

ORDINANCE 1957-5

AN ORDINANCE VACATING TWO UNNAMED ALLEYS 12 FEET IN WIDTH SITUATE IN THE THIRD WARD OF WEST NEWTON BOROUGH, WESTMORELAND COUNTY, PENNSYLVANIA.

WHEREAS, all of the owners of the real estate abutting on-

1. A certain unnamed alley 12 feet in width situate in the William B. Neff Plan of Lots in the Third Ward of West Newton Borough, Westmoreland County, as recorded in the Recorder's Office of Westmoreland County, Pennsylvania, in Plan Book Vol. 7, Page 11, the center line description of said alley being as follows:

Beginning at a point on the southerly property line of Locust Street; thence South $6^{\circ} 10'$ West 120.00 feet to an unnamed alley hereinafter described, abutting lots being numbered 16 and 17 in said plan, and,

2. A certain unnamed alley 12 feet in width also situate in the William B. Neff Plan of Lots in the Third Ward aforesaid, the center line description of said alley being as follows:

Beginning at a point on the northerly side of Maple Street; thence North $6^{\circ} 10'$ East 106.74 feet; thence South $83^{\circ} 50'$ East 138.205 feet to a point on the northwesterly line of Washington Street, formerly Second Street in said plan of lots, abutting lots being numbered 12, 15, 16, 17 and 18 in said plan.

have petitioned Council of the Borough of West Newton, Westmoreland County, Pennsylvania to vacate said alleys and have released the Borough from any and all damages which may arise from the vacation thereof.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Burgess and town Council of the Borough of West Newton, Westmoreland County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same that;

1. A certain unnamed alley 12 feet in width situate in the William B. Neff Plan of Lots in the Third Ward of West Newton Borough, Westmoreland County, as recorded in the Recorder's Office of Westmoreland County, Pennsylvania, in Plan Book Vol. 7, Page 11, the center line description of said alley being as follows:

BEGINNING at a point on the southerly property line of Locust Street; thence South $6^{\circ} 10'$ West 120.00 feet to an unnamed alley hereinafter described, abutting lots being numbered 16 and 17 in said plan, and,

2. A certain unnamed alley 12 feet in width also situate in the William B. Neff Plan of Lots in the Third Ward aforesaid, the center line description of said alley being as follows:

BEGINNING at a point on the northerly side of Maple Street; thence North $6^{\circ} 10'$ East 106.74 feet; thence South $83^{\circ} 40'$ East 138.205 feet to a point on the northwesterly line of Washington Street, formerly Second Street in said plan of lots, abutting lots being numbered 12, 15, 16, 17 and 18 in said plan.

be and the same are hereby vacated;

EXCEPTING and RESERVING to the Borough of West Newton the free and uninterrupted right to lay, maintain, repair, and remove a sewer line or sewer lines through and under the above described alleys, to-

gether with the right and privilege of entering into and upon the said alleys to lay, repair, maintain, and remove said sewer line or sewer lines without liability for damages to the surface thereof.

Notice of the passage of this ordinance shall be given by hand bills posted along said alleys, which notice shall also contain the date of passage of this ordinance; that the petition for vacation was signed by all of the owners of the property abutting upon said alleys and that any person interested in deny the fact that such petition was so signed may appeal to the Court of Common Pleas of Westmoreland County, Pennsylvania, within thirty (30) days from the passage of said ordinance.

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Ordained and enacted this ____ day of _____, 1957.

President of Council

ATTEST:

Approved this ____ day of _____, 1957.

Burgess