



Text File

Introduced: 7/9/2021

Bill No: 2021-1704, Version: 1

Committee: Committee on Public Works

Status: Passed Finally

Resolution granting a vacation of an unopened portion of Engleside Avenue, laid out in the Englewood Place Plan of Lots, as recorded in P.B.V. 31 Pg. 2, in the 10<sup>th</sup> Ward, 9<sup>th</sup> Council District of the City of Pittsburgh.

WHEREAS, the BLOOMFIELD GARFIELD CORPORATION, has requested this vacation, in order to consolidate their property at 5219 Columbo Street.

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

**Section 1.**

All that certain lot or parcel of land, situate in the 10<sup>th</sup> Ward, 9<sup>th</sup> Council District of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, which is more particularly bounded and described as follows, to wit:

That vacating Engleside Avenue, beginning at a point on the southerly side of Engleside Avenue, at the dividing line of Lot 1, (also known as Block 50-G, Lot 296) and Lot 2, (also known as Block 50-G, Lot 298) in the Englewood Place Plan of Lots, as recorded in P.B.V. 31 Pg. 2;

Thence from said point of beginning and through the above said Engleside Avenue the three (3) following courses and distances;

- 1.N 13°45'00" E, a distance of 17.00 feet to a point;
- 2.S 49°39'00" E, a distance of 88.50 feet to a point;
- 3.S 35°57'00" E, a distance of 20.87 feet to a point on the westerly side of N. Atlantic Avenue, (50.05 feet wide);

Thence along the westerly side of the above said N. Atlantic Avenue S 13°45'00 W, a distance of 24.51 feet to the southerly side of the above said Engleside Avenue;

Thence along the dividing line of the southerly side of the above said Engleside Avenue and the above said Lot 1 the two (2) following courses and distances;

1. By a curve to the left having a radius of 25.00 feet and an arc distance of 35.45 feet to a point;
2. By a curve to the right having a radius of 139.06 feet and an arc distance of 83.39 feet to the POINT OF BEGINNING.

**Said lot or piece of ground containing an area of 1,866.9 square feet or 0.043 acre.**

**Section 2.** Verizon indicates there are (3) Verizon owned poles within the proposed street vacation. The existing poles are numbered DLS010561, DLS010562 and DLS418139.

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**Section 3.** As a condition of this street vacation, Verizon and Duquesne light are requesting an easement in order to maintain Verizon and Duquesne Light equipment affixed to Verizon-owned poles numbered DLS010561, DLS010562 and DLS418139.

**Section 4.** Verizon has no objection to the vacation of said street. The property owner, The Bloomfield Garfield Corporation and its successors and assigns, **MUST** grant a perpetual easement to Verizon and Duquesne Light, and their successors and assigns for continued occupation of the poles and Verizon/Duquesne Light equipment affixed thereto at their current location and from time to time for operation, maintenance, repair, and replacement of said poles

and equipment as Verizon deems necessary in its discretion. Said easement shall also provide the right of ingress and egress across any and all lands of The Bloomfield Garfield Corporation and its successor and assigns as Verizon may from time to time deem necessary to access Verizon's easement, including the right to open and close gates, remove structures, and trim and remove trees and shrubbery as Verizon deems necessary. The form and content of said easement shall be acceptable to Verizon and a final executed copy of said easement shall be recorded in the records of Allegheny County and must be submitted to the Department of Mobility and Infrastructure.