

TOWNSHIP OF RUSH

Schuylkill County, Pennsylvania

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ORDINANCE NO. 109

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AN ORDINANCE TO VACATE MARTIN STREET

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WHEREAS, Martin Street was originally adopted as a public street, being approximately 213 feet long and 25 feet wide between Tamaqua Street and State Route 309; and

WHEREAS, various developments in Rush Township have reduced the length of Martin Street to approximately 130 feet long; and

WHEREAS, the original intersection between Martin Street and State Route 309 proved to be extremely dangerous resulting in Martin Street being blocked off, thus virtually eliminating Martin Street as a public thoroughfare; and

WHEREAS, after a public hearing held April 11, 1994 at 7:30 P.M. at the Rush Township Municipal Building, which meeting was duly advertised in a newspaper of general circulation and which adjoining and affected land-owners were given specific notice as required by law, no members of the public appeared to protest the vacating of Martin Street and at least one member of the public indicated his agreement with the vacating of Martin Street;

NOW THEREFORE, be it ordained this 25<sup>th</sup> day of

July, 1994, that:

1. The street known as Martin Street, Rush Township, being a street originally 25 feet wide and 213 feet long extending between Tamaqua

Street eastwardly to State Route 309, be hereby abandoned and vacated by the Township;

2. That the Rush Township Sewer Authority shall retain and reserve an easement or right-of-way to operate and maintain a sewer main and manhole along the length of the said Martin Street and the abandonment and vacating of Martin Street by the Township shall not diminish the rights of the Rush Township Sewer Authority to operate, repair and maintain the said sewer line;

3. That the Rush Township Supervisors are hereby authorized to file a copy of this Ordinance together with a map or survey of the said abandoned Martin Street with the Clerk of Courts of Schuylkill County following adoption of this Ordinance;

4. This Ordinance shall take effect five (5) days after adoption by the Supervisors, as provided by law after which time the Supervisors may file the appropriate documents.

THIS ORDINANCE ADOPTED the date and year first written above.

TOWNSHIP OF RUSH  
Schuylkill County, Pennsylvania

By: *Ronald T. Werner*  
Chairman

*David D. Boye*  
Vice Chairman

*David M. Tronec*  
Supervisor

ATTEST:

*Carol Ann Opet*  
Carol Opet, Secretary

(SEAL)

EXHIBIT "A"

DESCRIPTION OF MARTIN STREET

BEGINNING at a point on the East side of Tamaqua Street at the corner of lands now or late of Anthony and Constance Caldonetti; thence extending North Sixty-five degrees and five minutes East (N 65° .05' E) a distance of two hundred thirteen (213') feet and of a width of twenty-five (25') feet for that distance along in part, lands now or late of the aforesaid Caldonettis and Rose Maria Smith Trustee, to the West side of a State Highway leading from Tamaqua to Hazleton known as Route 309.

EXCEPTING AND RESERVING to the Rush Township Sewer Authority a ten (10') foot wide easement centered on a sewer main and manhole currently existing on said Martin Street.





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MAP OF MARTIN STREET  
TO BE ABANDONED

