



Legislation Details (With Text)

File #: 2015-1891 **Version:** 1
Type: Resolution **Status:** Died due to expiration of legislative council session
File created: 7/20/2015 **In control:** Standing Committees
On agenda: 7/29/2015 **Final action:** 12/31/2015
Enactment date: **Enactment #:**

Effective date:

Title: Resolution authorizing the City of Pittsburgh to accept a 40-by-97.46-foot portion of Coyne Terrace dedicated in the John J. Coyne Plan of lots as a permanent walkway and a 10 feet by 90.53 feet of an Unnamed Way also in said Plan as a permanent Way.

Sponsors: Corey O'Connor

Indexes: RIGHT OF WAY

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/15/2015	1	Committee on Hearings	Public Hearing Held	
7/29/2015	1	Standing Committees	Held for Cablecast Public Hearing	Pass
7/22/2015	1	Standing Committees	Held in Committee	Pass
7/21/2015	1	City Council	Read and referred	
7/21/2015	1	City Council	Waived under Rule 8	Pass

Resolution authorizing the City of Pittsburgh to accept a 40-by-97.46-foot portion of Coyne Terrace dedicated in the John J. Coyne Plan of lots as a permanent walkway and a 10 feet by 90.53 feet of an Unnamed Way also in said Plan as a permanent Way.

WHEREAS, Coyne Terrace, 40 feet wide, is a dedicated right-of-way in the John J. Coyne Plan of Lots recorded in Plan Book Volume 34, page, 110 June 11th, 1930. This right-of-way extended from Winterburn Avenue to Lydia Street in the Greenfield neighborhood of the City of Pittsburgh; and

WHEREAS, the City of Pittsburgh, by Ordinance No. 334, approved August 23, 1948, accepted the opening of part of Coyne Terrace from a distance of 97.46 feet from Winterburn Avenue to Lydia Street at the request of property owners for access frontage to their 25 parcels of land with houses; and

WHEREAS, the remaining 97.46 feet of Coyne Terrace to Winterburn Avenue was not opened as a paved right-of-way due topographic differences that required a set of steps and walkway to grant the Coyne Terrace residents with pedestrian access to Winterburn Avenue; and

WHEREAS, subsequently, with a need for access requested, a set of 18 steps, 15 feet wide, was constructed on the Winterburn Avenue connection with Coyne Terrace with a walkway to the paved portion of Coyne Terrace to accommodate pedestrian access. To this date, this pedestrian access has been used continually by residents. This resolution to accept this walkway, steps and alley as permanent access points would protect continued pedestrian access and use; and

WHEREAS, in 1980 the County Real Estate Division assigned the Block and Lot number 54-R-92 to this 40-by-97.46-foot section of Coyne Terrace right-of-way as well as to a 10-by-90.53-foot alley, which was also previously a right-of-way, as per the John J. Coyne Terrace Plan of Lots. The County Mapping Department could not provide any specific information justifying the assignment of a Block and Lot number to the dedicated right-of-way; and

WHEREAS, in 2013 54-R-92 was purchased, making a previously public right-of-way the property of the purchaser, thereby denying public use and access.

THEREFORE BE IT RESOLVED by the Council of the City of Pittsburgh as follows:

Section 1. The Council of the City of Pittsburgh declares the Treasurer's Sale of a 40-by-97.46-foot lot and 10-by-90.53-foot alley, done October 25, 2013 and given the Sale Number 140, null and void.

Section 2. The City of Pittsburgh accepts the 40-by-97.46-foot lot as a permanent walkway and the 10-by-90.53-foot alley as a now Unnamed Way, as per the John J. Coyne Plan of Lots, thus designating them as right-of-ways.

(A) Upon the acceptance of the 40-by-97.46-foot log as a permanent walkway, the City's Department of Public Works shall not be required to use and maintain more than a 15-foot wide walkway, which is the width of the existing steps.

(1) Therefore, subsequent legislation can declare the 12 ½ feet of right-of-way on both sides of this central 15-foot wide right-of-way to be excessive.

(a) This excessive right-of-way can be sold to the adjacent property owners of parcels 45-R-72 and 45-R-93 for side yard expansion use and maintenance.