



# Allegheny County Council

County of Allegheny  
436 Grant Street  
Pittsburgh, PA 15219  
Phone (412) 350-6490  
Fax (412) 350-6499

## Legislation Text

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**File #: 9819-16, Version: 1**

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An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of a non-exclusive service driveway easement under the 16<sup>th</sup> Street Bridge to the Buncher Company as part of its Riverfront Landing development to enable Buncher to have access to buildings that it will construct on its property located on both sides of the 16<sup>th</sup> Street Bridge.

**Whereas**, the County of Allegheny owns a bridge spanning the Allegheny River known as the 16<sup>th</sup> Street Bridge as well as the land beneath this bridge; and

**Whereas**, the Buncher Company is in the process of developing its property to be known as “Riverfront Landing” which is on the southerly side of the Allegheny River and is located on both sides of the 16<sup>th</sup> Street Bridge; and

**Whereas**, the Buncher Company would like to construct a driveway approximately 29’ by 60’ that will run under the 16<sup>th</sup> Street Bridge to service buildings consisting of a minimum of 50,000 square feet per building to be constructed on both sides of the 16<sup>th</sup> Street Bridge (the “Buildings”) as more particularly set forth on Exhibit “A” attached hereto; and

**Whereas**, Article IV, Section 2(k) of the Allegheny County Home Rule Charter vests County Council with the power and duty by ordinance to lease or permit the use of County real property.

***The Council of the County of Allegheny hereby enacts as follows:***

***SECTION 1.        Incorporation of the Preamble.***

The provisions set forth in the preamble to this Ordinance are incorporated by reference as set forth in their entirety herein.

***SECTION 2.        Authorization to permit the use of County Real Property.***

A. County Council does hereby authorize the granting of a non-exclusive easement to the Buncher Company for the purpose of constructing, operating and maintaining a driveway that will run underneath the 16<sup>th</sup> Street Bridge, to be used to service the Buildings (hereinafter the “Easement”) as more particularly shown as cross hatched on Exhibit “A;” and

B. County shall have the right to access, enter and occupy the Service Driveway Easement Area for the purpose of bridge inspection, maintenance, construction, repair and renovation as well as ingress and egress to the areas under the Bridge for any length of time without having any obligation to compensate Buncher, its successors and assigns.

C. The grant of the Easement authorized by this Ordinance shall be subject to such

other written terms and conditions as may be prescribed by the County Solicitor and the Department of Public Works to protect the interests of the County, effectuate the purposes of this Ordinance and insure the safety and maintenance of the 16<sup>th</sup> Street Bridge.

D. The appropriate County officers and officials are authorized to take such action as is necessary to carry out the purposes of the authorization granted herein.

***SECTION 3.     Severability.   If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance, which shall be in full force and effect.***

***SECTION 4.     Repealer.   Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.***