

INDIAN LAKE BOROUGH
RESOLUTION NO. 1996-9

WHEREAS, Indian Lake Borough Ordained and Enacted Zoning Ordinance No. 99 on April 13, 1994.

WHEREAS, prior to the enactment of Zoning Ordinance No. 99 there existed on Indian Lake, in an area now classified as R-1, a piece of property identified as Wenatchee Park.

WHEREAS, Wenatchee Park is not a park, in the sense that it is classified P-1 under the Zoning Ordinance;

WHEREAS, Wenatchee Park contains 1.47 acres plus an island, which was used for the purposes of providing access to the lake and the docking of watercraft prior to the passage of Zoning Ordinance No. 99;

WHEREAS, the deed description to Wenatchee Park is set forth in a conveyance from British Overseas Property Corporation to the Wenatchee Property Owners' Association as set forth in Volume 1237, page 743 of the Deed Books in the Court of Common Pleas of Somerset County.

WHEREAS, Indian Lake Borough does not have a provision contained in its Zoning Ordinances requiring the registration of non-conforming uses;

WHEREAS, the Borough Council of Indian Lake Borough has determined that the use of Wenatchee Park for access to the lake and docking of watercraft was a use in existence prior to the zoning restrictions contained in Ordinance No. 99,

NOW THEREFORE, the Borough Council of Indian Lake Borough resolves as follows:

"Wenatchee Park, as set forth on the attached map is hereby recognized as a non-conforming use, which pre-dated the promulgation of Zoning Ordinance No. 99. By passing this Resolution the Borough Council of Indian Lake Borough is not in

any way expanding the use which existed at the time of the passage of the Zoning Ordinance, specifically that of an access to Indian Lake and dock area for watercraft, nor is it in any way exempting the property known as Wenatchee Park from any applicable provision of any Ordinance of Indian Lake Borough. The sole purpose of this Resolution is to recognize the use of Wenatchee Park as a non-conforming use, as such use may be defined under the Statutes and case law of the Commonwealth of Pennsylvania."

This Resolution is ordained and enacted at a duly convened and official meeting of the Borough Council of the Borough of Indian Lake, Somerset County, on the 10th day of December, 1996.

For: Borough of Indian Lake

By: Richard W. Stem
President of Council

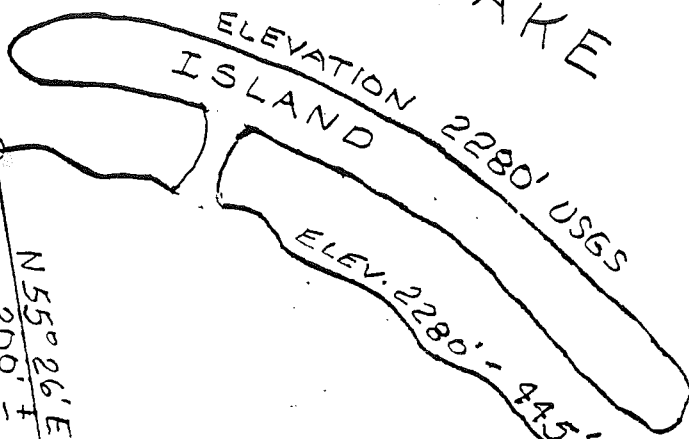
ATTEST:

By: Theresa L. Keyant
Borough Secretary

Examined and approved this 10th day of December, 1996.

By: Barry Lichty
Mayor

INDIAN LAKE



SENECA PARK

SENECA 11

WENATCHEE PARK

1.47 ACRES

N59°48'W
200.0'± CHEROKEE 10

SENECA 7

N55°26'E
154.6'

CHEROKEE 6

SENECA 5

N81°18'W
159.5'

CHEROKEE PARK

PB

SENECA PATH
S80°12'W 179.4'
M.21.0'S

SOUTH SHORE TRAIL R.O.W

WENATCHEE PROPERTY OWNERS ASSOC.

CENTRAL CITY, PA. 15926