

7.06

City of Pittsburgh



Pennsylvania

DEPARTMENT OF PUBLIC WORKS

Louis R. Gaetano
Director

BUREAUS

ENGINEERING
OPERATIONS
CABLE COMMUNICATIONS

March 2, 1984

PRESIDENT AND MEMBERS OF COUNCIL
COUNCIL
CITY OF PITTSBURGH

RE: Vacation of a Portion of
Summerlea Street

Dear Members of Council:

Attached is a proposed Resolution granting unto the Port Authority of Allegheny County, its successors and assigns, a vacation in a portion of Summerlea Street in the 7th Ward, City of Pittsburgh, from the Southerly right of way property line of the Port Authority's East Busway for a distance therefrom of 48.27 feet in a Southerly direction.

This request for the vacation was made by the Port Authority to better control their right of way.

Attached is a check for \$75.00 made payable to the Treasurer, City of Pittsburgh, to cover the cost of advertising this proposed Resolution.

Your approval of this proposed Resolution is hereby recommended.

Very truly yours,

Louis R. Gaetano
Director
Department of Public Works

dsk

Attachment

File No. 300

Bill No. 477

No. 318 Vol. 118 Page 409

RESOLUTION

Vacating a portion of Summerlea Street in the 7th Ward, City of Pittsburgh, from the Southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 48.27 feet in a Southerly direction.

In Council, March 26, 1984, referred

to Committee on PUBLIC WORKS.

Richard Ross
Clerk.

In Committee on PUBLIC WORKS.

APR 4 1984, ordered to

be returned to Council with an affirmative recommendation.

Richard Ross
Clerk.

In Council, APR. 9, 1984

Bill read, and finally passed.

Richard Ross
Clerk

Presented by MR. GIVENS

Drawn By

At Request of

App'd

J. Singer
Director Dept. of Public Works

To the Council of the City of Pittsburgh

GENTLEMEN:

We, the undersigned, being all of the property owners in interest and number abutting upon the line of Summerlea Street in the 7th Ward, City of Pittsburgh, from the southerly right-of-way property line of Pittsburgh, from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance of 48.27 feet therefrom in a southerly direction.

respectfully petition Your Honorable Body for the passage of a resolution vacating the above named public highway between the above mentioned points; 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 or by reason of the vacation 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.

We further waive the right to ask for the appointment of Viewers to ascertain and assess any damages caused by such vacation, and in the event of any Viewers' proceedings 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 Treasurer of said City all the costs and expenses incurred therein, to wit: The costs in court, the cost of advertising, hand-bills, and any other expenses 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 24th day of October, A.D. 1983

WITNESSES:

PORT AUTHORITY OF ALLEGHENY COUNTY

Mary Ann Getelove

William M. Miller (SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

City of Pittsburgh, ss:

William D. Bricker Port Authority

Personally came *Henry C. Keating* *Alfred J. Keating* 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 is one of the owners thereon, and that he 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 24th

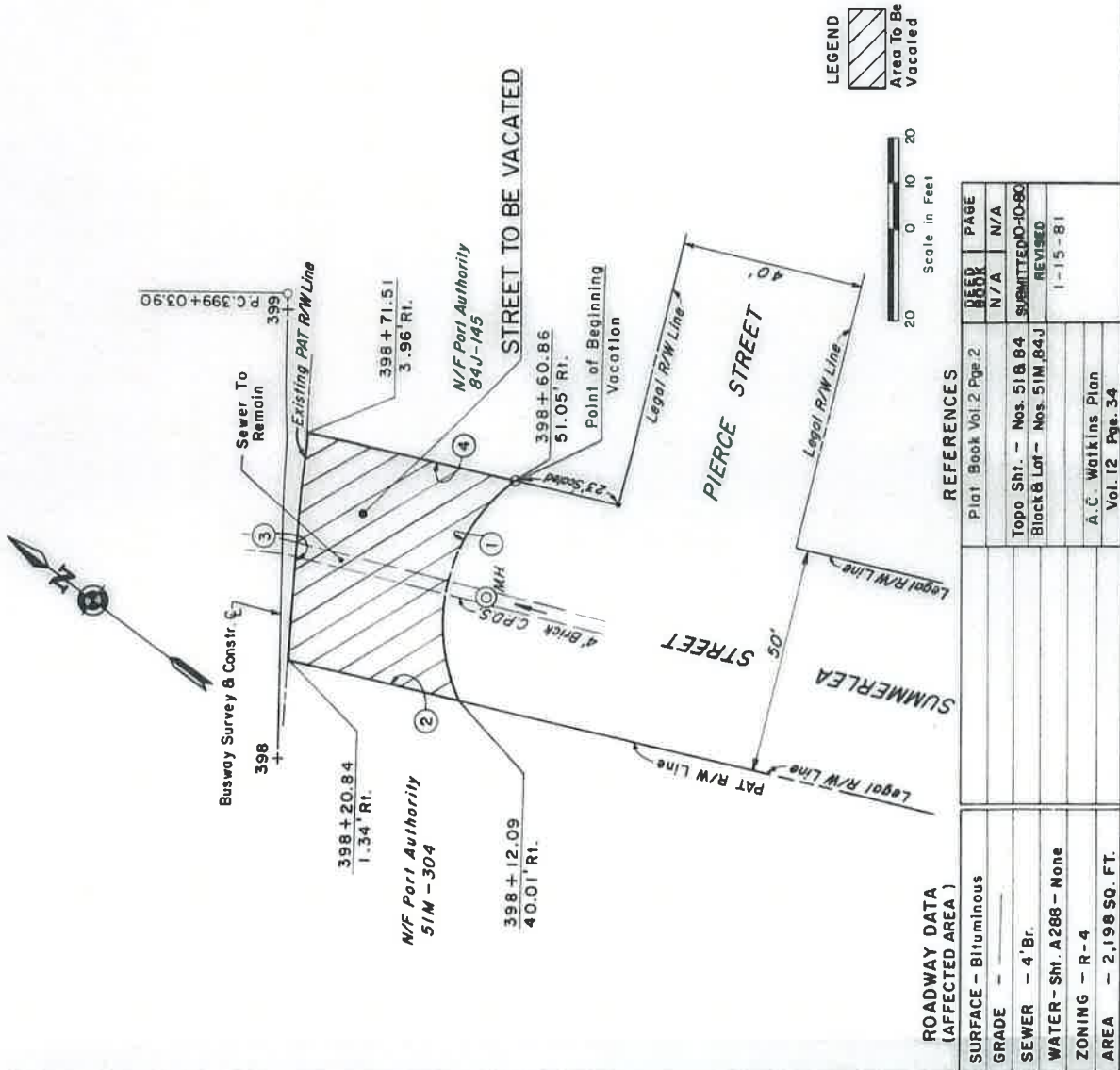
day of October, 19 83.

Anna Spivey : 2-17-86

William D. Bricker
Alfred J. Keating

**SUMMERLEA STREET
VACATED AREA**

- ① R=40.00' Arc=54.01'
Chord=S67°03'45"W 50.00'
- ② N 22° 56' 15" W 39.65'
R=2,739.40' Arc=50.74'
Chord=N67°03'45"E 50.74'
- ③ S 22° 56' 15" E 48.27'
Area = 2,198 Sq. Ft.



LEGEND
 Area To Be Vacated

FOR REFERENCE: See Port Authority of Allegheny County Contract EB-8 Plan Sheet 40. 7th WARD	
DESIGNED: R. J. S.	THE NORTH ARROW AND BEARINGS ARE BASED ON USGS CO-ORDINATE SYSTEM.
DRAWN: D. M. T.	
CHECKED: R. J. S.	
APPROVED: P. J. B.	PORT AUTHORITY OF ALLEGHENY COUNTY PITTSBURGH PENNSYLVANIA
DATE: 10-10-80	EAST BUSWAY
SCALE: As Shown	SUMMERLEA STREET PARTIAL VACATION
	MICHAEL BAKER, JR., INC. BEAVER, PENNSYLVANIA CONSULTING ENGINEERS

**ROADWAY DATA
(AFFECTED AREA)**

SURFACE - Bituminous	DEEP	PAGE
GRADE -	N/A	N/A
SEWER - 4" Br.	TOPO Sht. - Nos. 51B, 84	SUBMITTED 10-10-80
WATER - Sht. A288 - None	Block & Lot - Nos. 51M, 84J	REVISED 1-15-81
ZONING - R-4	A.C. Watkins Plan	
AREA - 2,198 SQ. FT.	Vol. 12 Page. 34	

REFERENCES

Plat Book Vol. 2 Page 2	DEEP	PAGE
	N/A	N/A
Topo Sht. - Nos. 51B, 84	SUBMITTED 10-10-80	
Block & Lot - Nos. 51M, 84J	REVISED	1-15-81
A.C. Watkins Plan		
Vol. 12 Page. 34		

RESOLUTION

Vacating a portion of Summerlea Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 48.27 feet in a southerly direction.

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

Section 1.

WHEREAS, it appeared by the petition and affidavit filed by the Port Authority of Allegheny County in the office of the City Clerk, that the owners of all the property fronting or abutting on the line of Summerlea Street between the above-mentioned terminals in the 7th Ward of the City of Pittsburgh, have petitioned the Council of the City of Pittsburgh to enact a Resolution for the vacation of same; and

WHEREAS, such petition contains, inter alia, an indemnification of the City of Pittsburgh from any claims and from the payment of any damages whatsoever resulting to any properties owned by petitioners or by any persons whatsoever, abutting or non-abutting for or by reason of said vacation.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PITTSBURGH AS FOLLOWS:

Section No.1

That a portion of Summerlea Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 48.27 feet in a southerly direction shall be and the same is hereby vacated.

SECTION 2 Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

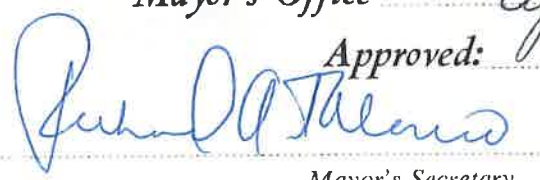
Enacted in Council, this 9th day of April A.D. 1984


President of Council.

Attest: 
Clerk of Council.

Mayor's Office April 17, 19 84

Approved: 
Mayor

Attest: 
Mayor's Secretary.

Recorded in Resolution Book, Vol. 119 Page 409, 17th day of April 19 84

EFFECTIVE DATE APR 24 1984