

TOWNSHIP OF SALISBURY

LEHIGH COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF SALISBURY PROVIDING FOR THE VACATION OF A PORTION OF ROOSEVELT AVENUE ADJOINING 1525, 1527, 1529, 1531, 1533, 1535 AND 1537 ROOSEVELT AVENUE, AN UNOPENED PAPER STREET LOCATED WITHIN THE BOUNDARIES OF SALISBURY TOWNSHIP PURSUANT TO ARTICLE XX OF THE PENNSYLVANIA FIRST CLASS TOWNSHIP CODE

WHEREAS, the Township of Salisbury (the "Township") is a First Class Township of the Commonwealth of Pennsylvania and is governed by its Board of Commissioners (the "Board"); and

WHEREAS, Article XX of the Pennsylvania First Class Township Code (*53 P.S. Article XX, § 57002-§ 57099.1*) authorizes the Board to vacate any road located wholly or partially within the Township; and

WHEREAS, on January 23, 2023, a Petition to Vacate Street or Alley was received from Humberto Pintor, Michael Sevigny and Susan Sevigny seeking to vacate a portion of Roosevelt Avenue between Harrison Avenue and Logan Street with the street addresses of 1525, 1527, 1529, 1531, 1533, 1535 and 1537 Roosevelt Avenue (the "Subject Property") within the Township of Salisbury; and

WHEREAS, the Subject Property, located within the boundaries of the Township, to be vacated by this Ordinance, is currently not officially opened or utilized as a Township street; and

WHEREAS, the Board is desirous of removing said street from the Township maps and/or records; and

WHEREAS, the Board has determined that the vacation of said street is expedient for the public good of the Township, and beneficial to the public interest of the Township; and

WHEREAS, pursuant to Section 57007 of the First Class Township Code (*53 P.S. § 57007*), the Board held a public hearing on March 9, 2023, to accept public comment on and consider the vacation of said street, after providing ten (10) days written notice to all owners of property adjacent to said street.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Salisbury Township Board of Commissioners as follows:

Section 1. All "Whereas" clauses are incorporated herein by reference.

Section 2. The Board has deemed it appropriate to vacate the Subject Property (as further described on Exhibit "A" which is attached hereto and incorporated herein by reference) after considering the testimony offered at the public hearing, and has determined that the vacation of said street, as described above, is expedient for the public good of the Township, and beneficial to the public interest of the Township. Therefore, the Board hereby vacates the Subject Property

as described in Exhibit "A" thereby relinquishing any right, title, interest, obligation, or duties to the above described street.

Section 3. The resultant title to the Subject Property, as described in Exhibit "A", shall vest according to law.

Section 4. If any provision, sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such stricken provisions not been included herein.

Section 5. All other Ordinances or parts thereof which are contradictory with the provisions hereof, are repealed to the extent of such inconsistencies.

Section 6. This Ordinance shall become effective five (5) days after its enactment.

DULY ADOPTED this ____ day of May, 2023, by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania, in lawful session duly assembled.

BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF SALISBURY

BY: _____
Debra Brinton, President

ATTEST:

Secretary