2. 2019-2181 Exhibit B Plan

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 10/29/2019 | 4 | City Council | AMENDED BY SUBSTITUTE | Pass |
| 10/29/2019 | 4 | Mayor | Signed by the Mayor | |
| 10/29/2019 | 4 | City Council | Passed Finally, As Amended | Pass |
| 10/28/2019 | 3 | Committee on Hearings | Public Hearing Held | |
| 10/23/2019 | 3 | Standing Committees | Affirmatively Recommended as Amended | Pass |
| 10/23/2019 | 3 | Standing Committees | AMENDED | Pass |
| 10/23/2019 | 2 | Standing Committee | AMENDED | |
| 10/16/2019 | 2 | Standing Committees | Held for Cablecast Public Hearing | Pass |
| 10/16/2019 | 2 | Standing Committees | Held in Committee | Pass |
| 10/16/2019 | 2 | Standing Committees | AMENDED | Pass |
| 10/16/2019 | 1 | Standing Committee | Held for Cablecast Public Hearing | |
| 10/15/2019 | 1 | City Council | Read and referred | |
| 10/15/2019 | 1 | City Council | Waived under Rule 8 | Pass |

Resolution authorizing an agreement, between the City of Pittsburgh and Pennley Park South, Inc. (PPS), for certain easements in the 8th Ward, 9th Council District of the City of Pittsburgh, in accordance with Resolution 584 of 2019 that vacated a portion of Right of Way at Eva Street.
***(Public Hearing held 10/28/19)***

**WHEREAS,** Commencing in 2015, the City of Pittsburgh ("City") and Pennley Park South, Inc. ("PPS"), entered into discussions about the redevelopment of parcel 83-N-125 ("PPS Parcel") and parcel 84-A-176 ("Enright Parklet") both in the 8th ward of the City of Pittsburgh; and

**WHEREAS,** On October 27, 2017 the City and PPS finalized a settlement for the development of the PPS Parcel and Enright Parklet and memorialized the same into a "Consent Order of Court"; and

**WHEREAS,** Pursuant to the Consent Order of Court, the City and PPS agreed to pursue the appropriate land swaps and conveyances in order to accomplish the redevelopment of the PPS Parcel and Enright Parklet; and

**WHEREAS**, in order to accomplish this reconfiguration of Enright Park, the City agreed to vacate a portion of Eva Street as set forth in Resolution 584 of 2019; and

**WHEREAS**, said vacation was conditioned, in part, on the placement of easements over certain parcels to ensure access, ingress, egress and connectivity for bicyclists, pedestrians and vehicles between the adjacent public streets and parcels owned by PPS and the City;

**WHEREAS**, the City now wishes to enter into an easement agreement with PPS to establish these easements over the specific parcels

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

**Section 1.** The Mayor, and the Directors of the Departments of Mobility and Infrastructure and Finance, in a form approved by the City Solicitor, are hereby authorized to enter into an agreement, on behalf of the City of Pittsburgh, for certain easements with Pennley Park South, Inc., and to ensure the recordation of the same with the Department of Court Records of Allegheny County.

**Section 2**. The acceptance of this easement is subject to all matters of public record.

**Section 3.** Pursuant to Resolution Number 584 of 2019, effective September 19, 2019, the acceptance of this easement shall include the following conditions in favor of the City of Pittsburgh:

1. The portion of "new" Eva Street which connects from South Negley Avenue to Amber Street, absent emergency or construction, shall always remain open, providing for residents to retain the same level of vehicular access they currently possess;

2. Any proposed permanent change in Eva Street (i.e. conversion to one-way or unidirectional traffic as opposed to the proposed two-way or bi-directional alignment) shall be subject to review and approval by the Department of Mobility and Infrastructure prior to implementation of the same;

3. The City will own from the southerly side (back of curb) of "new" Eva Street. Therefore, there will always be unfettered pedestrian and bicycle access from South Negley Avenue to South Euclid Avenue;

4. Any closure of "new" Eva Street from South Euclid Avenue to Amber Street would apply to vehicular traffic only, ensuring that Eva Street shall always be open to pedestrian and bicycle traffic.

**Section 4.** The easements shall be placed over the following parcels of property located in the 8th Ward in the City of Pittsburgh described as follows in the legal descriptions attached as Exhibit A and as further demarcated in the plan attached as Exhibit B.