

AN ORDINANCE OF THE BOROUGH OF ROCKWOOD TO REMOVE
A CERTAIN STREET FROM THE PLAN OF STREETS OF THE BOROUGH
OF ROCKWOOD AND TO CANCEL THE LAYING OUT THEREOF AND/OR
IN THE ALTERNATIVE TO VACATE A CERTAIN STREET; SAID STREET
BEING IDENTIFIED AS A PORTION OF HAY STREET, AS IT EXTENDS IN A
GENERAL NORTH-SOUTH DIRECTION, BOUNDED ON THE WEST BY LOT 1,
BLOCK 4 (AND OTHERWISE IDENTIFIED AS ASSESSMENT PARCEL 12-4)
IN THE HIGHLAND ADDITION TO ROCKWOOD BOROUGH AND ON
THE EAST BY LOT 6, BLOCK 6 (AND OTHERWISE IDENTIFIED AS
ASSESSMENT PARCEL 12-5) IN THE HIGHLAND ADDITION TO
ROCKWOOD BOROUGH.

WHEREAS, the Council of the Borough of Rockwood has received a Petition from Michael E. Felesky and Linda M. Faidley to remove a certain street from the Plan of Streets of the Borough of Rockwood and to cancel the laying out thereof and/or in the alternative to vacate the laying out of certain alleys; and

WHEREAS, it appears to the Council of the Borough of Rockwood that Michael E. Felesky and Linda M. Faidley are the owners of all of the land abutting both sides of the said street; and

WHEREAS, after due public notice and hearing, said hearing conducted on September 18, 2012, it appears that a portion of the street known as Hay Street, as described hereafter has never been opened, and is no longer necessary or convenient for public use or travel, and should be and shall be removed from the Plan of Streets and/or vacated from the Plan of Streets.

WHEREAS, the Borough of Rockwood has entertained said Petition and has given notice of the intention to adopt this Ordinance as required by Section 1724 and Section 1742 of the Borough Code; and

NOW, THEREFORE, it is ORDAINED and ENACTED by Council of the Borough of Rockwood as follows:

SECTION 1: The Council of the Borough of Rockwood does hereby find and conclude that the street as specifically described in Section 3 below has remained laid out, but has not been open for a period of ten (10) years or longer, and the owners of more than fifty (50%) percent of the front feet of the land over which said street was laid out has petitioned the Borough to remove said street from the Plan and to cancel the laying out thereof, and Council does have the power to remove said street from the Plan of Streets of the Borough of Rockwood and to cancel the laying out thereof pursuant to Section 1724 of the Borough Code.

SECTION 2: In the alternative, the Council of the Borough of Rockwood does hereby conclude that a majority in number and interest of the owners of the real estate abutting the said street have petitioned the Council to vacate said street, and it is in the best interest of the citizens of the Borough of Rockwood to grant said Petition, and Council does

have the power to vacate said street pursuant to Section 1742 of the Borough Code.

SECTION 3: That certain street, known as a portion of Hay Street, being approximately 50 feet in width and 130 feet in width, and depicted on the plan of the Highland Addition to the Borough of Rockwood, said Plan recorded at Somerset County Deed Book Volume 146, Page 369, and with the said portion of Hay Street identified as bounded on the west by Lot 1 of Block 4 of the Highland Addition (said lot otherwise identified as Rockwood Borough Assessment Map Parcel 14-4) and on the east by Lot 6 in Block 6 of the said Highland Addition (said lot otherwise identified as Rockwood Borough Assessment Map Parcel 14-5) is hereby removed from the Plan of Streets of the Borough of Rockwood and its laying out thereof is hereby cancelled pursuant to Section 1724 of the Borough Code and/or in the alternative, said alley is hereby vacated pursuant to Section 1742 of the Borough Code.

SECTION 4. Attached hereto and incorporated herein is a copy of a section of the Plan of the Highland Addition to the Borough of Rockwood upon which the portion of Hay Street cancelled and vacated by this Ordinance is marked in yellow for reference purposes.

SECTION 5. Attached hereto and incorporated herein is a copy of the Assessment Map of Somerset County, being Rockwood Borough Map No. 4, upon which the portion of Hay Street cancelled and vacated on this Ordinance has been marked in yellow for reference purposes, and the adjacent properties, described in Section 3 above have been marked in green for reference purposes.

SECTION 6. All Ordinances or parts of Ordinances which are inconsistent with this Ordinance are hereby repealed.

ADOPTED by Council of the Borough of Rockwood this 18th day of September 2012.

Attest:

ROCKWOOD BOROUGH COUNCIL

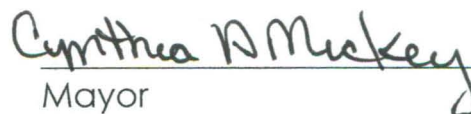


Jill Shultz, Borough Secretary

By 

Donald Warrick, President

APPROVED this 18th day of September 2012.

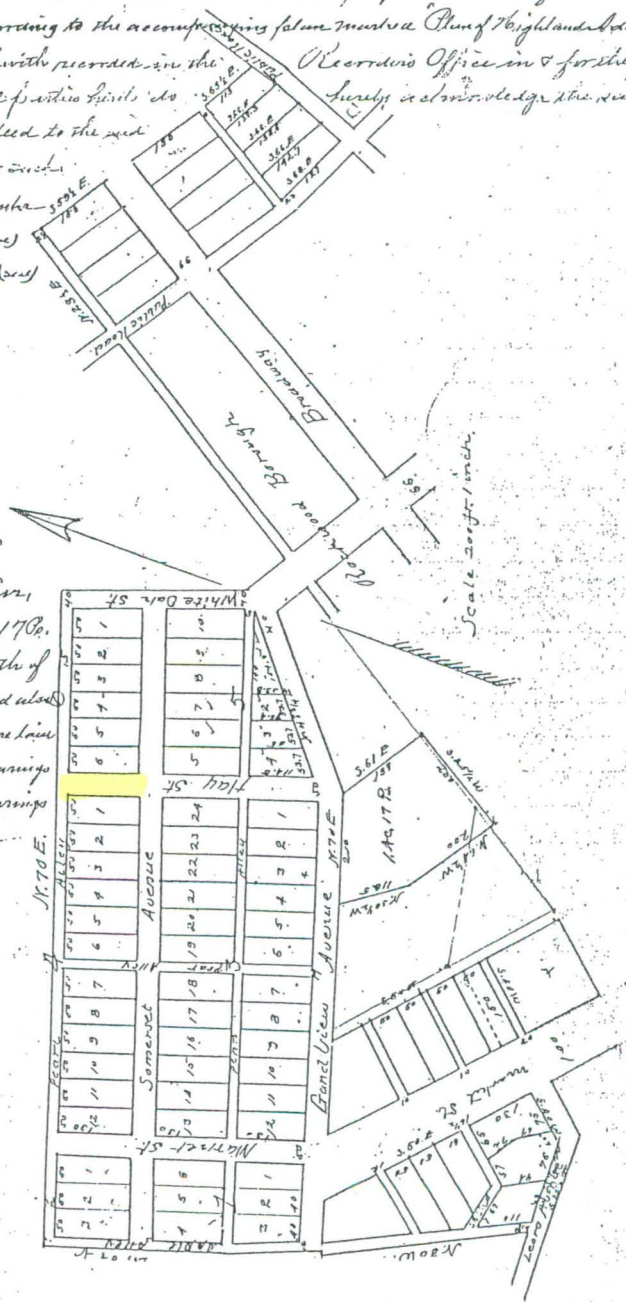


Mayor

PLAN OF HIGHLAND ADDITION TO ROCKWOOD

To all to whom these presents shall come, We Valentine Hay and Elizabeth H. Hay, wife of Vincent, the said
 Guntins, know ye that having lived out upon a certain tract of land situate in Milford Township, Somerset County
 Pa. the right and title of which said tract became vested in said Valentine Hay by deed of Philip H. H.
 Jendryga dated May 7 1870 & recorded in Deed Book Vol. 43 page 570 a series of lots with an
 amount of money according to the accompanying plan thereof a Plan of Highland Addition to
 Rockwood, intended to be forthwith recorded in the Recorder's Office in & for the county
 of Somerset, Pa. and each of our act and deed to the end
 that the same may be recorded in the
 County of Somerset, Pa. the 24 day of November
 1905 before me, { Valentine Hay (s) }
 E. C. Welch { Elizabeth H. Hay (s) }
 Recorder

Oct. 1905.
 All lots North of Grand View Ave.
 and the piece containing 1 Ac. 170.
 have magnetic bearings. Those South of
 said Ave. along Market St. and also
 those East of White Oak St. were laid
 off at an earlier date and the bearings
 were made to agree with the bearings
 of the official draft of Rockwood
 Borough.
 James Blough



Recorded Nov. 24 1905.
 E. C. Welch
 Recorder



For General Reference Only - COPY AS OF 12/18/2009

REVISED	REVISED	REVISED	REVISED
DATE 12-1-82	DATE	DATE	DATE
DATE	DATE	DATE	DATE
DATE	DATE	DATE	DATE
DATE	DATE	DATE	DATE

SHEET INDEX

13	14
12	11



APPROXIMATE SCALE: 1" = 100'



PROPERTY MAP
ROCKWOOD BORO.
SOMERSET COUNTY
PENNSYLVANIA
SHEET 14

M 145