

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 307

(Duly Adopted March 30, 1994)

AN ORDINANCE REVISING THE OFFICIAL BOROUGH STREET PLAN IN ITS ENTIRETY, TO REFLECT THE CURRENT NAMES AND APPROXIMATE LOCATIONS OF OPENED STATE AND BOROUGH STREETS AND ALLEYS WITHIN THE BOROUGH; AND PROVIDING THAT THE STREET MAP IS NOT AN "OFFICIAL MAP" WITHIN THE MEANING OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE.

WHEREAS, by Ordinance 204, adopted May 9, 1979, the Borough Council of the Borough of Alburtis adopted an Official Street Plan setting forth the locations of streets within the Borough; and

WHEREAS, Borough Council desires to revise the Street Plan established under Ordinance 204 to reflect changes made since 1979 in the names of certain streets and alleys, the addition of new streets created in new subdivisions, and the vacation of certain streets and alleys, and to clarify the meaning of the Street Plan;

NOW, THEREFORE, be it ORDAINED and ENACTED by the Borough Council of the Borough of Alburtis, Lehigh County, Pennsylvania, as follows:

§ 1. Adoption of Official Street Plan. The plan attached hereto as **Exhibit A**, and identified as "Official Street Plan / Borough of Alburtis / Lehigh County, Pennsylvania", drawing #0043-004, prepared by Martin, Bradbury & Griffith, Inc. of Allentown, Pennsylvania, is hereby adopted as the Official Street Plan of the Borough of Alburtis.

§ 2. Effect of Official Street Plan. The Official Street Plan shall have the following effect:

(a) All street and alley names associated with any street shown on the Official Street Plan are the official names for those streets and alley.

(b) All streets identified on the Official Street Plan as state streets are recognized by the Borough as being rights-of-way owned by the Commonwealth of Pennsylvania, and the Borough makes no claim of ownership in any such streets. The Borough does not hereby relinquish any rights of regulation or otherwise granted by state law with respect to such streets or activities related to such streets or abutting properties.

(c) All streets identified on the Official Street Plan as Borough streets are those streets which the Borough claims to own as rights-of-way under previous grants (whether express or implied) accepted by the Borough or condemnations, *or* which have already been offered for dedication to the Borough on recorded subdivision plans, are part of subdivisions already under construction, and will be accepted as soon as construction is completed in accordance with Borough standards. The Official Street Plan shows a scale rendering of the approximate locations of these Borough streets, but does not purport to represent an exact survey of the precise boundaries of the rights-of-way.

(d) All streets identified on the Official Street Plan as Ordained Unimproved Borough Streets are those streets which the Borough claims to own as rights-of-way under previous grants (whether express or implied) accepted by the Borough or condemnations, but which have not yet been improved for regular use by the public. The Official Street Plan shows a scale rendering of the approximate locations of these Borough streets, but does not purport to represent an exact survey of the precise boundaries of the rights-of-way.

(e) All streets identified on the Official Street Plan now or in the future as Private Streets are ways of passage noted by Borough officials, but in which the Borough does not claim to have any rights of ownership. The Borough does not hereby relinquish any rights of regulation or otherwise granted by state law with respect to such streets or activities related to such streets or abutting properties.

(f) The approximate width of each street shown on the Official Street Plan is indicated on the plan. These widths represent the right-of-way widths recognized by the Borough, but the Official Street Plan does not purport to represent an exact survey of the precise boundaries of the rights-of-way. For some streets, a set of three widths are indicated in addition to the total width of the street. These three widths represent the approximate width from one right-of-way line to the edge of the cartway, the width of the cartway, and the width from the other edge of the cartway to the other right-of-way line. These additional widths are included for information only, and shall have no official effect.

(g) Waterways and railways are shown for convenience only. Nothing in the Official Street Plan shall represent any Borough claims or recognition of claims with respect to such waterways and railways, or the relinquishment of any rights by the Borough.

(h) Nothing in this Ordinance shall be deemed to constitute the vacation or closing of any streets or alleys not shown on the Official Street Plan. Although the Borough does not recognize rights in any other streets or alleys at this time, if any such rights do exist, the Borough retains them until they are properly relinquished and the streets/alleys are properly vacated and/or closed in accordance with state law.

(i) Nothing in this Ordinance shall be deemed to constitute the laying-out or opening of any streets or alleys, the condemnation of any property by the Borough, or the acceptance of any streets or alleys in the Ridgeview or Beri Acres subdivisions which have not previously been accepted by action of Borough Council.

(j) Nothing in this Ordinance shall be deemed to constitute official Borough recognition of any private rights which may exist in rights-of-way in the Borough, whether or not shown on the Official Street Plan, and nothing in this Ordinance shall be deemed to constitute Borough rejection or extinguishment of any private rights which may exist in rights-of-way in the Borough, whether or not shown on the Official Street Plan.

§ 3. Status Under Municipalities Planning Code. The Official Street Plan is not, and is not intended to be, an “Official Map” within the meaning of Article IV of the Municipalities Planning Code, 53 PA. STAT. ANN. § 10401 *et seq.*

§ 4. Repealer. Ordinance 204 is expressly superseded. However, nothing in this Ordinance shall revoke any rights acquired by the Borough under Ordinance 204. All other ordinances or parts of ordinances inconsistent with this Ordinance are repealed to the extent of the inconsistency.

DULY ORDAINED and ENACTED by the Borough Council of the Borough of Alburdis, this 30th day of March, 1994, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURDIS

Carlton R. Raines, President

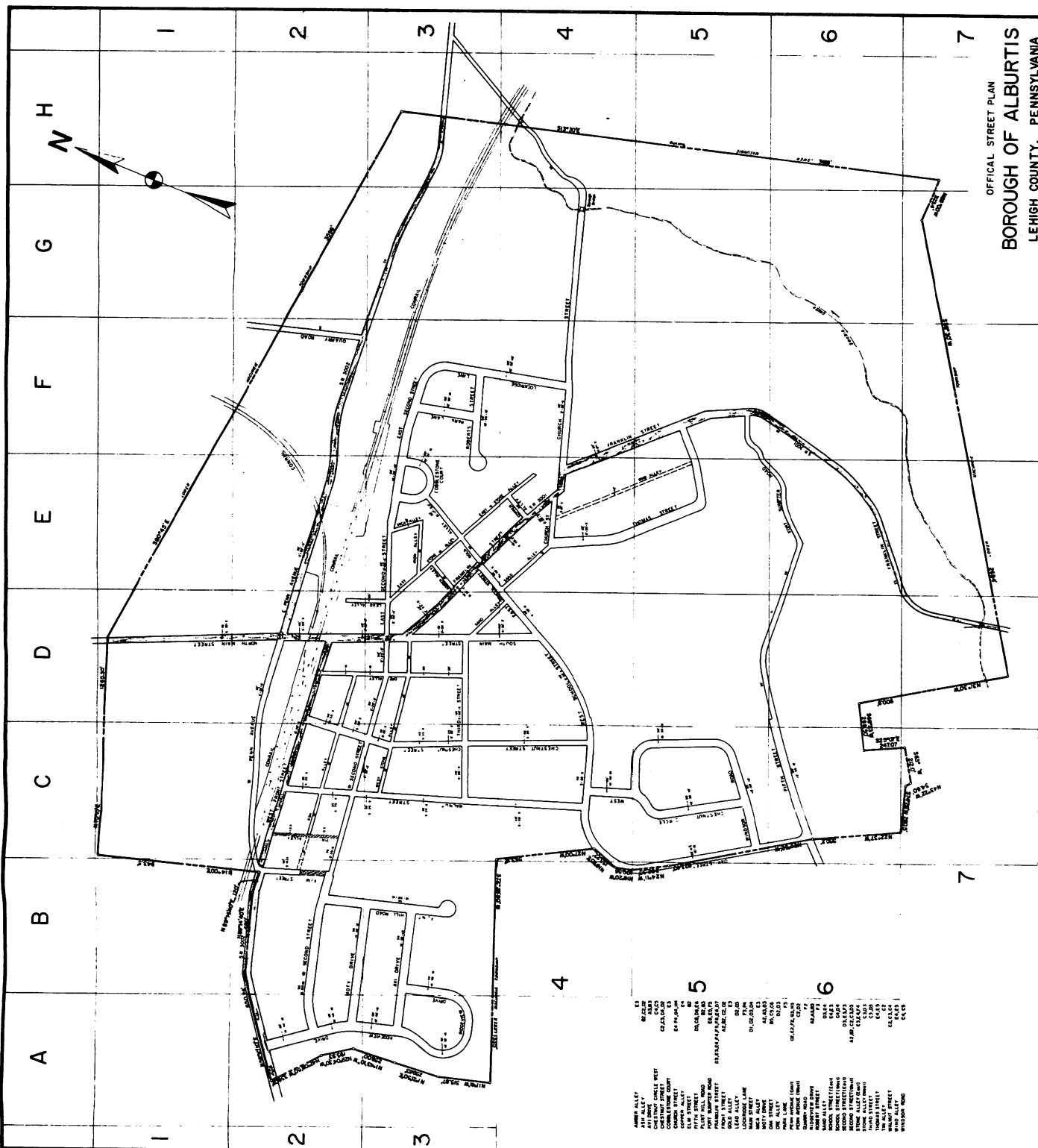
Attest:

Louise Staub, Secretary

AND NOW, this 30th day of March, 1994, the above Ordinance is hereby APPROVED.

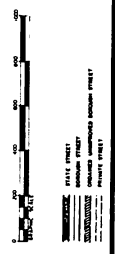
Ronald J. DeIaco, Mayor

Exhibit A is on file in the Office of the Borough Secretary at Borough Hall in the Ordinance Book.



OFFICIAL STREET PLAN
 BOROUGH OF ALBURTTIS
 LEHIGH COUNTY, PENNSYLVANIA

MARTIN
 CONSULTING ENGINEERS
 1201 Washington Street - Allentown, Pa 18102
 Scale: 1" = 200'
 Date: February 28, 1984
 0048-004



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