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**In Re: Petition of 400 West Elm Owner LLC       :       Borough of Conshohocken**  
**To Vacate a Portion of Corson Street            :**

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**AMENDED PETITION TO VACATE A PORTION OF**  
**CORSON STREET**

Petitioner, 400 West Elm Owner LLC, by and through its attorneys, Riley, Riper, Hollin & Colagreco, hereby files this Amended Petition to Vacate a portion of Corson Street pursuant to Section 1732 of the Borough Code, 8 Pa. C.S. § 1732, and in support thereof, avers as follows:

1. Petitioner, 400 West Elm Owner LLC is a Delaware limited liability company with an address of 3843 West Chester Pike, Newtown Square, PA 19073 (“Petitioner”).

2. Petitioner is the legal owner of two certain tracts of land (“Corson Property”) situate along the portion of Corson Street located to the southwest of its intersection with West Elm Street and northeast of the Schuylkill River Trail in Conshohocken Borough (“Borough”) as follows:

NORTHWEST TRACT: Located on the northwestern side of Corson Street and which is more fully described in a Deed from Josephine M. Leszczynski and Walter J. Leszczynski to Corson Street Acquisition Limited Partnership, dated June 20, 2018 and recorded June 26, 2018 in the Office of the Recorder of Deeds of Montgomery County, Pennsylvania in Record Book 6095, Page 01736 (Parcel No. 05-00-02704-009).

NORTHEAST TRACT: Located on the northeastern side of Corson Street and which is more fully described in a Deed from Adam F. Ferraioli to Corson Street Acquisition Limited Partnership, dated February 4, 2015 and recorded February 11, 2015 in the Office of the Recorder of Deeds of Montgomery County, Pennsylvania in Record Book 5943, Page 02870 (Parcel No. 05-00-02696-008).

3. Former Petition, Corson Street Acquisition Limited Partnership, conveyed its interest in the Corson Property to Petitioner in or around December of 2021.

4. Petitioner requests that the Borough Council of the Borough of Conshohocken vacate the approximate 2,691 square foot portion of Corson Street abutting the Corson Property in favor of Petitioner, as more fully described in the metes and bounds description, which is attached hereto and made a part hereof as Exhibit “A”, and as depicted on Corson Street Vacation Exhibit, prepared by Bohler Engineering, dated July 14, 2021 , last revised December 14, 2021, which is attached hereto and made a part hereof as Exhibit “B” (“Proposed Vacated Area”).

5. Petitioner has received approval for a residential development on either side of the Proposed Vacated Area and intends to use the Proposed Vacated Area to provide access to the proposed parking area for the proposed multifamily residential building.

6. Petitioner believes and therefore avers that vacating the Proposed Vacated Area is in the best interests of sound land planning and in the best interests of the Borough for the following reasons:

- a. The Proposed Vacated Area is bordered on both sides by the Corson Property and has never been used by the public or maintained by the Borough as a public road. The Proposed Vacated Area currently serves no public purpose.
- b. The Proposed Vacated Area does not provide the sole means of access to any lot or tract of land in the Borough.
- c. Vacating the Proposed Vacated Area will remove the responsibility and cost of maintaining the Proposed Vacated Area from the Borough.
- d. Petitioner will provide public access to the Schuylkill River and the Schuylkill River Trail in accordance with an alternative open space plan that does not require use of the Proposed Vacated Area.

7. As the legal owner of all of the land abutting both sides of the Proposed Vacated Area, Petitioner believes and therefore avers that no additional parties are affected by this Petition.

8. Petitioner believes and therefore avers that no other person or entity other than the Petitioner has any interest in this Petition.

9. Petitioner hereby releases the Borough from any and all damages arising from, or relating to, the final vacating of the Proposed Vacated Area in accordance with this Petition.

10. Petitioner respectfully requests that the Borough hold a public hearing pursuant to the required public and personal notice as required by the Borough Code and enact the Ordinance attached hereto and made a part hereof as Exhibit "C" vacating a portion of Corson Street as described in this Petition.

WHEREFORE, Petitioner, 400 West Elm Owner LLC, respectfully requests that the Borough Council of the Borough of Conshohocken enact the Ordinance attached hereto as Exhibit "C" vacating a portion of Corson Street.

Respectfully Submitted,  
RILEY RIPER HOLLIN & COLAGRECO  
Attorneys for Petitioner

By: /s/ Louis J. Colagreco, Jr., Esquire  
Louis J. Colagreco, Jr., Esquire

Exhibit "A"



DECEMBER 14, 2021  
 02-110082-04

METES AND BOUNDS DESCRIPTION  
**AREA OF CORSON STREET TO BE VACATED**  
 CONSHOHOCKEN BOROUGH, MONTGOMERY COUNTY  
 COMMONWEALTH OF PENNSYLVANIA

BEGINNING AT AN IRON PIN WITH CAP SET AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WEST ELM STREET (A.K.A. S.R. 3013, L.R. 46107, 50 FOOT WIDE RIGHT-OF-WAY AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORSON STREET (50 FOOT WIDE RIGHT-OF-WAY, NOT OPEN) AND FROM SAID POINT OF BEGINNING RUNNING, THENCE;

1. ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WEST ELM STREET, SOUTH 52 DEGREES - 57 MINUTES - 11 SECONDS EAST, A DISTANCE OF 53.13 FEET TO AN IRON PIN WITH CAP SET AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WEST ELM STREET AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORSON STREET, THENCE;
2. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORSON STREET, SOUTH 56 DEGREES - 47 MINUTES - 40 SECONDS WEST, A DISTANCE OF 60.03 FEET TO A MAG NAIL SET, THENCE;
3. THROUGH CORSON STREET, NORTH 39 DEGREES - 28 MINUTES - 08 SECONDS WEST, A DISTANCE OF 50.32 FEET TO AN IRON PIN WITH CAP SET ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORSON STREET, THENCE;
4. ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORSON STREET, NORTH 56 DEGREES - 47 MINUTES - 51 SECONDS EAST, A DISTANCE OF 47.56 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 2,691 SQUARE FEET OR 0.062 ACRE

THIS PROPERTY SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS EITHER WRITTEN OR IMPLIED.

THIS DESCRIPTION WAS WRITTEN BASED UPON AN EXHIBIT ENTITLED "EXHIBIT FOR CORSON STREET ACQUISITION LIMITED PARTNERSHIP, WEST ELM STREET, CONSHOHOCKEN BOROUGH & PLYMOUTH TOWNSHIP, MONTGOMERY COUNTY, PA, CORSON STREET VACATION EXHIBIT", PREPARED BY BOHLER ENGINEERING, DATED 7/14/2021, REVISION 1, DATED 9/2/2021, PROJECT NO. PC201167, SHEET 1 OF 1.

CONTROL POINT ASSOCIATES, INC.

12/14/2021

\_\_\_\_\_  
 JAMES G. WEED, P.E. DATE  
 COMMONWEALTH OF PENNSYLVANIA  
 PROFESSIONAL LAND SURVEYOR # SU075250

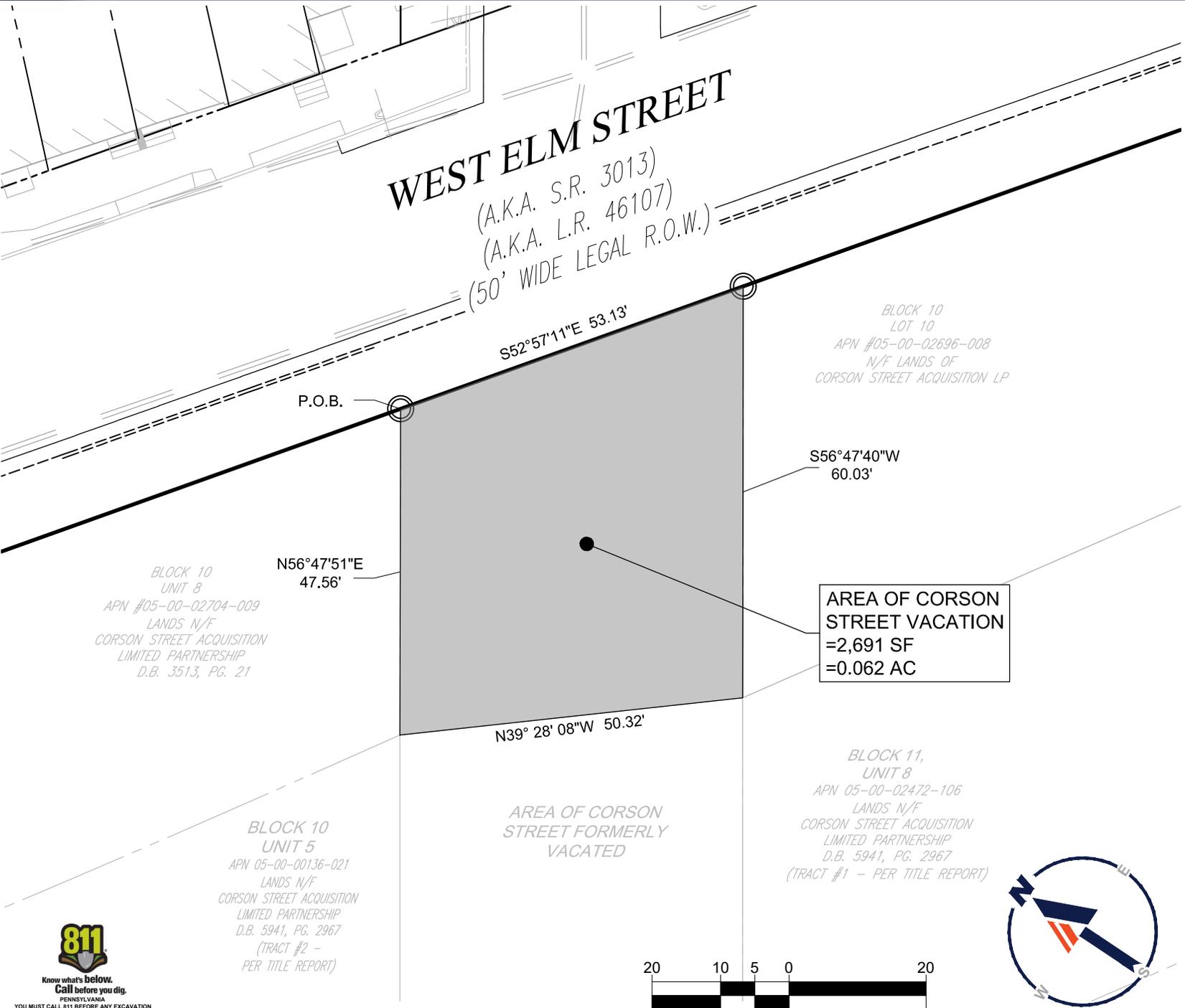


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 PREPARED BY: JAA REVIEWED BY: JCW

Exhibit "B"

# WEST ELM STREET

(A.K.A. S.R. 3013)  
(A.K.A. L.R. 46107)  
(50' WIDE LEGAL R.O.W.)



BLOCK 10  
LOT 10  
APN #05-00-02696-008  
N/F LANDS OF  
CORSON STREET ACQUISITION LP

BLOCK 10  
UNIT 8  
APN #05-00-02704-009  
LANDS N/F  
CORSON STREET ACQUISITION  
LIMITED PARTNERSHIP  
D.B. 3513, PG. 21

BLOCK 10  
UNIT 5  
APN 05-00-00136-021  
LANDS N/F  
CORSON STREET ACQUISITION  
LIMITED PARTNERSHIP  
D.B. 5941, PG. 2967  
(TRACT #2 -  
PER TITLE REPORT)

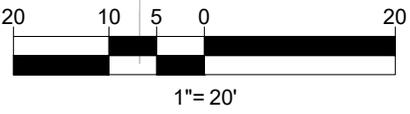
BLOCK 11,  
UNIT 8  
APN 05-00-02472-106  
LANDS N/F  
CORSON STREET ACQUISITION  
LIMITED PARTNERSHIP  
D.B. 5941, PG. 2967  
(TRACT #1 - PER TITLE REPORT)

AREA OF CORSON  
STREET FORMERLY  
VACATED

AREA OF CORSON  
STREET VACATION  
=2,691 SF  
=0.062 AC



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**REVISIONS**

REV	DATE	COMMENT	DRAWN BY	CHECKED BY
1	9/02/2021	PER CLIENT COMMENTS	ATW	WRR
2	12/14/2021	PER SURVEYOR COMMENTS	KDS	WRR

PROJECT No.: PC201167  
DRAWN BY: DMB  
CHECKED BY: KDS  
DATE: 07/14/2021  
CAD I.D.: PC201167-VACATION EXHIBIT-02

PROJECT:  
**EXHIBIT FOR**  
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WEST ELM STREET  
CONSHOHOCKEN BOROUGH & PLYMOUTH TOWNSHIP  
MONTGOMERY COUNTY, PA

**BOHLER**  
1600 MANOR DRIVE, SUITE 200  
CHALFONT, PA 18914  
Phone: (215) 996-9100  
Fax: (215) 996-9102  
www.BohlerEngineering.com

**W.R. REARDEN**  
PROFESSIONAL ENGINEER  
PENNSYLVANIA LICENSE No. PE073242  
NEW JERSEY LICENSE No. 24GE04694500

SHEET TITLE:  
**CORSON STREET VACATION EXHIBIT**

SHEET NUMBER:  
**1 of 1**

R:\20\PC201167\DRAWINGS\EXHIBITS\VACATION EXHIBIT\REV-02\PC201167-VACATION EXHIBIT-02-1-24-2021-LAYOUT-CORSON STREET VACATION EXHIBIT

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

Exhibit "C"

**Borough of Conshohocken  
Montgomery County, Pennsylvania**

**ORDINANCE No. \_\_\_\_\_**

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**AN ORDINANCE OF THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, PENNSYLVANIA, VACATING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY OF A PUBLIC ROAD KNOWN AS CORSON STREET LOCATED TO THE SOUTHWEST OF ITS INTERSECTION WITH WEST ELM STREET AND NORTHEAST OF THE SCHUYLKILL RIVER TRAIL IN THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, PENNSYLVANIA.**

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**WHEREAS**, 400 West Elm Owner LLC (“Petitioner”) is the record owner of tracts of land situate along the portion of Corson Street located to the southwest of its intersection with West Elm Street and northeast of the Schuylkill River Trail in the Borough of Conshohocken (“Borough”); and

**WHEREAS**, the Borough previously vacated a portion of Corson Street extending northeast from the railroad right-of-way, leaving only a small portion of Corson Street extending southwest from its intersection with West Elm Street; and

**WHEREAS**, the remaining portion of Corson Street extending southwest from its intersection with West Elm Street is unused by the public and is surrounded by lands owned by the Petitioner; and

**WHEREAS**, Petitioner has requested that the Borough vacate said portion of Corson Street; and

**WHEREAS**, the Borough Code in Section 1732, 8 Pa.C.S § 1732, authorizes the Borough to vacate a street or part thereof by ordinance if, after due notice to all property owners affected and after holding a hearing thereon, it is deemed prudent and advisable in the judgment of Borough Council to so vacate such road or a portion thereof; and

**WHEREAS**, after such due notice and hearing held thereon, Borough Council of the Borough of Conshohocken has determined that it is necessary and proper to vacate the hereinafter described right-of-way of Corson Street subject to the provisions of this Ordinance.

**NOW, THEREFORE**, be it, and it is hereby **ORDAINED** by the Borough Council of the Borough of Conshohocken, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

**SECTION 1**

The Borough of Conshohocken, Montgomery County, Pennsylvania, does hereby vacate and abandon all that certain tract of land comprising the right-of-way of Corson Street consisting

of approximately 2,690.25 square feet and located to the southwest of its intersection with West Elm Street and northeast of the Schuylkill River Trail, as described in Exhibit “A” and depicted on Exhibit “B”, which are both attached hereto and made a part hereof.

**SECTION 2**

Upon the vacation and abandonment of the aforesaid right-of-way of Corson Street, title to the right-of-way so vacated and abandoned shall revert to Petitioner as the owner of the abutting properties.

**SECTION 3**

The President or Vice President of Borough Council and the Secretary or Assistant Secretary of the Borough are hereby authorized and empowered to execute any quitclaim deeds or releases which may be necessary or desirable in the opinion of the Borough to clarify and establish title to the aforesaid abutting owner of the right-of-way vacated and abandoned by this Ordinance.

**SECTION 4**

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

**SECTION 5**

This Ordinance shall take effect and be in force from and after its enactment as provided by law.

**ORDAINED** and **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by the Borough Council of the Borough of Conshohocken, Montgomery County, Pennsylvania.

ATTEST:

\_\_\_\_\_  
Stephanie Cecco  
Borough Manager

\_\_\_\_\_  
Colleen Leonard  
Council President

Approved this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Yaniv Aronson, Mayor

Exhibit "A"



DECEMBER 14, 2021  
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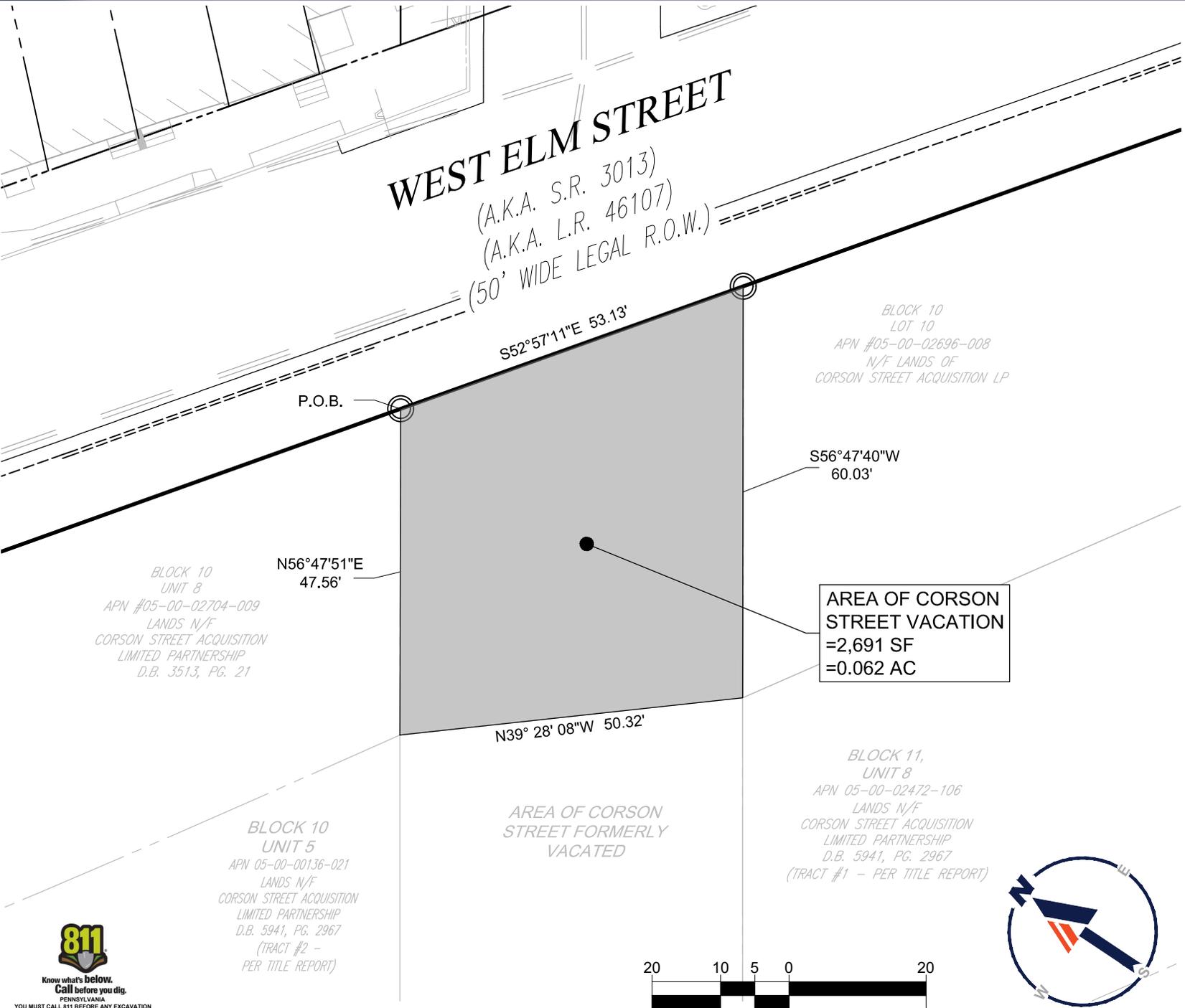
*James G. Weed* 12/14/2021  
 JAMES G. WEED, REGISTERED PROFESSIONAL LAND SURVEYOR # SU075250  
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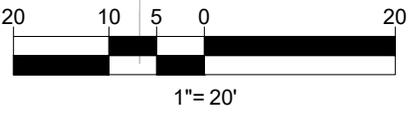
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**W.R. REARDEN**  
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NEW JERSEY LICENSE No. 24GE04694500

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