

ORDINANCE No. 168 - 1996

AN ORDINANCE OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA, VACATING A PORTION OF ARLINGTON DRIVE BETWEEN THIRD STREET AND INDUSTRIAL PARK ROAD, IN PYMATUNING TOWNSHIP, MERCER COUNTY, PENNSYLVANIA, PURSUANT TO A PETITION OF ALL PROPERTY OWNERS WHOSE LANDS ABUT UPON THAT PORTION OF ARLINGTON DRIVE HEREBY VACATED.

WHEREAS, all of the owners of property abutting a portion of Arlington Drive, in Pymatuning Township, Mercer County, Pennsylvania, have petitioned the Board of Supervisors of Pymatuning Township, to vacate that portion of Arlington Drive on which their lands abut, which portion of Brentwood Drive is hereinafter described; and

WHEREAS, under the authority of Act 60 of 1995, reenacting and amending the Act of May 1, 1933, (P.L. 103, No. 69), as amended, the Pymatuning Township Board of Supervisors may upon petition vacate a road or portion thereof within the Township.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED AS FOLLOWS:

Section 1: That the following portion of Arlington Drive between Third Street and Industrial Park Road is hereby vacated as a public street:

Beginning at the intersection of the north right-of-way line of Reynolds Industrial Park Road (LR-4012); and the East right-of-way line of Arlington Drive (T-432); thence South 62° 19' West along the North right-of-way of Reynolds Industrial Park Road, a distance of 25.01' to a point; thence South 62° 50' 6" West along the North right-of-way line of Reynolds Industrial Park Road, a distance of 25.00' to a point on the West right-of-way line of Arlington Drive; thence North 26° 28' 42" West along the West right-of-way line along an arc in the West right-of-way line of Arlington Drive with a radius of 571.44' and a chord bearing of North 13° 6' 20" west, a distance of 264.32' to a point; thence North 0° 16' East along the West right-of-way line of Arlington Drive, a distance of 588.60' to a point on the South right-of-way line of Third Street (T-656); thence North 78° 3' 57" East, a distance of 599.41' to a point; thence along an arc in the East right-of-way line of Arlington Drive with a radius of 521.44' and a chord bearing of South 13° 6' 20" East, a distance of 241.20' to a point; thence South 26° 28' 42" East along the East right-of-way line of Arlington Drive, a distance of 60.56' to a point on the North right-of-way line of Reynolds Industrial Park Road which point is the place of beginning; containing 1.04 acres of land more or less.

Section 2: The vacation of the aforesaid portion of Arlington Drive shall be subject to the rights of the Township and all public utilities to maintain, operate, repair and replace any poles, wires, pipes, conduits, sewer mains, water mains, or any other facility or equipment for the maintenance or operation of any utility now located in or upon said portion of Arlington Drive vacated under Section 1 hereof.

Section 3: That title to the land occupied by said portion of Arlington Drive hereby vacated under Section 1 hereof shall vest in the abutting property owners in accordance with existing law.

Section 4: Following the enactment of this Ordinance, a certified copy of this Ordinance, together with a survey of the vacated portion of Arlington Drive, showing its location and width, shall be filed in the Office of the Clerk of Court of Common Pleas, of Mercer County, Pennsylvania.

Section 5: The Township Secretary is authorized and directed to make the necessary changes and corrections on the plan or map of the roads of the Township of Pymatuning.

Section 6: That this Ordinance is enacted and ordained pursuant to the Petition of all of the property owners abutting the above-mentioned portion of Arlington Drive in accordance with the Act 60 of 1995 reenacting and amending the Act of May 1, 1933, (P.L. 103, No. 69), in which said Petition the Township is released from all damages due to such vacation.

Section 7: The provisions of this Ordinance shall be severable, and if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, such shall not affect the validity of any of the remaining provisions of this Ordinance.

Section 8: All ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

ENACTED AND ORDAINED, this 9th day of May, 1996.

ATTEST:

TOWNSHIP OF PYMATUNING:

Jaime E. Leventay  
Township Secretary

By: Joseph A. Selnekovic  
George J. Fudler  
Richard J. Sherwood  
(Supervisors)

TOWNSHIP SEAL