



Legislation Details (With Text)

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|------------------------|--|----------------------|--|
| File #: | 2023-1144 | Version: | 1 |
| Type: | Resolution | Status: | Passed Finally |
| File created: | 1/20/2023 | In control: | Committee on Public Works and Infrastructure |
| On agenda: | 1/24/2023 | Final action: | 2/7/2023 |
| Enactment date: | 2/7/2023 | Enactment #: | 42 |
| Effective date: | 2/10/2023 | | |
| Title: | Resolution granting a vacation of unopened portions of Haberman Ave and Palmetto Way, laid out in the McClain and Maples First Plan of Beltzhoover, as recorded in P.B.V. 5 Pg. 298-299, in the 18th Ward, 3rd Council District of the City of Pittsburgh. | | |
| Sponsors: | | | |
| Indexes: | VACATING A STREET | | |
| Code sections: | | | |
| Attachments: | 1. 2023-1144 Cover Letter-320 Cedarhurst St vacate council, 2. 2023-1144-Application, 3. Summary 2023-1144 | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------|---------------------------|--------|
| 2/10/2023 | 1 | Mayor | Signed by the Mayor | |
| 2/7/2023 | 1 | City Council | Passed Finally | Pass |
| 2/1/2023 | 1 | Standing Committee | Affirmatively Recommended | Pass |
| 1/24/2023 | 1 | City Council | Read and referred | |

Resolution granting a vacation of unopened portions of Haberman Ave and Palmetto Way, laid out in the McClain and Maples First Plan of Beltzhoover, as recorded in P.B.V. 5 Pg. 298-299, in the 18th Ward, 3rd Council District of the City of Pittsburgh.

WHEREAS, the BELTZHOOVER CONSENSUS GROUP, has requested this vacation, in order to consolidate their property.

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

Section 1. All that certain parcel of land situate in the 18th Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania being part of Haberman Avenue, a fifty foot right of way, as shown on the McClain and Maples First Plan of Beltzhoover recorded in the Department of Real Estate of County of Allegheny in Plan book Volume 5 pages 298-299, more particularly bounded and described as follows: **Haberman Avenue:**

Beginning at a point at the intersection of the westerly line of Haberman Avenue, a fifty foot right of way, and the southerly line of Cedarhurst Street, formerly Fifth Street, a fifty foot right of way, as shown on said plan; thence along the southerly line of Cedarhurst Street and crossing Haberman Avenue South 89° 25' 00" East a distance of 50.00 feet to a point; thence along the easterly line of Haberman Avenue and along the westerly lines of Lot 695 and Lot 734, and crossing Palmetto Way, formerly Spruce Alley, a

twenty foot right of way

South 0° 35' 00" West a distance of 275.00 feet to a point; thence along the northerly line of Sylvania Avenue, formerly Sixth Street, a fifty foot right of way and crossing Haberman Avenue

North 89° 25' 00" West a distance of 50.00 feet to a point; thence along the westerly line of Haberman Avenue and along the easterly lines of Lot 807 and Lot 839 and crossing Palmetto Way

North 0° 35' 00" East a distance of 275.00 feet to the point of beginning.

Said lot or piece of ground containing an area of 0.316 Acres (13,750 sq.ft.).

All that certain parcel of land situate in the 18th Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania being part of Palmetto Way, formerly Spruce Alley, a twenty foot right of way, as shown on the McClain and Maples First Plan of Beltzhoover recorded in the Department of Real Estate of County of Allegheny in Plan book Volume 5 pages 298-299, more particularly bounded and described as follows: **Palmetto Way (1):**

Beginning at a point at the intersection of the westerly line of Haberman Avenue, a fifty foot right of way, and the southerly line of Palmetto Way, formerly Spruce Alley, a twenty foot right of way, as shown on said plan; thence along the southerly line of Palmetto Way and the northerly lines of Lots 807, 808, and 809

North 89° 25' 00" West a distance of 75.00 feet to a point; thence crossing Palmetto Way

North 0° 35' 00" East a distance of 20.00 feet to a point; thence along the northerly line of Palmetto Way and the southerly lines of Lots 837, 838, and 839

South 89° 25' 00" East a distance of 75.00 feet to a point; thence along the westerly line of Haberman Avenue and crossing Palmetto Way

South 0° 35' 00" West a distance of 20.00 feet to the point of beginning.

Said lot or piece of ground containing an area of 0.034 Acres (1,500 square feet).

All that certain parcel of land situate in the 18th Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania being part of Palmetto Way, formerly Spruce Alley, a twenty foot right of way, as shown on the McClain and Maples First Plan of Beltzhoover recorded in the Department of Real Estate of County of Allegheny in Plan book Volume 5 pages 298-299, more particularly bounded and described as follows: **Palmetto Way (2):**

Beginning at a point at the intersection of the easterly line of Haberman Avenue, a fifty foot right of way, and the southerly line of Palmetto Way, formerly Spruce Alley, a twenty foot right of way, as shown on said plan; thence along the easterly line of Haberman Avenue and crossing Palmetto Way

North 0° 35' 00" East a distance of 20.00 feet to a point; thence along the northerly line of Palmetto Way and the southerly lines of Lots 695 through 704, South 89° 25' 00" East a distance of 245.00 feet to a point; thence crossing Palmetto Way

South 0° 35' 00" West a distance of 20.00 feet to a point; thence along the southerly line of Palmetto Way and the northerly lines of Lots 725 through 734, North 89° 25' 00" West a distance of 245.00 feet to the point of beginning.

Said lot or piece of ground containing an area of 0.112 Acres (4,900 sq.ft.).

Section 2. PWSA indicates they have a 15" PWSA sanitary sewer within the proposed street vacation in Palmetto Way. The existing sewer line must be retained and will require an easement. Agreement is on file in

the Division of Permits, Department of Mobility and Infrastructure, in the vacation folder.

Section 3. PWSA Reserves the Right for a Utility Easement(s): Be advised no fixed permanent structures (buildings, walls, fences etc.) will be permitted in the vacated right-of-way area that will impact or compromise daily operation and/or maintenance of existing or proposed new PWSA facilities. PWSA can accept conventional street/drive-way type paving (hardscape) and/or landscape areas except trees. Any hardscape or landscape will be the responsibility of the property owner to replace if damaged during repair or maintenance of PWSA facilities.

Section 4. Since this portion of the right-of-way is presently unopened and unused for street or pedestrian purposes and the City has no intention to open this right-of-way, the Finance Department in line with Law Department policy, places no price or charge for this vacation.

Section 5. BELTZHOOVER CONSENSUS GROUP shall, within sixty (60) days after the effective date of this resolution, must record this vacation with the Allegheny County Department of Real Estate.