

ORDINANCE NO. 240

ORDINANCE PROVIDING FOR THE ACCEPTANCE OF PORTIONS OF CHERRY ALLEY, STILL ALLEY AND RAY ALLEY AS PUBLIC HIGHWAYS FOR PUBLIC USE AND FURTHER PROVIDING FOR THE GRADING, DRAINING, AND PAVING OF A PORTION OF SAID ALLEYS AND PROVIDING FOR THE ASSESSMENT AND COLLECTION OF THE COST THEREOF FROM THE OWNERS OF THE REAL ESTATE ABUTTING ON THE 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 Cherry Alley, described as follows:

BEGINNING at a point in the center line of Thoburn Street and the center line of Cherry Alley At Station 0+0, thence by the center line of Cherry Alley N. $59^{\circ}48'$ W. a distance of 579.73, the place of ending. Said Cherry Alley shall be 16 feet in width, as shown on the Plan and Profile of Cherry Alley as prepared by T. L. Locher, R.P.E., August 1, 1966,

shall be accepted as a public highway for public use.

Section 2. A portion of Still Alley described as follows:

BEGINNING at the intersection of the center line of Shady Lane and the center line of Still Alley at Station 0+0, thence by the center line of Still Alley the following courses and distances:

South $55^{\circ}-35'-40''$ East a distance of 175.99 feet to Station 1+75.99, thence South $10^{\circ}-20'-10''$ East a distance of 150.0 feet to Station 3+25.99, thence South $28^{\circ}-19'-40''$ East a distance of 105.25 feet to Station 4+31.24, thence South $40^{\circ}-22'-10''$ East a distance of 235.0 feet to Station 6+66.24 thence South $73^{\circ}-36'-10''$ East a distance of 101.91 feet to Station $78^{\circ}-49'-10''$ East a distance of 157.23 feet to Station 9+25.38, thence South $40^{\circ}-21'-10''$ East a distance of 44.62 feet to Station 9+70.0, thence South $40^{\circ}-38'-50''$ West a distance of 51.9 feet to Station 10+21.9, at the intersection of the centerline of Ray Alley, the place of ending. Still Alley being 20 feet in width, as shown on the Shady Lane Development Plan as laid out by Cambria Steel Company, August 17, 1921,

shall be accepted as a public highway for public use.

Section 3. A portion of Ray Alley, described as follows:

BEGINNING at the intersection of the centerline of Logan Street and the centerline of Ray Alley, thence by the center line of Ray Alley North $49^{\circ}-38'-50''$ East a distance of 207.03 feet to Station 2+07.03 also known as Station 10+21.9 at the intersection of the centerline of Still Alley the place of ending. Ray Alley being 20 feet in width, as shown on the Plan of Shady Lane Development as laid out by Cambria Steel Company August 17, 1921.

shall be accepted as a public highway for public use.

Section 4. Portions of Cherry Alley, Ray Alley and Still Alley, as above described, shall be graded, drained and paved with asphalt paving material, and storm sewers, inlets and manholes shall be installed, 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.

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 as the Council by Resolution may determine. Any and all action already taken in

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connection with the improvements of said alleys is hereby ratified and confirmed.

Section 6. The Borough Engineer is hereby designated as the person in charge of said improvements 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 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 alleys 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 alleys improved, and the same is hereby assessed against them according to the foot-front rule, and said assessments are hereby appropriated therefor.

Section 8. 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 8th day of August, 1966.

BOROUGH OF SOUTHMONT

By Paul L. Weir
President of Council

ATTEST:

Paul D. Garner
Borough Secretary

APPROVED, August 8, 1966

By Robert M. Mason
Mayor

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