Legislation Details (With Text)

File #:	2023-1203 **Version:** 1		
Type:	Resolution	**Status:**	Passed Finally
File created:	2/3/2023	**In control:**	Committee on Public Works and Infrastructure
On agenda:	2/7/2023	**Final action:**	2/21/2023
Enactment date:	2/21/2023	**Enactment #:**	78
Effective date:	2/21/2023		

Title: Resolution taking, appropriating and condemning by the City of Pittsburgh, for public roadway purposes certain property in the 5th Ward of the City of Pittsburgh, owned by German and Francoise Barrionuevo, located along Schenley Farms Terrace, and authorizing the payment of just compensation and necessary and incidental acquisition costs related thereto.

Sponsors:

Indexes: MISCELLANEOUS

Code sections:

Attachments: 1. 2023-1203 Cover Letter-Barionuevo Taking - Andover Terrace Landslide - Letter - signed, 2. 2023-1203-Exhibit A Legislation Attachment, 3. Summary 2023-1203

Date	Ver.	Action By	Action	Result
2/21/2023	1	Mayor	Signed by the Mayor	
2/21/2023	1	City Council	Passed Finally	Pass
2/15/2023	1	Standing Committees	Affirmatively Recommended	Pass
2/7/2023	1	City Council	Read and referred	

Resolution taking, appropriating and condemning by the City of Pittsburgh, for public roadway purposes certain property in the 5th Ward of the City of Pittsburgh, owned by German and Francoise Barrionuevo, located along Schenley Farms Terrace, 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, shifting land around Andover Terrace, a public street, endangers the stability of Andover Terrace and certain other public assets; and

WHEREAS, the City of Pittsburgh deems it proper and expedient to exercise the power of eminent domain for the acquisition of certain temporary construction easement rights over a parcel located along Schenley Farms Terrace to be used for the express public purpose of mitigating land movement through excavation of the landscape and installation of limited erosion control measures to prevent further risk to public assets and infrastructure, including Andover Terrace; and

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

Section 1. Certain temporary construction easement rights in property along Schenley Farms Terrace, designated by the following Block and Lot numbers: 27-C-198, in the 5th Ward of the City of Pittsburgh owned by German and Francoise Barrionuevo, 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 not to exceed one thousand dollars ($1,000) is hereby authorized and shall be chargeable and payable from the following accounts:

JDE Job No.	JDE Fund	Budget Year	Amount	Source
6091031722	40022	2022	$1,000.00	Bond
		Total	$1,000.00	

Section 4. The area of the easement rights taken at Parcel 27-C-198 are further described in the plan attached hereto as Exhibit A.

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