

ORDINANCE NO. 201

ORDINANCE PROVIDING FOR THE GRADING, DRAINING, CURBING AND PAVING OF A PORTION OF LEILA STREET WHICH WAS HERETOFORE UNPAVED AND FOR THE ASSESSMENT AND COLLECTION OF THE COSTS THEREOF FROM THE OWNERS OF REAL ESTATE ABUTTING ON BOTH SIDES OF THE PORTION OF SAID STREET IMPROVED ON THE FOOT FRONT PLAN FOR THE PAVING AND THE FULL COST OF CURBING.

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. That portion of Leila Street in the Borough, which has never been paved between Thoburn Street and Diamond Boulevard between Station 0+15.5, thence North $86^{\circ}-59'$ West 469.56 feet to Station 4+85.06, shall be graded, drained, curbed and paved 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 done on the unpaved portion between the present curb line and the edge of the existing concrete paving, approximating 16 feet in width. The job shall consist of excavation placing 8 inch base and 2 inch pre-mix amesite surface.

Section 2. The paving and improvement hereby authorized shall be done in connection with repairs and repaving of that portion of Leila Street, which heretofore has been improved and paved, and as part of the same contract but the assessments herein provided for, shall be made only for the cost of improving and paving that section of Leila Street which has heretofore never been paved or improved.

Section 3. 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 street is hereby ratified and confirmed.

Section 4. 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 determine and set assessments therefor.

Section 5. 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 the portion of said street improved 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 one-third ($1/3$) 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 two-thirds ($2/3$) of said costs and expenses shall be paid by the owners of the real estate abutting or bounding on both sides of the portion of said street improved; and the same is hereby assessed against them and against said real estate according to the foot front rule, and said assessments are hereby appropriated therefor.

Section 6. Whenever curbing 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 paid by the owners of the real estate abutting or bounding the curb, and the same is hereby assessed against them and said real estate, according to the foot front rule.

ORDINANCE NO. 201 Concluded

Section 7. 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 11th day of July A.D. 1960.

G. Martin Fox
President of Council

Attest:
Betty M. Sabo
Secretary

Approved:

Robert Moors
Burgess