

Rd. Akt # 2-1977

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BOROUGH OF GALLITZIN
CAMBRIA COUNTY
PENNSYLVANIA

ORDINANCE NO. 294

ORDINANCE VACATING A
CERTAIN PORTION OF AN ALLEY
IN THE BOROUGH OF GALLITZIN

Kindly be advised that the Borough of Gallitzin enacted and ordained the captioned Ordinance on the thirteenth day of December, 1976, whereby the following portion of the right-of-way of the said alley was vacated in the Borough of Gallitzin:

That the portion of an unnamed seven (7) foot wide alley right-of-way of land extending in a northerly direction from and abutted on three sides by property owned by Michael J. Bertanzetti and Julia Bertanzetti, whose property borders Hemlock Street, Convent Street and Jackson Street, said portion being bounded and described as follows:

Beginning at the southeastern corner of an unnamed seven (7) foot wide alley right-of-way thence North eighteen (18) degrees, forty-five (45) minutes East a distance of fifteen (15) feet along property presently owned by Michael J. Bertanzetti and Julia Bertanzetti to a point, thence North Seventy-one (71) degrees, ten (10) minutes West a distance of seven (7) feet along an unnamed alley to a point; thence South Eighteen (18) degrees, forty-five (45) West a distance of fifteen (15) feet along property presently owned by Michael J. Bertanzetti and Julia Bertanzetti to a point; thence South seventy-one (71) degrees, ten (10) minutes East a distance of one hundred and seven (107) feet along property presently owned by Michael J. Bertanzetti and Julia Bertanzetti to the place of beginning. Containing 105 square feet.

is hereby vacated with one half of the land formerly used as a right-of-way reverting to each of the abutting landowners on the east and west sides of the aforementioned right-of-way.

This ordinance will not become effective until thirty days after the enactment thereof, and during such thirty day period between the enactment and taking effect of such Ordinance, any interested party, if he so desires, may Petition Council for a hearing upon said Ordinance.

ORDAINED AND ENACTED at the regularly scheduled Council Meeting
held on the 13th day of December , 1976.

BOROUGH OF GALLITZIN

By: *W L Bricca*
President of Council

ATTEST: *Al Rayner*
Secretary

APPROVED: *James A McCloskey*
Mayor

**BOROUGH OF GALLITZIN
CAMBRIA COUNTY
PENNSYLVANIA
ORDINANCE NO. 294
ORDINANCE VACATING
A CERTAIN PORTION OF
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ORDAINED AND ENACTED at the regularly scheduled Council Meeting held on the 13th day of December, 1976.

Robert P. Petyak, Esq.
Solicitor to Gallitzin
Borough

203 Masonic Building
Ebensburg, Pa. 15931
12-29-76 itcpp

Proof of Publication

County of Cambria, }
State of Pennsylvania. } SS: _____

.....Frank K. Noll....., being by me, the undersigned authority, duly sworn according to law, deposes and says that he is publisher of theGallitzin Mainliner, established1898....., a newspaper of general circulation in the County of Cambria, Pennsylvania, published atPortage....., Pennsylvania, and that the notice, exactly as printed and published, a copy of which is hereto attached, was published in saidMainliner..... in the issues ofDecember 28, 1976..... that affiant is not interested in the subject matter of said notice or advertising and that all of the matters herein set forth as to the time, place and character of said publication are true.

Frank K. Noll

Sworn to and subscribed before me this 28th day of December, 1976.

Kathleen Basil
Notary Public

My commission expires Jan. 8, 1979

Rd. Dkt. #2 - 1977

IN THE COURT OF COMMON PLEAS
OF CAMBRIA COUNTY, PENN.

VACATION OF A PORTION OF THE
RIGHT-OF-WAY OF A PUBLIC ALLEY
IN THE BOROUGH OF GALLITZIN,
CAMBRIA COUNTY, PENNSYLVANIA.

REPORT OF THE MAYOR AND COUNCIL
OF GALLITZIN BOROUGH.

LAW OFFICE

ROBERT P. PETYAK

203 MASONIC BUILDING

EBENSBURG, PENNSYLVANIA 15931

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IN THE COURT OF COMMON PLEAS OF
CAMBRIA COUNTY, PENNSYLVANIA

IN RE: VACATION OF A PORTION OF THE X
RIGHT-OF-WAY OF A PUBLIC ALLEY X
IN THE BOROUGH OF GALLITZIN, X
CAMBRIA COUNTY, PENNSYLVANIA X

REPORT OF THE MAYOR AND COUNCIL OF GALLITZIN BOROUGH

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT , AND TO ALL OTHER
PERSONS CONCERNED:

JAMES MCCLOSKEY, WILLIAM BRICCA, ROBERT REAGAN, BRUNO DECOL,
KENNETH KOZEL, JOHN CHERICO, CHARLES VETAKIS, AND TIMOTHY LONGOSKY,
respectfully report:

1. That they are the Mayor and Council of the Borough of Gallitzin,
County of Cambria and State of Pennsylvania.

2. That they propose to vacate the portion of an unnamed seven(7)
foot wide alley right-of-way of land extending in a northerly direction
from and abutted on three sides by property owned by Michael J. Bertanzetti
and Julia Bertanzetti, whose property borders Hemlock Street, Convent Street,
and Jackson Street, said portion being bounded and described as follows:

Beginning at the southeastern corner of an unnamed seven
(7) foot wide alley right-of-way thence North eighteen
(18) degrees, forty-five (45) minutes East a distance of
fifteen (15) feet along property presently owned by
Michael J. Bertanzetti and Julia Bertanzetti to a
point, thence North Seventy-one (71) degrees, ten (10)
minutes West a distance of seven (7) feet along an
unnamed alley to a point; thence South eighteen (18)
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fifteen (15) feet along property presently owned by
Michael J. Bertanzetti and Julia Bertanzetti to a
point; Thence South seventy-one (71) degrees, ten (10)
minutes East a distance of one hundred and seven (107)
feet along property presently owned by Michael J.
Bertanzetti and Julia Bertanzetti to the place of
beginning. Containing 105 square feet.

3. That Pursuant to a Petition of Michael J. Bertanzetti and
Julia Bertanzetti, the only abutting owners on the proposed road to be

vacated, which petition is hereto attached and marked Exhibit "A" the Council of Gallitzin Borough, at a regular meeting held on the 13th day of December, A. D. , 1976, upon hearing, decided in favor of ordaining the vacation of the above described portion of the right-of-way of an unnamed public alley in the Borough of Gallitzin, County of Cambria, and State of Pennsylvania, which Ordinance, with survey attached, is attached hereto, made a part hereof, and marked Exhibit "B", and that all of the petitioners have waived all rights to damages and the right to any notice of the time and place of hearing in the matter of the vacation of the said road.

4. The Council of the Borough of Gallitzin believe that the vacation of said portion of the alley right-of-way of an unnamed alley is in the public interest, the same being no longer required for public use.

5. That this Report and Survey attached hereto is made and filed in the Corporate Courts, pursuant to the Borough Code.

Respectfully submitted,

<u>James McCloskey</u> James McCloskey, Mayor	<u>Bruno Degol</u> Bruno Degol, Councilman	<u>Charles Vetakis</u> Charles Vetakis, Councilman
<u>William Bricca</u> William Bricca, Pres.	<u>John Cherico</u> John Cherico, Councilman	<u>Timothy Longosky</u> Timothy Longosky, Councilman
<u>Robert Reagan</u> Robert Reagan, Vice-Pres.	<u>Ken Kozel</u> Ken Kozel, Councilman	<u>Alfred Raymond</u> Alfred Raymond, Secretary

STATE OF PENNSYLVANIA:

SS:

COUNTY OF CAMBRIA:

Personally appeared before me, a Notary Public in and for said County and State, James McCloskey, William Bricca, Robert Reagan, Bruno Degol, Kenneth Kozel, Charles Vetakis, John Chereico, and Timothy Longosky, Mayor and Borough Council of the Borough of Gallitzin, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing report are true and correct to the best of their knowledge, information and belief.

James McCloskey
JAMES MCCLOSKEY

W. L. Bricca
WILLIAM BRICCA

Robert Reagan
ROBERT REAGAN

Bruno Degol
BRUNO DEGOL

Kenneth Kozel
KENNETH KOZEL

Charles Vetakis
CHARLES VETAKIS

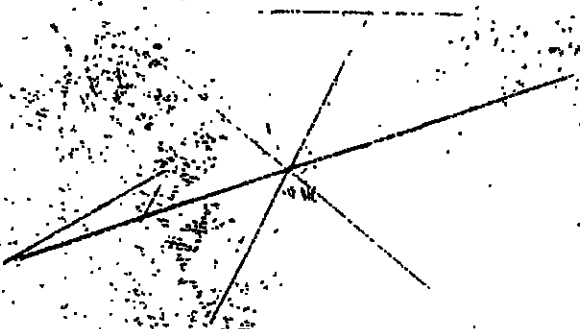
John Chereico
JOHN CHERICO

Timothy Longosky
TIMOTHY LONGOSKY

Sworn to and subscribed before me this 17th day of February, D. 1977.

Wm. L. Kuncelma
Notary Public

My Commission Expires March 14, 1977



DRAFT

OF

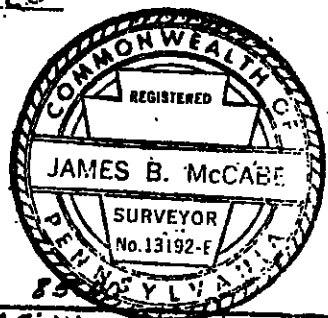
MICHAEL BERTANZETTI

PROPERTY

GALLITZIN BOBO CAMBRID

CO PA

SCALE 1" = 20'



WOOD SHED

IP

S 18° 45' W 97.00'

15.00' N 18° 45' E
ALLEY

0.147 ACRE

N 71° 10' W

200.5'

CONVENT STREET

IP

95.00'

100.00'

S 71° 10' E

IP

.209 ACRE

N 01° 17' N

107.00'

S 71° 10' E

00.16'

N 18° 45' E

25.00' N 18° 45' E

JACKSON STREET



DRAFT

CF

MICHAEL

BERTANZETTI

PROPERTY

GALLITZIN

BOB

SRMBPIP

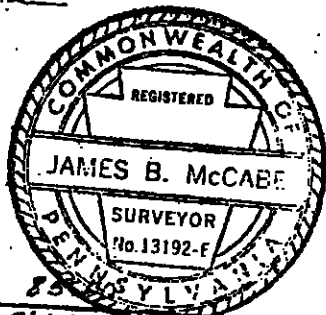
CO

PA

SCALE

1"

20'



WOOD SHED

IP

S 18° 45' W

97.00'

00.51
254.81 N

7' ALLEY

147 H.C.E.

25' 00"

N 71° 10' W

IP

95.00'

100.00'

.209 ACRE

N 91° 16' N
107.00'

100.00'
S 71° 10' E

91.00'

N 18° 45' E

25.00'
N 18° 45' E

JACKSON STREET

CONVENT STREET

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VACATING PUBLIC ROAD IN THE
BOROUGH OF GALLITZIN, COUNTY
OF CAMBRIA, AND STATE OF
PENNSYLVANIA.

PETITION FOR VACATING A PORTION
OF AN UNNAMED BOROUGH ALLEY

LAW OFFICE

ROBERT P. PETYAK

203 MASONIC BUILDING

EBENSBURG, PENNSYLVANIA 15931

IN RE: VACATING PUBLIC ROAD
IN THE BOROUGH OF GALLITZIN,
COUNTY OF CAMBRIA,
AND STATE OF PENNSYLVANIA

PETITION FOR VACATING A PORTION OF AN UNNAMED BOROUGH ALLEY.

TO THE BOROUGH COUNCIL, GALLITZIN BOROUGH, CAMBRIA COUNTY, PENNSYLVANIA.

Your petitioners respectfully represent:

1. That your petitioners are MICHAEL J. BERTANZETTI AND JULIA BERTANZETTI, residents of Gallitzin Borough, and are the only property owners abutting a certain portion of an unnamed public alley hereinafter more particularly described.

2. That the said township road is no longer used by the public and it, therefore, serves no public purpose to maintain it at public expense.

3. That the description of said public road is as follows:

Beginning at the southeastern corner of an unnamed seven (7) foot wide alley right-of-way thence North eighteen (18) degrees, forty-five (45) minutes East a distance of fifteen (15) feet along property presently owned by Michael J. Bertanzetti and Julia Bertanzetti to a point, thence North seventy-one (71) degrees, ten (10) minutes West a distance of seven (7) feet along an unnamed alley to a point; thence South eighteen (18) degrees, forty-five (45) minutes West a distance of fifteen (15) feet along property presently owned by Michael J. Bertanzetti and Julia Bertanzetti to a point; Thence South seventy-one (71) degrees, ten (10) minutes East a distance of one hundred and seven (107) feet along property presently owned by Michael J. Bertanzetti and Julia Bertanzetti to the place of beginning. Containing 105 square feet.

4. That your petitioners waive all notices required under the Borough Code (53 P.S. Section 46741-46742).

WHEREFORE, your petitioners respectfully request that the Council of Gallitzin Borough vacate the above described unnamed public alley right-of-way according to the laws of the Commonwealth.


MICHAEL J. BERTANZETTI


JULIA BERTANZETTI