



Text File

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Committee: Committee on Public Works

Status: Passed Finally

Resolution accepting the dedication of a portion of Lytle Street, Beehive Street, and Eliza Street in the SP-10, Hazelwood Green Specially Planned District, in the 4th and 15th Wards, 5th Council District of the City of Pittsburgh.

WHEREAS, Almono LP ("Almono"), owner of certain properties in the Hazelwood Green Project in the 4th and 15th Wards, wishes to dedicate certain streets and other public improvements to the City for public highway and utility purposes, and the City wishes to accept the dedication.

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

Section 1.

The dedication of the following streets is hereby accepted:

All those certain streets, to be dedicated for right of way purposes, being a portion of Lytle Street, Beehive Street, and Eliza Street, all as shown on the Hazelwood Green Plan No.1 and recorded in the Allegheny County Department of Real Estate in Plan Book Volume 301, Page 17, situate in the 4th and 15th Wards, of the City of Pittsburgh, Allegheny County, Commonwealth of Pennsylvania, more particularly bound and described as follows:

Eliza Street (Parcel J-4)

All that certain Parcel of Ground being known and recorded as Parcel J-4 in The Hazelwood Green Plan No. 1 as recorded at the Allegheny County Department of Real Estate in Plan Book Volume 301, page 17, situate in the 15th Ward of the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania and as more fully described here to wit:

Beginning on the easterly edge of Parcel G Revised at the common corner of Parcel J-3 and the herein described Parcel J-4, as shown in said Hazelwood Green Plan No. 1;

Thence along the dividing line of said Parcel G Revised and the herein described Parcel J-4 in a general northerly direction, North 27°55'12" West, a distance or 57.87 feet to a point on the dividing line between the herein described Parcel J-4 and Parcel J-5 in said plan;

Thence along the dividing line between Parcel J-5 and the herein described Parcel J-4, North 76° 40'26" East, a distance of 370.68 feet to a point on the westerly line of Parcel J-7 in said plan;

Thence along said Parcel J-7 and the herein described Parcel J-4, South 11°19'45" East, a distance of 56.03 feet to a point at the common corner of said Parcel J-3 and the herein described Parcel J-4;

Thence along the said dividing line between Parcel J-3 and the herein described Parcel J-4, South 76°40'26" West, a distance of 354.15 feet to a point at the place of beginning.

Said Parcel J-4 as herein described contains an area of 20,295 square feet or 0.466 acres.

Beehive Street (Parcel J-6)

All that certain Parcel of Ground being known and recorded as Parcel J-6 in The Hazelwood Green Plan No. 1, as recorded at the Allegheny County Department of Real Estate in Plan Book Volume 301, page 17, situate in the 15th Ward of the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania and as more fully described here to wit:

Beginning at a point on the easterly edge of Parcel G Revised at the common corner of Parcel J-5 and Parcel J-6 herein described as shown in said Hazelwood Green Plan No. 1;

Thence along said dividing line between Parcel G Revised and the herein described Parcel J-6 in a generally northerly direction, North 07°52'37" East, a distance of 5.39 feet to a point of curve;

Thence continuing along said dividing line by an arc of a curve to the left, having a radius of 792.89 feet, an arc distance of 60.62 feet to a common corner of Parcel C Revised and the herein described Parcel J-6;

Thence along the said dividing line between Parcel C Revised and the herein described Parcel J-6, South 85°51'17" East, a distance of 162.92 feet to a point of curve;

Thence continuing along said dividing line by an arc of curve to the left, having a radius of 50.00 feet, and an arc distance of 21.37 to a point of tangent;

Thence continuing along said dividing line North 69°40'08" East, a distance of 409.06 feet to a point at the former westerly right of way line of Second Avenue;

Thence along the dividing line of said former westerly right of way line of Second Avenue and the herein described Parcel J-6, South 20°22'33" East, a distance of 66.00 feet to the common corner of herein described Parcel J-6 and Parcel K-2 in the Almono Plan No. 1, as recorded in the Recorder of Deed of Allegheny County in Plan Book Volume 286, page 126;

Thence along the dividing line between the herein described Parcel J-6 and said Parcel K-2 being partially coincident with Parcel K-1 in said Almono Plan No. 1, South 69°40'08" West, a distance of 393.82 feet to a common corner of said Parcel K-1 in said Almono Plan No. 1 and Parcel J-7 in said Hazelwood Green Plan No. 1;

Thence along the dividing line between said Parcel J-7 and said herein described Parcel J-6, South 69°40'08 West, a distance of 40.47 feet to a point;

Thence continuing along said dividing line being partially coincident with said Parcel J-5, North 85° 50'21" West, a distance of 180.64 feet to a point at the place of beginning.

Said Parcel J-6 as herein described contains an area of 39,549 square feet or 0.908 acres.

Lytle Street (Parcel J-7)

All that certain Parcel of Ground being known and recorded as Parcel J-7 in The Hazelwood Green Plan

No. 1 as recorded at the Allegheny County Department of Real Estate in Plan Book Volume 301, page 17, situate in the 15th Ward of the City of Pittsburgh, County of Allegheny County, Commonwealth of Pennsylvania and as more fully described here to wit:

Beginning at a point at a point of common corner to Parcel J-1, Parcel G Revised, and the herein described Parcel J-7 in said Hazelwood Green Plan No. 1;

Thence from said point of beginning and along the dividing line between the said Parcel G Revised and the herein described Parcel J-7, South 75°34'26" West a distance of 66.47 feet to the common corner of Parcel J-3 and the herein described Parcel J-7;

Thence along the dividing line of said Parcel J-3 and the herein described Parcel J-7, North 21° 15'00" West a distance of 518.74 feet to a point;

Thence continuing along the said dividing line being partially coincident with Parcel J-4 and Parcel J-5, North 11°19'45" West for a distance of 1,012.09 feet to a point.

Thence continuing along dividing line between Parcel J-5 and the herein described Parcel J-7, North 20°19'37" West a distance of 1,037.45 feet to a point at a common corner of Parcel J-5 and the herein described Parcel J-7 on the southerly line of Parcel J-6;

Thence along the dividing line between the said Parcel J-6 and the herein described Parcel J-7, South 85°50'21" East a distance of 28.05 feet to a point;

Thence continuing along said dividing line North 69°40'08" East a distance of 40.47 feet to a common corner of the herein described Parcel J-7 and Parcel K-1 in the Almono Plan No. 1, as recorded in the Recorder of Deed of Allegheny County in Plan Book Volume 286, page 126;

Thence along the dividing line between said Parcel K-1 and the herein described Parcel J-7, South 20°19'37" East a distance of 1,031.02 feet to a point;

Thence continuing along the said dividing line being partially coincident with Parcel J-2 and Parcel J-1 in the said Hazelwood Green Plan No. 1, South 11°19'45" East a distance of 1,011.55 feet to a point;

Thence continuing along the dividing line between said Parcel J-1 and the Herein Described Parcel J-7, South 21°15'00" East a distance of 520.91 feet to a point at the place of beginning.

Said Parcel J-7 as herein described contains an area of 169,112 square feet or 3.882 acres.

Section 2. The grading, paving, curbing, sidewalks, cycle lanes, light pole foundations, street lighting, street trees, green infrastructure, planted bump-outs, site furnishings (bicycle racks, and waste and recycling receptacles), and the storm, sanitary and water systems within the public right-of-way of the portions of Beehive Street, Eliza Street, and Lytle Street described in Section 1; fixing the width and position of the roadways and sidewalks, Accession Numbers A(019)-376 to A(019)-467 on as-built drawings, are hereby accepted.

Section 3. This dedication is subject to the terms, conditions and provisions of all matters of public record, including, without limitation, the Environmental Covenant by and between Almono and the Pennsylvania Department of Environmental Protection ("Department") recorded on August 9, 2017 in the Real Estate

Department of Allegheny County, Pennsylvania in Deed Book Volume 16897, page 426 (the “Covenant”), including the following activity and use limitations:

- a. Prohibition of groundwater use for drinking or agricultural purposes;
- b. Construction and utility workers shall utilize a health and safety plan;
- c. Buildings constructed on Area B, as identified in Exhibit C of the Covenant, will include vapor barriers or active ventilation mitigation systems to prevent volatile compound intrusion into the air;
- d. A solid cover of either asphalt or concrete surfaces or 12 inches of clean fill will be placed on all areas prior to reuse;
- e. A witness barrier (an engineered permeable barrier), will be placed on top of the original site soils in all residential areas not initially covered by deep fill; and
- f. The current owner shall have a continuing duty to maintain the protective soil or fill cover, pavement caps, and/or structures overlying contaminated soils and shall not allow any excavations of an approved cap without adherence to the Soil Management Plan attached to the Covenant as Exhibit D.

Section 4. This dedication is subject to a reservation in favor of Almono and their respective successors and assigns of an easement in, on, over, under, and through Parcels J-4, J-6, and J-7 for the benefit of Almono’s properties identified in the Hazelwood Green Plan No. 1 in the 4th and 15th Wards at all times and for any purpose to go upon, across and recross, and to use the easement area in a manner consistent with the existing nature of the properties, including without limitation for underground utilities.

Section 5. That 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.