

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 490

(Duly Adopted September 29, 2010)

AN ORDINANCE ACCEPTING THE DEDICATION OF MAPLE COURT AND CHURCH STREET IN THE SUBDIVISION KNOWN AS "GLENN'S WOODS" IN THE BOROUGH OF ALBURTIS; AND OPENING AND INCORPORATING SUCH STREETS INTO THE OFFICIAL STREET SYSTEM OF THE BOROUGH OF ALBURTIS.

WHEREAS, Borough Council approved a land development and subdivision known as "Glenn's Woods" (formerly known as Greentree Townhouses) on July 30, 2003, and entered into a Subdivision Agreement with the developer of Glenn's Woods ("Developer") as of April 15, 2004; and

WHEREAS, subdivision/land development plans for Glenn's Woods have been recorded in the Office of the Recorder of Deeds of Lehigh County, Pennsylvania at Document No. 7174786; and

WHEREAS, as part of the development of Glenn's Woods, the Developer thereof agreed to create, lay out, and improve to Borough standards a proposed public street within the development shown as Birch Street on the plans for the development, and proposed additional right-of-way for Church Street; and

WHEREAS, Borough Council changed the name of Birch Street to Maple Court. A Declaration and Affidavit dated February 15, 2005 memorializing Council's action is recorded in the Office of the Recorder of Deeds of Lehigh County at Document No. 7249971; and

WHEREAS, the Developer has, in fact, created, laid out, and improved the said proposed public street and additional right-of-way, which have been duly inspected by

the Borough Engineer and accepted as having been constructed to Borough standards;
and

WHEREAS, the Developer has dedicated such proposed public streets to the Borough, both through the recording of the plans for Glenn’s Woods, and also by a Deed of Dedication dated December 29, 2008, which was recorded on December 31, 2008 in the Office of the Recorder of Deeds of Lehigh County, Pennsylvania at Instrument No. 2008003515; and

WHEREAS, in accordance with the Municipalities Planning Code and the Borough Code, Borough Council desires and has agreed to accept the dedication of such proposed public streets in Glenn’s Woods and to open and incorporate the same into the official street system of the Borough of Alburdis;

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

SECTION 1. Chapter 53, Article I of the Alburdis Codified Ordinances (relating to Streets—Street Acceptances, Vacations, Lines, Etc.) is amended by adding the following new Section 53-122.1 after existing Section 53-122:

§ 53-122.1 Maple Court.

(a) **Glenn’s Woods.** The Borough of Alburdis hereby accepts the dedication of the following street in the Glenn’s Woods Development, and opens and incorporates the same into the official street system of the Borough of Alburdis: “Maple Court” (originally shown on the plans for Glenn’s Woods as “Birch Street” but renamed “Maple Court” by action of Borough Council) as more fully described in Exhibit A attached to Ordinance 490, which is incorporated herein by reference, and as delineated in Exhibit B attached to Ordinance 490, which is also incorporated herein by reference.

SECTION 2. Section 53-112 of the Alburdis Codified Ordinances (relating to Streets—Street Acceptances, Vacations, Lines, Etc.—Church Street) is amended by adding the following new subsection (c) after current subsection (b):

(c) **Glenn’s Woods—Widening.** The Borough of Alburdis hereby accepts the dedication of the following street in the Glenn’s Woods Development, and opens and incorporates the same into the official street system of the Borough of Alburdis: “Church Street” as more fully described in Exhibit C attached to Ordinance 490, which is incorporated herein by reference, and as delineated in Exhibit D attached to Ordinance 490, which is also incorporated herein by reference.

SECTION 3. Within ten (10) calendar days after the enactment of this Ordinance, the Executive Secretary shall give written notice of the enactment of this Ordinance by United States certified mail return receipt requested to the personal address of the owners of all property abutting on the portions of the streets opened under Sections 1 and 2 of this Ordinance.

SECTION 4. This Ordinance shall be effective thirty (30) calendar days after its enactment, *provided that* if any interested party shall file a petition for a hearing with respect to any street(s) accepted and opened under this Ordinance in accordance with the Borough Code during said thirty (30) day period, the effective date of this Ordinance *with respect to those streets covered by the petition* shall be stayed until Borough Council shall have held a hearing on the petition and acted upon the same by motion, and for thirty (30) calendar days thereafter, or, in the case of further timely appeal to court, until the court shall have finally disposed on the matter.

SECTION 5. The attached **Exhibits A, B, C, and D** are incorporated into this Ordinance by reference.

DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Al-
burtis, this 29th day of September, 2010, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURTIS

Steven R. Hill, President

Attest:

Sharon Trexler, Executive Secretary

AND NOW, this 29th day of September, 2010, the above Ordinance is hereby
APPROVED.

Robert W. Mader, Mayor

EXHIBIT A

All that certain lot, tract, or parcel of land, situated in the Borough of Almburtis, County of Lehigh, Commonwealth of Pennsylvania, lying to the north of Church Street, designated as Birch Street Right-of-Way (now known as **Maple Court**), as shown on the Final Subdivision Plan of Property for Glenn's Woods; dated June 23, 2003; last revised October 7, 2003; prepared by the Martin H. Schuler Company, Engineers and Surveyors of Allentown, Pennsylvania; which plan is recorded in the Office of the Recorder of Deeds of Lehigh County, Pennsylvania in Document No. 7174786; more particularly bounded and described as follows:

BEGINNING at a concrete monument located on the northern property line of Church Street (variable width), said point being located North 74 degrees 05 minutes 24 seconds East 119.03 feet from a concrete monument marking the southernmost corner of Lot No. 1 of the Glenn's Woods subdivision and in line with lands now or late of the Dad & Daughter Association (Deed Book volume 939 page 101);

THENCE extending along Lot No. 1 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 20.00 feet, an arc length of 31.42 feet, a central angle of 90 degrees 00 minutes 00 seconds, and having a chord bearing of North 29 degrees 05 minutes 24 seconds East for a distance of 28.28 feet to a concrete monument and point of tangency;

THENCE extending along Lot Nos. 1 through 5 and partially along Lot No. 6 of the Glenn's Woods subdivision, North 15 degrees 54 minutes 36 seconds West 127.19 feet to a concrete monument and point of curvature;

THENCE extending along Lot No. 6 and partially along Lot No. 7 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 174.00 feet, an arc length of 90.26 feet, a central angle of 29 degrees 43 minutes 14 seconds, and having a chord bearing of North 30 degrees 46 minutes 13 seconds West for a distance of 89.25 feet to a concrete monument and point of tangency;

THENCE extending along Lot Nos. 7 and 8 and partially along Lot No. 9 of the Glenn's Woods subdivision, North 45 degrees 37 minutes 50 seconds West 65.34 feet to an iron pin and point of curvature;

THENCE extending along Lot Nos. 9 through 24, along a proposed Recreation Area, along Lot Nos. 25 through 31 and partially along Lot No. 32 of the Glenn's Woods subdivision, along an arc curving to the right having a radius of 226.00 feet, an arc length of 553.81 feet, a central angle of 140 degrees 24 minutes 10 seconds, and having a chord

bearing of North 24 degrees 34 minutes 15 seconds East for a distance of 425.28 feet to a concrete monument and point of tangency;

THENCE extending along Lot Nos. 32 through 35 and partially along Lot No. 36 of the Glenn's Woods subdivision, South 85 degrees 13 minutes 40 seconds East 80.59 feet to a concrete monument and point of curvature;

THENCE extending along Lot Nos. 36 through 51 and partially along Lot No. 52 of the Glenn's Woods subdivision, along an arc curving to the right having a radius of 226.00 feet, an arc length of 372.03 feet, a central angle of 94 degrees 19 minutes 04 seconds, and having a chord bearing of South 38 degrees 04 minutes 08 seconds East for a distance of 331.43 feet to an iron pin and point of tangency;

THENCE extending along Lot Nos. 52 through 54 and partially along Lot No. 55 of the Glenn's Woods subdivision, South 09 degrees 05 minutes 24 seconds West 101.52 feet to a concrete monument and point of curvature;

THENCE extending along Lot Nos. 55 through 56 and partially along Lot No. 57 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 174.00 feet, an arc length of 75.92 feet, a central angle of 25 degrees 00 minutes 00 seconds, and having a chord bearing of South 03 degrees 24 minutes 36 seconds East for a distance of 75.32 feet to a concrete monument and point of tangency;

THENCE extending along Lot Nos. 57 through 59 and partially along Lot No. 60 of the Glenn's Woods subdivision, South 15 degrees 54 minutes 36 seconds East 92.73 feet to a concrete monument and point of curvature;

THENCE extending along Lot No. 60 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 20.00 feet, an arc length of 31.42 feet, a central angle of 90 degrees 00 minutes 00 seconds, and having a chord bearing of South 60 degrees 54 minutes 36 seconds East for a distance of 28.28 feet to a concrete monument;

THENCE extending along the northern property line of Church Street, South 74 degrees 05 minutes 24 seconds West 92.00 feet to an iron pin;

THENCE extending along Lot No. 61 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 20.00 feet, an arc length of 31.42 feet, a central angle of 90 degrees 00 minutes 00 seconds, and having a chord bearing of North 29 degrees 05 minutes 24 seconds East for a distance of 28.28 feet to an iron pin and point of tangency;

THENCE extending along Lot Nos. 61 through 63 and partially along Lot No. 64 of the Glenn's Woods subdivision, North 15 degrees 54 minutes 36 seconds West 92.73 feet to an iron pin and point of curvature;

THENCE extending along Lot Nos. 64 through 67 and partially along Lot No. 68 of the Glenn's Woods subdivision, along an arc curving to the right having a radius of 226.00 feet, an arc length of 98.61 feet, a central angle of 25 degrees 00 minutes 00 seconds, and having a chord bearing of North 03 degrees 24 minutes 36 seconds West for a distance of 97.83 feet to an iron pin and point of tangency;

THENCE extending along Lot Nos. 68 through 71 and partially along Lot No. 72 of the Glenn's Woods subdivision, North 09 degrees 05 minutes 24 seconds East 100.56 feet to an iron pin;

THENCE extending along Lot No. 72 of the Glenn's Woods subdivision by the following two (2) courses and distances:

- (1) North 80 degrees 54 minutes 36 seconds West 21.00 feet to an iron pin;
- (2) North 09 degrees 05 minutes 24 seconds East 0.95 feet to an iron pin and point of curvature;

THENCE extending along Lot No. 72 and partially along Lot No. 73 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 153.00 feet, an arc length of 155.95 feet, a central angle of 58 degrees 24 minutes 02 seconds, and having a chord bearing of North 20 degrees 06 minutes 37 seconds West for a distance of 149.29 feet to an iron pin;

THENCE extending along Lot No. 73 of the Glenn's Woods subdivision, North 40 degrees 49 minutes 48 seconds East 21.00 feet to an iron pin;

THENCE extending along Lot Nos. 73 through 76 and partially along Lot No. 77 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 174.00 feet, an arc length of 109.13 feet, a central angle of 35 degrees 56 minutes 03 seconds, and having a chord bearing of North 67 degrees 15 minutes 39 seconds West for a distance of 107.35 feet to an iron pin and point of tangency;

THENCE extending along Lot Nos. 77 and 78 of the Glenn's Woods subdivision, North 85 degrees 13 minutes 40 seconds West 32.65 feet to an iron pin;

THENCE extending along Lot No. 78 of the Glenn's Woods subdivision by the following two (2) courses and distances:

- (1) South 04 degrees 46 minutes 20 seconds West 21.00 feet to an iron pin;
- (2) North 85 degrees 13 minutes 40 seconds West 47.94 feet to an iron pin and point of curvature;

THENCE extending along Lot No. 78 and partially along Lot No. 79 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 153.00 feet, an arc length of 137.25 feet, a central angle of 51 degrees 23 minutes 57 seconds, and having a chord bearing of South 69 degrees 04 minutes 21 seconds West for a distance of 132.70 feet to an iron pin;

THENCE extending along Lot No. 79 of the Glenn's Woods subdivision, North 46 degrees 37 minutes 37 seconds West 21.00 feet to an iron pin;

THENCE extending along Lot Nos. 79 through 83 and partially along Lot No. 84 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 174.00 feet, an arc length of 144.76 feet, a central angle of 47 degrees 39 minutes 58 seconds, and having a chord bearing of South 19 degrees 32 minutes 24 seconds West for a distance of 140.62 feet to an iron pin;

THENCE extending along Lot No. 84 of the Glenn's Woods subdivision, North 85 degrees 42 minutes 25 seconds East 21.00 feet to an iron pin;

THENCE extending along Lot No. 84 and partially along Lot No. 85 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 153.00 feet, an arc length of 110.39 feet, a central angle of 41 degrees 20 minutes 15 seconds, and having a chord bearing of South 24 degrees 57 minutes 43 seconds East for a distance of 108.01 feet to an iron pin and point of tangency;

THENCE extending along Lot No. 85 of the Glenn's Woods subdivision by the following two (2) courses and distances:

- (1) South 45 degrees 37 minutes 50 seconds East 13.73 feet to an iron pin;
- (2) South 44 degrees 22 minutes 10 seconds West 21.00 feet to an iron pin;

THENCE extending along Lot Nos. 85 and 86 and partially along Lot No. 87 of the Glenn's Woods subdivision, South 45 degrees 37 minutes 50 seconds East 51.60 feet to an iron pin and point of curvature;

THENCE extending along Lot Nos. 87 through 90 and partially along Lot No. 91 of the Glenn's Woods subdivision, along an arc curving to the right having a radius of 226.00 feet, an arc length of 117.23 feet, a central angle of 29 degrees 43 minutes 14 seconds, and having a chord bearing of South 30 degrees 46 minutes 13 seconds East for a distance of 115.92 feet to an iron pin and point of tangency;

THENCE extending along Lot Nos. 91 through 95 and partially along Lot No. 96 of the Glenn's Woods subdivision, South 15 degrees 54 minutes 36 seconds East 127.19 feet to an iron pin and point of curvature;

THENCE extending along Lot No. 96 of the Glenn's Woods subdivision, along an arc curving to the left having a radius of 20.00 feet, an arc length of 31.42 feet, a central angle of 90 degrees 00 minutes 00 seconds, and having a chord bearing of South 60 degrees 54 minutes 36 seconds East for a distance of 28.28 feet to an iron pin;

THENCE extending along the northern property line of Church Street, South 74 degrees 05 minutes 24 seconds West 92.00 feet to the point of beginning.

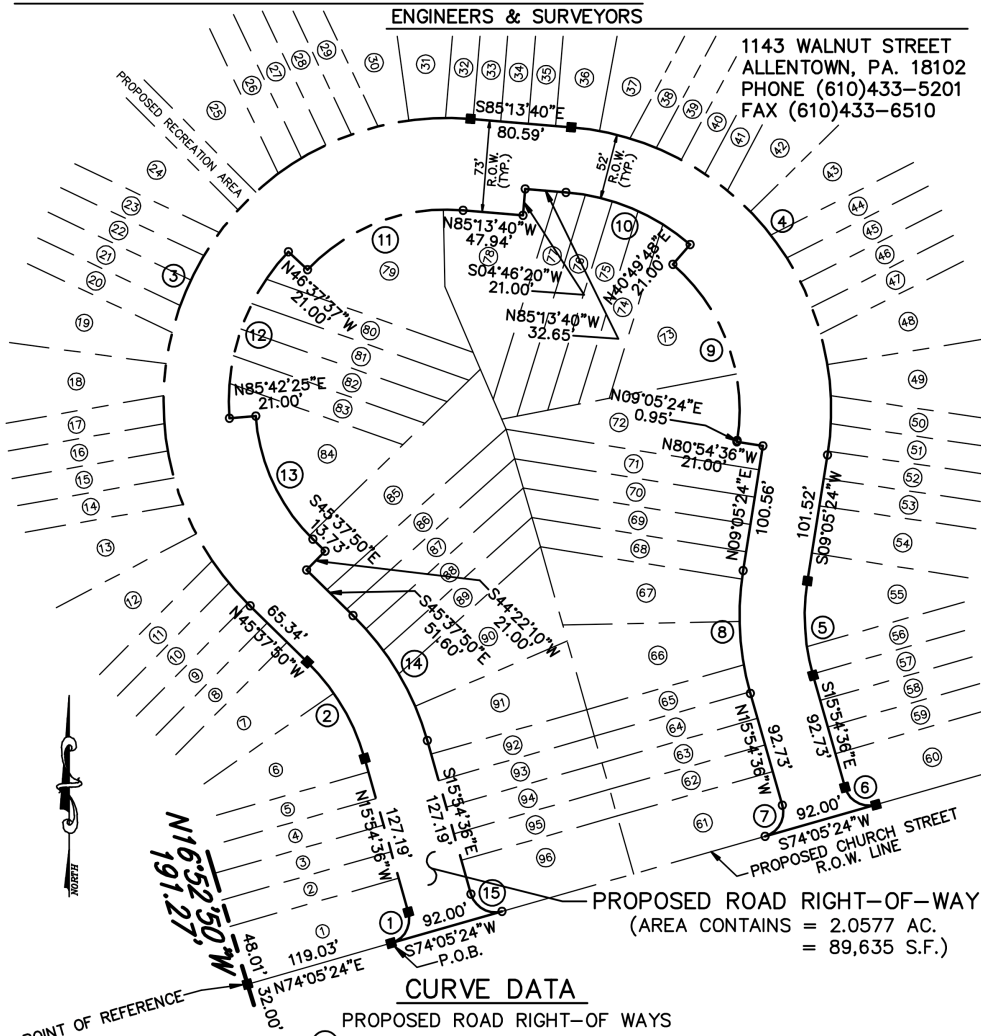
CONTAINING 89,635 sq. ft. (2.0577 acres), more or less.

EXHIBIT B

MARTIN H. SCHULER COMPANY

ENGINEERS & SURVEYORS

1143 WALNUT STREET
ALLENTOWN, PA. 18102
PHONE (610)433-5201
FAX (610)433-6510



PROPOSED ROAD RIGHT-OF-WAY
(AREA CONTAINS = 2.0577 AC.
= 89,635 S.F.)

CURVE DATA

PROPOSED ROAD RIGHT-OF-WAYS
— CURVE NO. DESIGNATION FOR ROAD RIGHT-OF-WAYS

| CURVE NO. | DELTA | RADIUS | TANGENT | ARC LENGTH | CHORD BEARING & DISTANCE |
|-----------|------------|---------|---------|------------|--------------------------|
| 1 | 90°00'00" | 20.00' | 20.00' | 31.42' | N29°05'24"E 28.28' |
| 2 | 29°43'14" | 174.00' | 46.17' | 90.26' | N30°46'13"W 89.25' |
| 3 | 140°24'10" | 226.00' | 627.79' | 553.81' | N24°34'15"E 425.28' |
| 4 | 94°19'04" | 226.00' | 243.71' | 372.03' | S38°04'08"E 331.43' |
| 5 | 25°00'00" | 174.00' | 38.57' | 75.92' | S03°24'36"E 75.32' |
| 6 | 90°00'00" | 20.00' | 20.00' | 31.42' | S60°54'36"E 28.28' |
| 7 | 90°00'00" | 20.00' | 20.00' | 31.42' | N29°05'24"E 28.28' |
| 8 | 25°00'00" | 226.00' | 50.10' | 98.61' | N03°24'36"W 97.83' |
| 9 | 58°24'02" | 153.00' | 85.51' | 155.95' | N20°06'37"W 149.29' |
| 10 | 35°56'03" | 174.00' | 56.43' | 109.13' | N67°15'39"W 107.35' |
| 11 | 51°23'57" | 153.00' | 73.63' | 137.25' | S69°04'21"W 132.70' |
| 12 | 47°39'58" | 174.00' | 76.86' | 144.76' | S19°32'24"W 140.62' |
| 13 | 41°20'15" | 153.00' | 57.72' | 110.39' | S24°57'43"E 108.01' |
| 14 | 29°43'14" | 226.00' | 59.97' | 117.23' | S30°46'13"E 115.92' |
| 15 | 90°00'00" | 20.00' | 20.00' | 31.42' | S60°54'36"E 28.28' |

PLAN SHOWING PROPOSED ROAD RIGHT-OF-WAY FOR BIRCH STREET

PREPARED FOR
GLENN'S WOODS

BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA
DATE: AUG. 8, 2003 SCALE: 1"=100'
DRAWN BY: P.A.F. JOB NO. 87-58

REVISED: SEPT. 30, 2003 - PER MARTIN, BRADBURY, & GRIFFITH - P.A.F.
REVIEW LETTER DATED 9/19/03.
7/25/08 REVISED NAME - W.E.B.

EXHIBIT C

All that certain lot, tract, or parcel of land (32.00 feet in width), situated in the Borough of Alburdis, County of Lehigh, Commonwealth of Pennsylvania, comprising the north side of **Church Street**, designated as Church Street Right-of-Way, as shown on the Final Subdivision Plan of Property for Glenn's Woods; dated June 23, 2003; last revised October 7, 2003; prepared by the Martin H. Schuler Company, Engineers and Surveyors of Allentown, Pennsylvania; which plan is recorded in the Office of the Recorder of Deeds of Lehigh County, Pennsylvania in Document No. 7174786; more particularly bounded and described as follows:

BEGINNING at a railroad spike located in Church Street, said point being the southernmost corner of the Glenn's Woods subdivision;

THENCE extending across Church Street, North 16 degrees 52 minutes 50 seconds West 32.00 feet to an iron pin;

THENCE extending along Lot Nos. 1, 96, 61 and 60 of the Glenn's Woods subdivision, and along two termini of Birch Street (now known as Maple Court), North 74 degrees 05 minutes 24 seconds East 723.20 feet to an iron pin;

THENCE extending across Church Street, South 15 degrees 54 minutes 36 seconds East 32.00 feet to an iron pin;

THENCE extending in and through the bed of Church Street, South 74 degrees 05 minutes 24 seconds West 722.66 feet to the point of BEGINNING.

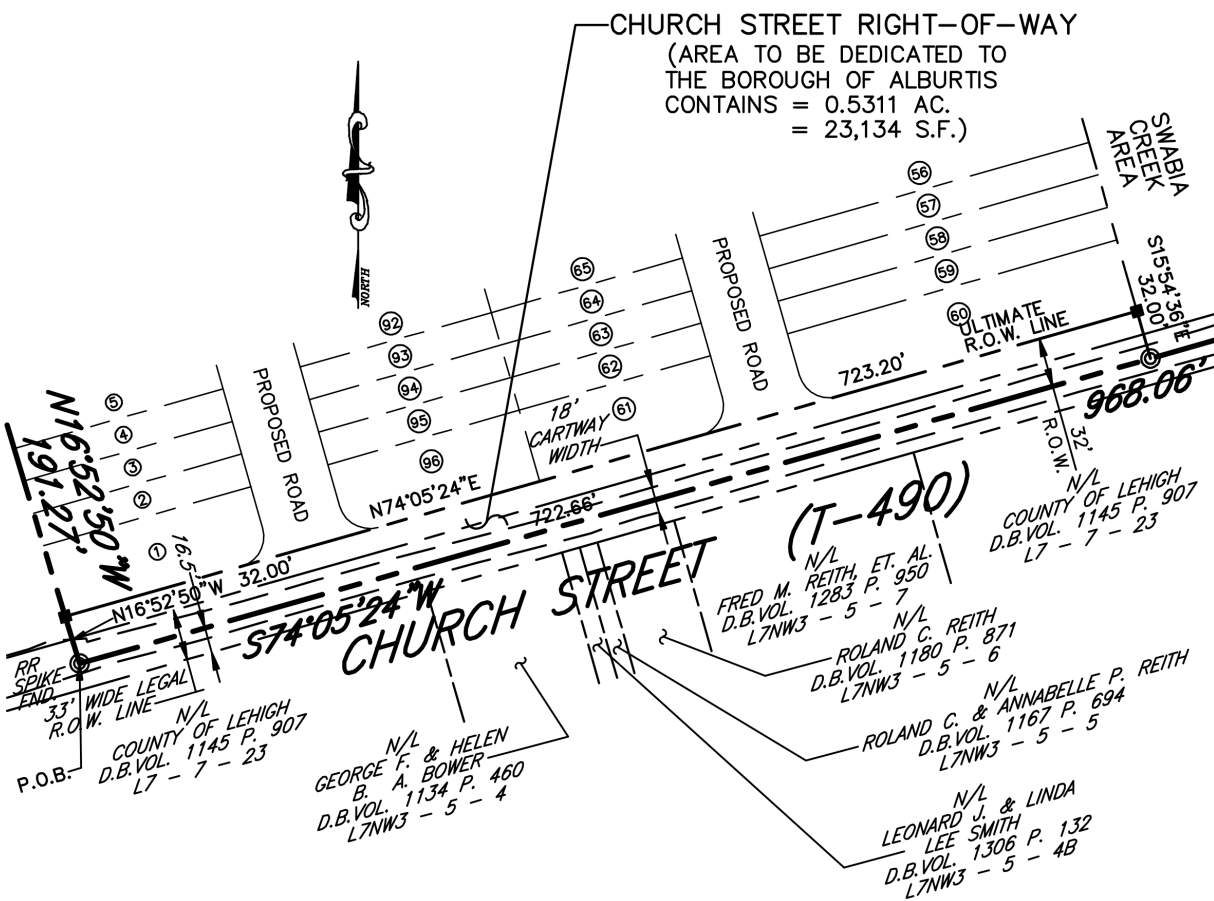
CONTAINING 23,134 square feet (0.5311 acres), more or less.

EXHIBIT D

MARTIN H. SCHULER COMPANY

ENGINEERS & SURVEYORS

1143 WALNUT STREET
ALLENTOWN, PA. 18102
PHONE (610)433-5201
FAX (610)433-6510



**PLAN SHOWING
CHURCH STREET RIGHT-OF-WAY
PREPARED FOR
GLENN'S WOODS**

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA
DATE: AUG. 8, 2003 SCALE: 1"=100'
DRAWN BY: P.A.F. JOB NO. 87-58**

REVISED: SEPT. 30, 2003 - PER MARTIN, BRADBURY, & GRIFFITH - P.A.F.
REVIEW LETTER DATED 9/19/03. - W.E.B.
7/25/08 REVISED NAME - W.E.B.