



pennsylvania

DEPARTMENT OF TRANSPORTATION

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April 9, 2009

NORTHAMPTON COUNTY
CITY OF BETHLEHEM
STATE ROUTE 412, SECTION 01S
PARK AND RIDE PROJECT

The Honorable John B. Callahan
Mayor of the City of Bethlehem
10 East Church Street
Bethlehem, PA 18018

Dear Mayor Callahan:

This is a request for your assistance in expediting the review and approval of the settlement documents for the Right of Way (ROW) necessary for our park and ride expansion project on Silvex Road. Please encourage City Council members to act upon this at their next meeting, and not postpone action to a later date. Prompt action is needed in order to achieve a bid opening this spring so that the construction work can be completed during this year's construction season.

The ROW for 575 feet of Silvex Road will be changed from a variable width to a uniform width of 50 feet. Our design consultant evaluated a width of 60 feet but this caused impacts to the number of the existing and proposed parking spaces as well as site grading and drainage patterns that would be difficult to overcome. The intersection of Silvex Road and State Route (SR) 412 will be improved in the future when a jug handle ramp is constructed for the SR 412 widening project so there will be an opportunity for the city to interact with the Department as those design details for Silvex Road are finalized.

We appreciate your favorable action in this regard and your willingness to accept an appropriate exchange of services for the value of the city property.

Very truly yours,

Michael W. Rebert, PE
District Executive
Engineering District 5-0

050/SJP/arg

cc: John F. Spirk, Jr., City Solicitor

Prepared By: Department of Transportation
1002 Hamilton Street
Allentown, PA 18101-1013

Return To: Department of Transportation
1002 Hamilton Street
Allentown, PA 18101-1013

Site Location: Silvex Road
Bethlehem, PA 18015

Parcel ID:

RW-365F (7/07)

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**



ROW OFFICE PROJ. NO.	050105
COUNTY	Northampton
S.R. - SECTION	0412-01S
MUNICIPALITY	City of Bethlehem
PARCEL NO.	5
CLAIM NO.	4800107000
CLAIMANT	City of Bethlehem

**DEED FEE SIMPLE
(No Monetary Consideration)**

THIS INDENTURE, made by CITY OF BETHLEHEM owner(s) of property affected by the construction or improvement of the above mentioned State Route, its heirs, executors, administrators, successors, and/or assigns, hereinafter, whether singular or plural, called the GRANTOR, and the Commonwealth of Pennsylvania, Department of Transportation, hereinafter called the COMMONWEALTH,

WITNESSETH:

WHEREAS the COMMONWEALTH intends to record a plan in the Recorder of Deeds Office of the aforesaid County indicating its authorization to condemn property for the above highway from the aforesaid property; and

WHEREAS the parties hereto have agreed that, in lieu of condemnation, the GRANTOR will convey to the COMMONWEALTH in fee simple and such lesser estate(s) as designated, if any, from the property or portion thereof required by the COMMONWEALTH,

NOW, THEREFORE, in consideration of the benefits to the property of the GRANTOR, the GRANTOR does hereby grant and convey to the COMMONWEALTH in fee simple that portion of the aforesaid property designated as required right-of-way on the plot plan attached hereto and made a part hereof; and those areas, if any, designated as required for other than right-of-way in the easement(s) identified by the plot plan.

BEING all or a portion of the same property conveyed or devised to the GRANTOR by deed of Pennsylvania Department of Transportation for the benefit of the City of Bethlehem, dated September 13, 1985 and recorded in Deed Book 688 page 130. This conveyance contains approximately 0.73 acres of required right of way and is identified on COMMONWEALTH plans as Parcel 5, together with the improvements, hereditaments and appurtenances thereto and the GRANTOR warrants GENERALLY the property hereby conveyed.

Reserving, however, to the GRANTOR the right to deep mine minerals and remove gas and oil within the areas hereunder acquired from a minimum depth to be determined by the COMMONWEALTH, from mine shafts or by means of wells located off the right-of-way.

The GRANTOR does further remise, release, quitclaim and forever discharge the COMMONWEALTH or any agency or political subdivision thereof or its or their employees or representatives of and from all suits, damages, claims and demands which the GRANTOR might otherwise have been entitled to assert under the provisions of the Eminent Domain Code, 26 Pa.C.S. § 101 et seq., for or on account of this conveyance and any injury to or destruction of the aforesaid property of the GRANTOR through or by reason of the aforesaid highway construction or improvement, except damages, if any, under Section 710 (Limited Reimbursement of Appraisal, Attorney and Engineering Fees) and Section 711 (Payment on Account of Increased Mortgage Costs) of the Eminent Domain Code; provided, however, that if relocation of a residence or business or farm operation is involved, this release shall likewise not apply to damages, if any, under Section 902 (Moving Expenses) and/or Section 903 and/or 904 (Replacement Housing) of the Eminent Domain Code.

The GRANTOR does acknowledge that it has been fully informed by the COMMONWEALTH of its right to the payment of just compensation for the taking of the herein described property and that it does hereby waive such right.

Certificate of Residence

I hereby certify the Grantee's precise residence to be:

1002 Hamilton Street, Allentown, PA 18101-1013

Witness my hand this _____ day of _____, _____

Agent for the Commonwealth of Pennsylvania
Department of Transportation

The GRANTOR has executed or caused to be executed these presents, intending to be legally bound thereby.

INDIVIDUALS

ENTITIES*

GRANTOR:

City of Bethlehem
(Name of Entity)

BY: _____
John B. Callahan, Mayor

BY: _____
Meg Holland, Controller

* Use this block for a corporation, partnership, LLC, government entity, school district, church, trust, club, association, POA, attorney-in-fact, executor, administrator or any other entity. See R/W Manual Section 3.06.

INDIVIDUAL

ENTITY

STATE OF PENNSYLVANIA
COUNTY OF _____
On this _____ day of _____, 20____,
before me, _____,
the undersigned officer, personally appeared _____
_____, known to me
(or satisfactorily proven) to be the person(s) whose
name(s) _____ subscribed to the within instrument,
and acknowledged that _____ executed the
instrument for the purposes contained in it.
In witness whereof, I hereto set my hand and official
seal.

[Signature]

[Title]
[Seal]

STATE OF PENNSYLVANIA
COUNTY OF _____
On this _____ day of _____, 20____,
before me, _____, the undersigned
officer, personally appeared _____
_____, who acknowledged _____ self
to be the _____ [title] of
_____ [name of entity],
and that as such _____
_____ [title], being authorized to do so,
executed the foregoing instrument for the purposes
contained in it by signing on behalf of the entity as

[title].
In witness whereof, I hereto set my hand and official seal.

[Signature]

[Title]
[Seal]

APPROVED AS TO FORM AND LEGALITY:

For Chief Counsel

Deputy General Counsel

Deputy Attorney General

T/P	SYS	W.O.	SPUR	PHA	SECTION	ORG.	PRG.	P.C.
P	3	0	0	4	1	2	0	6
0	6	0	1	1	5	3	0	1

WBS ELEMENT
 FEDERAL PROJECT NO. 0400-X055-188
 MPMS NO 69408

GENERAL NOTES

THE LEGAL RIGHT-OF-WAY ON SILVEX ROAD, A CITY STREET WITHIN THE CITY OF BETHLEHEM, FROM STA. 12+57 TO STA. 18+32 VARIES FROM 60 FEET TO 135 FEET, BASED ON PLAN OF L.R. 1045, SECTION 3B R/W, SIGNED ON OCTOBER 2, 1984, AND RECORDED ON DECEMBER 7, 1984, IN THE NORTHAMPTON COUNTY RECORDER'S OFFICE IN HIGHWAY BOOK 12, PAGE 1.

ALL REQUIRED RIGHT-OF-WAY FOR THIS PROJECT SHALL BE ACQUIRED IN FEE SIMPLE UNLESS OTHERWISE NOTED. AREAS, IF ANY, NOT TO BE ACQUIRED IN FEE SIMPLE SHALL BE ACQUIRED IN THE LESSER ESTATE OR INTEREST NOTED ON THE PLAN SHEET.

PRIVATE PROPERTY LINES ARE PLOTTED FROM THE DEED OF RECORD, RECORDED SUBDIVISION OR LOT PLANS, EXISTING TOPOGRAPHICAL FEATURES AND LIMITED FIELD DATA. PRIVATE RESPONSIBILITY FOR THE PROFESSIONAL LAND SURVEYOR FOR THE PROJECT.

THE HALF CIRCLED NUMBER INDICATES A SCALED DIMENSION
 +85.00
 INDICATES MONUMENTED DIMENSIONS. 50.00
 HORIZONTAL CONTROL IS BASED ON ASSUMED COORDINATE SYSTEM.
 VERTICAL CONTROL IS BASED ON THE MVD OF 1929.

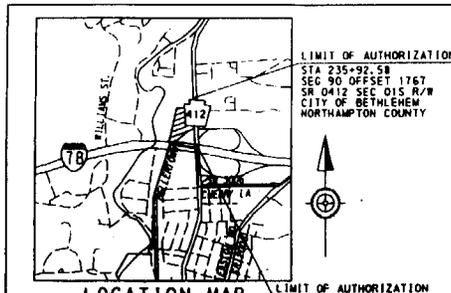
ALL CURVE DATA IS BASED ON THE ARC DEFINITION UNLESS OTHERWISE INDICATED.

SLOPE LIMITS SHOWN ON THIS PLAN ARE INDICATED AS FOLLOWS:
 CUT FILL

THERE ARE NO NAVIGABLE STREAMS WITHIN THE PROJECT LIMITS.

THE FILING OF THIS PLAN IS NOT A CONDEMNATION OF THE PROPERTIES DESIGNATED THEREIN AND DOES NOT IN ANY MANNER WHATSOEVER RESTRICT THE USE OR DISPOSAL THEREOF. AUTHORIZATION TO CONDEMN UNDER THIS PLAN EXTENDS FOR ONLY ONE YEAR FROM THE DATE OF THE SECRETARY'S SIGNATURE INITIALLY AUTHORIZING ACQUISITION OR SUBSEQUENTLY REVISING THE PLAN ON AUTHORIZING ACQUISITION THEREAFTER.

REQUIRED RIGHT-OF-WAY FOR LOCAL ROADS OR STREETS IS ACQUIRED FOR THE BENEFIT OF THE APPLICABLE MUNICIPALITY IN THE SAME ESTATE OR INTEREST AS DESIGNATED HEREIN FOR REQUIRED RIGHT-OF-WAY FOR STATE HIGHWAY PURPOSES, ALONG WITH A TEMPORARY CONSTRUCTION EASEMENT FOR THE BENEFIT AND USE OF THE COMMONWEALTH. TITLE SHALL REST IN THE APPLICABLE LOCAL MUNICIPALITY UPON ACQUISITION AND MAINTENANCE RESPONSIBILITY SHALL TRANSFER UPON THE COMPLETION OF CONSTRUCTION.



LOCATION MAP
 SCALE IN FEET
 2000 1000 0 1000 2000
 LIMIT OF AUTHORIZATION STA. 231+75.38
 SEG 90 OFFSET 1349
 SR 0412 SEC 015 R/W
 CITY OF BETHLEHEM
 NORTHAMPTON COUNTY

LEGEND

	PROJECT LOCATION		BOROUGH LINE
	PA. STATE ROUTE		STREAM
	TOWNSHIP OR LOCAL ROAD		RAILROAD

TABULATION OF OVERALL AND AUTHORIZATION LENGTH
 STA. 231+75.38 TO STA. 235+92.58 = 417.20 FEET = 0.079 MILES
TABULATION OF SEGMENT EQUALITIES
 SEGMENT 90, OFFSET 1725+ STATION 235+51.27
LIST OF EQUALITIES

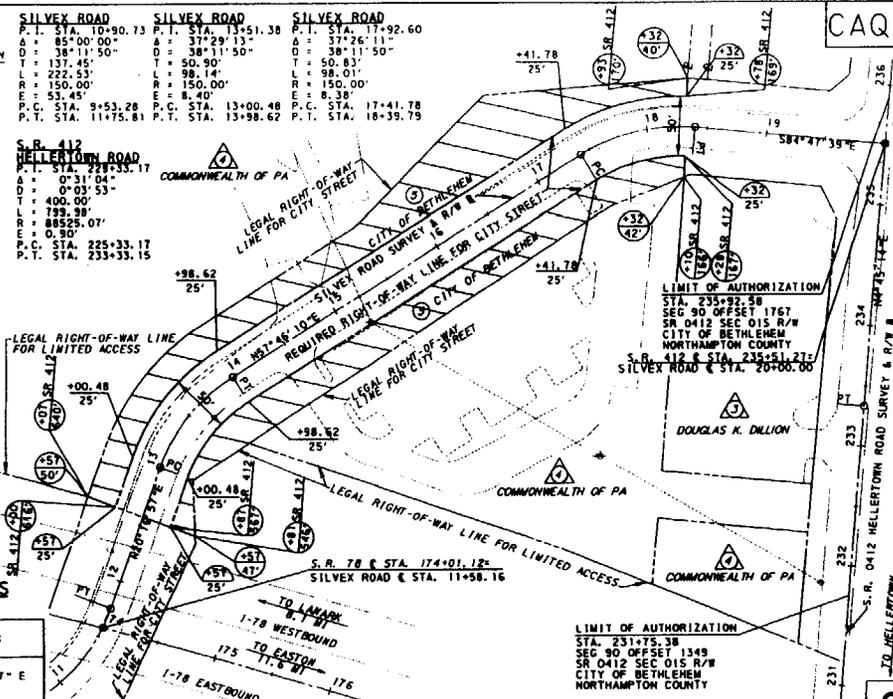
SUMMARY OF PROJECT COORDINATES
 *BASED ON ASSUMED COORDINATE SYSTEM

ROUTE	STATION	POINT	COORDINATES		BEARING
			NORTH	EAST	
SILVEX ROAD R/W	11+75.81	PT	4852.3850	9504.6525	N 20° 16' 57" E
	13+00.48	PC	4969.3259	9547.8695	
	13+51.38	P1	5017.0691	9565.5135	
	13+98.62	PT	5044.2151	9600.5696	N 57° 46' 10" E
	17+41.78	PC	5227.2293	9890.8477	
	17+92.60	P1	5254.3359	9941.8414	
	18+39.78	PT	5249.7243	9992.4572	S 84° 47' 39" E
	19+99.97	POE	5235.1898	10151.9810	
	225+33.17	PC	4220.9082	10064.0026	N 5° 16' 18" E
	229+33.17	P1	4619.2113	10100.7540	
233+33.15	PT	5017.8302	10133.9046	N 4° 45' 14" E	
241+99.99	POE	5881.6880	10205.7461		

SUMMARY OF RIGHT-OF-WAY COORDINATES
 *BASED ON ASSUMED COORDINATE SYSTEM

ROUTE	STATION	OFFSET/SIDE	COORDINATES	
			NORTH	EAST
SILVEX ROAD	12+57.00	50' /LT	4945.8734	9485.8971
	12+57.00	25' /LT	4937.2072	9509.3470
	13+00.48	25' /LT	4977.9912	9524.4192
	13+98.62	25' /LT	5065.3617	9595.2347
	17+41.78	25' /LT	5248.3789	9885.5174
	18+32.00	25' /LT	5275.2102	9985.6625
	18+32.00	40' /LT	5290.1989	9986.2467
	12+57.00	47' /RT	4912.2486	9576.8827
	12+57.00	25' /RT	4919.8748	9556.2468
	13+00.48	25' /RT	4960.6588	9571.3190
	13+98.62	25' /RT	5023.0666	9621.9016
	17+41.78	25' /RT	5206.0829	9912.1830
	18+32.00	25' /RT	5225.2482	9983.7152
	18+32.00	42' /RT	5206.2611	9983.0531

*NOTE: FOUR (4) PLACE COORDINATES ARE USED FOR COMPUTATIONAL PURPOSES ONLY AND DO NOT IMPLY A PRECISION BEYOND (2) PLACES.



RIGHT-OF-WAY CLAIM INFORMATION
 COMMONWEALTH OF PENNSYLVANIA-DEPARTMENT OF TRANSPORTATION
 STATE RTE. 412 SEC. NO. 015 R/W CITY OF BETHLEHEM NORTHAMPTON COUNTY
 PARCEL NO. 5 SHEET NO. 1 CLAIM NO. _____
 PROPERTY OWNER(S) CITY OF BETHLEHEM
 GRANTOR(S) EVA W. SHEESLEY

DEED BOOK	PAGE	DATE OF DEED	DATE OF RECORD	CONSIDERATION	TAX STAMPS	AREAS	ACRE/SF	REQUIRED AREA	ACRE/SF
688	130	3/13/1985	3/13/1985	SEE SIMPLE		DEED	5.0195	RIGHT OF WAY	0.73
						ADVERSE		CHANNEL	
						EFFECTIVE		SLOPE	
						TOTAL REQ'D R/W	0.73		
						TOTAL RESIDUE	4.28	VERIFICATION DATE	2/11/09
						RESIDUE LT		DRAWN BY	LCG
						RESIDUE RT		50	0
								50	50

*BY OPERATIONAL LAW, SEE GENERAL NOTES ON THIS PLAN.

LEGEND

LIST OF PUBLIC UTILITIES

UGI UTILITIES, INC. LEHIGH PPL ELECTRIC UTILITIES
 2121 CITY LINE ROAD CORPORATION
 BETHLEHEM, PA 18011-2187 827 HOUSMAN RD.
 ALLENTOWN, PA 18104-9392
 PHONE: 610-866-0951
 ATTN: LINDA SORFANEK
 ATTN: JENNIFER PERDICK

PA ONE-CALL SYSTEM INC. PHONE 1-800-242-1776
 SERIAL NO. 2036682 FOR CITY OF BETHLEHEM

SURVEY BOOK NOS. 24021

RECOMMENDED.....20.....
 DISTRICT EXECUTIVE

RECOMMENDED.....20.....
 DEPUTY SECRETARY

APPROVED.....20.....
 SECRETARY OF TRANSPORTATION
 (ON BEHALF OF THE GOVERNOR
 AS WELL AS HIMSELF)

PREPARED BY:
 RUMMEL, KLEPPER & KAM, LLP
 2570 BOULEVARD OF THE GENERALS
 SUITE 215
 NORRISTOWN, PA 19403

REG. LAND SURVEYOR

DATE

PREPARED BY:
 RUMMEL, KLEPPER & KAM, LLP
 2570 BOULEVARD OF THE GENERALS
 SUITE 215
 NORRISTOWN, PA 19403

REG. PROF. ENGINEER

DATE

**COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF TRANSPORTATION
 DRAWINGS AUTHORIZING ACQUISITION
 OF
 RIGHT-OF-WAY
 FOR
 STATE ROUTE 0412 SECTION 015 R/W
 IN NORTHAMPTON COUNTY
 FROM STA. 231+75.38 TO STA. 235+92.58 LENGTH 417.20 FT. 0.079 MI.
 FROM SEG. 90 OFFSET 1349 TO SEG. 90 OFFSET 1767**

THIS PLAN PREPARED PURSUANT TO SECTION 20031(a) OF THE ADMINISTRATIVE CODE, AS AMENDED, 71 P.S. SECTION 5131(b), AND SECTION 3021(b)(3) OF THE EMINENT DOMAIN CODE, 26 PA. C.S., SECTION 3021(b)(1)31.

RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS, ETC. IN _____ COUNTY, PA.

IN _____ BOOK _____ PAGE _____

WITNESS MY HAND AND SEAL OF OFFICE

COMMONWEALTH OF PENNSYLVANIA COUNTY OF DAUPHIN SS
 BEFORE ME, A NOTARY PUBLIC, PERSONALLY CAME _____ SECRETARY OF TRANSPORTATION, WHO ACKNOWLEDGED THE WITHIN PLAN, COMPRISING _____ SEPARATE SHEETS, TO BE AN OFFICIAL PLAN OF THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION AND DESIRED THAT THE SAME BE RECORDED AS SUCH.
 WITNESS MY HAND AND NOTARIAL SEAL _____

OPERATOR: LG (rev.)
 FILE NAME: N:\VFO\beta\CAQ\2004\04054_PARC\CAQ05P\DATA\DRP-EMO1_040941.dwg
 PLOTTED Thursday, March 05, 2008 AT 01:30 PM