



Legislation Details (With Text)

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File created: 4/28/2023 **In control:** Committee on Public Works and Infrastructure
On agenda: 5/2/2023 **Final action:** 5/9/2023
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Effective date: 5/13/2023

Title: Resolution vacating unused paper portions of Whitebush St and Heath St, 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.

Sponsors:

Indexes: VACATING A STREET

Code sections:

Attachments: 1. 2023-1474 Cover Letter Council Letter - 4316 Bench Way, 2. 2023-1474 4316 Bench Way app, 3. Summary 2023-1474

Date	Ver.	Action By	Action	Result
5/13/2023	1	Mayor	Signed by the Mayor	
5/9/2023	1	City Council	Passed Finally	Pass
5/3/2023	1	Standing Committees	Affirmatively Recommended	Pass
5/2/2023	1	City Council	Waived under Rule 8	Pass
5/2/2023	1	City Council	Read and referred	

Resolution vacating unused paper portions of Whitebush St and Heath St, 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, Bernard & Deborah Noone, has requested this vacation of portions of Whitebush St and Heath St, presently unopened and unused right-of-way paper street, in order to consolidate their property for expansion purposes.

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

Section 1. ALL THAT CERTAIN TRACT of ground situate in the 31st Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being the easterly portion of **Whitebush Street**, a 50 right of way, as shown on the Pittsburgh & Homestead Company Eastern Addition of New Homestead as recorded in P.B.V. 20, Paged 112 and 13, being more particularly described to wit:

Beginning at a point on the northerly right of way line of said Whitebush Street at the dividing line of Lots 1417 and 1418 in said plan; thence along said right of way line; North 43° 10' 51" East a distance of 150.00 feet to a point on the westerly right of way line of Heath Street, a 40 foot right of way; thence along said right of way line of Heath Street South 46° 49' 09" East a distance of 50.00 feet to a point on the southerly right of way

line of Whitebush Street; thence along said right of way line of Whitebush Street South 43° 10' 51" West a distance of 150.00 to a point on said right of way line at the dividing line of Lot 1446 in said plan and Lot 1 in the Bernard & Deborah Noone Consolidation Plan as recorded in P.B.V. 304, Page 174; thence by a line through said right of way of Whitebush Street N 46° 49' 09" West a distance of 50.00 feet to a point at the place of beginning.

Containing an area of 7,500 s.f. or 0.17218 acres.

ALL THAT CERTAIN TRACT of ground situate in the 31ST Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being the southerly portion of **Heath Street**, a 40 foot right of way, as shown on the Pittsburgh & Homestead Company Eastern Addition of New Homestead as recorded in P.B.V. 20, Pages 12 and 13, being more particularly described to wit;

Beginning at a point on the westerly right of way line of Heath Street where it intersects the northerly right of way line of Whitebush Street, a 50 foot right of way; thence by a line through said Heath Street North 43° 10' 51" East a distance of 40.00 feet to a point on the easterly right of way line of said Heath Street; thence along said easterly right of way line South 46° 49' 09" East a distance of 170.00 feet to a point, said point being the centerline of Bench Way, a 20 foot right of way, extended; thence by a line through said Heath Street South 43° 10' 51" West a distance of 40.00 feet to a point on the aforesaid westerly right of line of Heath Street at the centerline of Bench Way; thence along said westerly right of way line of Heath Street North 46° 49' 09" West a distance of 170.00 feet to a point at the place of beginning.

Containing an area of 6,800 s. f. or 0.15160 acres.

Section 2. 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.

Section 3. 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.

Section 4. Bernard & Deborah Noone shall, within (120) days after the effective date of this resolution, must record this vacation with the Allegheny County Department of Real Estate.