

BILL NO. 96-2

ORDINANCE NO. 96-5

AN ORDINANCE OF THE CITY OF JEANNETTE
VACATING A PORTION OF RACE STREET FROM THE
EASTERN LINE OF THOMPSON AVENUE TO THE
WESTERN BOUNDARY OF A TWENTY (20') FOOT ALLEYWAY AND FROM THE
WESTERN LINE OF BENNETT AVENUE TO THE EASTERLY SIDE OF THE
SAME TWENTY (20') FOOT ALLEYWAY

WHEREAS, the City of Jeannette has received a Petition to Vacate portions of Race Street as it extends between Bennett Avenue and Thompson Avenue within the City of Jeannette executed by property owners comprising one hundred (100%) percent of the ownership in interest and frontage along the aforesaid roadway, a copy of the Petition to Vacate Roadway being attached hereto, made a part hereof and marked Exhibit "A"; and

WHEREAS, the Petitioners have executed a Waiver/Release accompanying the Petition to Vacate, copies of said Waiver/Releases for each property owner abutting the portion of Race Street requested to be vacated being attached hereto, made a part hereof and marked Exhibit "B" collectively; and

WHEREAS, pursuant to the procedure adopted by the City of Jeannette for Vacating Roadways within its boundaries, the within Petition to Vacate has been referred to and reviewed by

the City Engineer, Fire Chief/Fire Marshall, Chief of Police, Community Development Coordinator and City Solicitor, with written reports from each of those staff members being attached hereto, made a part hereof and marked collectively as Exhibit "C"; and

WHEREAS, the Petitioners have submitted a copy of a Tax Map showing those portions of Race Street to be vacated and the parcels which they own, a copy of the aforesaid Tax Map being attached hereto, made a part hereof and marked Exhibit "D"; and

WHEREAS, the owners of abutting property in accordance with the records maintained in the Office of the Recorder of Deeds of Westmoreland County and the Westmoreland County Tax Claim Bureau indicate that Parcel 102 is owned by Theodore Ontko, Parcel 103 is owned by Anthony J. Rinier and Diane Rinier, his wife, Parcel 70 is owned by Dorothy H. DeMatteo as Trustee pursuant to the Dorothy H. De Matteo Trust and Parcel 106 is owned by Parris R. Wiley and Geraldine L. Wiley, his wife; and

WHEREAS, an unimproved alleyway twenty (20') feet in width, generally open to public access runs parallel between Thompson Avenue and Bennett Avenue and bisects Race Street as it extends from Bennett Avenue to Thompson Avenue.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN, THE COUNCIL OF THE CITY OF JEANNETTE DOES HEREBY ORDAIN AND ENACT THE FOLLOWING ORDINANCE:



1. That portion of Race Street as indicated by the letter "A" on the Tax Map affixed hereto as Exhibit "D" is hereby vacated. The aforesaid vacated parcel being more particularly described as follows:

Beginning on the northerly side of an unnamed alleyway and extending between the lands of Ontko and Rinier as set forth above, 50' in width to the southerly line of the right-of-way of Thompson Avenue.

2. That portion of Race Street as it extends from the Southerly side of the aforesaid alley to the Northerly line of Bennett Avenue, being referenced as Parcel "B" on the attached Exhibit "D" is hereby vacated. Such parcel is more particularly bounded and described as follows:

Beginning on the Southerly side of an unnamed alleyway and extending between the lands of the DeMatteo Trust and Wiley as set forth above fifty (50') feet in width to the Northerly line of the right-of-way of Bennett Avenue.

3. Nothing in this Ordinance shall be deemed or construed as a vacation of any portion whatsoever of that twenty (20') foot alleyway running parallel between Thompson Avenue and Bennett Avenue as same bisects the two (2) portions of Race Street hereinbefore vacated.

4. Nothing in this Ordinance shall be deemed or construed as a condemnation of any private rights-of-way in, over or through the portions of Race Street hereinabove vacated.

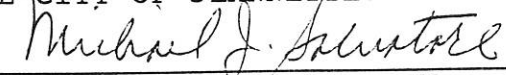
5. The City Solicitor is hereby directed to advertise the adoption of the within Ordinance pursuant to the terms of the Third Class City Code and in accordance with the law of the Commonwealth of Pennsylvania with respect to same.

6. This Ordinance shall become effective immediately upon enactment.

ATTEST:



THE CITY OF JEANNETTE:

BY 

Michael J. Salvatore, Mayor

