



Legislation Details (With Text)

**File #:** 2017-1415      **Version:** 1

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

**File created:** 4/13/2017      **In control:** Committee on Finance and Law

**On agenda:** 4/19/2017      **Final action:** 5/2/2017

**Enactment date:** 5/2/2017      **Enactment #:** 254

**Effective date:** 5/8/2017

**Title:** Resolution authorizing the City Solicitor, on behalf of the City of Pittsburgh (“City”) to Petition the Court of Common Pleas of Allegheny County to transfer 2,937 square feet of certain parcel of land which will be subdivided from Lot & Block No. 82-B-53, situate in the 10th Ward with frontage along Chislett Street near the intersection of Vetter Street and as further indicated in the legal description below (the “Subject Property”), for a sum starting at Four Thousand Eighty One Dollars (\$4,081), or higher, plus all necessary or appropriate expenses incurred by the City, and / or upon such other terms and conditions as the Court or the City may authorize and/or direct.

**Sponsors:**

**Indexes:** SALE OF PROPERTY - PETITION

**Code sections:**

**Attachments:** 1. Summary 2017-1415

Date	Ver.	Action By	Action	Result
5/8/2017	1	Mayor	Signed by the Mayor	
5/2/2017	1	City Council	Passed Finally	Pass
4/26/2017	1	Standing Committee	AFFIRMATIVELY RECOMMENDED	Pass
4/19/2017	1	City Council	Read and referred	

Resolution authorizing the City Solicitor, on behalf of the City of Pittsburgh (“City”) to Petition the Court of Common Pleas of Allegheny County to transfer 2,937 square feet of certain parcel of land which will be subdivided from Lot & Block No. 82-B-53, situate in the 10<sup>th</sup> Ward with frontage along Chislett Street near the intersection of Vetter Street and as further indicated in the legal description below (the “Subject Property”), for a sum starting at Four Thousand Eighty One Dollars (\$4,081), or higher, plus all necessary or appropriate expenses incurred by the City, and / or upon such other terms and conditions as the Court or the City may authorize and/or direct.

WHEREAS, pursuant to Chapter 121.02(e) of the City Code, the Director of Finance has the responsibility for the disposition of city-owned property and has responsibility for the disposition of City controlled property; and

WHEREAS, the Subject Property was acquired as part of a larger tract of land via Treasurer’s Sale, Case No. 3 January Term, 1950, by the City from Joseph F Hanlon, with said tract of land consisting of 26,384 square feet, duly recorded at Treasurer’s Deed Book Volume 6, Page 222, dated December 13, 1949, recorded December 30, 1949, in the Allegheny County Department of Court Records, formerly known as the Office of the Prothonotary, being designated as Block and Lot No. 82-B-53, and Subject Property only being 2,937 square feet thereof, after it is duly subdivided; and

WHEREAS, the City is now seeking City Council permission to petition for court-approval to transfer the Subject Property to a qualified buyer in compliance with the Commonwealth's law, which may include 53 P.S. § 3381 *et seq.*, 53 P.S. § 24102, and/or the public trust doctrine, as applicable; and

WHEREAS, City Council has made the necessary findings below to authorize such petition and any court-approved transfer to move forward.

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

**Section 1.**

- A. The Subject Property herein represents 2,937 square feet, to be subdivided out of 26,384 square feet which encompass the entire parcel with the Lot & Block of 82-B-53, as more particularly described as follows:

**LEGAL DESCRIPTION**

All that certain lot or piece of land situated in the 10<sup>th</sup> Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania being a small portion of certain parcel of land with the Lot & Block No. of 82-B-53, situate in the 10<sup>th</sup> Ward with frontage along Chislett Street near the intersection of Vetter Street being bounded and described as follows, to-wit:

Beginning at an existing old cross mark on the southeasterly line of Chislett Street at a point distance 441.08 feet along the southeasterly line of Chislett Street from the southerly line of Vilsack Street; thence continuing along the southeasterly line of Chislett Street South 14 degrees 20 minutes 30 seconds West a distance of 46.98 feet to a point; thence leaving the southeasterly line of Chislett Street and traveling along a line, South 75 degrees 39 minutes 30 seconds East a distance of 125.00 feet to a point; thence traveling along the line dividing Lots 28 and 29 in the unrecorded William Cress (also spelled Kress) Plan of Lots a survey closure bearing of North 55 degrees 03 minutes 30 seconds West (prior deed = North 54 degrees 44 minutes West) for a distance of 133.54 feet to an existing old cross mark at the place of beginning.

The above described Subject Property contains 2,937 square feet and is vacant land.

- B. After careful consideration, this Council hereby finds:
- 1) The Subject Property is adjacent to, but is not part of Heth's Run Park, and otherwise is not obviously public property;
  - 2) The Subject Property is not and has not been used by or accessible to the public, due to the extreme grade of the slope comprising of the majority of said Subject Property, nor are there any specific plans to do so in the future; and
  - 3) Sale of the Subject Property will transform a non-taxable parcel of land to a taxable asset for the City.

C. Based on the above, this Council further finds:

- 1) The Subject Property is not practicable or possible for park use;
- 2) The public interest is best served by allowing the Subject Property to be developed for residential use in conformity with the other parcels of land on that block; and
- 3) The public interest is best served by allowing the Subject Property to be used for residential purposes, which will result in the generation of real estate tax dollars.

**Section 2.** Based on such findings, the City Solicitor, on behalf of the City, is hereby authorized to file a Petition with the Orphan's Court Division of the Court of Common Pleas to authorize the transfer of the Subject Property to a qualified buyer, for a sum starting at Four Thousand Eighty One Dollars (\$4,081), or higher, plus all necessary or appropriate expenses incurred by the City, and / or upon such other terms and conditions as the Court or the City may authorize and/or direct.