

LAW OFFICES
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38 WEST MARKET STREET
BETHLEHEM, PENNSYLVANIA 18018-5703

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February 26, 2016

VIA EMAIL AND REGULAR MAIL

Louis Kelchner, City Clerk
City of Bethlehem
City Hall
10 East Church Street
Bethlehem, PA 18018



**RE: *Bethlehem Parking Authority
Amended Petition to City Council
Vacation of Graham Place***

Dear Louise:

With respect to the above matter and per our telephone conversation this afternoon, enclosed please find a fully executed original of the Amended Petition to City Council of the City of Bethlehem for Street Vacation. The reason for the Amended Petition is simply to correct the name of the Owner of the Comfort Inn Suites Hotel located at 120 W. Third Street, from South Side Bethlehem Hotel Associates, LP to Best Suites Hospitality, LLC.

If you have any questions or need any additional information, please do not hesitate to contact me. Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to be "JLB", written over a horizontal line.

James L. Broughal

JLB/tms

Enclosure

cc: Kevin Livingston, Executive Director (w/encl.; via email)
Bethlehem Parking Authority

AMENDED
PETITION TO THE CITY COUNCIL OF THE CITY OF BETHLEHEM
FOR STREET VACATION

AND NOW, comes the *BETHLEHEM PARKING AUTHORITY and BEST SUITES HOSPITALITY, LLC*, by and through their attorneys, Broughal & DeVito, L.L.P., and Petition City Council for street vacation as is more particularly set forth herein:

1. Petitioner, Bethlehem Parking Authority and Petitioner, South Side Bethlehem Hotel Associates, LP, had previously filed a Petition with the city Council of the City of Bethlehem requesting the vacation of Graham Place. It has come to our attention that Petitioner, South Side Bethlehem Hotel Associates, LP is not the owner of 120 W. Third Street, Bethlehem Pennsylvania 18015, but rather Best Suites Hospitality, LLC, who now joins in this Amended Petition as a Petitioner and record owner of 120 W. Third Street, Bethlehem, Pennsylvania 18015.

2. Petitioner Bethlehem Parking Authority, is a Pennsylvania parking authority which operates the City of Bethlehem parking system and is located in the City of Bethlehem, Northampton and Lehigh Counties, Pennsylvania, and Petitioner, Best Suites Hospitality, LLC, a Pennsylvania limited liability company, which owns and operates a full service hotel at 120 W. Third Street, Bethlehem, Pennsylvania 18015 (hereinafter Petitioner Bethlehem Parking Authority and Petitioner Best Suites Hospitality, LLC are sometimes referred to as "Petitioners").

3. Located immediately adjacent to property owned by Petitioners in Bethlehem, Northampton County, is a street one block in length, known as Graham Place. A map depicting the location of Graham Place and a legal description of Graham Place are attached hereto, collectively, as *Exhibit "A"*, and made parts hereof.

4. Petitioners own a majority of the property on both sides of Graham Place.
5. The city block which is bounded by Graham Place, Vine Street, Rink Street and New Street properties is owned by the Petitioner, Bethlehem Parking Authority, some of which is currently used for public parking.
6. Petitioner, Bethlehem Parking Authority, subject to the approval of the City of Bethlehem Planning Commission, desires to construct a 626 space public parking garage on property owned by the Petitioner, Bethlehem Parking Authority and that portion of Graham Place hereby requested for vacation pursuant to this Petition ("New Street Parking Garage").
7. Upon construction of the New Street Parking Garage, public access along Graham Place will not be allowed.
8. Under these circumstances, the vacation of Graham Place would be appropriate.

WHEREFORE, Petitioners pray City Council to vacate Graham Place, from its intersection with Vine Street to its terminus at New Street as such street is more particularly described in **Exhibit "A"** hereto.

Date: 2-26-16

BROUGHAL & DEVITO, L.L.P.

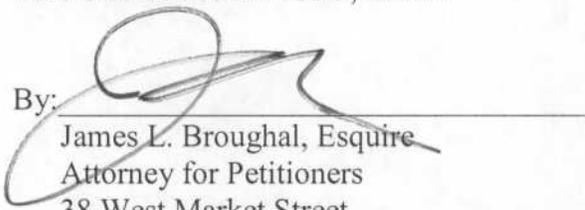
By: 
James L. Broughal, Esquire
Attorney for Petitioners
38 West Market Street
Bethlehem, PA 18018

EXHIBIT "A"
Map and Legal Description of Graham Place



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

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**DESCRIPTION OF RIGHT-OF-WAY VACATION
CITY OF BETHLEHEM
NORTHAMPTON COUNTY, PENNSYLVANIA**

**GRAHAM PLACE
MC PROJECT NO. 15001235B**

January 4, 2016

All those lots, tracts or parcels of land situate, lying and being in the City of Bethlehem, in the County of Northampton and the Commonwealth of Pennsylvania, and being public right of way, owned now or formerly, the City of Bethlehem and to be granted to City of Bethlehem Parking Authority as shown on a map entitled: "Right-of-Way Vacation for City of Bethlehem Parking Authority, Graham Place, City of Bethlehem, Northampton County, Pennsylvania", dated December 22, 2015, and being more particularly bounded and described as follows, to wit:

BEGINNING at the corner of the intersection of the southerly right-of-way of Graham Place (36 foot right-of-way) and the westerly right of way of New Street (60 foot right-of-way);

The following eight (8) courses:

1. N77° 09' 39"W, 94.13 feet, to a point, thence –
2. S86° 22' 01"W, 49.01 feet, to a point, thence –
3. S86° 27' 57"W, 152.42 feet, to the corner of the intersection of the southerly right-of-way of Graham Place and the easterly right of way of Vine Street, thence –
4. N03° 32' 03"W, 36.00 feet, to the corner of the intersection of the northerly right-of-way of Graham Place and the easterly right of way of Vine Street, thence –
5. N86° 27' 57"E, 152.39 feet, to a point, thence –
6. N86° 22' 01"E, 54.19 feet, to a point, thence –
7. S77° 09' 39"E, 88.35 feet, to the corner of the intersection of the northerly right of way of Graham Place and the westerly right of way of New Street, thence –
8. S04° 08' 06"E, 37.64 feet to the Point and Place of **BEGINNING**.

CONTAINING: 10,629 square feet or 0.244 acres of land more or less.

SUBJECT TO: all easements, restrictions, covenants, agreements of record.

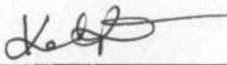
R:\Projects\2015\15001235A\Survey\Description\ROW_Vacation.docx

AFFIDAVIT

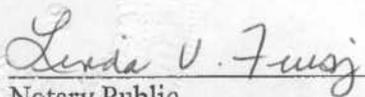
COMMONWEALTH OF PENNSYLVANIA)
) SS.
COUNTY OF NORTHAMPTON)

Before me, a Notary Public in and for the said Commonwealth and county, personally appeared KALPESH SHAY, who being duly sworn according to law deposes and says that he/she is the PRESIDENT of Best Suites Hospitality, LLC, a Petitioner herein, that he/she is authorized to make this Affidavit on its behalf, and that the facts set forth in the foregoing Petition are true and correct to his/her personal knowledge, information, and belief.

Best Suites Hospitality, LLC

By: 
Print Name: KALPESH SHAH
Title: M. member

Sworn and subscribed
before me this 26 day
of FEBRUARY, 2016.


Notary Public

