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Title: Resolution vacating portions of a Colwell Street, Congress Street, Elm Street and Our Way in the 3rd Ward, 6th Council District, of the City of Pittsburgh.

Sponsors:

Indexes: VACATING A STREET

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Date	Ver.	Action By	Action	Result
6/19/2008	1	Mayor	Signed by the Mayor	
6/17/2008	1	City Council	Passed Finally	Pass
6/11/2008	1	Committee on Public Works	AFFIRMATIVELY RECOMMENDED	Pass
6/3/2008	1	City Council	Read and referred	

Presented by Mrs. Harris

Resolution vacating portions of a Colwell Street, Congress Street, Elm Street and Our Way in the 3rd Ward, 6th 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 Colwell Street, Congress Street, Elm Street and Our Way in the 3rd Ward, 6th 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 and 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. That vacating portions of Colwell Street, Congress Street, Elm Street and Our Way:

COLWELL STREET:

All that certain lot or parcel of land situate in the 3rd Ward, City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Beginning a point on the easterly right of way line of Washington Place, on the southerly right of way line of Colwell Street, 60' wide; thence along the easterly right of way line of Washington Place, the following two (2) courses and distances, viz: by an arc of a circle deflecting to the left in a northwestwardly direction, having a radius of 411.00', an arc distance of 57.36' (chord bearing and distance, North 17° 05' 02" West, 57.31) to a point; thence North 21° 04' 54" West, 30.74' to a point on the northerly right of way line of Colwell Street, 60' wide; thence along the northerly right of way line of Colwell Street, 60' wide, the following four(4) courses and distances, viz: by an arc of a circle deflecting to the left in a southeastwardly direction, having a radius of 15.00', an arc distance of 23.56' (chord bearing and distance, South 66° 04' 54" East, 21.21') to a point; thence North 68° 55' 06" East, 52.54' to a point; thence by an arc of a circle deflecting to the right in a northeastwardly direction, having a radius of 240.00', an arc distance of 101.78' (chord bearing and distance, North 81° 04' 02' East, 101.02') to a point; thence South 86° 47' 02" East, 544.92' to a point: thence through Colwell Street, 60' wide and Magee Street, 64' wide, South 03° 12' 58" West, 66.00' to a point on the westerly right of way line of Magee Street, 64' wide; thence along the westerly right of way line of Magee Street, 64' wide, by an arc of a circle deflecting to the left in a northwestwardly direction, having a radius of 6.00', an arc distance of 9.42' (chord bearing and distance, North 41° 47' 02' West, 8.49') to a point on the southerly right of way line of Colwell Street, 60' wide; thence along the southerly right of way line of Colwell Street, 60' wide, the following four(4) courses and distances, viz: North 86° 47' 02" West, 538.92' to a point; thence by an arc of a circle deflecting to the left in a southwestwardly direction, having a radius of 180.00', an arc distance of 76.33' (chord bearing and distance, South 81° 04' 02" West, 75.76') to a point; thence south 68° 55' 06' West, 56.58' to a point; thence by an arc of a circle deflecting to the left in a southwestwardly direction, having a radius of 15.00", an arc distance of 21.47' (chord bearing and distance, South 27° 54' 58" West, 19.68') to the place of beginning.

Contains 42,217.91 Sq. Ft. or 0.969 Acres

CONGRESS STREET:

All that certain lot or parcel of land situate in the 3rd Ward, City of Pittsburgh, County of Allegheny, commonwealth of Pennsylvania, more particularly bounded and described as follows:

Beginning at a point on the northerly right of way line of Fifth Avenue, on the westerly right of way line of Congress Street; thence along the westerly right of way line of Congress Street, North 25° 52' 07" West, 160.50' to a point on the northerly right of way line of Congress Street; thence along the northerly right of way line of Congress Street, North 64° 07' 53" East, 40.05' to a point on the easterly right of way line of Congress Street; thence along the easterly right of way line of Congress Street, South 25° 52' 07" East, 182.77' to a point on the northerly right of way line of Fifth Avenue; thence along the northerly right of way line of Fifth Avenue, North 86° 47' 02 " West, 45.83' to the place of beginning.

Contains 6873.98 Sq. Ft. or 0.158 Acres

ELM STREET (PART 1):

All that certain lot or parcel of land situate in the 3rd Ward, City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Beginning at a point on the westerly right of way line of Elm Street, 27' wide, on the southerly right of way line of Colwell Street, 60' wide; thence along the southerly right of way line of Colwell Street, 60' wide, South 86° 47' 02" East, 59.62' to a point on the easterly right of way line of Elm Street, 27' wide; thence along the easterly right of way line of Elm Street, 27' wide, the following two (2) courses and distance, viz: by an arc of a circle deflecting to the left in a southwesterly direction, having a radius of 10.00" an arc distance of 20.77' (chord bearing and distance, South 33° 43' 34" West, 17.23') to a point; thence South 25° 45' 49" East, 129.36' to a point on the southerly right of way line of Our Way, 28' wide; thence along the southerly right of way line of

Our way, 28' wide, North 86° 47' 02" West, 30.87' to a point on the westerly right of way line of Elm Street, 27' wide; thence along the westerly right of way line of Elm Street, 27' wide, the following two (2) courses and distances, viz: North 25° 45' 49" West, 134.55' to a point; thence by arc of a circle deflecting to the left in a northwestwardly direction, having a radius of 20.00', an arc distance of 21.30' (chord bearing and distance, North 56° 16' 25" West, 20.31') to the place of beginning.

Contains 4,039.55 Sq. Ft. or 0.093 Acres

ELM STREET (PART 2)

All that certain lot or parcel of land situate in the 3rd Ward, City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Beginning at a point on the northerly right of way line of Fifth Avenue, on the westerly line of Elm Street, said point being the southeast corner property now or formerly Laborers' Combined Funds of Western PA; thence along the westerly line of Elm Street, said line being the easterly line of property now or formerly Laborers' Combined Funds of Western PA, North 25° 45' 49" West, 101.69" to a point on the southerly right of way line of Our Way, 28' wide; thence along the southerly right of way line of Our Way, 28' wide South 86° 47' 02" East, 27.37' to a point on the easterly line of Elm Street, said point being the northwest corner of property now or formerly Peter J. Teris; thence along the easterly line of Elm Street, said line being the westerly line of property now or formerly Peter J. Teris, South 25° 02' 02" East, 100.98' to a point on the northerly right of way line of Fifth Avenue; thence along the northerly right of way line of Fifth Avenue, North 86° 47' 02" West, 25.90' to the place of beginning.

Contains 2,369.19 Sq. Ft. or 0.054 Acres

OUR WAY

All that certain lot or parcel of land situate in the 3rd Ward, City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Beginning at a point on the southerly right of way line of Our Way, 28' wide, on the easterly right of way line of Elm Street, 27' wide; thence along the easterly right of way line of Elm Street, 27' wide, North 25° 45' 49" West, 60.88' to a point on the northerly right of way line of Our Way, 28' wide; thence along the northerly right of way line of Our Way 28' wide, the following two(2) courses and distances, viz: by an arc of a circle deflecting to the left in a southeastwardly direction, having a radius of 49.00', an arc distance of 52.19' (chord bearing and distance South 56° 16' 25" East, 49.75') to a point; thence South 86° 47' 02" East, 66.65' to a point; thence through Our Way, 28' wide, South 03° 12' 58" West, 28.00' to a point on the southerly right of way line of Our Way, 28' wide, at the northwest corner of property now or formerly Dosco, Inc.; thence along the southerly right of way line of Our Way, 28' wide, North 86° 47' 02" West, 80.01' to a point to the place of beginning.

Contains 2,593.78 Sq. Ft. or 0.060 Acres

Section 2:

1. The Water Index Plat 002G indicates that there is an existing 8" waterline in Elm Street and an existing 6⁷/₈" waterline in Congress Street. There also in an existing 12" waterline in Colwell Street with an existing 6⁷/₈" connecting waterline through private property to the 12" waterline in Center Avenue.
2. The Sewer Index Plat 002.1 indicated that there is an existing 24" combination sewerline located in

Colwell Street and an existing 18" combination sewerline located in Our Way.

All of the above mentioned facilities and appurtenances can be abandoned and/or relocated provided that the Sports and Exhibition Authority (SEA) terminates reconstructs and/or relocates said PWSA public infrastructure by filing approved construction plans, tap termination plans, tap-in plans and agreements.

In the 3rd Ward, 6th Council District of the city of Pittsburgh as described above, per Exhibit A, shall be and the same is hereby vacated.