



Text File

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Bill No: 2014-1023, **Version:** 1

Committee: Committee on Public Works

Status: Passed Finally

Resolution granting unto MWK Forbes, LLC, 204 5th Avenue, Suite 404, Pittsburgh, PA 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a subsurface encroachment for soil nails under the right-of-way of 5th Avenue for 3333 Forbes Avenue, Pittsburgh, PA 15213, in the 4th Ward, 6 Council District of the City of Pittsburgh.

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

Section 1. That MWK Forbes, LLC, 204 5th Avenue, Suite 404, Pittsburgh, PA 15222, their successors and assigns, are hereby granted the privilege to construct, maintain and use at their own cost and expense, a subsurface encroachment under the sidewalk and roadway of 5th Avenue consisting of steel soil nails, extending approximately thirty feet (30') from the property line, approximately one hundred eighty plus minus (180 ±) in length and a minimum of twelve feet (12') under the sidewalk and street grade of 5th Avenue for 3333 Forbes Avenue in the 4th Ward, 6 Council District of the City of Pittsburgh.

The said encroachment shall conform to the provisions of their resolution and in accordance with the Plan identified as Accession D-795 on file in the Division of Surveys, Department of Public Works.

Section 2. The said Grantee prior to the beginning of the construction of said encroachment shall submit to the Director of the Department of Public Works of the City of Pittsburgh a complete set of plans, in triplicate, showing the location and all details of said construction. Said plans and said construction shall be subject to the approval and supervision of the Director of the Department of Public Works.

Section 3. The encroachment herein granted shall be subject and subordinate to the rights of the City of Pittsburgh and its powers and supervision over City streets, and also to Resolutions of the City of Pittsburgh relating thereto, and to the provisions of any general Resolutions which have been or may be hereafter passed relating to said construction, maintenance and its use on City streets and compensation for same.

Section 4. The said Grantee shall bear the full cost and expense of the repair of any street pavement damaged, repair of sewer, water lines and other surface and sub-surface structures which may be in any way damaged or disturbed by reason of the construction, maintenance, use and operation of said construction. All work, including the repaving and repairing of any portion of the street damaged, shall be done in the manner and at such times as the Director of the Department of Public Works may order and shall be subject to their approval and supervision.