



Text File

Introduced: 8/28/2015

Bill No: 2015-1935, **Version:** 1

Committee: Committee on Intergovernmental Affairs

Status: Passed Finally

Resolution Authorizing the Mayor and the Directors of the Departments of Finance and Public Works to enter into a Lease Agreement with the Pittsburgh Water and Sewer Authority and the Borough of Aspinwall for a portion of Lot/Block 171-B-1-0-2 for use by the Borough as a free public parking lot, road, and path for the public to access adjacent Aspinwall Riverfront Park. Rent shall be one dollar (\$1.00) per year and shall include Borough maintenance responsibilities for the Premises.

Whereas, the City of Pittsburgh (the "City") currently leases a parcel of real property being identified as a portion of Lot/Block 171-B-1-0-2 in the Deed Registry of Allegheny County (the "Premises"), to the Borough of Aspinwall (the "Borough") for use as a free municipal parking lot per a lease by and between City and the Borough dated April 9, 1963; and

Whereas, for safety purposes, the Borough has requested that the City agree to expand the boundaries of the current lease in order to allow for a realignment of the entrance to the Premises with Brilliant Avenue, the installation of an access road and a pedestrian and bike access path to adjacent Aspinwall Riverfront Park, and landscaping; and

Whereas, the Pittsburgh Water and Sewer Authority ("PWSA"), through a (i) Cooperation Agreement effective January 1, 1995, by and between the PWSA and the City and (ii) a Capital Lease dated July 15, 1995, by and between the PWSA and the City, currently has a proprietary interest in and to the Property and certain water facilities located on and/or under the Premises; and

Whereas, the three parties now wish to enter into a new Lease Agreement to supersede the original 1963 lease and to set forth the duties and responsibilities of the parties with respect to the construction of improvements and use of the Premises by the Borough.

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

Section 1. The Mayor and the Directors of the Departments of Finance and Public Works are hereby authorized to enter into a lease agreement with Aspinwall Borough and the Pittsburgh Water and Sewer Authority for a 0.942 acre parcel constituting a portion of Lot/Block 171-B-1-0-2 as further described in the metes and bounds description and lease plan drawing set forth on Exhibits A and 1 respectively, which are attached hereto and incorporated herein. The Lease Agreement shall be for an initial term not to exceed twenty-five (25) years, with an option to renew for one additional twenty (20) year period upon agreement of all parties. Rent shall be one dollar (\$1.00) per year and shall include Borough maintenance responsibilities for the Premises. This payment will be put into the JDE use of public property account 11101.107000.43.43409. The Lease Agreement shall be approved by the City Solicitor as to form and substance.

EXHIBIT A: METES AND BOUNDS DESCRIPTION OF A 0.942 ACRE PARCEL OF LAND TO BE
LEASED TO ASPINWALL BOROUGH

All that certain parcel of land situate in the City of Pittsburgh, Allegheny County, Pennsylvania to be leased to Aspinwall Borough by the City of Pittsburgh, being the westerly part of lands of the City of Pittsburgh recorded in Deed Book Volume 1092 page 542 identified as Tax Parcel ID 171-B-1-0-2; lease parcel described as follows:

BEGINNING at the northwest corner of said lands of the City of Pittsburgh, the Grantor herein, common with the easterly right-of-way line of Waterworks Road, a twenty five foot wide right-to-way, and the southerly line of lands now or formerly of Conrail being Tax Parcel ID 0171-L-00200-0009-0; thence from said point of beginning along the southerly line of said lands now or formerly of Conrail South 65°57'08" East 196.83 feet; thence through said lands of the City of Pittsburgh, the following courses: South 15°17'39" West, 182.64 feet; North 74°42'21" West 72.22 feet; South 7°57'27" West, 170.19 feet; to a non-tangent point of curve; by a curve to the right concave to the north, radius 195.00 feet, an arc distance of 17.91 feet having a chord of North 56°25'35" West 17.90 feet to a point of tangent; and North 53°47'45" West, 32.02 feet to said easterly right-of-way line of Waterworks Road; thence along said easterly right-of-way line of Waterworks Road North 00°02'36" West, 370.75 feet to the point of beginning. Having an area of 41,012 square feet or 0.942 acres. See Exhibit "1" attached.