

**ORDINANCE NO. 503
BOROUGH OF PARKESBURG
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE BOROUGH OF PARKESBURG, CHESTER COUNTY, PENNSYLVANIA VACATING A SECTION OF CHESTNUT STREET, LISTING THE PROPERTY OWNERS ABUTTING THE SECTION OF CHESTNUT STREET TO BE VACATED, STRIKING A PORTION OF CHESTNUT STREET FROM ANY OFFICIAL MAP OF THE BOROUGH OF PARKESBURG, PROVIDING FOR A SAVINGS CLAUSE, PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES, ETC.

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Parkesburg, Chester County, Pennsylvania, under the authority given to the Borough Council by the Act of February 1, 1966, P.L. (1965) --, No. 581 §1741, as amended by the Act of June 28, 1979, P.L. 55, No. 23 §1 (53 P.S. §46741) as follows:
SECTION 101.

The section of Chestnut Street to be vacated by this Ordinance (as such section is more fully described hereinafter) is hereby declared by the Parkesburg Borough Council to be unnecessary for the public convenience and, to the contrary, is hereby declared as unnecessary for such convenience.

SECTION 102.

The section of Chestnut Street to be vacated by this Ordinance is situated Fourth Avenue and the Borough line South which street is located within the municipal limits of Parkesburg Borough.

SECTION 103.

The above described section of Chestnut Street is bounded by properties currently owned in fee by the following nineteen (19) property owners, whose names, current postal addresses, and current Chester County tax parcel numbers of the property which they own are:

| | <u>Current Property Owner</u> | <u>Current Property Postal Address</u> | <u>Current Tax Parcel</u> |
|----|--|---|---------------------------|
| A. | Domenic R. Vitale, Jr Jessica L. Vitale | 606 W. 8 th Avenue Parkesburg, PA 19365 | 08-05-0453 |
| B. | Paul J. Rick Kathleen Rick | 95 Chestnut Hill Drive Parkesburg, PA 19365 | 08-07-0001.020 |
| C. | Paul W. Thompson | 607 W. 5 th Avenue Parkesburg, PA 19365 | 08-05-0363.020 |

| | Current Property Owner | Current Property Postal Address | Current Tax Parcel |
|----|--|--|--------------------|
| D. | Darla Perella Dorene B. Leslie | 701 W. 6 th Avenue Parkesburg, PA 19365 | 08-05-0334 |
| E. | Tibor J. Lehotay | 602 W. 6 th Avenue Parkesburg, PA 19365 | 08-05-0363.700 |
| F. | Michael S. Lester Edwina A. Lester | 608 W. 5th Avenue Parkesburg, PA 19365 | 08-05-0363.420 |
| G. | Larry E. Blenman Joyce Blenman | 607 W. 6th Avenue Parkesburg, PA 19365 | 08-05-0363.430 |
| H. | Jeffrey D. Marshall Jennifer L. Marshall | 603 W. 8th Avenue Parkesburg, PA 19365 | 08-05-0407 |
| I. | Benjamin K. Mountz Jessica L. Mountz | 604 W. 8th Avenue Parkesburg, PA 19365 | 08-05-0454 |
| J. | Reserve at Parkesburg Knoll c/o Rouse Chamberlin Ltd. | 500 Exton Commons Exton, PA 19341 | 08-05-0406 |
| K. | Reserve at Parkesburg Knoll c/o Rouse Chamberlin Ltd. | 500 Exton Commons Exton, PA 19341 | 08-05-0368 |
| L. | David McEwing Valerie McEwing | 704 W. 7th Avenue Parkesburg, PA 19365 | 08-07-0010 |
| M. | Barry G. Murray Elizabeth T. Murray | 703 W. 8th Avenue Parkesburg, PA 19365 | 08-07-0014 |
| N. | John W. McClay Nancy T. McClay | 614 W. 4th Avenue Parkesburg, PA 19365 | 08-05-0344.030 |
| O. | Elisa Scanish | 702 W. 6th Avenue Parkesburg, PA 19365 | 08-05-0334.090 |
| P. | Sean C. Mangan Holly B. Weaver | ^{N^o} 606 W. 5th Avenue Parkesburg, PA 19365 | 08-05-0363.410 |
| Q. | Rebecca E. Prather | 610 W. 5th Avenue Parkesburg, PA 19365 | 08-05-0344.080 |
| R. | Roy M. Foote | ^{N^o} 605 W. 6th Avenue Parkesburg, PA 19365 | 08-05-0363.440 |
| S. | Lloyd R. Gibson Ann E. Gibson | 609 W. 5th Avenue Parkesburg, PA 19365 | 08-05-0344.050 |

| | Current Property Owner | Current Property Postal Address | Current Tax Parcel |
|----|-------------------------------|--|---------------------------|
| T. | Eric Taylor Dana Johnson | 704 W. 8 th Avenue | 08-07-0017 |

SECTION 104.

The section of Chestnut Street described in §102, above, is hereby vacated as a Borough street, subject to the effective date specified in §109 of this Ordinance. The Borough shall give notice to the affected property owners in accordance with Section 1741 of the Borough Code.

SECTION 105.

The section of Chestnut Street identified above and in this Ordinance is, and is hereby, stricken from any Official Map of the Borough of Parkesburg, except that the ownership of any existing Borough facility or facilities which may be located in the bed thereof (including, but not limited to, sanitary sewer mains, rights-of-way appurtenant to the same, etc.) are hereby specifically preserved, as is the access to the foregoing.

SECTION 106.

To the extent that the section of Chestnut Street in the Borough of Parkesburg vacated by this Ordinance exists on any Official Map of the Borough of Parkesburg, the Borough Engineer is hereby directed to make such proper notation on the Official Map by striking therefrom the section so vacated by this Ordinance.

SECTION 107.

If any section or provisions of this ordinance is declared by any Court of competent jurisdiction to be unconstitutional, illegal or invalid, such unconstitutionality; illegality or invalidity shall not affect the constitutionality, legality or validity of this Ordinance as a whole, nor the constitutionality, legality or validity of any other section or provision of this Ordinance other than the one so declared to be unconstitutional, illegal or invalid.

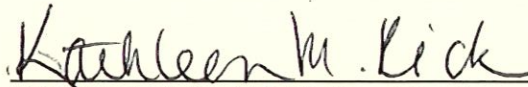
SECTION 108.

All existing ordinances of the Borough or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 109.

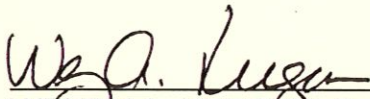
This Ordinance shall become effective according to law forty (40) days after its enactment.

ORDAINED and ENACTED this 15th day of October, 2012.



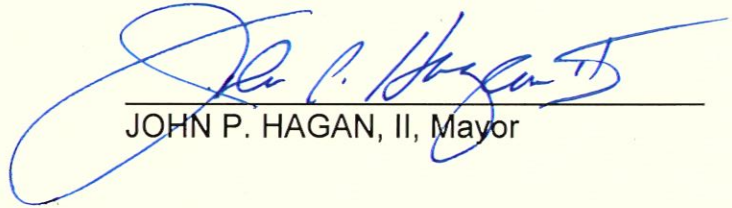
KATHLEEN M. RICK, President

ATTEST:



WENDY A. KEEGAN, Secretary

Approved this 15th day of October, 2012.



JOHN P. HAGAN, II, Mayor