



CITY OF BETHLEHEM
OFFICE OF THE CITY SOLICITOR

INTEROFFICE MEMORANDUM

To: Louise M. Kelchner, City Clerk
From: William P. Leeson, Esq., City Solicitor
Re: Street Vacation Ordinance – Portion of Pyatt Street
Date: May 31, 2018


Attached please find a proposed ordinance to effect the vacation of a portion of Pyatt Street.

If there are utility service lines located in the right-of-way of Pyatt Street, it is the Solicitor's Office position that, prior to final passage of the vacation ordinance, the utilities involved receive easements from the petitioner 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.

In addition, as a condition of Planning Commission approval, a Declaration of Covenants protecting the ingress and egress rights of the abutting property owners must be filed in the Recorder of Deeds Office in and for Northampton County and a copy of same must be submitted to the City. We will report the status prior to Council's consideration for final passage.

A copy of this memorandum is being forwarded to Derek Richmond, Esq., counsel for the petitioners, 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
Derek Richmond, Esq.
Tim Steward, UGI Utilities
Tricia L. Jacobs, 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 A PORTION OF
PYATT STREET IN THE 14TH WARD OF THE
CITY OF BETHLEHEM, COUNTY
OF NORTHAMPTON, PENNSYLVANIA.

WHEREAS, a Petition of the owners of all the properties abutting that portion of Pyatt Street 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 March 8, 2018, recommended to City Council the vacation of Pyatt Street from Covington Avenue eastward to a dead end at Keystone Savings Bank.

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

SECTION 1. That that portion of Pyatt Street as shown on the Map of Property attached hereto and made a part hereof as Exhibit "A" and 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 message, tenement or tract of land situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania known as Pyatt Street bounded on the North by lot number 945 and South by lots 767 through lot 763 West by Covington Ave, and property of now or late of Robert P. Brown upon Plan of lots known as Penn Summit, laid out by A.D. Chidsey, Jr. Civil Engineer, and recorded in the Office for the Recording of Deeds, Northampton County, Pennsylvania, in Book of Maps No. 7, Page 18 bounded and described as follows:

BEGINNING; at set iron pin on the North side of said Pyatt Street, being the Southwest corner of lot 945 thence along said lot 945 N 79°17'27" E, a distance of 102.88' to a set iron pin and lands Late of Robert P Brown (now Keystone Savings Association); thence along said Keystone Saving Association S 3°20'30" E, a distance of 15.12' to a set iron pin; thence along lots 763 through 767 S 79°17'27" W, a distance of 103.63'; to a punch hole thence along the East side of Covington Ave N 0°33'44" W, a distance of 15.24' a set iron pin the place of BEGINNING; said described tract containing 0.035 Acres, more or less.

SECTION 2. 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 Pyatt Street described in Section 1 hereof as a public street of the City of Bethlehem.

SECTION 3. 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.

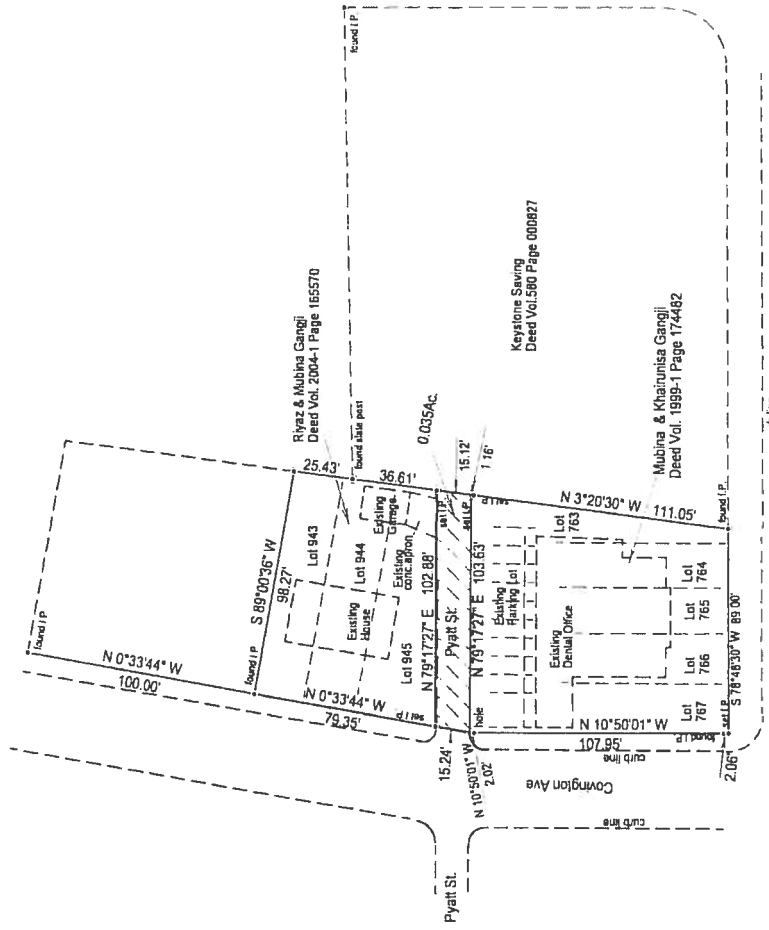
President of Council

ATTEST:

City Clerk

This Ordinance approved this day of , 2018.

Mayor



MAP of PROPERTY
 Showing a Portion of Pyatt Street to be
 Vacated and then to be Conveyed to
 Gangji
 Situate
 City of Bethlehem,
 County of Northampton
 and Commonwealth of
 Pennsylvania
 Scale 1"=60' 2/12/18

Plan of lots known as Penn Summit
 Recorded Northampton, County Pa
 Book of Maps No. 7 Page 18
 Mubina & Khairunisa Gangji
 Deed Vol. 1999-1 Page 174482

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