

ORDINANCE # 2024-1

**VOTING RESULTS
BOROUGH OF TOWANDA COUNCIL
ORDINANCE**

Date: April 1, 2024

Subject: Vacate the Entirety of Hospital Drive (Township RD T-590) in Towanda Borough as a Public thoroughfare.

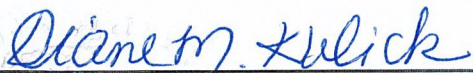
Motion made by: Mr. Saring

Motion 2nd by: Mrs. Miller

| NAME | AYE / YEA | NAY / NO | ABSTAIN | ABSENT |
|---------------|-----------|----------|---------|--------|
| MR. EBERLIN | X | | | |
| MRS. MILLER | X | | | |
| MR. ROOF | X | | | |
| MR. SARING | X | | | |
| MR. KOVALCIN | X | | | |
| MR. SCHULZE | X | | | |
| MR. CHRISTINI | X | | | |
| MRS. HATCH | X | | | |
| MR. PARKS | X | | | |
| | | | | |

ORDINANCE # 2024-1

Status: Carried



Attested by: Diane M. Kulick
Borough Secretary/Treasurer

Seal:



BOROUGH OF TOWANDA
ORDINANCE NO. 2024-1

AN ORDINANCE VACATING THE ENTIRETY OF HOSPITAL DRIVE, ALSO KNOWN AS TOWNSHIP ROAD T-590, SITUATE IN TOWANDA BOROUGH, BRADFORD COUNTY, PENNSYLVANIA; PROVIDING FOR THE REPEAL OF ANY ORDINANCE OR PART THEREOF INCONSISTENT WITH THE ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING THE DATE WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, the Council of Towanda Borough has determined that the continued use and maintenance of Hospital Drive, also known as Township Road T-590 (hereinafter collectively referred to as "Hospital Drive") as a public thoroughfare is of little utility and not consistent with the safety and welfare of the residents of Towanda Borough and the traveling public in general, and therefore should be vacated; and

WHEREAS, none of the owners of lands abutting Hospital Drive, the same being, respectively, Robert Packer Hospital, owner of Tax Parcel No. 49-73.01-15, and L&G V, LLC, owner of Tax Parcel No. 49-73.01-16, will be deprived of access to their respective lands if Hospital Drive is vacated, alternate access thereto as to each such owner being had via Pratt Avenue, a public street in Towanda Borough on which their respective lands abut; and

WHEREAS, pursuant to the Borough Code, 8 Pa.C.S. Section 1731(a)(2), the Council of Towanda Borough by ordinance has the power and authority to vacate or close a street or portion of a street within its jurisdiction and thereby terminate the public right in and to the street without, however, affecting a private right acquired by an owner of abutting property;

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

SECTION I. The entirety of that certain street, road, alley or thoroughfare known as Hospital Drive, bounded and described as set forth on Appendix "A" and depicted by survey plat on Appendix "B", both of which are attached hereto and hereby incorporated by reference, is hereby vacated and the public right in and to Hospital Drive is terminated.

SECTION II. No private right acquired by an owner of land abutting Hospital Drive shall be affected by the vacation of Hospital Drive.

SECTION III. Any provisions of the Code of the Borough of Towanda that conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. If any section, clause, or provision of this ordinance is deemed to be illegal, unconstitutional, or otherwise invalid, the remaining sections, clauses, and provisions

shall not be affected, and it is hereby declared to be the intent of the Council of Towanda Borough that this ordinance would be adopted even if such illegal, unconstitutional or invalid provision(s) had not been included herein.

SECTION IV. This Ordinance shall become effective thirty (30) days after enactment.

ENACTED AND ADOPTED by Council of Towanda Borough this 1st day of April, 2024 .

ATTEST:

COUNCIL OF TOWANDA BOROUGH

By: *Diane M. Kulick*
Diane Kulick – Borough Secretary

By: *Ryan P. Eberlin*
Ryan Eberlin - Council President

(Seal)

APPROVED, this 1st day of April, 2024, by the Mayor of Towanda Borough.

Garrett Miller
Garrett Miller - Mayor

Survey Description of
Hospital Drive
0.08 acre

All that certain piece or parcel of land situate, lying and being in the Borough of Towanda, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a 5/8-inch rebar and cap set in the Northerly line of Pratt Avenue in the division line between Hospital Drive (T-590) on the east and of lands of L & G V, LLC as described in Inst. 201211127 on the west;

THENCE along said division line, North 26°57'57" West a distance of 177.22 feet to a 5/8-inch rebar and cap set in the division line between said Hospital Drive of the south and lands of The Memorial Hospital of Towanda, Inc. as described in Inst. 200704039 on the north;

THENCE along said division line, North 55°11'27" East a distance of 20.19 feet to a point in the division line between said Hospital Drive of the west and lands of Robert Packer Hospital as described in Inst. 202101845 on the east;

THENCE along said division line, South 26°57'57" East a distance of 180.06 feet to a point in said Northerly line of Pratt Avenue;

THENCE along said Northerly line, South 63°16'32" West a distance of 20.00 feet to the Point or Place of Beginning.

CONTAINING 0.08 acre (3,573 square feet) of land, more or less, as shown on a map entitled "Survey Map for Towanda Borough of Hospital Drive" by Butler Land Surveying, LLC, Map No. 5408, dated January 26, 2024.

Bearings are referenced to the Pennsylvania State Plane Coordinate Grid.

This parcel is subject to any and all Rights-of-Way, Easements, and/or Agreements that may be over and across, or under the same, whether visible or invisible, or that may be of record for said premises.

APPENDIX "A"



- LEGEND**
- Property Line Monumentation
 - 3/4" Rebar & cap set unless noted
 - Property corner
 - d Utility pole
 - ~ Guy wire
 - ☐ Telephone box
 - ☑ Catch basins
 - ⊙ Manhole
 - ⊙ Hydrant
 - ⊙ Water valve
 - ▲ Sign
 - Overhead wires
 - Chain-link fence

- GENERAL NOTES**
1. Copyright 2024, All Rights Reserved.
 2. Boundary survey monuments are shown in this report.
 3. Only boundary survey monuments with the surveyor's embossed seal and identification are shown.
 4. Aerial photographs are shown for reference only. This report does not provide a plan view of the area shown.
 5. This parcel is subject to any and all rights-of-way, Easements, covenants, conditions, restrictions, or other encumbrances that may be in existence or of record for said premises. All such encumbrances are not shown.
 6. The location of underground improvements or encumbrances are not shown.
 7. Road right-of-way widths may not have been verified by the surveyor.



Scott S. Williams, PLS
PA Lic. No. SU050316E



File No. 6724 Map No. 5408

BUTTLER LAND SURVEYING, I.L.C.
P.O. Box 402
Little Meadows, Pennsylvania 18830
570-395-3388

TOWANDA BOROUGH
of
HOSPITAL DRIVE (ALLEY)

Towanda Borough Bradford County Penna.
January 26, 2024
Scale 1" = 20'

SURVEY MAP
for

TOWANDA BOROUGH

HOSPITAL DRIVE (ALLEY)

Towanda Borough Bradford County Penna.
January 26, 2024
Scale 1" = 20'

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File No. 6724 Map No. 5408

