

**BOROUGH OF CONSHOHOCKEN**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NUMBER 01-2023

**AN ORDINANCE OF THE BOROUGH OF CONSHOHOCKEN, COUNTY OF MONTGOMERY, ACCEPTING THE DEDICATION AND OPENING OF PORTIONS OF THE RIGHT OF WAY OF OAK STREET, SITUATE IN THE BOROUGH OF CONSHOHOCKEN, COUNTY OF MONTGOMERY, AND MORE SPECIFICALLY BEING A PORTION OF TAX MAP PARCEL ## 05-00-00032-01-7, 05-00-00032-00-8, AND 05-00-00040-00-9; REPEALING PRIOR INCONSISTENT ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Borough Code, 8 Pa.C.S. § 101, *et seq.*, grants the Borough Council of the Borough of Conshohocken the power, by ordinance, to accept an unopened street or portion thereof offered for dedication;

**WHEREAS**, Oak Street in the Borough of Conshohocken previously dead-ended at Stoddard Avenue, in the location of property owned by the Southeastern Pennsylvania Transportation Authority (SEPTA) and used by SEPTA as part of its regional rail line for the Manayunk Norristown route (the "SEPTA Property");

**WHEREAS**, the SEPTA Property affected by this ordinance is a portion of tax map parcel no. 05-00-00032-01-7, no. 05-00-00032-00-8 and no. 05-00-00040-00-9; and

**WHEREAS**, the Borough, in consultation with SEPTA, has filed an application (the "Rail Crossing Application") with the Pennsylvania Public Utility Commission (the "PUC") for the opening of a rail crossing that would result in Oak Street continuing across Stoddard Avenue, across SEPTA's regional rail line tracks, and connecting with Washington Street, a public street of the Borough, being specifically that area of land identified on the plan attached hereto as Exhibit "A" and described in the legal description attached hereto as Exhibit "B";

**WHEREAS**, by notice dated August 12, 2020, the PUC approved the Rail Crossing Application, subject to several conditions;

**WHEREAS**, included among the conditions of the PUC's approval of the Rail Crossing Application, was the following condition no. 2:

2. Prior to the establishment of a new public highway rail crossing, Borough of Conshohocken, at its initial cost and expense, [shall] prepare and submit to this Commission and to all parties of record for examination, a resolution or other instrument that ordains the new roadway as a public street.

**WHEREAS**, consistent with the foregoing condition, the Borough Council of the Borough of Conshohocken intends to, and believes it to be in the best interest of the Borough to, accept the area of land identified on the plan attached hereto as Exhibit "A" and described in the legal description attached hereto as Exhibit "B" for dedication from SEPTA and to open and ordain the area of land identified on the plan attached hereto as Exhibit "A" and described in the legal description attached hereto as Exhibit "B" as a public street of the Borough of Conshohocken.

**NOW THEREFORE**, it is hereby **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Conshohocken as follows:

**SECTION I**

Dedication of the area of land identified on the plan attached hereto as Exhibit "A" and as described in the legal description attached hereto as Exhibit "B", attached hereto as a public street of the Borough of Conshohocken is hereby **ACCEPTED** pursuant to Section 1734 of the Borough Code, 8 Pa.C.S. § 1734.

**SECTION II**

The area of land identified on the plan attached hereto as Exhibit "A" and as described in the legal description attached hereto as Exhibit "B" is hereby **OPENED** as part of the public street of the Borough of Conshohocken pursuant to Section 1731 of the Borough Code, 8 Pa.C.S. § 1731.

**SECTION III. Repealer.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any inconsistency.

**SECTION IV. Severability Clause.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Borough Council hereby declares that it would have enacted this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION V. Effective Date.**

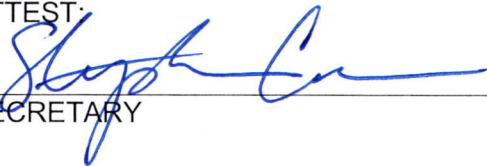
This Ordinance shall be effective immediately upon adoption by the Council of the Borough of Conshohocken.

**ORDAINED** and **ENACTED** this 4<sup>th</sup> day of October, 2023 at by the Borough Council of the Borough of Conshohocken.

**BOROUGH OF CONSHOHOCKEN:**

  
\_\_\_\_\_  
COLLEEN LEONARD, COUNCIL PRESIDENT

ATTEST:

  
\_\_\_\_\_  
SECRETARY

Approved this 4<sup>th</sup> day of October, 2023

  
\_\_\_\_\_  
YANIV ARONSON, MAYOR

**EXHIBIT "A"**

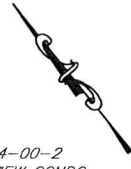
P:\SURVEY\PROJECTS\2023\9991001 Conshohocken Boro\1. Oak Street Right-of-Way\Survey\Drawings\Source Drawings\9991001 BDY.dwg Layout: 8.5 X 11 P

PARID 05-00-02684-00-2  
N/F GRANDE AT RIVERVIEW CONDO  
ASSOCIATION  
DEED BOOK 6106 PAGE 1987

PARID 05-00-00032-01-7  
N/F SEPTA

PARID 05-00-00040-00-9  
N/F SEPTA

PARID 05-00-00036-00-4  
N/F HIGH STREET CONSHOHOCKEN I LLC  
101 WASHINGTON STREET



OAK STREET  
(VARIABLE WIDTH)

R=2481.27'  
L=24.84'  
CH=24.84'  
S56°03'10"E

STODDARD  
AVE

RIGHT OF WAY PER REFERENCE 7  
RIGHT OF WAY PER REFERENCE 4  
RIGHT OF WAY PER REFERENCE 6 & 8

**GENERAL NOTES:**

1. PROPERTY LINES WERE OBTAINED FROM COUNTY, PUBLIC AND PRIVATE RECORDS FOR THE BOROUGH OF CONSHOHOCKEN, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA. PROPERTY LINES ARE ADJUSTED TO PHYSICAL EVIDENCE FOUND.
2. SUBJECT TO COVENANTS, RESTRICTIONS AND/OR EASEMENTS EITHER WRITTEN OR IMPLIED.
3. HORIZONTAL DATUM IS BASED ON THE REFERENCE 2.

PARID 05-00-00032-00-8  
N/F SEPTA

**REFERENCES:**

1. GIS MAP FOR THE COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA.
2. PLAN ENTITLED "CONDITIONAL USE AND PRELIMINARY/FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN FOR HIGH STREET CONSHOHOCKEN I LLC, SITUATE CONSHOHOCKEN BOROUGH, MONTGOMERY COUNTY, PA", PREPARED BY BOHLER ENGINEERING, DATED JUNE 28, 2019 AND LAST REVISED AUGUST 13, 2020, RECORDED IN INST.# 2020080836.
3. PLAN ENTITLED "PLAN OF SUBDIVISION FOR REDEVELOPMENT AUTHORITY OF MONTGOMERY COUNTY CONSHOHOCKEN C.B.D. NO 1 U.R.A., PREPARED BY METROPOLITAN ENGINEERING INC., DATED DECEMBER 10, 1984, RECORDED IN PLAN BOOK A-46 PAGE 85.
4. PLAN ENTITLED "SUBDIVISION PLAN, MERCY HEALTH SYSTEM KEYSTONE MERCY HEALTH PLAN", PREPARED BY PENNONI ASSOCIATES INC., DATED AUGUST 26, 1997, LAST REVISED JANUARY 12, 1998, RECORDED IN PLAN BOOK A-57 PAGE 307.
5. PLAN ENTITLED "ALEXAN RIVER VIEW HEIGHTS, OVERALL FINAL SITE/RECORD PLAN", PREPARED BY PENNONI ASSOCIATES INC., DATED OCTOBER 30, 2003, LAST REVISED OCTOBER 29, 2004, RECORDED IN PLAN BOOK 24 PAGE 229.
6. PLAN ENTITLED "CONSHOHOCKEN STATION NORRISTOWN LINE STATION CONSTRUCTION PROPOSED OAK STREET EXTENSION TRACK", PREPARED BY SEPTA, DATED 12/22/2020, CERTIFIED CORRECT PLANS DOCKET A-2020-3016552.
7. PLAN BOOK VAL PLAN PAGE 196
8. PLAN BOOK VAL PLAN LC 0329 RIGHT OF WAY TRACK MAP PHILA. GERMANTOWN & NORRISTOWN RAILROAD, DATED JUNE 30, 1917, LAST REVISED DECEMBER 31, 1967. (REC'D FROM SEPTA)
9. ATLAS ID 44778 05282008, BOOK 3 SECTION 47 (REC'D FROM SEPTA)

N36°50'32"E  
12.5'

R=1763.27'  
L=25.37'  
S54°55'41"E  
CH=25.37'

72.70'

N37°28'22"E

PROPOSED  
OAK STREET  
RIGHT OF WAY  
4,353 S.F.  
(NEWLY CONSTRUCTED  
CROSSING BY OTHERS)  
50'

S37°28'22"W

105.11'

N52°13'00"W  
29.76'

IRON PIN  
FOUND

POINT OF BEGINNING

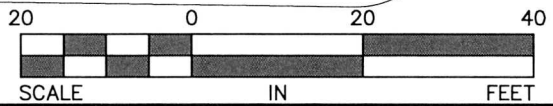
OAK STREET  
RIGHT OF WAY  
(PER DEED INST# 2020080836)

N34°56'00"E  
17.67'

N53°58'55"W  
19.46'

50.00' N52°24'39"W

18.47' S37°28'22"W



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES  
65 EAST BUTLER AVENUE, SUITE 100, NEW BRITAIN, PA 18901 • (215) 345-4330

**PROPOSED RIGHT OF WAY  
OAK STREET**

CONSHOHOCKEN BOROUGH  
MONTGOMERY COUNTY, PENNSYLVANIA

<b>DRAWN BY:</b> RC	<b>JOB NO.:</b> 9991001	<b>DATE:</b> 9/8/2023	<b>SCALE:</b> 1"=20'
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**EXHIBIT "B"**



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

**Metes and Bounds Description  
Proposed Oak Street Right of Way  
Lands N/F SEPTA  
Conshohocken Borough, Montgomery County, Pennsylvania**

Beginning at a point, said point being an iron pin found on the dividing corner of lands now or formerly the southwesterly right of way line of SEPTA (PARID 05-00-00032-01-7), the northeasterly corner of SEPTA (PARID 05-00-00040-00-9) and northwesterly right of way line of Oak Street, and from said Point of Beginning being more particularly described the following courses:

1. Across the right of way bed of the SEPTA railroad, North 37° 28' 22" East, for a distance of 72.70 feet to the northerly sideline of the SEPTA right of way and westerly sideline of Oak Street, thence;
2. Along a curve to the left (not tangent to the previous course), along the dividing line of the northeasterly right of way of SEPTA and southwesterly right of way of Oak Street, having a radius of 1763.27 feet, an arc length of 25.37 feet, and whose chord bears South 54° 55' 41" East, for a chord distance of 25.37 feet to a point, thence;
3. Continuing along the same, North 36° 50' 32" East, for a distance of 12.5 feet to the beginning of a curve, thence;
4. Continuing along the same, along a curve to the left (not tangent to the previous course), having a radius of 2481.27 feet, an arc length of 24.84 feet, and whose chord bears South 56° 03' 10" East, for a chord distance of 24.84 feet to a point on the easterly sideline of Oak Street, thence
5. Across the right of way bed of the SEPTA railroad, South 37° 28' 22" West, for a distance of 105.11 feet to a point on the corner of the easterly right of way of Oak Street and lands now or formerly High Street Conshohocken I LLC (PARID 05-00-00036-00-4), thence;
6. Along the dividing line of the southwesterly SEPTA right of way and northeasterly right of way of Oak Street, North 53° 58' 55" West, for a distance of 19.46 feet to a point, thence;
7. Continuing along the same, North 34° 56' 00" East, for a distance of 17.67 feet to a point, thence;
8. Continuing along the same, North 52° 13' 00" West, for a distance of 29.76 feet to the POINT OF BEGINNING.

Containing 4,353 square feet or 0.10 acres, more or less.

Attached hereto as Exhibit 'A' is a plan entitled "Proposed Right of Way Oak Street, Conshohocken Borough, Montgomery County, Pennsylvania", prepared by Gilmore & Associates, Inc., New Britain, Pennsylvania, dated September 8, 2023, and by this reference made a part hereof.

Dated: September 8, 2023  
File No.: 9991001  
Prepared by: Russell T. Cross, Professional Land Surveyor  
Pennsylvania License No.: SU075552