

THENCE along the eastern right-of-way line of Bnosky Street north 12°10'00" east a distance of 10.00 feet to a point;

THENCE along lands of Oscar J. Stewart south 77°50'00" east a distance of 3.94 feet to point;

THENCE continuing along lands of Oscar J. Stewart north 28°00'00" west a distance of 109.31 feet to a point;

THENCE along the south side of Wyoming Street north 61°32'00" east a distance of 16.50 feet to the POINT OF BEGINNING;

Containing an area of 2,150.31 square feet or 0.049 acres more or less.

Shown as Lot 2A on a subdivision plan prepared by G. & Albert Consultants, P.C. and recorded in the Schuylkill County Recorder of Deeds Office in map book 57 page 15, as updated by Corrective Plan of Final Subdivision Plan recorded in map book 57 at page 31.

4. In connection with the above vacation of Area No. 2, the Supervisors are authorized to execute, acknowledge and deliver a deed conveying the eastern part of Area No. 2 described as follows to Robert W. Fox which shall be included in Lot 5:

**LOT 2B
TO BE CONVEYED FROM RUSH TOWNSHIP TO ROBERT W. FOX
LEGAL DESCRIPTION**

ALL THAT CERTAIN PIECE OR PARCEL of land situate in the Township of Rush, County of Schuylkill, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin at the northeast corner of the subject tract along the southern right-of-way line of Wyoming Street (Township Road).

THENCE along lands of Robert W. Fox south 28°00'00" east a distance of 142.50 feet to a point;

THENCE continuing along said lands south 62°00'00" west a distance of 25.00 feet to point;

THENCE along the former lands of Rush Township also shown as Area 1 north 77°50'00" west a distance of 31.29 feet to a point;

THENCE along a portion of the right-of-way of Bnosky Street north 12°10'00" east a distance of 10.00 feet to a point;

THENCE along Lot 2A the following courses and distances:

- South 77°50'00" east a distance of 17.56 feet to a point;
- North 62°00'00" east a distance of 12.54 feet to a point;
- North 28°00'00" west a distance of 125.86 feet to a point;

THENCE along the southern right-of-way line of Wyoming Street north $61^{\circ}32'00''$ east a distance of 16.50 feet to the POINT OF BEGINNING;

Containing an area of 2,768.08 square feet or 0.064 acres more or less.

Shown as Lot 2B on a subdivision plan prepared by G. & Albert Consultants, P.C. and recorded in the Schuylkill County Recorder of Deeds Office in map book 57 page 15, as updated by Corrective Plan of Final Subdivision Plan recorded in map book 57 at page 31.

5. Prior written Notice of Intent to Adopt said Ordinance was given to the property owners abutting or adjoining the portion of Oak Lane being vacated was given at least ten (10) days prior to the hearing; the hearing was held on the same on the 18th day of August, 2009, prior to adoption; and a copy of this Ordinance, which includes the above descriptions of the areas vacated, shall be filed in the Office of the Clerk of the Courts of Schuylkill County, Pennsylvania, after passage of this Ordinance.

6. That from the date of adoption of this Ordinance, the Township shall have no further liability or responsibility with respect to the maintenance of the vacated portions of said Oak Lane.

7. In connection with the proposed vacation of portions of Oak Lane, the Township Supervisors hereby approve and are adopting by separate resolution the dedication and acceptance of a deed of dedication for the relocation of Oak Lane to connect Lincoln Drive to Bnosky Street which area is described as follows:

**LOT 3
TO BE CONVEYED FROM ROBERT W. FOX TO RUSH TOWNSHIP
LEGAL DESCRIPTION**

ALL THAT CERTAIN PIECE OR PARCEL of land situate in the Township of Rush, County of Schuylkill, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a pk nail at the southwest corner of the subject tract along the northern right-of-way line of Lincoln Street (State Route 1021).

THENCE along lands of Ruth M. and Patrick Sweeney north $12^{\circ}10'30''$ east a distance of 147.54 feet to a point;

THENCE along the right-of-way line of Bnosky Street south $77^{\circ}50'00''$ east a distance of 40.00 feet to point;

THENCE along lands of Robert W. Fox also shown as Lot 4 south $12^{\circ}10'30''$ west a distance of 147.55 feet to a point;

THENCE along the right-of-way line of Lincoln Street north 77°49'30" west a distance of 40.00 feet to the POINT OF BEGINNING;

Containing an area of 5,901.72 square feet or 0.14 acres more or less.

Shown as Lot 3 on a subdivision plan prepared by G. & Albert Consultants, P.C. and recorded in the Schuylkill County Recorder of Deeds Office in map book 57 page 15, as updated by Corrective Plan of Final Subdivision Plan recorded in map book 57 at page 31.

8. The Supervisors are authorized to take any further action necessary in connection with the vacating of the portions of Oak Lane described herein and the conveyance of the vacated portions to Robert W. Fox and Oscar J. Stewart as described above and the acceptance and the recording and filing of the acceptance and dedication of Lot 3 for the relocation of Oak Lane.

9. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Supervisors of Rush Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

10. All Ordinance or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Duly adopted at the meeting of the Board of Supervisors of Rush Township at its meeting held the 18th day of August, 2009.

RUSH TOWNSHIP BOARD OF SUPERVISORS


