



Legislation Details (With Text)

File #: 2025-1966 **Version:** 1

Type: Resolution **Status:** Passed Finally

File created: 6/20/2025 **In control:** Committee on Public Works and Infrastructure

On agenda: 6/24/2025 **Final action:** 7/8/2025

Enactment date: 7/8/2025 **Enactment #:** 402

Effective date: 7/9/2025

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 for the Smithfield Street Reconstruction project at an amount not to exceed Fifty Thousand Dollars (\$50,000.00), reimbursable at eighty percent.

Sponsors:

Indexes: ENCROACHMENTS & EASEMENTS

Code sections:

Attachments: 1. 2025-1966 Cover Letter-Smithfield St Ph1 Taking - Letter - signed, 2. 2025-1966 -L00403 Smithfield St Signed RW Plan_DT Exhibits, 3. Summary 2025-1966

Date	Ver.	Action By	Action	Result
7/9/2025	1	Mayor	Signed by the Mayor	
7/8/2025	1	City Council	Passed Finally	Pass
7/2/2025	1	Standing Committees	Affirmatively Recommended	Pass
6/24/2025	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 for the Smithfield Street Reconstruction project at an amount not to exceed Fifty Thousand Dollars (\$50,000.00), 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 Smithfield Street, from Forbes Avenue to Sixth 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 Smithfield Street (the “Project”); and

WHEREAS, three property owners have been unable to reach agreement on the terms of the easements; 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 2-E-30 (owned by PNC Bank, National Association), Parcel 2-E-1 (owned by Park Building, an Ohio General Partnership) and Parcel 2-A-97 (owned by McKnight 535 Smithfield LP, a Delaware Limited Partnership) 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 Fifty Thousand Dollars (\$50,000.00) in aggregate and is hereby authorized and shall be chargeable and payable from the following accounts:

JDE JOB No.	JDE Fund	Budget Year	Amount	Source
6073840422	40114	2022	\$40,000.00	FHWA
6073840322	40022	2022	\$10,000.00 00 0	Bond
		Total:	\$50,000.00	