

**Borough of Conshohocken
Montgomery County, Pennsylvania**

ORDINANCE No. _____

AN ORDINANCE OF THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, PENNSYLVANIA, VACATING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY OF A PUBLIC ROAD KNOWN AS CORSON STREET LOCATED TO THE SOUTHWEST OF ITS INTERSECTION WITH WEST ELM STREET AND NORTHEAST OF THE SCHUYLKILL RIVER TRAIL IN THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, 400 West Elm Owner LLC (“Petitioner”) is the record owner of tracts of land situate along the portion of Corson Street located to the southwest of its intersection with West Elm Street and northeast of the Schuylkill River Trail in the Borough of Conshohocken (“Borough”); and

WHEREAS, the Borough previously vacated a portion of Corson Street extending northeast from the railroad right-of-way, leaving only a small portion of Corson Street extending southwest from its intersection with West Elm Street; and

WHEREAS, the remaining portion of Corson Street extending southwest from its intersection with West Elm Street is unused by the public and is surrounded by lands owned by the Petitioner; and

WHEREAS, Petitioner has requested that the Borough vacate said portion of Corson Street; and

WHEREAS, the Borough Code in Section 1732, 8 Pa.C.S § 1732, authorizes the Borough to vacate a street or part thereof by ordinance if, after due notice to all property owners affected and after holding a hearing thereon, it is deemed prudent and advisable in the judgment of Borough Council to so vacate such road or a portion thereof; and

WHEREAS, after such due notice and hearing held thereon, Borough Council of the Borough of Conshohocken has determined that it is necessary and proper to vacate the hereinafter described right-of-way of Corson Street subject to the provisions of this Ordinance.

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Borough Council of the Borough of Conshohocken, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION 1

The Borough of Conshohocken, Montgomery County, Pennsylvania, does hereby vacate and abandon all that certain tract of land comprising the right-of-way of Corson Street consisting

of approximately 2,690.25 square feet and located to the southwest of its intersection with West Elm Street and northeast of the Schuylkill River Trail, as described in Exhibit “A” and depicted on Exhibit “B”, which are both attached hereto and made a part hereof.

SECTION 2

Upon the vacation and abandonment of the aforesaid right-of-way of Corson Street, title to the right-of-way so vacated and abandoned shall revert to Petitioner as the owner of the abutting properties.

SECTION 3

The President or Vice President of Borough Council and the Secretary or Assistant Secretary of the Borough are hereby authorized and empowered to execute any quitclaim deeds or releases which may be necessary or desirable in the opinion of the Borough to clarify and establish title to the aforesaid abutting owner of the right-of-way vacated and abandoned by this Ordinance.

SECTION 4

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 5

This Ordinance shall take effect and be in force from and after its enactment as provided by law.

ORDAINED and **ENACTED** this _____ day of _____, 2022 by the Borough Council of the Borough of Conshohocken, Montgomery County, Pennsylvania.

ATTEST:

Stephanie Cecco
Borough Manager

Colleen Leonard
Council President

Approved this ____ day of _____, 2022.

Yaniv Aronson, Mayor