



CITY OF BETHLEHEM  
OFFICE OF THE CITY SOLICITOR

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INTEROFFICE MEMORANDUM

To: City Clerk  
From: M. Kloiber  
Re: Gift of Real Estate  
Date: October 29, 2015

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Pursuant to Bethlehem City Council Resolution 11,836 (adopted May 25, 1993), it is recommended that the City of Bethlehem accept the following gift of property. In accordance with Resolution 11,836, it is asked that this request be read into the record during the Communication section of Council's Meeting, and that the Council President refer the request to the Parks and Public Property Committee for study and recommendation.

A. The property is located around 1830 Main Street, Bethlehem Pa. The legal description of the property follows:

Beginning at a point in the centerline of Main Street, said point being in line with the lands now or formerly of Albert S. Johnson; thence,

Along the said lands of Johnson, South 49° 02' 30" East 11.01 feet to a point; thence,

Along the easterly edge of the paved roadway of Main Street following four courses:

South 37° 52' 28" West, 28.69 feet to a point; thence,

South 39° 37' 52" West, 50.70 feet to a point; thence,

South 41° 24' 06" West, 50.76 feet to a point; thence,

South 43° 54' 14" West 23.49 feet to a point; thence,

In and through the paved roadway of Main Street, North 88° 45' 00" West, 14.59 feet to a point, thence,

Along the centerline of Main Street, North 40° 14' 30" East, 72.43 feet to a point; thence,

Along the same, North 40° 57' 30" East, 90.45 feet to the Point of Beginning.

B. In 2014, the owners of 1830 Main Street had a survey done in connection with septic work being done on the property. The surveyor advised that the metes and bounds description of the 1830 Main Street property placed the property line in the middle of Main Street. In 2015 the property was put up for sale. The buyers asked that the deed description be amended. Following discussion with counsel for the seller, buyer, and the Law Bureau, it was determined that a surveyor would provide a metes and bounds description for the portion of the property that is in the roadbed of Main Street, then provide a deed of dedication to the City of that portion, subject to Council's approval, and include a "less and excepting" clause in the primary deed to the Buyers of that same portion.

C. The appraised value of the property of 1830 Main Street is \$151,400 (Land Value of \$65,900 and Building Value of \$85,500). The property is .5245 acres. The property being donated to the City is approximately 2,017 sq. ft. (0.046 acres) in size.

D. Property owners in the area around the property being dedicated are: Terry Sweet, William Ferry and Diane Ferry; Michael Zapp Jr and Barbara Zapp; and Bethapp Properties LP.

E. The zoning designation of this particular parcel is RR. Surrounding properties are zoned RR and RS.

F. There are no deed restrictions to the property.

G. The proposed gift of the property should be accepted because it clarifies a title issue that had previously gone unnoticed. The property to be received is part of the roadbed of Main Street which the City has been maintaining for decades.

