

**ORDINANCE NO. 2019 – 02**  
**BOROUGH OF LANSFORD**  
**CARBON COUNTY, PENNSYLVANIA**

An ordinance to vacate Tunnel Street located in the Borough of Lansford, Carbon County, Pennsylvania.

An ordinance providing for the vacation of a portion of Tunnel Street in the Borough of Lansford, Carbon County, Pennsylvania, in accordance with the provisions with the Borough Code Chapter 17 Subchapter D Section 1731 (8 Pa.C.S.A. § 1731) and it is hereby enacted and ordained as follows:

**SECTION 1. DESCRIPTION OF ROAD OR PORTION THEREOF TO BE VACATED**

The Lansford Borough Council hereby vacates a portion of Tunnel Street, as more particularly described as follows:

All that certain portion of Tunnel Street unimproved road right-of-way situate in the Borough of Lansford, County of Carbon, Commonwealth of Pennsylvania, bound and described as follows to wit:

***Beginning*** at a point marking the intersection of the easterly right-of-way line of Tunnel Street (50 ft. wide right-of-way) with the southerly right-of-way line of East Water Street (22 ft. wide right-of-way); thence along said easterly right-of-way line of Tunnel Street and partially by lands of Timothy P. Smith and partially by lands of Paul Kokinda, on a course bearing South 13 degrees 20 minutes 00 seconds East (passing through a pin at 80.00 feet) 110.00 feet to a point, said corner being the ***place of beginning***; thence ***beginning*** along said easterly right-of-way line of Tunnel Street and by said lands of Paul Kokinda, South 13 degrees 20 minutes 00 seconds East 110.00 feet to a pin in line of lands of BET Real Estate Lehigh, Inc.; thence by said lands of BET Real Estate Lehigh, Inc., South 76 degrees 40 minutes 00 seconds West 50.00 feet to a point in the westerly right-of-way line of Tunnel Street also being a point in line of other lands of Timothy P. Smith; thence along said westerly right-of-way line of Tunnel Street and by said other lands of Timothy P. Smith, North 13 degrees 20 minutes 00 seconds West 110.00 feet to a point; thence leaving said westerly right-of-way line of Tunnel Street and through the right-of-way line of Tunnel Street, North 76 degrees 40 minutes 00 seconds East 50.00 feet to the ***place of beginning***.

***Containing 5,500.00 s.f. of land. Being the same premises shown as "unimproved right-of-way proposed for vacation"***, as shown on a survey titled "**Property Survey - Lands of Paul Kokinda at East Water Street and Tunnel Street**", prepared by Michael Kafkalas Jr. PLS, dated October 23, 2018, being File No. 18-56. Subject to all restrictions, easements, covenants, right-of-ways, conveyances, and agreements as shown on said plan and previous documents, deeds, and records.

Said road is shown on Exhibit A attached hereto.

**SECTION 2. RESERVATION OF RIGHT TO INSTALL UTILITIES WITHIN VACATED ROAD RIGHT-OF-WAY**


By adopting this Ordinance, the Borough Council of the Borough of Lansford shall have vacated the general public's right to use Tunnel Street as a public roadway. However, the Borough shall retain the right, but not the duty or obligation to install utilities, including, but not limited to, storm water conveyances, public water and sewer lines, electric lines, telecommunication lines and petroleum lines within the right-of-way of the former public road known as Tunnel Street. The Borough also reserves the right to permit, license or assign other entities to install said utilities.

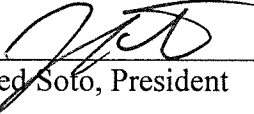
**SECTION 3. ADOPTION AND FILING OF ORDINANCE**

The borough secretary is hereby directed to certify the adoption of the Ordinance, and to cause the same to be filed in the Clerk of Courts, Carbon County Pennsylvania.

**ENACTED AND ORDAINED BY THE BOROUGH OF LANSFORD** this 12<sup>th</sup> day of June, 2019.

**BOROUGH OF LANSFORD,**

Attest:   
Jill Seigendall, Secretary/Treasurer

BY:   
Jared Soto, President

**APPROVED** this 12<sup>th</sup> day of June, 2019

  
James Romankow, Mayor