

BILL NO. 4 OF 2020

Moved by: _____

An ordinance vacating and striking from the Official Map of the City of Harrisburg South 14th Street within the block bounded by Magnolia Street and Cloverly Terrace pursuant to Chapter 3-109 of the Codified Ordinances of the City of Harrisburg.

WHEREAS, the City of Harrisburg desires to vacate a portion of South 14th Street which was severely impacted by the opening of a sinkhole in March 2014; and

WHEREAS, the City of Harrisburg has acquired all of the properties affected by the natural disaster and undertook sinkhole remediation; and

WHEREAS, the City of Harrisburg is authorized to vacate and discontinue any part of a street within city limits when deemed expedient for the public good pursuant in accordance with the Third Class City Code, 11 Pa.C.S. § 12915; and

WHEREAS, the portion of South 14th Street to be vacated runs from Magnolia Street in the west and Cloverly Terrace in the east is approximately 50 feet in width and 500 feet in length, as set forth in the South 14th Street Exhibit, attached hereto as Exhibit "A"; and

WHEREAS, the vacation of South 14th Street will expedite the lot consolidation and assist in bringing the 14th Street Sinkhole Project to closure; and

WHEREAS, there will be no transportation impacts since this street no longer has any function within the city's vehicular or pedestrian network; and

WHEREAS, there will be no emergency services impacts; and

WHEREAS, as a requirement for final passage, City Council shall hold a public hearing to consider the requested street vacation and provide public notice of said public hearing

31 pursuant to the Third Class City Code, 11 Pa.C.S § 12919 and §402(b) of the Pennsylvania
32 Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, as reenacted and amended; and
33

34 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
35 **HARRISBURG, AND IT IS HEREBY ENACTED BY AUTHORITY OF THE SAME,** as
36 follows:
37

38 SECTION 1. VACATION. BEGINNING at the intersection of the easterly right-of-way line of
39 Magnolia Street with the northerly right-of-way line of South 14th Street; THENCE following the
40 northerly right-of-way line of South 14th Street until the intersection of the westerly right-of-way
41 line of Cloverly Terrace; THENCE following the westerly right-of-way line of Cloverly Terrace,
42 S 19° 04' 31" W, a distance of 55.41 feet to a point at the intersection of the westerly right-of-
43 way line of Cloverly Terrace with the southerly right-of-way line of South 14th Street; THENCE
44 following the southerly right-of-way line of South 14th Street until the intersection of the easterly
45 right-of-way line of Magnolia Street; THENCE following the easterly right-of-way line of
46 Magnolia Street, N 44° 36' 07" E, a distance of 218 feet to the POINT OF BEGINNING
47 (Containing 24,302 square feet), is VACATED and STRICKEN from the Official Map of the
48 City of Harrisburg, subject to the conditions noted in Section 2 below.
49

50 SECTION 2. RESERVATION OF EASEMENTS. The street vacation is granted with
51 easements under and upon the property reserved for the benefit of and conveyed to utilities, their
52 successors and assigns in which to access, construct, operate, maintain, repair, replace, improve,
53 remove and enlarge utility systems.
54

55 SECTION 3. RECORDATION. The City Engineer is hereby directed to make appropriate
56 changes to the Official Map of the City of Harrisburg.
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58 SECTION 4. DELEGATION. Appropriate City officials are authorized and directed to take
59 such actions as are necessary to effectuate this ordinance.
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61 SECTION 5. SEVERABILITY. If any provision, sentence, clause, section, or part of this
62 ordinance or the application thereof to any person or circumstance is for any reason found to be
63 unconstitutional, illegal, or invalid by a court of competent jurisdiction, such unconstitutionality,
64 illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences,
65 clauses, sections or parts of this ordinance. It is declared as the intent of the Council of the City
66 of Harrisburg that this ordinance would have been adopted had such unconstitutional, illegal, or
67 invalid provision, sentence, clause, section, or part not been included.

68

69 SECTION 6. REPEALER. All ordinances or parts of ordinances in conflict herewith be and the
70 same are hereby repealed.

71

72 SECTION 7. EFFECTIVE DATE. This ordinance shall take effect in accordance with the law.

73

74 Seconded by: _____

Exhibit A

INTER

OFFICE

MEMO

To: HARRISBURG CITY COUNCIL
From: Kirk Petroski, City Clerk
LEGISLATIVE APPROVAL FORM

Date:

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. 4 -2020 RESOLUTION NO. -2020

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:

Tiffany E. Baldoce
Sr. Deputy City Solicitor

2/21/2020
Date

Requested by Department/Bureau: City of Harrisburg

Department/Bureau Contact Person: Mayor/Wayne Martin/Rebecca Volmer

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

2/25/20

Received by: *Charles...*

Date: 2/21/20