

ORDINANCE #108

FIRST READING - January 28, 1997  
SECOND READING - February 4, 1997

WHEREAS, the Lackawanna County Board of Commissioners have determined that there exists a need for an addition to the Lackawanna County Prison at its present location; and

WHEREAS, the property described in Exhibit "A" attached hereto is located adjacent to the Lackawanna County Prison and is well suited for the expansion thereof; and

WHEREAS, an abandoned cemetery once located on said property has been closed by Order of the Lackawanna County Court of Common Pleas; and

WHEREAS, said property has been otherwise abandoned and has no legal owner; and

WHEREAS, the Lackawanna County Board of Commissioners are authorized by Section 2305 of the County Code, 16 P.S. 2305, to acquire by eminent domain the property described in Exhibit "A" for the purposes of construction of an addition to the Lackawanna County Prison.

NOW, THEREFORE, BE IT RESOLVED:

- 1. It is determined that it is necessary and desirable that Lackawanna County shall acquire title and possession to the property described as Exhibit "A".
- 2. The Lackawanna County Solicitor and the Lackawanna County Administrative Director are empowered and directed to institute proceedings in the Lackawanna County Court of Common Pleas to acquire title to and possession of said property.
- 3. This Ordinance shall take effect and be in full force ten (10) days after final enactment.

EXHIBIT "A"

DESCRIPTION

LANDS OF THE COUNTY OF LACKAWANNA  
by Virtue of Condemnation  
(formerly lands of the German Cemetery Association)

ALL that certain piece or parcel of land situate in the City of Scranton, County of Lackawanna and State of Pennsylvania bounded and described as follows, to wit:

BEGINNING at an iron pin on the northwesterly line of North Washington Avenue, a common corner of lands of the County of Lackawanna and Land of the German Cemetery Association as shown on a plan titled "Map of Land of German Lutheran Cemetery - Site Plan" dated May 29, 1991 and prepared by Acker Associates, Inc.; Thence along said line of North Washington Avenue South 48° 00' 00" West two hundred fifty-five and eighty-eight hundredths (255.88') feet to an iron pin; Thence leaving North Washington Avenue along lands of William A. Hunt North 42° 00' 00" West two hundred ten (210.00') feet to an iron pin in line of lands of Thomas P. Boles; Thence along said lands of Boles, lands of James Berens, lands of Ralph Young, lands of Richard L. and Betty Via and lands of Lawrence Roman North 48° 00' 00" East two hundred thirty-two (232.00') feet to an iron pin in line of lands of the County of Lackawanna; Thence along said lands South 48° 29' 14" East two hundred eleven and thirty-five hundredths (211.35') feet to the place of BEGINNING.

CONTAINING 1.176 acres of land, being the same more or less.

BEING the same premises conveyed by John G. Sailer et ux to the German Cemetery Association by deed dated August 6, 1873 and recorded in the Luzerne County Recorder of Deeds Office in Deed Book 171 Page 457.

COUNTY OF LACKAWANNA

*Ray A. Alberigi*  
RAY A. ALBERIGI

*Joseph J. Corcoran*  
JOSEPH J. CORCORAN

*John Senio*  
JOHN SENIO

ATTEST:

*William A. Jenkins*  
WILLIAM A. JENKINS,  
ACTING ADMINISTRATIVE DIRECTOR

Approved as to form and legality:

*Joseph A. O'Brien*  
JOSEPH A. O'BRIEN, ESQUIRE  
COUNTY SOLICITOR