

**FILE OF THE CITY CLERK**

**ADMINISTRATION ORDINANCE NO. 12– 2015**

**ADMINISTRATION BILL NO. 12– 2015**

**INTRODUCED – SEPTEMBER 8, 2015**

**ADOPTED BY COUNCIL – OCTOBER 13, 2015**

**AN ORDINANCE ACCEPTING THE OFFER OF DEDICATION OF THE EXTENSION OF AND CONNECTION OF LIBERTY STREET AND COLLEGE AVENUE IN THE CITY OF LANCASTER, PENNSYLVANIA, AND PLACING THE SAME ON THE OFFICIAL CITY MAP AND DECLARING IT OPEN TO PUBLIC USE AND ABANDONING A PORTION OF THE EXISTING LIBERTY STREET RIGHT-OF-WAY AND REMOVING IT FROM THE OFFICIAL CITY MAP.**

**WHEREAS**, Franklin & Marshall College (“College”), Lancaster General Hospital (“LGH”) and EDC Finance Corporation (collectively the “Project Partners”) has been involved in a multi-phased development in the northwest quadrant of the City known as the Northwest Gateway Project (“Project”), with the second phase of the Project being known as the Norfolk Southern Phase; and

**WHEREAS**, the College and LGH, previously filed and secured approval of a Final Subdivision Plan with the City for the Norfolk Southern Phase of the Project (“Plan), which Plan is recorded at Instrument # 2014-0138-J in the Lancaster County Recorder of Deeds Office; and

**WHEREAS**, the Plan calls for the construction of street extensions of the existing Liberty Street and the existing College Avenue to connect these two public streets, for which deeds have been approved by the Office of the City Engineer; and

**WHEREAS**, the Project Partners have completed the street improvements for the connection of Liberty Street and College Avenue and the City has inspected and determined that the improvements satisfy the City’s technical specifications; and

**WHEREAS**, the Project Partners hereby make this offer of dedication of these street extensions connecting Liberty Street and College Avenue with the College dedicating two portions of the connection (Lots 2 and 9 of the Plan) and EDC Finance Corporation dedicating the other portion of the connection (Lot 6 of the Plan), and

**WHEREAS**, the Plan calls for the City to abandon a portion of the existing Liberty Street right-of-way (Lot 8) and convey it to the College simultaneous with the Project Partners conveyance of Lots 2, 6 and 9 to the City.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Lancaster as follows:

**Section 1.** That the following public right-of-way describing portions of College Avenue and Liberty Street is hereby accepted and placed on the Official City Map and declared open to public use.

Lancaster Northwest Gateway Project - Norfolk Southern Phase Lots 2, 6 & 9 of the Plan combined – College Avenue/Liberty Street ROW

**ALL THAT CERTAIN** piece, parcel, or tract of land, situated on the North side of Harrisburg Avenue, SR 4020, located in the City of Lancaster, Lancaster County, Pennsylvania, being comprised of Lot 2, Lot 6, and Lot 9, as shown on a Subdivision Plan for Lancaster Northwest Gateway/Norfolk Southern, prepared by David Miller Associates, Inc., recorded in The Lancaster County Recorder of Deeds Office, Document No. 2014-0138-J, said tract being more fully bounded and described as follows:

**BEGINNING** at the Easternmost corner thereof at a point on the South right-of-way line of West Liberty Street, said point being located South fifty-five (55) degrees thirty-seven (37) minutes six (06) seconds West, a distance one hundred eighty and thirty-one hundredths (180.31) feet from the intersection of the West right-of-way line of Armstrong Boulevard and the North right-of-way line of West Liberty Street; thence extending along lands now or formerly of Franklin and Marshall College, on a line curving to the left, having a radius of two hundred thirteen and fifty hundredths (213.50) feet, an arc length of one hundred eighteen and thirty hundredths (118.30) feet, a chord bearing of South sixty-six (66) degrees five (05) minutes three (03) seconds West, and a chord distance of one hundred sixteen and seventy-nine hundredths (116.79) feet to a point, a corner of Lot 7; thence extending along Lot 7 and along Lot 3 the three following courses and distances: [1] on a line curving to the left, having a radius of two hundred thirteen and fifty hundredths (213.50) feet, an arc length of sixty-five and seventy-eight hundredths (65.78) feet, a chord bearing of South forty-one (41) degrees twenty-three (23) minutes one (01) second West, and a chord distance of distance of sixty-five and fifty-two hundredths (65.52) feet to a point; [2] South thirty-two (32) degrees thirty-three (33) minutes twenty-three (23) seconds West, a distance five hundred thirty-one and fifty-two hundredths (531.52) feet to a point; and [3] on a line curving to the left, having a radius of eighteen and zero hundredths (18.00) feet, an arc length of twenty-eight and twenty-five hundredths (28.25) feet, a chord bearing of South twelve (12) degrees twenty-four (24) minutes fifteen (15) seconds East, and a chord distance of twenty-five and forty- 4849248 3 four hundredths (25.44) feet to a point on the Northeast right-of-way line of Harrisburg Avenue thence extending along Harrisburg Avenue the two following courses and distances [1] North fifty-seven (57) degrees twenty-one (21) minutes fifty-four (54) seconds West a distance of three and nine hundredths (3.09) feet to a point; and [2] North fifty-seven (57) degrees twenty-six (26) minutes thirty-seven (37) seconds West, a distance of ninety-eight and thirty-two hundredths (98.32) feet to a point, a corner of Lot 1; thence extending along Lot 1 and along Lot 5 respectively the three following courses and distances: [1] on a line curving to the left, having a radius of eighteen and zero hundredths (18.00) feet, an arc length of twenty-eight and twenty-seven hundredths (28.27) feet, a chord bearing of North seventy-seven (77) degrees thirty-three (33) minutes twenty-three (23) seconds East, and a chord distance of twenty-five and forty-six hundredths (25.46) feet to a point; [2]

North thirty-two (32) degrees thirty-three (33) minutes twenty-three (23) seconds East, a distance of five hundred forty-seven and twenty-two hundredths (547.22) feet to a point; and [3] on a line curving to the right, having a radius of two hundred eighty-six and fifty hundredths (286.50) feet, an arc length of fifty-six and thirty-eight hundredths (56.38) feet, a chord bearing of North thirty-eight (38) degrees eleven (11) minutes forty (40) seconds East, and a chord distance of fifty-six and twenty-nine hundredths (56.29) feet to a point, a corner of Lot 8; thence extending through West Liberty Street, South fifty-one (51) degrees fifty-two (52) minutes nine (09) seconds East, a distance of twenty-six and seventeen hundredths (26.17) feet to a point on the existing South right-of-way line of West Liberty Street; thence extending along the same, North eighty-one (81) degrees fifty-seven (57) minutes twenty-seven (27) seconds East, a distance one hundred forty-two and seventy-nine hundredths (142.79) feet to the place of BEGINNING.

**CONTAINING** 42,373 Square Feet

**Section 2.** That the following portion of the City's existing Liberty Street Right-of-Way, identified as Lot 8 on the Plan, is hereby abandoned by the City, removed from the Official City Map and shall be conveyed by the City to the College: Northwest Gateway Final Plan Abandonment of portion of Liberty Street R-O-W

**ALL THAT CERTAIN** piece, parcel, or tract of land, situated on the North side of West Liberty Street, located in the City of Lancaster, Lancaster County, Pennsylvania, being known as Lot 8, as shown on a Subdivision Plan for Lancaster Northwest Gateway/Norfolk Southern, prepared by David Miller Associates, Inc., recorded in The Lancaster County Recorder of Deeds Office, Document No. 2014-0138-J, said tract being more fully bounded and described as follows:

**BEGINNING** at the Easternmost corner thereof at a point on the North right-of-way line of West Liberty Street, said point being located South eighty-one (81) degrees fifty-seven (57) minutes twenty-seven (27) seconds West, a distance one hundred forty-five and sixty-two hundredths (145.62) feet from the intersection of the West right-of-way line of Armstrong Boulevard and the North right-of-way line of West Liberty Street; thence extending along the proposed North right-of-way line of West Liberty Street, on a line curving to the left, having a radius of two hundred eighty-six and fifty hundredths (286.50) feet, an arc length of one hundred ninety and sixty-four hundredths (190.64) feet, a chord bearing of South sixty-two (62) degrees fifty-three (53) minutes forty-two (42) seconds West, and a chord distance of one hundred eighty-seven and fourteen hundredths (187.14) feet to a point, a corner of Lot 5; thence extending along Lot 5, North fifty-one (51) degrees fifty-two (52) minutes nine (09) seconds West, a distance of eighty-four and seventy-two hundredths (84.72) feet to a railroad spike, a corner of lands now or formerly of Franklin and Marshall College; thence extending along the same, North eighty-one (81) degrees fifty-seven (57) minutes twenty-seven (27) seconds East, a distance two hundred thirty-five and fifty-five hundredths (235.55) feet to the place of BEGINNING.

**CONTAINING** 5,227 Square Feet

**Section 3.** That adoption of this Ordinance of Dedication shall occur after the expiration of twenty-eight (28) days from the date of its introduction, during which time public notice shall be given as required by law.

**Section 4.** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the City that such remainder shall remain in full force and effect.

**Section 5.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 6.** This Ordinance becomes effective within the time provided by law.

City of Lancaster:

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Patricia A. Brogan, Acting Mayor

Attest:

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Bernard W. Harris Jr., City Clerk