

**NORTHAMPTON TOWNSHIP**  
**ORDINANCE NO. 2016- 582**

**AN ORDINANCE VACATING A PUBLIC RIGHT OF WAY  
BETWEEN HUNT ROAD AND GWYN LYNN DRIVE**

**WHEREAS**, Northampton Township (the “Township”) is a municipality organized and existing under the Second Class Township Code of the Commonwealth of Pennsylvania (the “Second Class Township Code”); and

**WHEREAS**, the Township has an interest in a certain 50-foot right of way, located between Hunt Road, a public road, and Gwyn Lynn Drive, a private street, (hereinafter referred to as the “Paper Street”) as more particularly described in the Plan of Right-of-Right-of Way Vacation, prepared by CKS Engineers, Inc., dated January 18, 2016, and consisting of one page (hereinafter referred to as the “Plan;” and

**WHEREAS**, pursuant to the Act of May 1, 1933, P.L. 103, 53 P.S. Section 2304 et seq., as amended, the Board of Supervisors of Northampton Township (hereinafter referred to as the “Board of Supervisors”) has the authority to vacate roads by passage of an Ordinance when it believes it is in the best interests of the Township; and

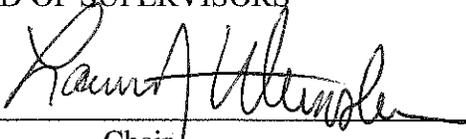
**WHEREAS**, the Board of Supervisors believes it is in the Township’s best interests to vacate the Paper Street, subject to retention by the Township of certain rights of Perpetual Utility Easement over a certain portion of the area of said Paper Street; and

**WHEREAS**, there are three parcels of real property immediately adjacent to and abutting the said Paper Street, the owners of said adjoining real property (hereinafter referred to as the “Adjoining Property Owners”) being as follows:

Michael E. & Suzy Lee Kauer  
149 Gwyn Lynn Drive  
Ivyland, PA. 18974  
TMP #31-052-091

ORDAINED AND ENACTED this 24<sup>TH</sup> day of February, 2016.

NORTHAMPTON TOWNSHIP  
BOARD OF SUPERVISORS

By:   
Chair

ATTEST:

  
Secretary

McCormick 106 LLC  
7815 NW 148<sup>th</sup> Street  
Miami Lakes, FL 33016  
TMP # 31-052-081

Paul N. Demianczyk & Celeste M. Heuberger  
141 Gwyn Lynn Drive  
Ivyland, PA. 18974  
TMP #31-052-090

and,

**WHEREAS**, the Township has given written notice to the Adjoining Property Owners of a public hearing to vacate the Paper Street, in accordance with 53 P.S. Section 2304 et seq., and the Board of Supervisors thereafter conducted a public hearing to consider vacating the Paper Street as described herein;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The Paper Street as described herein above and as more fully set forth in the Plan shall be vacated as a Township Road, and the same is hereby removed from the Township road system, subject to retention by the Township of Perpetual Utility Easement rights over a portion of the said Paper Street, as more particularly described herein.
2. The Township conveys its interest in the Paper Street to the Adjoining Property Owners, subject to retention by the Township of the right of Perpetual Utility Easement over a portion of the said Paper Street, as follows:
  - a. A total of 5,441 square feet, or .1249 of an acre, more or less, being a portion of the vacated right-of-way between Hunt Drive and Gwyn Lynn Drive, to be conveyed and become part

of the adjacent lands now or late of Michael E. and Suzy Lee Kauer, T.M.P. 31-052-091, as more particularly described in the Legal Description attached hereto as Exhibit A.

b. A total of 5,054 square feet, or .1160 of an acre, more or less, being a portion of the vacated right-of-way between Hunt Drive and Gwyn Lynn Drive, to be conveyed and become part of the adjacent lands now or late of McCormack 106 LLC, also known as T.M.P. 31-052-081, as more particularly described in the Legal Description attached hereto as Exhibit B, this parcel being conveyed subject to the Township's retention and/or creation, as the case may be, of certain Perpetual Utility Easement Rights over the entire 5,054 square feet, or .1160 of an acre, more or less, which such Perpetual Utility Rights shall include, but not be limited to, the construction, installation, operation, maintenance, repair and/or replacement of various utility structures, facilities and/or systems, including, but not limited to, electric, water, sanitary sewer, stormwater management, gas, telecommunications, and street lights.

c. A total of 42 square feet, or .0009 acres, more or less, being a portion of the vacated right-of-way between Hunt Drive and Gwyn Lynn Drive, to be conveyed and become part of the adjacent lands now or late of Paul N. Demianczyk and Celeste M. Heuberger, also known as T.M.P. 31-052-090, as more particularly described in the Legal Description attached hereto as Exhibit C.

3. The Township Solicitor and the Township Engineer are hereby empowered and directed to take all necessary actions to effectuate the vacation of the Paper Street and its removal from the Township road system, and to effectuate the transfer and conveyance of the same to the Adjoining Property Owners.
4. This Ordinance shall become effective five (5) days after its enactment.

**LEGAL DESCRIPTION**

**LANDS TO BE CONVEYED FROM VACATED RIGHT-OF-WAY  
BETWEEN HUNT DRIVE AND GWYN LYNN DRIVE**

**TO**

**N/L MICHAEL E. & SUZY LEE KAUER (T.M.P. 31-52-91)**

**NORTHAMPTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA**

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DESCRIPTION OF ALL THAT CERTAIN 25 foot wide strip of land situate in the Township of Northampton, County of Bucks, Commonwealth of Pennsylvania, for vacated right-of-way conveyance, being bounded and described in accordance with a "Plan of Right-of-Way Vacation" of a 50 foot right-of-way - Hunt Drive to Gwyn Lynn Drive, as prepared by CKS Engineers, Inc., Doylestown, Pennsylvania, dated January 18, 2016.

BEGINNING at a point on the southerly side of Hunt Drive (50 foot Public Right-of-Way) at its easterly terminus, said point being the northerly corner of lands of now or late Michael E. and Suzy Lee Kauer (T.M.P 31-52-91); thence from said point of BEGINNING partially along said easterly terminus of Hunt Drive N 30° 11' 00" E, 25.00 feet to a point; thence along the former centerline of the vacated right-of-way between said Hunt Drive and Gwyn Lynn Drive (50 foot Private Right-of-Way) S 59° 49' 00" E, 206.70 feet to a point, said point being on the cul-de-sac (50 foot radius) at the westerly terminus of said Gwyn Lynn Drive; thence along said cul-de-sac in a southeasterly direction by an arc curving to the left having a radius of 50.00 feet, on arc length of 29.72 feet to a point; thence leaving said cul-de-sac by a line being an extension of the common southeasterly line of said Kauer and northwesterly line of lands of now or late Paul N. Demianczyk and Celeste M. Heuberger (T.M.P 31-52-90) S 56° 07' 43" W, 5.60 feet to a point on the former southerly side of the aforesaid vacated right-of-way; thence along said former southerly right-of-way line N 59° 49' 00" W, 225.67 feet to the first mentioned point and place of BEGINNING.

CONTAINING 5,441 square feet (0.1249 acres) more or less.

BEING a portion of the vacated right-of-way between Hunt Drive and Gwyn Lynn Drive to be conveyed to the adjacent lands of now or late Michael E. and Suzy Lee Kauer (T.M.P 31-52-91).

**LEGAL DESCRIPTION**

**LANDS TO BE CONVEYED FROM VACATED RIGHT-OF-WAY  
BETWEEN HUNT DRIVE AND GWYN LYNN DRIVE**

**TO**

**N/L MC CORMACK 106 LLC (T.M.P 31-52-81)**

**NORTHAMPTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA**

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DESCRIPTION OF ALL THAT CERTAIN 25 foot wide strip of land situate in the Township of Northampton, County of Bucks, Commonwealth of Pennsylvania, for vacated right-of-way conveyance, being bounded and described in accordance with a "Plan of Right-of-Way Vacation" of a 50 foot right-of-way - Hunt Drive to Gwyn Lynn Drive, as prepared by CKS Engineers, Inc., Doylestown, Pennsylvania, dated January 18, 2016.

BEGINNING at a point on the northerly side of Hunt Drive (50 foot Public Right-of-Way) at its easterly terminus, said point being the westerly corner of lands of now or late McCormack 106 LLC (T.M.P 31-52-81); thence from said point of BEGINNING along the former northerly side of the vacated right-of-way between said Hunt Drive and Gwyn Lynn Drive (50 foot Private Right-of-Way) S 59° 49' 00" E, 200.00 feet to a point, said point being a corner of said McCormack 106 LLC on the cul-de-sac (50 foot radius) at the westerly terminus of said Gwyn Lynn Drive; thence along said cul-de-sac in a southerly direction by an arc curving to the left having a radius of 50.00 feet, an arc length of 26.18 feet to a point; thence leaving said cul-de-sac and along the former centerline of the aforesaid vacated right-of-way N 59° 49' 00" W, 206.70 feet to a point on the aforesaid easterly terminus of Hunt Drive; thence along said easterly terminus N 30° 11' 00" E, 25.00 feet to the first mentioned point and place of BEGINNING.

CONTAINING 5,054 square feet (0.1160 acres) more or less.

BEING a portion of the vacated right-of-way between Hunt Drive and Gwyn Lynn Drive to be conveyed to the adjacent lands of now or late McCormack 106 LLC (T.M.P 31-52-81).

**LEGAL DESCRIPTION**

**LANDS TO BE CONVEYED FROM VACATED RIGHT-OF-WAY  
BETWEEN HUNT DRIVE AND GWYN LYNN DRIVE**

**TO**

**N/L PAUL N. DEMIANCZYK & CELESTE M. HEUBERGER (T.M.P. 31-52-90)**

**NORTHAMPTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA**

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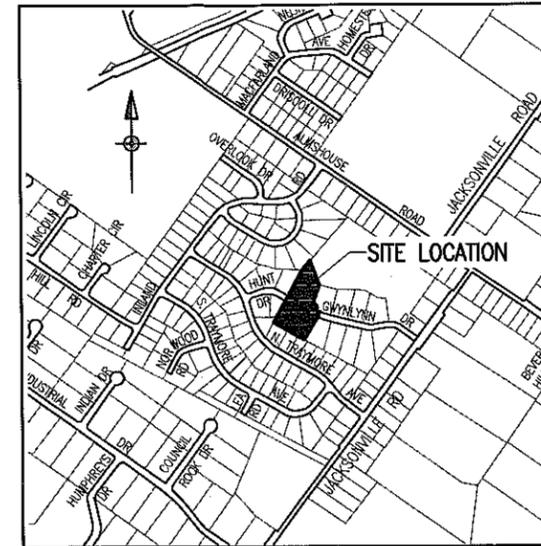
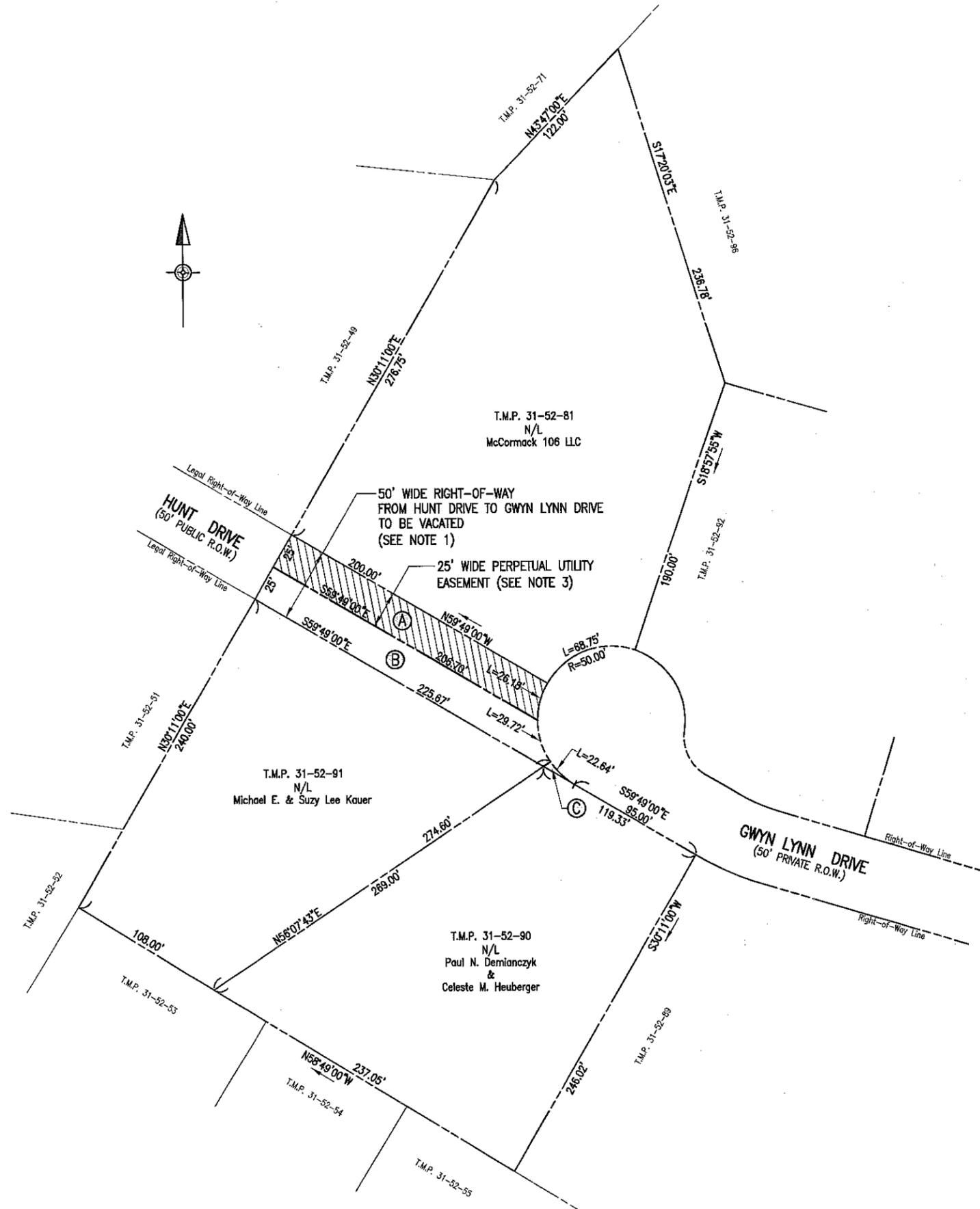
DESCRIPTION OF ALL THAT CERTAIN variable width strip of land situate in the Township of Northampton, County of Bucks, Commonwealth of Pennsylvania, for vacated right-of-way conveyance, being bounded and described in accordance with a "Plan of Right-of-Way Vacation" of a 50-foot right-of-way - Hunt Drive to Gwyn Lynn Drive, as prepared by CKS Engineers, Inc., Doylestown, Pennsylvania, dated January 18, 2016.

BEGINNING at a point on the southerly side of Gwyn Lynn Drive (50-foot Private Right-of-Way), said point being the point of curve of the cul-de-sac (50 foot radius) at the westerly terminus of said Gwyn Lynn Drive; thence from said point of BEGINNING along the former southerly side of the vacated right-of-way between Hunt Drive (50 foot Public Right-of-Way) and said Gwyn Lynn Drive N 59° 49' 00" W, 24.33 feet to a point, said point being the common northerly corner of lands of now or late Paul N. Demianczyk and Celeste M. Heuberger (T.M.P. 31-52-90) and easterly corner of lands of now or late Michael E. and Suzy Lee Kauer (T.M.P. 31-52-91); thence by a line being an extension of the common southeasterly line of said Kauer and northwesterly line of said Demianczyk/Heuberger N 56° 07' 43" E, 5.60 feet to a point on the aforesaid cul-de-sac at the westerly terminus of Gwyn Lynn Drive; thence along said cul-de-sac in a southeasterly direction by an arc curving to the left having a radius of 50.00 feet, an arc length of 22.64 feet to the first mentioned point and place of BEGINNING.

CONTAINING 42 square feet (0.0009 acres) more or less.

BEING a portion of the vacated right-of-way between Hunt Drive and Gwyn Lynn Drive to be conveyed to the adjacent lands of now or late Paul N. Demianczyk and Celeste M. Heuberger (T.M.P. 31-52-90).

C: AUTOCAD/Townships/Northampton Township/2100-302/2100-302.PLAN.dwg\*CU



LOCATION MAP  
Scale: 1"=1000'

AREA TABULATION			
	T.M.P. 31-52-81	T.M.P. 31-52-91	T.M.P. 31-52-90
ORIGINAL LOT AREA	68,488 SQ.FT. (1.5723 Ac.)	40,251 SQ.FT. (0.9240 Ac.)	43,587 SQ.FT. (1.0006 Ac.)
AREA TO BE CONVEYED FROM VACATED R.O.W.	<b>A</b> 5,054 SQ.FT. (0.1160 Ac.)	<b>B</b> 5,441 SQ.FT. (0.1249 Ac.)	<b>C</b> 42 SQ.FT. (0.0009 Ac.)
NEW LOT AREA	73,542 SQ.FT. (1.6883 Ac.)	45,692 SQ.FT. (1.0489 Ac.)	43,629 SQ.FT. (1.0016 Ac.)

NOTES:

1. THIS PLAN REPRESENTS THE VACATION BY NORTHAMPTON TOWNSHIP OF THE 50 FOOT WIDE RIGHT OF WAY EXTENDING BETWEEN HUNT DRIVE AND GWYN LYNN DRIVE WITH THE VACATED AREA BEING CONVEYED TO THE ADJACENT PROPERTIES AS SHOWN HEREON.
2. METES AND BOUNDS SHOWN HEREON ARE BASED UPON A FINAL PLAN OF SUBDIVISION PREPARED FOR MYLAKE AND PREPARED BY ANDERSEN ENGINEERING ASSOCIATES, DATED JULY 31, 1987, LAST REVISED APRIL 27, 1989.
3. A 25 FOOT WIDE PERPETUAL UTILITY EASEMENT (AREA **A**) SHALL BE RETAINED BY NORTHAMPTON TOWNSHIP.

1	2/4/16	REVISED PER NORTHAMPTON TOWNSHIP
Rev. No.	Date	Description
<b>PLAN OF RIGHT-OF-WAY VACATION</b>		
<b>50' R.O.W. - HUNT DRIVE TO GWYN LYNN DRIVE</b>		
Northampton Township, Bucks County, Pennsylvania		
<b>CKS Engineers, Inc.</b>		
88 South Main Street, Doylestown, PA 18901 (215) 340-0600		
Date:	Scale:	Drawn By:
1/18/16	1" = 50'	CJ
		Checked By:
		KCK
Plan No.	Sheet No.	
2100-302	1 OF 1	