

BOROUGH OF SOUTHMONT, CAMBRIA COUNTY, PENNSYLVANIA

ORDINANCE NO. 335

ORDINANCE PROVIDING FOR THE RELOCATION AND ACCEPTANCE OF A PORTION OF STILLRAY ALLEY 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 Stillray Alley, 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 intersection of the existing easterly line of Stillray Alley with the easterly line of Shady Lane, THENCE by the following courses and distances South 55° 35' 40" East 154.87 feet; North 49° 11' 20" East 6.96 feet; South 10° 20' 10" East 112.00 feet; South 14° 49' 53" East 65.70 feet; South 28° 19' 40" East 53.83 feet; South 33° 03' 11" East 48.12 feet; South 40° 22' 10" East 150.00 feet; South 48° 17' 25" East 58.05 feet; South 65° 26' 24" East 36.63 feet; South 73° 36' 10" East 56.00 feet; South 78° 49' 10" East 70.00 feet; South 83° 16' 41" East 25.73 feet; South 75° 37' 20" East 62.97 feet; South 40° 21' 10" East 56.07 feet; South 4° 38' 50" West 59.34 feet; South 49° 38' 50" West 191.17 feet to a point on the Easterly line of Logan Street; THENCE by said easterly line North 40° 21' 10" West 20.00 feet to the westerly line of Stillray Alley; THENCE by said westerly line by the following courses and distances: North 49° 38' 50" East 175.39 feet; North 9° 21' 51" East 29.95 feet; North 6° 42' 05" West 26.89 feet; North 40° 21' 10" West 9.31 feet; North 56° 43' 58" West 26.47 feet; North 78° 49' 10" West 142.20 feet; North 73° 36' 10" West 105.35 feet; North 40° 22' 10" West 239.69 feet; North 28° 19' 40" West 107.88 feet; North 10° 20' 10" West 147.41 feet; North 55° 35' 40" West 111.79 feet to a point on a curve that is concave to the southwest having a radius of 15.00 feet; THENCE westerly along said curve 13.72 feet to a point on the easterly line of Shady Lane; THENCE by said easterly line North 10° 20' 10" West 34.28 feet to THE PLACE OF BEGINNING.

Section 2. A portion of Stillray Alley, presently owned by Joseph F. Knapp, as hereinafter described, with a map attached to said Ordinance, and marked as Exhibit "A", 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:

PARCEL #1: BEGINNING at a point on the westerly line of Stillray Alley,

said point lying North 40° 21' 10" West 20.81 feet from the easterly most corner of lands of Joseph F. Knapp; THENCE through lands of which this was a part North 56° 43' 58" West 26.47 feet to a point on the westerly line of Stillray Alley; THENCE by said alley South 78° 49' 10" East 12.00 feet to a point; THENCE continuing along same South 40° 21' 10" East 16.00 feet to THE PLACE OF BEGINNING, containing 59.72 square feet.

PARCEL #2: BEGINNING at the eastern most corner of lands of Joseph F. Knapp on the westerly line of Stillray Alley; THENCE by said alley South 40° 38' 50" West 42.78 feet to a point; THENCE continuing along same South 49° 38' 50" West 7.50 feet to a point; THENCE through lands of which this was a part North 9° 21' 51" East 29.95 feet to a point; THENCE continuing through same North 6° 42' 05" West 26.89 feet to a point on the westerly line of Stillray Alley; THENCE by said line South 40° 21' 10" East 11.50 feet to THE PLACE OF BEGINNING, containing 219.07 square feet as shown on Plan M-1-408 by HINKS & LOCHER ENGINEERS, INC., which is attached hereto and made a part hereof.

Section 3. A portion of Stillray Alley, presently owned by BCD Associates, as hereinafter described, with a map attached to said Ordinance, and marked as Exhibit "B", 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 on the easterly line of Stillray Alley said point also being the southwesterly corner of lands of Laurel Management Co.; THENCE by lands of Laurel Management Co. North 49° 11' 20" East 10.50 feet to a point; THENCE through lands of which this was a part by the following courses and distances: South 14° 49' 53" East 26.79 feet; South 28° 19' 40" East 53.83 feet; South 33° 03' 11" East 48.12 feet; South 40° 22' 10" East 150.00 feet; South 48° 17' 25" East 58.05 feet; South 65° 26' 24" East 36.63 feet; South 73° 36' 10" East 56.00 feet; South 78° 49' 10" East 70.00 feet; South 83° 16' 41" East 25.73 feet; South 75° 37' 20" East 62.97 feet; South 40° 21' 10" East 4.00 feet to a point on the easterly line of Stillray Alley; THENCE by the line of said alley by the following courses and distances: North 78° 49' 10" West 161.48 feet; North 73° 36' 10" West 98.47 feet; North 40° 22' 10" West 231.61 feet; North 28° 19' 40" West 102.61 feet to THE PLACE OF BEGINNING, containing 2644.96 square feet, as shown on plan M-3-107 by HINKS & LOCHER ENGINEERS, INC., which is attached hereto and made a part hereof.

Section 4. A portion of Stillray Alley, presently owned by Laurel Management Company, as hereinafter described, with a map attached to said Ordinance, and marked Exhibit "C", 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 on the easterly line of Stillray Alley at the northwest corner of lands of Laurel Management Company; THENCE North 49° 11' 20" East 6.96 feet to a point; THENCE through lands of which this was a part South 10° 20' 10" East 112.00 feet to a point; THENCE continuing through said lands South 14° 49' 53" East 38.91 feet to a point; THENCE South 49° 11' 20" West 10.50 feet to a point on the easterly line of Stillray Alley; THENCE by said line North 10° 20' 10" West 152.58 feet to THE PLACE OF BEGINNING, containing 977.36 square feet as shown on plan M-1-407 by HINKS & LOCHER ENGINEERS, INC., which is attached hereto and made a part hereof.

Section 5. The President of Council and the Borough Secretary are hereby authorized by Borough Council to use Borough equipment and labor or to enter into 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 6. The Borough Engineer 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 7. 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 8. This ordinance shall become effective thirty (30) days after passage.

Passed finally in Council this 11 day of November, 1985.

ATTEST:

BOROUGH OF SOUTHMONT





Approved this 11 day of November, 1985.



Mayor

Yeas: 7

Neas: 0