

ORDINANCE NO. 219

ORDINANCE PROVIDING FOR THE ACCEPTANCE OF A PORTION OF QUEEN STREET, FORMERLY KNOWN AS HILLCREST COURT AS PUBLIC HIGHWAYS FOR PUBLIC USE, AND FURTHER PROVIDING FOR THE GRADING CURBING AND PAVING OF SAID PORTION OF QUEEN STREET RUNNING FROM VIOLET STREET TO GOUCHER STREET AND FOR THE GRADING, DRAINING, CURBING AND PAVING OF THE PRESENT UNPAVED PORTION OF GARDNER STREET AND PROVIDING FOR A STORM SEWER AND OTHER INCIDENTAL WORK THEREON AND FOR THE ASSESSMENT AND COLLECTION OF THE COST THEREOF FROM THE OWNERS OF THE REAL ESTATE ABUTTING ON THE RESPECTIVE IMPROVEMENTS ON THE FOOT FRONT 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. A portion of Queen Street beginning at Station 0+0 at the center line of Goucher Street thence, by the center line of Queen Street North  $72^{\circ} 37'$  East 376.0 feet to Station 3+76 at the intersection of the center line of Violet Street shall be accepted as a public highway for public use.
- Section 2. A portion of Gardner Street beginning in the center line of Gardner Street at end of the present paving at Chestnut Lane at Station 0+0, thence by the center line of Gardner Street North  $86^{\circ} 59'$  West 101.69 feet to Station 1+01.69, Thence by a curve to the right having a radius of 100 feet, an arc distance of 130.26 feet to Station 2+31.95 thence, North  $12^{\circ} 21'$  West 601.15 feet to intersection of center line of Floyd Street at Station 8+33.10 thence North  $50^{\circ} 10'$  East 75.02 feet to end of existing paving at Station 9+08.12, shall be accepted as a public highway for public use.
- Section 3. Queen Street, beginning at Station 0+0 at the centerline of Goucher Street, thence by the centerline of Queen Street North  $72^{\circ} 37'$  East 376.0 feet to Station 3+76 at the intersection of the centerline of Violet Street shall be graded, curbed and paved with paving material and storm sewers, inlets and manholes and other work incidental thereto, shall be performed all in accordance with the plans and specifications therefor as submitted to the Borough Council by the Borough Engineer, said paving to be to a width of 26 feet between curbs.
- Section 4. Gardner Street formerly known as Hillcrest Court, beginning in the centerline of Gardner Street at end of the present paving at Chestnut Lane at Station 0+0 thence by the centerline of Gardner Street North  $86^{\circ} 59'$  West 101.69 feet to Station 1+01.69, thence by a curve to the right, having a radius of 100 feet, an arc distance of 130.26 feet to Station 2+31.95 thence North  $12^{\circ} 21'$  West 601.15 feet to intersection of centerline of Floyd Street at Station 8+33.10 thence North  $50^{\circ} 10'$  East 75.02 feet to end of existing paving at Station 9+08.12. Gardner Street paving to be 30 feet in width from 0+0 to Station 3+47 and 24 feet in width from Station 3+47 to end including the intersections and returns shall be graded, drained, curbed and paved with a paving material and storm sewers, inlets, manholes, and other work incidental thereto shall be performed all in accordance with the plans and specifications therefor as submitted to the Borough Council by the Borough Engineer

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Section 5. The President of 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.

Section 6. 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 also to estimate and determine the amount of assessments therefor in accordance with law.

Section 7. The costs and expenses of the entire work hereby authorized shall be paid by the Borough of Southmont and the owners of the real estate abutting or bounding on said streets in accordance with the Acts of Assembly, in such cases made and provided including Act of May 4, 1927, P.L. 519, Section 1712, as amended, so that 1/3 of said costs and expenses shall be paid by the Borough and the same is hereby appropriated therefor out of the funds now or hereafter in the treasury, and 2/3 of said costs and expenses shall be paid by the owners of the real estate abutting or bounding on said streets improved, and the same is hereby assessed against them according to the foot front rule, and said assessments are hereby appropriated therefor.

Section 8. 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 thereof shall be and is hereby assessed against the real estate abutting or bounding the same according to the foot front rule.

Section 9. All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same hereby are repealed.

Passed finally in Council this 12th day of August, 1963.

Borough of Southmont

By: G. Martin Fox  
President of Council

Attest:  
Betty M. Sabo  
Secretary

Approved:  
Robert Moors  
Mayor