

## AN ORDINANCE

NO. \_\_\_\_\_

**AN ORDINANCE To Amend The Official Map of Streets Of The Township Of Lower Merion, Adopted Pursuant To The Provisions Of The Code Of The Township Of Lower Merion, Chapter 107, Entitled Official Map, By The Removal Therefrom Of An Unaccepted And Unopened Portion Of Idlewild Road Extending Southwesterly From Rock Creek Road The Distance Of 510 Feet, More Or Less.**

The Board of Commissioners of the Township of Lower Merion does hereby enact and ordain:

WHEREAS, the Board of Commissioners has established by Ordinance Chapter 107 in the Lower Merion Township Code adopting an Official Map including, inter alia, an Official Map of Streets wherein existing and proposed public streets are set forth; and

WHEREAS, for the benefit accruing to the public, the Board has determined that certain dedicated but unaccepted and unopened roadways having no present or foreseeable public benefit should be removed from the Official Map of Streets; and

WHEREAS, there exists on the Official Map of Streets a portion of Idlewild Road extending in a southwesterly direction the distance of 510 feet, more or less, from Rock Creek Road to a proposed cul-de-sac as shown and as further described on an unrecorded plan of Waverly Estates dated March 15, 1945 prepared by M.R. & J.B. Yerkes, Civil Engineers and approved by the Board of Commissioners of the Township of Lower Merion on September 16, 1953 as subdivision No. 1085; and

WHEREAS, the said portion of Idlewild Road, while offered for dedication at the time the plan was approved, has never been accepted by the Board of Commissioners, has never been opened and provides no present or foreseeable public benefit.

NOW THEREFORE, the Board of Commissioners of the Township of Lower Merion hereby ordains:

**Section 1.** That the Official Map of Streets of the Township of Lower Merion, adopted pursuant to Chapter 107 of the Lower Merion Township Code, is hereby amended by the removal of that portion of Idlewild Road extending in a southwesterly direction the distance of 510 feet, more or less, from Rock Creek Road to a proposed cul-de-sac as shown and as further described on an unrecorded plan of Waverly Estates dated March 15, 1945 prepared by M.R. & J.B. Yerkes, Civil Engineers and approved by the Board of Commissioners of the Township of Lower Merion on September 16, 1953 as subdivision No. 1085.

**Section 2.** Nothing in this Ordinance or in Chapter 107 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 107 prior to the adoption of this amendment.

**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

**Section 4** This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this      day of      , 2018.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF LOWER MERION

\_\_\_\_\_  
Daniel S. Bernheim, President

ATTEST:

\_\_\_\_\_  
Jody L. Kelley, Secretary