

IN RE:

AN ORDINANCE VACATING AN ALLEY SITUATE AND RUNNING BETWEEN ST. JOSEPH STREET AND ST. MARY STREET IN THE BOROUGH OF GALLITZIN

WHEREAS, Petitioners, Joseph J. Bertocchi, James P. Bertocchi, John D. Bertocchi, David A. Bertocchi, Renee M. Bertocchi, Bianca Capriotti and Dante Capriotti have petitioned the Borough Council, pursuant to Section 1742 of the Borough Code, to vacate the alley lying between land of the Bertocchi's and land of the Capriotti's, said alley running between St. Mary Street and St. Joseph Street; and

WHEREAS, Petitioners own the entirety of the land abutting the alley proposed for vacation; and

WHEREAS, Petitioners have and do hereby confirm that they, for themselves, their respective heirs, assigns and successors do forever release the Borough of Gallitzin from any and all damages sustained by any party or that may be so sustained as a result of the vacation of the aforesaid alley; and

WHEREAS, Josephine and James Bertocchi have agreed to assume sole responsibility for all fees and costs associated with this vacation, including but not limited to legal fees and advertising costs;

NOW THEREFORE, BE IT ENACTED AND ORDAINED

1. That the alley which is the subject of the aforesaid Petition, more particularly described as follows:

ALL THAT CERTAIN parcel of land situate in the Borough of Gallitzin, County of Cambria, Commonwealth of Pennsylvania, more particularly described as follows:

BEGINNING at an iron pin at the intersection of St. Mary Street and the Southeasternmost corner of lands now or formerly of Bianca and Dante Capriotti; thence South 04 degrees 45 minutes West 10 feet along St. Mary Street to an iron pin; thence along lands now or formerly of Joseph J. Bertocchi, James P. Bertocchi, John D. Bertocchi, David A. Bertocchi, Renee M. Bertocchi North 85 degrees 15 minutes West 143 feet to an iron pin on St. Joseph Street; thence along St. Joseph Street North 04 degrees 45 minutes East 10 feet to an iron pin at the intersection of lands of Capriotti and St. Joseph Street; thence along said lands of Capriotti South 85 degrees 15 minutes East 143 feet to the place of BEGINNING; as shown on attached Survey of James Alvin Davis, 9/5/98.

is hereby VACATED pursuant to Section 1741 of the Borough Code and all public right in or to such alley shall cease, without effect on any private rights acquired by any of the owners of property abutting the aforesaid alley.

2. This Ordinance shall become effective 40 days after the date of Enactment.

FILED FOR RECORD

99 MAY -4 PM 12:11

CLERK OF RECORDS
CAMBRIA COUNTY PA

ENACTED and ORDAINED this 13th day of January, 1999.

GALLITZIN BOROUGH COUNCIL

1st Merle E. Strasser
Merle Strasser, President

Nancy Knee
Nancy Knee, Mayor

ATTEST

Irene Szynal
Irene Szynal, Secretary

ATTACHMENTS: MAPS, CERTIFICATIONS

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CAMBRIA Centre : SS

ON THIS, the 30th day of March, 1999, before me, the undersigned officer, personally appeared David Consiglio, Esquire, known to me to be a member of the Bar of the Highest Court in the Commonwealth and a subscribing witness to the within instrument, and certified that he/she was personally present when Merle Strasser, Nancy Knee and Irene Szynal, whose name(s) is/are subscribed to the within instrument, executed the same, and that the said Merle Strasser, Nancy Knee and Irene Szynal acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Susan C. Butterworth

Notary Public



Notarial Seal
Susan C. Butterworth, Notary Public
State College Boro, Centre County
My Commission Expires Sept. 30, 2002
Member, Pennsylvania Association of Notaries

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I hereby certify that this document is recorded in the Recorder of Deeds Office of CAMBRIA COUNTY, PENNSYLVANIA

Andrea Fedore Sims
Recorder of Deeds

ENTERED FOR THE RECORD
Recorder's Office, Cambria Co., PA
ANDREA FEDORE SIMS, RECORDER
MAY 4 1999
Fees: \$ 17.50
Thomas Fin

RECORDED
MAY 4 10 42 AM '99
ENTERED FOR RECORD

8314

02-99

RECEIPT FOR MISCELLANEOUS INCOME
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Cambria County Clerk of Courts
Ebensburg, Pa 15931

Receipt Date 5/04/1999
Receipt Time 12:08:01
Receipt No. 0204247

MISC HOUSE ACCOUNT

Case Number 1999-99999

Remarks RD DKT FF: GALLIT. BORO ALLEY
VAC. STS JOS & MARY /ATTY FINN

Total Paid \$*****15.00 PYMT/CHECK No. 185

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