



CITY OF BETHLEHEM
OFFICE OF THE CITY SOLICITOR

INTEROFFICE MEMORANDUM

To: Robert G. Vidoni, City Clerk

From: William P. Leeson, Esq., City Solicitor

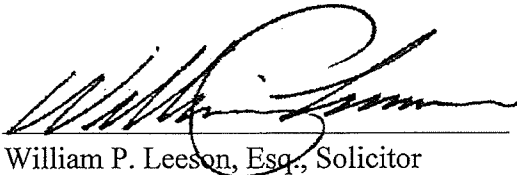
Re: Street Vacation Ordinance
Portion of Luna Street and Portion of Bushkill Street

Date: July 22, 2021

Pursuant to your request, attached please find a proposed ordinance to effect the vacation of a portion of Luna Street and a portion of Bushkill Street.

With regard to any utility service lines located in the right-of-way of that portion of Luna Street and Bushkill Street proposed to be vacated, it is my understanding that you contacted Verizon, UGI, and PPL to inquire whether they have any interests or would need easements in connection with the attached street vacation and affected land. You have advised you received responses confirming that they have no interests in/around the parcels and have no objections. Additionally, the City's Public Works Department has reviewed the petition and has advised that there are no City utilities in the portions of the proposed streets to be vacated and has no objections.

Please place this matter on City Council's agenda for review and appropriate action.



William P. Leeson, Esq., Solicitor

cc: Robert J. Donchez, Mayor
Michael Alkhal, Public Works
Darlene Heller, Planning and Zoning
Tracy Samuelson, Planning and Zoning

BILL NO. 24 - 2021

ORDINANCE NO. 2021-_____

AN ORDINANCE AUTHORIZING THE VACATION,
DISCONTINUANCE AND STRIKING FROM THE CITY'S
GENERAL PLAN OF STREETS OF A PORTION OF
LUNA STREET (UNOPENED) AND A PORTION OF
BUSHKILL STREET (UNOPENED) IN THE 14TH WARD
OF THE CITY OF BETHLEHEM, COUNTY
OF NORTHAMPTON, PENNSYLVANIA.

WHEREAS, a Petition of the owners of all the properties abutting that portion of Luna Street (unopened) and that portion of Bushkill Street (unopened) to be vacated hereby has been presented to the Council of the City of Bethlehem requesting said vacation; and

WHEREAS, the City Planning Commission at its meeting of May 13, 2021, recommended to City Council the vacation of a portion of Luna Street (unopened) from lands now or late of Sharkan Realty, Inc. eastwardly 127.08 feet, as shown on the plan titled "Proposed Luna Street Vacation" attached hereto and made a part hereof as Exhibit "A", and Bushkill Street (unopened) from Luna Street (unopened) to be vacated to lands now or late of City of Bethlehem, as shown on the plan titled "Proposed Bushkill Street Vacation" attached hereto and made a part hereof as Exhibit "B".

NOW, THEREFORE, THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS:

SECTION 1. That that portion of Luna Street (unopened) as shown on the plan titled "Proposed Luna Street Vacation" attached hereto and made a part hereof as Exhibit "A" and as hereinafter described be, and the same is, hereby vacated, discontinued, abandoned and stricken from the City's General Plan of Streets:

ALL THAT CERTAIN tract or parcel of land located along the northerly side of Luna Street, situate in the City of Bethlehem, County of Northampton, and Commonwealth of Pennsylvania, bounded, and described as follows, to wit:

BEGINNING at a point along the northerly side of Luna Street, said point being the southwesterly property corner of lands now or late of Michael & Doreen Wagner, thence from the point of BEGINNING crossing the easterly side of Luna Street, S 12°03'00" W, 40.00 feet to a point; thence along the northerly property line of lands now or late of the City of Bethlehem, N 77°57'00" W, 127.08 feet to a point; thence along the easterly property line of lands now or late of Sharkan Realty, Inc. N 12°03'00" E, 40.00 feet to a point; thence along the southerly property line of lands now or late of Wagner Family Trust, (of which this is to become a part) S 77°57'00" E, 127.08 feet to the point or place of BEGINNING.

CONTAINING in Area – 5,083.093 Sq. Ft. or 0.117 Ac.

SECTION 2. That that portion of Bushkill Street (unopened) as shown on the plan titled “Proposed Bushkill Street Vacation” attached hereto and made a part hereof as Exhibit “B” and as hereinafter described be, and the same is, hereby vacated, discontinued, abandoned and stricken from the City’s General Plan of Streets:

ALL THAT CERTAIN tract or parcel of land located along the northerly side of Luna Street, situate in the City of Bethlehem, County of Northampton, and Commonwealth of Pennsylvania, bounded, and described as follows, to wit:

BEGINNING at a point along the northerly side of Luna Street, said point being the southwesterly property corner of lands now or late of Wagner Family Trust, (of which this is to become a part) thence from the point of BEGINNING along the northerly side of Luna Street N 77°57’00” W, 17.08 feet to a point; thence along easterly property line of lands now or late Sharkan Realty, Inc. N 12°03’00” E, 109.81 feet to a point; thence along the southerly property line of lands now or late of the City of Bethlehem, S 82°57’00” E, 17.14 feet to a point; thence along the westerly property line of lands now or late of Wagner Family Trust, (of which this is to become a part) S 12°03’00” W, 111.30 feet to the point or place of BEGINNING.

CONTAINING in Area – 1,887.959 Sq. Ft. or 0.043 Ac.

SECTION 3. That upon final enactment of this Ordinance, the City Engineer be and he/she hereby is, authorized, empowered and directed to strike from the City’s General Plan of Streets that portion of Luna Street described in Section 1 and that portion of Bushkill Street described in Section 2 hereof as public streets of the City of Bethlehem.

SECTION 4. All Ordinances and parts of Ordinances inconsistent herewith be, and the same are hereby repealed.

Sponsored by _____

PASSED finally in Council on the _____ day of _____, 2021.

ATTEST:

President of Council

City Clerk

This Ordinance approved this _____ day of _____, 2021.

Mayor

Exhibit A

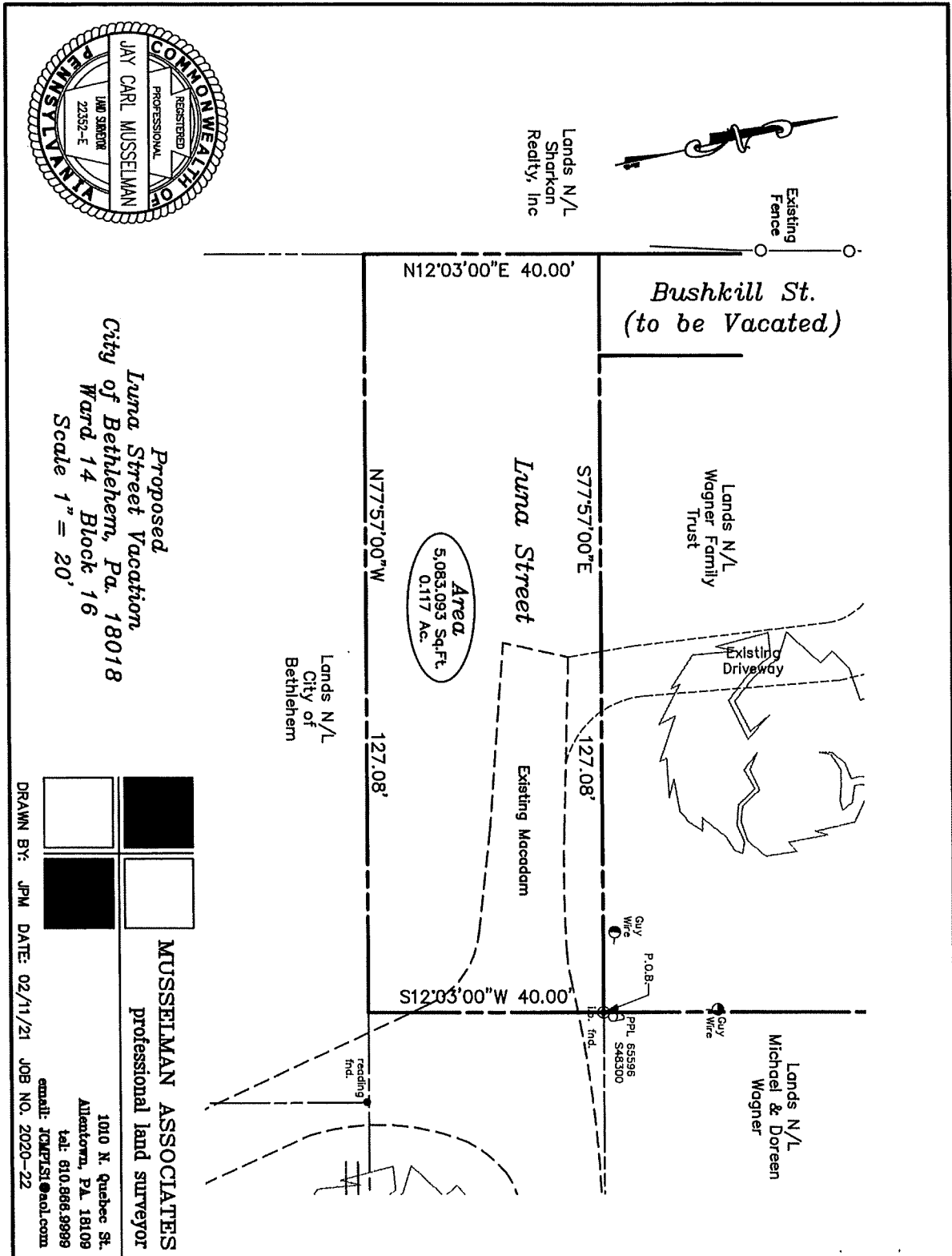


Exhibit B

