

ORDINANCE NO. 53

ORDINANCE OF THE BOROUGH OF INDIAN LAKE, PENNSYLVANIA, AMENDING ORDINANCE NO. 52, AN ORDINANCE "APPROVING A REQUESTED CHANGE OF BOROUGH LIMITS, ANNEXING A PORTION OF STONYCREEK TOWNSHIP, AND DIRECTING THAT THE QUESTION OF SAID CHANGE OF BOUNDARIES AND ANNEXATION OF TERRITORY BE PLACED BEFORE THE ELECTORS OF STONYCREEK TOWNSHIP AND INDIAN LAKE BOROUGH ON THE BALLOT OF THE MUNICIPAL PRIMARY ELECTION ON MAY 17, 1983. "WHICH AMENDMENT CORRECTS THE DESCRIPTION OF THE PROPERTY TO BE ANNEXED AND CHANGES THE PLACEMENT ON THE BALLOT TO THE GENERAL ELECTION OF NOVEMBER 8, 1983.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Indian Lake, Somerset County, Pennsylvania, and it is hereby ENACTED AND ORDAINED as follows:

WHEREAS, Ordinance No. 52 was enacted at a regular meeting of the Council of the Borough of Indian Lake on February 8, 1983, which Ordinance No. 52 provided for the proposed annexation of certain tracts or pieces of land in Stonycreek Township, Somerset County, Pennsylvania, adjacent to and contiguous with the boundaries of the Borough of Indian Lake, as more fully described as Parcels No. 1 and No. 2 in said Ordinance No. 52; and,

WHEREAS, by deed of Robert G. Long and Blanche E. Long, dated the 16th day of August, 1972, the Borough of Indian Lake had acquired a certain other piece of land or tract or piece of land in Stonycreek Township, Somerset County, Pennsylvania, adjacent to and contiguous with the boundaries of the Borough of Indian Lake, more fully bounded and described as follows:

ALL that certain parcel of ground situate in Stonycreek Township, Somerset County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of a 33 foot roadway which is to be conveyed, said point being located on the northerly side of L.R. 55063; thence through center of a 33 foot roadway extending  $16\frac{1}{2}$  feet on either side of the line hereinafter described; thence through the center of the 33 foot roadway the following courses and distances: North  $4^{\circ} 28'$  East 190.64 feet; North  $31^{\circ} 26'$  East 90 feet; North  $8^{\circ} 48'$  West 111.65 feet; North  $0^{\circ} 23'$  West 99.5 feet; North  $28^{\circ} 29'$  East 99.6 feet; North  $39^{\circ} 50'$  East 365.5 feet; North  $30^{\circ} 28'$  East 133.4 feet; North  $21^{\circ} 45'$  East 109.2 feet to a point which meets other lands now owned by Indian Lake Borough.

WHEREAS, the above-described real estate has constructed thereon a 33 foot roadway connecting the present boundaries of the Borough of Indian Lake with Legislative Route 55063, and which 33 foot roadway is contiguous with the boundaries of the Borough of

Indian Lake and with the parcels described as Parcels No. 1 and No. 2 in Ordinance No. 52; and,

WHEREAS, all three (3) parcels are used for municipal purposes and are thereby exempt from municipal real estate taxes.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED that Ordinance No. 52 enacted and adopted February 8, 1983, is amended as follows:

1. That the Council of the Borough of Indian Lake hereby proposes to change the municipal boundaries of Indian Lake Borough and to annex territory from Stonycreek Township, Somerset County, Pennsylvania, into the said Borough of Indian Lake, said property to be annexed being described as follows:

ALL those three certain parcels or tracts of land situate in Stonycreek Township, Somerset County, Pennsylvania, more fully described as follows:

PARCEL NO. 1:

BEGINNING at a stake on an intersection, thence along a 33 foot right of way, North  $4^{\circ} 28'$  East 190.64 feet to a stake; thence by the same, North  $31^{\circ} 26'$  East, 90.0 feet to a stake, thence by the same, North  $8^{\circ} 48'$  West, 111.65 to a stake; thence by the same, North  $0^{\circ} 23'$  West 99.5 feet to a stake; thence by the same, North  $28^{\circ} 29'$  East 99.6 feet to a stake, common corner of lands now or formerly of Robert G. Long and parcel hereby conveyed; thence along said lands now or formerly of Robert G. Long, South  $69^{\circ} 57'$  East, 200.0 feet to a stake, common corner of lands now or formerly of Robert G. Long and parcel hereby conveyed; thence along lands now or formerly of Robert G. Long, South  $9^{\circ} 12'$  West, 168.1 feet to a stake; thence by the same, South  $2^{\circ} 02'$  West, 317.9 feet to a stake on the northerly side of a right of way; thence along said right of way, South  $87^{\circ} 01'$  West, 241.5 feet to a stake, the place of beginning. CONTAINING 2.65 acres.

BEING property described as Parcel No. 1 in a deed from T. L. Iseman, Inc., to Indian Lake Borough, dated April 8, 1981, and recorded in the Office of Recorder of Deeds of Somerset County at Deed Book Volume 874, Page 783.

PARCEL NO. 2:

BEGINNING at a stake on the southerly side of a right of way, common corner of lands now or formerly of Robert G. Long and parcel hereby conveyed; thence along said lands now or formerly of Robert G. Long South  $12^{\circ} 34'$  West, 349.0 feet to a stake; thence by same, South  $8^{\circ} 33'$  West, 38 feet to the Normal Pool Level of Lake Stonycreek 2230 feet (PDH); thence in a generally westerly direction along the various meanderings of Lake Stonycreek, a distance of approximately 18 feet to the point where

said Normal Pool Level of Stonycreek Lake meets the dividing line of lands now or formerly of Robert G. Long and parcel hereby conveyed; thence along lands now or formerly of Robert G. Long, North 8° 33' East, 386 feet more or less to a stake on the southerly side of a right of way; thence along said right of way, North 87° 40' East, 46.8 feet to a stake, the place of beginning. CONTAINING 0.25 acres.

BEING property described as Parcel No. 2 in the deed from T. L. Iseman, Inc., to Indian Lake Borough, dated April 8, 1981, and recorded in the Office of Recorder of Deeds of Somerset County at Deed Book Volume 874, Page 783.

PARCEL NO. 3:

BEGINNING at a point in the center of a 33 foot roadway which is to be conveyed, said point being located on the northerly side of L.R. 55063; thence through center of a 33 foot roadway extending  $16\frac{1}{2}$  feet on either side of the line hereinafter described; thence through the center of the 33 foot roadway the following courses and distances: North 4° 28' East 190.64 feet; North 31° 26' East 90 feet; North 8° 48' West 111.65 feet; North 0° 23' West 99.5 feet; North 28° 29' East 99.6 feet; North 39° 50' East 365.5 feet; North 30° 28' East 133.4 feet; North 21° 45' East 109.2 feet to a point which meets other lands now owned by Indian Lake Borough.

BEING the property conveyed by Robert G. Long and Blanche E. Long to Indian Lake Borough, by deed dated August 16, 1972, and recorded in the Office of the Recorder of Deeds of Somerset County at Deed Book Volume 726, Page 60.

2. That pursuant to Article IX, Section 8 of the Constitution of the Commonwealth of Pennsylvania, this annexation of territory and change of municipal boundaries shall become effective only upon the majority vote of the electors of Stonycreek Township and a majority vote of the electors of Indian Lake Borough.

3. That the Somerset County Board of Elections is hereby requested to place on the ballot for the electors of Stonycreek Township and the ballot for the electors of Indian Lake Borough, for the general election to be held on November 8, 1983, the question as to the proposed annexation.

4. The proposed question to be put on the ballot is as follows:

"Shall the area of Stonycreek Township, described as follows:

ALL those three certain parcels or tracts of land situate in Stonycreek Township, Somerset County, Pennsylvania, more fully described as follows:

PARCEL NO. 1:

BEGINNING at a stake on an intersection, thence along a 33 foot right of way, North 4° 28' East 190.64 feet to a stake; thence by the same, North 31° 26' East,

90.0 feet to a stake; thence by the same, North 8° 48' West, 111.65 feet to a stake; thence by the same, North 0° 23' West 99.5 feet to a stake; thence by the same, North 28° 29' East, 99.6 feet to a stake, common corner of lands now or formerly of Robert G. Long and parcel hereby conveyed; thence along said lands now or formerly of Robert G. Long, South 69° 57' East, 200.0 feet to a stake, common corner of lands now or formerly of Robert G. Long and parcel hereby conveyed; thence along lands now or formerly of Robert G. Long, South 9° 12' West, 168.1 feet to a stake; thence by the same, South 2° 02' West, 317.9 feet to a stake on the northerly side of a right of way; thence along said right of way, South 87° 01' West, 241.5 feet to a stake, the place of beginning. CONTAINING 2.65 acres.

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BEGINNING at a stake on the southerly side of a right of way, common corner of lands now or formerly of Robert G. Long and parcel hereby conveyed; thence along said lands now or formerly of Robert G. Long South 12° 34' West, 349.0 feet to a stake; thence by same, South 8° 33' West, 38 feet to the Normal Pool Level of Lake Stonycreek 2230 feet (PDH); thence in a generally westerly direction along the various meanderings of Lake Stonycreek, a distance of approximately 18 feet to the point where said normal pool level of Stonycreek Lake meets the dividing line of lands now or formerly of Robert G. Long and parcel hereby conveyed; thence along lands now or formerly of Robert G. Long, North 8° 33' East, 386 feet more or less to a stake on the southerly side of a right of way; thence along said right of way, North 87° 40' East, 46.8 feet to a stake, the place of beginning. CONTAINING 0.25 acres.

BEING property described as Parcel No. 2 in the deed from T. L. Iseman, Inc., to Indian Lake Borough, dated April 8, 1981, and recorded in the Office of Recorder of Deeds of Somerset County at Deed Book Volume 874, Page 783.

PARCEL NO. 3:

BEGINNING at a point in the center of a 33 foot roadway which is to be conveyed, said point being located on the northerly side of L.R. 55063; thence through center of a 33 foot roadway extending 16½ feet on either side of the line hereinafter described; thence through the center of the 33 foot roadway the following courses and distances: North 4° 28' East 190.64 feet; North 31° 26' East 90 feet; North 8° 48' West 111.65 feet; North 0° 23' West 99.5 feet; North 28° 29' East 99.6 feet; North 39° 50' East 365.5 feet; North 30° 28' East 133.4 feet; North 21° 45' East 109.2 feet to a point which meets other lands now owned by Indian Lake Borough.

BEING the property conveyed by Robert G. Long and Blanche E. Long to Indian Lake Borough, by deed dated August 16, 1972, and recorded in the Office of the Recorder of Deeds of Somerset County at Deed Book Volume 726, Page 60.

upon which is constructed and situate a 33 foot roadway leading from the present boundaries of Indian Lake Borough to Legislative Route 55063, and also upon which

is erected and situate the Indian Lake Borough Municipal Building, be annexed into the Borough of Indian Lake, Somerset County, Pennsylvania?"

YES \_\_\_\_\_

NO \_\_\_\_\_

5. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

6. This Ordinance shall become effective immediately.

ORDAINED AND ENACTED THIS 25th day of March, 1983.

BOROUGH OF INDIAN LAKE

/s/ Frank A. Bedois  
President of Council

ATTEST:

/s/ Beverly J. Brown  
Secretary

Examined and approved by me this 25th day of March, 1983.

/s/ John Meehan  
Mayor