

BILL NO: 97-\_\_\_\_\_9

ORDINANCE NO. 97-\_\_\_\_\_9

AN ORDINANCE VACATING AN UNOPENED 15 FOOT ALLEYWAY  
EXTENDING NORTHWEST FROM SLOAN AVENUE BETWEEN THE  
LANDS OF DONALD A. EVANS AND DAVID C. EVANS IN THE  
CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA.

WHEREAS, the City of Jeannette has received a Petition to Vacate a portion of an unopened alleyway extending northwest from Sloan Avenue between the lands of Donald A. Evans and David C. Evans, such Petition being executed by property owners comprising 100% of the ownership in interest and frontage along the portion of the aforesaid alleyway to be vacated, a copy of the Petition to Vacate Roadways being attached hereto, made a part hereof and marked Exhibit "A"; and

WHEREAS, the Petitioners have executed a Waiver/Release to accompany the Petition to Vacate, a copy of such Waiver/Release for each property owner abutting the portion of the aforesaid alleyway for which vacation is requested being attached hereto, made a part hereof and marked Exhibit "B" collectively; and

WHEREAS, pursuant to the procedure adopted by the City of Jeannette for vacating roadways within its boundaries, the within Petition to Vacate has been referred to and reviewed by the City Engineer, Fire Chief/Fire Marshall, Chief of Police, Community Development Coordinator and City Solicitor, with

written reports from each of those staff members being attached hereto, made a part hereof and marked collectively as Exhibit "C"; and

WHEREAS, the Petitioners have submitted a copy of a Tax Map showing that portion of the aforesaid alleyway to be vacated, together with the parcels which they own, and a survey providing a metes and bounds description of that portion of the aforesaid alleyway to be vacated, a copy of the aforesaid Tax Map and Survey being attached hereto, made a part hereof and marked collectively as Exhibit "D"; and

WHEREAS, the current owners of abutting property, in accordance with the records maintained in the office of the Recorder of Deeds of Westmoreland County and the Westmoreland County Tax Claim Bureau, are as follows:

1. Tax Map Parcel 14-01-08-00-015, Donald A. Evans;  
and
2. Tax Map Parcel 14-01-08-00-044, David C. Evans.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN, THE COUNCIL OF THE CITY OF JEANNETTE DOES HEREBY ORDAIN AND ENACT THE FOLLOWING ORDINANCE:

1. That unopened alleyway running Northwest from Sloan Avenue between the lands of Donald A. Evans and David C. Evans set forth above, located within the City of Jeannette, County of Westmoreland and Commonwealth of Pennsylvania, and being more particularly bounded and described as follows, is hereby vacated:

BEGINNING at the Southwesterly corner of property of Donald A. Evans, where same abuts the line of Sloan Avenue and the 15 foot alleyway to be vacated, thence, South  $24^{\circ} 01'$  West a distance of 15 feet to a point at the Northeast corner of lands of David C. Evans where same intersects with the alleyway to be vacated; thence, along the line of lands of David C. Evans, North  $65^{\circ} 59'$  West a distance of 150.42 feet to a point; thence, through the unopened 15 foot alleyway, North  $19^{\circ} 3' 20''$  West a distance of 20.54 feet to a point on the line of lands of Donald A. Evans; thence, South  $65^{\circ} 59'$  East a distance of 164.45 feet to the place of beginning.

The description of the aforesaid vacated alleyway is prepared in accordance with a survey performed by Stein, Sunder and Associates, Registered Engineers, dated July 15, 1997 and appended to this Ordinance.

2. Nothing in this Ordinance shall be deemed or construed as a vacation of any other interest or right-of-way through the above described alleyway maintained by any other Municipal Authority or public entity; this Ordinance shall be deemed and construed only as a vacation of that interest maintained by the City of Jeannette to open such roadway by operation of law.

3. Nothing in this Ordinance shall be deemed or construed as a condemnation or vacation of any other private rights-of-way in, over or through the portions of the alleyway hereinbefore vacated, that may exist for or inure to the benefit of private individuals.


4. The City Solicitor is hereby directed to advertise the adoption of the within Ordinance pursuant to the terms of the Third Class City Code and consistent with the laws of the Commonwealth of Pennsylvania with respect to same.

5. This Ordinance shall become effective immediately upon enactment.

THIS ORDINANCE IS DULY ORDAINED, ENACTED AND ADOPTED BY THE COUNCIL OF THE CITY OF JEANNETTE AT A PUBLIC MEETING HELD THE 13<sup>th</sup> DAY OF AUGUST, 1997.

ATTEST:

  
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Ronald E. Dinsmore,  
City Clerk

THE CITY OF JEANNETTE:  
  
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Michael J. Salvatore,  
Mayor/President of Council