

COPY

**TOWNSHIP OF UPPER MACUNGIE
LEHIGH COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2012-4
(Duly Adopted June 7, 2012)**

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING APPENDIX H-101, ET SEQ. OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER MACUNGIE, TO ADD THERETO AN ADDITIONAL VACATION OF PORTIONS OF RABENOLD LANE (T-499) AND SHORT HILL LANE (T-939), LOCATED IN THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AS PUBLIC ROADS; SAID VACATION BEING IN ACCORDANCE WITH THE SECOND CLASS TOWNSHIP CODE, 53 P.S. SECTIONS 67304, 67305(a) AND (b) AND 67311.

WHEREAS, the Supervisors of Upper Macungie Township have examined certain portions of Rabenold Lane (T-499) and Short Hill Lane (T-939) and, after due investigation, have determined that as a result of the relocation of certain portions of these roadways the public use and public convenience warrant the vacation of certain portions of both Rabenold Lane and Short Hill Lane; and

WHEREAS, pursuant to the provisions of the Second Class Township Code, 53 P.S. Section 67305(a), a ten-day written notice was given to all property owners of land adjacent to the portion of said roadways involved in the proposed vacation, said notice advising the property owners of the time and place of a scheduled hearing regarding the proposed vacation of a portion of said roadways; and

WHEREAS, at the conclusion of said hearing, held on the 7th day of June, 2012, the Board of Supervisors of Upper Macungie Township decided in favor of the vacation of certain portions of the said roadways and authorized the necessary ordinance for the vacation of a portion of the said road to be placed on the June 7, 2012 Board of Supervisor's Agenda for consideration; and

WHEREAS, a vacation of portions of the said roadways is permitted and authorized pursuant to the provisions of the Second Class Township Code, 53 P.S. Section 67304; and

WHEREAS, pursuant to the provisions of the Second Class Township Code, 53 P.S. Section 67311, the Supervisors may vacate a portion of the said roadways without the formality of a view when the Supervisors and the property owners affected by the vacation agree that the Township may vacate a portion of the said roadways, and that property owner is in agreement with these vacations.

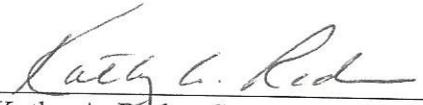
NOW, THEREFORE, BE IT HEREBY ENACTED by the Board of Supervisors of
Upper Macungie Township as follows, to wit:

1. The above recitals shall form a part of this Ordinance as though the same were set forth herein at length.
2. Those portions of Rabenold Lane and Short Hill Lane in Upper Macungie Township, being more fully described on Exhibit "A," attached hereto and made a part hereof, have been vacated in accordance with the provisions of the Second Class Township Code, 53 P.S. Sections 67304 and 67305.
3. A copy of this Ordinance, together with a survey showing the location of the vacated portions of the roadways, shall be filed with the Office of the Clerk of Courts, Criminal Division, Lehigh County, Pennsylvania.
4. This Ordinance shall become effective immediately after enactment, as provided by law.
5. It is declarant that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the citizens of the Township.
6. The existing Rabenold Lane will remain open and maintained as a township public roadway until the roadway improvements are completed on the following shaded roadways; Krock's Road, Winterberry Place and PennDOT access lane. The owner/developer will not receive a building permit for Lots 69, 70, 71, 77, 78, 86, 87 and 163 until such time the above noted roadways are fully completed, except for the final bituminous wearing course. Also the owner/developer and its contractors must ensure that these roadways are completely passable for emergency vehicles to access the spill containment facility along I-78.
7. All Ordinances or parts of Ordinances inconsistent herewith shall be and the same are expressly repealed.
8. In the event that any provision, section, clause or part of a section or any clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, sections, clauses or part of a section or any clause, it being the intent of this Township that such remainder shall remain in full force and effect.

DULY ENACTED AND ORDAINED this ____ day of June, 2012, by the Board of Supervisors of Upper Macungie Township, Lehigh County, Pennsylvania, in a lawful session duly assembled.

ATTEST:

BOARD OF SUPERVISORS
TOWNSHIP OF UPPER MACUNGIE
LEHIGH COUNTY, PENNSYLVANIA

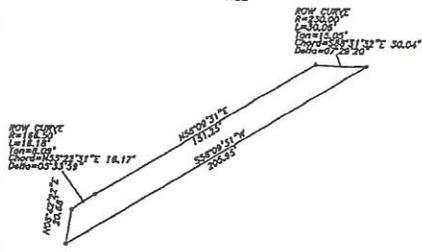


Kathy A. Rader, Secretary

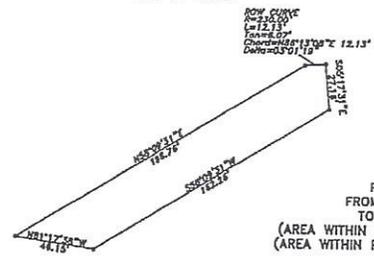
By: 

EDWARD J. EARLEY
Chairman

AREA 2
 SHORT HILL ROAD RIGHT-OF-WAY TO BE VACATED
 FROM UPPER MACUNGIE TOWNSHIP TO K&M ASSOCIATES
 (3,060.83 SQ. FT. - 0.0703 ACRES)
 NOT TO SCALE

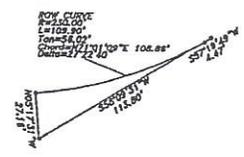


AREA 3
 SHORT HILL ROAD RIGHT-OF-WAY TO BE VACATED
 FROM UPPER MACUNGIE TOWNSHIP TO K&M ASSOCIATES
 (5,579.19 SQ. FT. - 0.1281 ACRES)
 NOT TO SCALE

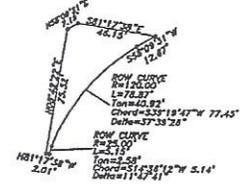


AREA 1
 RABENOLD LANE RIGHT-OF-WAY TO BE VACATED
 FROM UPPER MACUNGIE TOWNSHIP TO K&M ASSOCIATES
 TOTAL AREA = 50,434.99 SQ. FT. - 1.1578 ACRES
 (AREA WITHIN PIN #547622230872 = 22,234.96 SQ. FT. - 0.5104 ACRES)
 (AREA WITHIN PIN #5476632644149 = 28,200.03 SQ. FT. - 0.6474 ACRES)

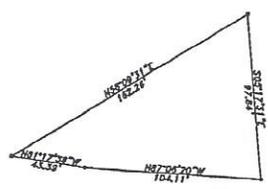
AREA 4
 SHORT HILL ROAD RIGHT-OF-WAY TO BE VACATED
 FROM UPPER MACUNGIE TOWNSHIP TO UPPER MACUNGIE TOWNSHIP
 (964.39 SQ. FT. - 0.0021 ACRES)
 NOT TO SCALE



AREA 5
 SHORT HILL ROAD RIGHT-OF-WAY TO BE VACATED
 FROM UPPER MACUNGIE TOWNSHIP TO UPPER MACUNGIE TOWNSHIP
 (1,533.94 SQ. FT. - 0.0352 ACRES)



AREA 6
 LAND TO BE DEDICATED
 FROM UPPER MACUNGIE TOWNSHIP TO K&M ASSOCIATES
 (7,329.35 SQ. FT. - 0.1683 ACRES)
 NOT TO SCALE



ROADWAY CONVEYANCE TABULATION CHART

ROADWAY RIGHT-OF-WAY VACATED BY UPPER MACUNGIE TOWNSHIP TO K&M ASSOCIATES

PARCEL	TAX REFERENCE	PIN	CONVEYED FROM	CONVEYED TO	DEED REFERENCE
AREA 1	H7-25A-2	547622230872	UMT	K&M ASSOC.	DOC ID 7357590
AREA 1	H7-26A-27	547632644149	UMT	K&M ASSOC.	DOC ID 7357590
AREA 2	H7-25A-2	547622230872	UMT	K&M ASSOC.	DOC ID 7357590
AREA 3	H7SE3-9-1	547631751900	UMT	K&M ASSOC.	DBV 1564 PAGE 0090

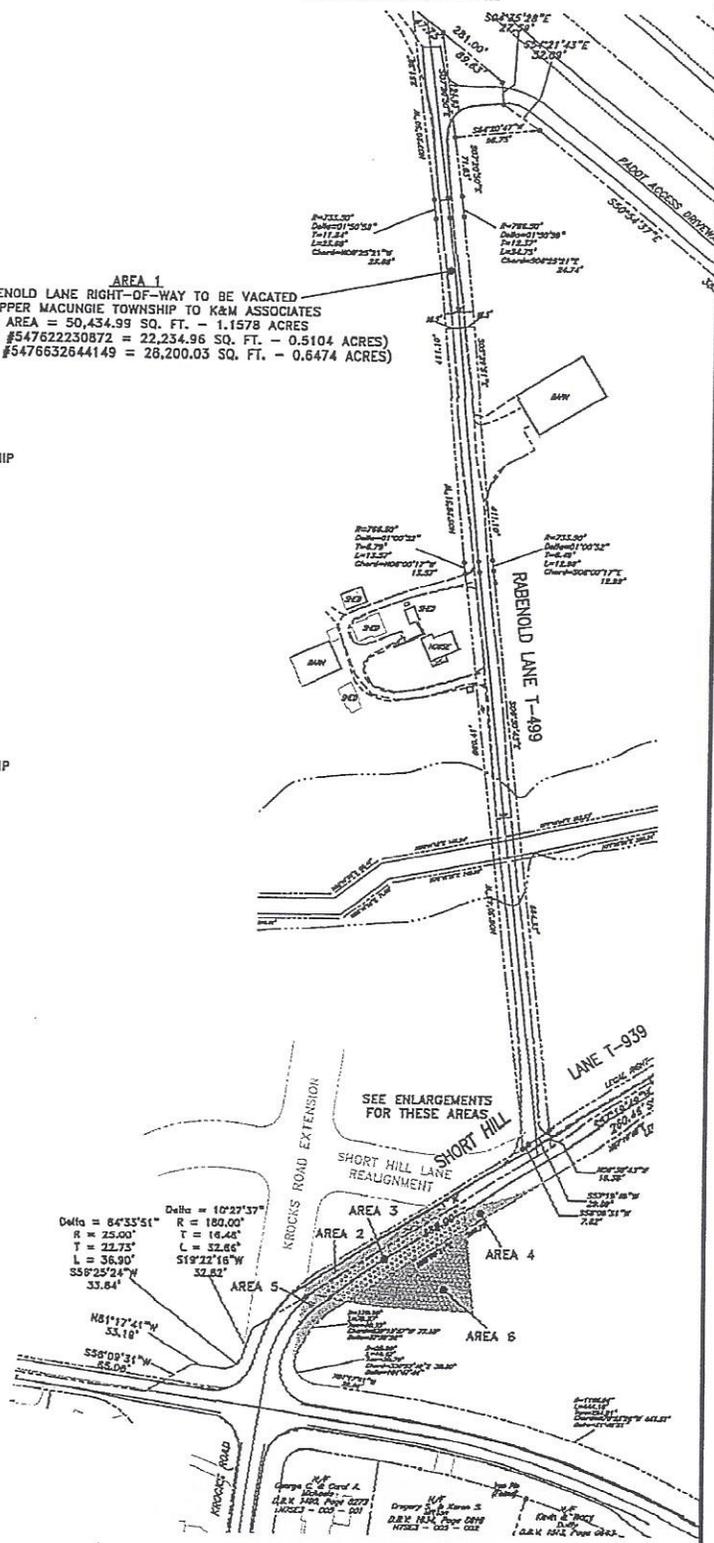
BOUNDARY LINE ADJUSTMENT AREAS - FROM K&M ASSOCIATES* TO UPPER MACUNGIE TOWNSHIP
 * TO WHATEVER EXTENT OWNED BY K&M ASSOCIATES

PARCEL	TAX REFERENCE	PIN	CONVEYED FROM	CONVEYED TO	DEED REFERENCE
AREA 4	H7SE3-9-1	547631751900	UMT	UMT	DBV 1564 PAGE 0090
AREA 5	H7SE3-9-1	547631751900	UMT	UMT	DBV 1564 PAGE 0090

BOUNDARY LINE ADJUSTMENT AREAS - FROM UPPER MACUNGIE TOWNSHIP TO K&M ASSOCIATES

PARCEL	TAX REFERENCE	PIN	CONVEYED FROM	CONVEYED TO	DEED REFERENCE
AREA 3	H7SE3-9-1	547631751900	UMT	K&M ASSOC.	DBV 1564 PAGE 0090
AREA 6	H7SE3-9-1	547631751900	UMT	K&M ASSOC.	DBV 1564 PAGE 0090

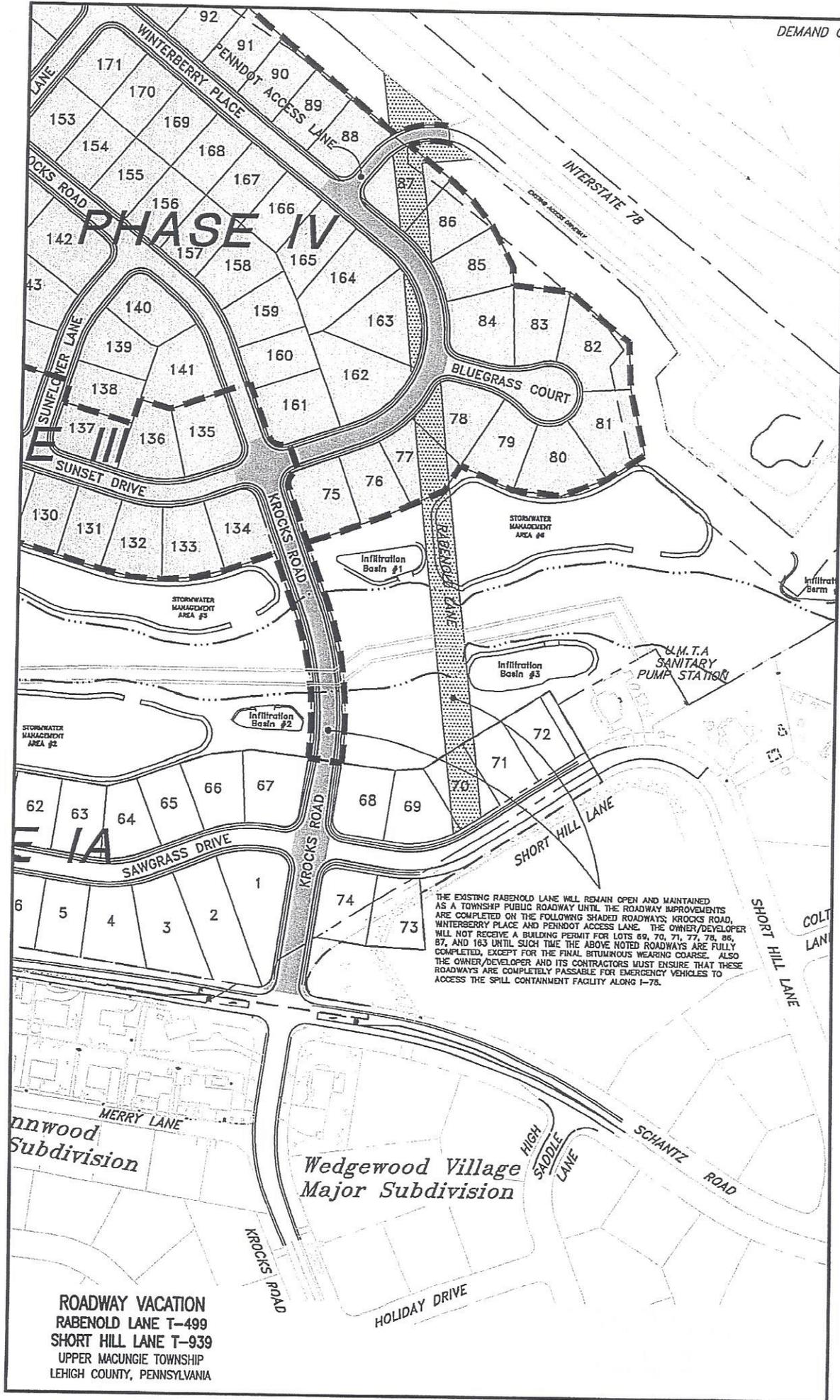
NOTE:
 ALL EXISTING UTILITIES LOCATED WITHIN THE VACATED ROADWAYS ARE
 TO BE RELOCATED BY THE DEVELOPER.



ROADWAY VACATION
 RABENOLD LANE T-499
 SHORT HILL LANE T-939
 UPPER MACUNGIE TOWNSHIP
 LEHIGH COUNTY, PENNSYLVANIA

KEY MAP
 NOT TO SCALE

Exhibit "A"



PHASE IV

AREA

Wedgewood Village
Major Subdivision

ROADWAY VACATION
RABENOLD LANE T-499
SHORT HILL LANE T-939
 UPPER MACUNGIE TOWNSHIP
 LEHIGH COUNTY, PENNSYLVANIA

THE EXISTING RABENOLD LANE WILL REMAIN OPEN AND MAINTAINED AS A TOWNSHIP PUBLIC ROADWAY UNTIL THE ROADWAY IMPROVEMENTS ARE COMPLETED ON THE FOLLOWING SHADED ROADWAYS: KROCKS ROAD, WINTERBERRY PLACE AND PENNDOT ACCESS LANE. THE OWNER/DEVELOPER WILL NOT RECEIVE A BUILDING PERMIT FOR LOTS 69, 70, 71, 77, 78, 85, 87, AND 163 UNTIL SUCH TIME THE ABOVE NOTED ROADWAYS ARE FULLY COMPLETED, EXCEPT FOR THE FINAL BITUMINOUS WEARING COARSE. ALSO THE OWNER/DEVELOPER AND ITS CONTRACTORS MUST ENSURE THAT THESE ROADWAYS ARE COMPLETELY PASSABLE FOR EMERGENCY VEHICLES TO ACCESS THE SPILL CONTAINMENT FACILITY ALONG I-78.