

**BOROUGH OF PROSPECT PARK  
DELAWARE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 1348**

**AN ORDINANCE OF THE BOROUGH OF PROSPECT PARK,  
DELAWARE COUNTY, PENNSYLVANIA PROVIDING FOR  
THE VACATION OF A PORTION OF DARBY CRESCENT ROAD**

**WHEREAS**, residents of properties located on Darby Crescent Road and Pennsylvania Avenue in the Borough of Prospect Park have filed a Petition for Vacation [of a portion] of Darby Crescent Road, pursuant to the provisions of the Pennsylvania Borough Code, 8 Pa.C.S.A Section 1732; and,

**WHEREAS**, THE Borough Council of the Borough of Prospect Park is granted the authority by the Pennsylvania Borough Code, 8 Pa.C.S.A. Section 1731, *et seq.* to vacate or close a street or portion of a street previously opened or laid out upon such petition, provided that no street or portion of a street providing the sole means of access to a tract of land is vacated without the consent of those to whom access would be denied; and,

**WHEREAS**, following notice to the public and after a hearing thereon, the Borough Council of the Borough of Prospect Park finds that it would be in the best interests, welfare and safety of the citizens of Prospect Park to grant the Petition for Vacation of (a portion) of Darby Crescent Road;

**NOW THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Prospect Park that:

**SECTION I.** A portion of the street known as Darby Crescent Road, as more particularly described in Exhibit "A", attached hereto and herein incorporated, and as described in a plan titled, "Plan Showing Area of Darby Crescent Road Proposed to be Vacated" prepared by H. Gilroy Damon Associates, Inc., dated September 18, 2018, is hereby VACATED;

**SECTION II.** All elected and appointed officials are authorized to take all action necessary to ensure the implementation and effect the purpose hereof.

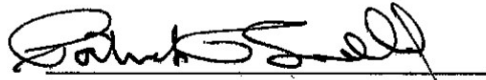
**SECTION III.** Any and all Ordinances and/or Resolutions, or parts thereof, conflicting herewith are repealed insofar as the matters herein are affected.

**SECTION IV.** The provisions of this Ordinance are severable, and if any clause, sentence, subsection or section hereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not affect, impair or invalidate the remainder but shall be confined in its operation and application to the clause, sentence,

subsection or section rendered. It is hereby declared the intent of the Prospect Park Borough Council that this ordinance would have been adopted if such illegal, invalid, or unconstitutional clause, sentence, subsection, or section had not been included therein.

**SECTION V.** This is effective immediately upon enactment according to law, and shall remain in effect hereafter until revised, amended, or revoked by action of the Prospect Park Borough Council.

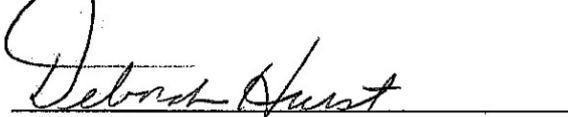
**ENACTED AND ORDAINED** this 9TH day of APRIL, 2019.



Patrick O'Connell  
Borough Council President

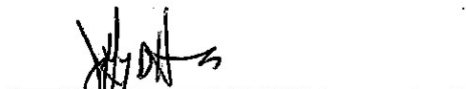
**SEAL**

ATTEST:



Deborah Hurst  
Borough Secretary

APPROVED:



Jeffrey Harris  
Mayor