# Legislation Details (With Text)

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|---|---|---|---|
| **File #:** | 2025-1412 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | Passed Finally |
| **File created:** | 1/17/2025 | **In control:** | Committee on Public Works and Infrastructure |
| **On agenda:** | 2/5/2025 | **Final action:** | 2/11/2025 |
| **Enactment date:** | 2/11/2025 | **Enactment #:** | 58 |
| **Effective date:** | 2/12/2025 | | |

**Title:** Resolution authorizing the taking, appropriating, and condemning by the City of Pittsburgh of certain easements necessary for the completion of temporary construction work for sidewalk construction and associated miscellaneous work for public transportation purposes through eminent domain and further authorizing the payment of just compensation and necessary and incidental acquisition costs related thereto at an amount not to exceed Twenty-Five Thousand Dollars ($25,000), reimbursable at eighty percent.

**Sponsors:**

**Indexes:** ENCROACHMENTS & EASEMENTS

**Code sections:**

**Attachments:** 1. 2025-1412 Cover Letter-Penn Ave Phase II - Taking Letter - signed, 2. 2025-1412 16306_ROW_PlanSet_signed with Parcel 2 markup, 3. Summary 2025-1412

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 2/12/2025 | 1 | Mayor | Signed by the Mayor | |
| 2/11/2025 | 1 | City Council | Passed Finally | Pass |
| 2/5/2025 | 1 | Standing Committees | Affirmatively Recommended | Pass |
| 1/29/2025 | 1 | Standing Committees | Held in Committee | Pass |
| 1/22/2025 | 1 | City Council | Read and referred | |

Resolution authorizing the taking, appropriating, and condemning by the City of Pittsburgh of certain easements necessary for the completion of temporary construction work for sidewalk construction and associated miscellaneous work for public transportation purposes through eminent domain and further authorizing the payment of just compensation and necessary and incidental acquisition costs related thereto at an amount not to exceed Twenty-Five Thousand Dollars ($25,000), reimbursable at eighty percent.

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, the roadway along Penn Avenue, from N. Evaline Street to N. Graham Street, a public street, is in need of reconstruction; and

WHEREAS, the City of Pittsburgh is currently managing a project intended to reconstruct the roadway, sidewalks and associated miscellaneous work along this stretch of Penn Avenue (the “Project”); and



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WHEREAS, site control for the Project requires a combination of easements from various properties in the area; and

WHEREAS, one property owner has been unresponsive or does not have signatory authority due to various reasons; therefore, the City must commence a taking by eminent domain as necessary for advancement of the Project.

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

**Section 1.** The City of Pittsburgh is hereby authorized to take through eminent domain for public safety and public highway purposes, pursuant to applicable law including but not limited to 26 Pa. C.S. § 101 et seq., and 53 P.S. § 1081, certain temporary construction easements over property designated as Parcel 50-L-332 (owned by The Estate of Ennio Erdi) as further demarcated in and for the purpose further described in Exhibit "A", as necessary to complete the Project.

**Section 2.** The cost and expense of any or all of the aforementioned potential condemnations, including but not limited to payment of estimated just compensation, shall be in an amount not to exceed Twenty-Five Thousand Dollars ($25,000.00) in aggregate and is hereby authorized and shall be chargeable and payable from the following accounts:

| **JDE JOB NO.** | **JDE FUND** | **BUDGET YEAR** | **TOTAL AMOUNT** | **SOURCE** |
|---|---|---|---|---|
| 6010000421 | 40114 | 2021 | $20,000.00 | FHWA |
| 6010000321 | 40021 | 2021 | $5,000.00 | Bond |
| **Total:** | | | **$25,000.00** | |



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