

**BOROUGH OF HELLERTOWN  
ORDINANCE NO.: 851**

**AN ORDINANCE OF THE BOROUGH OF HELLERTOWN, NORTHAMPTON  
COUNTY PENNSYLVANIA, VACATING PORTION OF AN UNNAMED AND  
UNOPENED STREET BEGINNING AT HEMLOCK STREET RUNNING NORTH TO  
PROPERTY OWNED BY PAIKES ENTERPRISES, INC.**

BE IT ENACTED AND ORDAINED and it is hereby Enacted and Ordained by the Borough Council of the Borough of Hellertown, County of Northampton and Commonwealth of Pennsylvania as follows:

**WHEREAS**, on April 14, 2023, Douera I, LLC submitted a Petition to Vacate a portion of an unnamed and unopened street and formally requested Borough Council consider vacating portions of an unnamed, unopened street bisecting its properties and a property owned by Dano Guerreri; and

**WHEREAS**, Borough Council listed the matter for public hearing on June 5, 2023; and

**WHEREAS**, at Borough Council's June 5, 2023 public meeting, it approved proceeding to a public hearing on the proposed vacation; and

**WHEREAS**, Borough Council has authority pursuant to the Borough Code at 8 Pa.C.S.A. § 1731 to vacate public streets; and

**WHEREAS**, after a public hearing on said ordinance pursuant to 8 Pa.C.S.A. §1731, the Borough finds the vacation of the noted portions of the unnamed and unopened street is proper.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOROUGH OF HELLERTOWN AND IT IS ENACTED AND ORDAINED AS FOLLOWS:**

1. SECTION 1. The portion of land to be vacated along the property abutting Douera 1, LLC is 3,226 square feet or 0.0763 acres. A copy of the legal description is attached as Exhibit 1. A copy of the plan depicting the area is attached as Exhibit 2.

2. SECTION 2. The portion of land to be vacated along property abutting the property owned by Dano Guerreri is approximately 450 square feet or 0.0103 acres of land. A copy of the proposed ordinance with the attached plan depicting the area to be vacated and legal description is attached as Exhibit 3 and a copy of the plan depicting its dimensions is attached as Exhibit 4.

3. SECTION 3. The proper officers and all other personnel the Borough hereby are authorized and empowered to take all such further action and execute such additional documents as they may deem necessary and appropriate to carry out the purposes of this Ordinance.

4. SECTION 4: SEVERABILITY. The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Borough that this Ordinance would have been amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.

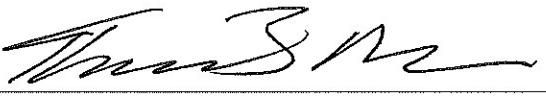
5. SECTION 5: REPEALER. Any and all ordinances and/or parts hereon which are inconsistent herewith are hereby and the same repealed.

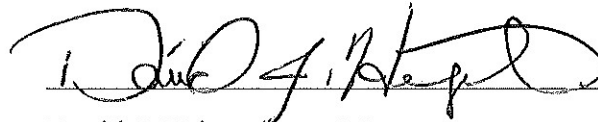
**ENACTED AND ORDAINED** this 5<sup>th</sup> day of June, 2023.

ATTEST:

BOROUGH OF HELLERTOWN

  
Borough Manager

  
Thomas Rieger, President Borough Council

  
David J. Heintzelman, Mayor