

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRADING, PAVING AND DRAINING OF NORTH CRESCENT DRIVE IN THE BOROUGH OF WEST KITTANNING FROM THE SOUTHERLY EDGE OF THE PAVING ON FIRST AVENUE IN SAID BOROUGH TO THE EASTERLY EDGE OF THE PAVING OF HARRISON STREET FOR A DISTANCE OF NINE HUNDRED FORTY-ONE AND EIGHTY-TWO HUNDREDTHS (941.82) FEET, AND PROVIDING FOR PAYMENT OF THE COST THEREOF.

The Borough of West Kittanning Hereby Ordains as follows:-

§1. North Crescent Drive in the Borough of West Kittanning, from the edge of the pavement on First Avenue southwardly and westwardly, on a curve, for a distance of nine hundred forty-one and eighty-two hundredths (941.82) feet, as measured along the center line of said street, to the edge of the pavement on Harrison Street shall be graded and drained and paved to a width of eighteen (18) feet on either side of said center line, in compliance with plans prepared by the Borough Engineer, approved by Borough Council and filed in the Office of the Borough Secretary.

§2. The president of the Borough Council and the Borough Secretary are hereby authorized to advertise for bids for the said grading, draining, and paving, and the materials necessary thereto, in accordance with the aforesaid plans and specifications, and to enter into a contract or contracts in the name of the Borough, for the whole or any part of said work, or for labor or materials connected therewith, upon such terms and conditions as the Borough Council may determine or agree upon.

§3. Any trees, pipes, poles, posts, buildings, drives or other natural or artificial objects which interfere with the free and full construction of said work are hereby declared to be

nuisances, to be removed or relocated as provided by law, either by the owners or parties responsible therefore or by the party or parties with whom the Borough shall contract for performance of such construction.

§4. The acting Borough Engineer, W. G. Nagle, or his successor, is hereby designated the person in charge of said work, with full power to act for the Borough in all things connected therewith.

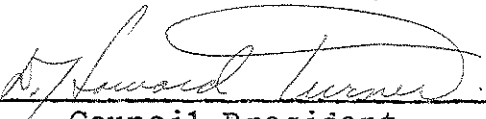
§5. The costs and expenses of the entire work hereby authorized and directed to be done shall be paid by the Borough of West Kittanning and the owners of the real estate abutting or bounding on said street in accordance with §1712 of the Borough Code, as amended. One-third of said costs and expenses shall be paid by the Borough, and the same is hereby appropriated therefore out of the funds now or hereafter in the treasury, and two-thirds of said costs and expenses shall be paid by the owners of real estate bounding or abutting on said street, and the same is hereby assessed according to the front-foot rule, and the assessments appropriated therefore.

§6. Any assessment authorized under this ordinance shall be paid either in full within thirty (30) days after notice thereof is given to the party assessed, as provided in the Borough Code, or in twelve monthly installments, the first of which shall be due and payable within thirty (30) days after such notice, and subsequent installments at intervals of one calendar month each thereafter until the entire assessment shall have been paid. Payment of this assessment in installments shall be governed by §§1175 through 1781, of the Borough Code, as amended.

§7. If any assessment authorized under this ordinance, or any installment thereof with interest then due, shall not have

been paid when due, as provided in §6, the entire assessment or the portion then unpaid, shall be collected as provided by the Borough Code.

Ordained in Council this 6th day of April, 1959.



Council President


ATTEST:



Borough Secretary

A P P R O V A L

Presented to and approved by



A. J. Kuhn, Burgess