

BOROUGH OF SOUTHMONT, CAMBRIA COUNTY, PENNSYLVANIA

ORDINANCE NO. 333

ORDINANCE PROVIDING FOR THE RELOCATION AND ACCEPTANCE OF A PORTION OF BLUFF STREET AS A PUBLIC HIGHWAY FOR PUBLIC USE AND FURTHER PROVIDING FOR THE GRADING, AND DRAINING OF SAID STREET, AND FOR THE ASSESSMENT AND COLLECTION OF CERTAIN COSTS THEREOF FROM THE OWNERS OF THE REAL ESTATE ABUTTING ON THE IMPROVEMENT ON A FRONT FOOTAGE PLAN.

Be it ordained and enacted, and it is hereby ordained and enacted by the Council of the Borough of Southmont, Cambria County, Pennsylvania, as follows:

Section 1. The portion of Bluff Street, as hereinafter described, shall be and is hereby accepted as a public highway for public use, as it is in the best interest of the residences of the Borough of Southmont that the acceptance occur.

The portion of said street hereby accepted is described as follows:

ALL that certain piece or parcel of land situate, lying and being in Southmont Borough, Cambria County, Pennsylvania, bounded and described as follows:

BEGINNING at the southwesterly corner of Lot 847 on the Plan of Southmont, Portion No. 3; thence North  $3^{\circ} 01'$  East 218.79 feet to a point; thence South  $86^{\circ} 59'$  East 18.00 feet to a point; thence through lands of Ben Sur Enterprises by the following: by a curve concave to the southeast having a radius of 36.67 feet; thence northeasterly 23.59 feet along said curve through a central angle of  $36^{\circ} 59' 34''$  to the end of said curve; thence South  $86^{\circ} 59'$  East, 192.47 feet to the beginning of a curve concave to the southwest having a radius of 40.0 feet; thence southeasterly 24.61 feet through a central angle of  $35^{\circ} 4' 51''$  to a point on the northerly line of Bluff Street; thence by said line North  $86^{\circ} 59'$  West 15.55 feet to a point; thence South  $3^{\circ} 01'$  West 16.00 feet to a point; thence north  $86^{\circ} 59'$  West 200.00 feet to a point; thence South  $3^{\circ} 01'$  West 203.82 feet to a point on the northerly line of Harshberger Road; thence by said line North  $85^{\circ} 31'$  West 40.01 feet to the PLACE OF BEGINNING, containing 13,608.7 square feet.

Section 2. A portion of Bluff Street, as hereinafter described, shall be and is hereby accepted and relocated as a public highway for public use, and it shall be graded, drained, and construction shall occur along with other work incidental thereto in accordance with the plans and specifications heretofore as submitted to the Southmont Borough Council by the Southmont Borough Engineer. The costs for this relocation shall be assessed from the owners of the Real Estate abutting on the improvement on a front footage plan.

The portion of the alley hereby accepted and relocated to be improved is described as follows:

BEGINNING at a point which lies North  $86^{\circ} 59'$  West 24.25' from the southeasterly corner of Lot 827 on the Plan of Southmont, Portion No. 3; thence by the following courses and distances; North  $86^{\circ} 59'$  West, 237.55 feet along the former northerly line of Bluff Alley to

a point on a curve; thence through lands of Ben Sur Enterprises by the following: by a curve concave to the southeast having a radius of 36.67 feet; thence northeasterly 23.59 feet along said curve through a central angle of 36° 59' 34.1" to the end of said curve; thence South 86° 59' East, 192.47 feet to the beginning of a curve concave to the southwest having a radius of 40.0 feet; thence southeasterly 24.61 feet through a central angle of 35° 14' 51" to the POINT OF BEGINNING. Containing 1,636.0 square feet as shown on Plan M-1-378 by Hinks and Locher Engineers, which is attached hereto and made a part hereof.

Section 3. The President of Council and the Borough Secretary are hereby authorized by Borough Council to use Borough equipment and labor or to enter a proper contract or contracts in the name of the Borough after proper advertisement for bids for the whole project or any part thereof, with such parties and upon such terms as the Council may determine. Any and all action already taken in connection with the project is hereby ratified and confirmed.

Section 4. The Borough Engineers is hereby designated as the person in charge of said project with full power to act for the Borough in all engineering matters connected with said work and also to estimate and determine the amount of assessments therefor in accordance with law.

Section 5. Certain costs and expenses of the project hereby authorized shall be paid by the Borough of Southmont and the owners of the real estate abutting or bounding on said street in accordance with the Acts of Assembly. Funds now or hereafter in the Borough treasury are appropriated for said project.

Section 6. This ordinance shall become effective thirty (30) days after passage.

Passed finally in Council this 23 day of September, 1985.

ATTEST:

BOROUGH OF SOUTHMONT

\_\_\_\_\_ Paul L. West \_\_\_\_\_

Approved this 23 day of September, 1985.

\_\_\_\_\_ Robert B. Morgan \_\_\_\_\_  
Mayor

Yeas: 4

Neas: 3 absent