

ORDINANCE NO. 197

AN ORDINANCE OF THE BOROUGH OF MILESBERG PROVIDING FOR THE VACATION OF AN UNNAMED ALLEY LYING BETWEEN IDDINGS AND LOGAN STREETS PRESERVING UNTO THE BOROUGH AN EASEMENT OVER THE VACATED PORTION OF SAID UNNAMED ALLEY FOR THE PLACEMENT OF SEWER, WATER AND OTHER UTILITY LINES.

WHEREAS, the Borough Council of Milesburg has been petitioned by the abutting property owners to vacate a portion of an unnamed alley located between Logan Street and Iddings Street being more fully described in Section One of the aforesaid Ordinance, a copy of which petition is annexed hereto and made a part hereof; and

WHEREAS, said alley appears on certain maps relating to Milesburg Borough but in fact has never been used or opened as a street for a period well in excess of twenty-one (21) years; and

WHEREAS, after public notice given in a newspaper of general circulation in the Borough, a hearing on the aforementioned petition was held 13th day of September, 1982, at 7.30 o'clock P.M. in the Borough meeting room; and

WHEREAS, after a hearing was held on said petition, it appearing that it is in the best interest of the community to adopt said petition.

NOW, THEREFORE, be it enacted and ordained by the Borough Council of the Borough of Milesburg and it is hereby enacted and ordained by authority of Section 1742 of the Borough Code, 53 P.S. Act of February 1, 1966, P.L. 518, as follows:

SECTION ONE: All that portion of an unnamed alley located in the Borough of Milesburg, said alley having a 20-foot right-of-way as hereinafter more fully described:

BEGINNING at a point located at the easterly intersection of the unnamed alley and Logan Street; thence proceeding along the centerline of the aforesaid unnamed alley along line of lands of Reigh, Packer, McCartney, Shawley and Beahm to a point located at the westerly intersection of the aforesaid unnamed alley and Iddings Street.

The aforementioned portion of the unnamed alley is hereby vacated as a street or right-of-way of the Borough of Milesburg.

SECTION TWO: The Borough of Milesburg reserves and retains an easement over, under and through said tract 10 feet in width lying on either side of the centerline of the aforesaid abandoned street for the purpose of laying and maintaining sewer, water and other utility lines as evidenced by an agreement to be executed by and between the abutting property owners and the Borough of Milesburg. The Borough retains the right of ingress, egress and regress over and upon said land for the purpose of installing and maintaining said sewer, water and other utility lines now in existence or to be constructed in said right-of-way.

SECTION THREE: This ordinance shall take effect the 23rd day of November, 1982.

ENACTED AND ORDAINED as an Ordinance of the Borough of Milesburg this 23rd day of November, 1982.

BOROUGH OF MILESBURG

BY: Donald P. Rickett
President

ATTEST:

Sally M. Knapp
Secretary

TO THE MILESBERG BOROUGH COUNCIL:

We the undersigned represent all of the property owner's adjacent to the unopened alley running from Logan Street to Iddings Street between Spring and Broadway Streets as shown on the attached sketch.

Would you please consider abandonment of this right-of-way to the respective property owners as shown, as none of us wish this alley to ever be ordained or opened to traffic.

It is understood that due to the fact that the Mid-Centre County Authority currently has a sewer line and manholes in this area, a 10 foot wide permanent easement--5 feet left and right--will be honored by all property owners.

James H. Reigh

John B. Reigh

Robert L. Shawley

H. Jane Shawley

Boyd McCarty

John McCarty

Laura E. Beahm

Russell R. Beahm

Lillian A. Packer

RAILROAD ROW

BROADWAY ST.

WAGNER ST.

LOGAN ST.

SPRING ST.

JAMES + JEAN REIGH
BY
ARTICLE OF AGREEMENT

JAMES + JEAN REIGH

LILLIAN PACKER

BOYD + JANE McCARTNEY

ROBERT +
SHAWLEY

LARRY + PRISCILLA
BEAHM

20'

10'

20'

IDDINGS ST.

FRONT ST.
(Old Rt. 220)