

**TOWNSHIP OF LOWER SAUCON
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2016-04

**AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON,
NORTHAMPTON COUNTY, PENNSYLVANIA, PROVIDING
FOR THE VACATION OF A PORTION OF PUGGY LANE
SITUATED ON THE WESTERLY SIDE OF STATE RT. 378
BEGINNING AT THE POINT OF TANGENCY IN THE
EASTERLY SIDE OF CANNON AVENUE IN LOWER
SAUCON TOWNSHIP AS DEEMED APPROPRIATE BY THE
TOWNSHIP COUNCIL**

WHEREAS, an abandoned section of Puggy Lane originally connected to Cannon Avenue and State Route 378, currently exists in the Star Village section of the Township of Lower Saucon; and

WHEREAS, this 32 foot wide section was dedicated to the Township of Lower Saucon in 1948 for street purposes; and

WHEREAS, in 1959 the section of this roadway located next to State Route 378 was vacated by Lower Saucon Township through Ordinance #39; and

WHEREAS, in 1962 the relocated Puggy Lane was dedicated to Lower Saucon Township to create an alignment with Mountain Drive; and

WHEREAS, the following person is the owner of the land abutting the abandoned section of roadway: Phyllis M. Birk, owner of Tax Parcel N7SE4-15-4B; and

WHEREAS, Phyllis M. Birk has requested that a portion of the abandoned section of roadway be vacated by the Township of Lower Saucon; and

WHEREAS, the Lower Saucon Township Council has determined that the vacation of a certain portion of the abandoned section of roadway is in the best interests of the Township; and

WHEREAS, pursuant to Sections 2304 and 2305 of the Second Class Township Code (53 P.S. 67304 and 67305) as amended, the Lower Saucon Township Council held a public hearing on October 5, 2106 to consider the vacation of a portion of Puggy Lane.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Lower Saucon Township Council as follows:

SECTION 1.

The Lower Saucon Township Council has deemed it appropriate to vacate a certain portion of Puggy Lane located between State Route 378 and Cannon Avenue (as further described on Exhibit "A" which is attached hereto and incorporated herein by reference) after considering the testimony offered at the public hearing, and has determined that the vacation of that portion of Puggy Lane as described above is in the best interest of the Township. Therefore, the Lower Saucon Township Council hereby vacates the certain portion of Puggy Lane as described in Exhibit "A" thereby relinquishing any right, title, interest, obligation, or duties to the above described portion.

SECTION 2.

The resultant title to the portions of Puggy Lane as described in Exhibit "A" shall vest according to law.

SECTION 3. SEVERABILITY

If any provision, sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions of this Ordinance. It is hereby declared as the intent of Lower Saucon Township that this Ordinance would have been adopted had such stricken provisions not been included herein.

SECTION 4. REPEALER

All other Ordinances or parts thereof which are contradictory with the provisions hereof, are repealed to the extent of such inconsistencies.

SECTION 5. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after its enactment.

ENACTED and ORDAINED this 5th day of October, 2016.

ATTEST

LOWER SAUCON TOWNSHIP

Leslie Huhn
Township Manager

Ronald Horiszny
Council President