

MONTROSE BOROUGH  
ORDINANCE NUMBER 2016-01

AN ORDINANCE OF THE BOROUGH OF MONTROSE, SUSQUEHANNA COUNTY, PENNSYLVANIA PROVIDING FOR THE VACATION OF A CERTAIN STREET LOCATED WITHIN THE BOROUGH OF MONTROSE WHICH, NEVER HAVING BEEN LAID OUT, EXISTS A STREET IN NAME ONLY.

WHEREAS, the purpose of this ordinance is to vacate a portion of a street the Borough of Montrose;

WHEREAS, Borough Council was approached by interested individuals and property owners within the confines of the borough of Montrose about the possibility of the vacation of a street known as "Harrington Street" which exists only as a "paper" street on various older maps of the Borough;

WHEREAS, Montrose Borough Council has never exercised dominion or control over said street, nor paved or provided any type or kind of maintenance for Harrington Street;

WHEREAS, Harrington Street was never laid out as a borough street or roadway and does not provide sole means of access to any property bordering it;

WHEREAS, an enjoining landowner formally petitioned the Borough for the vacation of this street;

WHEREAS, notice of a public hearing on the matter of the Petition filed with the Borough was advertised for two (2) successive weeks in a newspaper of general circulation and by personal service on all abutting property owners in advance of the hearing of May 2, 2016; and

WHEREAS, A public hearing was held before the Montrose Borough Council on May 2, 2016, at its regularly scheduled monthly meeting, and after notice to all affected property owners, and all interested parties who appeared for said hearing voiced a common desire to have Harrington Street vacated to which no one objected, after which Council voted unanimously to grant the relief requested in said Petition and vacate Harrington Street.

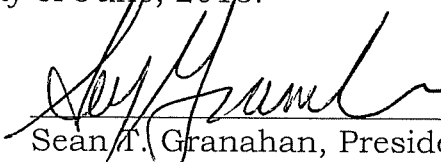
AND NOW, THEREFORE, it is hereby enacted and ordained as follows:

1. The Borough of Montrose, through its duly elected representatives, hereby elects to vacate the street within the confines of the Borough of Montrose known as Harrington Street pursuant to this municipality's authority to do so under Pennsylvania Statute 8Pa.C.S. 1731, et seq..

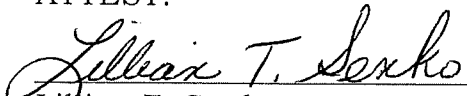
This ordinance shall be effective this \_\_\_\_ day of June, 2016.

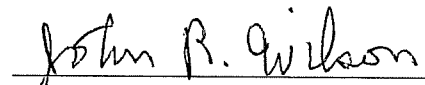
If any section, subsection, sentence or clause of this ordinance is held to be invalid for any reason, said decision or decisions shall not affect the validity of the remaining portions of the Ordinance.

Duly enacted and ordained this 6<sup>th</sup> day of June, 2016.

  
Sean T. Granahan, President  
Council of Borough of Montrose

ATTEST:

  
Lillian T. Senko, Secretary

  
John R. Wilson, Mayor