

## ORDINANCE NO. 858

### AN ORDINANCE OF THE BOROUGH OF SELINGROVE, SNYDER COUNTY, PENNSYLVANIA, VACATING AN UNNAMED AND UNOPENED ALLEY LOCATED BETWEEN SUNRISE DRIVE AND BRIDGE STREET.

The Council of Selingsrove Borough, Snyder County, Pennsylvania, ordains as follows:

**SECTION 1. Authority For Ordinance.** This Ordinance is adopted in conformance with and pursuant to authority granted by Sections 1006 and 1731 of the Pennsylvania Borough Code, as amended (53 P.S. §§ 46006 and 46731).

**SECTION 2. Intent.** The intent of this Ordinance is to promote the welfare of the community by discontinuing the expense of maintaining certain unnecessary public streets and/or ways within the Borough. The proposed Ordinance will vacate the unnamed and unopened alley from the western right-of-way line of Sunrise Drive west and northeast to the southern right-of-way line of Bridge Street.

#### **SECTION 3. Definitions.**

The following terms shall have the meanings set forth in this section unless specifically designated otherwise in the text of this Ordinance:

**Borough** - The Borough of Selingsrove, Snyder County, Pennsylvania.

**Council** - The duly elected Council of the Borough of Selingsrove, Snyder County, Pennsylvania.

**Notice** - Any and all personal notice required by Section 1731 of the Pennsylvania Borough Code with regard to this Ordinance may occur either by publication in a newspaper of general circulation or by certified mail, return receipt requested, if to an individual landowner.

**Unnamed and Unopened Alley** - All that certain street designated by the Borough as an alley located between the western right-of-way line of Sunrise Drive and the southern right-of-way line of Bridge Street.

#### **SECTION 4. Landowners Affected And Notices.**

**A.** The following landowners shall be affected by the vacation of the unnamed and unopened alley from the western right-of-way line of Sunrise Drive west and northeast to the southern right-of-way line of Bridge Street:

Thomas N. Hoover and Linda R. Hoover, husband and wife, John C. Hoover, and Susan K. Scholl and Leon G. Scholl, husband and wife, owners of real property designated on Snyder County Tax Assessment Map No. 01 for Selinsgrove Borough as Parcels No. 008 and 008-A and described in Snyder County Record Book 480 at Page 973;

Menno H. Reiff owner of real property designated on Snyder County Tax Assessment Map No. 01 for Selinsgrove Borough as Parcel No. 009 and described in Snyder County Record Book 980 at Page 870;

Michael Cavada and Clare A. Cavada owners of real property designated on Snyder County Tax Assessment Map No. 01 for Selinsgrove Borough as Parcel No. 010 and described in Snyder County Record Book 162 at Page 584;

Snyder County owner of real property designated on Snyder County Tax Assessment Map No. 01 for Selinsgrove Borough as Parcel No. 002 and described in Snyder County Record Book 771 at Page 583;

Generally to all other owners of real property within Selinsgrove Borough, Snyder County, Pennsylvania, appearing on any recorded plan on which the unnamed and unopened alley might appear. A copy of the Snyder County Tax Map for the unnamed and unopened alley is attached hereto and incorporated herein by this reference.

**B.** In accordance with Section 1731 of the Borough Code, the Borough shall give two (2) notices one week apart in a newspaper of general circulation within the Borough of the vacation of the public land and alley to be affected by this Ordinance and directed generally to all owners of real property appearing on any recorded plan on which the unnamed and unopened might appear and shall notify in writing all of the owners of real property abutting the unnamed and unopened alley intended to be vacated. The Borough shall give written notice by United States certified mail, return receipt requested, to the personal address of the owners of all real property abutting on the unnamed and unopened alley to be vacated by this Ordinance. In the event any owners of real property abutting on the unnamed and unopened alley cannot be found, a copy of this Ordinance and the written notice shall be posted on the premises of such real property.

**C.** Within ten (10) days after the second publication, any interested party may petition the Council for a hearing, which Council shall hold within sixty (60) days after the date of the petition and of which the Council shall give at least 15-days' prior notice in a newspaper of general circulation in the Borough and shall notify in writing the persons listed in Section A above. Any such petition shall serve

to stay the effective date of this Ordinance until the Council shall have held such hearing and shall have acted upon such petition by motion duly made and voted upon by Council.

**SECTION 5. Vacation Of The Unnamed and Unopened Alley.**

All of the unnamed and unopened alley from the western right-of-way line of Sunrise Drive west and northeast to the southern right-of-way line of Bridge Street is hereby vacated as a public street and/or roadway and shall no longer be cared for or maintained by Selinsgrove Borough but shall remain a private road for the use of those property owners whose lands abut them and those persons who otherwise have a legal right to the use of said lane and alley. All portions of Sunrise Drive and Bridge Street not hereby vacated shall remain a public roadway.

**SECTION 6. Appeal.** Within thirty (30) days after the decision by the Council on any petition filed, or if no petition is filed then within thirty (30) days following enactment of this Ordinance, any party aggrieved by the Council's action may appeal such decision or other action of the Council regarding the enactment of this Ordinance to the Court of Common Pleas for Snyder County, Pennsylvania.

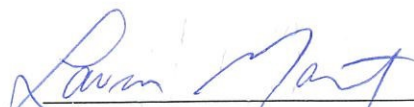
**SECTION 7. Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

**SECTION 8. Repealer.** Any and all other ordinances or parts thereof inconsistent herewith are, hereby, repealed.

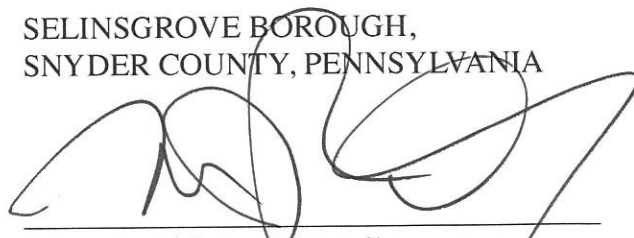
**SECTION 9. Effective Date.** This Ordinance shall become effective immediately upon its enactment, unless stayed as provided in Section 4 above.

**ADOPTED** this 4<sup>th</sup> day of April, 2022, by the Council of Selinsgrove Borough, Snyder County, Pennsylvania, in lawful session duly assembled after proper notice having been given.

ATTEST:

  
\_\_\_\_\_  
Borough Secretary

SELINGROVE BOROUGH,  
SNYDER COUNTY, PENNSYLVANIA

  
\_\_\_\_\_  
President of Council

(Selinsgrove Borough Seal)

Approved Selinsgrove Borough Ordinance No. 858 this 4<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Mayor

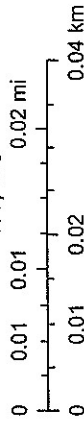
# Snyder County



February 16, 2022

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1:1,128



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Snyder County GIS  
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