BOROUGH OF QUARRYVILLE

Lancaster County, Pennsylvania

ORDINANCE NO. <u>450</u> 452

AN ORDINANCE OF THE BOROUGH OF QUARRYVILLE TO ACCEPT A SEGMENT OF FRITZ AVENUE.

WHEREAS, the Final Plan of Westridge Section No. 1 was recorded at Subdivision Plan Book J-16, Page 12, in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, on February 22, 1962 (the "Westridge Plan"); and

WHEREAS, the Westridge Plan proposed the development of streets including, but not limited to, Fritz Avenue; and

WHEREAS, the segment of Fritz Avenue between Chestnut Street and Smith Drive has not been improved, opened, or used by the members of the public; and

WHEREAS, owners of more than fifty percent of the front footage of such segment of Fritzs Avenue and more than fifty percent of the number of lot owners along the segment of Fritz Avenue have requested that the Borough open Fritz Avenue; and

WHEREAS, Borough Council believes that it is in the best interest of the Borough to open such segment of Fritz Avenue.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Quarryville, Lancaster County, Pennsylvania, as follows:

Section 1. Fritz Avenue, extending from Chestnut Street to Smith Drive shown on the Final Plan of Westridge Section No. 1 was recorded at Subdivision Plan Book J-16, Page 12, in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, on February 22, 1962, attached hereto and incorporated herein as Exhibit A, shall be opened as a public street and shall become part of the public street system of Quarryville Borough.

Section 2. Fritz Avenue as opened by this Ordinance shall extend from Chestnut Street to Smith Drive with a right-of-way width of fifty (50) feet and a cartway to be constructed as shown on the Preliminary/Final Subdivision and Land Development Plan for Fritz Avenue Extension prepared by RGS Associates at the expense of developer W P Partnership, LP with a width of 30 feet and a centerline length of 1,015 feet.

Section 3. The proper officials of the Borough are hereby authorized to do and perform all acts necessary and required under the Borough Code or the Act of Assembly Allocating Fuel Taxes to Municipalities (72 P.S. §2615.1 et seq.) to accept such street as part of the public road system of Quarryville Borough.

Section 4. This Ordinance is enacted in accordance with Sections 1724 and 1733 of the Borough Code.

<u>Section 5.</u> In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 6. This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ORDAINED AND ENACTED this 5th day of December, 2022, by Borough Council of the Borough of Quarryville, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF QUARRYVILLE Lancaster County, Pennsylvania

Attest: Secretary

(Assistant) Secretary

(Vice) President

Borough Council

SEAL SEAL STANDS

and approved as an Ordinance this 5th day of Decemiser, 2022.

By Mayor