Legislation Details (With Text)

File #:	2021-1367 **Version:** 1		
Type:	Ordinance	**Status:**	Passed Finally
File created:	4/1/2021	**In control:**	Committee on Public Works
On agenda:	5/19/2021	**Final action:**	5/25/2021
Enactment date:	5/25/2021	**Enactment #:**	16
Effective date:	5/27/2021		
Title:	Ordinance EXTINGUISHING an easement in 20-foot strip of real property adjacent to the easterly side of Twenty-First Street, 60-feet in width, between Smallman Street and Railroad in the Second Ward of the City of Pittsburgh.		
Sponsors:			
Indexes:	MISCELLANEOUS		
Code sections:			
Attachments:	1. 2021-1367 Cover Letter-Ordiance re. extinguishment of easement Letter 3.29.21, 2. Summary 2021-1367		

Date	Ver.	Action By	Action	Result
5/27/2021	1	Mayor	Signed by the Mayor	
5/25/2021	1	City Council	Passed Finally	Pass
5/17/2021	1	Standing Committees	Affirmatively Recommended	Pass
5/12/2021	1	Standing Committees	Held in Committee	Pass
5/5/2021	1	Standing Committees	Held in Committee	Pass
4/28/2021	1	Standing Committees	Held in Committee	Pass
4/21/2021	1	Standing Committees	Held in Committee	Pass
4/14/2021	1	Standing Committees	Held in Committee	Pass
4/6/2021	1	City Council	Read and referred	

Ordinance EXTINGUISHING an easement in 20-foot strip of real property adjacent to the easterly side of Twenty-First Street, 60-feet in width, between Smallman Street and Railroad in the Second Ward of the City of Pittsburgh.

WHEREAS, on or around March 17, 1975, the Council of the City of Pittsburgh enacted Ordinance No. 148, which Ordinance was recorded on March 31, 1975 in Ordinance Book Volume 75, page 97, thereby vacating the easterly 20-foot-strip of 21st Street (the "**Property**"), 80-feet in width at the time, between Smallman Street and Railroad Street, in the 2nd Ward of the City of Pittsburgh;

WHEREAS, Ordinance No. 148, vacating the Property, excepted and reserved easements for the 15-inch sewer lines then believed to be located below the surface of the Property;

WHEREAS, the City of Pittsburgh subsequently conveyed the Property to Live Fish Company, a Pennsylvania corporation, by Indenture dated May 2, 1975 and recorded in Deed Book Vol. 5476, Page 651 (the "**1975 Deed** ").

WHEREAS, the 1975 Deed also excepted and reserved easements for the 15-inch sewer lines then believed to be located below the surface of the Property, together with the perpetual right in the City of Pittsburgh of ingress, egress and regress over, upon and under the Property for the purposes of use, operation, maintenance, repair or reinstallation of said lines;

WHEREAS, an ALTA/NSPS Land Title Survey conducted by Civil and Environmental Consultants, Inc, dated March 12, 2020, shows that there currently are no sewer or water lines in or under the Property;

WHEREAS**,** in 2012, Pittsburgh Water and Sewer Authority placed a sewer line under 21st Street between Smallman Street and Railroad Street in the 2nd Ward of the City of Pittsburgh, such sewer line being within the public right-of-way;

WHEREAS**,** currently there are no sewer or water lines in or under the Property,

WHEREAS, to facilitate the development of the Property, the City of Pittsburgh wishes to extinguish and terminate the aforementioned easement rights held by the City of Pittsburgh; therefore

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. That the easements excepted and reserved by the City of Pittsburgh in Ordinance No. 148 and the 1975 Deed, burdening the 20-foot strip of real property adjacent to the easterly side of Twenty-First Street, 60-feet in width, between Smallman Street and Railroad in the Second Ward of the City of Pittsburgh, are hereby terminated and extinguished and of no further force or effect.

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