



150 N. Riverside Plaza, Suite 3000, Chicago, IL 60606 • (312) 819-1900

January 8, 2021

Oakland Planning and Development Corporation
235 Atwood Street
Pittsburgh, PA 15213

Re: Building Line as shown in Plan Book Volume 12, Page 184, recorded as recorded in the Recorder's Office of Allegheny County, Pennsylvania (the "Plan")

Ladies and Gentlemen:

We represented the owner in connection with their acquisition of the property located at 3500 Forbes Avenue, Pittsburgh, Pennsylvania (the "Property"), and have been asked to provide certain information regarding the above-referenced Plan and the discussions with First American Title Insurance Company ("FATIC"), the title insurer for the Property. The information provided herein is for informational purposes only, and shall not be construed as providing any legal opinions by the undersigned or Polsinelli PC.

Pursuant to correspondence with FATIC, it is the understanding and conclusion of Polsinelli PC that the purpose of the Plan as expressly set forth therein was to grant to the public and the City of Pittsburgh certain rights to the *streets, lanes, and alleys* shown on the Plan but not to grant any building or setback lines. The Plan did not reserve or grant any additional rights to the public or the City of Pittsburgh, including, without limitation, any right to enforce any building setback lines shown on the Plan. We also note that the Property does not consist of numbered lots within the Plan, and therefore it is questionable whether the purported building setback line in question was meant to affect the Property.

The Property is subject only to current setbacks pursuant to the City of Pittsburgh zoning code and the regulations applicable in the OPR-C zoning district, which setbacks are depicted in a survey of the Property prepared by Langan Engineering and Surveying as Project No. 250084601. FATIC affirmatively removed from the Property owner's title insurance policy and the mortgage lender's title insurance policy, and has agreed to remove on any future policies of title insurance which it may issue, all exceptions to title relating to or referencing the Plan because all streets, lanes, and alleys granted in the Plan have long since become public roads and the Plan provides no additional rights to third parties in the Property. FATIC has confirmed that for the sake of argument, if there were rights granted to third parties to enforce the building setback lines depicted in the Plan, such rights would not be granted to the public or the City of Pittsburgh and would instead be granted only to the private individuals or entities currently owning the numbered lots in McKee Place.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kenneth Weiner".

Kenneth Weiner

polsinelli.com

Atlanta Boston Chicago Dallas Denver Houston Kansas City Los Angeles Nashville New York Phoenix
St. Louis San Francisco Washington, D.C. Wilmington

Polsinelli PC, Polsinelli LLP in California

76042547.3



January 8, 2021
Page 2

cc: Ryan McBride
Ronald Dietrich