

**BANGOR BOROUGH
NORTHAMPTON COUNTY, PENNSYLVANIA
ORDINANCE NO. 981**

AN ORDINANCE AUTHORIZING THE CONDEMNATION OF PORTIONS OF CERTAIN REAL ESTATE OWNED BY MATOS HENRIQUE, FRANK J. HUNT AND MELINDA A. HUNT, STEALTH EQUITIES, LLC, AHREN EICHNER AND PORTIA MCKNIGHT, SUSAN ASBRAND, JASON R. FARBER AND LOIS A. FARBER, MICHELLE MCGRATH, STRATEGIC REALTY FUND, LLC, STEPHANIE ULMER-PUTZ AND TERRY M. ULMER AND OLGA CLARA ULMER, NICOLE L. DECKERT, LISA A. HILL, AND PETER J. HOLLINGER AND KATHLEEN A. SNYDER FOR THE PURPOSE OF OBTAINING CERTAIN PERMANENT STORMATER FACILITIES EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS.

WHEREAS, the following persons are the record owners of the following parcels of land located in Bangor Borough, Northampton County:

<u>Owner(s)</u>	<u>Address</u>	<u>Parcel No.</u>
Henrique Matos	457 Main Street	E9NE3A 11 12 0102
Frank J. Hunt & Melinda A. Hunt	25 Messinger Street	E9NE3A 11 11 0102
Stealth Equities, LLC	31 Messinger Street	E9NE3A 11 10 0102
Ahren Eichner & Portia McKnight	35 Messinger Street	E9NE3A 11 9 0102
Susan Asbrand	107 Messinger Street	E9NE3A 12 6 0102
Jason R. Farber & Lois A. Farber	115 Messinger Street	E9NE3A 12 5 0102
Michelle McGrath	119 Messinger Street	E9NE3A 12 4 0102
Strategic Realty Fund, LLC	137 Messinger Street	E9NE3B 2 1 0102
Stephanie Ulmer-Putz, Terry M. Ulmer & Olga Clara Ulmer	203 Messinger Street	E9NE3B 3 5 0102
Nicole L. Deckert	209 Messinger Street	E9NE3B 3 4 0102

Lisa A. Hill	215 Messinger Street	E9NE3B 3 3 0102
Peter J. Hollinger & Kathleen A. Snyder	221 Messinger Street	E9NE3B 3 2 0102

WHEREAS, Bangor Borough ("Borough"), is engaged in a municipal project in Bangor Borough to construct and install certain stormwater facilities upon the aforementioned properties for the purpose of mitigating the effects of stormwater runoff (the "Project");

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to take the actions necessary to acquire certain permanent stormwater facilities easements and temporary construction easements from the aforementioned properties for the Project;

WHEREAS, the permanent stormwater facilities easements and temporary construction easements needed from the aforementioned properties are more fully and particularly depicted on plans, each of which was prepared by Ott Consulting Inc., dated September 10, 2018, and described in legal descriptions prepared by Ott Consulting Inc., dated September 27, 2018, which plans and legal descriptions for the aforementioned properties are attached hereto at the following appendices, each of which is hereby incorporated herein by reference and made a part hereof:

<u>Owner(s)</u>	<u>Address</u>	<u>Appendix</u>
Henrique Matos	457 Main Street	A
Frank J. Hunt & Melinda A. Hunt	25 Messinger Street	B
Stealth Equities, LLC	31 Messinger Street	C
Ahren Eichner & Portia McKnight	35 Messinger Street	D

Susan Asbrand	107 Messinger Street	E
Jason R. Farber & Lois A. Farber	115 Messinger Street	F
Michelle McGrath	119 Messinger Street	G
Strategic Realty Fund, LLC	137 Messinger Street	H
Stephanie Putz-Ulmer, Terry M. Ulmer & Olga Clara Ulmer	203 Messinger Street	I
Nicole L. Deckert	209 Messinger Street	J
Lisa A. Hill	215 Messinger Street	K
Peter J. Hollinger & Kathleen A. Snyder	221 Messinger Street	L

WHEREAS, the Borough is authorized to acquire title to the aforementioned permanent stormwater facilities easements and temporary construction easements by the Borough Code, 8 Pa.C.S.A. § 1501, *et. seq.*;

WHEREAS the Borough Council has met the procedural requirements for the enactment of this proposed ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by Council for the Borough of Bangor, and it is hereby ordained and enacted by the authority of the same, to wit:

1. The Recitals are incorporated herein as if set forth in full.
2. The Council of Bangor Borough hereby declares its intent to, and hereby authorizes the condemnation and taking of the easement areas depicted and described in Exhibits "A" through "L" for the purposes herein contained.

3. The Borough hereby authorizes its Solicitor in this matter to file all necessary documents, including, but not limited to Declarations of Taking, and to take those actions which are necessary to commence and prosecute the condemnation proceeding to acquire the easement areas for the purposes contained herein.

4. The Borough authorizes its Council Members, Mayor and Manager to execute those documents that are necessary to give effect to this Ordinance.

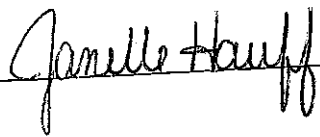
5. If any section, subsection, sentence, phrase, clause or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions shall be separate, distinct or independent, and such holding shall not affect the validity of the remaining portions of this Ordinance.

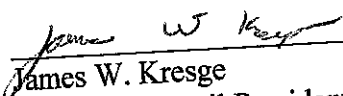
6. This Ordinance shall take effect immediately upon enactment.

ENACTED by the Council for the Borough of Bangor, Northampton County, Pennsylvania, this 15 day of October, 2018.

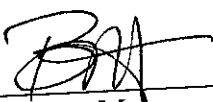
Attest:

BOROUGH OF BANGOR




James W. Kresge
Borough Council President

Approved by the Mayor of the Borough of Bangor,
this 15 day of October, 2018.



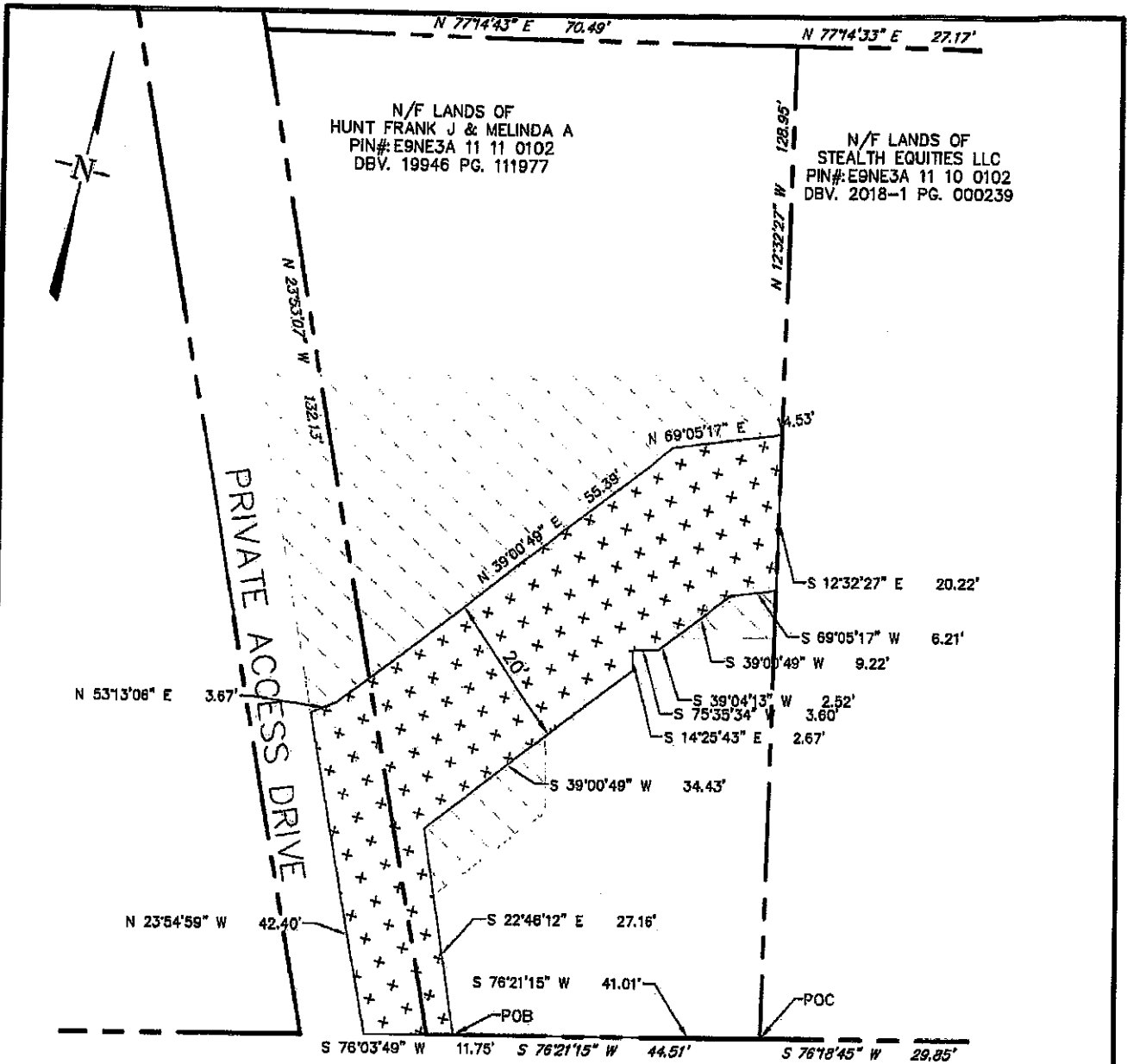
Brooke Kerzner, Mayor

EXHIBIT "A"

**Plan and Legal Description for
Henrique Matos / 457 Main Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**

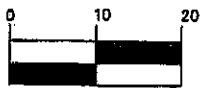
EXHIBIT "B"

**Plan and Legal Description for
Frank J. Hunt & Melinda A. Hunt / 25 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**



MESSINGER ST SR-1018

GRAPHIC SCALE



(IN FEET)

1 inch = 20 ft.



PERMANENT EASEMENT
1,713 SF (0.0393 AC)

TEMPORARY EASEMENT
1,829 SF (0.0420 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

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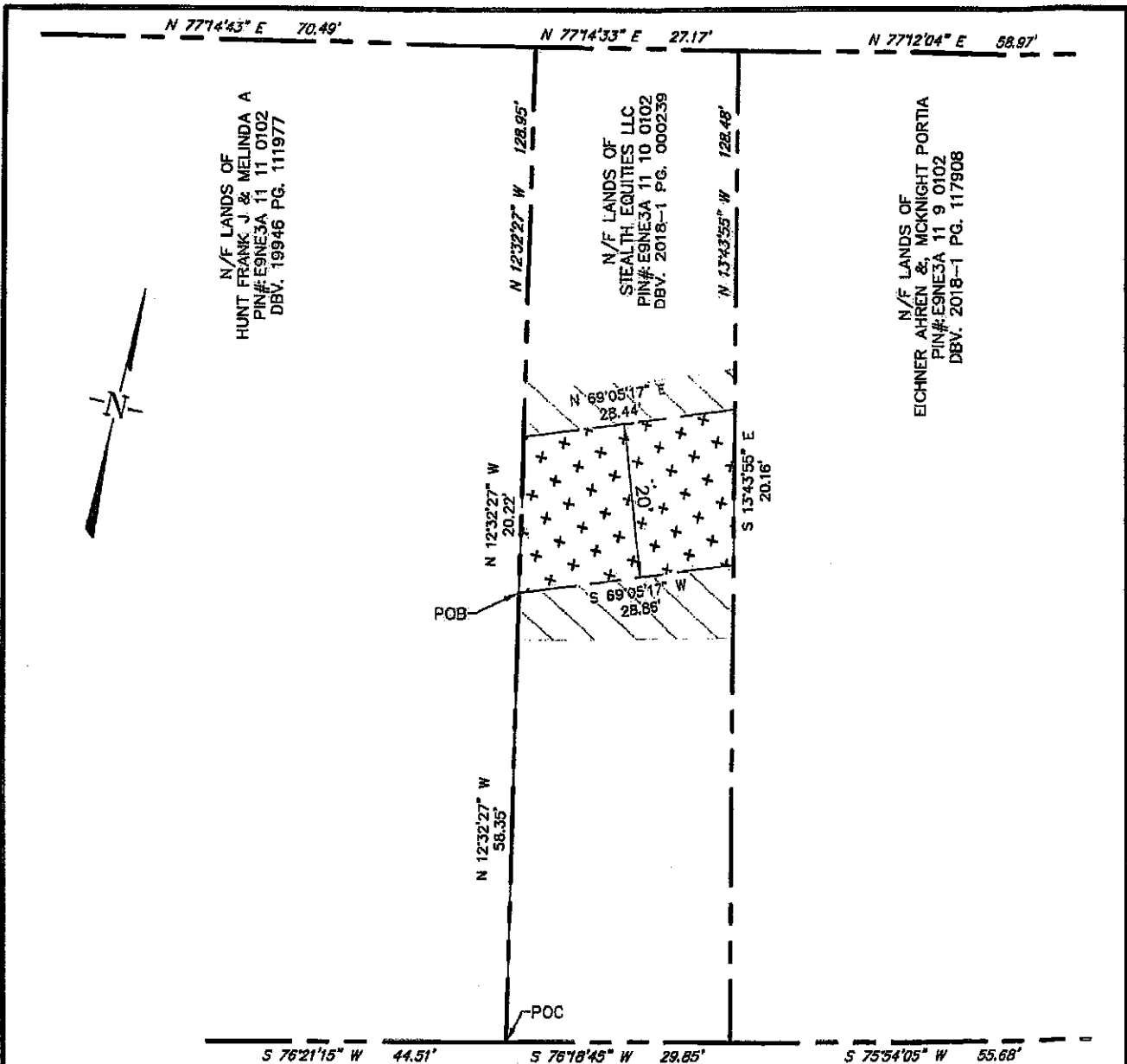
25 MESSINGER STREET
HUNT EXHIBIT

BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA

DRAWN/APPROVED DJC/JLO	DATE 9-10-18	PROJECT NO. BNGR1301.07	DRAWING NO.
SCALE 1" = 20'	REVISION NO. 1	SHEET NO. 1 OF 1	EX-1.2

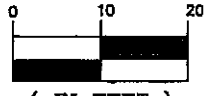
EXHIBIT "C"

**Plan and Legal Description for
Stealth Equities, LLC / 31 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**

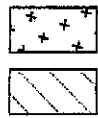


MESSINGER ST SR-1018

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



PERMANENT EASEMENT
573 SF (0.0132 AC)

TEMPORARY EASEMENT
382 SF (0.0087 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

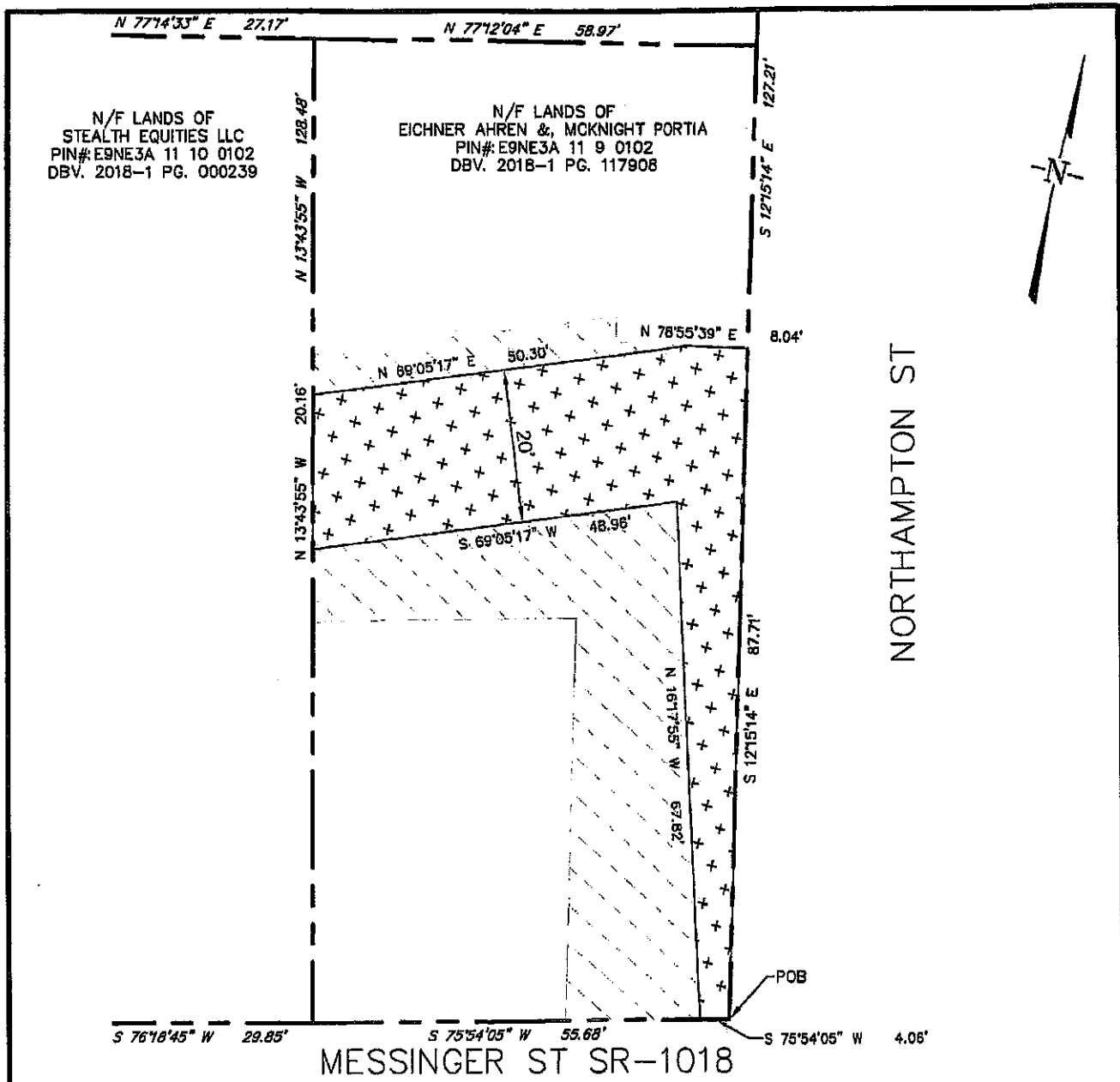
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31 MESSINGER STREET
STEALTH EQUITIES EXHIBIT
BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA

DRAWN/APPROVED DJC/JLO	DATE 9-10-18	PROJECT NO. BNGR1301.07	DRAWING NO. EX-1.3
SCALE 1" = 20'	REVISION NO. 1	SHEET NO. 1 OF 1	

EXHIBIT "D"

**Plan and Legal Description for
Ahren Eichner & Portia McKnight / 35 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**



N/F LANDS OF
STEALTH EQUITIES LLC
PIN# E9NE3A 11 10 0102
DBV. 2018-1 PG. 000239

N/F LANDS OF
EICHNER AHREN &, MCKNIGHT PORTIA
PIN# E9NE3A 11 9 0102
DBV. 2018-1 PG. 117908

GRAPHIC SCALE



(IN FEET)

1 inch = 20 ft.



PERMANENT EASEMENT
1,600 SF (0.0367 AC)



TEMPORARY EASEMENT
1,662 SF (0.0381 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

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**35 MESSINGER STREET
EICHNER EXHIBIT**

BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA

DRAWN/APPROVED
DJC/JLO

DATE
9-10-18

PROJECT NO.
BNGR1301.07

DRAWING NO.

SCALE
1" = 20'

REVISION NO. 1

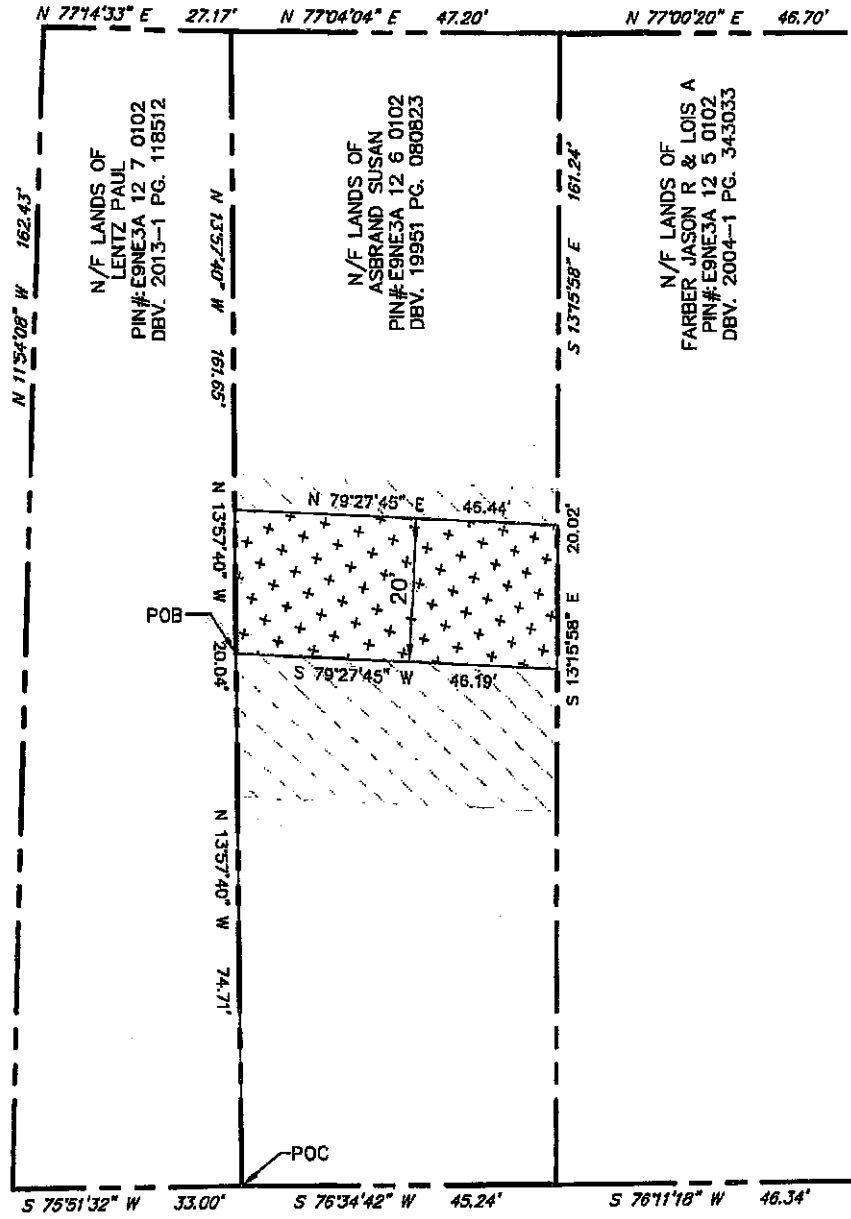
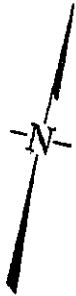
SHEET NO.
1 OF 1

EX-1.4

EXHIBIT "E"

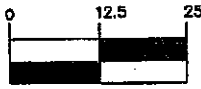
**Plan and Legal Description for
Susan Asbrand / 107 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**

PRIVATE ACCESS DRIVE



MESSINGER ST SR-1018

GRAPHIC SCALE



(IN FEET)

1 inch = 25 ft.



PERMANENT EASEMENT
926 SF (0.0212 AC)
TEMPORARY EASEMENT
1,153 SF (0.0265 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

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107 MESSINGER STREET
ASBRAND EXHIBIT
BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA

DRAWN/APPROVED
DJC/JLO

DATE
9-10-18

PROJECT NO.
BNGR1301.07

DRAWING NO.

SCALE
1" = 25'

REVISION NO. 1

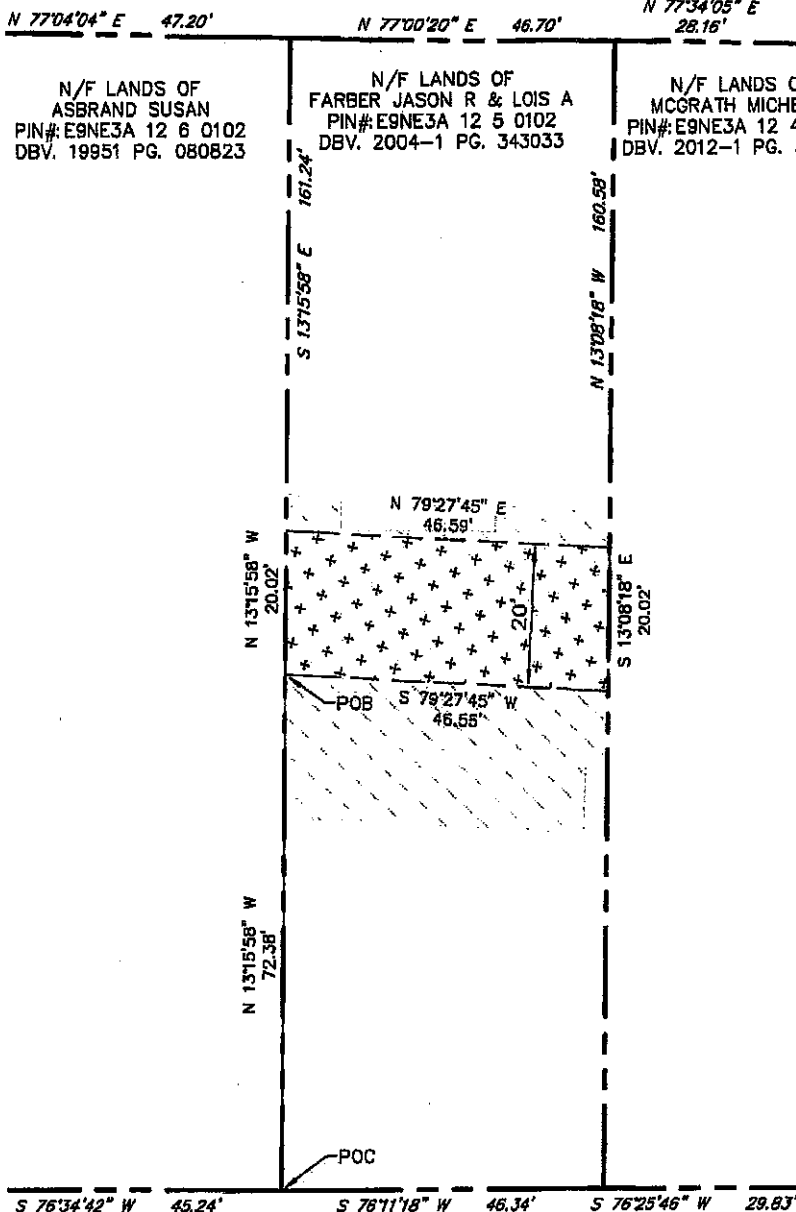
SHEET NO.
1 OF 1

EX-1.6

EXHIBIT "F"

**Plan and Legal Description for
Jason R. Farber & Lois A. Farber / 115 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**

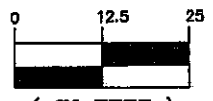
PRIVATE ACCESS DRIVE



S 76°34'42" W 45.24' S 76°11'18" W 46.34' S 76°25'46" W 29.83'

MESSINGER ST SR-1018

GRAPHIC SCALE



(IN FEET)
1 inch = 25 ft.



PERMANENT EASEMENT
931 SF (0.0214 AC)



TEMPORARY EASEMENT
978 SF (0.0225 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

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115 MESSINGER STREET
FARBER EXHIBIT
BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA

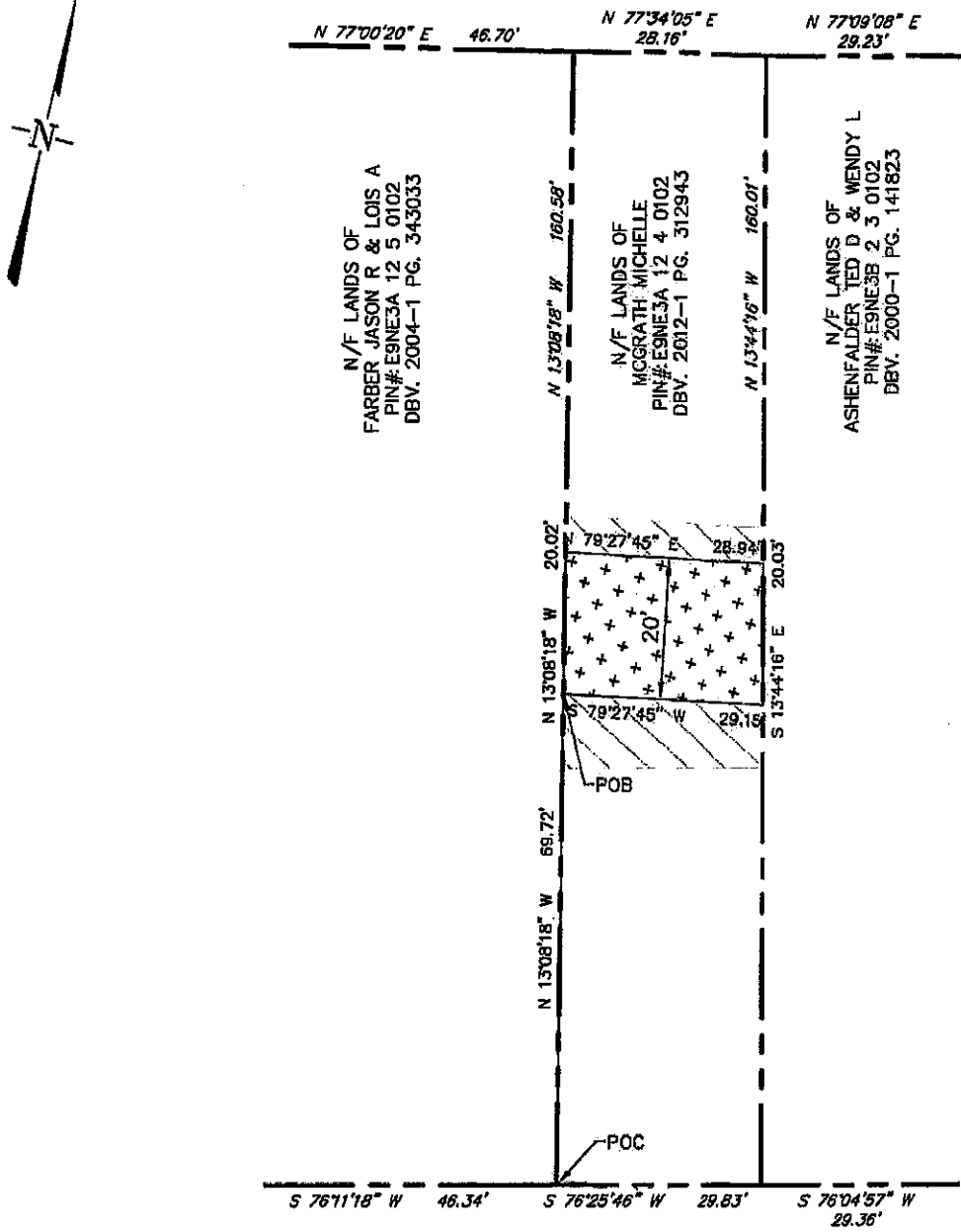
DRAWN/APPROVED DJC/JLO	DATE 9-10-18	PROJECT NO. BNGR1301.07
SCALE 1" = 25'	REVISION NO. 1	SHEET NO. 1 OF 1

DRAWING NO.
EX-1.7

EXHIBIT "G"

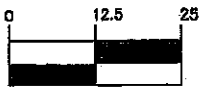
**Plan and Legal Description for
Michelle McGrath / 119 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**

PRIVATE ACCESS DRIVE



MESSINGER ST SR-1018

GRAPHIC SCALE



(IN FEET)

1 inch = 25 ft.



PERMANENT EASEMENT
581 SF (0.0133 AC)



TEMPORARY EASEMENT
430 SF (0.0099 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

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119 MESSINGER STREET
MCGRATH EXHIBIT
BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA

DRAWN/APPROVED DJC/JLO	DATE 9-10-18	PROJECT NO. BNGR1301.07
SCALE 1" = 25'	REVISION NO. 1	SHEET NO. 1 OF 1

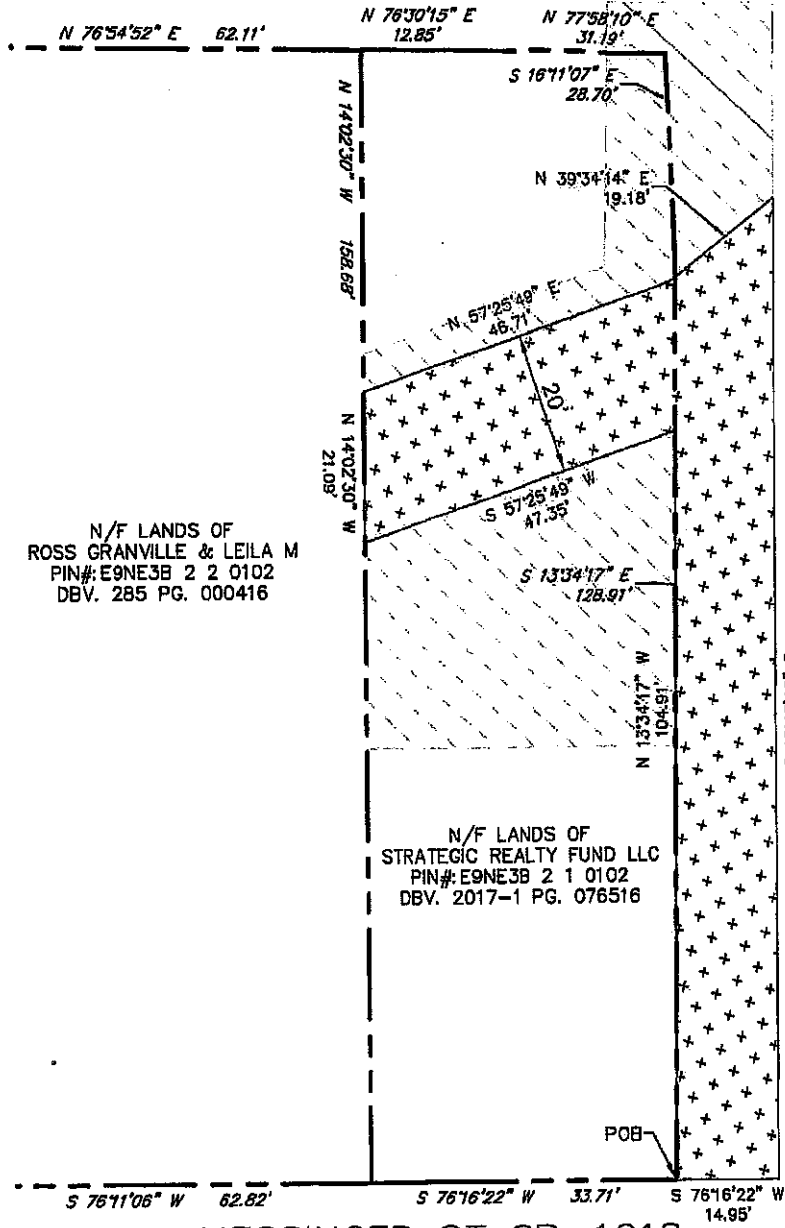
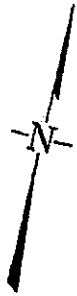
DRAWING NO.

EX-1.8

EXHIBIT "H"

**Plan and Legal Description for
Strategic Realty Fund, LLC / 137 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**

PRIVATE ACCESS DRIVE



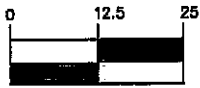
N/F LANDS OF
ROSS GRANVILLE & LEILA M
PIN#: E9NE3B 2 2 0102
DBV. 285 PG. 000416

N/F LANDS OF
STRATEGIC REALTY FUND LLC
PIN#: E9NE3B 2 1 0102
DBV. 2017-1 PG. 076516

PRIVATE ACCESS DRIVE

MESSINGER ST SR-1018

GRAPHIC SCALE



(IN FEET)

1 inch = 25 ft.



PERMANENT EASEMENT
 2,895 SF (0.0665 AC)
 TEMPORARY EASEMENT
 2,690 SF (0.0617 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

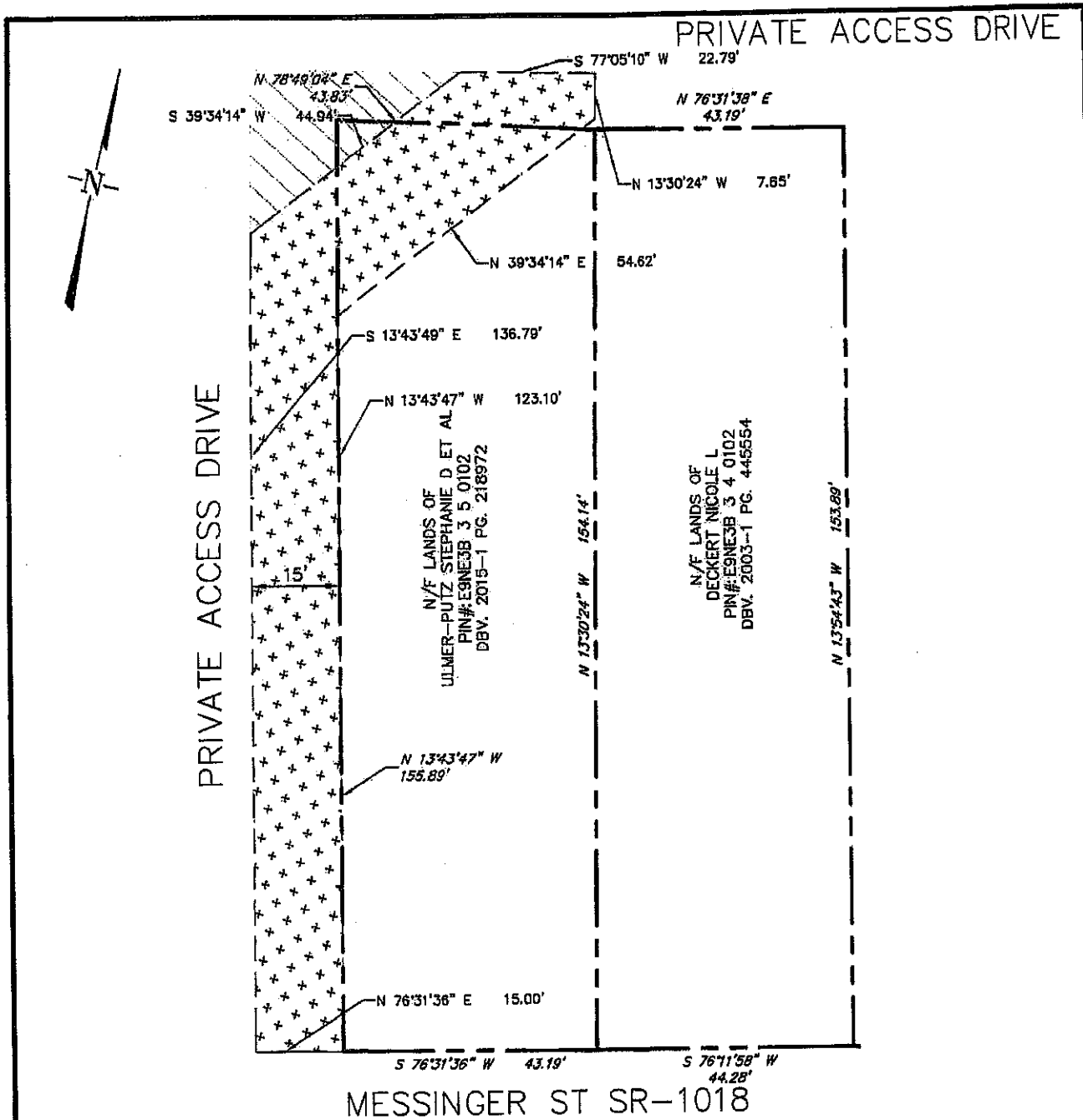
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137 MESSINGER STREET
STRATEGIC REALTY EXHIBIT
BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA

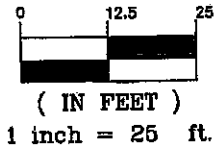
DRAWN/APPROVED DJC/JLO	DATE 9-10-18	PROJECT NO. BNGR1301.07	DRAWING NO. EX-1.11
SCALE 1" = 25'	REVISION NO. 1	SHEET NO. 1 OF 1	

EXHIBIT "I"

**Plan and Legal Description for
Stephanie Putz-Ulmer, Terry M. Ulmer & Olga Clara Ulmer / 203 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**



GRAPHIC SCALE



PERMANENT EASEMENT
 3,032 SF (0.0696 AC)

TEMPORARY EASEMENT
 493 SF (0.0113 AC)

NOTE:

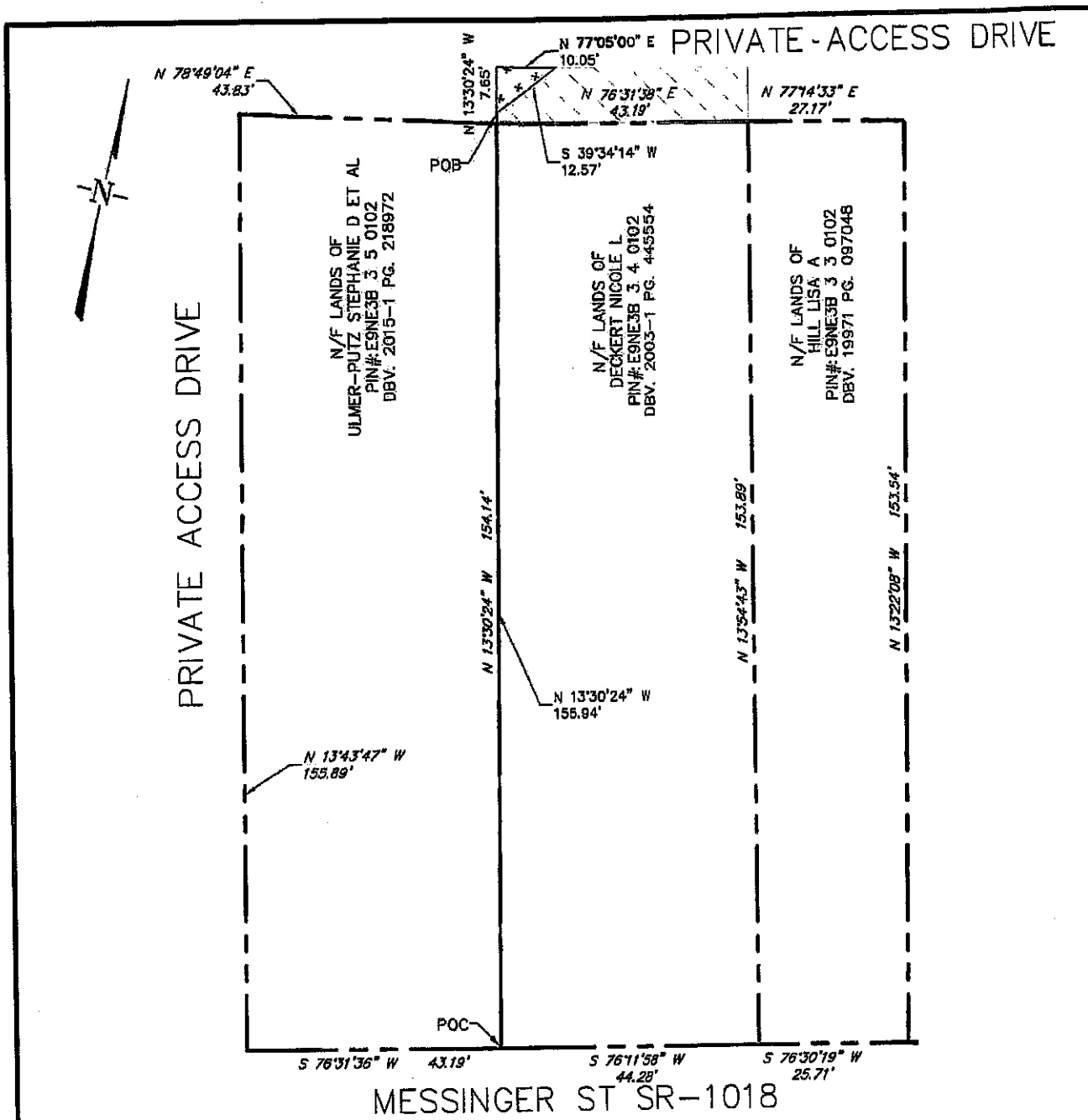
1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

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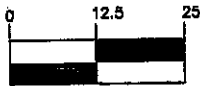
203 MESSINGER STREET			
ULMER-PUTZ EXHIBIT			
BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA			
DRAWN/APPROVED DJC/JLO	DATE 9-10-18	PROJECT NO. BNGR1301.07	DRAWING NO.
SCALE 1" = 25'	REVISION NO. 1	SHEET NO. 1 OF 1	EX-1.12

EXHIBIT "J"

**Plan and Legal Description for
Nicole L. Deckert / 209 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**



GRAPHIC SCALE



(IN FEET)

1 inch = 25 ft.



PERMANENT EASEMENT
38 SF (0.0009 AC)



TEMPORARY EASEMENT
360 SF (0.0083 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

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**209 MESSINGER STREET
DECKERT EXHIBIT**

BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA

DRAWN/APPROVED

DJC/JLO

DATE

9-10-18

PROJECT NO.

BNGR1301.07

DRAWING NO.

EX-1.13

SCALE

1" = 25'

REVISION NO. 1

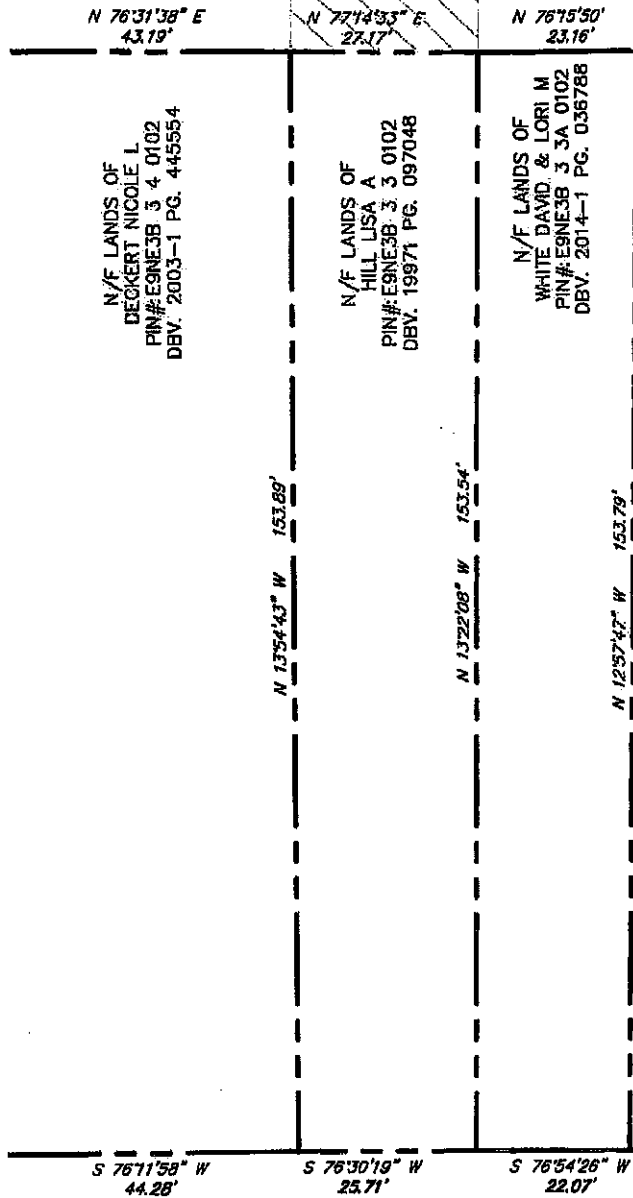
SHEET NO.

1 OF 1

EXHIBIT "K"

**Plan and Legal Description for
Lisa A. Hill / 215 Messinger Street
Temporary Construction Easement**

PRIVATE ACCESS DRIVE



MESSINGER ST SR-1018

GRAPHIC SCALE



(IN FEET)

1 inch = 25 ft.



TEMPORARY EASEMENT
 247 SF (0.0057 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

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215 MESSINGER STREET
 HILL EXHIBIT
 BANGOR BOROUGH, NORTHAMPTON COUNTY, PENNSYLVANIA

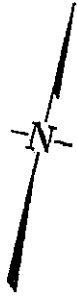
DRAWN/APPROVED DJC/JLO	DATE 9-10-18	PROJECT NO. BNGR1301.07
SCALE 1" = 25'	REVISION NO. 1	SHEET NO. 1 OF 1

DRAWING NO.
EX-1.14

EXHIBIT "L"

**Plan and Legal Description for
Peter J. Hollinger & Kathleen A. Snyder / 221 Messinger Street
Permanent Stormwater Facilities Easement and Temporary Construction Easement**

PRIVATE ACCESS DRIVE



N 76°15'50" E
23.16'

N 76°32'10" E
30.33'

N/F LANDS OF
WHITE DAVID & LORI M
PIN# E9NE3B 3 3A 0102
DBV. 2014-1 PG. 036788

N 12°57'47" W 153.79'

N/F LANDS OF
HOLLINGER PETER J & SNYDER
KATHLEEN A
PIN# E9NE3B 3 2 0102
DBV. 2017-1 PG. 166929

N 13°09'49" W 74.65'

N 13°33'08" W 78.95'

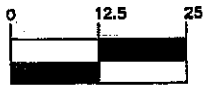
N/F LANDS OF
BRW REALTY INC
PIN# E9NE3B 3 1 0102
DBV. 2000-1 PG. 024896

S 76°54'26" W
22.07'

S 76°11'08" W
31.41'

MESSINGER ST SR-1018

GRAPHIC SCALE



(IN FEET)

1 inch = 25 ft.



TEMPORARY EASEMENT
262 SF (0.0060 AC)

NOTE:

1. HORIZONTAL DATUM AND PROPERTY LINES SHOWN HEREON ARE BASED UPON NORTHAMPTON COUNTY GIS DATA, THROUGH MARCH 30, 2018.

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DRAWN/APPROVED DJC/JLO	DATE 9-10-18	PROJECT NO. BNGR1301.07	DRAWING NO. EX-1.16
SCALE 1" = 25'	REVISION NO. 1	SHEET NO. 1 OF 1	