



I hereby CERTIFY that this document is recorded in the  
Recorder's Office of Northampton County, Pennsylvania.

*Ann L. Gentry*

RECORDERS OFFICE  
NORTHAMPTON COUNTY  
PENNSYLVANIA  
INSURANCE NUMBER  
1994016325  
RECORDED ON  
APR 22, 1994  
2:50:52 PM  
STATE WRIT TAX \$ 0.50  
RECORDING FEES \$ 19.00  
TOTAL \$19.50

SCENIC AND CONSERVATION EASEMENT  
FORMER BETHLEHEM STEEL PROPERTY  
ADJACENT TO CITY OF BETHLEHEM LANDFILL

WHEREAS, the City of Bethlehem ("City") and the Township of Lower Saucon ("Township") desire to cooperate in the proper expansion of the City of Bethlehem Landfill ("Landfill") located on Applebutter Road in the Township; and

WHEREAS, the City and Township have agreed in Section III - Intergovernmental Issues, Item 4, that the City buffer land purchased on the North side of the Landfill, i.e., the former Bethlehem Steel property, should be protected with a conservation and scenic easement; and

WHEREAS, the City and Township have agreed that the City is allowed ingress, egress and regress over the easement area to perform groundwater testing and pollution abatement projects.

NOW, THEREFORE, IT IS AGREED:

1. That the consideration for this agreement is the mutual covenants and promises contained herein.
2. That the City grants to the Township a restrictive easement for scenic and conservation purposes on the tract of approximately one hundred forty-two (142) acres as more fully described in the exhibits attached hereto and marked as Exhibits "1" and "2."
3. The City recognizes the area as identified above is zoned "RA" and will only perform those activities permitted in such zoning, and in accordance with any amendments by which the City or its successors are obligated to comply in accordance with the provisions of the Municipalities Planning Code and applicable state law. The City further agrees it will not engage in any landfill activities on the property. The City and the Township recognize, however, that the City retains the right and permission to undertake groundwater testing activities and water pollution abatement activities on this property.

Also Known As Northampton County  
Uniform Parcel Identifier:

Map NE Block 14 Lot 2

VOL: 1994-8

012074

4. The Township recognizes that the City police department operates a firing range and training facility on a portion of the parcel and that there further exists a gun club on a portion of the parcel. The Township agrees that such facilities and operations may continue in their present form and condition. In the event anyone wishes to modify the operations or facilities, such modification shall be undertaken in accordance with the Township ordinances. In the event the Township ordinances require approval of the modification, such approval shall not be unreasonably withheld.

5. Surface mining and other extractive activities are strictly prohibited on the easement area.

6. The City of Bethlehem shall not perform any activity other than those stated in this easement agreement or any activity that may in any way be in contradiction to the guidelines and rules of the Delaware and Lehigh Canal National Heritage Corridor and State Heritage Park.

7. The City shall retain the right to exclude any member of the public from trespassing on the easement area.

8. The restrictions and easements shall constitute a covenant running with all of the property described herein and shall be binding upon the City and all other persons and parties claiming through the City herein, and for the benefit of and limitation upon all future owners of said land and premises, this declaration of restrictions being designed for the purposes of assuring the preservation of the Delaware and Lehigh Canal National Heritage Corridor and State Heritage Park; and, during such operation of the Landfill to as great a degree as possible, to preserve the original character and scenic nature of the land.

9. The Township shall have the right to assign this restrictive easement with the prior written approval of the City, which said approval shall not be unreasonably withheld.

IN WITNESS WHEREOF, the undersigned have executed this

Easement on behalf of the City and the Township, intending to legally bind the parties to its terms.

William J. McConaughy  
Controller

MAR 16 1994

CITY OF BETHLEHEM

By: Kenneth R. Smith  
Kenneth R. Smith  
Mayor

Robert S. Andrius  
Secretary

TOWNSHIP OF LOWER SAUCON

By: Priscilla deLeon  
Priscilla deLeon  
President of Council

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF Northampton ) : SS:

On this 16<sup>th</sup> day of March, 1994, before me,  
Cynthia A. Schick, the undersigned officer,  
personally appeared KENNETH R. SMITH, Mayor of the City of  
Bethlehem, Pennsylvania, known to me to be the person described  
in the foregoing instrument, and acknowledged that he executed  
the same in his official capacity therein stated and for the  
purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official  
seal.

Cynthia A. Schick

Notarial Seal  
Cynthia A. Schick, Notary Public  
Bethlehem, Northampton County  
My Commission Expires Aug. 12, 1994

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF ) : SS:

On this 16<sup>th</sup> day of March, 1994, before me,  
MARtha L. Chase, the undersigned officer,  
personally appeared PRISCILLA deLEON, President of Council of the  
Township of Lower Saucon, Pennsylvania, known to me to be the  
person described in the foregoing instrument, and acknowledged  
that she executed the same in her official capacity therein  
stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official  
seal.

Martha L. Chase

Notarial Seal  
Martha L. Chase, Notary Public  
Lower Saucon Twp., Northampton County  
My Commission Expires Jan. 23, 1995  
Member, Pennsylvania Association of Notaries

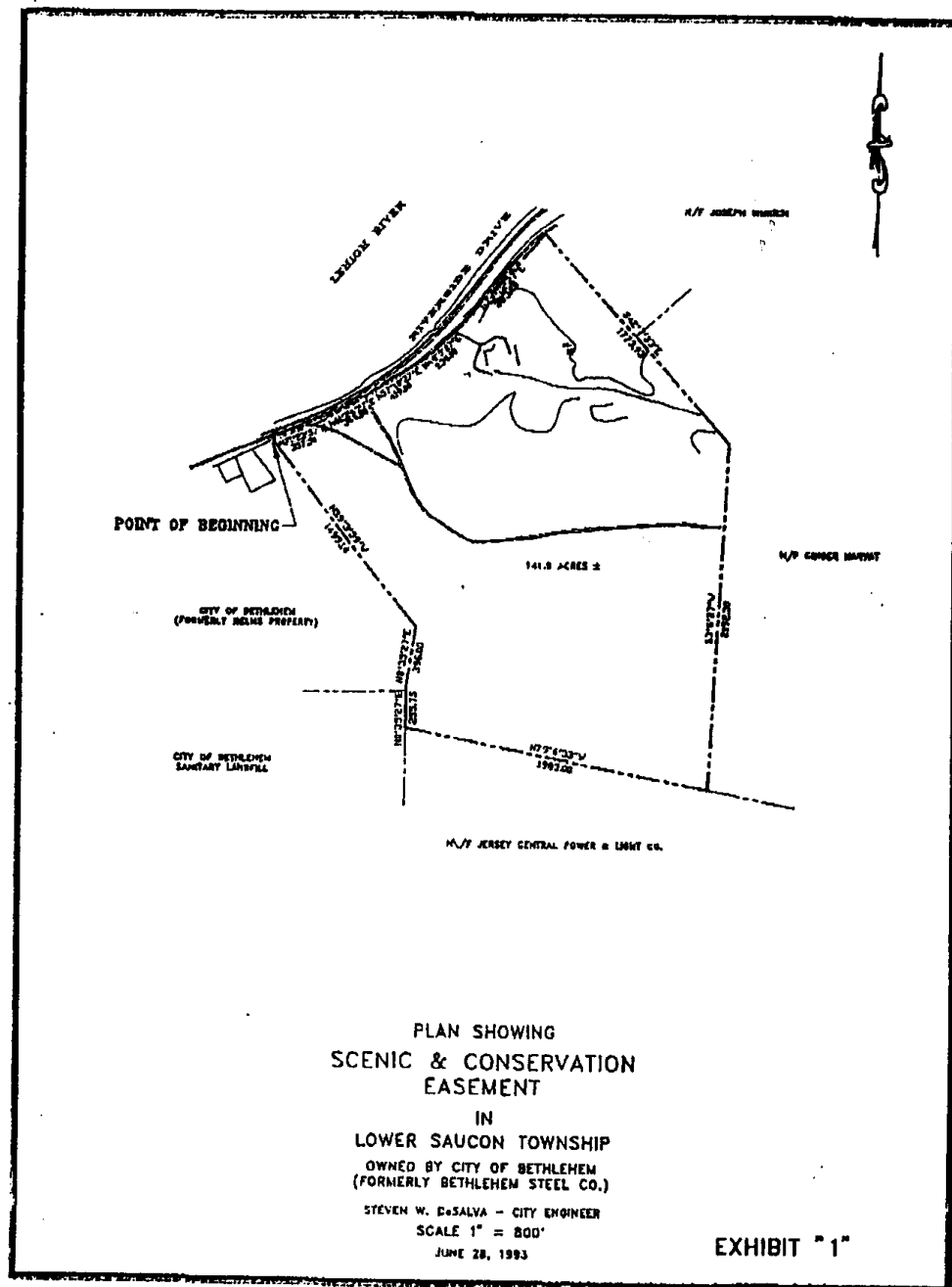


EXHIBIT "2"

DESCRIPTION OF  
SCENIC & CONSERVATION EASEMENT  
ON PROPERTY OF CITY OF BETHLEHEM  
(FORMERLY KNOWN AS BETHLEHEM STEEL COMPANY PROPERTY)

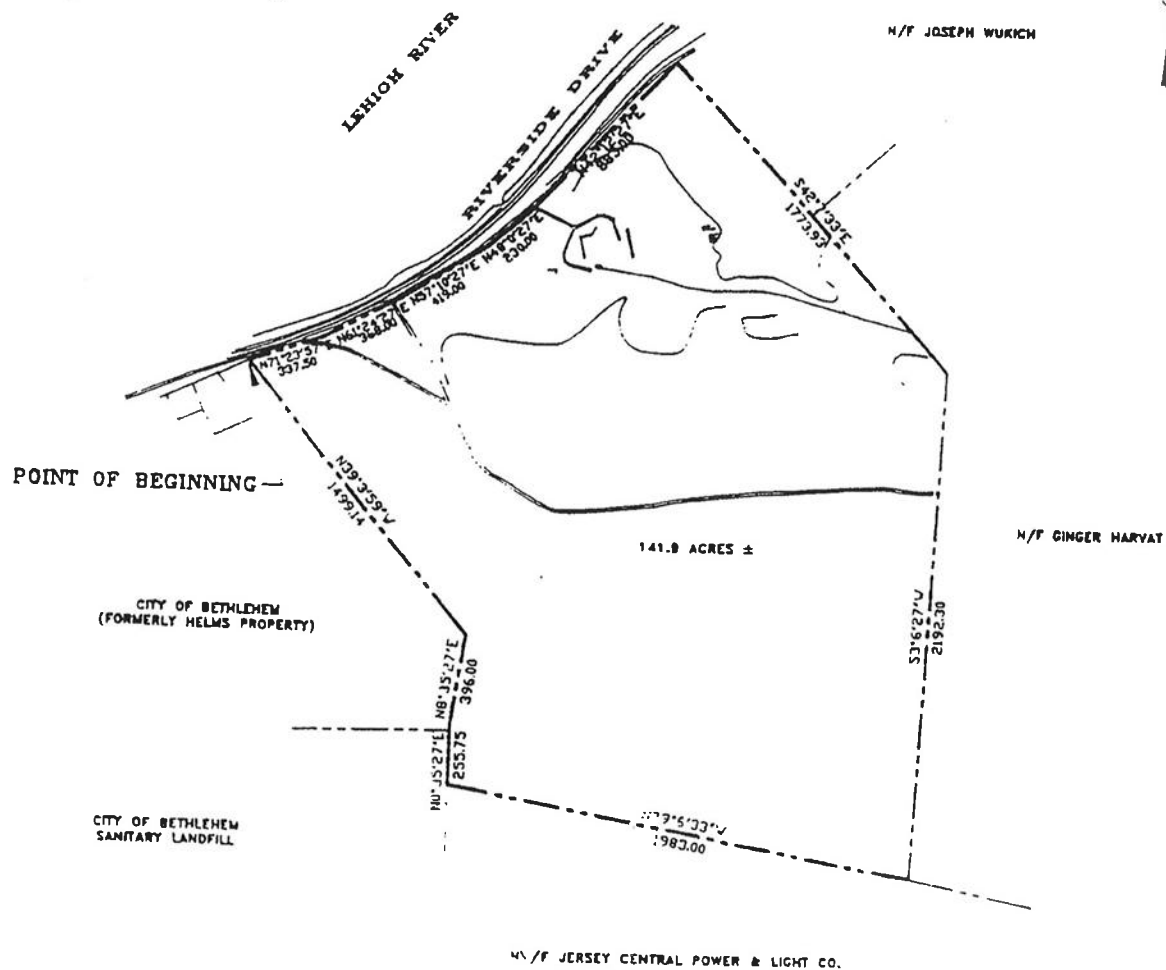
All that certain lot or parcel of land to be dedicated as a Scenic & Conservation Easement, situate along the south side of Riverside Drive, in Lower Saucon Township, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows to wit:

Beginning at a point, said point being the common point between the northeast corner of property of the City of Bethlehem (formerly known as Samuel Helms property) and the northwest corner of property of the City of Bethlehem (formerly known as Bethlehem Steel Company property) the property described herein, thence in an eastwardly direction by the five (5) following courses and distances: 1) North Seventy-one degrees Twenty-three minutes Fifty-seven seconds East (N 71°23'57"E) Three hundred Thirty-seven and Fifty one-hundredths feet (337.50') to a point, 2) North Sixty-one degrees Twenty-four minutes Twenty-seven seconds East (N 61°24'27"E) Three hundred sixty eight feet (368.00') to a point, 3) North Fifty-seven degrees Ten minutes Twenty-seven seconds East (N 57°10'27"E) Four hundred nineteen feet (419.00') to a point, 4) North Forty-eight degrees Zero minutes Twenty-seven seconds East (N 48°00'27"E) Two hundred thirty feet (230.00') to a point, 5) North Forty-two degrees Twelve minutes Twenty-seven seconds East (N 42°12'27"E) Eight Hundred eighty-three feet (883.00') to a point, said point being on the common property line of Joseph Wukich, thence in an southwardly direction along property of Joseph Wukich South Forty-two degrees Seven minutes Thirty-three seconds East (S 42°07'33"E) One thousand Seven hundred Seventy-three and Ninety-three one-hundredths feet (1,773.93') to a point, thence continuing in a southwardly direction along lands of Ginger Harvat South Three degrees Six minutes Twenty-seven seconds West (S 3°06'27"W) Two thousand one hundred Ninety-two and Thirty one-hundredths feet (2,192.30') to a point on the common property line of Ginger Harvat and Jersey Central Power and Light Company, thence in a westwardly direction along property of Jersey Central Power and Light Company North Seventy-nine degrees Six minutes Thirty-three seconds West (N 79°06'33"W) One thousand Nine hundred Eighty-three feet (1,983.00') to a point on the common property line of the City of Bethlehem Landfill, thence in a northwardly direction along property of the City of Bethlehem Landfill North Zero degrees Thirty-five minutes Twenty-seven seconds East (N 0°35'27"E) Two hundred Fifty-five and

Seventy-five one-hundredths feet (255.75') to a point, thence continuing in a northwardly direction along property of City of Bethlehem (formerly Samuel Helms property) North Eight degrees Thirty-five minutes Twenty-seven seconds East (N 8°35'27"E) Three hundred Ninety-six feet (396.00') to a point, thence continuing in a northwardly direction along property of City of Bethlehem (formerly Samuel Helms property) North Thirty-nine degrees Three minutes Fifty-nine seconds West (N 39°03'59"W) One-thousand Four hundred Ninety-nine and Fourteen one-hundredths feet (1,499.14') to a point, said point being the place of beginning, containing 141.9 Acres ±.

Bounded on the north by Riverside Drive, on the east by lands of Joseph Wukich and lands of Ginger Harvat, on the south by lands of Jersey Central Power and Light Company, on the west by lands of the City of Bethlehem Landfill and City of Bethlehem (formerly Samuel Helms property).

All of which is more fully shown upon the map or plan entitled "PLAN SHOWING SCENIC & CONSERVATION EASEMENT IN LOWER SAUCON TOWNSHIP OWNED BY THE CITY OF BETHLEHEM (FORMERLY BETHLEHEM STEEL PROPERTY) STEVEN W. DESALVA - CITY ENGINEER SCALE 1" = 800' JUNE 28, 1993 EXHIBIT "1", a copy of which is on file in the office of the City Engineer of Bethlehem, Pennsylvania.



PLAN SHOWING  
SCENIC & CONSERVATION  
EASEMENT

IN  
LOWER SAUCON TOWNSHIP

OWNED BY CITY OF BETHLEHEM  
(FORMERLY BETHLEHEM STEEL CO.)

STEVEN W. LOSALVA - CITY ENGINEER

SCALE 1" = 800'

JUNE 28, 1993

EXHIBIT "1"



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SCENIC & CONSERVATION EASEMENT  
ON PROPERTY OF CITY OF BETHLEHEM  
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