

ORDINANCE NO. 238

ORDINANCE PROVIDING FOR THE GRADING, DRAINING, CURBING, AND PAVING OF A PORTION OF SOUTHMONT BOULEVARD, FORMERLY WONDER STREET, AND A PORTION OF OLIVE STREET AND FOR THE IMPROVEMENT OF SOUTHMONT BOULEVARD AND A PORTION OF OLIVE STREET, AND PROVIDING FOR THE ASSESSMENT AND COLLECTION OF A PORTION OF THE COST THEREOF FROM THE OWNERS OF THE REAL ESTATE ABUTTING ON THE IMPROVEMENT ON THE FOOT FRONT PLAN AND PROVIDING FOR THE COLLECTION OF THE WHOLE COST OF CURBING FROM THE OWNERS OF THE REAL ESTATE ABUTTING THEREON.

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. A portion of Southmont Boulevard and a portion of Olive Street, described as follows:

BEGINNING at a point in the centerline of Southmont Boulevard and the City of Johnstown line at Station 13+32.73, thence following the centerline of Southmont Boulevard the following courses and distances:

North  $38^{\circ}-05'$  West 438.87 feet to Station 17+71.6, thence by a curve to the left having a radius of 1042.1 feet a distance of 401.5 feet to Station 21+73.11, thence North  $60^{\circ}-10'$  West 378.67 feet to Station 25+51.78, thence by a curve to the left having a radius of 1046.6 feet a distance of 309.4 feet to Station 28+61.18, thence North  $77^{\circ}-08'$  West 114.0 feet to Station 29+75.18, thence by a curve to the left having a radius of 1046.6 feet a distance of 235.0 feet to Station 32+10.18, thence South  $89^{\circ}-59'$  West 33.7 feet to Station 32+43.88, thence by a curve to the right having a radius of 1037.6 feet a distance of 274.6 feet to Station 35+18.48, thence North  $74^{\circ}-52'$  West 149.2 feet to Station 36+65.4, thence by a curve to the left having a radius of 1040.39 feet a distance of 220.0 feet to Station 38+85.4, thence North  $86-59'$  West 1070.24 feet to Station 49+39.63 at the intersection of the centerline of Olive Street, thence by the centerline of Olive Street North  $3^{\circ}-01'$  East 346.0 feet to Station 52+85.63 at the intersection of the centerline of State Street,

shall be graded, drained, curbed and paved, and repaved, in accordance with plans and specifications therefore as submitted to the Borough by the Borough Engineer, said paving to have a width of six feet beyond the present paving and said repaving to be above the present paved portion of the streets so that Southmont Boulevard when the work is completed shall have a general width of paving of thirty feet.

Section 2. The President of the Council and the Borough

Secretary are hereby authorized to enter into a proper contract or contracts in the name of the Borough after proper advertisement for bids, for the whole or any part of said work, or for materials or labor connected therewith, with such parties and upon such terms as the Council may determine. Any and all action already taken in connection with the improvements of said streets is hereby ratified and confirmed.

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Section 3. The Borough Engineer is hereby designated as the person in charge of said improvement with full power to act for the Borough in all engineering matters connected with said work, and to estimate and determine the amount of assessments therefor in accordance with law.

Section 4. The costs and expenses of the entire work hereby authorized shall be paid by the Borough of Southmont and the owners of real estate abutting or bounding on said streets in accordance with the Acts of Assembly in such cases made and provided including the Act of 1966, February 1st, P. L. (1965)-----No. 581, Section 1761, so that all of the costs relating to grading, draining and repaving shall be paid by the Borough and the same is hereby appropriated therefor out of funds now or hereafter in the treasury and one-third (1/3) of the cost of the new paving of that portion of the street six feet wide heretofor unpaved shall be paid by the Borough and the same is hereby appropriated therefor out of funds now or hereafter in the treasury and two-thirds (2/3) of said cost of grading, draining and paving that portion of the street six feet wide heretofor unpaved, shall be paid by the owners of the real estate abutting or bounding on said streets and the same is hereby assessed against them according to the foot front rule and said assessments are hereby appropriated therefor.

Section 5. Whenever curbing or guttering or both shall be necessary in the opinion of the Borough Engineer, or as set forth in said plans and specifications, to make a complete job, the same shall be constructed as authorized above, but the entire costs hereof shall be and is hereby assessed against the real estate abutting or bounding the same according to the foot front rule.

Section 6. The specifications of the Borough Engineer and the cost heretofor mentioned may include storm sewers, inlets, manholes and expenses in connection with said improvement.

Section 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

Passed finally in Council this 11th day of April, 1966.

CCBS33

ORDINANCE 238 (continued)

BOROUGH OF SOUTHMONT

By Paul L. Weir  
President of Council

ATTEST:

[Signature]  
Borough Secretary

Approved this 11th day of April, 1966.

[Signature]  
Mayor