



Legislation Details (With Text)

**File #:** 2004-0896      **Version:** 1

**Type:** Resolution      **Status:** Passed Finally

**File created:** 12/7/2004      **In control:** Committee on Public Works & Environmental Services

**On agenda:**      **Final action:** 12/14/2004

**Enactment date:** 12/14/2004      **Enactment #:** 614

**Effective date:** 12/15/2004

**Title:** Resolution vacating Ellsworth Avenue at S.Highland Avenue in the 7th Ward, 8th Council District, of the City of Pittsburgh.

**Sponsors:**

**Indexes:** VACATING A STREET

**Code sections:**

**Attachments:** 1. 301.doc

Date	Ver.	Action By	Action	Result
12/17/2004	1	Mayor	Signed by the Mayor	
12/14/2004	1	City Council	Passed Finally	Pass
12/8/2004	1	Committee on Public Works & Environmental Services	AFFIRMATIVELY RECOMMENDED	Pass
12/7/2004	1	City Council	Read and referred	
12/7/2004	1	City Council	Waived under Rule 8	Pass

Presented by Mr. Ravenstahl

Resolution vacating Ellsworth Avenue at S.Highland Avenue in the 7<sup>th</sup> Ward, 8<sup>th</sup> Council District, of the City of Pittsburgh.

WHEREAS, it appears by the petition and affidavit on file in the Office of the City Clerk that the owners of all the property fronting or abutting on the line of Ellsworth Avenue in the 7<sup>th</sup> Ward, 8<sup>th</sup> Council District 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, said petition contains inter-alia, an indemnification of the city from any claims and from the payment of any damages whatsoever resulting to any properties owned by the petitioners or by any persons whatsoever, abutting or non-abutting, for or by reason of said vacation; therefore

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

**Section 1.** Part of the original section of Ellsworth Avenue to be vacated.

Parcel 1

Beginning at a point on the southerly side of relocated Ellsworth Avenue, said point being located South 70

degrees 33 minutes West, a distance of 411.83 feet from the intersection of the southerly line of the relocated Ellsworth Avenue and the westerly line of South Highland Avenue; thence along the southerly line of the original Ellsworth Avenue, South 52 degrees 05 minutes West a distance of 1.62 feet to a point on the reputed northerly line of property now or formerly of Norfolk Southern Railroad; thence along reputed northerly line of property now or formerly of Norfolk Southern Railroad, South 74 degrees 16 minutes West a distance of 132.00 to a point on the northerly line of Ellsworth Avenue; thence along the northerly line of the original Ellsworth Avenue, North 52 degrees 05 minutes East a distance of 131.89 feet to a point at the intersection of the relocated Ellsworth Avenue and the original Ellsworth Avenue, thence along the dividing line between relocated Ellsworth Avenue and original Ellsworth Avenue, South 28 degrees 45 minutes East a distance of 50.48 feet to the place of beginning.

Relocated Ellsworth Avenue to be vacated

Parcel 2

Beginning at a point said point being the intersection of the southerly line of Ellsworth Avenue relocated and the westerly line of South Highland Avenue; thence from said point of beginning, along the southerly line of Ellsworth Avenue relocated, South 70 degrees 33 minutes West a distance of 411.83 feet to a point on the dividing line between the relocated Ellsworth Avenue and the original Ellsworth Avenue; North 28 degrees 45 minutes West a distance of 50.48 feet to a point on the northerly side of Ellsworth Avenue; thence along the northerly line of Ellsworth Avenue relocated, North 70 degrees 33 minutes East a distance of 422.02 feet to a point of tangency; Thence by the arc of a circle curving to the left, having a radius of 28.52 feet for an arc length of 29.95 feet to the intersection of the northerly line of Ellsworth Avenue relocated and the westerly line of South Highland Avenue; thence along the easterly terminus of Ellsworth Avenue relocated, being the westerly line of South Highland Avenue, 03 Degrees 12 minutes West a distance of 69.52 feet to a point at the place of beginning.

And also abandoning the existing 6" waterline and fire hydrant as per PWSA's current regulations and specifications as directed located therein, in the 7<sup>th</sup> Ward, 8<sup>th</sup> Council District of the City of Pittsburgh as described above shall be and the same is hereby vacated.

**Section 2.** This resolution, however, shall not take effect or be of any force or validity unless owners of all the property fronting or abutting Ellsworth Avenue as vacated by this resolution, shall, within sixty days after the effective date of this resolution, pay into the Treasury of the City of Pittsburgh the sum of \$5, 500.00.