



Legislation Details (With Text)

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|------------------------|--|----------------------|------------------------------|
| File #: | 2022-0182 | Version: | 1 |
| Type: | Resolution | Status: | Passed Finally |
| File created: | 3/11/2022 | In control: | Committee on Finance and Law |
| On agenda: | 3/15/2022 | Final action: | 3/29/2022 |
| Enactment date: | 3/29/2022 | Enactment #: | 128 |
| Effective date: | 3/30/2022 | | |
| Title: | Resolution taking, appropriating and condemning by the City of Pittsburgh, for public roadway purposes certain property in the 10th Ward of the City of Pittsburgh, owned by Frank and Fiorina Chianelli and/or their estate, located along El Paso Street, and authorizing the payment of just compensation and necessary and incidental acquisition costs related thereto. | | |
| Sponsors: | | | |
| Indexes: | RIGHT OF WAY | | |
| Code sections: | | | |
| Attachments: | 1. 2022-0182 Cover Letter-El Paso and Butler Ave Eminent Domain Letter, 2. Summary 2022-0182 | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------|---------------------------|--------|
| 3/30/2022 | 1 | Mayor | Signed by the Mayor | |
| 3/29/2022 | 1 | City Council | Passed Finally | Pass |
| 3/23/2022 | 1 | Standing Committee | Affirmatively Recommended | Pass |
| 3/15/2022 | 1 | City Council | Read and referred | |

Resolution taking, appropriating and condemning by the City of Pittsburgh, for public roadway purposes certain property in the 10th Ward of the City of Pittsburgh, owned by Frank and Fiorina Chianelli and/or their estate, located along El Paso Street, and authorizing the payment of just compensation and necessary and incidental acquisition costs related thereto.

WHEREAS, the Pennsylvania Eminent Domain Code, 26 Pa. C.S. § 101 et seq., authorizes the City of Pittsburgh to take by eminent domain private property for a public purpose; and

WHEREAS, the Pennsylvania General Municipal Law, 53 P.S. § 1081, authorizes the City of Pittsburgh to take by eminent domain private property for roadway purposes; and

WHEREAS, landslides along El Paso Street endanger the stability of El Paso Street and other public assets; and

WHEREAS, the City of Pittsburgh deems it proper and expedient to exercise the power of eminent domain invested in it for the acquisition of certain parcels located along El Paso Street in fee simple hereinafter to be used for the express public purpose of mitigating land movement activities and mitigate any further risk to public assets and infrastructure, including El Paso Street.

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

Section 1. Certain property along El Paso Street, designated by the following Block and Lot numbers: 121-J-250, 121-J-251, 121-J-252, 121-J-253, 121-J-254, and 121-J-255, in the 10th Ward of the City Pittsburgh owned by Frank and Fiorina Chianelli and/or their estate, shall be and are hereby taken in fee simple for public safety and 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, in the amount of Twenty-Six Thousand Dollars (\$26,000.00) is hereby authorized and shall be chargeable and payable from the following accounts:

| JDE Job NO. | JDE Fund | Budget Year | Amount | Source |
|-------------|----------|-------------|-------------|--------|
| 6091031819 | 40019 | 2019 | \$2,779.01 | Bond |
| 6091030421 | 40021 | 2021 | \$23,220.99 | Bond |
| | | Total | \$26,000.00 | |

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.