



Legislation Details (With Text)

**File #:** 2023-1473    **Version:** 1  
**Type:** Resolution    **Status:** Passed Finally  
**File created:** 4/28/2023    **In control:** Committee on Public Works and Infrastructure  
**On agenda:** 5/2/2023    **Final action:** 5/9/2023  
**Enactment date:** 5/9/2023    **Enactment #:** 304  
**Effective date:** 5/13/2023

**Title:** Resolution vacating unused paper portions of Benezet St, Heath St, Yule Way & Ochra Way, laid out in the Eastern Addition of New Homestead Plan of Lots, Plan Book Volume 20, Pages 12 & 13, in the 31st Ward, 5th Council District of the City of Pittsburgh.

**Sponsors:**

**Indexes:** VACATING A STREET

**Code sections:**

**Attachments:** 1. 2023-1473 Cover Letter Council Letter - 4315 Bench Way, 2. 2023-1473 4315 Bench Way Application, 3. Summary 2023-1473

Date	Ver.	Action By	Action	Result
5/13/2023	1	Mayor	Signed by the Mayor	
5/9/2023	1	City Council	Passed Finally	Pass
5/3/2023	1	Standing Committee	Affirmatively Recommended	Pass
5/2/2023	1	City Council	Waived under Rule 8	Pass
5/2/2023	1	City Council	Read and referred	

Resolution vacating unused paper portions of Benezet St, Heath St, Yule Way & Ochra Way, laid out in the Eastern Addition of New Homestead Plan of Lots, Plan Book Volume 20, Pages 12 & 13, in the 31<sup>st</sup> Ward, 5<sup>th</sup> Council District of the City of Pittsburgh.

WHEREAS, Ryan and Alexandra Noone, has requested this vacation of portions of Benezet St, Heath St, Yule Way & Ochra Way, presently unopened and unused right-of-way paper street, in order to consolidate their property for expansion purposes.

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

**Section 1.** ALL THAT CERTAIN TRACT of ground situate in the 31<sup>st</sup> Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being the eastern portion of **Benezet Street**, a 50 foot right of way, as shown on the Pittsburgh & Homestead Company Eastern Addition of New Homestead as recorded in P.B.V. 20, Pages 12 and 13, being more particularly described to wit;

Beginning at a point on the northerly right of way line of said Benezet Street, where the same is intersected by the dividing line of Lots 1505 and 1506 in said plan; thence along said right of way line North 43° 10' 51" East a distance of 400.00 feet to a point on the westerly right of way line of Yule Way, a 14 foot right of way; thence along said right of way line of Yule Way South 51° 22' 09" East a distance of 50.16 feet to a point on the

southerly right of way line of Benezet Street; thence along said southerly right of way line of Benezet Street South  $43^{\circ} 10' 51''$  West a distance of 403.97 feet to a point on said right of way line at the dividing line of Lots 1530 and 1531 in said plan; thence by a line through said Benezet Street North  $46^{\circ} 49' 09''$  West a distance of 50.00 feet to a point at the place of beginning.

Containing an area of 20,099 s.f. or 0.4614 acres.

ALL THAT CERTAIN TRACT of ground situate in the 31ST Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being the southerly portion of **Heath Street**, a 40 foot right of way, as shown on the Pittsburgh & Homestead Company Eastern Addition of New Homestead as recorded in P.B.V. 20, Pages 12 and 13, being more particularly described to wit;

Beginning at a point on westerly right of way line of said Heath Street and the northerly right of way line of Benezet Street, a 50 foot right of way; thence along said westerly right of way line of Heath Street North  $46^{\circ} 49' 09''$  West a distance of 120.00 feet to a point on said right of way line at the centerline of Bench Way, a 20 foot right of way; thence by a line through said Heath Street North  $43^{\circ} 10' 51''$  East a distance of 40.00 feet to a point on the easterly right of way line of Heath Street; thence along said easterly right of way line of Heath Street South  $46^{\circ} 49' 09''$  East a distance of 120.00 feet to a point on the aforesaid northerly right of way line of Benezet Street; thence along said right of way line of Benezet Street South  $43^{\circ} 10' 51''$  West a distance of 40.00 feet to a point at the place of beginning.

Containing an area of 4,800 s. f. or 0.11019 acres.

ALL THAT CERTAIN TRACT of ground situate in the 31<sup>st</sup> Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being the southerly portion of **Yule Way**, a 14 foot right of way, as shown on the Pittsburgh & Homestead Company Eastern Addition of New Homestead as recorded in P.B.V. 20, Pages 12 and 13, being more particularly described to wit;

Beginning at a point on the westerly right of way line of said Yule Way and the northerly right of way line of Benezet Street, a 50 foot right of way; thence by a line through said Yule Way North  $43^{\circ} 10' 51''$  East a distance of 14.04 feet to a point on the easterly right of way line of Yule Way at the boundary between the 31st Ward of the City of Pittsburgh and the Borough of West Homestead; thence along said boundary line and the easterly right of way line of Yule Way South  $51^{\circ} 22' 19''$  East a distance of 169.53 feet to a point; thence along the southerly terminus of said Yule Way and aforesaid boundary line South  $43^{\circ} 10' 51''$  West a distance of 14.04 feet to a point on the easterly right of way line of Ochra Way. a 9 foot right of way at the westerly right of way line of Yule Way; thence along the westerly right of way line of Yule Way North  $51^{\circ} 22' 19''$  West a distance of 169.53 feet to a point at the place of beginning.

Containing an area of 2,373 s. f. or 0.0545 acres.

ALL THAT CERTAIN TRACT of ground situate in the 31<sup>st</sup> Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being the easterly portion of **Ochra Way**, a 9 foot right of way, as shown on the Pittsburgh & Homestead Company Eastern Addition of New Homestead as recorded in P.B.V. 20, Pages 12 and 13, being more particularly described to wit;

Beginning at a point on the northerly right of way line of said Ochra Way, where the same is intersected by the dividing line of Lots 1530 and 1531 in said plan; thence along said right of way line North  $43^{\circ} 10' 51''$  East a distance of 412.72 feet to a point on the westerly right of way line of Yule Way, a 14 foot right of way; thence along said right of way line of Yule Way and the easterly terminus of Ochra Way South  $51^{\circ} 22' 09''$  East a

distance of 9.03 feet to a point on the boundary line of the 31st Ward of the City of Pittsburgh and the Borough of West Homestead; thence along said boundary line and the southerly right of way line of Ochra Way South 43° 10' 51" West a distance of 413.44 feet to a point; thence by a line through Ochra Way North 46° 49' 09" West a distance of 9.00 feet to a point at the place of beginning.

Containing an area of 3,718 s. f. or 0.0854 acres.

Total Area Contains 30,990 square feet.

**Section 2. 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 3.** 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 4.** Ryan and Alexandra Noone shall, within (120) days after the effective date of this resolution, must record this vacation with the Allegheny County Department of Real Estate.