

**BOROUGH OF ORWIGSBURG  
SCHUYLKILL COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 390**

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA, PROVIDING FOR AND APPROVING THE ANNEXATION OF A SECTION OF WEST BRUNSWICK TOWNSHIP, SCHUYLKILL COUNTY, PENNSYLVANIA, COMMONLY KNOWN AS ALBRIGHTS WOODS, WHICH IS CONTIGUOUS TO THE BOROUGH OF ORWIGSBURG AND HAS BEEN OWNED BY THE BOROUGH OF ORWIGSBURG SINCE 1931 AND IS BEING USED FOR RECREATIONAL AND PARK PURPOSES;

**WHEREAS**, the Borough of Orwigsburg is the owner of a tract of land located in West Brunswick Township, Schuylkill County, Pennsylvania, commonly known as Albrights Woods, which tract is contiguous to the Borough, has been owned by the Borough since 1931 and is used by the Borough for recreational and park purposes as the Orwigsburg Community Park.

**WHEREAS**, the Borough Council of the Borough of Orwigsburg intends to annex said property;

**WHEREAS**, the Township of West Brunswick has been notified of the proposed annexation and consents to the same;

**WHEREAS**, the annexation of a contiguous territory owned by a Borough is specifically authorized by Section 429 of the Borough Code, 53 P.S. § 45429.

**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 the authority of the same, as follows:

**SECTION I:** The Borough of Orwigsburg hereby authorizes and approves the annexation of a portion of West Brunswick Township, Schuylkill County, Pennsylvania, Township of the Second Class, which territory is adjacent to and contiguous with the Borough of Orwigsburg and is bounded and described as follows:

ALL THAT CERTAIN parcel or tract of land located on the southerly side of Grove Street in the Township of West Brunswick, County of Schuylkill, and Commonwealth of Pennsylvania, as shown on a plan of survey dated April 5, 2007, prepared by Michael C. DiPaolo, PLS, being bounded and more fully described in accordance with said survey and plan, as follows, to wit:

BEGINNING at a PK nail in the centerline of Township Route No. T-733, known as Grove Street, being the northwestern-most corner of the herein described tract;

THENCE, extending in a northeasterly direction in and along the centerline of said Grove Street the Three (3) following courses and distances, viz:

1. On a line bearing North Eighty degrees, Eight minutes, Fifteen seconds East ( $N 60^{\circ}08'15'' E$ ), a distance of One hundred Sixty-one feet and Twenty-five hundredths of one foot (161.25') to a point of curvature;
2. Along on a curve to the left, having a radius of Two thousand Four hundred feet (2,400.00'), an arc distance of Two hundred Sixty-six feet and Eighty-six hundredths of one foot (266.86') to a point of tangency;
3. On a line bearing North Seventy-three degrees, Forty-six minutes East ( $N 73^{\circ}46'00'' E$ ), a distance of Two hundred Ninety-eight feet and Seventy-five hundredths of one foot (298.75') to a PK nail;

THENCE, leaving said Grove Street and extending in a southeasterly direction along property belonging to Wayne E. Herring and Debra A. Herring, his wife, on a line bearing South Eleven Degrees, Ten minutes, Fifteen seconds East ( $S 11^{\circ}10'15'' E$ ), passing through a steel pin a distance of Thirteen feet and Fifty-five hundredths of one foot (13.55') from the last described corner, a total distance of One hundred Ninety-eight feet and Twelve hundredths of one foot (198.12') to a steel pin;

THENCE continuing in a southeasterly direction along said Herring property on a line bearing South Nine degrees, Forty minutes, Fifteen seconds East ( $S 9^{\circ}40'15'' E$ ), a distance of Four hundred Seventeen feet and Forty-five hundredths of one foot (417.45') to a steel pin in line of property belonging to Blue Mountain School District:

THENCE extending in a southwesterly direction along said Blue Mountain School District property on a line bearing South Seventy-six degrees, Thirty minutes West ( $S 76^{\circ}30'00'' W$ ), a distance of Eight hundred Seventy-nine feet and Five hundredths of one foot (879.05') to a steel pin, a corner of property belonging to Kenneth Reynolds and Martha L. Reynolds,

THENCE extending in a northerly direction along said Reynolds property and along property belonging to Donna L. Fecenko on a line bearing North Three degrees, Thirty-eight minutes, Twenty-eight seconds East ( $N 3^{\circ}38'28'' E$ ), passing through a steel pipe a distance of Fourteen feet and Ninety hundredths of one foot (14.90') from the next described corner, a total distance of Six hundred Forty-one feet and Four hundredths of one foot (641.04') to the POINT OF BEGINNING.

CONTAINING IN AREA Eleven acres and One hundred Seventy-one thousandths of one acre (11.171) of land.

BEING THE SAME PROPERTY which the First National Bank and Trust Company of Orwigsburg and David J. Davis, executors of the estate of Hiester S. Albright, granted and conveyed unto the Borough of Orwigsburg by deed dated June 11, 1931.

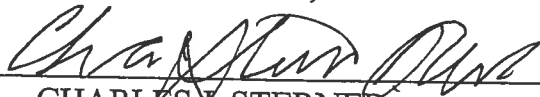
**SECTION 2:** The proper officials of the Borough of Orwigsburg are hereby authorized and directed to file a Certified Copy of this Ordinance with the Department of Community Affairs, now Department of Community and Economic Development, the Commissioners of the County of Schuylkill and the Clerk of the Court of Quarter Sessions, now Clerk of Courts, and the Schuylkill County Board of Election.

**SECTION 3:** Any ordinance or part of an ordinance, conflicting with this ordinance is hereby repealed insofar as the same affects this Ordinance.

**SECTION 4:** If any sentence, clause, section, or part of this Ordinance is found for any reason to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair the remaining provisions, sentences, clause and sections or parts of this Ordinance. It is hereby declared as the intent of the Borough of Orwigsburg and the Mayor of the Borough of Orwigsburg that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof had not been included therein.

**DULY ENACTED AND ORDAINED** into an Ordinance this 7TH day of January, A.D., 2008, by the Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, in lawful session duly assembled.


BOROUGH OF ORWIGSBURG  
SCHUYLKILL COUNTY, PENNSYLVANIA

By:   
CHARLES J. STERNER  
COUNCIL PRESIDENT

ATTEST:

  
SHERRY M. EDWARDS  
BOROUGH SECRETARY

EXAMINED and APPROVED this 7TH day of January, 2008.

  
AUSTIN SCANDIBER  
MAYOR OF ORWIGSBURG