

BOROUGH OF AVALON

ORDINANCE NO. 1365

AN ORDINANCE AUTHORIZING THE BOROUGH OF AVALON TO VACATE A SECTION OF AN UNOPENED BOROUGH ALLEY ABUTTING OHIO RIVER BOULEVARD BETWEEN PROSPECT STREET AND ELIZABETH AVENUE

The Council of Avalon Borough ordains as follows:

WHEREAS, the owners of real property, Charles S. Hansen and Craig A. Rippole of Trinity Commercial Development ("the Developers"), intend to develop real property, situated on Ohio River Boulevard, Avalon Borough, Pennsylvania, comprised of lot and blocks 159-M-37, 159-M-38, 159-M-39, and 159-M-40; and

WHEREAS, an unopened Borough alley transverses the property between lot and blocks 159-M-39 and 159-M-40; and

WHEREAS, the Developers have petitioned the Borough to vacate the alley between lot and blocks 159-M-39 and 159-M-40, as more specifically described herein; and

WHEREAS, it is the judgment of the Council of Avalon Borough that the best interests of the Borough would be served by vacating said unopened alley.

NOW, THEREFORE, the Council of Avalon Borough ordains as follows:

1. The Borough hereby vacates the section of the alley abutting Ohio River Boulevard between Prospect Street and Elizabeth Avenue, existing between lot and blocks 159-M-39 and 159-M-40, approximately 102 feet in length and 15 feet in width, as depicted on the detailed survey map attached hereto as Exhibit A and the legal description attached hereto as Exhibit B.
2. The Borough shall owe no duty of compensation as a result of the vacation of this road.
3. Said vacation shall only affect the Borough of Avalon's surface right of way and shall not affect any existing utility easements subsumed therein or thereunder.
4. All ordinances or parts of ordinances conflicting with the provisions of this ordinance shall be and are hereby repealed.
5. It is directed that official Borough maps be amended to indicate that the Borough has vacated said portion of the alley.



Allegheny County  
Jerry Tyskiewicz  
Department of Real Estate  
Pittsburgh, PA 15219

Instrument Number: 2016-28586

BK-DE VL-16532 PG-177

Recorded On: September 09, 2016

As-Deed Agreement No Charge

Parties: AVALON BOROUGH

To AVALON BOROUGH

# of Pages: 6

Comment: ORD 1365

\*\*\*\*\* THIS IS NOT A BILL \*\*\*\*\*

Deed Agreement No Charge 0.00  
0  
0  
Total: 0.00

**Realty Transfer Stamp**

**Department of Real Estate Stamp**

Affidavit Attached-No	
NOT A DEED OF TRANSFER	EXEMPT
Value	0.00

Certified On/By-> 09-09-2016 / P F
NOT A DEED OF TRANSFER

I hereby certify that the within and foregoing was recorded in the Department of Real Estate in Allegheny County, PA

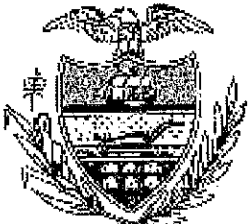
**\*\*DO NOT REMOVE-THIS PAGE IS PART OF THE RECORDED DOCUMENT\*\***

**File Information:**

**Record and Return To:**

Document Number: 2016-28586  
Receipt Number: 3131808  
Recorded Date/Time: September 09, 2016 03:32:57P  
Book-Vol/Pg: BK-DE VL-16532 PG-177  
User / Station: B Gibbs - Cash Station 22

GRB  
437 GRANT ST STE 1400  
FRICK BLDG  
PITTSBURGH PA 15219



*Jerry Tyskiewicz*  
Jerry Tyskiewicz, Director  
Rich Fitzgerald, County Executive

6. The Borough shall provide notice to all abutting property owners within ten (10) days after adoption of the Ordinance, unless duly waived.

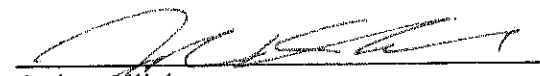
7. This ordinance and vacation shall not be effective nor shall this ordinance be filed of record until all Borough expenses in connection therewith have been reimbursed.

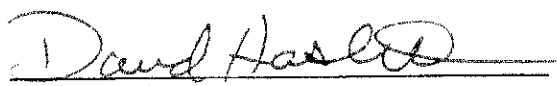
THIS ORDINANCE adopted by the Council of Avalon Borough at a duly assembled public meeting held this 21<sup>st</sup> day of June, 2016.

ATTEST:

AVALON BOROUGH

  
Harry W. Dilmore  
Secretary/Manager

By:   
Joshua Klicker  
Council President

  
David Haslett  
Mayor



LEGAL DESCRIPTION  
EASTERN PORTION OF 15 FOOT ALLEY TO BE VACATED

ALL that certain parcel or tract of land situate in the Borough of Avalon, County of Allegheny and Commonwealth of Pennsylvania, being the northerly half of a 15 foot alley that is to be vacated, being more particularly bounded and described as follows:

COMMENCING at the intersection with the northerly right-of-way line of Ohio River Boulevard (a.k.a. State Route 0065, variable width) with the westerly right-of-way line of Elizabeth Street (50 feet wide);

THENCE along the northerly right-of-way line of Ohio River Boulevard, aforesaid, N 52°08'01" W, a distance of 79.11 feet to the POINT OF BEGINNING;

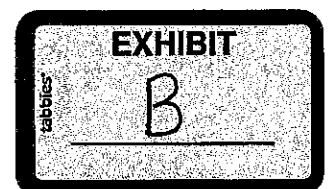
THENCE continuing along the northerly right-of-way line of Ohio River Boulevard, aforesaid, N 52°08'01" W, a distance of 7.55 feet to a point;

THENCE leaving the northerly right-of-way line of Ohio River Boulevard, aforesaid, along the centerline of said alley, N 31°16'59" E, a distance of 102.72 feet to a point;

THENCE S 62°32'10" E, a distance of 7.51 feet to a point;

THENCE along the easterly right-of-way line of said alley, S 31°16'59" W, a distance of 104.09 feet to the POINT OF BEGINNING.

CONTAINING within said bounds a total of 775.52 square feet.



LEGAL DESCRIPTION  
WESTERN PORTION OF 15 FOOT ALLEY TO BE VACATED

ALL that certain parcel or tract of land situate in the Borough of Avalon, County of Allegheny and Commonwealth of Pennsylvania, being the westerly half of a 15 foot alley that is to be vacated and being more particularly bounded and described as follows:

COMMENCING at the intersection of the northerly right-of-way line of Ohio River Boulevard (a.k.a. State Route 0065, variable width) with the westerly right-of-way line of Elizabeth Street (50 feet wide);

THENCE along the northerly right-of-way line of Ohio River Boulevard, aforesaid, N 52°08'01" W, a distance of 86.66 feet to the POINT OF BEGINNING;

THENCE continuing along the northerly right-of-way line of Ohio River Boulevard, N 52°08'01" W, a distance of 7.55 feet to a point;

THENCE leaving the northerly right-of-way line of Ohio River Boulevard and following along the westerly right-of-way line of the alley to be vacated, N 31°16'59" E, a distance of 101.35 feet to a point;

THENCE S 62°32'10" E, a distance of 7.52 feet to a point on the centerline of said alley;

THENCE following the centerline of the said alley, S 31°16'59" W, a distance of 102.72 feet to the POINT OF BEGINNING.

CONTAINING within said bounds a total of 765.27 square feet.

Mail to: GRB  
437 Grant St - Ste. 1400  
Frick Bldg.  
Pittsburgh, PA 15219