

**DICKINSON TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2015-02

**ORDINANCE VACATING LEBO LANE, LOCUST LANE, AND
PART OF EAST YELLOW BREECHES ROAD**

WHEREAS, Dickinson Township owns and maintains a system of public roads throughout the Township; and

WHEREAS, certain of these public roads are of insufficient width, depth and construction to continue to function effectively and safely as roads open to the public; and

WHEREAS, certain of these public roads of insufficient width, length and configuration to allow maintenance and snow/ice removal to occur in an effective and safe manner; and

WHEREAS, certain of these public roads are so sited and are of such configuration as to provide access only to a single or a few properties and not the general public.

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors in and for Dickinson Township, as follows:

Section 1. Purpose

The purpose of this Ordinance is to vacate Lebo Lane, Locust Lane, and part of East Yellow Breeches Road (extending from the cul-de-sac to the Yellow Breeches Creek) as public roads owned and maintained by the Township and to return their respective rights-of-way to private ownership.

Section 2. Enabling Authority

This Ordinance is enacted pursuant to the enabling authority of Section 67304 of the Second Class Township Code, 53 P.S. §67304.

Section 3. Findings and Determinations

- A. Lebo Lane, a non-through road, is .14 miles in length and terminates at property improved with an unoccupied residential structure and a barn. It functions solely as a driveway to the residential structure and barn. Lebo Lane is 14 feet in width and without shoulders. Lebo Lane is not configured or constructed in a manner that meets current local road standards. Lebo Lane is of insufficient configuration to permit Township maintenance and snow removal vehicles to conduct such activities fully within the improved roadway and in a safe and effective manner. The continued public maintenance of Lebo Lane is not fiscally prudent given its functionality and condition.

- B. Locust Lane, a non-through road, is .52 miles in length and terminates at a farm. It functions as a driveway to the farm. Locust Lane is 12 feet in width and without shoulders. Lebo Lane is not configured or constructed in a manner that meets current local road standards. Locust Lane is of insufficient configuration to permit Township maintenance and snow removal vehicles to conduct such activities fully within the improved roadway and in a safe and effective manner. The continued public maintenance of Lebo Lane is not fiscally prudent given its functionality and condition.

- C. The portion of East Yellow Breeches road from the cul-de-sac to the Yellow Breeches Creek, a non-through road, is .05 miles in length and terminates at the Yellow Breeches Creek. No bridge is proposed to be constructed at this location. The portion of East Yellow Breeches road functions as a driveway to a single residential structure. The described portion of East Yellow Breeches road is 8 feet in width and has 1 foot shoulders. The described portion of East Yellow Breeches Road is not configured or constructed in a manner that meets current local road standards. The described portion of East Yellow Breeches Road is of insufficient configuration to permit Township maintenance and snow removal vehicles to conduct such activities fully within the improved roadway and in a safe and effective manner. The continued public maintenance of Lebo Lane is not fiscally prudent given its functionality and condition.

Section 4. Repealer.

All ordinances, to the extent that the same are inconsistent with the terms of this Ordinance, are repealed.

Section 5. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 6. Effective Date

This Ordinance shall become effective five days after the date of enactment.

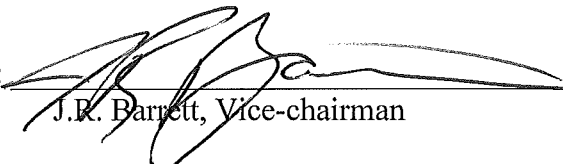
ENACTED AND ORDAINED THIS 18th day of May, 2015.

ATTEST:


Denise Gembusia, Secretary

TOWNSHIP OF DICKINSON:

By: 
Robert Wrightstone, Chairman

By: 
J.R. Barrett, Vice-chairman

By: 
Jonathan Reisinger, Supervisor

