

**ORDINANCE NO. 443  
BOROUGH OF ORWIGSBURG  
SCHUYLKILL COUNTY, PENNSYLVANIA**

**AN ORDINANCE OPENING A STREET PREVIOUSLY LAID OUT WITHIN THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA, KNOWN AS NORTH STREET BEING 40 FEET IN WIDTH EXTENDING EASTWARDLY FROM AND PERPENDICULAR TO PERRY STREET FOR A DISTANCE OF 268 FEET; AND PROVING FOR REPEALER, VALIDITY AND THE EFFECTIVE DATE OF THE ORDINANCE.**

WHEREAS, a street has been laid out within the Borough of Orwigsburg, Schuylkill County, Pennsylvania, known as North Street being 40 feet in width extending eastwardly from and perpendicular to Perry Street for a distance of 268 feet; and

WHEREAS, said street has been maintained by Orwigsburg Borough, but not formally opened; and

WHEREAS, in the judgment of the Borough Council of Orwigsburg Borough, it is necessary and desirable to open and ordain said street within the Borough in accordance with Section 1731 of the Borough Code, 8 Pa.C.S. §1731.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, and it is hereby enacted and ordained by authority of the same:

SECTION 1. STREET OPENING. Having previously been laid out, there is hereby opened and ordained with the Borough of Orwigsburg, Schuylkill County, Pennsylvania, a certain street to be known as North Street as shown on Exhibit 1 hereto being a survey showing the proposed location, profile and dimensions of said street and listing the names of the owners of a property abutting said street. Said street is more specifically describe as follows:

ALL THAT CERTAIN Right-of-Way for North Street situated in the Borough of Orwigsburg, County of Schuylkill, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point, said point being the northeasterly corner of Perry Street; thence along the southern property line of Kyle E. & Bonnie L. Moran (S 60° 30' 00" E – 268.00') to a point, said point being the northeastern corner of North Street and Decatur Street (unopened); thence along the western property line of Peter F. & Carmen L. Gelches (S 29° 30' 00" W – 40.00') to a point, said point being an apparent intersection of the southerly right-of-way line of North Street extended with the eastern side of the 30' wide right-of-way of Decatur Street (unopened); thence crossing said Decatur Street and along the northern property lines of Kristopher M. Fessler and Nancy Elser (N 60° 30' 00" W – 268.00') to a

point, said point being along the eastern side of the 40' wide right-of-way of Perry Street; thence along the eastern side of the 40' wide right-of-way of Perry Street (N 29° 30' 00" E – 40.00') to a point, the place of BEGINNING.

CONTAINING 10,720.00 Square Feet.

The above described being designated as the Right-of-way of North Street as shown in greater detail on a plan prepared by ARRO Consulting, Inc., dated September 9, 2020, and designated as Drawing No. Exhibit I and appended hereto.

SECTION 2. RECORDING. A certified copy of this Ordinance is hereby directed to be recorded in the Office of the Recorder of Deeds of Schuylkill County, Pennsylvania.

SECTION 3. REPEALER. All Ordinances or Resolutions, or parts of Ordinances or Resolutions, in so far as they are inconsistent herewith, shall be and the same are hereby repealed.

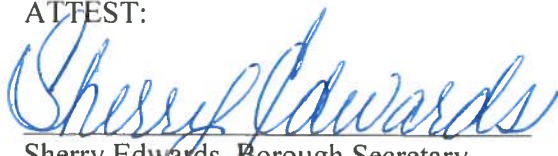
SECTION 4. VALIDITY. If any section or part of a section of this Ordinance shall be declared invalid, such invalidity shall not affect the remaining parts or section of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been enacted as if such invalid section, or portion thereof, had not been included therein.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective upon enactment.

ENACTED and ORDAINED into an ordinance this 14<sup>th</sup> day of October, 2020, by the Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF ORWIGSBURG  
Schuylkill County, Pennsylvania

ATTEST:

  
Sherry Edwards, Borough Secretary

By:   
Richard Bubeck, President of Borough Council

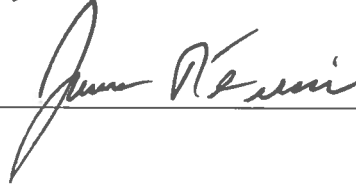
EXAMINED and APPROVED this 14<sup>th</sup> day of October, 2020.

  
Barry J. Berger, Mayor, Borough of Orwigsburg

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF SCHUYLKILL :

On this, the 14<sup>th</sup> day of October, 2020, before me, a Notary Public in and for said County and State personally appeared Richard Bubeck, who acknowledge himself to be the President of the Borough Council of the Borough of Orwigsburg, and that he, as such Borough Council President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Borough by himself as such Borough Council President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



**JAMES R. FERRIER**  
**MAGISTERIAL DISTRICT JUDGE**  
**DISTRICT #21-3-03**  
**Schuylkill County**  
**My Commission Expires January 1, 2024**

