



THE CITY OF PITTSBURGH

DEPARTMENT OF FINANCE

William Peduto, Mayor

Douglas Anderson, Director of Finance / Treasurer

Memorandum

TO: Karina Ricks, Director, DOMI
FROM: Douglas Anderson, Director, Finance Department *DWA*
DATE: October 14, 2020
REF: Vacation – Portion of Bench Way 31st Ward

You requested a review for a vacation of a portion of Bench Way. The Finance Department has no objection to this vacation. This vacation will allow the adjacent property owner to consolidate their property for expansion purposes. The total area of this vacation is 5,500 square feet and is zoned R1D-L.

Since this portion of the right-of-way is presently unopened and unused for street or pedestrian purposes and the City has no intention to open this right-of-way the Finance Department, in line with Law Department policy, places no price or charge for this vacation.

Submitted by *Amanda Lopata*
Amanda Lopata, Account Technician

Approved by *Aaron Pickett*
Aaron Pickett, Real Estate Manager

cc: Amanda Lopata
Aaron Pickett

WILLIAM PEDUTO
MAYOR



KARINA RICKS
DIRECTOR

CITY OF PITTSBURGH
DEPARTMENT OF MOBILITY & INFRASTRUCTURE
CITY-COUNTY BUILDING

Memo

TO: Sarah Kinter, Director
Margaret Lanier, Director
Anthony Bilan, Assistant City
Solicitor

DEPARTMENTS: Permits, Licenses and Inspections
Finance
Law

FROM: Karina Ricks
Director

DATE: October 10, 2020

**SUBJECT: STREET VACATION
PORTION OF BENCH WAY**

We have a request for the vacation of a portion of Bench Way in the 31st Ward, 5th Council District, as shown on the attached plan. A copy of the request is also attached.

Ryan and Alexandra Noone, has requested this vacation of a portion of Bench Way (formerly Stack Alley), a 20 foot wide, presently unopened and unused right-of-way paper street, in order to consolidate their property for expansion purposes. Kindly let us know if you have objection to this request.

KR/JM

Attachments

cc: Angie Martinez
Mike Salem

APPLICATION FOR RIGHT OF WAY VACATION

City of Pittsburgh

Department of Mobility and Infrastructure

Page 1 of 2

Project Site Address	4315 BENCH WAY, HOMESTEAD PA 15120
Applicant Name or Representative	RYAN NOONE ALEXANDRA NOONE
Address	4315 BENCH WAY, HOMESTEAD PA 15120
Phone	412 983 9680
Email	RYANJOSEPHNOONE@ICLOUD.COM
Date Filed	SEPT 1 2020

Property Owner Name:	RYAN NOONE ALEXANDRA NOONE
Property Owner	RYAN NOONE ALEXANDRA NOONE
Address	4315 BENCH WAY
Phone	412 983 9680
Email	RYAN.JOSEPHNOONE@ICLOUD.COM
Survey Name and Contact	JR GALES 4128858885 ASK FOR KIM
Planning/Zoning Case Number (if applicable)	DCP-ZDR-2020-05086

Address or Location of Proposed Vacation	PAPER STREET PORTION OF BENCH WAY	
Ward No. 31ST WARD Council District 5	Zip Code	15120
Lot and Block 0131-N-00042	Name of Plan of Lots	
	EASTERN ADDITION OF NEW HOMESTEAD	
Plan Book Volume 20 Page No. 12-13		
Is the proposed vacation developed?	Y	<input type="checkbox"/> N <input checked="" type="checkbox"/>
Is the proposed vacation paved?	Y	<input type="checkbox"/> N <input checked="" type="checkbox"/>
Width of proposed vacation (prior to vacation)	20'	
Length of proposed vacation (prior to vacation)	275'	
Number of square feet/Number of linear miles requested	5,500'	

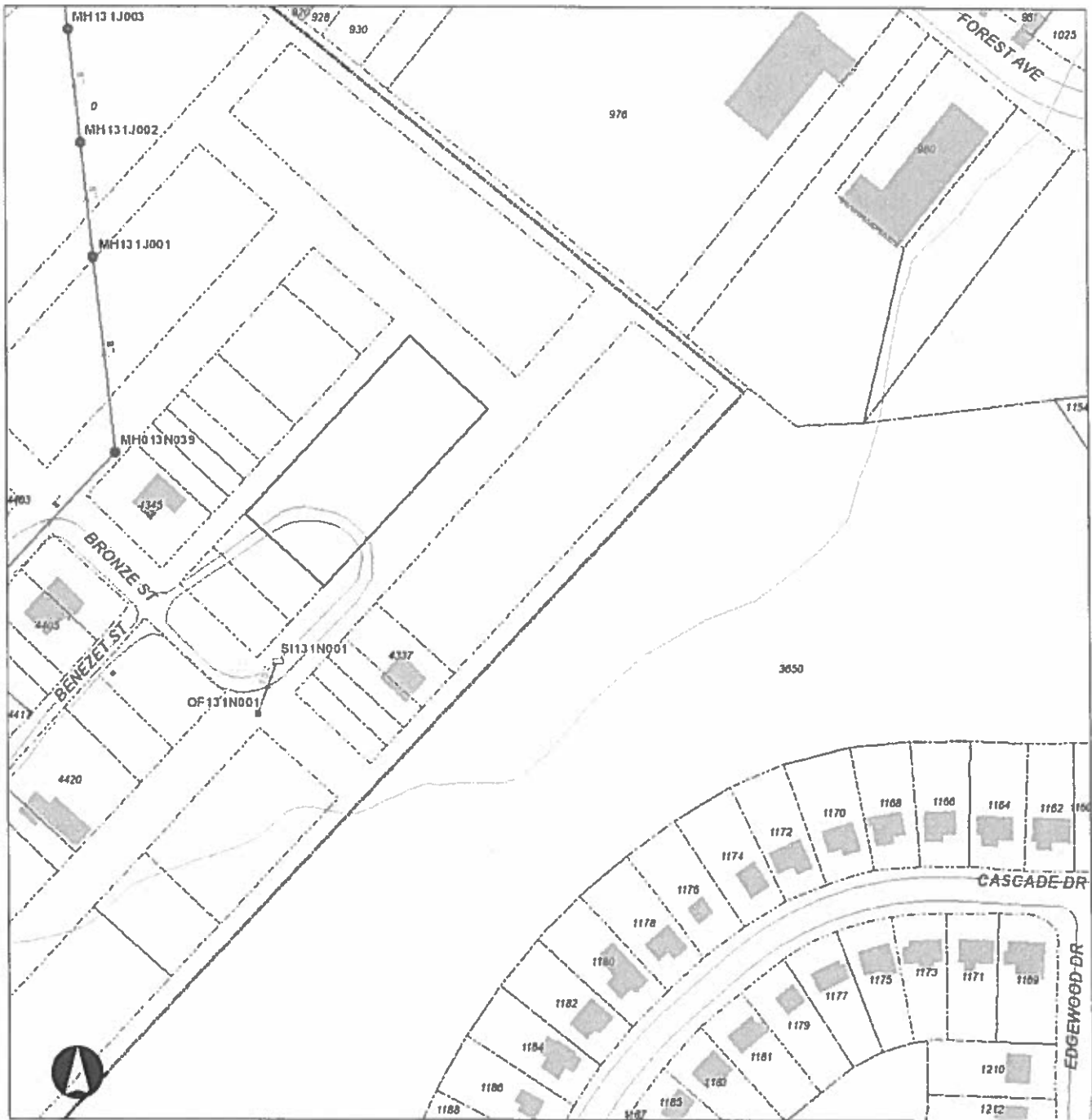
RIGHT OF WAY VACATION PACKAGE CHECKLIST *	
Letter of request with description of proposal and justification addressed to: Karina Ricks, Director of the Department of Mobility & Infrastructure 414 Grant Street, 215 B, Pittsburgh, PA 15219	
Site survey w/ property lines, parcel numbers, proposed vacation extents, and owners	
Signed petition expressing support for the vacation from property owners directly adjacent to the proposed ROW including name, contact information, parcel numbers, mailing address, telephone number, and email address. Note: letters of support from affected property owners such as those who may have impact to site access may also be requested.	
Legal Description signed and stamped by Licensed Surveyor	
Copy of all related recorded documents (Easements, Maps, Irrevocable Offer of Dedication, etc.)	
Dimensioned Site Plan which shows the use of the proposed vacation for private development (if applicable). Provide full size plot and 8.5x11 or 11x17.	
Survey of all known utilities and letters from affected utilities stating that there is no	

objection to the proposed vacation. Note: all utilities will be contacted for external referral even if they are not shown on the utility plan. For utility relocation or abandonment, DOMI may accept a letter of correspondence when the application is filed and a final letter when coordination is complete.	
Check for \$150.00 made payable to "Treasurer, City of Pittsburgh"	
Description of changes to the roadway with dimensions that demonstrate that provisions for vehicles, trucks/loading, pedestrians, cyclists, transit are maintained (if appropriate)	
Other, as requested by DOMI:	

Applicant has Read and Acknowledged the Following	
<ul style="list-style-type: none"> • The applicant should submit all materials outlined in attached checklist for the application to be deemed to complete. • The requesting property owner must be the underlying owner of the requested vacation for the application to be accepted. • When a street is fully vacated, half the reversionary rights go to the adjacent property owners on each side of the street. • If the requested street vacation requires utility easements as part of the vacation, no building of structures will be allowed over the easement area. • All vacated street areas are subject to the existing zoning requirements for the area in which they are located. • Most street vacations of unimproved or unopened streets ("paper streets") have no additional cost other than the processing fee. <ul style="list-style-type: none"> ○ The adjacent owners effectively own half of the street if it has never been opened after 21 years and are also responsible for half of the maintenance. ○ The street vacation legislation essentially validates this ownership and allows for official map changes by the County. • If a street vacation request is limited to one parcel or lot, it may be determined that it is feasible to vacate a larger portion of the street. The requester would then be responsible to have the adjacent property owners sign the petition to support the larger vacation. • When legislation is passed supporting the street vacation, DOMI sends a copy of said legislation to the Allegheny County Board of Assessment. The area of the vacated street will then be assigned an assessed value for tax purposes. 	
Applicant's Signature <i>Ryan J Noone</i> Date <small>9-1-2020</small> <i>Alexandra Noone</i>	FOR OFFICE USE ONLY Date Received _____
Print Name RYAN J NOONE ALEXANDRA NOONE	Complete or Incomplete (checkbox) C <input type="checkbox"/> I <input type="checkbox"/> Notes:

**This checklist is provided for your convenience to ensure that required materials are submitted with the application. The completion of this checklist may not constitute a full scope of submission materials or review.*

4315 Bench Way - New Sewer Line



Legend

WATER

- Meter
- Curb Box
- Water System Pump
- ⊕ Hydrant
- ⊙ System Valve
- ⊙ Dividing Pressure Valve
- Coupling
- ⊕ Tee
- ⊕ Cross
- ⊕ Reducer
- ⊕ End Cap
- ⊕ Wash Out

- ⊙ Pressure Monitoring Station
- Water Manhole
- Rising Main
- Supply Main
- Transmission Main
- Distribution Main
- Hydrant Branch
- - - Private Main
- Water Service Line

SEWER

- ⊙ Manhole
- ⊙ Junction
- Inlet

- Private Inlet
- ⊕ Outfall
- ⊕ End Cap
- ⊕ Sewer Pump Station
- Combined Sewer
- Sanitary Sewer
- Storm Sewer
- Regulated Combined Sewer
- Overflow Sewer
- Interceptor
- Sewer Force Main
- Private Sewer
- Undefined Sewer
- Green Infrastructure Underground Facilities



PGH₂O

Neither the City of Pittsburgh nor the PWSA guarantees the accuracy of any of the information hereby made available, including but not limited to information concerning the location and condition of underground structures, and neither assumes any responsibility for any conclusions or interpretations made on the basis of such information. COP and PWSA assume no responsibility for any understanding or representations made by their agents or employees unless such understanding or representations are expressly set forth in a duly authorized written document, and such document as primarily provides that responsibility therefore is assumed by the City or the PWSA.

Date: 8/11/2020

To the Council of the City of Pittsburgh

We, the undersigned, being all of the property owners in interest and number, abutting upon the line of:

Lot & Block & Address of applicant property: 0131-N-00042-0000-00 4315 BENCH WAY

(Please print)

Lot & Block & Address of abutting property: 131-N-5, 131-N-4 & 131-N-3 WHITEBUSH ST

Lot & Block & Address of abutting property: 131-J-62 WHITEBUSH ST

Lot & Block & Address of abutting property: 131-J-60 4316 BENCH WAY

Lot & Block & Address of abutting property: _____

Respectfully petition Your Honorable body for the passage of a resolution vacating or encroaching on the above listed right-of-way and in consideration of the premises, and for the purposes of inducing the corporate authorities of said City to enact a resolution for said purpose, we do hereby stipulate, covenant and agree to release and forever discharge, said City from any and all claims for damages whatsoever which we, or either of us, may, might, or could have, or claim, for any reason of the vacation or encroachment of said public highway between said terminal points: and we further agree to indemnify, save harmless and defend said City from any claims and from the payment of any damages whatsoever resulting to any property owned by us, or either of us, or by any persons whatsoever, abutting or non-abutting, for or by reason of said vacation or encroachment.

We further waive the right to ask for the appointment of Viewers to ascertain and assess any damages caused by such vacation or encroachment, and in the event of any Viewers proceeding being made necessary for or by reason of the passage of such resolution, we do hereby jointly and severally agree and bind ourselves, our heirs, executors, administrators, successors and assigns to pay or cause to be paid to the handbills and any other expense incurred in such Viewers' proceedings, and that said amount shall be forthwith paid upon the City Solicitor certifying to the City Treasurer the amount of said costs.

IN WITNESS WHEREOF, We have hereunto set our hands and seals as of the
17 Day of September, 2020.

Witness

Property Owners: (Please Sign & Print L&B)

William A. Coll RYAN J NOONE 131-N-42 Ryan J Noone Alexandra Noone (seal) ALEXANDRA NOONE

William A. Coll SUSAN M COLL 131-N-5, 131-N-4 & 131-N-3 Susan M. Coll (seal)

William A. Coll SUSAN M COLL 131-J-62 Susan M. Coll (seal)

William A. Coll BERNARD W. NOONE SR 131-J-60 Bernard W Noone Deborah L Noone (seal) DEBORAH L NOONE

Abutting 3: Signature & Lot & Block

Abutting 4: Signature & Lot & Block

(seal) Commonwealth of Pennsylvania - Notary Seal
 Bryan Ghingold, Notary Public
 Allegheny County
 My commission expires March 3, 2024
 Commission number 1298416
 Member, Pennsylvania Association of Notaries

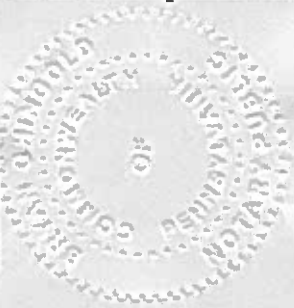
NOTARY, City of Pittsburgh

Personally came Ryan J Noone, et al who being duly sworn says that he is personally acquainted with the owners of the property fronting or abutting upon the within described highway, and that he or she knows said petition is signed by all of said owners, and that the signatures of said petition are the proper and genuine signatures of said owners.

Sworn and subscribed before me this 17 of September, 2020

Bryan Ghingold

Commonwealth of Pennsylvania - Notary Seal
 Bryan Ghingold, Notary Public
 Allegheny County
 My commission expires March 3, 2024
 Commission number 1298416
 Member, Pennsylvania Association of Notaries



A resolution vacating a portion of Bench Way (formerly Stack Alley), laid out in the Eastern Addition of New Homestead Plan of Lots, Plan Book Volume 20, Pages 12 & 13, in the 31st Ward, 5th Council District of the City of Pittsburgh.

WHEREAS, Ryan and Alexandra Noone, has requested this vacation of a portion of Bench Way (formerly Stack Alley), a 20 foot wide, presently unopened and unused right-of-way paper street, in order to consolidate their property for expansion purposes.

All that certain piece of ground being a known as Bench Way (20' wide), situate in the 31st Ward, 5th Council District, City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania. This piece of ground being further described as follows:

Beginning at a point on the southerly right of way line of Bench Way, where it intersects the westerly right of way line of Heath Street, a 40 foot right of way; thence along said southerly right of way line of Bench Way South 43° LO' 51" West (South 45° 38' 00" West - recorded plan) a distance of 275.00 feet to a point on said right of way line at the dividing line of Lots 1503 and 1504 in said plan; thence crossing said right of way of Bench Way North 46° 49' 09" East (North 44° 22' 00" East - recorded plan) a distance of 20.00 feet to a point on the northerly right of way line of Bench Way at the dividing line of Lots 1450 and 1451 in said plan; thence along said northerly right of way line of Bench Way No 1th 43° 10' 51" East (North 45° 38' 00" East - recorded plan) a distance of 275.00 feet to a point on the westerly right of way line of said Heath Street; thence along said right of way line of Heath Street South 46° 49' 09" West (South 44° 22' 00" West - recorded plan) a distance of 20.00 feet to a point at the place of beginning.

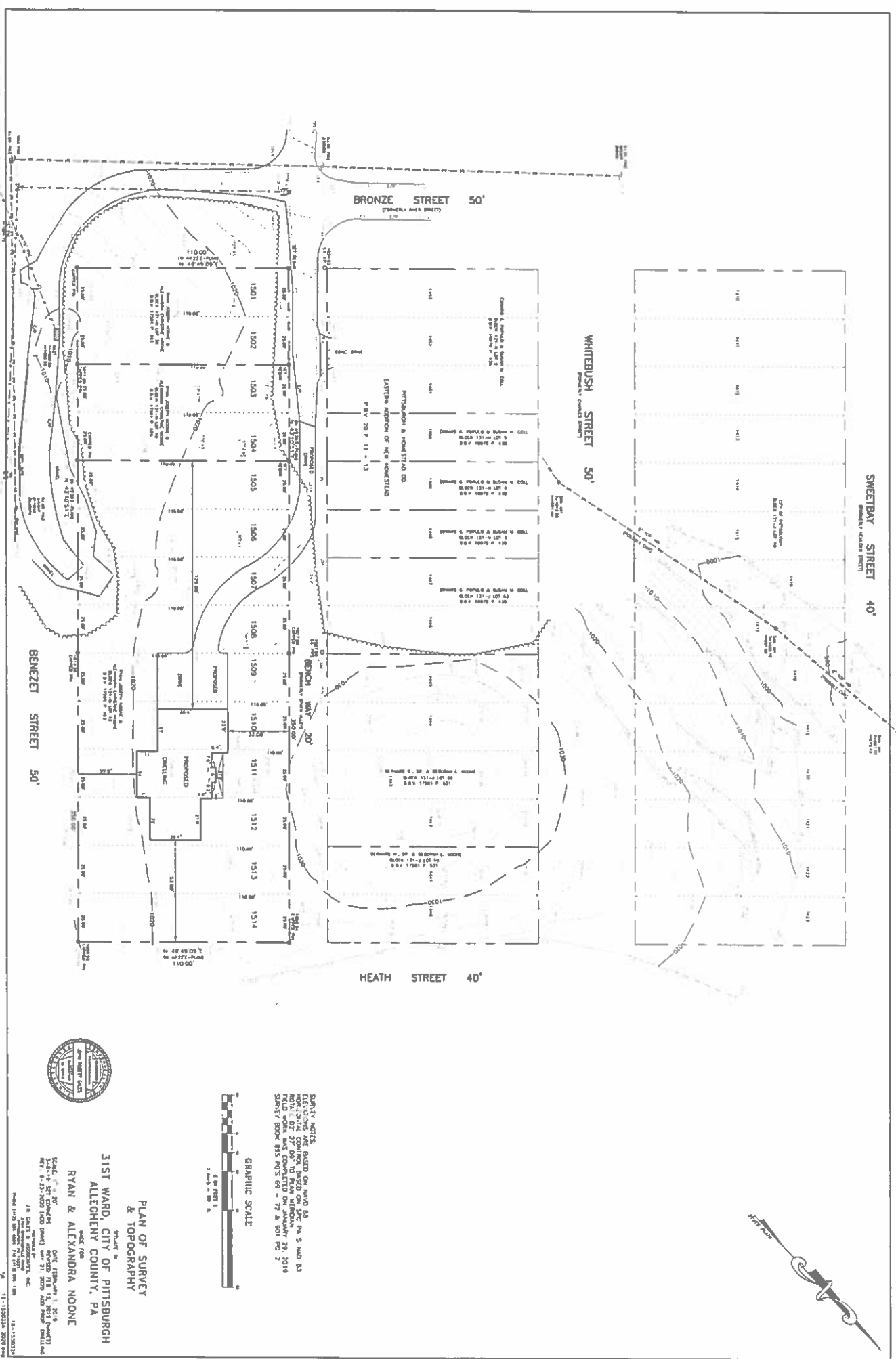
Containing an area of 5,500 square feet. or 0.12626 acres.

Director Ricks,

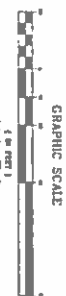
I Ryan Noone am requesting the city vacate a small portion of Bench way between Bronze St and Heath St (paper). 275ft x 20ft starting where the existing pavement ends and continuing to the end of my property line. All neighbors that abut the paper street portion of bench way are okay with my proposal. It was at the request of Angela Martinez that I Initiate this street vacation process. If you have any questions you can call or email anytime at 412 983 9680 ryanjosephnoone@icloud.com.

Kind Regards,

Ryan Noone



PLAN OF SURVEY
 31ST WARD, CITY OF PITTSBURGH
 ALLEGHENY COUNTY, PA
 RYAN & ALEXANDRA NOONE
 SURVEYORS
 1800 10TH AVENUE, SUITE 200
 PITTSBURGH, PA 15202
 SCALE: 1" = 100 FEET
 DATE: 10/15/2019
 BY: RYAN & ALEXANDRA NOONE
 FOR: [REDACTED]



GRAPHIC SCALE
 100 FEET
 30 METERS

SURVEY NOTES:
 1. ALL DIMENSIONS ARE BASED ON MONUMENTARY POINTS OF THE FIELD SURVEY.
 2. THE TOTAL AREA OF THIS SURVEY IS 1.60 ACRES.
 3. THE TOTAL AREA OF THIS SURVEY IS 1.60 ACRES.



Janice Saltzman
TEL 412.258.4669
MOBILE 412.580.9744
jsaltzman@peoples-gas.com

September 25, 2020

Department of Mobility and Infrastructure
City of Pittsburgh
215 B City-County Building
414 Grant Street
Pittsburgh, PA 15219

RE: Request to Vacate Unpaved Portion of Bench Way
31st Ward, City of Pittsburgh

Peoples Natural Gas Company (Peoples) was advised that the City of Pittsburgh is reviewing a request from Ryan Noone to vacate the "unpaved portion" and/or paper street portion of Bench Way in the 31st Ward, City of Pittsburgh, Allegheny County, Pennsylvania.

Peoples has reviewed the area in question and can confirm that Peoples does not currently own or operate any gas facilities in the section to be vacated. Mr. Noone has agreed that once the portion of Bench Street is vacated, he will grant Peoples a right of way for the line to be installed in the unpaved portion of Bench Street to serve his home once it becomes his property. Peoples has no objection to the proposed street vacation.

Sincerely,

Janice Saltzman
Land Agent

cc: Andrew Jack

9/25/2020



Janice Saltzman
TEL 412.258.4669
MOBILE 412.580.9744
jsaltzman@peoples-gas.com

September 25, 2020

Department of Mobility and Infrastructure
City of Pittsburgh
215 B City-County Building
414 Grant Street
Pittsburgh, PA 15219

RE: Request to Vacate Unpaved Portion of Bench Way
31st Ward, City of Pittsburgh

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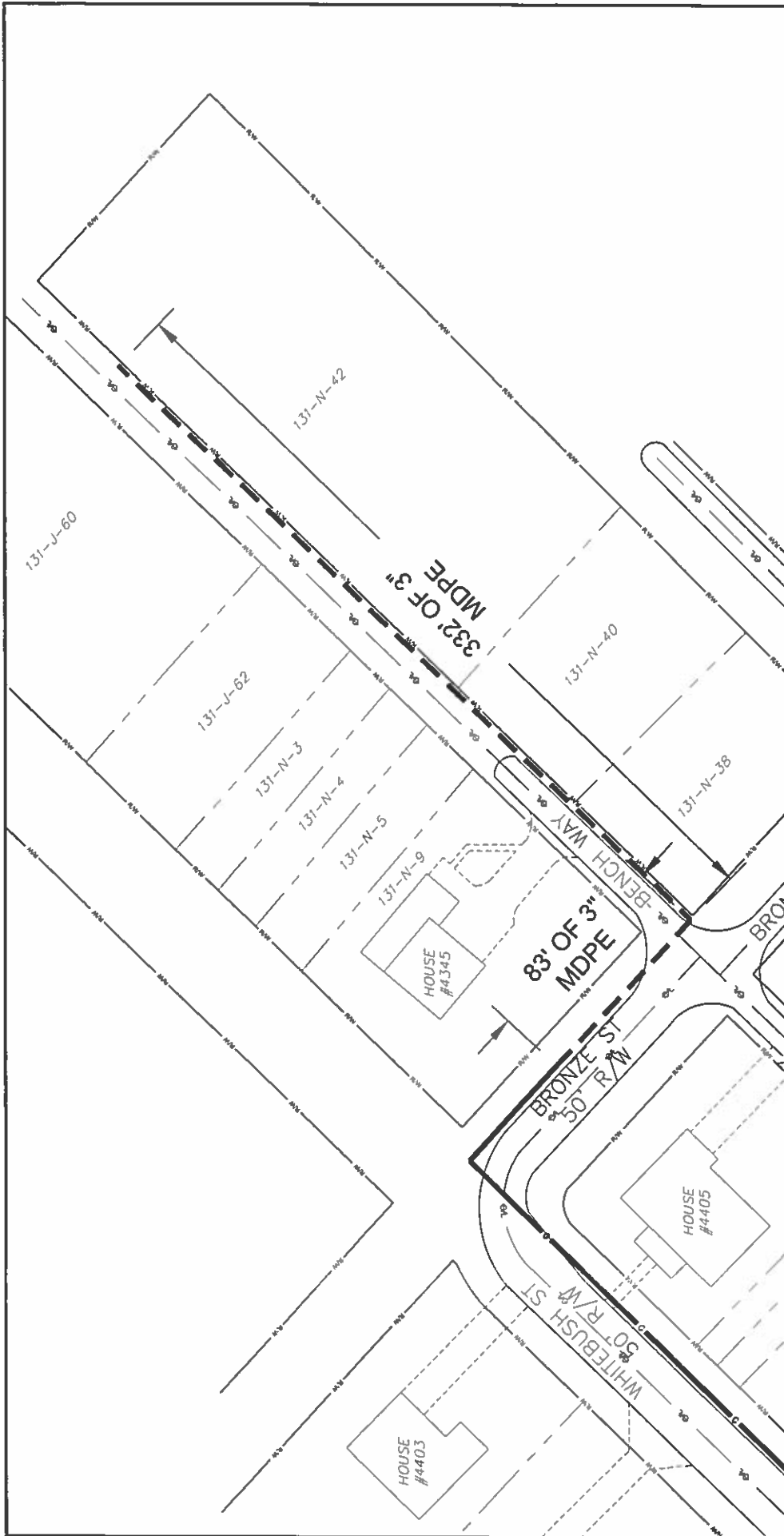
Peoples has reviewed the area in question and can confirm that Peoples does not own or operate any gas facilities in the section to be vacated. Peoples has no objection to the proposed street vacation.


Sincerely,

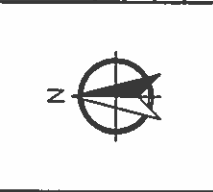
A handwritten signature in black ink that reads "Janice Saltzman".

Janice Saltzman
Land Agent

cc: Andrew Jack



 PEOPLES	SOUTHERN DIVISION	
	GAS LINE RIGHT OF WAY	
EXHIBIT A		
MUNICIPALITY: PITTSBURGH CITY	DRAWN BY: ADJ	
COUNTY: ALLEGHENY	DATE: 09/24/2020	



**LOCATION OF GAS FACILITIES
 APPROXIMATE. EXACT LOCATION
 MUST BE DETERMINED IN THE FIELD**

- KEY**
-  PEOPLES GAS LINE
 -  PROPOSED RIGHT OF WAY

SIGNED PETITION

I SUSAN COLL AM EXPRESSING SUPPORT FOR THE STREET VACATION. MORE SPECIFICALLY THE PAPER STREET AREA OF BENCH WAY WHERE THE EXISTING PAVEMENT ENDS ALL THE WAY TO HEATH ST. (PAPER STREET). I AM ALSO EXPRESSING MY SUPPORT FOR RYAN AND ALEXANDRA NOONE TO BE THE SOLE OWNER OF THE VACATED AREA 20' x 275'

SIGN Susan M. Coll

DATE Sept. 17th 2020

WITNESS William A. Coll

SUSAN COLL
4345 WHITEBUSH ST
HOMESTEAD PA 15120

Sbcoll@msn.com

131-J-62 131-N-5
 131-N-4
 131-N-3

(412) 401-1130

State of Pennsylvania
County of Allegheny

Commonwealth of Pennsylvania - Notary Seal
Bryan Ghingold, Notary Public
Allegheny County
My commission expires March 3, 2024
Commission number 1298416
Member, Pennsylvania Association of Notaries



on 17 September 2020, I Bryan Ghingold, notary public, witnessed the signature of Susan M. Coll. Hereto I set forth my hand and official seal.

Bryan Ghingold
Notary Public

SIGNED PETITION

I BERNARD W NOONE SR AND DEBORAH L NOONE ARE EXPRESSING SUPPORT FOR THE STREET VACATION. MORE SPECIFICALLY THE PAPER STREET AREA OF BENCH WAY WHERE THE EXISTING PAVEMENT ENDS ALL THE WAY TO HEATH ST. (PAPER STREET). I AM ALSO EXPRESSING MY SUPPORT FOR RYAN AND ALEXANDRA NOONE TO BE THE SOLE OWNER OF THE VACATED AREA 20' x 275'

SIGN Bernard W. Noone Deborah L Noone

DATE Sept 17 2020

WITNESS William A. Coll

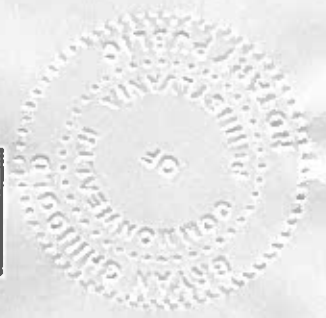
**BERNARD W NOONE &
DEBORAH L NOONE
400 MARY ST
PITTSBURGH PA 15227
131-J-60**

(412) 337-2766

DeborahLNoone@icloud.com

State of Pennsylvania
County of Allegheny

Commonwealth of Pennsylvania - Notary Seal
Bryan Ghingold, Notary Public
Allegheny County
My commission expires March 3, 2024
Commission number 1298418
Member, Pennsylvania Association of Notaries



on 17 September 2020, I Bryan Ghingold, notary public, witnessed the signatures of Bernard W. Noone + Deborah L noone. Hereto I set forth my hand and official seal:

Bryan Ghingold
Notary Public

LEGAL DESCRIPTION OF A PORTION OF BENCH WAY TO BE VACATED

September 9, 2020
18-155032 BENCH WAY

ALL THAT CERTAIN tract of ground situate in the 31st Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being a portion of Bench Way, a 20 foot right of way, as shown on the Pittsburgh and Homestead Eastern Addition of New Homestead as recorded in Plan Book Volume 20, Pages 12 and 13, inclusive, to be vacated, being more particularly described to wit:

Beginning at a point on the southerly right of way line of Bench Way, where it intersects the westerly right of way line of Heath Street, a 40 foot right of way; thence along said southerly right of way line of Bench Way South 43° 10' 51" West (South 45° 38' 00" West – recorded plan) a distance of 275.00 feet to a point on said right of way line at the dividing line of Lots 1503 and 1504 in said plan; thence crossing said right of way of Bench Way North 46° 49' 09" East (North 44° 22' 00" East – recorded plan) a distance of 20.00 feet to a point on the northerly right of way line of Bench Way at the dividing line of Lots 1450 and 1451 in said plan; thence along said northerly right of way line of Bench Way North 43° 10' 51" East (North 45° 38' 00" East – recorded plan) a distance of 275.00 feet to a point on the westerly right of way line of said Heath Street; thence along said right of way line of Heath Street South 46° 49' 09" West (South 44° 22' 00" West – recorded plan) a distance of 20.00 feet to a point at the place of beginning.

Containing an area of 5, 500 s. f. or 0.12626 acres.

