

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 300

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, NORTHAMPTON COUNTY, PENNSYLVANIA, VACATING ALL OF BRUSH STREET, PROVIDING FOR SEVERABILITY, REPEALER AND EFFECTIVE DATE

WHEREAS, the Township of Washington (hereinafter "the Township") is a duly organized and existing municipality and political subdivision located within the County of Northampton, Commonwealth of Pennsylvania with offices located at 1021 Washington Boulevard, Bangor, PA 18013; and

WHEREAS, the Township has within its boundaries a street known as "Brush Street" (hereinafter "Street") which adjoins the properties of Michael J. and Danielle R. Johnson, Jared M. Zipparo and John DeRea (hereinafter "Petitioners"); and

WHEREAS, the Borough of Roseto heretofore received from the Petitioners a Petition to Vacate said Street and to remove that Street from the Plan of Streets for Roseto Borough; and

WHEREAS, and pursuant to the Pennsylvania Borough Code [Pa.C.S.A. Section 1732], the said Brush Street has been duly vacated as a public street; and

WHEREAS and likewise, the Township has agreed to vacate the portion of Brush Street that was situate in the Township.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Washington Township, Northampton County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, as follows:

SECTION 1. All recitals are herein incorporated by reference.

SECTION 2. Brush Street which is approximately 18.5 feet wide and 406 feet long (as more fully depicted in Exhibit "A" [a map] and as described in Exhibit "B" [a bearing and distances description] and both exhibits are attached hereto and are hereby made a part hereof) is hereby vacated, closed and removed from the Plan of Streets of the Township of Washington and abandoned for public use according to the Second Class Township Code and General Road Law of the Commonwealth of Pennsylvania.

SECTION 3. The Borough of Roseto shall prepare a report documenting and describing said vacated Street and shall file said report with the Office of the Clerk of Courts of Northampton County, PA.

SECTION 4. Said vacation shall not affect the private rights of the abutting property owners to said vacated Street; and, said private property owners shall continue to inure to all rights and obligations to said Street.

SECTION 5. The Township of Washington and/or its servants, agents, officers, elected or appointed officials, boards, committees, employees or representatives shall not, under any circumstances, be liable or responsible for any damages (whether property, personal injury and/or death) caused or suffered by any person or entity by reason of the provisions of this ordinance or the vacation of said Street.

SECTION 6. The terms, conditions and provisions of this Ordinance are severable. If any such term, condition or provision 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 terms, conditions or provisions of this Ordinance; and it is hereby declared to be the intent of the Township that this Ordinance would have been adopted and enacted had such unconstitutional, illegal or invalid term, condition or provision not been included herein.

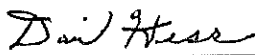
SECTION 7. The terms, conditions and provisions of any existing ordinance which are inconsistent herewith shall be deemed vacated and/or repealed; but, any other terms, conditions and provisions of any other Washington Township ordinance which are not inconsistent herewith shall remain in full force and effect.

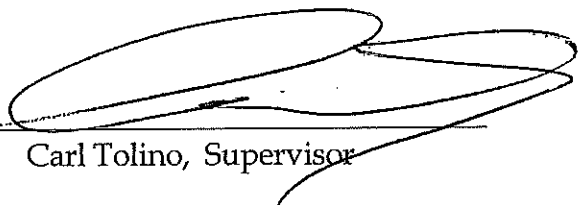
SECTION 8. This ordinance shall become effective five (5) days after its adoption.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, into an Ordinance, this 9th day of June, 2021.

WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS

By: 
Robert Smith, Chairman

By: 
David Hess, Vice Chairman

By: 
Carl Tolino, Supervisor

ATTEST:


By: 
Gail Putvinski, Secretary

Exhibit "A"

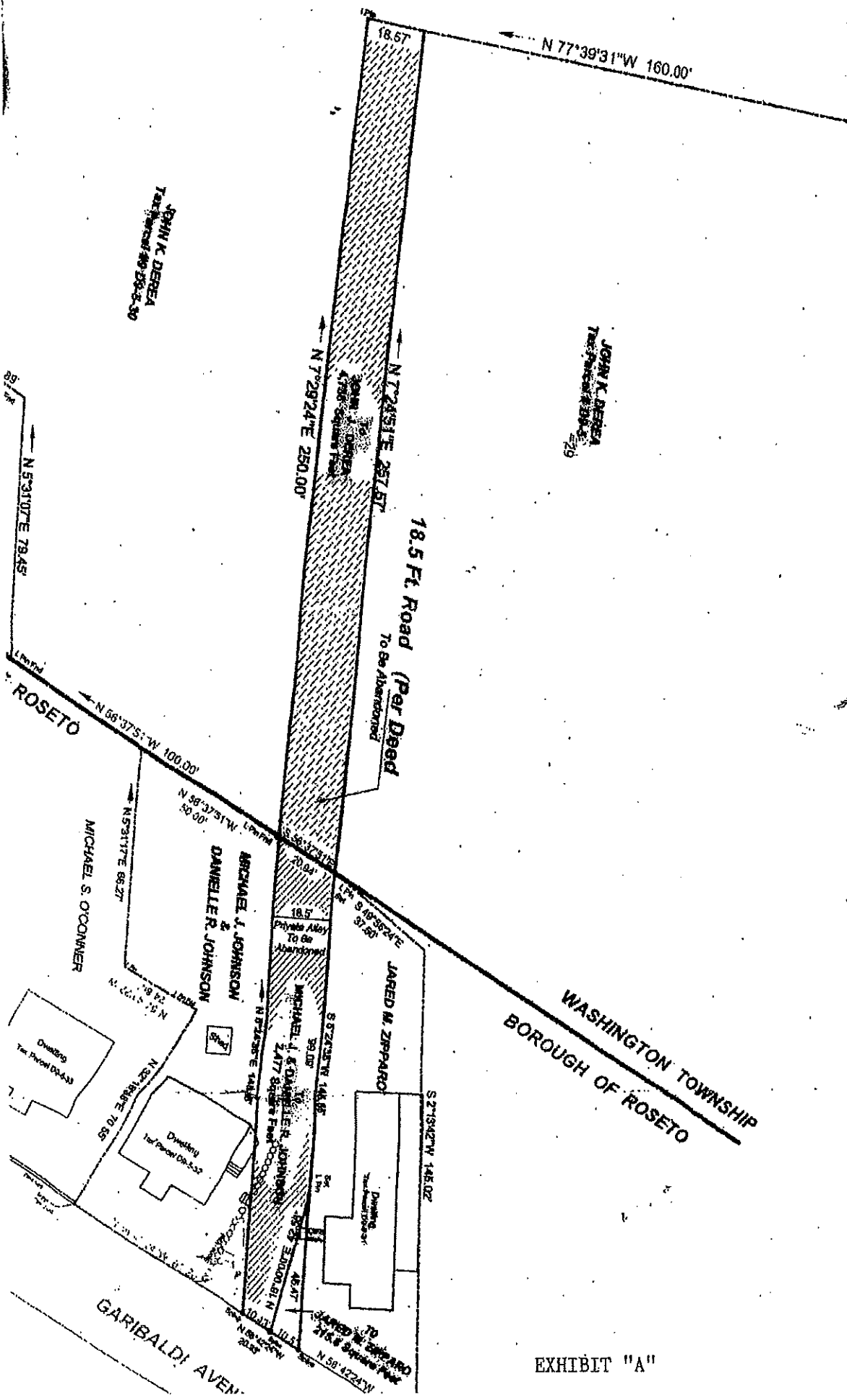


EXHIBIT "A"

Exhibit "B"

Bearings and Distances for Brush Street

BEGINNING at a spike located along the north side of Garibaldi Avenue and set at the easterly boundary of property of Michael J. and Danielle R. Johnson and travelling from that spike along the Johnson property North 5 degrees 24 minutes and 36 seconds East 145.58 feet to an iron pin found in the southern boundary of the property of John K. DeRea (and located in the Township of Washington) and following along the DeRea property North 7 degrees 29 minutes 24 seconds East 250 feet to an iron pin in the DeRea property then East 77 degrees 39 minutes 31 seconds West 18.57 feet then along the DeRea property South 7 degrees 24 minutes 51 seconds West 257.57 feet to an iron pin found where the northern boundary of the Jared M. Zipparo property and southern boundary of the DeRea property meet and following along the Zipparo property South 5 degrees 24 minutes 36 seconds West 145.55 feet to an iron spike found in the north side of Garibaldi Avenue then along Garibaldi Avenue West 56 degrees 42 minutes 24 seconds South to the place of the beginning and containing approximately 7,215 square feet.

LEGAL NOTICE

TOWNSHIP OF WASHINGTON
NORTHAMPTON COUNTY
PENNSYLVANIA

ORDINANCE NO. 300

NOTICE IS HEREBY GIVEN BY the Board of Supervisors of Washington Township, Northampton County, Pennsylvania, of its intention to hold a public hearing and consider the enactment of Ordinance No. 300. This Ordinance will be considered at the Board's Wednesday, June 9, 2021, meeting to be held at 7:00 p.m. at the Washington Township Municipal Building, 1021 Washington Boulevard, Bangor, Pa. Said Ordinance, if enacted, will vacate all of Brush Street as a public roadway within the Township.

A copy of the full text of the proposed Ordinance is available at the Township offices and the Northampton County Law Library during normal business hours.

Any interested citizen is invited to attend the aforementioned meeting to offer any comments or questions.

DAVID J. CERAUL
Solicitor to the Board of Supervisors
of Washington Township
22 Market Street, P. O. Box 19
Bangor, PA 18013
610-588-0378