

ORDINANCE NUMBER 3 OF 2006

**AN ORDINANCE ABANDONING A CERTAIN ALLEYWAY
LOCATED WITHIN THE BOUNDARIES OF THE BOROUGH OF THROOP**

WHEREAS, pursuant to Borough Code Section 1741, Borough Council has the authority to vacate or close any street or portion thereof previously opened or laid out; and

WHEREAS, the property described in Exhibit "A" – Lot No.: A, while laid out, has never been used as a public thoroughfare; and

WHEREAS, Throop Borough Council is of the opinion that the property described in Exhibit "A" – Lot No.: A is no longer of use to the citizens of Throop Borough as a public thoroughfare;

NOW THEREFORE, be it ordained by Throop Borough Council and it is hereby ordained as follows:

- 1. Pursuant to Borough Code Section 1741, the property described in Exhibit "A" – Lot No.: A shall be vacated and/or abandoned as a public thoroughfare and the Borough of Throop hereby relinquishes all of its rights, duties, responsibilities and liabilities with respect to the property described in Exhibit "A" – Lot No.: A.*

SECTION 1. If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Borough of Throop reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Ordinance and the effective administration thereof.

SECTION 2. This Ordinance shall become effective forty (40) days after enactment.

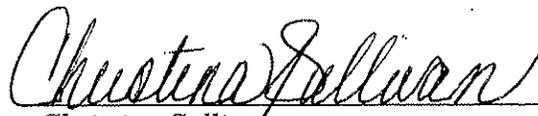
SECTION 3. This Ordinance is enacted by the Council of the Borough of Throop under the authority of the Act of the Legislative, as amended, December 12, 1990, P.L. 1994, No. 220, and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.

ENACTED AND ORDAINED into an Ordinance this 24h day of April, 2006.


Thomas J. Lukasewicz
President of Council


Stanley Lukowski
Mayor

Attest:


Christina Sullivan
secretary

Legal Description

Lot # A

Alley

All that certain piece, parcel or lot of land situate, Throop Borough, Lackawanna, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point, along the northerly right-of-way line of Oak Street, with the intersection of the westerly right-of-way line of an unnamed alley;

Thence along the westerly right-of-way line of said alley, and along lands of now or formerly Tri-County Building Corporation, North twenty one degrees forty six minutes six seconds East, (N 21°46'06" E), a distance of three hundred eighty four and twenty two hundredths feet, (384.22 ft.), to a point;

Thence leaving said right-of-way, South sixty seven degrees forty minutes seven seconds East, (S 67°40'07" E), a distance of fifteen and no hundredths feet, (15.00 ft.), to a point;

Thence along the easterly right-of-way line of said alley, South twenty one degrees forty six minutes six seconds West, (S 21°46'06" W), a distance of three hundred eighty four and twenty two hundredths feet, (384.22 ft.), to a point along the northerly right-of-way line of Oak Street;

Thence along the northerly right-of-way line of Oak Street, North sixty seven degrees forty minutes seven seconds West, (N 67°40'07" W), a distance of fifteen and no hundredths feet, (15.00 ft.), to a point the place of beginning.

Containing 5,763 Square Feet, of land, more or less.

Legal Description

Lot # 1A

All that certain piece, parcel or lot of land situate, Throop Borough, Lackawanna, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point, along the right-of-way line of Oak Street, said point located South sixty seven degrees forty minutes seven seconds East, (S 67°40'07" E), a distance of seven and fifty hundredths feet, (7.50 ft.), from the intersection of the westerly right-of-way line of an unnamed alley;

Thence along the center line of said alley, North twenty one degrees forty six minutes six seconds East, (N 21°46'06" E), a distance of three hundred eighty four and twenty two hundredths feet, (384.22 ft.), to a point;

Thence leaving said right-of-way, South sixty seven degrees forty minutes seven seconds East, (S 67°40'07" E), a distance of seven and fifty hundredths feet, (7.50 ft.), to a point;

Thence along the easterly right-of-way line of said alley, South twenty one degrees forty six minutes six seconds West, (S 21°46'06" W), a distance of three hundred eighty four and twenty two hundredths feet, (384.22 ft.), to a point along the northerly right-of-way line of Oak Street;

Thence North sixty seven degrees forty minutes seven seconds West, (N 67°40'07" W), a distance of seven and fifty hundredths feet, (7.50 ft.), to a point the place of beginning.

Containing 2,881.5 Square Feet, of land, more or less.

Legal Description

Lot # 2A

All that certain piece, parcel or lot of land situate, Throop Borough, Lackawanna, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point, along the northerly right-of-way line of Oak Street, with the intersection of the westerly right-of-way line of an unnamed alley;

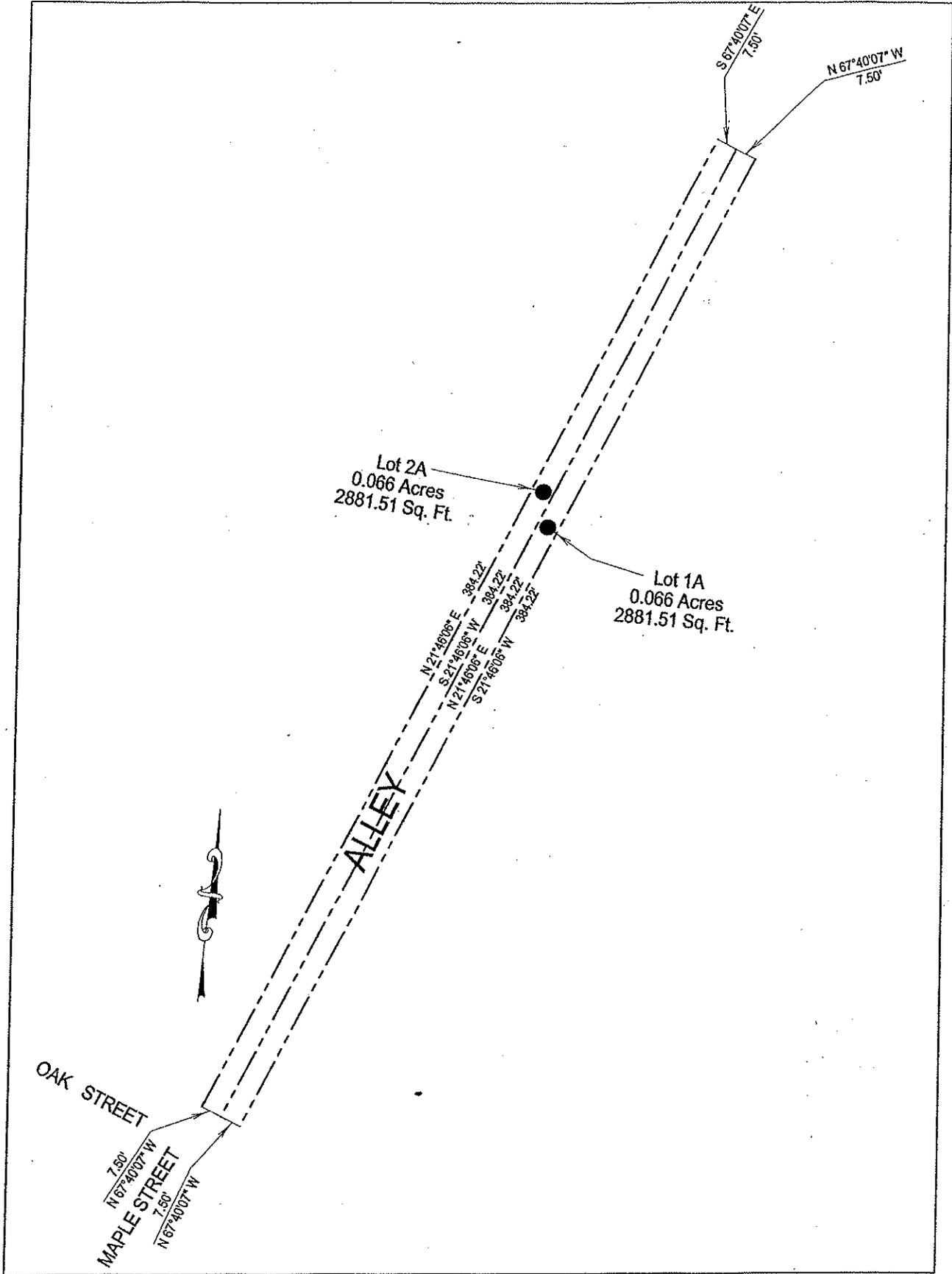
Thence along the westerly right-of-way line of said alley, and along lands of now or formerly Tri-County Building Corporation, North twenty one degrees forty six minutes six seconds East, (N 21°46'06" E), a distance of three hundred eighty four and twenty two hundredths feet, (384.22 ft.), to a point;

Thence leaving said right-of-way, South sixty seven degrees forty minutes seven seconds East, (S 67°40'07" E), a distance of seven and fifty hundredths feet, (7.50 ft.), to a point;

Thence along the center line of said alley, South twenty one degrees forty six minutes six seconds West, (S 21°46'06" W), a distance of three hundred eighty four and twenty two hundredths feet, (384.22 ft.), to a point along the northerly right-of-way line of Oak Street;

Thence along the northerly right-of-way line of Oak Street, North sixty seven degrees forty minutes seven seconds West, (N 67°40'07" W), a distance of seven and fifty hundredths feet, (7.50 ft.), to a point; (7.50 ft.), to a point the place of beginning.

Containing 2,881.5 Square Feet, of land, more or less.



LOT "A"