



## Text File

**Introduced:** 12/17/2012

**Bill No:** 2012-1033, **Version:** 1

**Committee:** Committee on Public Works

**Status:** Passed Finally

Presented by Mr. Kraus

Resolution vacating portions of Magee and Colwell Streets in the 3<sup>rd</sup> Ward, 6<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 Magee and Colwell Streets in the 3<sup>rd</sup> Ward, 6<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 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 a portion of Colwell Street, 60' wide, as described:

All that certain lot or parcel of land situate in the 3<sup>rd</sup> 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 of Colwell Street, 60' wide; thence South 03° 12' 58" West, 60.00' to a point on the southerly right-of-way of Colwell Street, 60' wide; thence along the southerly right-of-way of Colwell Street, 60' wide, North 86° 47' 02" West 295.89' to a point on the westerly right-of-way of Magee Street, 34' wide; thence along the westerly right-of-way of Magee Street, 34' wide, North 03°12'58" East, 60' to a point on the northerly right-of-way of Colwell Street, 60' wide; thence along the northerly right-of-way of Colwell Street, 60' wide, South 86°47' 02" East, 295.89' to the place of beginning.

Containing 17,753.61 Sq. Ft. or 0.408 Acres

**Section 2.** That vacating a portion of Magee Street, 341 wide, as described:

All that certain lot or parcel of land situate in the 3<sup>rd</sup> 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 of Magee Street, 34' wide, on the southerly right-of-way of Colwell Street, 60' wide; thence along the southerly right-of-way of Colwell Street, 60' wide, South 86°47'02"

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East, 40.00' to a point on the southerly right-of-way of Colwell Street, 60' wide; thence along the easterly right-of-way of Magee Street, 34' wide, by an arc of a circle deflecting to the left in a southwesterly direction, having a radius of 6.00', an arc distance of 9.42' (chord bearing and distance, South 48°12'58" West, 8.49"); thence along the easterly right-of-way of Magee Street, 34' wide; thence along the easterly right-of-way of Magee Street, 34' wide, by an arc distance of 34.56' (chord bearing and distance, South 41°47'02" East, 31.11') to a point on the northerly right-of-way of Our Way, 28' wide; thence along right-of-way of Our Way, 28' wide North 86°47'02" West, 56.00' to a point on the westerly right-of-way of Magee Street, 34' wide; thence along the westerly right-of-way of Magee Street, 34' wide, North 03°12'58" East, 100.01' to the place of beginning.

Contains 3,511.93 Sq. Ft. or 0.081 Acres

The Sewer Mapping indicates that there is a 24" combination sewer line within the area of the proposed street vacation. The existing sewer line in the vacated area must be retained and not compromised to service existing structures and related upstream facilities, hence current right-of-way must be retained as a PWSA public utility easement and no structure(s) can be built over, under, and/or near said sewer line without an agreement with the PWSA governing structures over facilities.

In the 3<sup>rd</sup> Ward, 6<sup>th</sup> Council District of the City of Pittsburgh as described above, shall be and the same is hereby vacated.