

**BOROUGH OF BANGOR  
COUNTY OF NORTHAMPTON  
COMMONWEALTH OF PENNSYLVANIA  
ORDINANCE NO. 992**

**AN ORDINANCE OF THE BOROUGH OF BANGOR, NORTHAMPTON  
COUNTY, PENNSYLVANIA, VACATING UNIMPROVED SECTIONS OF SILK  
STREET AND AN UNNAMED ALLEY, AND REPEALING ALL INCONSISTENT  
ORDINANCES AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the Borough of Bangor is a duly organized existing municipality and political subdivision within the County of Northampton, Commonwealth of Pennsylvania with office located at 197 Pennsylvania Avenue, Bangor, Northampton County, PA 18013; and

**WHEREAS**, the Borough is subject to the PA Borough Code which Code provides a process for petitioning to vacate a street, See 8 Pa C.S.A. Section 1732; and

**WHEREAS**, the Bangor Borough Council has the authority (by Ordinance) to vacate a street or portion thereof. See 8 Pa C.S.A. Section 1731(a)(2); and

**WHEREAS**, the definition of a "street" also includes inter alia an "alley". See 8 Pa C.S.A Section 1701; and

**WHEREAS**, the Bangor Borough Council, following a hearing, deems it necessary for the public convenience and for the general benefit and welfare of the public to vacate unimproved sections of Silk Street and an Unnamed Alley located within the Borough of Bangor and being more fully depicted in Exhibit "A" and described in Exhibit "B" both exhibits being attached hereto and made a part hereof, and

**NOW, THEREFORE**, incorporating the preceding paragraphs as if they were set forth herein, it is hereby **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Bangor, County of Northampton and Commonwealth of Pennsylvania, as follows:

**Section 1. Vacation of Unimproved Sections of Silk Street and an Unnamed Alley.**

The unimproved section of Silk Street to be vacated comprises approximately 2,116 square feet or 0.0486 acres and the unimproved section of Unnamed Alley to be vacated comprises approximately 1,688 square feet or 0.0387 acres, said area is hereby vacated. A copy of a Map and Bearings and Distances Description of the areas of said vacation are attached hereto and marked as Exhibits "A" and "B" and are hereby made a part hereof.

**Section 2. Repealer**

Any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance shall be and the same is hereby repealed to the extent of such conflict.

**Section 3. Severability**

If any section, sub-section, provision, regulation, limitation, restriction, sentence, clause phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Ordinance as a whole, or any other section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance. Borough Council hereby declares that it would have adopted this Ordinance and each section, sub-section, phrase and word thereof, irrespective of the fact that any one or more of the sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

**Section 4. Effective Date**

This Ordinance shall take effect immediately upon its adoption.

ORDAINED AND ENACTED into an Ordinance this 22<sup>nd</sup> day of June, 2020.

Borough Council of the Borough of Bangor

BY: James W Kresge  
James Kresge, President

ATTEST: Janelle Hauff  
Janelle Hauff, Secretary

APPROVED by the Mayor this 24<sup>th</sup> day of June, 2020.

BY: Brooke Kerzner  
Brooke Kerzner, Mayor

# EXHIBIT "A"

**DESCRIPTION OF LAND  
PORTION OF SILK STREET  
BANGOR BOROUGH  
NORTHAMPTON COUNTY, PENNSYLVANIA**

That portion of the borough street known as Silk Street situated in the Borough of Bangor, County of Northampton and Commonwealth of Pennsylvania, being located between North Seventh Street and North Eighth Street and also between Market Street (S.R. 512) and Pennsylvania Avenue; and being more particularly located and described as follows:

**BEGINNING** at a found iron pin marking the northeast corner of land now or formerly belonging to Blue Valley Rescue Squad, Inc. (tax parcel E9NE1B-11-15), said iron pin also marking the southeast corner of land now or formerly belonging to Liberty Fire Company (tax parcel E9NE1B-11-17); and running thence

1. Continuing along said land of Liberty Fire Company, North 09 degrees 24 minutes 00 seconds East, a distance of 88.37 feet to a point being the northeast corner of land of the same and the southwest intersection of rights-of-ways of the twenty-four feet wide Silk Street and a twelve feet wide unnamed alley; thence
2. Along the southerly side of the said twelve feet wide unnamed alley and crossing the said twenty-four feet wide right-of-way of Silk Street, South 76 degrees 20 minutes 49 seconds East, a distance of 24.07 feet to a point being the southeast intersection of rights-of-ways of the same, said point also being the northwest corner of land now or formerly belonging to H.A. Berkheimer Inc. (tax parcel E9NE1B-11-4); thence
3. Along said land of H.A. Berkheimer, South 09 degrees 24 minutes 00 seconds West, distance of 87.99 feet to a point in the same; thence
4. Crossing the aforementioned twenty-four feet wide right-of-way of Silk Street, North 77 degrees 15 minutes 00 seconds West, a distance of 24.04 feet to the place of **BEGINNING**.

Containing 2,116 Square Feet or 0.0486 Acres

The above described property being shown on a plan entitled "Map of Land to be Conveyed to Liberty Fire Company" as prepared by Robert L. Collura, Civil Engineers & Land Surveyors, Bangor, PA, being Drawing No. C-15-1233, dated 18 August 2015, and last revised 28 February 2020.

28 February 2020



**CONSOLIDATION DESCRIPTION  
PORTION OF SILK STREET  
AND  
LAND BELONGING TO LIBERTY FIRE COMPANY  
UNIFORM PARCEL IDENTIFIER No. E9NE1B-11-17  
BANGOR BOROUGH  
NORTHAMPTON COUNTY, PENNSYLVANIA**

That tract of land, situated in the Borough of Bangor, County of Northampton and Commonwealth of Pennsylvania, being located on the east side of North Eighth Street and between Market Street (S.R. 512) and Pennsylvania Avenue; and being more particularly located and described as follows:

BEGINNING at a found railroad spike at the back of the sidewalk in the easterly forty feet wide right-of-way line of North Eighth Street, said railroad spike marking the southwest corner of land now or formerly belonging to CJ Passaic Avenue LLC. (tax parcel E9NE1B-11-18); and running thence

1. Along said land of CJ Passaic Avenue LLC., South 77 degrees 15 minutes 00 seconds East, a distance of 98.84 feet to a point being the southeast corner of land of the same and a point in the southerly twelve feet wide right-of-way line of an unnamed alley; thence
2. Along said unnamed alley, South 76 degrees 20 minutes 49 seconds East, a distance of 104.82 feet to a point being the southeast intersection of rights-of-ways of the same and the said Silk Street, said point also being the northwest corner of land now or formerly belonging to H.A. Berkheimer Inc. (tax parcel E9NE1B-11-4); thence
3. Along said land of H.A. Berkheimer, South 09 degrees 24 minutes 00 seconds West, distance of 87.99 feet to a point in the same and a point in the easterly right-of-way line of the said Silk Street; thence
4. Partially along the northerly right-of-way of Silk Street and land now or formerly belonging to Blue Valley Rescue Squad, Inc. (tax parcel E9NE1B-11-15), North 77 degrees 15 minutes 00 seconds West, passing a found iron pin at 24.04 feet marking the northeast corner of land of the said Blue Valley Rescue Squad, Inc., a distance of 208.78 feet to a point in the aforementioned easterly right-of-way of North Eighth Street; thence
5. Continuing along said easterly right-of-way of North Eighth Street, North 12 degrees 45 minutes 00 seconds East, a distance of 89.49 feet to the place of BEGINNING.

Containing 18,363 Square Feet or 0.4216 Acres

The above described property being shown on a plan entitled "Map of Land to be Conveyed to Liberty Fire Company" as prepared by Robert L. Collura, Civil Engineers & Land Surveyor, Bangor, PA, being Drawing No. C-15-1233, dated 18 August 2015, and last revised 28 February 2020.

A portion of the above described property being the same premises which Liberty Fire Company, of the Borough of Bangor, did by deed dated 30 August 2007 and recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania in Book 2007-1 at Page 332059 grant and convey unto itself.

28 February 2020

# **EXHIBIT "B"**



## **PROPOSED ALLEY VACATION**

Bangor Borough, Northampton County

February 13, 2020

**ALL THAT CERTAIN** tract, piece or parcel of land being known as a 15' Wide Alley situate in Bangor Borough, in the County of Northampton, and the Commonwealth of Pennsylvania, being shown on a plan entitled "Proposed Alley Vacation Plan," dated February 13, 2020, prepared by Arthur A. Swallow Associates, LLC, Allentown, PA, being bounded and further described as follows, to wit:

**BEGINNING** at a point at the northern right-of-way for Messinger Street and the western right-of-way for Blue Ridge Avenue, North  $13^{\circ}34'29''$  West, 149.7 feet to the true point of beginning;

**Thence** along the southern right-of-way of the 15' wide Alley and along the lands now or formerly of BRW Realty LLC, South  $77^{\circ}50'28''$  West, 112.59 feet to a point;

thence crossing over the 15' wide Alley, North  $12^{\circ}55'14''$  West, 15.00 feet to a point;

thence along the northern right-of-way of said Alley and along the lands now or formerly of BRW Realty LLC, North  $77^{\circ}50'28''$  East, 112.42 feet to a point;

thence along the easterly right-of-way of said Alley and along the lands now or formerly of BRW Realty LLC, South  $13^{\circ}34'29''$  East, 15.00 feet to the **PLACE OF BEGINNING**.

**CONTAINING:** 1,688 Square Feet or 0.0387 Acres.

Prepared by  
Michael A. Houston PLS  
Arthur A. Swallow Associates LLC



LANDS N/F  
 BRW REALTY INC.  
 138 KLINE STREET  
 PARCEL ID: E9NE3B 1 6 0102  
 DEED: BK.2003-1, PG.312662  
 109,398 SQ.FT./2.5114 AC.

**PROPOSED VACATION OF  
 15' WIDE ALLEY  
 1,688 SQ.FT./0.0387 AC.**

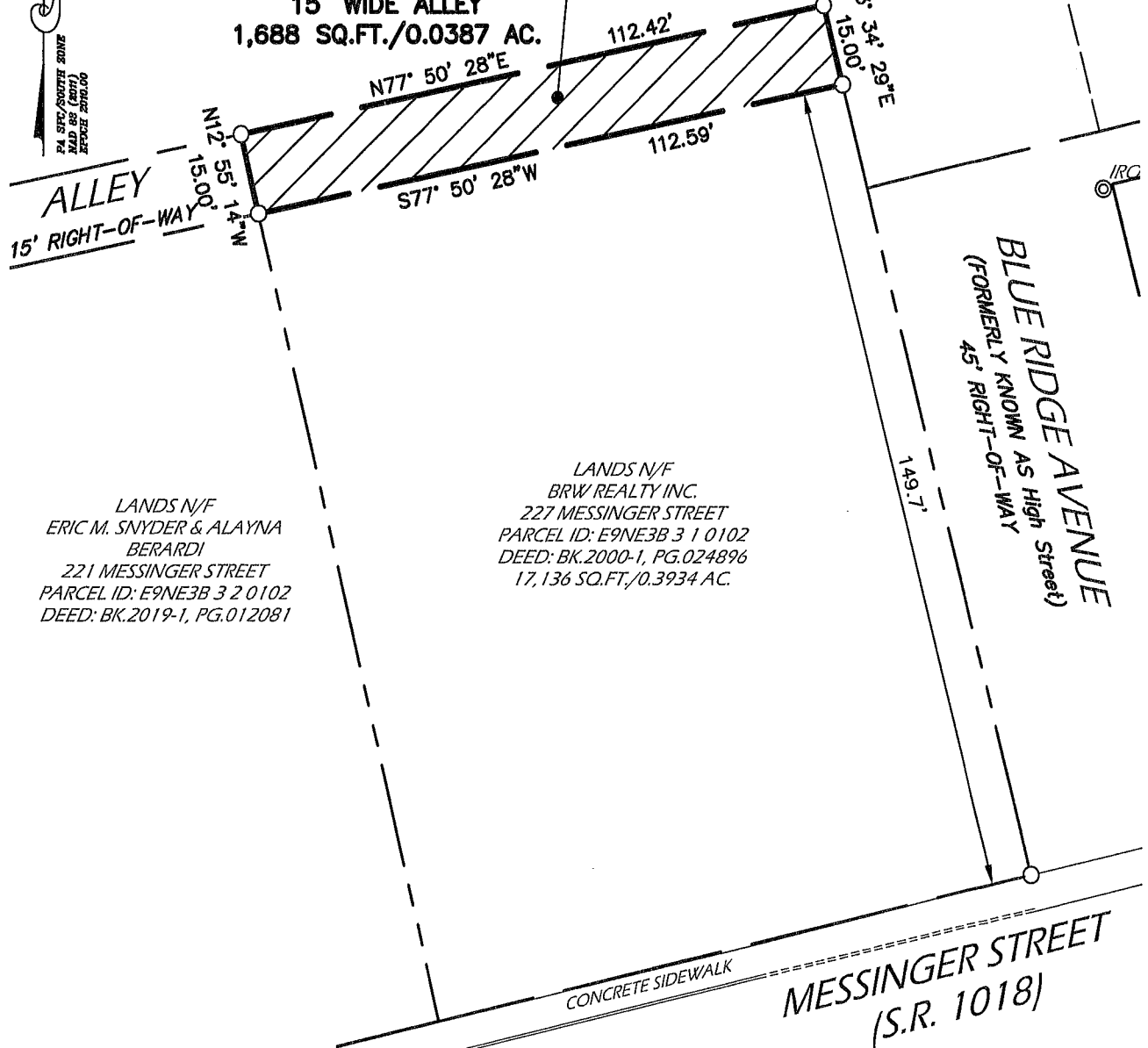
HIGH STREET  
 VACATED IN 1944 BY  
 ORDINANCE 379

**ALLEY**  
 15' RIGHT-OF-WAY

**BLUE RIDGE AVENUE**  
 (FORMERLY KNOWN AS High Street)  
 45' RIGHT-OF-WAY

LANDS N/F  
 ERIC M. SNYDER & ALAYNA  
 BERARDI  
 221 MESSINGER STREET  
 PARCEL ID: E9NE3B 3 2 0102  
 DEED: BK.2019-1, PG.012081

LANDS N/F  
 BRW REALTY INC.  
 227 MESSINGER STREET  
 PARCEL ID: E9NE3B 3 1 0102  
 DEED: BK.2000-1, PG.024896  
 17,136 SQ.FT./0.3934 AC.



MESSINGER STREET  
 (S.R. 1018)

PLAN DATE 02/13/20	PROJECT <b>PROPOSED ALLEY VACATION PLAN</b>	DEED REF.
REVISIONS	OWNER <b>BANGOR BOROUGH</b>	TAX MAP
	MUNICIPALITY BANGOR BOROUGH	SHT. NO. <u>1</u> of <u>1</u>
	COUNTY NORTHAMPTON COUNTY	SCALE AS NOTED
STATE PENNSYLVANIA		JOB NO. 5125

**AASA** Arthur A. Swallow Associates, LLC  
 Land Surveyors  
 www.aasasurvey.com  
 1003-1005 North 19th Street  
 Allentown, PA 18104  
 610-820-6470 • Fax:610-820-5947

Arthur A. Swallow, PLS Date  
 PA SU037821E NJ 24GS03449200

**LOT 1 (Consolidation)**  
**138 Kline Street Subdivision**  
Bangor Borough, Northampton County, PA

February 13, 2020

**ALL THAT CERTAIN** tract, piece or parcel of land in Bangor Borough in the County of Northampton, and the Commonwealth of Pennsylvania, being shown on a plan entitled "Preliminary/Final Minor Subdivision Plan – 138 Kline Street", dated November 6, 2019, bearing a latest revision date of February 13, 2020, prepared by Arthur A. Swallow Associates, LLC, Allentown, PA, being bounded and further described as follows, to wit:

**BEGINNING** at an iron pin in the southerly right-of-way line of Kline Street (40 feet wide right-of-way);

**Thence** along the southerly right-of-way of Kline Street the following two (2) courses and distances:

1. North 78°47'46" East, 225.19 feet to a point;
2. North 72°27'00" East, 133.74 feet to a point;

thence along the western line of Lot 2 in the above-mentioned subdivision the following two (2) courses and distances:

1. South 17°33'00" East, 25.00 feet to a point;
2. South 14°05'26" East, 168.67 feet to a point;

thence along the north side of a 10' wide alley, South 76°25'30" West, 172.61 feet to a point;

thence along the western right-of-way of Blue Ridge Avenue, South 13°34'29" East, 130.00 feet to a point;

thence along the northern right-of-way of Messinger Street (45' wide right-of-way), South 76°25'31" West, 114.30 feet to a point;

thence along the lands now or formerly of Eric M. Snyder and Alayna Berardi, North 12°55'14" West, 167.46 feet to a point;

thence along the northern right-of-way for a 15' wide Alley, South 77°50'28" West, 73.67 feet to a point;

thence along the lands now or formerly of Hubert P. III and Linda M. McHugh, North 11°12'14" West, 154.50 feet to the **PLACE OF BEGINNING**.

**CONTAINING:** 80,864 Square Feet or 1.8564 Acres.

**UNDER AND SUBJECT** all other Easements, Right-of-Ways, and Restrictions set forth on the recorded subdivision plan and any and all easements either visible or on record.

Prepared by  
Michael A. Houston PLS  
Arthur A. Swallow Associates LLC

## LOT 2

### 138 Kline Street Subdivision

Bangor Borough and Washington Township, Northampton County, PA

February 13, 2020

**ALL THAT CERTAIN** tract, piece or parcel of land in Bangor Borough and Washington Township in the County of Northampton, and the Commonwealth of Pennsylvania, being shown on a plan entitled "Preliminary/Final Minor Subdivision Plan – 138 Kline Street", dated November 6, 2019, bearing a latest revision date of February 13, 2020, prepared by Arthur A. Swallow Associates, LLC, Allentown, PA, being bounded and further described as follows, to wit:

**BEGINNING** at a mag nail in the southerly right-of-way line of Kline Street (40 feet wide right-of-way) and the westerly right-of-way of Rutt Road (35' wide right-of-way), South  $13^{\circ}34'29''$  East, 213.49 feet to a point

thence along the north side of a 10' wide alley, South  $76^{\circ}25'30''$  West, 282.97 feet to a point;

thence along the eastern line of Lot 1 in the above-mentioned subdivision the following two (2) courses and distances:

1. North  $14^{\circ}05'26''$  West, 168.67 feet to a point;
2. North  $17^{\circ}33'00''$  West, 25.00 feet to a point;

thence along the southerly right-of-way of Kline Street, North  $72^{\circ}27'00''$  East, 286.91 feet to the **PLACE OF BEGINNING**.

**CONTAINING:** 57,818 Square Feet or 1.3273 Acres.

**UNDER AND SUBJECT** all other Easements, Right-of-Ways, and Restrictions set forth on the recorded subdivision plan and any and all easements either visible or on record.

Prepared by  
Michael A. Houston PLS  
Arthur A. Swallow Associates LLC