



CITY OF BETHLEHEM  
OFFICE OF THE CITY SOLICITOR

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INTEROFFICE MEMORANDUM

To: Michael Colón, Council President

From: Matthew J. Deschler, Assistant Solicitor

Re: Street Vacation Ordinance  
Portion of Second Avenue

Date: January 24, 2023

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Pursuant to your request, attached please find a proposed ordinance to effect the vacation of a portion of Second Avenue. The requisite public hearing on the proposed street vacation was held before City Council at its regular meeting on August 2, 2022.

With regard to any utility service lines located in the right-of-way of that portion of Second Avenue proposed to be vacated, it is my understanding that the City Clerk 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. The City Clerk has advised that he received responses confirming that they have no interests in/around the parcels and/or have no objections.

With regard to any City utility service lines located in the right-of-way of that portion of Second Avenue proposed to be vacated, the City's Public Works Department has advised that a utility easement is needed. The proposed ordinance provides that the City reserves unto itself an easement for the maintenance, construction and reconstruction of any underground utilities presently located on or under the vacated street. The Solicitor's Office has prepared the necessary easement documents and will obtain the necessary signatures in due course.

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

A handwritten signature in black ink, appearing to read "Matthew J. Deschler".

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Matthew J. Deschler, Assistant Solicitor

cc: J. William Reynolds  
Michael Alkhal  
Darlene Heller  
John F. Spirk, Jr.

BILL NO. 06- 2023

ORDINANCE NO. 2023 - \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE VACATION,  
DISCONTINUANCE AND STRIKING FROM THE CITY'S  
GENERAL PLAN OF STREETS OF A PORTION OF  
SECOND AVENUE IN THE 10<sup>TH</sup> WARD OF THE  
CITY OF BETHLEHEM, COUNTY OF LEHIGH, PENNSYLVANIA

WHEREAS, a Petition of the owners of all the properties abutting that portion of Second Avenue 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 July 14, 2022, recommended to City Council the vacation of the entirety of that portion of Second Avenue proposed for vacation.

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

SECTION 1. That that portion of Second Avenue as shown on the plan 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 portion of land, situated in the City of Bethlehem, County of Lehigh, Commonwealth of Pennsylvania described according to the 2<sup>nd</sup> Avenue South Right-of-Way Land Vacation, EX-A, prepared by Pennoni Associates Inc. dated 03/07/2022, last revised 10/31/2022 as follows, to wit:

BEGINNING at a point being a southeasterly corner of lands now or formerly of Peron Armory LP, being on the western right-of-way of 2<sup>nd</sup> Avenue; thence along said Peron Armory LP, SOUTH 89 degrees 25 minutes 06 seconds EAST, a distance of 22.62 feet to a point on the future western right-of-way of 2<sup>nd</sup> Avenue;

Thence along said future 2<sup>nd</sup> Avenue SOUTH 01 degrees 34 minutes 12 seconds WEST, a distance of 107.61 feet to a point being on the northern right-of-way of Spring Street;

Thence along said Spring Street the following two (2) courses:

1. NORTH 89 degrees 43 minutes 52 seconds WEST, a distance of 17.41 feet to a point, thence;

2. NORTH 89 degrees 25 minutes 06 seconds WEST, a distance of 3.35 feet to a point being a corner of previously mentioned Charlene D & George Mowers;

Thence along said Mowers, as well as along previously mentioned Peron Armory LP for a portion, NORTH 00 degrees 34 minutes 54 seconds EAST, a distance of 107.69 feet to the Point of Beginning.

CONTAINING an area of 2,334.89 sq. ft. or 0.05 acres.

SECTION 2. The City reserves unto itself an easement for the maintenance, construction and reconstruction of any underground utilities presently located on or under the vacated street. This Ordinance is subject to the execution of an easement agreement in recordable form that is satisfactory to the City.

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 Second Avenue described in Section 1 hereof as a public street 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 \_\_\_\_\_, 2023.

ATTEST:

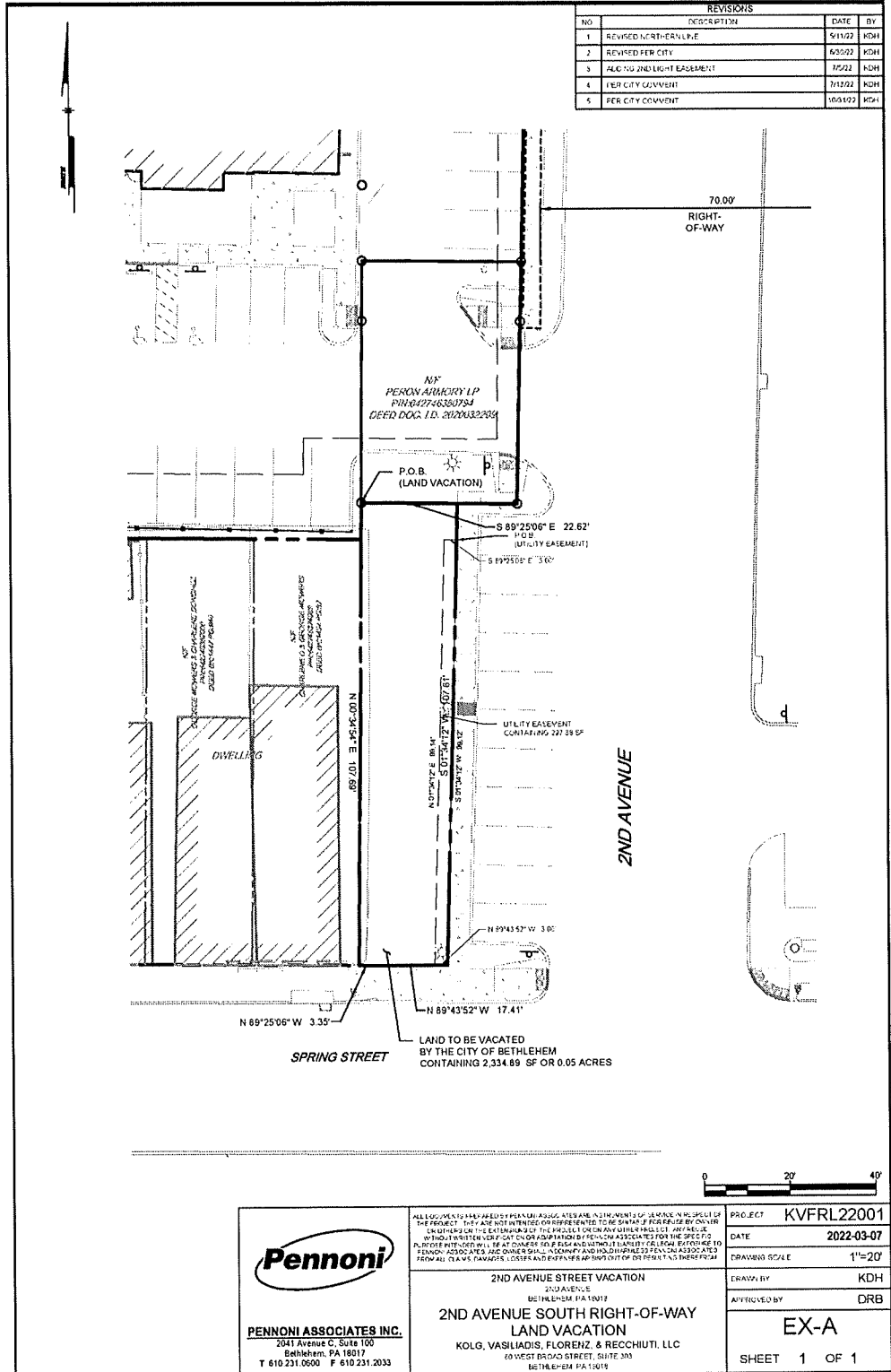
\_\_\_\_\_  
President of Council

\_\_\_\_\_  
City Clerk

This Ordinance approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

# Exhibit A



REVISIONS			
NO.	DESCRIPTION	DATE	BY
1	REVISED NORTHERN L.P.E.	9/11/22	KDH
2	REVISED PER CITY	6/30/22	KDH
3	ALIGNED 2ND LIGHT EASEMENT	7/5/22	KDH
4	PER CITY COMMENT	7/12/22	KDH
5	PER CITY COMMENT	10/11/22	KDH



**PENNONI ASSOCIATES INC.**  
2041 Avenue C, Suite 100  
Bethlehem, PA 18017  
T 610 231 0600 F 610 231 2033

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PROJECT **KVFR122001**

DATE **2022-03-07**

DRAWING SCALE **1"=20'**

DRAWN BY **KDH**

APPROVED BY **DRB**

**EX-A**

SHEET **1** OF **1**

**2ND AVENUE STREET VACATION**  
2ND AVENUE  
BETHLEHEM, PA 18017

**2ND AVENUE SOUTH RIGHT-OF-WAY  
LAND VACATION**  
KOLG, VASILADIIS, FLORENZ, & RECCHIUTI, LLC  
28 WEST BIRDS STREET, SUITE 303  
BETHLEHEM, PA 18019