

APPLICATION FOR GRANT OF EASEMENT

Bellefonte Borough  
236 West Lamb Street  
Bellefonte, PA 16823  
814-355-1501

Date: \_\_\_\_\_

Fee: \$300.00

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_ Tax Parcel No. \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Owner of Record: \_\_\_\_\_

Address: \_\_\_\_\_ Tax Parcel No. \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

I hereby apply to the Bellefonte Borough Council for a Grant of Easement:  
Please answer and complete all of the following information before returning to the Borough office.

1. Location of Municipal R-O-W for which Easement is requested:

\_\_\_\_\_  
\_\_\_\_\_

2. Current Zoning District \_\_\_\_\_

3. Reason for requested Easement \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Applicant shall provide signature on application and all submitted documents including but not limited to:

- a. Drawing showing property, size of property, abutting property owners, proposed easement location and set back lines.
- b. Other pertinent data.

I / We certify that the above information is correct and further agree to reimburse Bellefonte Borough for the cost of engineering services, materials testing, and other site inspections as required by Bellefonte Borough.

Respectfully submitted,

\_\_\_\_\_  
(Signature of applicant)

\_\_\_\_\_  
(Date)

**ORDINANCE No. 1213**

**ORDINANCE OF THE BOROUGH OF BELLEFONTE ESTABLISHING APPLICATION REQUIREMENTS FOR A GRANT OF EASEMENT AGREEMENT TO OCCUPY SURFACE RIGHT-OF-WAY OF UNOPENED STREET**

**BE IT ENACTED** and ordained by the Council of the Borough of Bellefonte, and it is hereby enacted and ordained by the authority of the same.

Council of the Borough of Bellefonte hereby establishes the following "Application Procedure for Grant of Easement to Occupy Surface Right-of-Way of Unopened Street":

**SECTION I. - APPLICATION REQUIREMENTS**

1) An applicant for an Easement Agreement to occupy a surface right-of-way of an unopened street shall request a conference with the Zoning Officer prior to application submission. The Zoning Officer may recommend that the applicant request a conference with the Planning Commission prior to application submission.

2) A pre-application conference shall not be regarded as a formal application for the proposed Grant of Easement. The filing of any report, sketch plan, plat or map prior to or at such conference shall not constitute submission of a plan or application for conditional use nor shall such materials be binding on subsequent submissions by the applicant.

3) The municipality may require additional site specific information necessary for a thorough review of the application.

4) The required filing fee for a Grant of Easement Application review and hearing will be specified by Municipal Resolution. This fee may, from time to time, be amended by Municipal Resolution.

**SECTION II. - APPLICATION PROCEDURES**

1) Following the required pre-application conference, the applicant shall present to the municipality a complete application submission and shall appear before the municipal governing body to request that a public hearing be set on the application. Upon this request, the municipal governing body shall establish the date, time and place for a public hearing. The public hearing shall be held no later than sixty (60) days following the meeting at which the municipal governing body receives the request unless the applicant has agreed, in writing, to an extension of time.

2) The Planning Commission shall review the application at the next legally advertised regular meeting following the receipt of the application from the municipal governing body or at a meeting specifically called for this purpose and shall make a recommendation to the municipal governing body prior to the public hearing.

3) The applicant shall provide public notice, as defined by the Pennsylvania Municipalities Planning Code, concerning the public hearing for the proposed Grant of Easement.

4) In addition to the public hearing notice, the applicant shall provide, via certified mail, a written notice to the owners of all property within one hundred (100) feet of the site proposed for a Grant of Easement. Copies of the certified mail return receipts shall be provided to the municipality by the applicant.

4) The municipal governing body shall render a written decision on the application within forty-five (45) days after the last hearing before the municipal governing body. The municipal governing body may approve the request for a Grant of Easement with any specified conditions as determined to be specific to the Grant of Easement location or may deny the request for a Grant of Easement with a specific list of reasons for such denial. The municipality shall mail written notification of the governing body's action, including the specific list of reasons for denial if applicable, to the applicant within forty-five (45) days of said action by the governing body.

### SECTION III. EFFECTIVE DATE OF GRANT OF EASEMENT

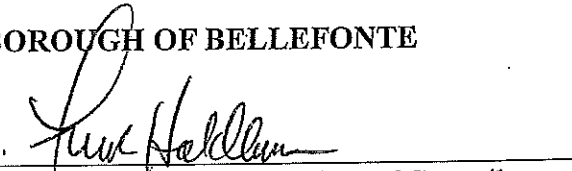
If approved, the Grant of Easement shall not become effective until the applicant enters into a properly executed Grant of Easement Agreement with the borough and pays all fees and expenses related to the Application for Grant of Easement.

ENACTED into an Ordinance this 19th day of November, 2007, by the Council of the Borough of Bellefonte I lawful session assembled.

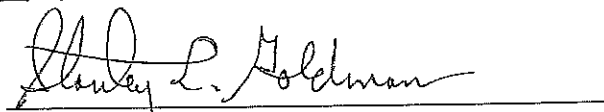
ATTEST:

BOROUGH OF BELLEFONTE

  
Ralph W. Stewart, Secretary

  
Frank Halderman, President of Council

AND NOW, TO WIT, this 19th day of November, 2007, the within and above Ordinance is approved.

  
Stanley L. Goldman, Mayor