



## Legislation Details (With Text)

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|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------------|
| <b>File #:</b>         | 2021-1734                                                                                                                                                                                                                                                                                                                                 | <b>Version:</b>      | 1                         |
| <b>Type:</b>           | Resolution                                                                                                                                                                                                                                                                                                                                | <b>Status:</b>       | Passed Finally            |
| <b>File created:</b>   | 8/20/2021                                                                                                                                                                                                                                                                                                                                 | <b>In control:</b>   | Committee on Public Works |
| <b>On agenda:</b>      | 8/24/2021                                                                                                                                                                                                                                                                                                                                 | <b>Final action:</b> | 9/7/2021                  |
| <b>Enactment date:</b> | 9/7/2021                                                                                                                                                                                                                                                                                                                                  | <b>Enactment #:</b>  | 512                       |
| <b>Effective date:</b> | 9/9/2021                                                                                                                                                                                                                                                                                                                                  |                      |                           |
| <b>Title:</b>          | Resolution vacating a portion of California Avenue from Kirkbride Street to Kunkle Avenue, a portion of Sedgwick Street from Lamont Way to Kirkbride Street, Doll Way from Kunkle Avenue to California Avenue, and an Unnamed Alley from Doll Way to California Avenue, in the 21st Ward, 6th Council District of the City of Pittsburgh. |                      |                           |
| <b>Sponsors:</b>       |                                                                                                                                                                                                                                                                                                                                           |                      |                           |
| <b>Indexes:</b>        | VACATING A STREET                                                                                                                                                                                                                                                                                                                         |                      |                           |
| <b>Code sections:</b>  |                                                                                                                                                                                                                                                                                                                                           |                      |                           |
| <b>Attachments:</b>    | 1. 2021-1734 Cover Letter-council, 2. Summary 2021-1734                                                                                                                                                                                                                                                                                   |                      |                           |

| Date      | Ver. | Action By           | Action                    | Result |
|-----------|------|---------------------|---------------------------|--------|
| 9/9/2021  | 1    | Mayor               | Signed by the Mayor       |        |
| 9/7/2021  | 1    | City Council        | Passed Finally            | Pass   |
| 9/1/2021  | 1    | Standing Committees | Affirmatively Recommended | Pass   |
| 8/24/2021 | 1    | City Council        | Read and referred         |        |

Resolution vacating a portion of California Avenue from Kirkbride Street to Kunkle Avenue, a portion of Sedgwick Street from Lamont Way to Kirkbride Street, Doll Way from Kunkle Avenue to California Avenue, and an Unnamed Alley from Doll Way to California Avenue, in the 21<sup>st</sup> Ward, 6<sup>th</sup> Council District of the City of Pittsburgh.

WHEREAS, it appears by the petition and affidavit on file that the owners of all the property fronting or abutting on the line of this portion of California Avenue, a portion of Sedgwick Street, Doll Way and an Unnamed Alley in order to facilitate the Cal-Bride Place project.

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

**Section 1.** All that certain piece or parcel of land situate in the Twenty First Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being a portion of California Avenue as adopted by City of Pittsburgh ordinance number 178 and being more particularly bounded and described as follows:

**California Avenue:**

Beginning at the intersection of the easterly line of California Avenue and the southerly line of Kunkle Avenue and at the northwesterly corner of land now or formerly (N/F) of the City of Pittsburgh; thence along the westerly line of land N/F of the City of Pittsburgh South 12°32'15" East a distance of 44.12 feet to a point; thence along the southwesterly line of land N/F of the City of Pittsburgh and the westerly terminus of a 20 foot unnamed way By the arc of a circle curving to the right, having a radius of 1,220.00 feet, and an arc distance of

104.45 feet, subtended by a chord bearing South 55°40'30" East a distance of 104.42 feet to a point; thence along the southerly line of the 20 foot unnamed way North 77°51'45" East a distance of 23.13 feet to a point; thence along the westerly line of Doll Way, to be vacated, South 12°32'15" East a distance of 27.57 feet to a point; thence along the southerly terminus of Doll Way and land N/F of Northside Properties L & S, LLC By the arc of a circle curving to the right, having a radius of 1,220.00 feet, an arc distance of 72.87 feet, subtended by a chord bearing South 49°48'55" East a distance of 72.86 feet to a point; thence along land N/F of Northside Properties L & S, LLC, and land N/F of the City of Pittsburgh South 48°06'15" East a distance of 96.94 feet to a point; thence along the southerly line of land N/F of the City of Pittsburgh North 77°51'45" East a distance of 20.49 feet to a point; thence along the westerly line Sedgwick Street, to be vacated, South 12°32'15" East a distance of 47.22 feet to a point; thence through land of which this is a part of, the following two courses: North 48°13'17" West a distance of 154.54 feet to a point; thence By the arc of a circle curving to the left, having a radius of 1,195.36 feet, an arc distance of 281.30 feet, subtended by a chord bearing North 54°58'00" West a distance of 280.66 feet to a point; thence along the southerly line of Kunkle avenue North 77°51'45" East a distance of 63.97 feet to the point of beginning.

Containing 0.143 Acres (6,246 square feet).

**Sedgwick Street:**

All that certain piece or parcel of land situate in the Twenty First Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being a portion of Sedgwick Street, a 44 foot right of way as laid out in the W. F. Dill Plan of Lots recorded in the Allegheny County Department of Real Estate in Plan Book Volume 6 page 7 being more particularly bounded and described as follows:

Beginning at the intersection of the southerly line of Lamont Way and the easterly line of Sedgwick Street and at the northwesterly corner of land now or formerly (N/F) of the Northside Properties R & S, LLC; thence along the westerly line of land N/F of the Northside Properties R & S, LLC South 12° 32'15" East a distance of 110.00 feet to a point; thence along the southerly terminus of Sedgwick Street South 78°00'00" West a distance of 31.50 feet to a point; thence along the same North 48°13'24" West a distance of 21.43 feet to a point; thence along the easterly line of California Avenue as adopted by the City of Pittsburgh in ordinance number 178 and along the easterly line of land N/F of the City of Pittsburgh North 12°32'15" West a distance of 71.19 feet to a point; thence through land of which this a part of and along the southerly terminus of a proposed cul-de-sac the following three courses: By the arc of a circle curving to the left, having a radius of 38.00 feet, an arc distance of 36.34 feet, subtended by a chord bearing North 56°20'05" East a distance of 34.97 feet to a point; thence North 28°56'24" East a distance of 11.40 feet to a point; thence North 78°00'00" East a distance of 3.83 feet to the point of beginning.

Containing 0.094 Acres (4,108 square feet).

**Doll Way:**

All that certain piece or parcel of land situate in the Twenty First Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being designated as Doll Way, a twenty foot wide alley right of way as laid out in the W. F. Dill Plan of Lots recorded in the Allegheny County Department of Real Estate in Plan Book Volume 6 page 7 being more particularly bounded and described as follows:

Beginning at the intersection of the westerly line of Doll Way and the southerly line of Kunkle Avenue and at the northeasterly corner of land now or formerly (N/F) of the City of Pittsburgh; thence along the southerly line Kunkle Avenue North 77°51'45" East a distance of 20.00 feet to a point; thence along the westerly lines of land N/F of the City of Pittsburgh and land N/F of Northside Properties L & S, LLC

South 12°32'15" East a distance of 173.93 feet to a point; thence along the northeasterly line of California Avenue as adopted by the City of Pittsburgh ordinance number 178 By the arc of a circle curving to the left, having a radius of 1,220.00 feet, and an arc distance of 33.97 feet, subtended by a chord bearing North 50°43'43" West a distance of 33.97 feet to a point; thence along the easterly line California Avenue North 12°32'15" West a distance of 27.57 feet to a point; thence along the southerly line of a 20 foot unnamed way North 77°51'45" East a distance of 1.00 feet to a point; thence along the easterly terminus of the 20 foot unnamed way and the easterly lines of land N/F of the City of Pittsburgh North 12°32'15" West a distance of 119.82 feet to the point of beginning.

Containing 0.075 Acres (3,251 square feet).

### **Unnamed Alley:**

All that certain piece or parcel of land situate in the Twenty First Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being designated as a twenty foot unnamed right of way being more particularly bounded and described as follows:

Beginning at the intersection of the northeasterly line of California Avenue as adopted by the City of Pittsburgh ordinance number 178 and the northerly line of the unnamed way described herein and at the southwesterly corner of land now or formerly (N/F) of the City of Pittsburgh; thence along the southerly line of land N/F of the City of Pittsburgh North 77°51'45" East a distance of 41.82 feet to a point; thence along the westerly line of Doll Way, a 20 foot right of way to be vacated South 12°32'15" East a distance of 20.00 feet to a point; thence along the northerly line of California Avenue South 77°51'45" West a distance of 24.13 feet to a point; thence along the northeasterly line of California Avenue By the arc of a circle curving to the left, having a radius of 1,220.00 feet, and an arc distance of 26.79 feet, subtended by a chord bearing North 53°51'05" West a distance of 26.79 feet to the point of beginning.

Containing 0.015 Acres (658 square feet).

**Section 2.** North Side Properties R&S, LLC must provide an easement for the water and sewer lines that will remain at the following locations;

### **Doll Way**

1. PWSA indicates that there is a 6" PWSA waterline and fire hydrant within the proposed street vacation. The existing waterline and fire hydrant in the proposed vacated area must be abandoned as approved by PWSA through a private construction of public facilities permit.
2. PWSA indicates that there is a 15" PWSA combination sewer within the area of the proposed vacation. The existing sewerline from Kunkle Avenue to Unnamed Way is to be abandoned as approved by PWSA through a private construction of public facilities permit. The existing sewerline from Unnamed Way to California Avenue is to remain. The applicant must provide an easement.

### **Sedgwick Street**

1. PWSA indicates that there is a 12" PWSA waterline within the proposed street vacation. The existing waterline in the proposed vacated area must be maintained.
2. PWSA indicates that there is an 18" PWSA combination sewer within the area of the proposed vacation. The existing sewerline is to remain.

### **Unnamed Way**

1. PWSA indicates that there are two PWSA catch basins within the proposed street vacation. The applicant must relocate the catch basins as approved by PWSA through a private construction of public facilities permit.

### **California Avenue**

1. PWSA indicates that there is one PWSA catch basin within the proposed street vacation. The applicant must relocate or abandon the catch basin as approved by PWSA through a private construction of public facilities permit.

### **Section 3. PWSA Reserves the Right for a Utility Easement(s):**

*PWSA Reserves the Right for a Utility Easement(s) Be advised no fixed permanent structures (buildings, walls, fences etc.) will be permitted in the vacated right-of-way area that will impact or compromise daily operation and/or maintenance of existing or proposed new PWSA facilities. PWSA can accept conventional street/drive-way type paving (hardscape) and/or landscape areas except trees. Any hardscape or landscape will be the responsibility of the property owner to replace if damaged during repair or maintenance of PWSA facilities. If the applicant fails to seek and obtain PWSA approval for the abandonment of PWSA facilities as described in the street vacation approval, the vacation will not be valid. If the applicant fails to execute the easements required by PWSA as described in the street vacation approval, the vacation will not be valid.*

**Section 4.** This resolution, however, shall not take effect or be of any force or validity unless North Side Properties R&S, LLC, shall, within sixty (60) days after the effective date of this resolution, remit to the Treasurer, City of Pittsburgh, the sum of one (\$1.00) dollar.

**Section 5.** The City Treasurer shall transmit notice to the City Clerk and the City Solicitor upon payment as described above.