



Legislation Details (With Text)

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Type: Resolution **Status:** Passed Finally

File created: 1/31/2025 **In control:** Committee on Public Works and Infrastructure

On agenda: 2/4/2025 **Final action:** 2/18/2025

Enactment date: 2/18/2025 **Enactment #:** 89

Effective date: 2/18/2025

Title: Resolution authorizing the Mayor and the Directors of the Department of Mobility and Infrastructure and the Department of Finance, on behalf of the City of Pittsburgh, to execute a Declaration of Restrictions and Covenants and appurtenant documents, in cooperation with the University of Pittsburgh, over certain property and right-of-way in the vicinity of Bigelow Boulevard between Fifth Avenue and Forbes Avenue within the City of Pittsburgh, as a condition of an NPDES Permit granted in conjunction with street and property improvements in the area, at no cost the city.

Sponsors:

Indexes: RIGHT OF WAY

Code sections:

Attachments: 1. 2025-1464 Cover Letter-Bigelow Blvd Maintenance Agreement Letter - signed, 2. Summary 2025-1464

Date	Ver.	Action By	Action	Result
2/18/2025	1	City Council	Passed Finally	Pass
2/18/2025	1	Mayor	Signed by the Mayor	
2/12/2025	1	Standing Committees	Affirmatively Recommended	Pass
2/4/2025	1	City Council	Read and referred	

Resolution authorizing the Mayor and the Directors of the Department of Mobility and Infrastructure and the Department of Finance, on behalf of the City of Pittsburgh, to execute a Declaration of Restrictions and Covenants and appurtenant documents, in cooperation with the University of Pittsburgh, over certain property and right-of-way in the vicinity of Bigelow Boulevard between Fifth Avenue and Forbes Avenue within the City of Pittsburgh, as a condition of an NPDES Permit granted in conjunction with street and property improvements in the area, at no cost the city.

WHEREAS, the University of Pittsburgh owns certain land in the City of Pittsburgh being designated by Allegheny County as Block and Lot No. 0027-R-00190, and the City of Pittsburgh operates adjacent public right-of-way constituting Bigelow Boulevard between Fifth Avenue and Forbes Avenue (the “Property”); and

WHEREAS, the Property is included within the boundary of an individual National Pollution Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities, or the general NPDES Permit for Discharges of Stormwater Associated with Construction Activities which identifies certain Post Construction Stormwater Management Best Management Practices (PCSM BMPs) located on the Property; and

WHEREAS, 25 Pa. Code §102.8(m)(2) states: “For any property containing a PCSM BMP, the permittee or co-permittee shall record an instrument with the recorder of deeds which will assure disclosure of the PCSM BMP

and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP, provide for necessary access related to long-term operation and maintenance for PCSM BMPs and provide notice that the responsibility for long-term operation and maintenance of the PCSM BMP is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees, and provide proof of filing with the notice of termination.”; and

WHEREAS, the City, in cooperation with the University of Pittsburgh is required to provide this Instrument to protect the PCSM BMPs as mandated by the Allegheny County Conservation District for the Notice of Termination of the applicable permit related to the project to provide certain property and streetscape improvements to the Property; and

WHEREAS, the City of Pittsburgh wishes to now file a Declaration of Restrictions and Covenants over the Property; therefore

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

Section 1. The Mayor and the Directors of the Department of Mobility and Infrastructure and the Department of Finance, on behalf of the City of Pittsburgh, are authorized to execute a Declaration of Restrictions and Covenants and appurtenant documents, in cooperation with the University of Pittsburgh, over certain property designated by Allegheny County as Block and Lot No. 0027-R-00190, along with adjacent public right-of-way constituting Bigelow Boulevard between Fifth Avenue and Forbes Avenue as a condition of an NPDES Permit granted in conjunction with street and property improvements in the area.