

ORDINANCE NUMBER 5 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.: E, 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.: D 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:*

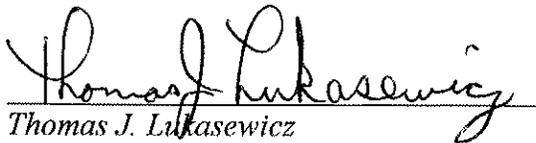
- 1. Pursuant to Borough Code Section 1741, the property described in Exhibit "A" – Lot No.: E shall be vacated and/or abandoned as a public thoroughfare and the Borough of Throop hereby relinquishes all of its rights, duties, responsibilities and liabilities with respect to the property described in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

*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 24th day of April, 2006.

  
Thomas J. Lukasewicz  
President of Council

  
Stanley Lukowski  
Mayor

Attest:

  
Christina Sullivan  
secretary

## Legal Description

### Lot E

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, said point being the intersection of the southerly right-of-way line of Oak Street, and the westerly right-of-way line of Hall Street;

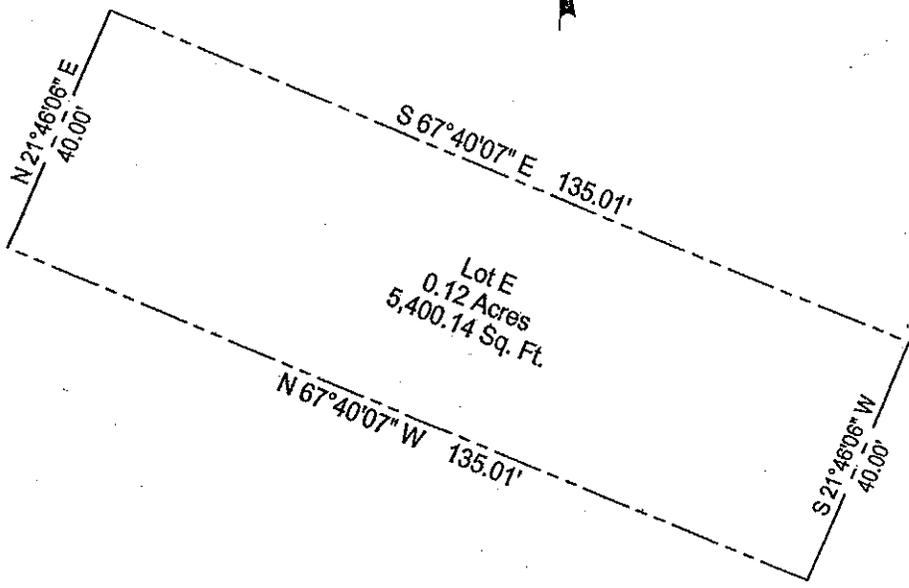
**Thence** along the southerly right-of-way line of Oak Street, North sixty seven degrees forty minutes seven seconds West (N 67°40'07" W), a distance of one hundred thirty five and one hundredths feet, (135.01 ft.), to a point;

**Thence** leaving said southerly right-of-way line of Oak Street, to the northerly right-of-way line of Oak Street, North twenty one degrees forty six minutes six seconds East (N 21°46'06" E), a distance of forty and no hundredths feet, (40.00 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, South sixty seven degrees forty minutes seven seconds East (S 67°40'07" E), a distance of one hundred thirty five and one hundredths, (135.01 ft.), to a point;

**Thence** leaving said northerly right-of-way line of Oak Street South twenty one degrees forty six minutes six seconds West (S 21°46'06" W), a distance of forty and no hundredths feet, (40.00 ft.), to a point, along the southerly right-of-way line of Oak Street, the place of beginning.

**Containing** 5,400.14 Square Feet, of land, more or less.



LOT "E"