



Text File

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Bill No: 2018-0307, **Version:** 1

Committee: Committee on Public Works

Status: Passed Finally

Resolution granting easement through Frick Park to the owners of 584 & 592 Briar Cliff Road for the maintenance of a 6" combined sewer lateral.

Whereas, on or about December 7, 2016, the City of Pittsburgh entered into a settlement agreement and mutual release in settlement of litigation brought by the homeowners of 584 & 592 Briar Cliff Road against the city of Pittsburgh, and the Pittsburgh Water and Sewer authority, in which the City agreed to provide, among other things, an Easement through Frick Park for the maintenance of a 6" combined sewer lateral.

Whereas, the 6" combined sewer lateral serving the homeowner's homes has been repaired, with the consent of the City, and traverses Frick Park, and now it but remains to grant the homeowners' the promised Easement.

Section 1. The Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, are hereby authorized to execute an easement agreement granting an easement through Frick Park to the owners of 584 & 592 Briar Cliff Road for the maintenance of a 6" combined sewer lateral.

Section 2. The Easement is through the a parcel situated in Frick Park, City of Pittsburgh, Allegheny County, Pennsylvania, being a tract of 452.08 acres conveyed to grantor by deed of July 27, 1925 from Charles F. Chubb, et al., to the City of Pittsburgh, d.b.v. 2268, p. 98 parcel number 0127-h-00100-0000-01. The sewer lateral that is the subject of this Easement is located precisely as depicted on exhibit a, attached hereto and entitled "map of Easement through Frick park granted by the city of Pittsburgh to the owners of 584 & 592 Briar Cliff Road for the maintenance and repair of a 6" combined sewer lateral." That Easement is approximately 247 feet long and 20 feet wide through Frick Park and is not generally visible to the public, being directly underneath the Forbes Avenue near the intersection with Braddock Avenue.

Section 3. This Easement is granted pursuant to a settlement agreement and mutual release, executed on or about December 7, 2016, by and between the homeowners, current owners of 584 and 592 briar cliff road, James V. Hart, Jr. and Lee Ambrose Hart, and Kenneth Krynsky and Linda M. Krynski, the city of Pittsburgh, and the Pittsburgh Water and Sewer Authority. That settlement agreement and mutual release, in settlement of litigation brought by the homeowners against the city of Pittsburgh, and the Pittsburgh water and sewer authority, provides the consideration for the Easement. The Easement agreement will be in the form approved by the city solicitor and shall contain such terms and conditions for the protection of the city of Pittsburgh and Frick Park as the Solicitor may require.