



CITY OF BETHLEHEM  
OFFICE OF THE CITY SOLICITOR

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INTEROFFICE MEMORANDUM

To: Street Vacation Ordinance  
Portion of Filbert Street and Portion of Second Avenue

From: William P. Leeson, Esq., City Solicitor

Re: Louise M. Kelchner, City Clerk

Date: January 11, 2018

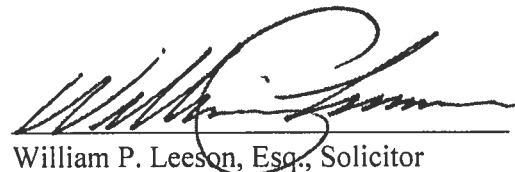
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Attached please find a proposed ordinance to effect the vacation of a portion of Filbert Street and a portion of Second Avenue.

If there are utility service lines located in the right-of-way of Filbert Street or Second Avenue, it is the Solicitor's Office position that, prior to final passage of the vacation ordinance, the utilities involved receive easements from the Bethlehem Redevelopment Authority and/or Peron Armory L.P. insuring the continuance of the utilities' rights to maintain the lines currently in place. This approach is in accord with prior practice in handling these matters before Council. We will report the status prior to Council's consideration for final passage.

A copy of this memorandum is being forwarded to Tony Hanna, Executive Director of the Bethlehem Redevelopment Authority, Seth R. Tipton, Esquire, counsel for Peron Armory L.P., and the affected utilities informing them of my recommendation.

Please place this matter on City Council's agenda for review and appropriate action.



William P. Leeson, Esq., Solicitor

cc: Robert J. Donchez, Mayor  
Michael Alkhal, Public Works  
Tony Hanna, Bethlehem Redevelopment Authority  
Seth R. Tipton, Esq.  
Tim Steward, UGI Utilities  
Laura B. Yost, Verizon  
Ron Borger, PPL Electric Utilities

BILL NO. \_\_\_ - 2018

ORDINANCE NO. 2018-\_\_\_\_\_

AN ORDINANCE AUTHORIZING THE VACATION,  
DISCONTINUANCE AND STRIKING FROM THE CITY'S  
GENERAL PLAN OF STREETS OF PORTIONS OF  
FILBERT STREET AND SECOND AVENUE IN THE  
10<sup>TH</sup> WARD OF THE CITY OF BETHLEHEM, COUNTY  
OF LEHIGH, PENNSYLVANIA.

WHEREAS, a Petition of the owners of all the properties abutting that portion of Filbert Street to be vacated hereby has been presented to the Council of the City of Bethlehem requesting said vacation; and

WHEREAS, a Petition of the owners of all the properties abutting that portion of Second Avenue to be vacated hereby has been presented to the Council of the City of Bethlehem requesting said vacation; and

WHEREAS, the City Planning Commission at its meeting of October 12, 2017, recommended to City Council the vacation of Filbert Street from its intersection with Rauch Street to Second Avenue and Second Avenue from the southern Right-of-Way of Prospect Avenue to approximately 42 feet south of the southernmost Right-of-Way of Filbert Street.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS:

SECTION 1. That that portion of Filbert Street as hereinafter described be, and the same is, hereby vacated, discontinued, abandoned and stricken from the City's General Plan of Streets:

ALL THAT CERTAIN portion of land, situated in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania described according to a Filbert Street Right-of-Way Vacation exhibit, prepared by Pennoni Associates Inc. dated September 19, 2017, Sheet # EX-A as follows, to wit:

BEGINNING at a point on the southern Right-of-Way of Filbert St (31.5' wide), also being on the eastern Right-of-Way line of Rauch St (35' wide) and the northern property line of lands now or formerly Peron Filbert LP, thence along said Rauch St North 00 degrees 56 minutes 24 seconds East a distance of 31.50 feet to a point on the northern Right-of-Way of Filbert St, also being the southwesterly comer of lands now or formerly of the City of Bethlehem & Commonwealth of Pennsylvania;

Thence, along said lands of The City of Bethlehem & Commonwealth of Pennsylvania, South 89 degrees 25 minutes 06 seconds East a distance of 242.48 feet to a point on the western Right-of-Way of 2<sup>nd</sup> Ave (111.80' wide), to be partially vacated;

Thence, along said 2<sup>nd</sup> Ave South 00 degrees 34 minutes 54 seconds West a distance of 31.50 feet to a point being the northeasterly corner of lands now or formerly of Peron Filbert LP;

Thence, along said lands of Peron, as well as along other lands also of Peron Filbert LP, North 89 degrees 25 minutes 06 seconds West a distance of 242.68 feet to a point, being the Point of Beginning.

CONTAINING an area of 7,641.22 Sq.Ft. or 0.18 Acres

SECTION 2. That that portion of Second Avenue as hereinafter described be, and the same is, hereby vacated, discontinued, abandoned and stricken from the City's General Plan of Streets:

ALL THAT CERTAIN portion of land, situated in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania described according to a 2<sup>nd</sup> Avenue Right-of-Way Vacation exhibit, prepared by Pennoni Associates Inc. dated September 19, 2017 and revised November 29, 2017, Sheet # EX-B as follows, to wit:

BEGINNING at a point being the northwesterly corner of the Right-of-Way of 2<sup>nd</sup> Avenue (111.80' wide), also being a southern Right-of-Way line of Prospect Ave (55' wide) and the northern property line of Lands now or formerly City of Bethlehem & Commonwealth of Pennsylvania, thence along said Prospect Avenue North 89 degrees 59 minutes 24 seconds East a distance of 41.80 feet to a point within the existing Right-of-Way of the aforementioned 2<sup>nd</sup> Avenue;

Thence, through said 2<sup>nd</sup> Avenue the following four (4) courses:

1. South 00 degrees 34 minutes 09 seconds West a distance of 243.69 feet to a point, thence;
2. South 00 degrees 35 minutes 02 seconds West a distance of 155.97 feet to a point, thence;
3. South 00 degrees 34 minutes 46 seconds West a distance of 42.31 feet to a point, thence;
4. North 89 degrees 25 minutes 06 seconds West a distance of 41.80 feet to a point on line of lands now or formerly of Peron Filbert LP;

Thence, along said lands of Peron, as well as along the eastern Right-of-Way of Filbert Street (to be vacated), North 00 degrees 34 minutes 54 seconds East a

distance of 73.81 feet to a point being a corner of other lands now or formerly  
aforementioned City of Bethlehem & Commonwealth of Pennsylvania;

Thence, along said lands of the City of Bethlehem & Commonwealth of  
Pennsylvania, North 00 degrees 34 minutes 24 seconds East a distance of 367.73  
feet to a point, the Point of Beginning.

CONTAINING an area of 18,468 S.F. or 0.42 Acres.

SECTION 3. The City reserves unto itself an easement for the maintenance, construction  
and reconstruction of any underground utilities presently located on or under the vacated streets.  
This ordinance is subject to the execution of an easement agreement in recordable form that is  
satisfactory to the City.

SECTION 4. That upon final enactment of this Ordinance, the City Engineer be and he  
hereby is, authorized, empowered and directed to strike from the City's General Plan of Streets  
that portion of Filbert Street described in Section 1 hereof and that portion of Second Avenue  
described in Section 2 hereof as public streets of the City of Bethlehem.

SECTION 5. All Ordinances and parts of Ordinances inconsistent herewith be, and the  
same are hereby repealed.

Sponsored by \_\_\_\_\_  
\_\_\_\_\_

PASSED finally in Council on the      day of      , 2018.

\_\_\_\_\_  
President of Council

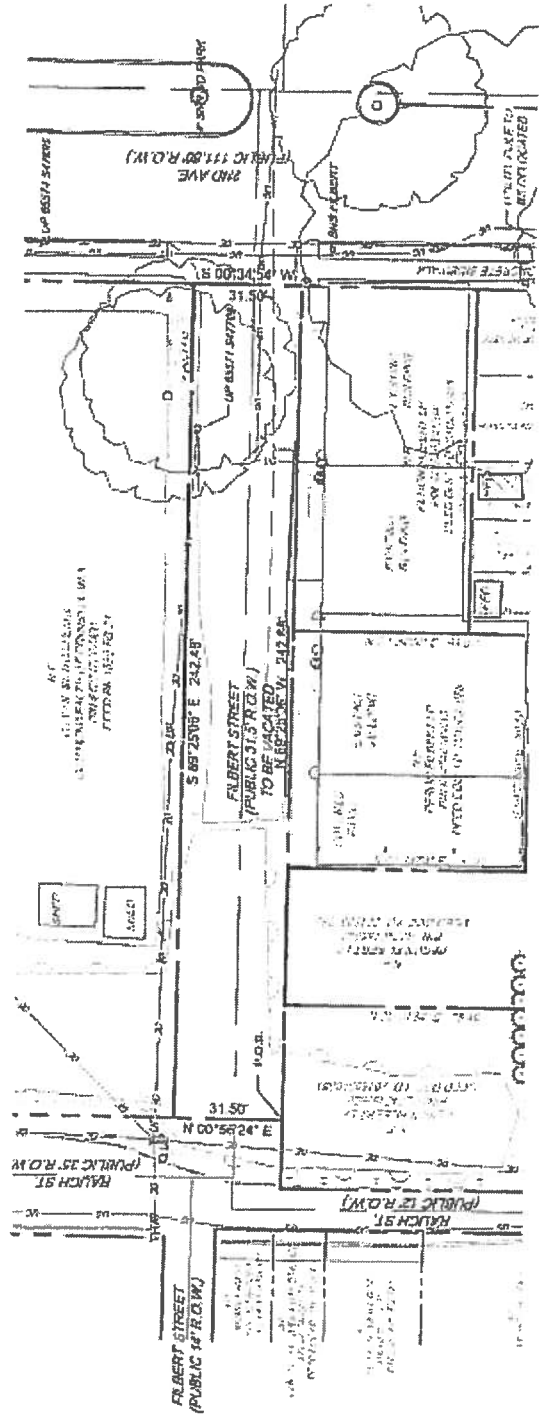
ATTEST:

\_\_\_\_\_  
City Clerk

This Ordinance approved this      day of      , 2018.

\_\_\_\_\_  
Mayor

NO.	REVISIONS	DATE	BY



PROJECT	BOYL 1601
DATE	2017-09-19
DRAWING SCALE	1"=30'
DESIGNED BY	1005
APPROVED BY	LMJE

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**Pennomi**

**PENNOMI ASSOCIATES, INC.**  
 2011 Avenue C, Suite 105  
 Bensalem, PA 18822  
 T 610.281.8666 F 412.023.2315

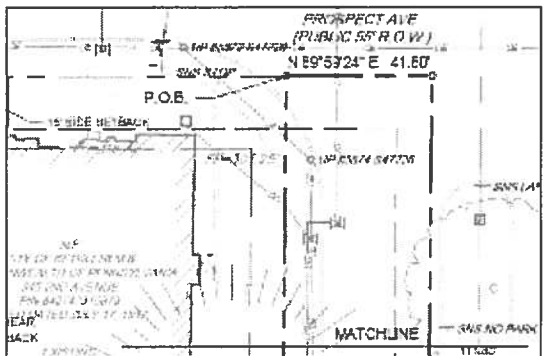
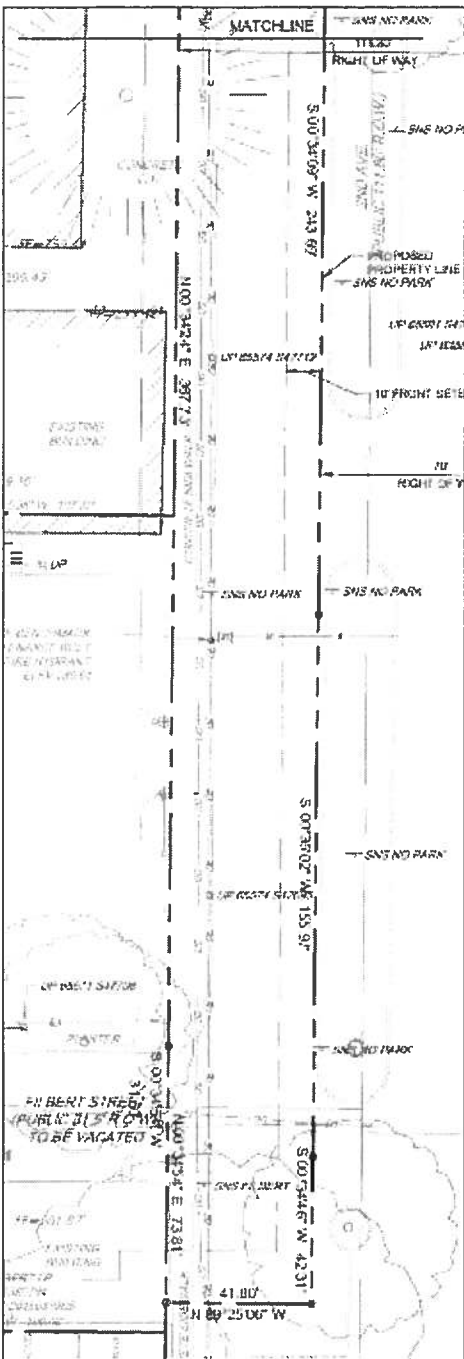
BENLUM LABORATORY REINFORCEMENT  
 3111 PENNSYLVANIA STREET  
 BETHLEHEM, PA 18020

**FILBERT STREET RIGHT-OF-WAY  
 VACATION PLAN**

FOR PENNOMI ASSOCIATES, INC.  
 2011 AVENUE C, SUITE 105  
 BENSALAM, PA 18822

SHEET 1 OF 1

REVISIONS		DATE	BY
1	ADD LOT 1 AND RIGHT-OF-WAY COMMENTS	11/03/11	CRJ



**PENNONI ASSOCIATES INC.**  
 2041 Avenue C, Suite 100  
 Seabrook, PA 16247  
 T 810.231.2000 F 810.231.3223

**BETHLEHEM ARMORY REDEVELOPMENT**  
 2ND AVENUE RIGHT-OF-WAY  
 VACATION PLAN  
 PERCON ARMORY LP  
 1600 WEST 2ND STREET, SUITE 100  
 BETHLEHEM, PA 18018

PROJECT	BOYL1601
DATE	2011-05-19
DRAWING SCALE	1"=30'
DATE/REV	10/05
APPROVAL	LME
<b>EX-B</b>	
SHEET 1 OF 1	