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Title: Resolution vacating Burrows Street (2 portions) Main Blvd. and Waring Court in the 5th Ward, 6th Council District of the City of Pittsburgh.

Sponsors:

Indexes: VACATING A STREET

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Date	Ver.	Action By	Action	Result
1/28/2010	1	Mayor	Signed by the Mayor	
1/26/2010	1	City Council	Passed Finally	Pass
1/20/2010	1	Committee on Public Works	AFFIRMATIVELY RECOMMENDED	Pass
1/19/2010	1	City Council	Waived under Rule 8	Pass
1/19/2010	1	City Council	Read and referred	

Presented by Mr. Kraus

Resolution vacating Burrows Street (2 portions) Main Blvd. and Waring Court in the 5th Ward, 6th 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 the majority of property fronting or abutting on the line of Burrows Street (2 portions) Main Blvd. and Waring Court in the 5th Ward, 6th 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:

1.
FIRST DESCRIBED
VACATION OF BURROWS STREET RIGHT-OF-WAY

EXTENDING FROM HYMAN PLACE APPROXIMATELY 100 FEET NORTH

Being all that certain piece or parcel of land, situate in the Fifth Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being the area to be vacated of the previously dedicated right-of-way of Burrows Street, being 50 feet wide and approximately 95 feet long, designated as Parcel BS-C, as shown on the Allequippa Terrace - Oak Hill Phase II - Wadsworth Phase Plan, as recorded in Plan Book Volume 266, Page 42, in the Offices of the Department of Real Estate of Allegheny County, said property being the northerly portion of the area dedicated for the right-of-way of Burrows Street as shown and described on the Allequippa Terrace Revised Phase 1-C Plan of Lots, of record in Plan Book Volume 225, Pages 41 and 42. Said parcel being more particularly described as follows:

Beginning at a point, being the most northwesterly corner of Parcel C-3 as shown and described on the Allequippa Terrace Revised Phase 1-C Plan of Lots, of record in Plan Book Volume 225, Pages 41 and 42, said point also being at the northerly terminus of the easterly right-of-way line of the Burrows Street right-of-way, as shown by the dedication of the right-of-way of said Burrows Street on the Allequippa Terrace Revised Phase 1-C Plan of Lots, aforementioned; thence from said point of beginning, by the said easterly line of the herein described portion of the Burrows Street right-of-way, South 3° 38'52" West, a distance of 77.12 feet to a point of curvature in said line; thence by the arc of a circle curving to the left, having a radius of 28.00 feet, an arc distance of 36.97 feet to a point on the northerly right-of-way line of Hyman Place, formerly shown as Drive B on the Allequippa Terrace Revised Phase 1-C Plan of Lots; thence by the proposed northerly line of Hyman Place as shown on the Allequippa Terrace - Oak Hill Phase II - Wadsworth Phase Plan, as recorded in Plan Book Volume 266, Page 42, North 71 ° 59' 51 " West, a distance of 20.29 feet to a point of curvature in said right-of-way line; thence by the arc of a circle curving to the right, having a radius of 48.00 feet, an arc distance of 21.66 feet to a point of tangency; thence continuing along said right-of-way line of Hyman Place, North 46° 08' 20" West, a distance of 2.71 feet to a point of curvature; thence continuing by the said northerly line of Hyman Place, by the arc of a circle curving to the right, having a radius of 270.00 feet, an arc distance of 42.62 feet to a point on the westerly right-of-way line of the herein described portion of the Burrows Street right-of-way; thence by the said westerly line of the previous dedication of the Burrows Street right-of-way, North 3° 38' 52" East, a distance of 70.84 feet to a point at the most northwesterly terminus of the previous right-of-way dedication; thence by the line of the northerly terminus of the former Burrows Street right-of-way dedication, South 86° 21' 08" East, a distance of 1.57 feet to a point; thence continuing by the same, South 71 ° 07' 00" East, a distance of 50.20 feet to a point, being the most northeasterly corner of Parcel C-3 as shown and described on the Allequippa Terrace Revised Phase 1-C Plan of Lots, said point being at the place of beginning of the herein described tract of land.

Containing: 4,513 Square Feet cr.0.1036 Acres, more or less.

2.

SECOND DESCRIBED

VACATION OF PREVIOUSLY DEDICATED PORTION OF MAIN BOULEVARD RIGHT-OF-WAY

Being all that certain piece or parcel of land, situate in the Fifth Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, shown on the Allequippa Terrace - Oak Hill Phase II - Wadsworth Phase Plan, as recorded in Plan Book Volume 266, Page 42 as the area to be vacated as previously dedicated right-of-way of Main Boulevard, being 65 feet wide and approximately 260 feet long, as shown on the Allequippa Terrace Revised Phase 1 -D Plan of Lots, of record in Plan Book Volume 230, Pages 129 and 130. Said parcel being more particularly described as follows:

Beginning at a point, defining the southerly terminus of the portion of the right-of-way of main Boulevard being hereby vacated, said point being the most northwesterly corner of Parcel D-3 as shown and described on the Allequippa Terrace Revised Phase, 1-D Plan of Lots, thence from said point of beginning and running along the easterly right-of-way line of Main Boulevard as shown and described on the said plan, North 3° 00' 09"

East, a distance of 260.99 feet to a point of curvature in said right-of-way line; thence in a northeasterly direction, by the arc of a circle curving to the right, having a radius of 15.86 feet, an arc distance of 15.26 feet to a point on the southerly right-of-way line of Waring Court as shown and described on the "Plat Plan" for Terrace Village Unit 2, as recorded in Plan Book Volume 38, Pages 6-14, inclusive, thence in a southwesterly direction, by a curve to the right, non-tangent to the preceding course, by the arc of a circle curving to the right, having a radius of 117.64 feet, an arc distance of 65.46 feet to a point of tangency, thence continuing by the said southerly right-of-way line of Waring Court, Due West, a distance of 10.69 feet to a point at the intersection of the southerly line of Waring Court and the westerly right-of-way line of Main Boulevard; thence running along the said westerly right-of-way line of said Main Boulevard, South 3° 00' 09" West, a distance of 252.46 feet to a point at the southerly terminus of the portion of the right-of-way of Main Boulevard hereby vacated; thence crossing through the right-of-way of said Main Boulevard, South 86° 59' 51" East, a distance of 65.00 feet to a point at the most northwesterly corner of Parcel D-3, said point being at the place of beginning.

Containing: 16,772 square feet or 0.385 Acres, more or less.

3.

THIRD DESCRIBED

VACATION OF THE RIGHT-OF-WAY OF WARING COURT IN ITS ENTIRETY

Being all that certain piece or parcel of land, situate in the Fifth Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, shown as Waring Court, being 40 feet wide and approximately 1,135 feet long, on the "Plat Plan" for Terrace Village Unit 2, as recorded in Plan Book Volume 38, Pages 6-14, inclusive, hereby vacated in its entirety. Waring Court being specifically shown on Page 10. Said parcel being more particularly described as follows:

Beginning at a point, at the intersection of the southerly right-of-way line of Waring Court and the westerly right-of-way line of Burrows Street, both as shown and described on the said "Plat Plan" for Terrace Village Unit 2, as recorded in Plan Book Volume 38, Pages 6-14, inclusive; thence from said point of beginning, and running along the southerly right-of-way line of said Waring Court, in a generally northwesterly direction, by the arc of a circle curving to the left, having a radius of 32.00 feet, an arc distance of 46.49 feet to a point of reverse curvature; thence by the arc of a circle curving to the right, having a radius of 117.64 feet, an arc distance of 65.46 feet (erroneously described on the said "Plat Plan" for Terrace Village Unit 2 as an arc distance of 46.49 feet) to a point of tangency; thence continuing along the said southerly right-of-way line of Waring Court, running Due West, a distance of 336.27 feet to a point of curvature, thence by the arc of a circle curving to the right, having a radius of 58.00 feet, an arc distance of 91.11 feet to a point on the westerly right-of-way line of the herein described Waring Court; thence continuing along the said westerly right-of-way line of Waring Court, running Due North a distance of 245.75 feet to a point of curvature, thence by the arc of a circle curving to the right, having a radius of 58.00 feet, an arc distance of 91.11 feet to a point on the northerly right-of-way line of the herein described Waring Court; thence continuing along the said northerly right-of-way line of Waring Court, running Due East a distance of 319.25 feet to a point of curvature, thence by the arc of a circle curving to the left, having a radius of 32.00 feet, an arc distance of 50.27 feet to a point on the westerly right-of-way line of Burrows Street, aforementioned; thence along the said westerly right-of-way line of burrows Street, running Due South a distance of 104.00 feet to the point of intersection of the westerly line of Burrows Street and the Southerly right-of-way line of Waring Court; thence by the southerly line of Waring Court, in a generally northwesterly direction by the arc of a circle curving to the left, having a radius of 32.00 feet, an arc distance of 50.27 feet to a point of tangency; thence continuing along the said southerly right-of-way line of Waring Court, running Due West, a distance of 305.25 feet to a point of curvature, thence by the arc of a circle curving to the left, having a radius of 32.00 feet, an arc distance of 50.27 feet to a point on the easterly right-of-way line of the herein described Waring Court; thence continuing along the said easterly right-of-way line of Waring Court, running Due South a distance of 217.75 feet to a point of curvature, thence by the arc of a circle curving to the left, having a radius of 32.00 feet, an arc distance of 50.27 feet to a point on the

northerly right-of-way line of the herein described Waring Court; thence continuing along the said northerly right-of-way line of Waring Court, running Due East a distance of 322.27 feet to a point of curvature; thence continuing by the said northerly line of Waring Court, by the arc of a circle curving to the left, having a radius of 77.64 feet, an arc distance of 43.20 feet to a point of compound curvature; thence still continuing by the said northerly line of Waring Court, by the arc of a circle curving to the left, having a radius of 32.00 feet, an arc distance of 46.48 feet to a point on the westerly right-of-way line of Burrows Street, aforementioned; thence in a generally southeasterly direction, by the arc of a circle curving to the left, having a radius of 405.00 feet, an arc distance of 96.61 feet to a point at the intersection of the southerly right-of-way line of Waring Court and the westerly right-of-way line of Burrows Street, said point being at the place of beginning.

Containing: 46,533 square feet or 1.068 Acres, more or less.

4.

FOURTH DESCRIBED

**VACATION OF THE RIGHT-OF-WAY OF
A PORTION OF BURROWS STREET**

Being all that certain piece or parcel of land, situate in the Fifth Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, designated as a portion of Burrows Street, being 50 feet wide and a portion of Wadsworth Street, being 50 feet wide, both comprising an approximate length of 908 feet, as shown and described on the "Plat Plan" for Terrace Village Unit 2, as recorded in Plan Book Volume 38, Pages 6-14, inclusive and as partially redefined in accordance with the right-of-way lines for Eckstein Place, formerly Drive A, as shown and defined on the Allequippa Terrace Revised Phase 1-C Plan of Lots, of record in Plan Book Volume 225, Pages 41 and 42. Said parcel being more particularly described as follows:

Beginning at a point, at the intersection of the southerly right-of-way line of Brackenridge Street and the northerly terminus of the westerly right-of-way line of Burrows Street; thence by the said southerly right-of-way line of Brackenridge Street, North $88^{\circ} 51' 12''$ East, a distance of 57.68 feet to an angle point in said line; thence continuing along the said line of Brackenridge Street, North $51^{\circ} 06' 12''$ East, a distance of 56.77 feet to a point at the northerly terminus of the easterly right-of-way line of Burrows Street; thence by the said easterly right-of-way line of Burrows Street, in a generally southwesterly direction, by the arc of a circle curving to the left, being a reverse tangent curve to the preceding course, having a radius of 57.00 feet, an arc distance of 50.84 feet to a point of tangency; thence continuing along the said easterly right-of-way line of Burrows Street, Due South, a distance of 237.752 feet to a point of curvature; thence in a southeasterly direction, by the arc of a circle curving to the left, having a radius of 355.00 feet, an arc distance of 267.63 feet to a point of tangency; thence continuing along the said easterly right-of-way line of Burrows Street, South $43^{\circ} 11' 40''$ East, a distance of 159.76 feet to a point of curvature; thence in a generally easterly direction, by the arc of a circle curving to the left, having a radius of 100.00 feet, an arc distance of 110.37 feet to a point of tangency defining the northwesterly right-of-way line of Wadsworth Street as shown on the aforementioned "Plat Plan" for Terrace Village Unit 2; thence running along the said northwesterly right-of-way line of Wadsworth Street, South $73^{\circ} 34' 15''$ East, a distance of 158.99 feet to a point at the southerly terminus of the extent of the vacation herein described; thence in a generally southwesterly direction defining the southerly terminus of the vacation of the right-of-way herein described, running through the rights-of-way of Wadsworth Street as defined on the "Plat Plan" for Terrace Village Unit 2 and Eckstein Place, designated as Drive A and specifically defined on the Allequippa Terrace Revised Phase 1-C Plan of Lots, by the arc of a circle curving to the left, having a radius of 330.00 feet, an arc distance of 117.31 feet to a point of tangency; thence continuing along the southerly terminus of the vacation, by the projection of the northwesterly right-of-way line of Eckstein Place, as defined on the Allequippa Terrace Revised Phase 1-C Plan of Lots, South $43^{\circ} 14' 44''$ West, a distance of 92.83 feet to a point on the northwesterly right-of-way of Eckstein Place; thence in a generally easterly direction by the rightof

-way line of Eckstein Place, by the arc of a circle, being tangent to the reverse direction of the preceding course, said curve curving to the left, having a radius of 18.00 feet, an arc distance of 41.12 feet to a point of reverse curvature; thence along the westerly right-of-way line of Burrows Street, by the arc of a circle curving to the right, having a radius of 175.00 feet, an arc distance of 135.76 feet to a point of tangency in said right-of-way line; thence continuing along the westerly right-of-way line of said Burrows Street, North 43° 11' 40" West, a distance of 159.83 feet to a point of curvature; thence by the same, by the arc of a circle curving to the right, having a radius of 405.00 feet, an arc distance of 305.32 feet to a point of tangency; thence still along the westerly line of said Burrows Street, running Due North, a distance of 211.68 feet to a point of curvature; thence by the arc of a circle curving to the left, having a radius of 32.00 feet, an arc distance of 50.91 feet to a point at the intersection of the southerly right-of-way line of Brackenridge Street and the northerly terminus of the westerly right-of-way line of Burrows Street, said point being at the place of beginning.

Containing: 47,621 square feet or 1.093 Acres, more or less.

Existing Warring Court: The PWSA Water Maps indicate that there is a 6" waterline within the area of the proposed vacation. This existing 6" waterline in the proposed vacated area can be abandoned. The PWSA Sewer Maps indicates that there are three - 15" sewer lines within the area of the proposed vacation. The existing 15" sewer lines in the proposed vacated area can be abandoned. Existing Burrows Street (between Brackenridge Street and Wadsworth Street): The PWSA Water Maps indicate that there is a 6" waterline within the area of the proposed vacation. This existing 6" waterline in the proposed vacated area can be abandoned. The PWSA Sewer Maps indicates that there are three - 15" sewer lines within the area of the proposed vacation. The existing 15" sewer lines in the proposed vacated area can be abandoned. Main Boulevard (south of Waring Court) Future Public Street B, East of the Future Public Street D, North of Future Public Street C: The PWSA Sewer Maps indicates that there is a 18" sewer lines within the area of the proposed vacation. The existing 18" sewer lines in the proposed vacated area can be abandoned. The developer will need to submit tap termination (s) drawings showing termination(s) and said sewer lines(s). The termination(s) must be completed as per PWSA's Rules and Regulations. Provisions have been made in the attached Resolution concerning the water lines and sewer line located therein, the 5th Ward, 6th Council District of the City of Pittsburgh as described below shall be and the same is hereby vacated.